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PROCEEDINGS AND DEBATES OF THE SIXTY-EIGHTH CONGRESS
FIRST SESSION

SENATE

TUESDAY, *May 27, 1924*

(Legislative day of Monday, May 26, 1924)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 491) for the prevention of venereal diseases in the District of Columbia, and or other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker of the House had signed the following enrolled bills and a joint resolution, and they were thereupon signed by the President pro tempore:

S. 946. An act for the relief of Amy L. Fallon, mother of Lieut. Henry N. Fallon, retired;

H. R. 714. An act to amend section 101 of the Judicial Code;

H. R. 2879. An act to provide for the disposal of homestead allotments of deceased allottees within the Blackfeet Indian Reservation, Mont.;

H. R. 3236. An act to regulate the practice of optometry in the District of Columbia;

H. R. 4437. An act to quiet titles to land in the municipality of Flomaton, State of Alabama;

H. R. 4445. An act to amend section 115 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary";

H. R. 4460. An act authorizing payment to certain Red Lake Indians, out of the tribal trust funds, for garden plats surrendered for school-farm use;

H. R. 4481. An act authorizing the Secretary of Commerce to exchange land formerly used as a site for the Point of Woods Range Lights, Mich., for other lands in the vicinity;

H. R. 5136. An act for the relief of Eva B. Sharon;

H. R. 5169. An act authorizing the Secretary of the Interior to grant a patent to certain lands to Johann Jacob Lutsch;

H. R. 5218. An act granting the consent of Congress to the Pittsburgh Coal, Land & Railroad Co. to construct a bridge across the Tug Fork of Bid Sandy River at or near Nolan, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.;

H. R. 6857. An act to provide for the addition of the names of Chester Calf and Crooked Nose Woman to the final roll of the Cheyenne and Arapaho Indians, Segar jurisdiction, Oklahoma;

H. R. 7109. An act to authorize acquisition of unreserved public lands in the Columbia or Moses Reservation, State of Washington, under acts of March 28, 1912, and March 3, 1877, and for other purposes;

H. R. 7500. An act to authorize the sale of certain lands at or near Adger, Ada County, Idaho, for railroad purposes;

H. R. 8070. An act authorizing preliminary examinations and surveys of sundry streams with a view to the control of their floods; and

S. J. Res. 105. Joint resolution authorizing the President to detail an officer of the Corps of Engineers as Director of the Bureau of Engraving and Printing, and for other purposes.

THE CUSTODIAL SERVICE

The PRESIDENT pro tempore laid before the Senate a communication from the chairman of the Personnel Classification Board, recommending, under the provisions of section 12 of the classification act of 1923, that Congress enact legislation amending the compensation schedules in the classification act in certain particulars, which on motion of Mr. STERLING was referred to the Committee on Civil Service.

CLASSIFICATION OF THE FIELD SERVICE

The PRESIDENT pro tempore laid before the Senate a communication from Guy Moffett, Member, representing the United States Civil Service Commission on the Personnel Classification Board, submitttting separate views relative to the classification of the field service of the Government, which, on motion of Mr. STERLING was, with the accompany memorandum referred to the Committee on Civil Service.

REPORT OF BELLEAU WOOD MEMORIAL ASSOCIATION

The PRESIDENT pro tempore laid before the Senate a communication from the president and treasurer of the Belleau Wood Memorial Association, transmitting, pursuant to law, its report for the calendar year 1923, which was referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate resolutions of the board of directors of the Maritime Association of the Port of New York, favoring adequate appropriations to carry out the plan of naval building and modernization recommended by the naval authorities, to the end that the American Navy may be second to none, etc., which was referred to the Committee on Naval Affairs.

He also laid before the Senate resolutions of the congregation of the Thirteenth Church of Christ, Scientist, of Los Angeles, Calif., favoring an amendment to the Constitution providing that in the event of war, the property, equally with the persons, lives, and liberties of all citizens, shall be subject to conscription for the defense of the Nation, etc., which were referred to the Committee on the Judiciary.

He also laid before the Senate the petition of the convention of the Protestant Episcopal Church of the Diocese of Long Island, N. Y., praying for the adhesion of the United States to the protocol of the World Court of International Justice of December 6, 1920, etc., which was referred to the Committee on Foreign Relations.

He also laid before the Senate resolutions of the Natural Gas Association of America, protesting against the proposed taxation of undistributed surpluses in the hands of corporations, etc., which were referred to the Committee on Finance.

Mr. WARREN presented resolutions of the Women's Departmental Club and the Casper Women's Club, both of Casper, Wyo., protesting against the submission to the States of a proposed constitutional amendment granting equal rights to men and women, which were referred to the Committee on the Judiciary.

He also presented a resolution of the Sheridan Chapter, Izaak Walton League, of Sheridan, Wyo., favoring the passage of legislation establishing the upper Mississippi River wild life and fish refuge, which was referred to the Committee on Commerce.

Mr. WADSWORTH presented a petition of sundry citizens of New York City, N. Y., praying an amendment to the Constitution granting equal rights to women, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented the petition of Carpenters' Local Union No. 201, United Brotherhood of Carpenters and Joiners of America, of Wichita, Kans., praying an amendment to the Constitution regulating child labor, which was ordered to lie on the table.

He also presented a resolution adopted by Parsons Chapter, No. 1, Izaak Walton League of America, of Parsons, Kans., favoring the passage of legislation establishing the upper Mis-

sissippi River wild life and fish refuge, which was referred to the Committee on Commerce.

He also presented the petition, numerously signed, of sundry members of Chapter No. 25, Izaak Walton League of America, of Independence, Kans., praying for the passage of legislation establishing the upper Mississippi River wild life and fish refuge, which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Onaga, Kans., praying for the participation of the United States in the Permanent Court of International Justice, which was ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. PEPPER, from the Committee on Foreign Relations, submitted a report (No. 634) to accompany the resolution (S. Res. 234) advising the adherence of the United States to the existing Permanent Court of International Justice, with certain amendments, heretofore reported by him from that committee with amendments.

He also, from the Committee on Banking and Currency, to which was referred the bill (S. 3316) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes; reported it with amendments.

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (S. 3357) to amend sections 2 and 5 of the act entitled "An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws," approved March 4, 1923, reported it with an amendment and submitted a report (No. 635) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 7079) prohibiting the importation of crude opium for the purpose of manufacturing heroin (Rept. No. 636); and

A bill (H. R. 8100) for the relief of the estate of Charles L. Freer, deceased (Rept. No. 637).

Mr. PITTMAN, from the Committee on Interstate Commerce, to which was referred the bill (S. 1671) to provide for regulating traffic in certain clinical thermometers, and for other purposes, reported it without amendment.

Mr. ERNST, from the Committee on Privileges and Elections, submitted a report (No. 638) to accompany the bill (S. 300) to provide for election contests in the Senate of the United States, heretofore reported by him without amendment.

Mr. LADD, from the Committee on Commerce, to which was referred the bill (S. 3350) granting the consent of Congress for the construction of a bridge across the Ohio River between Vanderburgh County, Ind., and Henderson County, Ky., reported it with an amendment and submitted a report (No. 639) thereon.

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (S. 1599) for the relief of the Export Oil Corporation, reported it with an amendment and submitted a report (No. 640) thereon.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on the 26th instant that committee presented to the President of the United States an enrolled bill and joint resolution of the following titles:

S. 2431. An act conveying to the State of Delaware certain land in the county of Sussex, in that State; and

S. J. Res. 89. Joint resolution authorizing and permitting the State of Arkansas to construct, maintain, and use permanent buildings, rifle ranges, and utilities at Camp Pike, Ark., as are necessary for the use and benefit of the National Guard of the State of Arkansas.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 3391) authorizing the Secretary of Commerce to acquire, by condemnation or otherwise, a certain tract of land in the District of Columbia for the enlargement of the present site of the Bureau of Standards; to the Committee on Public Buildings and Grounds.

By Mr. BALL:

A bill (S. 3392) to amend section 558 of the Code of Law for the District of Columbia; to the Committee on the Judiciary.

By Mr. RANSDELL:

A bill (S. 3393) to revive the right of action under the act of March 12, 1863 (12 Stat. L. p. 820); to the Committee on the Judiciary.

By Mr. COPELAND:

A bill (S. 3394) to amend section 26 of the interstate commerce act as amended; to the Committee on Interstate Commerce.

By Mr. PEPPER:

A bill (S. 3395) granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River, near Masontown, Fayette County, Pa.; to the Committee on Commerce.

By Mr. JOHNSON of Minnesota:

A bill (S. 3396) granting a pension to Ella Mitchell York; to the Committee on Pensions.

CLAIMS UNDER FEDERAL CONTROL OF RAILROADS.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (S. 3283) to amend the transportation act, 1920, which was referred to the Committee on Interstate Commerce and ordered to be printed.

NELLIE ROCHE M'ANDREW

Mr. PEPPER submitted an amendment intended to be proposed by him to the bill (H. R. 6426) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which was ordered to lie on the table and to be printed.

HOUSE BILL REFERRED

An act (H. R. 491) for the prevention of venereal diseases in the District of Columbia, and for other purposes, was read twice by its title and referred to the Committee on the District of Columbia.

POSTMASTERS AND POSTAL EMPLOYEES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1898) to readjust the compensation of postmasters and reclassify and readjust the salaries and compensation of employees in the Postal Service.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Ashurst	Edwards	Keyes	Shields
Ball	Fess	King	Shipstead
Bayard	Fletcher	Ladd	Shortridge
Borah	Frazier	Lenroot	Simmons
Brandegee	George	Lodge	Smith
Broussard	Gerry	McKellar	Smoot
Bursum	Glass	McKinley	Spencer
Cameron	Gooding	McNary	Stephens
Capper	Hale	Norris	Sterling
Caraway	Harreld	Oddie	Swanson
Colt	Harris	Overman	Trammell
Copeland	Harrison	Pepper	Wadsworth
Cummins	Heflin	Phipps	Walsh, Mass.
Curtis	Howell	Ralston	Walsh, Mont.
Dale	Johnson, Calif.	Ransdell	Warren
Dial	Johnson, Minn.	Reed, Pa.	Weller
Dill	Jones, N. Mex.	Robinson	Willis
Edge	Kendrick	Sheppard	

Mr. CURTIS. I wish to announce that the Senator from Maine [Mr. FERNALD] was called from the city on account of the death of a business associate.

I was requested to announce that the Senator from Connecticut [Mr. MCLEAN] and the Senator from Indiana [Mr. WATSON] are absent on official business.

I was also requested to announce that the Senator from Iowa [Mr. BROOKHART], the Senator from Washington [Mr. JONES], the Senator from New Hampshire [Mr. MOSES], and the Senator from Montana [Mr. WHEELER] are attending a meeting of a special investigating committee of the Senate.

The PRESIDENT pro tempore. Seventy-one Senators have answered to the roll call. There is a quorum present. The question is upon agreeing to the amendment proposed by the committee as amended.

Mr. LODGE. Mr. President, I have two amendments, as I said last night, which I allowed to go over until to-day. I now offer the first one.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The READING CLERK. On page 43, line 21, strike out "October 1, 1920," and insert in lieu thereof "March 1, 1921," so as to make the clause read:

This provision shall apply to such postal employees and substitute postal employees who were in the Postal Service on March 1, 1921.

Mr. LODGE. Mr. President, the effect of the amendment is to extend the time five months for the readmission of service men who had been in the Postal Service and who were also in the war. The original legislation giving postal employees credit for military service was enacted March 1, 1921. On April 12, 1921, the comptroller rendered a decision that the legislation applied only to Post Office clerks and letter carriers, both regular and substitute, who were in the service on June 5, 1920. This decision of the comptroller was partially overcome by subsequent legislation extending the benefits of the act to regular and substitute clerks and carriers who were in the service up to October 1, 1920.

The purpose of the present amendment is to make a further extension to March 1, 1921, the date of the enactment of the original legislation. It was thought at the time the legislation was enacted that it would be applicable to all those in the service as of the date of enactment, but the comptroller's decision was, as stated, that the legislation applied only to those in the service on June 5, 1920.

It can readily be seen that there is discrimination against the former military service men who reentered the Postal Service after October 1, 1920, and prior to March 1, 1921. The amendment is simply to equalize and correct this inequality for the men who had been in the war as to the time of their entering the Postal Service. I think it is not a very serious matter, but it is a matter of justice to those men, that period of time having been granted to all others in the Postal Service.

Mr. WALSH of Massachusetts. Mr. President, we, on this side of the Chamber, have not been able to hear my colleague. Would it be too much trouble for him to repeat briefly what he just said?

Mr. LODGE. The purpose of the amendment which I have just offered is to extend for five months the time for the admission of service men who have been in the Postal Service and who were also in the war. The original act that gave postal employees credit for military service was enacted March 1, 1921. On April 12, 1921, the comptroller held that this legislation applied only to post-office clerks and letter carriers, both regular and substitute, who were in the service on June 5, 1920. By subsequent legislation we partially overcame this decision of the comptroller. The subsequent act extended the benefits of the legislation to regular and substitute clerks and carriers who were in the service up to October 1, 1920. The object of the amendment which I now offer is to make a further extension to March 1, 1921, the date of the enactment of the original legislation.

At the time the legislation was enacted it was believed that it would be applicable to all who were in the service as of the date of enactment, but the comptroller held, as I said, that the legislation applied only to those in the service on June 5, 1920. It will be seen, of course, that there is discrimination against the former military service men who entered the Postal Service after October 1, 1920, and prior to March 1, 1921. The amendment is simply to equalize and correct this inequality for those classes which I have pointed out.

Mr. FLETCHER. The purpose of the amendment, then, is to carry out what we attempted to do and intended to do by the act of March, 1921?

Mr. LODGE. That is precisely it, to give those classes which I have mentioned equality with the others and to extend the right to March, 1921, the date of the passage of the bill.

Mr. WALSH of Massachusetts. And which was the understanding at the time that the law was enacted, and this is simply to carry out that understanding and intention?

Mr. LODGE. It was supposed as to all postal employees who had served in the World War that the time when they could reenter the Postal Service with the advantages of war service was extended by the passage of the bill to March, 1921.

Mr. EDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. LODGE. I yield the floor.

Mr. EDGE. Mr. President, I am very sure that no one would be in any way responsible, either directly or indirectly, for being a party to any discrimination in connection with the allowance of credits to ex-service men in the Postal Department or in any other department of the Government. I do not think, however, the statement as presented by the Senator from Massachusetts as to the situation is entirely clear. I will take only three minutes to try to clarify it.

The demobilization of the World War forces of the United States occurred in August, 1919. At that time, according to a report from the War Department which I have but shall not take the time to read, with the exception of a few men who were scattered here and there to clear up various odds and ends, on August 25, 1919, the demobilization had been completed. Following that Congress passed legislation, which has been referred to, providing that up until October 20, 1920, which was a year and two months subsequent to demobilization, any former employee of the Postal Service who had returned to that service would be given full credit for the time he had been in the military service—that is, full credit in computing the automatic increases in salary from year to year.

The statement of the Senator from Massachusetts admits, as I followed it, that through an amended opinion of the Comptroller General and further legislation, the situation was clarified so that every class of postal employees reentering the Postal Service up to October 20, 1920, received full credit for war service. That is admitted, I think, by the statement, although it is somewhat involved.

The amendment of the Senator from Massachusetts simply proposes to extend the time when former employees of the Postal Service may return and be given full credit for their war service from October 20, 1920, to March 1, 1921. In other words, another five months.

Mr. LODGE. If the Senator will allow me, it was only certain classes who were excluded under the first decision of the comptroller. It applied only to certain classes. The others were given full credit to March, 1921.

Mr. EDGE. That is quite true, but by the subsequent legislation, as I think the Senator will admit by looking over the statement, the other classes were finally included, so that at the present moment, without legislation, every class is included up to October 1, 1920.

Mr. LODGE. Oh, no; some are included up to March, 1921.

Mr. EDGE. The present law extends only to October 1, 1920.

Mr. LODGE. The amendment is designed merely to remedy an injustice as to a particular class of employees. The first ruling of the comptroller was that the legislation of 1921 applied only to post-office clerks and letter carriers, and as to them it extended the date down to 1921. This amendment proposes to extend the time for the others to the same date; that is all.

Mr. EDGE. If I may say so to the Senator, the present law extends the date only to October 1, 1920. I will read from a letter from the Postmaster General.

Mr. LODGE. That was extended in the case of post-office clerks and carriers.

Mr. EDGE. I will read a letter from the Post Office Department, which is dated May 12, 1924, which, perhaps, will clarify the situation. It is addressed to the Post Office Committee, and is as follows:

Answering your letter of May 7, inclosing an amendment introduced by Senator LODGE to the postal salary bill extending the time from October 1, 1920, to March 1, 1921, in the allowance of military service credit, I beg to say that the department has no figures or information showing either the number of new employees who have had military service or the length of such service.

However, the first extension from July 1, 1920, to October 1, 1920—

Which is the present law—

involved a period of three months and a total cost of $247,200. On this basis the cost involved under the amendment of Senator LODGE for a period of five months would probably be around $412,000.

The only way in which definite figures could be obtained would be to circularize all first and second class post offices—

And so forth.

Mr. LODGE. That throws no light on the point I make.

Mr. EDGE. I think it does. I think the Senator is in error in that statement.

Mr. LODGE. It applies only to a certain class; that is the point.

Mr. EDGE. I think the Senator is in error when he makes that statement.

Mr. LODGE. I have not a copy of the bill before me. What is the law on the subject?

Mr. EDGE. The present law includes every class. The point I wish to bring to the attention of the Senate—and I will then close my presentation of the subject—is that this amendment, if adopted, would simply mean adding five months to the time during which an ex-servcie man could return to the Postal Service and receive credit for his military service.

We felt—and Congress apparently felt by one previous extension—that a year and two months was quite a sufficient period of time to permit a man to return to the Postal Service and receive full credit for his military service. Now, it is proposed to add another five months, because, I suppose, there were some soldiers who did not want to go back to the Postal Service, who engaged in other kinds of employment and, perhaps, tired of that or did not succeed in that and then after a year and two months they decided to return to the Postal Service. It is just a question of extending the time to meet a situation like that. All this proposed five months extension is for is to embrace within the five months any additional postal employees who did not reenter the service within the first year and two months after demobilization. That is all there is to it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts to the amendment.

The amendment to the amendment was rejected.

Mr. DILL. I desire——

Mr. LODGE. Mr. President——

Mr. DILL. Has the Senator another amendment to offer?

Mr. LODGE. I have one other amendment which I desire to offer.

Mr. DILL. I yield to the Senator. I thought he had concluded.

Mr. LODGE. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The READING CLERK. On page 43, after line 21, it is proposed to insert a new paragraph, as follows:

Hereafter 50 minutes' night work performed by assistant superintendents and foremen assigned to night tours of duty, also special clerks, clerks, and laborers in first and second class post offices, carriers in the City Delivery Service, railway postal clerks, substitute railway postal clerks, and laborers in the Railway Mail Service, and employees of the motor vehicle service shall be computed as one hour of service: *Provided further*, That night work shall be defined as any work done between the hours of 6 o'clock p. m. and 6 o'clock a. m.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts to the amendment.

Mr. LODGE. Mr. President, I quote from the report of the House Post Office Committee on this proposed legislation, in which it is stated:

The establishment of a nighttime differential is inserted in the bill on the ground that night work is harmful to the employees and that it is unfair to require men who must sleep in the daytime and live under other unnatural conditions to work the same number of hours at night as is required of employees who have daylight assignments. It is believed that if granted this night differential the general efficiency of the employees will be improved and an equal amount of work will be performed by the average employee in 6 hours and 40 minutes of the night tours as is now performed in a tour of 8 hours under similar conditions.

It is impossible at this time to make any estimate as to the probable cost of this feature, but the committee is confident that the effect will be to so improve the efficiency of the Postal Service, especially among those employees who are required to work at night, that there will be no material increase in cost.

There was a report submitted on January 16, 1923, by the Senate committee which investigated the question of night work. I shall ask that the whole statement may be printed in the RECORD, but, as it is rather long, I will not read it. The report was submitted by the then Senator from Michigan, Mr. Townsend, who was at that time chairman of the committee. He says in part:

It is very difficult to estimate with exactness the extra cost in money which this bill would impose upon the Post Office Department. If the present night force were not reduced, the cost might reach as much as $5,000,000, but since the hearings by the committee the department has reduced the number of night workers, and by limiting night work to first-class mail matter the night force can be greatly reduced. The cause for such a large night force is due largely to the daily late mailings of postal matter. It is believed that proper departmental regulations can be issued materially expediting earlier mailings. The cost is secondary to the efficiency which would be secured through that contentment which would come from shorter working hours at night. In a majority of cases six hours of work would be equal to that now performed in eight hours. The health of men and women would be conserved, and that bulwark of our Republic—the American home—made happier and better.

The only question which divided the committee was whether night workers, of which there always will be some, should receive special consideration by increased pay or shorter hours, and the majority feel that the latter is a better and wiser method.

That is the last report from the Senate committee, which was submitted in 1923. I ask unanimous consent that the entire extract may be printed in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

[From Senate Post Office Committee report of January 16, 1923]

SENATE INVESTIGATION OF NIGHT WORK

In an informative report to the Sixty-seventh Congress, dated January 16, 1923, Senator Townsend, chairman of the Senate Committee on Post Offices and Post Roads, said in behalf of the committee on this subject of postal night work:

(Report to accompany S. 3773)

The Committee on Post Offices and Post Roads, to whom was referred the bill (S. 3773) to reduce night work in the Postal Service, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

This bill was introduced subsequently to the consideration of Senate Resolution 259, Sixty-seventh Congress, second session, which was as follows:

"*Resolved*, That the Senate Committee on Post Offices and Post Roads be, and hereby is, authorized to investigate the matter of night work by postal employees for the purpose of determining the extent of such work and the best method of reducing it, and whether necessary night work in the Post Office Department should be compensated by shorter hours or increased pay. Such committee shall report its findings to the Senate with such recommendations as to it may seem desirable not later than July 1, 1922."

In accordance with the terms of this resolution the committee submitted a report of its findings to the Senate on April 20, 1922.

During the consideration of this resolution hearings were held on May 11 and 18, 1922. The committee submitted a request to the Post Office Department for information as to the amount of night work in the service; its character; its necessity; the classes of mail handled at night and the relative amounts of each class worked; the department's opinion as to whether night work could in any manner be reduced without affecting detrimentally the service to patrons; and the department's estimate of the cost of a reduction of the hours constituting a day's work during night hours—i. e., between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian.

In order to obtain this information the department sent out questionnaires to over 100 postmasters in charge of the largest post offices throughout the country. Departmental representatives presented the replies of postmasters to the questionnaires and gave such other information as they possessed in reference to the subject matter to the committee. Representatives of the employees were also heard, especially representatives of employees performing night services.

As a result of its investigation the committee is convinced at the present time much unnecessary night work is being done in the Postal Service. It believes that the department should be able to devise methods whereby considerable reduction in the amount of night work may be affected. The committee is of the opinion that the passage of this bill will exert pressure upon the Post Office Department so that ways and means of reorganization of personnel will be adopted to eliminate such unnecessary night work. The committee further believes additional compensation in the form of a time differential for night work, such as is essential to the best interest of the service, should be awarded to employees performing such service.

It is well recognized that night workers in all lines of business are not as efficient as those who perform their functions during daylight hours. A contented employee in the Postal Service will without question accomplish more satisfactory work than one who is working unusual hours and under discouraging conditions. The reduction of night work as provided in this bill will promote better health and better social conditions for the largest possible number of employees in the Postal Service. The principle of additional compensation for night work has long since been recognized by the Government, the most notable beneficiaries being employees of the Government Printing Office.

It is very difficult to estimate with exactness the extra cost in money which this bill would impose upon the Post Office Department. If the present night force were not reduced, the cost might reach as much as $5,000,000, but since the hearings by the committee the department has reduced the number of night workers, and by limiting night work to first-class mail matter the night forces can be greatly reduced. The cause for such a large night force is due largely to the daily late mailing of postal matter. It is believed that proper departmental regulations can be issued materially expediting earlier mailings. The cost is secondary to the efficiency which would be secured through that contentment which would come from shorter working hours at

night. In a majority of cases six hours of work would be equal to that now performed in eight hours. The health of men and women would be conserved, and that bulwark of our Republic—the American home—made happier and better.

The only question which divided the committee was whether night workers, of which there always will be some, should receive special consideration by increased pay or shorter hours, and the majority feel that the latter is the better and wiser method.

Mr. LODGE. There is no doubt, in my opinion, Mr. President, that there ought to be something done for night workers in the Post Office Service. In all forms of labor I think night work always commands better pay than day work, but in this bill no such provision is made. There is no lessening of the hours, no lessening of the time, and no increase of pay. I think the question ought to be taken up and dealt with finally and not pushed off from one committee to another. It ought to be dealt with in some way to remedy an undoubted evil. I offer the amendment for that purpose and hope that it will be adopted.

Mr. EDGE. Mr. President, this amendment is important, particularly so in that it involves, as nearly as the Post Office can compute, the expenditure of about $10,000,000 annually.

Mr. LODGE. Then they have doubled their estimate.

Mr. EDGE. I will read the estimate in a moment.

Mr. LODGE. The department's estimates vary, evidently, for at one time it estimated that it would cost $5,000,000, and now apparently it estimates that it will cost $10,000,000.

Mr. WALSH of Massachusetts. I understand that the department's estimate was $5,600,000.

Mr. EDGE. Here is the department's estimate. I will put it in the RECORD. It is addressed to the Senator from South Dakota [Mr. STERLING], chairman of the committee:

Replying to your inquiry of the 7th instant with reference to the amendment introduced by Senator LODGE to the postal salary bill granting to postal employees a differential of 10 minutes for night work between 6 o'clock p. m. and 6 o'clock a. m., and asking opinion as to the merits of the amendment and estimate as to the cost, you are informed as follows:

The estimated additional cost for the service as a result of the adoption of this amendment would be approximately as follows:

For Post Office Service, $5,600,296.

For Railway Mail Service, $5,116,803.

That is based on a scientific time differential.

If a money differential instead of a time differential were adopted the additional cost would approximately be as follows:

For Post Office Service, $3,284,232.

For Railway Mail Service, $3,071,310.

The department favors the principle of a differential for night work. It is believed that a money differential would be more attractive to employees, and from the department's standpoint it would cost less money and is easier of administration.

Now, just a word about that.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Massachusetts?

Mr. EDGE. I yield.

Mr. WALSH of Massachusetts. Has an estimate been made of the amount of night work that could be eliminated if this amendment were adopted?

Mr. EDGE. What I have read is the only estimate I have from the department.

Mr. WALSH of Massachusetts. When I was a member of the Post Office Committee this matter was under consideration, and estimates were made that at least one-half of the work now performed at night could be eliminated if some such amendment as that proposed by my colleague were adopted.

Mr. LODGE. And that is the statement in the Townsend report to which I have referred.

Mr. EDGE. Mr. President, speaking of the Townsend report, of course, the Townsend report was a divided report. I have a copy of it likewise.

Mr. LODGE. Yes; that is stated in the report.

Mr. EDGE. One portion of the committee favored a time differential, and another portion a money differential, and Congress failed to act on it in any way. This is the thought that appeals to me in this connection—a practical thought—I do not for a moment question that there is an element of justice in this general idea. Yet, on the other hand, it is not entirely correct to say that other branches of the service or of private employment recognize this distinction. As a matter of fact, the large majority of all types of employment do not recognize any difference between day and night work. Our police departments, our fire departments, the great majority of our industrial establishments, I think, have an 8-hour day, paying overtime, of course, as we do likewise in the Post Office and other departments, but they shift their men; they assign them to different shifts; some work in the night at some times, and in the day at other times; but the pay per eight hours is exactly the same in both instances, and certainly it is in the Government service.

A great deal of our service is, as demonstrated by the report from the department, Railway Mail Service. In the very nature of the responsibility Railway Mail Service is night service. We all know that the mail cars go out from every terminus all over the country in the late evening and get to the other terminus in the early morning, and in the meantime the railway mail employees are distributing and stacking their mail. That would mean, then, in all that service, where they do not work in the daytime—naturally they can not, and they are off in the day—that the Government and the taxpayers would be receiving 50 minutes' service for 60 minutes' pay.

It is a pretty big question; and from the practical standpoint, which I started to discuss, this bill now calls for an expenditure of approximately $60,000,000. I should like to give the postal workers everything that in justice we could give them; but if we are going to load another $10,000,000 on the bill, with the House already considering, as I understand, a bill which reaches a total of around $90,000,000, my fear is that we will not get anything. I can not speak authoritatively, of course, but we all know perfectly well that that is a tremendous sum of money by which to make a raise in one department with one general reorganization.

I appeal to those of you who I believe from the general discussion are entirely in sympathy with raising postal salaries in a proper and methodical way not to kill the goose that lays the golden egg; and I am talking perfectly frank about it. Let us try to get a bill through, and do some good, and not overload the bill with all kinds of new ideas that may defeat the very object in which we are all supposed to be interested.

Mr. DILL. Mr. President, will the Senator yield?

Mr. EDGE. I yield the floor.

Mr. DILL. I want to ask a question of the Senator.

Mr. EDGE. I shall be glad to answer it.

Mr. DILL. The Senator read a communication from the department stating that the department favors a differential between daywork and night work.

Mr. EDGE. Very true.

Mr. DILL. And the department suggested a cash or money differential. The bill does not provide any different pay for night work than for daywork; does it?

Mr. EDGE. Not at all. We do not touch the subject at all. We do not cover it at all. It remains just as under existing law. Under existing law there is not any differential.

Mr. GEORGE. Mr. President, may I ask the Senator a question?

Mr. EDGE. I yield the floor to either Senator.

Mr. GEORGE. No; I want to ask the Senator a question. I did not understand that the department favors a differential. Does it?

Mr. EDGE. Yes; I should construe the department's letter as meaning that they favor the principle of a differential, in answer to the direct question from the committee, but that if a differential was to be enacted they would favor a money differential rather than the proposal of a time differential.

Mr. GEORGE. I understood that.

Mr. DIAL. Mr. President, I think all of us favor some increase in the compensation of postal employees for the reasons stated in the report; but the amendment of the Senator from Massachusetts [Mr. LODGE] to make 50 minutes an hour is revolutionary, and has no place in the legislation of our country, according to my way of thinking.

It would establish a most dangerous precedent. Efforts would be made to establish the same principle in other branches of the Government service. Why would not the Government Printing Office employees want a differential? Why would not all of the employees of the Government want higher pay for night work than day work?

My recollection is that we had this proposal up in our committee when Senator Townsend was chairman, and took a good deal of testimony on it, and there were very conflicting views, even amongst the employees. My recollection is that there was one large post office where the majority of them voted against it. They did not ask for a change, and there has been no demand before the Post Office Committee recently, so far as I know—and I am a member of the committee—for this change. I have heard no such demand. Now, as the Senator from New Jersey says, to come in and emasculate this bill and get it out of proportion would endanger its passage, and we ought

not to assume any such responsibility now. If we are friends of the measure, let us let it stand in its symmetrical form.

The worst thing of all, however, Mr. President, is the bad precedent the amendment would set. I am sorry to say that the country thinks that a great deal of the demagoguery and the unsound legislation originates right here in Congress, and I believe the country is right in that proposition. These are employees who work indoors, Mr. President, not out of doors. They are not like the rural carriers, who have to come in contact with the different elements; but they work in the same building, with the light and the same furniture and under the same conditions, as the people who work there in the daytime. Then my understanding is that they alternate; some of them work during the day and others work at night.

It is proposed also to fix the hour when night work shall begin at 6 o'clock in the afternoon, calling that night. That is a couple of hours before night for a good, long portion of the year. Then the amendment selects out only a few post-office employees in the United States who will thus be paid larger salaries than the employees in other sections of the county, and those employees will become dissatisfied, and justly so.

So you are just sowing the seeds of discord. You are encouraging dissatisfaction. Instead of trying to make a universal, uniform rule that will apply to all employees under similar circumstances, you will have the whole number of 350,000 employees dissatisfied, perhaps.

We should be very careful in our legislation here to have it just and equitable and workable throughout all the departments. It would not be two hours and a quarter after we adopted this amendment before there would be other organizations here asking us to amend some other statute to allow them different pay in case they worked a little bit at night. So I hope that no such precedent will be established. We have passed enough bad legislation in this Congress, and I hope we will get down now to sane legislation, to sound principles, and to common sense and legislate for the interests of the people.

The Senator tells us that this proposal will increase the taxes some five to ten million dollars. Talk about expediting work! There has been no great complaint that these employees have not expedited it heretofore, and we know that there is no such thing as increasing employees and decreasing the amount of work that they will accomplish. We ought to be honest, Mr. President, not only with the employees but with ourselves and with the public. If we do not think these people who work at night get enough pay, let us increase their pay. I do not favor any proposition to go ahead and change the rule of time that we have had in existence all these years. Sixty minutes make an hour. To come in here with this hocus-pocus proposition of 50 minutes making an hour is childish, nonsensical, and puerile legislation.

I started to say, in a sense, that we can not change the time of day that the Creator placed in the clock. He certainly made the sun time, and later we adopted the rule of 60 minutes to the hour; but having gotten along thus far there is no reason now in this impractical, visionary, and nonsensical manner to go ahead and say that 50 minutes shall constitute an hour, and dissatisfy everybody in the United States. You would inconvenience, you would establish a precedent which would throw out of joint all business relations in this country.

The committee have worked hard on this bill. The subcommittee—of which I am not a member—deserve great credit from the country, from the employees, and from Congress for the diligent, faithful, efficient manner in which they have conducted these hearings. Their office is next door to mine, and I know how long and how faithfully and how hard they have worked. No such proposition as this came in here from the committee, and when it was up here a year or two ago we defeated it without any trouble on the floor of the Senate. It has no backing from the committee, and I hope it will receive no backing on the floor of the Senate.

Mr. PHIPPS. Mr. President, the Senate Committee on Post Offices and Post Roads have had this matter under consideration for quite a length of time, at least three or four years. They have never been a unit in favor of the proposal. They have given it most careful study. If my recollection serves me right, the action of the present joint salaries committee which formulated this amended bill was unanimous as against the proposal, and that was also the unanimous action of the committee of the Senate when the bill was submitted to us before it was reported out to the Senate.

There are many arguments on both sides of the question. It is the fact that in many of the offices, particularly the larger ones, it is quite possible for the forces to rotate the night and day service, and that means that a man will have one week night work and the next week daywork.

Mr. President, one of the arguments against this proposition is that by reducing the number of the working hours, and, therefore, the full term of a day's work, there would be an added incentive on the part of the postal employees to engage in outside or other occupations for two or three hours per day; in other words, that the 10 minutes per hour that might be cut off their employment would be utilized not for rest and recreation but for other employment.

The amount of money involved is very large, indeed, if we adopt the amendment that is now under consideration. I do not think this amendment is strongly urged by a majority of the postal employees themselves. In fact, there is quite a notable per cent of employees who would take night work in preference to daywork for a period of time. The practice has been, wherever possible, to allot the night work to the newer employees, and as vacancies occur in the day force to transfer the night employees to the day force. In some cases it has been shown that where that opportunity was afforded the employees did not take advantage of it, but continued on the night shift.

I do not feel that the amendment to the amendment should be adopted, and I trust it will be voted down.

Mr. WALSH of Massachusetts. Mr. President, when I was a member of the Committee on Post Offices and Post Roads in the Sixty-seventh Congress a very thorough examination of the subject of preferential time for night work by postal employees was made. It seemed to a majority of the committee, who favorably reported a bill at that time, that this amendment would serve two worthy purposes. First, it would reduce greatly the amount of night work. The tendency of the Post Office Department has been to increase the amount of night work. It has been shifting work that could be done during the daytime upon the night shifts, with the result that the number of night employees has been constantly increasing. With this differential-time provision in the law there would be a very natural disposition to reduce the amount of night work.

The second purpose this amendment will serve is that it is humane. Anybody who knows anything about night work knows that it is physically exhausting. It is injurious to the eyes. Next, it interferes with natural sleep. The experience of men who have studied the effect of night work on the human family goes to show that insomnia is a very frequent result of night work.

At the time the investigation was made by the Committee on Post Offices and Post Roads two years ago—and I do not know whether the present committee considered it or not—reports were received from various postmasters throughout the country. One report, from the postmaster at Chicago, showed that there were 10 resignations among the clerical group in the post office to 1 among the letter carriers, although the rate of pay is the same. The postmaster of that city said that these resignations were due in large part to the night-work requirement.

The postmaster at Detroit made a somewhat similar report, and intimated it was getting more and more difficult to attract ambitious, capable young men to enter the clerical service because of the requirement for night work. The clerical force is even more important for the efficiency of the service than the letter-carrier force. The night clerks are subject to a heavy mental and physical strain and in warm weather find it difficult to get during the daytime the required rest and sleep.

Mr. SMITH. May I ask the Senator a question?

Mr. WALSH of Massachusetts. I yield to the Senator.

Mr. SMITH. Do the clerks sometimes alternate? Does a clerk at one time perform service in the daytime and then perform service at night?

Mr. WALSH of Massachusetts. It varies. In some post offices that is the practice. In other post offices a certain class of clerks do all the night work. In some offices all the newly appointed clerks must begin by doing night work, and when a vacancy happens in the day force the oldest man in the night shift in length of service gets the day position.

Mr. SMITH. I asked that question because I would like to know to what extent this alternating is followed.

Mr. WALSH of Massachusetts. In some offices one system is carried out, in others a different system.

Mr. SMITH. If they alternate, and all of them serve sometimes at night and sometimes in the day, then whatever pay they receive would be equitable; but if some of the force served at night and others in the day, as the Senator has pointed out, and those who perform the night service get no more pay than those who perform the day service, there is obviously a discrimination, but if all the clerical forces in the post offices perform alternately this service they are all on an equal footing. That was the point I desired to make.

Mr. WALSH of Massachusetts. I think it is well made.

Mr. DIAL. I would like to say to my colleagues that the testimony before our committee was that some of the night force did not want the day work; that they preferred the night work.

Mr. SMITH. At the same pay?

Mr. DIAL. At the same pay. There is no general demand on the part of the employees for day work, as far as my recollection goes.

Mr. WALSH of Massachusetts. Digressing a moment from the amendment under consideration, while on my feet I want to point out one thing about postal employees which we ought to consider in connection with this proposal to increase the salaries of postal employees. Theirs is not a soft job nor a swivel-chair position nor a job for an automaton.

Under existing law most governmental employees are given an annual vacation of 30 days and sick leave of 30 days. Postal employees are given an annual vacation of only 15 days, and sick leave of only 10 days. That is a very marked discrimination.

Further, the carriers among the postal employees are among the few governmental employees who have to purchase their own uniforms out of their own salaries, and we know that the nature of their employment is such as they have to wear heavier clothes and stronger shoes than other people do, because they work in the open in all climatic conditions. Further, I doubt if there is any class of Government employees working under more exacting superintendency or required to possess a higher measure of personal honor.

I think these are factors we fail to consider when we come to differentiate between other Government employees and postal employees.

A very able brief was written by Mr. Justice Brandeis in 1914 on the question of the physical injury wrought by night work. It is very brief, and I think it would be informative to have it printed in the RECORD. I ask that it be printed in the RECORD in connection with my remarks on the subject.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the brief was ordered to be printed in the RECORD, as follows:

JUSTICE BRANDEIS ON NIGHT WORK

The argument for a punitive rate on night work is graphically given in a decision of the National War Labor Board in a decision in the case of the Employees *v.* Worthington Pump & Machinery Corporation, Cudahy, Wis., signed by Matthew Hale, umpire for the board.

Mr. Hale, in declaring that night work should receive a larger compensation because it involves a greater strain in all ways upon the employee, cites portions of a brief prepared by Supreme Court Justice Louis D. Brandeis in The People of the State of New York *v.* C. S. Press, in April, 1914, as follows:

CAUSES LACK OF SLEEP

"The most serious physical injury wrought by night work is due to the loss of sleep it entails. This is because recuperation from fatigue and exhaustion takes place only in sleep, and takes place fully only in sleep at night.

"The degree of fatigue developed was greater during the night shift than during the day.

"They (the men) are to a great extent victims of insomnia, being unable to sleep in the daytime after night work and can not enjoy a sound night's sleep in the week of their day work; the men in consequence become nervous and depressed. The irregular meals, hurriedly partaken of, disorder the stomach and seriously affect all the organs of digestion, and thus a great deal of time is lost from illness.

"In the forefront of the effects of night work upon health stands, to our mind, the loss of night rest. Sleep at night is certainly preferable to sleep by day. It is—as everyone knows from his own experience—much deeper, heavier, more refreshing; in a word, more restorative.

"The inadequacy of day sleep is aggravated, for the men who work at night, by special circumstances affecting both its quantity and its quality. Consider first the case of the grown men. We find from personal observation and inquiry that living conditions and family habits and occupations all have their part in the result. The laborers' dwellings are generally small, noisy, and not well protected from the weather; and the laborer has not the chance that the rich man has to find out a cool and quiet room, darkened for his midday nap, but has to put up often with the one room the family possesses—a room in which all the regular activities of the home are going on, and sometimes tenement industries as well.

"LACK OF SUNLIGHT

"Workers who are employed at night are inevitably deprived of sunlight. Scientific investigation has proved that the loss of sunlight is injurious in two ways: First, it results in serious physical damage, both to human beings and to animals. Night workers whose blood was examined showed a marked decrease in the red coloring matter, resulting in a state of chronic blood impoverishment. Second, the loss of sunlight favors the growth of bacteria, such as the germs of tuberculosis. Conversely, the light destroys bacterial life. It has been called the cheapest and most universal disinfectant.

"It has also been shown that animals kept in the dark without sunlight suffer a loss of the red coloring in the blood. The same is found true of night workers who are deprived of sunlight; impoverished blood is one of the main symptoms. This fact was confirmed by an examination of 800 bakers by the investigators of the commission, described in its preliminary report. Night work was found to increase their morbidity and mortality, as well as to upset all the normal habits of social life.

"INJURIOUS TO EYESIGHT

"Night work often results in lifelong injury to the eyes. The danger of eye strains from close application to work is intensified at night by insufficient and improper lighting of workrooms. While it is true that the more general use of electric lighting has lessened the vitiation of the air due to gas lighting, yet it has introduced new elements of injury. The glare of excessive or unshaded light may be as injurious to the eyes as insufficient illumination. Moreover, experience has shown that injuries to the eyes affect general health disastrously.

"MORAL STANDARDS LOWERED

"The workers detest night work, because it is more exhausting. Day sleep is less refreshing. The number of meals necessary in the family budget is increased, extra cooking must be done, and the family order and system are disjointed. Night product is inferior; accidents are more numerous; machines suffer more damage; drunkenness increases; and a lower moral standard is established by night work. Switzerland does not hesitate to condemn it, and she has put a stop to it even in many industries where other countries regard it as indispensable.

"DETRIMENTAL TO EDUCATION

"Night work and late overtime hours prevent the workers from taking advantage of the educational opportunities offered by enlightened communities, such as evening school, public lectures, libraries, etc.

"For real cultivation of the mind two things are chiefly requisite—the one, incitement and guidance; the other, intellectual companionship. And how are those to be had when one's evening and night are given up to mechanical labor, and one's day to sleep, to amusement, or, as often happens, to some secondary trade? The most stimulating club meetings and other gatherings, the instructive lectures and courses, the reading of newspapers and books—all these things go on almost exclusively in the evening and in the early part of the night; the night worker is therefore cut off from them, and this alone means an irreparable loss of oportunity for a development that broadens the mind, enlivens the spirit, and often makes for practical advancement also."

Mr. KING. Mr. President, I observe that the Postmaster General made recommendations with respect to the subject of an increase in salaries of postal employees which the committee has utterly ignored. Presumably, he would have some knowledge of the matter under his jurisdiction and should be in a position to advise Congress concerning wages and other matters affecting the Postal Service. Of course, Congress may disregard any suggestions or recommendations of executive departments and may fix compensation and salaries as it may desire. It is the history of all legislative bodies that they quickly respond to the appeals and demands of Government employees, particularly where the employees are numerous and they are in a position to exercise political influence. Too often the interests of the great mass of the people are not regarded by those who fix the salaries of public employees.

Some years ago I examined this question, and my recollection is that administrative and executive boards, as well as legislative bodies, who have to do with the fixing of the salaries and compensation of employees, and officials exhibited a uniform disposition to increase them, and the curve registering salaries and compensation was always upward. Undoubtedly, economic conditions in the United States call for readjustments in the salaries of many officials and employees, both in the National and in the State Governments. The enormous rise in the prices of commodities has made the salaries of many branches of the Government wholly inadequate, and there should be, as I have stated, readjustments and increases in some departments of the Government. It is a fact, however, that we have not always appreciated the true relation of wages to prices or prices to wages. I can remember when skilled carpenters and those engaged in the building trades were obtaining a wage of from $2 to $3 per day, and laborers were receiving $1 per day; but the dollar then had a greater purchasing power than $3 or $4 would have to-day.

It is important that the prices of commodities be brought to their proper bases or standards. In reaching a just and fair standard there must be cooperation between what, for the lack of a better term, I will call the capitalists and producers and those who are denominated laborers or workmen. High wages are not always an advantage to the wage earner. In Russia several hundred million rubles were required to purchase a coat, and in Germany the mark scarcely had the value of the paper upon which it was printed. Skilled workmen who were obtaining millions of marks as a daily wage were unable to buy what before the war they could have purchased for a pfennig.

Mr. President, I did not rise to discuss the terms of this bill, but rather to comment upon the conduct of the Republican Party as revealed since it came into power more than three years ago. I have been unable to discover what its policies have been or what purposes it had in view. One gentleman remarked to me that it seemed to be chiefly concerned in destroying our foreign markets, disturbing economic conditions, producing paralysis of business, amending the Constitution of the United States, and passing appropriation and other bills which multiplied the number of Federal offices and officeholders and increased the salaries of all Federal employees. Undoubtedly, the Republican Party is something like the fabled monster which possessed two heads pointing in opposite directions. It seeks to move when bidden by the forces of wealth, and what Roosevelt called the predatory interests, in one direction; but the other head seeks to move the body in the direction of illusory lights which beckon it into schemes of socialism and into paternalistic paths that lead to the destruction of democratic institutions. It is now not the party of Lincoln. One can scarcely characterize it because of its gyrations and sinuous movements. It affects to be conservative to-day and devoted to the Constitution of the fathers; on the morrow it follows the most fantastic schemes and seeks to precipitate the Government into the quicksands of destructive radicalism or despotic bureaucracy. It is an incongruous, inconsistent, illogical, and irrational organization—without leadership, without purpose, without objectives. Perhaps I should qualify this statement—it does have the purpose of perpetuating itself in power.

It is not so much concerned about whether it is right as it is as to whether it wins the election. It holds aloft the picture of the President and declares that he, with his unparalleled virtues, is the incarnation of Republicanism. But he casts his picture into the dust, and the leaders, fearful of their shadow, scatter in all directions and seek safety, if not victory, behind the ruins of discarded and repudiated policies.

The leader of the Republican Party in this body, the Senator from Massachusetts [Mr. LODGE], while praising the President, opposes his policies and votes against his recommendations. The President called attention to the condition of the Treasury and opposed certain appropriations which were creating a deficit. He vetoed the bonus bill and sought to pursue a policy in dealing with Japan which he believed would be in the interests of international comity and fellowship. The Republican leader, as well as other Republicans who would be leaders, while rendering lip service to the President promptly assailed his position and sought his humiliation. President Harding and President Coolidge have advocated the adherence of the United States to the Permanent International Court.

The Senator from Massachusetts, always an isolationist, refused to follow the President and offered a scheme hostile to the commendations to which I have just referred.

The Republican Party when it came to power deliberately set out to affront all nations, to destroy a league which more than 50 nations had formed to promote the interests of all peoples and secure their cooperation for world peace. Not satisfied with compassing the defeat of the Versailles treaty, their implacable opposition has led them to interpose obstacles to the progress and development of the league and to seek its dissolution. Fifty-four nations adhered to the league, set up a World Court—a tribunal for the settlement of international disputes, and having for its object the promotion of world peace. Not only Christian peoples but all nations should welcome the organization of a tribunal of this character, which may contribute so much to the prevention of war and to the ushering in of an era of universal peace. But the Republican leaders of the Senate, hostile to any accomplishment of the league or any purpose which it has, no matter how beneficent, have conspired to keep this Nation from adherence to the court, and undoubtedly plan to weaken, if not to destroy it.

The foreign policies of the Republican Party have been narrow and dogmatic. They have tried to circumscribe the influence of this Republic and to destroy its usefulness and its vitalizing and energizing force among the nations of the world. They have yielded to the demands of the trusts and aggregations of wealth, and have imposed tariff duties which have added to the swollen fortunes of the favored few. By their unwise foreign and domestic policies they have destroyed the foreign markets of our farmers and brought ruin and disaster to the agricultural interests of the United States. By the building up and protection of monopolies they have added to the burdens of the American people. These monopolies and trusts and combinations in restraint of trade, buttressed behind tariff walls and unjust and reprehensible legislation, have increased prices of commodities, raising them to fictitious and indefensible heights, and adding to the discontent of the people and multiplying the burdens to which they are thus subjected. It would seem as if certain interests have controlled the Republican Party, dictated its policies, fashioned the legislation which it has enacted, and are now framing its program for the coming election.

Mr. President, these Republican policies are unwise and in confravention of sound economic principles. They result in fictitious commodity prices and in extraordinarily high levels of prices which compel an increase in wages or else bring penury and want to the great mass of the people. If prices continue to mount, if corporations and trusts lay tribute upon the people by extortionate demands for their commodities, the people are compelled to demand higher wages; and when higher wages are obtained, this situation is seized upon as a pretext for still further advances in commodity prices. And so the Republican Party is building up a fictitious structure the artificiality of which must be apparent to all. It assumes the proportions of a balloon, which sooner or later will be pricked, bringing disastrous consequences to the people.

It is unfortunate for the country that the Republican Party is devoid of leadership, of sound statesmanship, of men to direct the ship of state, and to formulate policies which will promote world peace, revive business, and bring genuine prosperity to the American people. We do not want exotic plants; we do not want a spotted posterity; we want a situation in which natural laws may operate and the forces of progress and advancement be unimpeded by selfish schemes projected by sinister agencies.

The Republican Party has done nothing for agriculture nor for business. It will do nothing for agriculture; it can not do anything to help the farmers of our country. Its policies, dictated now by selfish interests, will prevent it. It will not adopt a wise international policy and open up to our agriculturists foreign markets. It will continue this artificial situation, which calls for higher prices and higher wages, so that it will soon cut off our trade with other nations. With this feverish and unnatural condition which it has created we will be unable to compete with Great Britain and France and Germany when she shall revive—and she will—and Italy and Belgium and Czechoslovakia and other countries of Europe. They will take from us our European markets, and many of our manufacturing plants will be idle, as some of them in New England States now are. Already certain manufacturing interests in the United States perceive the folly of Republican policies; already they are learning that European nations will soon control the markets of South and Central America and will supply the inhabitants of those countries with manufactured products of the value of hundreds of millions annually which should be supplied to them from the United States.

What we need, Mr. President, in the United States is a return to sanity. We need a reduction of the tax burdens which are oppressing the people.

With the Federal Government adding to the burdens of the people instead of reducing them and the States and their political subdivisions taxing the people annually several hundred per cent more than before the war, it is apparent that normal conditions and genuine prosperity are not possible. We are multiplying Federal bureaus and governmental agencies, which call for increased personnel. This Congress, in my opinion, will add many thousands to the number of Federal employees, and the Government pay rolls will be increased more than $200,000,000 annually.

Neither party has the courage, apparently, to fight for economies and retrenchment and those governmental reforms necessary for the public good. I look upon both sides of the Chamber when bills carrying stupendous appropriations are offered, hoping that many of them will be amended so as to save the taxpayers tens of millions of dollars.

This bill will pass, as will every bill that increases appropriations. The Republican Party when it came into power declared its purpose to reduce taxes, reorganize the departments of the Government in the interest of economy and efficiency,

and promote legislation which would be fair and just to the American people. It has redeemed none of its promises, and the condition of agriculture, the demoralization of business, the uncertainty which attends every business enterprise, are directly traceable to its lack of courage, its subserviency to conflicting interests, and its poverty of leadership.

Mr. STERLING. Mr. President——

Mr. KING. I yield.

Mr. STERLING. I ask the Senator if he will not devote a part of his remarks to his colleagues on the other side of the Chamber? He has referred to the bonus two or three times.

Mr. KING. The Senator knows that I have criticized the Democratic Party, and have differed from many of its leaders both in and out of the Senate.

Mr. STERLING. I merely mentioned that because the Senator from Utah has devoted his remarks to this side of the Chamber in his criticism. He has referred only to the Republican side of the Chamber.

Mr. KING. The Senator knows that the party in power is responsible for legislation, or for the lack of legislation. When the Democrats had the reins of government we were criticized by the minority and held accountable for all evils, real or imaginary, which afflicted the country. Legitimate criticism is proper; indeed it is necessary particularly in a democratic government. Now that the Republican Party is in power it must bear criticisms for its failure to adopt wise domestic and wise foreign policies. The able Senator from South Dakota, I am sure, will bear me witness that his party since it has been in power has not set an example for economy and retrenchment and reform, nor has it inaugurated measures conducive to the industrial and economic development of our country.

Mr. President, I did not rise to make a speech. I wanted to challenge attention again to the fact that we will pass appropriation bills in excess of the Budget. Notwithstanding the statement of the chairman of the Committee on Finance, we will have a deficit resulting from what I conceive to be extravagant appropriations made by the Republican Congress.

Mr. SMOOT. Mr. President, will my colleague yield?

The PRESIDENT pro tempore. The time of the junior Senator from Utah has expired. The senior Senator from Utah is recognized.

Mr. SMOOT. My colleague just made the statement that I have said there would be no deficit. I want my colleague to qualify that statement. I said the receipts would be sufficient to pay the estimated expenditures of the Government as made by the Budget, and I called particular attention to the fact that the revenue bill would take care of the expenditures estimated by the Budget, together with $135,000,000 necessary for the soldiers' bonus, and leave $2,000,000 over. But I stated specifically that there are now pending before the Congress bills which would create a large deficit and I enumerated, among others, the bill providing for codification of the laws relating to the Veterans' Bureau. We know that that bill will pass and that it will carry an appropriation of $32,000,000.

Mr. KING. In addition to the appropriations heretofore made.

Mr. SMOOT. There is a bill now before the Senate for consideration relating to the increase of salaries for postmasters and postal employees, and there is no doubt that it will require $65,000,000 more. There is $97,000,000. Then we know there will be a deficiency appropriation bill carrying $10,000,000. We know there is going to be a bill carrying $6,000,000 for the World War veterans' hospitals. We do not know how much of an expenditure the farmers' legislation will involve.

I have noticed that some of the papers of the country said that I stated there would be no deficit this year. I stated positively, not only once but half a dozen times, on the floor of the Senate that if the appropriations were confined to the estimates made by the Budget, then the revenues estimated under the new revenue law would meet the expenditures as estimated by the Budget, plus the necessary amount to take care of the bonus legislation, but would not by at least $200,000,000 take care of all the appropriations provided for in legislation that is very likely to pass.

Mr. KING. May I say to my colleague that the statement which I saw in the newspaper, and which was the basis of my observation, declared that the Senator had said that the new tax bill which passed the Senate a few days ago would yield sufficient revenue to meet the expenses of the Government for the next fiscal year. I did not know of the qualifications which the Senator makes now. I am glad to know his position because I have attempted to ascertain what the receipts of the Government will be from the new tax bill and what appropriations will be made which will be charges in the Treasury for the coming year; and it is my opinion that there will be a deficit of several hundred million dollars.

Mr. SMOOT. I have no doubt, if those bills become laws, that the deficit will occur. I simply rose for the purpose of having it distinctly understood, because there were so few in the Senate when we were discussing the question. I think the RECORD will show that I made the statement, at least half a dozen times, that the only way the expenses of the Government would be paid this year without a deficit would be to keep within the expenditures estimated by the Budget. That is the only way that we can avoid a deficit.

Mr. BORAH. Mr. President, I want to ask the Senator in charge of the bill a question. He said upon yesterday that there was no intention, through any readjustment of postal rates, of taking care of the expenses which will be incurred by reason of the passage of the bill. I want to ask him if the House bill, with which I am not familiar, contemplates any change in that respect so as to take care of the expenses?

Mr. EDGE. Answering the Senator's query, the original bill presented to the House Committee on Post Offices and Post Roads was a counterpart of the bill now before the Senate. The bill was the product of a joint committee of the Senate and House. What has happened to the bill on the other side of the Capitol since it was presented to the full committee I am unable to say. I understand it has been changed in many particulars, but I am really not sufficiently familiar with it to answer the Senator's question.

Mr. SMOOT. Mr. President——

Mr. BORAH. I yield to the Senator from Utah.

Mr. SMOOT. The only House bill that I have seen does not provide for any increase in postal rates to take care of the increased expenditures under the pending bill. There may be one that I have missed, but I have tried to follow every one of them. There is no bill that I have seen which has been introduced in the House that undertakes to provide for the increased expenditures.

Mr. EDGE. Unless the bill has been amended in committee or on the floor of the House, it does not provide for any revenue.

Mr. BORAH. I ask the question because while I think in all probability there is much justice in the proposed change of salaries, I do not think I shall vote for the bill unless something of the kind is incorporated in it.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from Massachusetts.

Mr. SMOOT. Let it be reported again.

The PRESIDENT pro tempore. The Clerk will read the amendment.

The PRINCIPAL CLERK. On page 43, after line 21, insert as a new paragraph the following:

Hereafter 50 minutes night work performed by assistant superintendents and foremen assigned to night tours of duty, also special clerks, clerks, and laborers in first and second class post offices, carriers in the City Delivery Service, railway postal clerks, substitute railway postal clerks, and laborers in the Railway Mail Service, and employees of the motor-vehicle service shall be computed as one hour of service: *Provided further*, That night work shall be defined as any work done between the hours of 6 o'clock post meridian and 6 o'clock ante meridian.

Mr. SMOOT. Mr. President, I do not know how the——

The PRESIDENT pro tempore. The Senator from Utah has spoken once on the amendment.

Mr. SMOOT. That is true.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. LODGE] to the amendment of the committee as modified.

The amendment to the amendment was rejected.

Mr. DILL. Mr. President, I submit an amendment to the amendment which I ask to have read.

The PRESIDENT pro tempore. The amendment offered by the Senator from Washington will be read.

The PRINCIPAL CLERK. On page 15, at the end of line 11, insert the following:

And provided, That post-office inspectors shall not be eligible for transfer or appointment to any executive or supervisory position in the Postal Service other than in the inspection division and within two years after they have ceased to be inspectors.

Mr. DILL. My reason for offering the amendment is that the inspection service in the Post Office Department is a service that is peculiarly different from any other service. The inspectors are in a way judges of the work of other employees, and as they go about from one post office to another investi-

gating the work of the various employees they make reports. They learn of coming vacancies, and by their reports there is a temptation to create vacancies, or at least to prevent promotion. I am not accusing them of doing this, but the temptation exists. They learn of the vacancies and become applicants and are often appointed.

I am not familiar with other States, but what has happened in my own State during the past two or three years impresses it upon me more firmly. The three large cities of my State to-day have postmasters who have reached those positions through the inspection service. They were inspectors, and from their positions as inspectors they were promoted to the position of postmaster. They learned the conditions existing, and where they thought there was an opportunity they got out of the inspection service, making their application and then being promoted to assistant postmaster, and later being promoted to postmaster. The postmaster of Seattle, Mr. Backus, was formerly an inspector. He was appointed assistant postmaster and then promoted to postmaster. The postmaster at Tacoma was formerly inspector, became assistant postmaster, and when the Democratic postmaster's time expired he was promoted to postmaster. The postmaster in my own town of Spokane was formerly an inspector, secured the position of assistant postmaster when there came a vacancy, and is now postmaster.

I am not saying that any of those men are unfit for their positions, but I do think that men in a position of inspection who make reports ought to be prohibited from having the temptation of reporting conditions adversely that might make for them an opportunity for promotion in the supervisory force. For that reason I have offered the amendment providing that no man in the inspection service may be promoted to any position outside of the inspection service, such as supervisory force, within a period of two years after he leaves the inspection service. I do not think it will add a cent to the expense of the bill when it is administered, and I think it is in the interest of the best service in the Post Office Department.

Mr. EDGE. Mr. President, my attention was drawn to the Senator's amendment only a moment ago. My general objection would be, as it appeals to me now, that it unnecessarily curtails or controls the administration of the post offices of the country. Of course, the rank of an inspector is a high rank in the Postal Service, as the Senator well knows. To say that a man who reaches that position shall not be eligible for transfer or appointment to any executive or supervisory position, it seems to me, would unnecessarily limit his opportunity for natural advancement. I would say that the very fact that he serves perhaps for years in the Postal Service and has gone up perhaps from some minor position until he has become an inspector would be the very reason why he should be considered for some higher advisory or executive position. It would seem to me to curb unnecessarily the control of the administration of the Post Office Department and in addition to that to limit the opportunity and possibility for a man to forge ahead.

Mr. DILL. Mr. President, will the Senator yield?

Mr. EDGE. Certainly.

Mr. DILL. The Senator recognizes, I take it, however, that there is a difference between the man who is reporting upon the work of all other employees and the ordinary employee in the ordinary work of the post office. In other words, the inspectors are to a certain extent judges of the post-office service, and because of that there is a temptation even to the fairest of men to report adversely on a man or to secure a position which he would not otherwise know anything about or have the right to secure.

Mr. EDGE. I recognize that that is what I would term an "extreme possibility," but an inspector is more or less a judge, as the Senator said, or at least he is checking up any possible defects or violations of the postal laws. That is his position and his work. That does not make him friends. It makes quite the opposite. To say, in addition, that he shall absolutely be kept from further promotion is a principle which does not appeal to me. We might just as well carry that principle to the Army. There are necessarily inspecting officers in the Army, inspectors general, and so forth, and inspection officers of lower ranks. If because they occupy a difficult position they were to some extent kept from a natural and proper promotion, it would not be very much recognition of the service they were rendering.

Mr. WILLIS. Mr. President, I regret that this bill has been reported by the committee in the form in which I find it. In the course of the past few months I have had extensive correspondence with those who are interested in an increase of postal salaries; I have had many interviews with those persons. I myself went before the joint committee and made a statement in favor of an increase in postal salaries, but in every statement that I made and in every letter that I wrote I coupled this condition with my request—that while, in my judgment, postal salaries ought to be increased, there ought to be at the same time such a readjustment of postal rates as would make the Post Office Department practically self-supporting. It was my understanding that such a bill would be reported by the committee, but on examining the pending bill I discover that not a single word is contained in it in reference to an increase in postal revenues; that nothing has been done toward the readjustment of postage rates.

Mr. EDGE. Mr. President, will the Senator yield to me?

Mr. WILLIS. I yield to the Senator from New Jersey.

Mr. EDGE. I assume from the Senator's statement that he was not in the Chamber on yesterday when that phase of the pending legislation was thoroughly discussed.

Mr. WILLIS. I was not then present, I regret to say.

Mr. EDGE. I do not want to take the Senator's time, but in just one minute I will state the reason for the action of the committee, which was unanimous. No change was recommended in existing rates mainly because of the fact that, with an appropriation of a half million dollars provided by the last Congress, the Post Office Department is now engaged in ascertaining in a businesslike way where they can and where they should increase rates. If it shall be deemed desirable to do so, they have the power under existing legislation to increase the rates where it would seem to be most feasible, namely, for parcel-post packages, without additional legislation, as soon as the facts shall have been ascertained, but only upon the ascertainment of the facts.

We are only following the precedent set by the four previous salary readjustment bills which have heretofore been passed without changing the postal rates. Increased salaries have been absorbed by the increased business, and there has been absolutely no financial difficulty involved. If I had the time, I could read statements to the Senator showing that fact, but I can assure him that this phase of the responsibility was given most careful consideration. Ultimately some adjustment should be made, but if these salaries should be raised, then, in my judgment, the increase should not depend upon the raising of revenue. The increase is either justified or it is not justified.

Mr. WILLIS. Mr. President, the explanation made by the Senator from New Jersey but gives point to what I was undertaking to say. It seems to me the only businesslike way of handling this great question is for the department to go on with the work which he has indicated and to make its plans for the readjustment of rates, so that the revenues shall be in sight; but this bill proposes to increase the expenses of the Post Office Department by at least $70,000,000 a year before we get through with it, without any revenue at all being in sight to take care of it.

I submit, Mr. President, that that is not a businesslike way of handling this great problem. It is no more businesslike than it was a few weeks ago, when, practically without debate and without investigation, the Senate adopted the amendment offered by the Senator from Illinois proposing very materially to reduce certain postage rates, without any inquiry as to the facts, simply because it would be a desirable thing to do.

It would be nice if we could so conduct the Post Office Department as not to have any postage rates at all; but we have got to look at this question, I think, in a businesslike sort of way. I am just as much interested in the proper increase of postal salaries as is any other Member of this body; but I propose to stand upon the proposition which I have heretofore stated, namely, that the change in salaries must be accompanied by a revision of the postage rates, so that, in so far as it may be, the Post Office Department will be self-sustaining.

Mr. FESS. Mr. President, will my colleague yield to me?

Mr. WILLIS. I yield to my colleague.

Mr. FESS. I fully agree with what my colleague has stated, and I made a short statement on yesterday to the same effect. The serious aspect of this proposed legislation was expressed by the Senator who has it in charge when he stated that the salaries should have no connection with the revenue that comes in through the Post Office Department. That means that we are proposing in the case what it is hoped may be a self-supporting agency of the Government, without reference to whether that self-support shall be provided, to go into the Treasury for a subsidy. I want to know where this thing is going to end if we start in on that basis. For that reason I can not give my support to this proposed legislation until I know that the means by which we can pay are forthcoming.

Mr. EDGE. Mr. President, will the Senator from Ohio yield to me?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from New Jersey?

Mr. WILLIS. I yield to the Senator from New Jersey.

Mr. EDGE. As a matter of fact, the administration of the Post Office Department, with very few exceptions, has never been self-sustaining. I have already tried to make clear and plain that in the past salary increases have always necessarily resulted in a greater deficit the next year, which, however, according to facts which are already in the RECORD—and I shall not repeat them—was quickly absorbed in the increased business of the department.

Mr. WILLIS. How is the increase in salaries going to increase the business of the department?

Mr. EDGE. The increase in salary will only nominally contribute to increase business; but I refer more particularly to the natural increase of business. Every year the department's business increases.

Mr. WILLIS. Mr. President, I call the attention of the Senator from New Jersey to the fact that by his own report it is shown that the deficit for the fiscal year 1923 was $28,578,760.02—approximately $30,000,000.

Mr. DALE. Mr. President, will the Senator from Ohio yield to me?

Mr. WILLIS. I yield to the Senator from Vermont.

Mr. DALE. That deficit may be taken care of by a very small increase in the parcel-post rates, but when that is suggested we receive a deluge of protests against such an increase. How would the Senator from Ohio meet that condition?

Mr. WILLIS. I expected to be asked that question, for that question was propounded when I was before the Senator's committee. On the floor of the Senate, however, without inquiry, is not the place to undertake to settle that question; but I do say that by the method which has been outlined, after careful inquiry by the department, obviously there can be such a fair adjustment of postal rates as will make the department, approximately at least, self-supporting. At any rate, if we are to consider that a desideratum toward which we shall work, the fair way to promote it is not to provide in addition more expenses amounting to $70,000,000 without giving consideration to this question of revenue, so that we shall have a deficit of approximately $100,000,000; that is all.

Mr. EDGE rose.

Mr. WILLIS. I will yield to the Senator in just a moment. It has always been to me a matter of pride that the Post Office Department was an illustration of a business so conducted by the Government as not to make it necessary to go down into the pockets of the taxpayers to pay expenses; yet it is here proposed that we shall so legislate—improvidently and beforehand—that we shall have a deficit of $100,000,000, in the hope perhaps that may be somehow made up.

I am going to stand by my original proposition. I am in favor of an increase in postal salaries, but before I shall vote for the bill I want the committee to bring in a proposition for a revision of postal rates so as to make the income sufficient to pay these salaries. Now I yield to the Senator from New Jersey.

Mr. EDGE. The Senator from New Jersey propounded a question a moment ago as to how we expected the business of the Post Office Department to increase.

The PRESIDENT pro tempore. The time of the Senator from Ohio [Mr. WILLIS] has expired.

Mr. WILLIS. I understand that under the unanimous-consent agreement I have 10 minutes in which to speak on the bill. I have been speaking on the amendment.

The PRESIDENT pro tempore. The Senator from Ohio can speak 10 minutes upon the bill.

Mr. EDGE. I shall take only one-half minute of the Senator's time. I will point the Senator's attention to the fact that the postal revenues for 1923, the past year, were approximately $48,000,000 in excess of the revenues for 1922. In that year alone—the last year of which we have any record, and, of course, the last year of which we could have any record—the income of the department increased $48,000,000. That is a considerable portion of the $60,000,000—not $70,000,000 as the Senator has stated—for which this bill calls.

Mr. WILLIS. Is it the contention of the Senator from New Jersey that, without any readjustment of postal rates, the business of the department will so increase as to absorb this proposed increase of salaries? Is that the contention of the Senator?

Mr. EDGE. The Senator from New Jersey frankly believes that the increase in two or three years would have that result, but he does not take the position, to be perfectly clear, that postal rates should not be readjusted. He takes the position as clearly and emphatically as he can take it that such increase should not have relationship to the wisdom or the justice of readjusting postal salaries.

Mr. WILLIS. The Senator from New Jersey is a great business man. Would he conduct his business upon that basis?

Mr. EDGE. Most assuredly.

Mr. WILLIS. I accept the Senator's statement, but I have too much respect for his judgment to believe that he would do it.

Mr. EDGE. If I wanted to get the teamwork and the absolute interest in the business that I would have to have in order to make it a success, I would try first to be fair to my employees.

Mr. SMOOT. Mr. President, will the Senator from Ohio yield?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Utah?

Mr. WILLIS. I yield to the Senator from Utah.

Mr. SMOOT. I merely wish to call the Senator's attention to the fact that, notwithstanding the $48,000,000 increase in revenues, there was a deficit at the end of the fiscal year of $30,000,000.

Mr. WILLIS. Yes; and it is here proposed to add to that so that it will be a hundred million dollars.

Mr. SMOOT. Yes; so that it will be $100,000,000.

Mr. WILLIS. I do not know that I could make my position more definite by an extended speech. My position is simply this: Here is a great business proposition that ought to be handled in a businesslike fashion, and yet any man who will look the facts in the face must admit that if we pass this bill without any provision at all for increased revenues through a readjustment of rates we are doing that which no sane business concern would do.

I ask Senators to put to themselves this question: Why, in the long run, should the people who pay taxes and do not extensively use the mails be compelled to pay the bills of those who do use the mails? I think the Post Office Department ought to be conducted as a business that shall be at least approximately self-supporting, and therefore, Mr. President, so believing, I must regretfully take the position that, though I am in favor of an increase in postal salaries, I think that increase should be coupled with a revision of postal rates so as to provide the revenue out of which the increased salaries may be paid. Because the investigation is now under way, I believe that can be done in a comparatively short time, and so believing, I shall feel it to be my duty, regretfully, to vote against this measure in its present form, hoping and believing that at an early date we shall have an opportunity to vote for a measure to increase salaries and at the same time readjust postal rates so as to provide the funds to meet the increased expenditures.

Mr. ASHURST. Mr. President, I have listened with that close attention which I always give to the remarks of the able Senator from Ohio [Mr. WILLIS], but, in my judgment, he is not at his best to-day. When he stood by his guns in support of the soldiers' adjusted insurance bonus bill he was at his best. I think he does to-day not rise to the high standard that he reached the other day.

The Senator has dwelt upon the question of making the Post Office Department "self-supporting." Of all the tedious men in public life is a Postmaster General who keeps harping upon the theory that he must cripple the Post Office Service in order to avoid a deficit in his department. This is now the time to tell Senators that the business of this Government is not conducted for profit but is conducted for the general welfare.

We have in the West a pestiferous set of fellows with leggings and bifurcated hair who come through our national forests and say: "The forests are not self-supporting. They are not paying a profit. We must increase the fees for grazing livestock in the national forests, because we must make a profit out of them and must make these forests self-supporting." These pestiferous folk forget that the forests are the Nation's lungs; they forget that our forests are the places where we grow the timber for the business enterprises of the Nation and are the sources of our water supply.

Doctrinaires say the Post Office must be self-supporting, and that the man who does not use the Post Office ought not to be required to pay for its support.

In my opinion, we ought to care but little whether the Post Office is self-supporting or not.

The Postal Service is the agency by which we transport information to the people. It is the agency by which our powerful race sends out information at cheap rates. If the present Postmaster General is unable to prevent a deficit, it will not weigh against him, in my opinion.

Some persons say the Army does not pay; the Navy does not pay. Some folk see only money profits, but there are intangible profits just as powerful and necessary as are money profits. We do not want our national forests to pay money profits. We do not want our Army and Navy to pay money profits. The dividends and profits of our public schools are informed and educated young ladies and young gentlemen. The post office always pays profits, intangible profits. Our dividends are in the transportation and dissemination at cheap rates of reading matter. The Army and the Navy pay. They are the means of our Nation's tranquilization, its dignity, and its defense. The forest reserves pay, not money profits but real potential profits, and in some places in the West their management is becoming odious, because an attempt is being made by men looking through the wrong end of the telescope to get money profits out of the forests.

Let us have done with the business of trying to make money profits out of the post office and the national forests. Government is but a harness, sir, to draw civilization's load. If we transport documents, letters, and papers at reasonable rates, we may receive but small money dividends, but we shall receive durable and imperishable dividends by having an informed Nation.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from Washington [Mr. DILL] to the amendment of the committee.

Mr. DILL. I ask that the amendment be stated.

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment.

The PRINCIPAL CLERK. On page 15, at the end of line 11, it is proposed to insert the following:

And provided, That post-office inspectors shall not be eligible for transfer or appointment to any executive or supervisory position in the Postal Service other than in the inspection division and within two years after they have ceased to be inspectors.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Washington to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. FLETCHER. Mr. President, there seems to be running all through this bill a fear—at least a kind of apprehension—that somebody will be required to work over eight hours at some time or other.

On page 26 there is a provision in line 11 to the effect that the special clerks, clerks, and laborers in first and second class post offices and carriers in the City Delivery Service shall be required to work not more than eight hours a day.

On page 31, in line 19, there is a provision that special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service shall be required to work not more than eight hours a day.

On page 37, in line 18, there is a provision—

That service of clerks shall be based on an average of not exceeding eight hours daily.

And on page 38, in line 2, there is a provision that—

Railway postal clerks assigned to terminal railway post offices and transfer offices and laborers in the Railway Mail Service shall be required to work not more than eight hours a day.

There may be some reason for all this, but I can not quite understand why there should be a special limitation of that sort. In my judgment, if every employee of the Government, especially when occupied in the offices, were required to work eight hours a day we could diminish the force by from 10 to 20 per cent. We could get rid of a good deal of deadwood. Some inefficient, weak employees might be dispensed with; but if all employees of the Government were required to work not less than eight hours a day—not exceeding eight hours, but at least eight hours a day—we could accomplish a great deal of good and save the Government a great deal of expense.

I can not understand why we are so careful here to assure everybody that no one shall be required to work exceeding eight hours a day at any time. There may be some reason for that, and I should be glad to have the Senator having the bill in charge explain it; and for that purpose I am going to move, on page 31, line 19, to strike out "more" and insert "less," so that it will read:

That special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagement-drivers in the motor-vehicle service shall be required to work not less than eight hours a day.

Mr. EDGE. Mr. President, if the Senator will yield, the language in the bill referred to is existing law, so far as that is concerned. While that is no reason why it should not be improved if it can be improved, I am merely drawing the attention of the Senator to the fact that this is merely a copy of existing law. It has received no discussion by the committee, because it seemed simply to carry out the well-known policy of the Government that eight hours should constitute a day's labor.

There are some classes of the service—rural mail carriers, for instance—that come to my mind where they could not possibly work eight hours a day. In other words, they have not a full star route of 24 miles; they may have a very short route, and go out and finish their delivery and be back in three or four hours.

Mr. FLETCHER. We are not limiting them in any way as to hours of work.

Mr. EDGE. The Senator speaks of amending the bill in various sections in order to use the word "less," so as to read "shall work not less than eight hours," instead of saying "shall work not more than eight hours." I am afraid that in some cases that might merely keep men standing around, doing nothing, because there is nothing for them to do. I do not know. It is just a possibility.

Anyhow, what particular advantage is there in changing the language of existing law? Eight hours constitutes a day's work. These people are employed eight hours. The carriers and clerks, so far as I am informed, are all employed eight hours. They are expected to be. This provision does not prevent their being worked overtime at all. Immediately following the section that the Senator has read the bill says that in cases of emergency, or if the needs of the service require, and it is not practicable to employ substitutes, special clerks, clerks, laborers, and so forth, shall work overtime. I mean, it seems to me that it is not an important matter, and it might in some way confuse the administration of the act if we changed it.

Mr. FLETCHER. Why specify "not more than eight hours"? Why not say "eight hours," if you do not want to use the words "more" or "less," and say that they shall be resuired to work eight hours?

Mr. EDGE. That would have the same effect. Whether it said "not more than eight" or "eight," it would mean eight.

Mr. FLETCHER. Of course, they are not obliged to work over eight hours. I am willing to adopt the eight-hour day. That is all right; but if a man should happen to stay 10 minutes overtime he ought not to be permitted to put in a claim for overtime work, it seems to me, and we ought not to open the door for that sort of possibility. Why not require the employees, and especially those engaged in offices, to work eight hours a day, not less; not provide that it shall not exceed that, but that it shall be eight hours?

Mr. CARAWAY. Mr. President, let me ask the Senator a question. Why is eight hours so sacred away from Washington and only seven hours here? What is the difference—the climate?

Mr. FLETCHER. I can not understand. I was just saying a minute ago that if we would adopt the rule of eight hours, we would reduce the force employed by the Government here from 10 to 20 per cent, and it ought to be done. Eight hours is not too long for a healthy individual to work.

Mr. EDGE. I can not see anything in existing law which in any way relieves an employee of the Postal Service from working the full eight hours. The language is perfectly clear. It says he shall not work more than eight hours unless it comes under the emergency basis of overtime. The language may be somewhat unnecessary, but it simply recognizes the standard eight-hour day. I am afraid any change might perhaps introduce some confusion; that is all. That is my only objection to the suggestion.

Mr. FLETCHER. If the Senate wishes to stand by that, of course, I am going to submit. I am simply going to test the matter by moving that on page 31, line 19, we strike out "more" and insert "less."

The PRESIDENT pro tempore. The Senator from Florida offers an amendment to the committee amendment, which will be stated.

The PRINCIPAL CLERK. On page 31, line 19, it is proposed to strike out "more" and insert "less."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. FLETCHER. Mr. President, I offer another amendment in line with that thought. On page 37, in lines 18 and 19, I move to strike out the words "not exceeding," so that it will read:

That service of clerks shall be based on an average of eight hours daily.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The PRINCIPAL CLERK. On page 37, lines 18 and 19, it is proposed to strike out the words "not exceeding."

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Florida to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. FLETCHER. I offer one more amendment, on page 38, line 2, to strike out the word "more" and insert the word "less," so that it will read:

Railway postal clerks assigned to terminal railway post offices and transfer offices and laborers in the Railway Mail Service shall be required to work not less than eight hours a day.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Florida to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. GOODING. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The PRINCIPAL CLERK. On page 41, line 5, it is proposed to strike out the words "physician's certificate," and insert in lieu thereof "certificate of a physician or other practitioner."

Mr. EDGE. I have no objection to that amendment.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Idaho to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. BURSUM. Mr. President, I offer the amendment which I send to the desk. This amendment represents in effect the omnibus pension bills which were reported at the last Congress and have been reported again at this Congress. It seems almost impossible to secure consideration of these omnibus bills. The amount of money involved is not large—perhaps one-half of 1 per cent of the cost of the bill which is pending. I should say that $300,000 would cover all of them.

It seems to me that these bills should be given consideration. The Committee on Pensions have put in a great deal of work in making up the different bills. The House, by their committee, have put in a great deal of work.

The lower House has passed these bills, and either one of two things ought to occur: If it is to be the policy of Congress not to pass any pension bills, the Committee on Pensions should be abolished, and this policy should be done away with. But it is unfair; it is unjust to have the bills continuously and eternally on the calendar and by objection of one or two Senators prevented from having any consideration whatever. I have no quarrel with any person who may oppose the policy of granting pensions, but I say that the bills are entitled to consideration; they are entitled to be voted on.

Mr. OVERMAN. Are these private pension bills?

Mr. BURSUM. Just private pension bills. Nearly every Member of the Senate has one or two or three bills included in the amendments to the bill I have just submitted.

Mr. DIAL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from South Carolina?

Mr. BURSUM. I yield.

Mr. DIAL. I would like to ask the Senator the status of the bill providing for an increase of pensions to disabled Spanish-American War soldiers. What is the committee doing toward bringing that bill in?

Mr. BURSUM. The bill is in the committee. It probably will be considered.

Mr. DIAL. About when does the Senator expect to report on it?

Mr. BURSUM. I could not say. I can not speak for the committee. I can only speak of what we have done.

Mr. DIAL. I am afraid the Senator has not done much.

Mr. BURSUM. We have done the best we can.

Mr. EDGE. Mr. President, I recognize the seeming popularity of the measure pending, but I do enter a protest against having it used as the vehicle through which to pass every other type of legislation. A very meritorious bill was added to it at the session yesterday, and that, I presume, will go to conference. But if this omnibus pension bill, as I understand it to be, be added as an amendment to the bill, then the conferees would have to discuss and consider and decide the great subject of individual pensions.

I am totally opposed to that type of legislation. I am thoroughly in sympathy with the Senator's bill. I presume it represents the careful thought of the Committee on Pensions, but it does not represent the careful thought or the individual knowledge of the members of the Committee on Post Offices and Post Roads, who will form the conference committee on the pending bill, naturally, under the rules of the Senate. Personally, I feel that this amendment, without going into any detail as to its merits, being in no way germane to the subject of the measure in my charge, should not be added to the bill.

Mr. HARRIS. Mr. President, I want to ask the Senator from New Jersey about the statements used to defeat the increased amounts in this bill that there will be a deficit if we pass this bill. I would like to know if the committee went into the question of the amount of postage charged certain periodicals on which the Government loses millions annually? I favor this bill, and I know the Senator from New Jersey, the able business man he is, would not favor it unless it was a business proposition. I do not believe he would favor an amendment that would bring a deficit, but if there should be one, we could certainly make it up on periodicals referred to, and other things, and do justice by the underpaid postal employees.

Mr. President, last year when Congress was not in session I visited every section of my State and investigated the work and pay of the rural carriers and all other postal employees covered under this bill, and I am sure they deserve all and even more than the increase in pay under this bill. I am familiar with the wear and tear and expense of keeping up their automobiles in carrying the mail, and it gives me great pleasure to vote for 4 cents a mile for the carriers' upkeep of cars instead of 3 cents, recommended by the committee. I am glad to support every increase offered to the bill. There are no more faithful Government employees than those in the Postal Service, and justice should be done them now and not delay. Living expenses have greatly increased since the pay of postal employees was fixed. Just think of the danger and risk of life of the clerks in the Railway Mail Service. Whenever there is a wreck, a mail clerk is nearly always among those injured, and they run great risk when on duty. I could mention the splendid work of the postmasters and clerks and other employees, but I realize that under the rule a Senator can only speak 10 minutes, and my time is now up.

Mr. EDGE. In answer to the Senator from Georgia, there is nothing in the bill which in any way refers or relates to postal rates. The question of revised postal rates is now under consideration by the department, and the committee, as I have attempted to explain, has decided unanimously not to consider that at this time.

Mr. HARRIS. I understood that there was nothing about that in this bill, but I wanted to say that I am going to vote for the bill, even if it will result in a deficit, with the idea that Congress can put increased postal rates on such periodicals as I have mentioned.

Mr. EDGE. In that connection, permit me——

The PRESIDENT pro tempore. The Senator from New Jersey has spoken once on this amendment.

Mr. EDGE. If the Senator from Georgia will retain the floor, perhaps he will yield to me.

Mr. HARRIS. The Senator can speak in my time.

The PRESIDENT pro tempore. The Senate has agreed that no Senator shall speak more than once upon any amendment.

Mr. EDGE. I thoroughly recognize the decision as correct, and I ask the Senator from Georgia if he will yield.

Mr. HARRIS. I yield.

The PRESIDENT pro tempore. The Chair recognizes the Senator from New Jersey for an interruption in the speech of the Senator from Georgia.

Mr. EDGE. Before the joint committee, on the occasion of public hearings on all bills, including bills which included propositions for a revision of the revenues, the Postmaster General said as follows:

No readjustment of postage rates or fees for special services can be made intelligently until this ascertainment has been made.

Speaking of the cost ascertainment now in progress. That is a direct statement from the Postmaster General, and I hope it will answer the several inquiries on the part of Senators as to why the committee did not take up that phase of the responsibility at this time.

Mr. HARRIS. Mr. President, when does the Postmaster General say he will give us that information?

Mr. EDGE. Approximately in two or three months.

Mr. BURSUM. Mr. President, I note the objection of the Senator from New Jersey relating to this amendment. If the Senate should be willing to agree upon a time to take up the pension legislation, I would be willing to withdraw the amendment, and seeking such an arrangement I ask unanimous consent that the omnibus pension bill be taken up for consideration immediately after the present bill has been disposed of.

The PRESIDENT pro tempore. Is there objection?

Mr. ROBINSON. Mr. President, the Senator must know that arrangement can not be entered into. I object.

Mr. BURSUM. May we make it some other time?

Mr. ROBINSON. No; I want to say that I do not approve of the process of legislating which is implied in the Senator's attitude. The Senate has a right to determine proposals upon their merits. There will be no unanimous consent under the conditions which the Senator has suggested. The subject matter of the amendment has no relation whatever to the pending bill.

Mr. BURSUM. I hope the Senator will pay attention to this phase of the proposition. This bill has been pending for two years, with no consideration whatever.

Mr. ROBINSON. To what bill does the Senator refer?

Mr. BURSUM. The omnibus pension bill, comprising just private pension bills.

Mr. KING. We passed an omnibus pension bill last session.

Mr. BURSUM. No; we did not. It was on the table. We failed to pass it.

Mr. ROBINSON. Mr. President, it would be so repugnant to my conception of proper methods of legislation to tie an omnibus pension bill to such a measure as the one now pending, it would so violate my conception of the way in which measures ought to be considered and disposed of here, that I will state that I object now, and I shall object at any subsequent time to any such suggestion.

Mr. BURSUM. I agree that it is not the proper method of passing legislation, but that may also be said about the amendment regarding campaign contributions which was put on this very bill yesterday. It is not the method which should be pursued, but there is justification, in my mind, after a bill has been delayed for two years, in trying to obtain action upon it in almost any way.

Mr. ROBINSON. May I ask the Senator why he has not moved to proceed to the consideration of the omnibus pension bill to which he has referred. Within my recollection the Senate has not even had an opportunity of voting upon the question. The Senator's statement clearly implies that some oppressive or unfair process has prevented the consideration of the measure to which he refers.

Mr. BURSUM. Time and time again I asked consent at the last session, and finally, two days prior to adjournment, I did obtain an opportunity to make a motion, but the bill was not acted upon.

Mr. ROBINSON. As the Senator knows, that frequently happens. In the confusion and pressure of public business that always occurs near the end of a session of Congress, frequently measures are not considered which deserve consideration. It is not possible to grant the request the Senator has made.

Mr. BURSUM. Mr. President——

The PRESIDENT pro tempore. The Senator from New Mexico has already spoken once upon the amendment.

Mr. BURSUM. I rise to make a privileged motion.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from New Mexico.

Mr. BURSUM. Upon that question I ask for the yeas and nays.

Mr. EDGE. A parliamentary inquiry. Under the unanimous-consent agreement, at not later than 1 o'clock we are supposed to vote on the bill and all amendments.

The PRESIDENT pro tempore. The yeas and nays are demanded upon the amendment proposed by the Senator from New Mexico.

The yeas and nays were not ordered.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question now is, Shall the committee amendment proposed as a substitute be agreed to as amended?

The amendment as amended was agreed to.

Mr. DIAL. Mr. President, I give notice that I shall in the Senate renew my amendment on page 39, line 22.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. The question is, Will the Senate concur in the amendment made as in Committee of the Whole?

Mr. FRAZIER. I desire to offer an amendment similar to that reserved by the Senator from South Carolina [Mr. DIAL] for a vote in the Senate. On page 39, line 22, I move to strike out the numeral "3" and to insert the numeral "4," making it read "4 cents per mile."

Mr. DIAL. That is practically the same amendment I intended to offer.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The READING CLERK. On page 39, line 22, strike out the numeral "3" and insert in lieu the numeral "4," so that it will read:

> In addition to the salary herein provided, each carrier in rural Mail Delivery Service shall be paid for equipment maintenance a sum equal to 4 cents per mile per day for each mile or major fraction of a mile scheduled.

Mr. DIAL. I ask for the yeas and nays on the amendment to the amendment.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. JONES of New Mexico (when his name was called). I transfer my general pair with the Senator from Maine [Mr. FERNALD] to the Senator from West Virginia [Mr. NEELY] and vote "yea." If the Senator from West Virginia [Mr. NEELY] were present and voting, he would vote "yea."

Mr. STANLEY (when his name was called). Has my colleague, the junior Senator from Kentucky [Mr. ERNST], voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. STANLEY. I transfer my pair with the junior Senator from Kentucky to the senior Senator from Missouri [Mr. REED] and vote "yea."

Mr. WATSON (when his name was called). I have a pair with the Senator from Colorado [Mr. ADAMS] which I transfer to the Senator from Pennsylvania [Mr. REED] and vote "nay."

The roll call was concluded.

Mr. McNARY. The senior Senator from Nebraska [Mr. NORRIS] is absent from the Chamber on official business. I would like to have this statement stand for the day.

Mr. BAYARD. I have a general pair with the junior Senator from Pennsylvania [Mr. REED]. If present, I understand that he would vote as I intend to vote. I am therefore at liberty to vote. I vote "nay."

Mr. OVERMAN (after having voted in the affirmative). I inquire whether the senior Senator from Wyoming [Mr. WARREN] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. OVERMAN. I have a general pair with that Senator. I transfer my pair to the Senator from Michigan [Mr. FERRIS] and let my vote stand.

Mr. PITTMAN. The junior Senator from Colorado [Mr. ADAMS] is unavoidably absent. He is paired with the senior Senator from Indiana [Mr. WATSON]. If the Senator from Colorado were present and at liberty to vote, he would vote "yea."

Mr. GERRY. I desire to announce that the Senator from Oklahoma [Mr. OWEN] has a general pair with the Senator from West Virginia [Mr. ELKINS].

Mr. ROBINSON. I wish to announce that the Senator from West Virginia [Mr. NEELY] is necessarily absent. My information is that he is paired. If he were present and at liberty to vote, he would vote "yea."

The result was announced—yeas 54, nays 23, as follows:

YEAS—54

Ashurst	Frazier	McKellar	Smith
Brookhart	Gerry	McKinley	Spencer
Broussard	Gooding	McNary	Stanfield
Bursum	Harreld	Mayfield	Stanley
Cameron	Harris	Oddie	Stephens
Capper	Harrison	Overman	Swanson
Caraway	Heflin	Pittman	Trammell
Copeland	Howell	Ralston	Underwood
Cummins	Johnson, Calif.	Robinson	Walsh, Mass.
Dale	Johnson, Minn.	Sheppard	Walsh, Mont.
Dial	Jones, N. Mex.	Shields	Weller
Dill	Jones, Wash.	Shipstead	Wheeler
Edwards	Kendrick	Shortridge	
Fletcher	Ladd	Simmons	

NAYS—23

Bayard	Colt	Fess	Hale
Borah	Curtis	George	Keyes
Brandegee	Edge	Glass	King

Lodge	Pepper	Smoot	Watson
McLean	Phipps	Sterling	Willis
Moses	Ransdell	Wadsworth	

NOT VOTING—19

Adams	Ernst	Lenroot	Owen
Ball	Fernald	McCormick	Reed, Mo.
Bruce	Ferris	Neely	Reed, Pa.
Couzens	Greene	Norbeck	Warren
Elkins	La Follette	Norris	

So Mr. FRAZIER's amendment to the amendment made as in Committee of the Whole was agreed to.

The PRESIDENT pro tempore. The question now is, Will the Senate concur in the amendment made as in Committee of the Whole?

The amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. EDGE. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. JONES of New Mexico (when his name was called). Making the same announcement as to my pair and its transfer as on the previous vote, I vote "yea."

Mr. KING (when his name was called). On the final vote on the bill I have a pair with the Senator from Michigan [Mr. FERRIS]. Not knowing how he would vote, I withhold my vote.

Mr. ROBINSON (when Mr. NEELY's name was called). The Senator from West Virginia [Mr. NEELY] is necessarily absent. A state-wide election is being held to-day in the State of West Virginia and he is in attendance upon it. He is paired with the Senator from Maine [Mr. FERNALD]. If present and at liberty to vote, the Senator from West Virginia would vote "yea."

The roll call was concluded.

Mr. CURTIS. I wish to announce that the Senator from West Virginia [Mr. ELKINS] has a general pair with the Senator from Oklahoma [Mr. OWEN].

Mr. McNARY. The senior Senator from Nebraska [Mr. NORRIS] is absent on account of official business. If present he would vote "yea."

Mr. STANLEY (after having voted in the affirmative). Has the junior Senator from Kentucky [Mr. ERNST] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. STANLEY. I transfer my pair with that Senator to the Senator from Missouri [Mr. REED], and state that if the Senator from Missouri were present he would vote as I have voted. I therefore allow my vote to stand.

Mr. BAYARD (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. REED]. If he were present he would vote as I have voted. So I allow my vote to stand.

Mr. PITTMAN. The junior Senator from Colorado [Mr. ADAMS] is necessarily absent. He is paired with the senior Senator from Indiana [Mr. WATSON]. If the Senator from Colorado were present and permitted to vote, he would vote "yea."

Mr. WATSON (after having voted in the affirmative). In view of the statement of the Senator from Nevada, I am at liberty to vote, and therefore allow my vote to stand.

Mr. OVERMAN (after having voted in the affirmative). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Maryland [Mr. BRUCE], and let my vote stand.

Mr. RALSTON. I was requested to announce that the Senator from Michigan [Mr. FERRIS] is necessarily absent. If present he would vote "yea."

The result was announced—yeas 73, nays 3, not voting 20, as follows:

YEAS—73

Ashurst	Fletcher	Lodge	Simmons
Ball	Frazier	McKellar	Smith
Bayard	George	McKinley	Spencer
Brandegee	Gerry	McLean	Stanfield
Brookhart	Glass	McNary	Stanley
Broussard	Gooding	Mayfield	Stephens
Bursum	Hale	Moses	Sterling
Cameron	Harreld	Oddie	Swanson
Capper	Harris	Overman	Trammell
Caraway	Harrison	Pepper	Underwood
Colt	Heflin	Phipps	Wadsworth
Copeland	Howell	Pittman	Walsh, Mass.
Cummins	Johnson, Calif.	Ralston	Walsh, Mont.
Curtis	Johnson, Minn.	Ransdell	Watson
Dale	Jones, N. Mex.	Robinson	Weller
Dial	Jones, Wash.	Sheppard	Wheeler
Dill	Kendrick	Shields	
Edge	Keyes	Shipstead	
Edwards	Ladd	Shortridge	

NAYS—3

Borah	Fess	Willis

NOT VOTING—20

Adams	Fernald	Lenroot	Owen
Bruce	Ferris	McCormick	Reed, Mo.
Couzens	Greene	Neely	Reed, Pa.
Elkins	King	Norbeck	Smoot
Ernst	La Follette	Norris	Warren

So the bill was passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5573) granting certain public lands to the city of Shreveport, La., for reservoir purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6482) authorizing the Postmaster General to contract for mail-messenger service.

REGULATION OF CHILD LABOR

Mr. SHORTRIDGE. Mr. President, I move that the Senate proceed to the immediate consideration of Senate Joint Resolution No. 1, which is a joint resolution proposing an amendment to the Constitution of the United States giving Congress power to limit or prohibit child labor.

The PRESIDENT pro tempore. The question is on the motion of the Senator from California that the Senate proceed to the consideration of Senate Joint Resolution No. 1.

Mr. WALSH of Montana rose.

Mr. BRANDEGEE. Mr. President, may I ask the Senator from California a question?

Mr. SHORTRIDGE. Certainly.

Mr. BRANDEGEE. In the interest of expediting the matter I wish to suggest to the Senator for his consideration whether it would not be wiser to move that the Senate proceed to the consideration of the joint resolution already passed by the House of Representatives providing for a similar constitutional amendment. That joint resolution is identical in language with the Senate joint resolution.

Mr. LODGE. That substitution may be moved later.

Mr. SHORTRIDGE. The motion to substitute the House joint resolution for the Senate joint resolution may be made a little later on.

Mr. BRANDEGEE. Very well.

Mr. WALSH of Montana. Mr. President, I rose to make the same suggestion to the Senator from California as that which has been offered by the Senator from Connecticut. We have on the calendar of the Senate the House joint resolution, which is identical with the Senate joint resolution.

Mr. LODGE. I make the point of order that at this hour the motion made by the Senator from California [Mr. SHORTRIDGE] is not debatable.

The PRESIDENT pro tempore. The Senate having been in recess, the motion is debatable.

Mr. OVERMAN. I desire to make an inquiry of the Senator from California. I do not intend in any way at all to delay the consideration of the joint resolution, but I suppose that when it shall have been made the unfinished business, as the Senator from California has proposed, for to take it up now would make it the unfinished business, the joint resolution will give way to appropriation bills. There is one very important appropriation bill now ready to come before the Senate.

Mr. WALSH of Montana. We are at present discussing or attempting to discuss the question as to whether or not we shall take up Senate Joint Resolution 1, or, as I think would be more preferable, to take up House Joint Resolution 184. The two joint resolutions are absolutely identical. House Joint Resolution 184 has already passed the House, and if we should pass it here that would end the subject. If we should pass the Senate joint resolution, I suppose we could then take up House Joint Resolution 184 and substitute it for Senate Joint Resolution 1; but why should we temporize?

Mr. LODGE. Mr. President, if the Senator from Montana will allow me, I desire to say what he suggests may be done after we have taken up the Senate joint resolution. After that shall have been done, it will be entirely proper to substitute House Joint Resolution 184 for Senate Joint Resolution 1.

Mr. WALSH of Montana. But why should we not first take up House Joint Resolution 184?

Mr. LODGE. The House joint resolution can not be substituted for the Senate resolution until the Senate resolution shall have first been taken up.

Mr. WALSH of Montana. But I can see no reason why the Senate may not now proceed to the consideration of House

Joint Resolution 184 as well as proceed to the consideration of Senate Joint Resolution 1.

Mr. LODGE. There is no reason why the Senate should not do so, except that the Senator from California does not want to lose the floor.

Mr. SHORTRIDGE. If the House joint resolution may be substituted for the Senate joint resolution, of course I have no objection, but I do not want to lose the floor.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Kansas will state it.

Mr. CURTIS. Would it be in order for the Senator from California to substitute for his motion to take up Senate Joint Resolution 1 a motion to take up House Joint Resolution 184?

The PRESIDENT pro tempore. The Chair is of the opinion that the Senator from California can withdraw his motion to take up the Senate joint resolution and then move that the Senate take up the House joint resolution.

Mr. SHORTRIDGE. Mr. President, being thus advised, and my desire being to bring on for immediate consideration the joint resolution proposing the constitutional amendment if permitted under the rules to do so, I withdraw the motion I made to take up Senate Joint Resolution No. 1 and in lieu thereof I move that the Senate take up House Joint Resolution No. 184. The two resolutions, as has been stated by the Senator from Montana [Mr. WALSH], are exactly the same both in language and in purpose.

The PRESIDENT pro tempore. The question is on the motion of the Senator from California.

Mr. KING. I rise to inquire what calendar number is the House joint resolution?

The PRESIDENT pro tempore. It is calendar No. 502.

Mr. KING. Are both the House joint resolution and the Senate joint resolution upon the calendar?

The PRESIDENT pro tempore. They are both upon the calendar and are identical.

Mr. FLETCHER. Mr. President, I desire to inquire of the Senator from California if the joint resolution shall now be taken up is it his purpose to proceed right along with its consideration or will he permit it to be laid aside for the consideration of appropriation bills? I expect the resolution will be taken up, but I want to have a word or two to say about it. I had rather not proceed until to-morrow; but I would not want to be forced to proceed at this time.

Mr. SHORTRIDGE. Answering the Senator, I desire to say that if my motion shall prevail, and the joint resolution becomes the unfinished business, I know of no reason why it could not be temporarily laid aside in order to consider appropriation bills, although there are many Senators who think that there will not be prolonged debate on the joint resolution.

Mr. FLETCHER. With that understanding, I would not particularly oppose taking up the joint resolution, but I certainly should not want it disposed of to-day.

Mr. SHORTRIDGE. May I add, Mr. President, that certain Senators have approached me stating that they desire to leave the city or would be absent, and would not return for some days. In so far as I am personally concerned, I should be perfectly willing to accommodate them if we could reach some unanimous-consent agreement to vote upon the joint resolution upon a given date and at a given hour, but it may be, as suggested, that we could reach a vote this afternoon on the joint resolution.

Mr. FLETCHER. I do not think that would be possible.

Mr. SIMMONS. Mr. President, I am very anxious that this measure shall be taken up, and I hope if it is taken up the Senator will consent to have it laid aside for the appropriation bill. I am one of the Senators probably to whom he referred. I have to leave the city to-morrow, and I should very much regret not to have an opportunity to vote upon the joint resolution. I am very much opposed to the joint resolution and I wish to record my protest against it.

The PRESIDENT pro tempore. The question is on the motion of the Senator from California to proceed to the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ARTICLE —

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

PENSION BILLS A SPECIAL ORDER

Mr. BURSUM. Mr. President, I move that the omnibus pension bill be made the special order for Thursday next, at 3 o'clock.

Mr. KING. I raise the point of order that, with the unfinished business pending, under the rule, I do not think the Senator from New Mexico can move the consideration of another bill for any designated and particular time.

Mr. BURSUM. I submit that there is no point of order in the contention of the Senator from Utah. If the special order interferes with the unfinished business, the special order will automatically be set aside, and must wait.

Mr. KING. I raise the point of order that when a measure is before the Senate undisposed of, it has, of course, necessarily the right of way, and we may not farm out the time in the future, anticipating the disposition of the pending unfinished business anterior to that. If that were true——

Mr. LODGE. Mr. President——

Mr. OVERMAN. I rise to a question of privilege, and ask that the Chair lay before the Senate the House bill 3852, which is on the desk.

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. The Chair is of the opinion that the point of order made by the Senator from Utah [Mr. KING] is not well taken.

Mr. BRANDEGEE. I wanted to address myself briefly to that question. I wanted to submit to the Chair this consideration:

As I understand, the motion of the Senator from California [Mr. SHORTRIDGE] to proceed to the consideration of the child-labor amendment prevailed, and the child-labor amendment resolution is now before the Senate, and has not yet been temporarily laid aside. If that is so, it seems to me the suggestion made by the Senator from Utah [Mr. KING] is correct, that no motion upon another matter can be made while this is under consideration, and the Senator could not get the floor to make such a motion. The Senator from California has the floor.

The PRESIDENT pro tempore. The Senator had not the floor; otherwise, he could not have been taken from the floor.

Mr. BRANDEGEE. I want to suggest to the Chair that by unanimous consent the Senate could make such an order; but the Senator from New Mexico has moved that a certain bill be taken up at a certain date next week. It seems to me that that is not in order while a pending measure is before the Senate.

Mr. OVERMAN. Mr. President, I call the Senator's attention to the celebrated force bill, where a motion was made to take up the silver bill while the force bill was pending, and that is the way the force bill was defeated.

Mr. BURSUM. Mr. President——

The PRESIDENT pro tempore. Senators will take their seats, so that the Senate may be in order.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. KING. Emphasizing what the Senator from Connecticut stated, I want to suggest to the President that if this was tenable at all, or if the Senator could submit any form of resolution or motion, it would have to be in the form of a resolution, and would have to lie over for the day.

The PRESIDENT pro tempore. A special order does not displace the unfinished business, and Rule X explicitly so declares, if the Chair may be permitted to read the beginning of the rule:

Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the Presiding Officer shall lay it before the Senate, unless there be unfinished business of the preceding day, and if it is not finally disposed of on that day it shall take its place on the Calendar of Special Orders in the order of time at which it was made special, unless it shall become by adjournment the unfinished business.

Mr. KING. Mr. President, a parliamentary inquiry. I submit that even the rule which the Chair has just read contemplates the submission of the special motion by resolution; and that under the rule automatically lies over upon objection for the day.

Mr. WALSH of Montana. Mr. President——

The PRESIDENT pro tempore. The Chair believes that the matter can be brought to the attention of the Senate by a motion as well as by a resolution. The Senator from Montana.

Mr. BRANDEGEE. Mr. President, when we have just taken up the child labor bill, and it is now before the Senate, what I want to suggest is that it is not competent for a Senator to rise and make a motion that a bill be made the special order.

The PRESIDENT pro tempore. Until the unfinished business is disposed of?

Mr. BRANDEGEE. Or temporarily laid aside. Here is the child labor amendment before the Senate. The Senator from New Mexico gets up and is recognized by the Chair, who does not know what he is going to say, and then moves that a special order be entered that a certain bill be taken up next week. On that motion there may be a roll call, if the yeas and nays are demanded, and other motions may supervene. Meantime, in my opinion, that would displace the unfinished business, but I do not think it is in order for the Senator to move that next week we take up another bill until the child labor amendment is at least temporarily laid aside. He could ask unanimous consent, but I do not think he could make the motion.

The PRESIDENT pro tempore. The Chair is of the opinion that any Senator who may be recognized by the Chair can move to take up any bill that may be on the calendar, even though the unfinished business is not disposed of, and the Senator from New Mexico has moved that a certain bill be made a special order.

Mr. BRANDEGEE. I agree to that, Mr. President. All I say is that if the Chair recognizes the Senator from New Mexico, who makes that motion, and it is put, the unfinished business is displaced by it if it succeeds.

The PRESIDENT pro tempore. Undoubtedly.

Mr. BURSUM. Oh, no.

Mr. LODGE. Why, certainly.

Mr. BURSUM. How can it be displaced?

Mr. LODGE. We can not have two motions playing around here at the same time.

Mr. BURSUM. Not at all. A Member might move to displace the unfinished business.

Mr. LODGE. Precisely; a motion can be made to displace it.

Mr. BURSUM. But no such motion has been proposed.

Mr. LODGE. A motion can be made to displace it, undoubtedly.

Mr. BURSUM. To be sure; but I can also move for a special order, and if that motion is sustained by a two-thirds vote it fixes a special order for a specific day.

Mr. BRANDEGEE. And sweeps aside the unfinished business.

Mr. BURSUM. But, under Rule X, even a special order will not be adhered to as against the pending unfinished business.

Mr. LODGE. Oh, yes; the rule about special orders is undoubted; but this is a question of making a special order, which I do not think is in order unless we displace the unfinished business.

Mr. BURSUM. Does the Senator undertake to set up the doctrine that a Senator can not make a motion which requires a two-thirds acquiescence of the Senate, and at the same time a Senator can make a motion which requires only a majority vote?

Mr. LODGE. It is in order, of course, to move to set aside the unfinished business.

Mr. BURSUM. Yes.

Mr. LODGE. That can be done; but we can not go into a series of motions with this matter up.

Mr. BURSUM. But the special order has a special privilege under certain conditions.

Mr. ROBINSON. Mr. President, I feel compelled to say that I think the Chair is right; that the Senator from New Mexico [Mr. BURSUM], having secured recognition after the so-called child labor amendment was made the unfinished business, was entitled to make the motion provided for in Rule X, and that it is the duty of the Chair to submit the motion to the Senate. If the motion prevails, the special order is fixed for the time stated in the motion. It does not, according to the precedents of the Senate, supersede the unfinished business.

If I may be permitted to read from the precedents, the whole subject was discussed in an opinion by the Vice President, as follows:

The VICE PRESIDENT. Let us see if the Chair can clarify what the Chair thinks has heretofore been ruled and sustained by the Senate. It is—

First. That by a two-thirds vote of the Senate a special order may be made for the consideration of a bill.

Second. If that special order shall happen to be made at an hour when there is unfinished business—

That is this case exactly—

it does not take the place of the unfinished business, the unfinished business proceeds and the special order has no power.

Third. If it is set at an hour when there is no unfinished business, then it is before the Senate until the hour arrives for the laying of the unfinished business before the Senate.

Fourth. If there be no unfinished business and it be the last subject considered on the day, it becomes the unfinished business of the next day.

Fifth. If, however, there be unfinished business, then it remains a special oder, to be taken up from day to day, unless by so doing it shall interfere with the unfinished business of the Senate.

That is what the Chair rules.

Mr. BRANDEGEE. Mr. President, will the Senator permit a question there?

Mr. ROBINSON. Certainly.

Mr. BRANDEGEE. Does not that mean that if the special order is made for a time in the future, it will be taken up even in place of the unfinished business, and it does not displace it?

Mr. ROBINSON. Yes.

Mr. BRANDEGEE. All I am claiming is—and I am not sure about it; I am simply advancing the suggestion——

Mr. ROBINSON. I understand the Senator's contention. He takes the position that there being unfinished business before the Senate, the Senator from New Mexico had no right to make the motion to fix a special order.

Mr. BRANDEGEE. No; I say, if the Senate votes in favor of the motion that he did make, will not that displace the unfinished business now?

Mr. ROBINSON. No; not under the decision. That is the object of the precedent that I have just read. The motion is a peculiar one. It is rather an extraordinary parliamentary procedure, and it requires a two-thirds vote to make a special order under these conditions. It is not like making a motion to supersede the unfinished business with a new order of business. That may be done at any time a Senator can get recognition. It is perfectly competent for the Senator from New Mexico now to move that the Senate proceed to the consideration of the bill that he has in mind, and that could be adopted by a simple majority vote; but the motion to fix a special order for a day or a time in the future requires a two-thirds vote, and it may be made at any time while other business is before the Senate without displacing that business if a Senator can secure the floor and get the opportunity to present it.

Mr. LODGE. Let us vote.

Mr. BURSUM. Mr. President, I understood thoroughly that I had a perfect right to make a motion to displace the pending business; but I preferred to make the motion for a special order at a future time, believing that by so doing this motion might meet with the approval of the Senate, and the Senate might be agreeable to take up the bill at that particular time. I fixed the hour at 3 o'clock, believing that at that hour perhaps there would not be any important business pending, and the object of my motion was to take up the bill after 3 o'clock, when it would least interfere with other important matters before the Senate.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. BRANDEGEE. In order that the Senate may be advised of the effect of its vote on the unfinished business in case the motion of the Senator from New Mexico should prevail, I wish to ask the Chair, if the Senator's motion about the special order should prevail, would it displace the unfinished business?

The PRESIDENT pro tempore. The Chair is of the opinion that the motion is in order. If the motion is to make the bill to which reference is made a special order for to-morrow or next day or next week, the adoption of that motion, in the opinion of the Chair, would not displace the unfinished business.

Mr. BRANDEGEE. Very well.

Mr. ROBINSON. The Chair is right. The rule expressly so provides.

The PRESIDENT pro tempore. So the question is upon the motion of the Senator from New Mexico [Mr. BURSUM].

Mr. KING. Mr. President, I hesitate to venture any opinion contrary to the opinion of my able friend the leader of the minority; but it seems to me that a procedure of that kind, as indicated by him, must lead to complexity and to confusion in the proceedings of the Senate.

We enter to-day upon the consideration of an important amendment to the Constitution of the United States. We make

it the business pending before the Senate. Obviously, we can not now predict the length of time that will be consumed in the consideration of that question.

Mr. ROBINSON. Mr. President, will the Senator from Utah yield?

Mr. KING. I yield to the Senator.

Mr. ROBINSON. The Senator apparently is proceeding upon the theory that I have advocated the adoption of the motion of the Senator from New Mexico. I have not done that. I have simply insisted that his motion is in order, and that the effect of the motion will be not to displace the unfinished business, and that it is competent for him to make the motion, and I think that is clearly true under the rules.

It has happened in the practice of the Senate that a number of special orders have been made at the same time. Of course, that does result in confusion and inconvenience, but that is a question of policy which addresses itself to the wisdom or practicability of granting or adopting a motion to fix a special order. It has no relation to the right of a Senator to move a special order.

Mr. SHORTRIDGE. Mr. President——

Mr. KING. I yield to the Senator.

Mr. SHORTRIDGE. Assume that this motion made by the Senator from New Mexico should be adopted, making the special order for a given day, Thursday; assume that the present unfinished business has not been concluded; does the consideration of the unfinished business continue right on until its completion?

Mr. ROBINSON. Oh, yes.

Mr. SHORTRIDGE. Irrespective of the special order?

Mr. ROBINSON. Yes; and the special order goes to the Calendar of Special Orders. That is the express provision in the rule. There is not the slightest difficulty about the legal aspect of the matter.

Mr. OVERMAN. Will the Senator from Utah yield to me?

Mr. KING. I will be through in a moment.

Mr. OVERMAN. I ask the Chair to lay before the Senate the conference report on his desk.

The PRESIDENT pro tempore. The Chair lays before the Senate the conference report on H. R. 3852. The Chair desires to be perfectly clear about the matter. The Senator from North Carolina has a right to have the conference report laid before the Senate at any time, but it will not be considered without unanimous consent.

Mr. OVERMAN. I ask unanimous consent. I call the attention of the chairman of the committee [Mr. HARRELD] to the matter.

Mr. LODGE. I object to taking it up at this time.

The PRESIDENT pro tempore. Objection is made.

Mr. KING. Mr. President, I did not misconceive the attitude of my learned friend from Arkansas [Mr. ROBINSON]. The only point I was making was that having entered upon the consideration of this measure, it seemed to me that it would lead to confusion if we farmed out the time for the future, and by special rules and special resolutions, while this matter is the unfinished business, fixed times for the consideration of bills in the future. It is bound to lead to confusion.

The PRESIDENT pro tempore. If the Chair may be permitted a remark, that confusion can very easily be avoided by voting down the motion of the Senator from New Mexico.

Mr. KING. I understand, but I wanted in a very delicate way to suggest to Senators that they can avoid that confusion by pursuing the course which the Chair has stated so much better than I could have stated it.

Mr. LODGE. Mr. President, I gave a notice that after the disposition of the postal compensation bill I would make a motion to go into executive session for the purpose of considering the treaty with Cuba with regard to the Isle of Pines. That is a privileged motion, which I can make at any time. I merely wanted to make this statement. I shall not make the motion, because I am very anxious to get action on the measure which has been made the unfinished business, the child-labor resolution. Therefore I shall not make the motion of which I gave notice.

Mr. UNDERWOOD. Mr. President, I am interested in the motion the Senator proposes to make, and I came here especially to be present when it was considered.

Mr. LODGE. I am sorry to have discommoded the Senator.

Mr. UNDERWOOD. I merely want to get a chance to vote on the subject. I will not urge the Senator to make the motion now, because I am not in favor of his motion; but I would like to know if I may have assurance that he will not call it up this afternoon.

Mr. LODGE. Certainly; the Senator has that assurance.

Mr. HARRELD. Mr. President, I ask unanimous consent for the immediate consideration of the conference report on H. R. 3852.

Mr. SHORTRIDGE. I have to object, Mr. President.

The PRESIDENT pro tempore. Objection is made. The question is on the motion of the Senator from New Mexico. In order to prevail, such a motion must be agreed to by a two-thirds vote, and as the Chair can not be certain of the number voting without a roll call the reading clerk will call the roll.

The reading clerk proceeded to call the roll.

Mr. STANLEY (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. ERNST] and withhold my vote.

Mr. WATSON (when his name was called). I have a pair with the Senator from Colorado [Mr. ADAMS], which I transfer to the junior Senator from South Dakota [Mr. NORBECK] and vote "yea."

The roll call was concluded.

Mr. OVERMAN. I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Maryland [Mr. BRUCE] and vote "yea."

The roll call resulted—yeas 45, nays 22, as follows:

YEAS—45

Ashurst	Edge	Keyes	Simmons
Brandegee	Fess	Ladd	Smoot
Brookhart	Frazier	Lenroot	Spencer
Broussard	Gooding	McKinley	Stanfield
Bursum	Hale	McLean	Sterling
Cameron	Harreld	McNary	Walsh, Mass.
Capper	Howell	Moses	Watson
Colt	Johnson, Calif.	Oddie	Wheeler
Copeland	Johnson, Minn.	Overman	Willis
Curtis	Jones, N. Mex.	Pepper	
Dale	Jones, Wash.	Ralston	
Dill	Kendrick	Shipstead	

NAYS—22

Bayard	George	Phipps	Stephens
Caraway	Glass	Ransdell	Swanson
Cummins	Harris	Reed, Mo.	Trammell
Dial	King	Robinson	Walsh, Mont.
Edwards	Lodge	Sheppard	
Fletcher	McKellar	Smith	

NOT VOTING—29

Adams	Ferris	Neely	Stanley
Ball	Gerry	Norbeck	Underwood
Borah	Greene	Norris	Wadsworth
Bruce	Harrison	Owen	Warren
Couzens	Heflin	Pittman	Weller
Elkins	La Follette	Reed, Pa.	
Ernst	McCormick	Shields	
Fernald	Mayfield	Shortridge	

The PRESIDENT pro tempore. On this question the yeas are 45 and the nays are 22. So the motion of the Senator from New Mexico [Mr. BURSUM] is agreed to.

The special order was reduced to writing as follows:

SPECIAL ORDER

Ordered, That H. R. 6426 and H. R. 6941, granting pensions and increases of pensions, etc., be made a special order for Thursday, May 29, 1924, at the hour of 3 o'clock p. m.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. SHORTRIDGE. Mr. President, we all desire to bring the pending joint resolution to a vote. Many Senators, however, have suggested that we endeavor to reach a unanimous-consent agreement to vote upon a given day. I suggest, if Senators will give me their attention, that we enter into a unanimous-consent agreement to vote on the resolution on Monday next at, say, 4 o'clock.

Mr. OVERMAN. Will the Senator make it Tuesday? Monday is calendar day.

Mr. SHORTRIDGE. I will change my suggestion to Tuesday at not later than 4 o'clock.

Mr. SIMMONS. It is better to fix the hour definitely rather than to say "not later than." That notifies everybody what time the vote will be taken.

Mr. DILL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Washington?

Mr. SHORTRIDGE. I yield.

Mr. DILL. Why does the Senator think that there will be so much discussion of the joint resolution?

Mr. SHORTRIDGE. I am making the suggestion for the accommodation of a number of Senators who desire to leave the city.

Mr. ROBINSON. I will state to the Senator from Washington that several Senators expect to be absent for several days

beginning to-morrow, and the first day I have found when it is expected that all will be present is next Monday.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from California yield to the Senator from Massachusetts?

Mr. SHORTRIDGE. I yield.

Mr. WALSH of Massachusetts. May I inquire of the Senator what business is going to be done in the meantime?

Mr. SHORTRIDGE. I understand there are certain appropriation bills which should be taken up and considered, and it may well be that we can temporarily lay aside the unfinished business for that purpose.

Mr. WALSH of Massachusetts. My experience is that when a measure is taken up as the unfinished business, as the joint resolution has been, and a day fixed for a vote a week hence, nothing is done in the meantime except to have general debate on other matters. The pending measure is abandoned until the day for the vote and every other kind of question is discussed in the meantime.

Mr. SHORTRIDGE. The joint resolution is still the unfinished business, and I assume there are Senators who would desire to address themselves to it so we can proceed right on with the discussion, but the vote would take place on Tuesday next, say at 3 o'clock, making the hour definite so that all Senators could arrange to be here.

Mr. WALSH of Massachusetts. We are getting near the close of the session. Senators realize that they ought to be here, that important measures are coming up from day to day, and I think that we ought to take up those matters one after another and discuss and debate them and come to a decision about them in their proper order.

Mr. SHORTRIDGE. I scarcely think anyone is more anxious than I am to proceed, but I am trying to accommodate Senators.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Arkansas?

Mr. SHORTRIDGE. I yield.

Mr. ROBINSON. I have not the slightest doubt that the debate would be exhausted very much short of the time which the Senator from California seeks to fix, but my experience has shown that every day Senators for one reason or another find it necessary to be absent from the Senate. Many of them want to be recorded on the joint resolution now pending. Some have gone away and returned, and they expect to remain here indefinitely. Others expect to leave to-morrow for a few days. Since it is a question of first importance that the matter be disposed of during the present session, I see no reason why an arrangement should not be effected that will serve the convenience of all Senators as nearly as possible. The Senator from Massachusetts is right.

Mr. WALSH of Massachusetts. I do not object. I merely stated my views on the matter.

Mr. ROBINSON. We all want to be in full attendance upon our duties here, but notwithstanding that fact we all find it necessary sometimes to be away.

Mr. WALSH of Massachusetts. May I remind the Senator from Arkansas that we all have requests to be away? I have such requests, and should be away to-day, to-morrow, and the next day. If we should try to fix a time for a vote on any day when we can all be here, we would find it humanly impossible.

Mr. ROBINSON. I have always sought to arrange on votes on important matters at times that would serve the convenience of my fellow Senators, and unless there is some reason in the public benefit or in the public interest to be obstinate about it, I would not object to any time which is suggested for the final vote upon the joint resolution.

Mr. LODGE. I think the important thing is to get the day fixed. There is some trouble about having an indefinite time.

Mr. ROBINSON. There will be other business coming along.

Mr. LODGE. Yes; and the Senator in charge of the joint resolution can have it laid aside temporarily.

Mr. ROBINSON. That is true. There are some appropriation bills yet undisposed of.

Mr. LODGE. Yes; there are appropriation bills that must be disposed of.

Mr. ROBINSON. The joint resolution can be held before the Senate as the unfinished business so long as any Senator wishes to speak upon it. Then it can be laid aside for the consideration of other bills.

Mr. LODGE. Certainly. The time will be occupied.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Florida?

Mr. SHORTRIDGE. I yield.

Mr. FLETCHER. I think it is advisable to fix the day, and I find from my experience here that that is the safest and best way to get action on a measure.

Mr. LODGE. There is no doubt about it.

Mr. FLETCHER. With regard to the day named, Tuesday next, may I say that I have not been absent a single day this session, but that is the day when the Florida primaries take place and I must be there. However, I have a general pair, and I shall not object to the time being fixed on that account.

Mr. DILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Washington?

Mr. SHORTRIDGE. I yield.

Mr. DILL. My reason for raising the question was that there is other legislation pending here. The child-labor amendment is very important, but there is other legislation here equally important. There is legislation in the interest of the farmers of the country that ought to be acted upon. I do not like to see a unanimous-consent agreement entered into that will prohibit taking up some of that legislation and considering it and acting upon it. The question of final adjournment will be brought up within a few days, no doubt.

Mr. ROBINSON. I do not think the agreement will interfere with the consideration of any legislation. On the contrary, I think it will promote it.

Mr. DILL. Does the Senator think we can take up the farm-relief bills, for instance, or the Muscle Shoals proposition, and go ahead with them and still have the joint resolution made the unfinished business?

Mr. ROBINSON. Oh, undoubtedly. We never have any difficulty in doing that. If any Senator wishes to discuss the unfinished business, he can do it and ought to have the privilege of doing it. When the debate is exhausted we can, either by agreement or by vote, take up anything else we want to.

Mr. LENROOT. The difficulty suggested by the Senator from Washington might be obviated if the unanimous-consent agreement should provide that the joint resolution be taken up at a certain hour on next Monday and the final vote ordered for a certain hour on next Tuesday. That would then leave the intervening time for other legislation.

Mr. DILL. I do not think debate on the joint resolution will occupy much time.

Mr. ROBINSON. I will show the Senator where, in its practical result, this arrangement would not interfere with the business. Proponents of the joint resolution are anxious to secure, and be certain that they shall secure, a vote on the joint resolution during the present session. When they have accomplished that they are ready entirely for the Senate to take up any other business that may be suggested. What they want is a vote, and when they get an agreement to vote they will not feel or manifest any disposition to delay the progress of other business. It will facilitate the business of the Senate rather than retard it.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Iowa?

Mr. SHORTRIDGE. I yield.

Mr. BROOKHART. Upon that statement I would have no objection, but I think we may want to consider some farm legislation before that date. I am quite sure that we ought to do so.

Mr. ROBINSON. I would be glad to vote to proceed to the consideration of other legislation in the meantime if a motion of that nature is presented and if the unfinished business does not fairly require the attention of the Senate.

Mr. SHORTRIDGE. I have suggested 3 o'clock Tuesday next because——

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Montana?

Mr. SHORTRIDGE. I yield.

Mr. WALSH of Montana. I think the discussion can be simplified if we understand that regardless of everything else we shall have a vote on the joint resolution at 3 o'clock on Monday next. Of course, if we enter the unanimous-consent arrangement it is not necessary to supplement it with a provision such as that suggested by the Senator from Wisconsin [Mr. LENROOT]. If we agree to vote on the joint resolution at 3 o'clock on Monday it occurs to me that it then displaces anything that is before the Senate at that time and that we should proceed to vote at that hour.

There is a serious consideration here if any other interpretation is given to the unanimous-consent request. If the debate shall go along on the joint resolution for some time and then is exhausted and some one desires to bring up some other measure and a request is made for unanimous consent to lay aside the joint resolution temporarily, some of those objecting, not to the joint resolution, but to the consideration of the bill which it is desired to bring before the Senate, will object to laying aside the joint resolution temporarily. Then, in order to take up the other measure, it will be necessary to move to proceed to the consideration of it. That will displace the joint resolution as the unfinished business, and, of course, those of us who are interested in the joint resolution will vote against that motion, and the joint resolution will thus be kept before the Senate.

Mr. ROBINSON. The Senator has assumed that the debate will have been exhausted or at least discontinued when a request may be made to proceed to the consideration of some other business. I, as a supporter of the joint resolution, would be delighted to have other business brought before the Senate and would vote to do that so long as the joint resolution did not require the attention of the Senate. I would vote to displace the unfinished business in such circumstances.

Mr. WALSH of Montana. That is entirely agreeable to me and I am perfectly willing that the unfinished business should be displaced provided that when 3 o'clock on Monday comes we shall vote on the joint resolution.

Mr. ROBINSON. That is the unanimous-consent agreement proposed.

Mr. WALSH of Montana. Then it is entirely immaterial whether it remains the unfinished business or does not, because at that time we shall vote. If that is the understanding I can see no reason why anybody should object to the unanimous-consent agreement.

Mr. SHORTRIDGE. Nor can I.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Florida?

Mr. SHORTRIDGE. I yield.

Mr. FLETCHER. I wonder if we could not fix the time for Saturday?

Mr. SHORTRIDGE. I am unable to make answer to the Senator.

Mr. ROBINSON. Senators who have asked for the proposed arrangement do not expect to be here at that time.

Mr. FLETCHER. To-day is Tuesday, and it is nearly a week until Saturday.

Mr. ROBINSON. We might just as well fix it for to-morrow as Saturday. If Senators do not desire to effect the arrangement to serve the convenience of Senators who really have to go away, we may just as well leave it without any arrangement. We can not make an arrangement short of Monday next that would suit the convenience of the Senators to whom I have talked.

Mr. DILL. For that matter, it could be allowed to run a while and we would probably reach a vote to-morrow without any agreement.

Mr. ROBINSON. Yes; or the next day .

Mr. DILL. I think that is what ought to be done. There is no use allowing it to lay around here for a week.

Mr. ROBINSON. The only point to be made is that the Senators who desire to vote on it, and who expect to leave the city in the meantime, would be denied the privilege of voting on the joint resolution. Some of them are extremely anxious to be recorded on the joint resolution.

Mr. FLETCHER. I know that my colleague, the junior Senator from Florida [Mr. TRAMMELL], who is absent now from the Chamber, intends to be in Florida all next week. We can not change our primary law. The law fixes the day for the primary election. I do not know whether it is agreeable to my colleague or not. He is not here, but before we fix a day for the vote we would have a roll call anyway, and he would probably come in then. It might be arranged after we call the roll.

Mr. SHORTRIDGE. Mr. President, in making the suggestion let me state what is in mind. I made the suggestion for a unanimous-consent agreement for the accommodation of Senators. Now assume that we agree to vote on Tuesday next at 3 o'clock. I assume the matter of the joint resolution remains the unfinished business, which may be temporarily laid aside by unanimous consent. I do not understand that it will be displaced or lose its character or status as the unfinished business because we agree to vote upon it next Tuesday. It can be displaced, of course, by a vote.

Mr. ROBINSON. Mr. President, it ought to be understood that if a time to vote is fixed, the measure may be displaced by a vote of the Senate, the only requirement and effect of the agreement being that at the hour fixed for the vote the vote must be taken.

Mr. SHORTRIDGE. That is all I desire.

Mr. OVERMAN. And in the meantime if any Senator may desire to make a speech upon the joint resolution he shall have the right to do so.

Mr. ROBINSON. To be sure.

Mr. REED of Missouri. Mr. President, under the arrangement proposed it is practically certain that there will be no attention paid to this measure until about the time fixed to vote upon it.

The PRESIDING OFFICER. The Senator from California submits a unanimous-consent agreement, which the Secretary will state to the Senate.

The reading clerk read as follows:

Ordered (by unanimous consent), That on the calendar day of Tuesday, June 3, 1924, at not later than 3 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States, through the regular parliamentary stages to its final disposition.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry. If meanwhile a motion should be made, and should prevail, to proceed to the consideration of some other measure, and the hour of 3 o'clock on Tuesday should arrive, then would whatever business may be before the Senate at that time give place and this joint resolution automatically come before the Senate and a vote be taken on it?

The PRESIDING OFFICER. The present occupant of the chair would hold that the only way that that could be avoided would be by a unanimous-consent agreement made in pursuance of the rule; that is, the only way that the unanimous-consent agreement could be disposed of would be by another unanimous-consent agreement; and if none should be made, then at 3 o'clock the vote on the joint resolution would be taken.

Mr. DILL. Mr. President, I am anxious to see the joint resolution proposing this constitutional amendment disposed of at the earliest possible time, and I shall object to the unanimous-consent agreement.

Mr. SHORTRIDGE. Mr. President——

Mr. WALSH of Montana. Mr. President, I hope——

Mr. SHORTRIDGE. I yield to the Senator from Montana.

Mr. WALSH of Montana. I hope that the Senator from Washington will withdraw his objection. There are many Senators who are very desirous of being recorded upon this measure, many of them favoring the joint resolution and others who are opposed to it. There can be no possible delay of the business of the Senate under this proposed arrangement.

Mr. DILL. But there are all sorts of interpretations upon what will be the situation.

Mr. WALSH of Montana. Yes; but we now have had an authoritative ruling from the Chair, which governs and controls the situation, namely, that, no matter what happens meanwhile, we shall have a vote on the joint resolution at 3 o'clock on Tuesday.

Mr. DILL. I think we should be able to vote on this question to-morrow if we should let the debate run on.

Mr. OVERMAN. That is impossible, I wish to say to the Senator. Half a dozen Senators here wish to speak on the subject.

Mr. DILL. All who desire to speak ought to be allowed to speak, and then we ought to have a vote on the question.

Mr. WALSH of Montana. Let me suggest to the Senator from Washington that if his objection prevails there is going to be protracted debate merely for the purpose of consuming time in order to enable absent Senators to get here to vote on the joint resolution, and we are going to retard the disposition of the business of the Senate by that procedure.

Mr. DILL. What I object to is that the joint resolution is to be held here as the unfinished business for a week, when everybody knows that there is not legitimate discussion possible to be made on it for more than a day or two. I want to see other legislation taken up here, in order that we may adjourn before the hot weather comes.

Mr. WALSH of Montana. I am trying to explain to the Senator that the proposed unanimous-consent agreement will not interfere in the slightest degree with what he desires. Some Senator will get up and address himself to the joint resolution, and if any other Senator wishes that some other matter be

taken up, he may move that we proceed with its consideration. The Senator from Colorado [Mr. PHIPPS], for instance, stands ready at any moment he can get recognition to move to proceed to the consideration of the District of Columbia appropriation bill, and we shall proceed with the consideration of that bill.

Mr. UNDERWOOD. I do not wish to interrupt the Senator from California——

Mr. SHORTRIDGE. I yield to the Senator from Alabama.

Mr. UNDERWOOD. But if the Senator will allow me, I desire to say that I am sure, under the ruling of the Chair, if this unanimous-consent agreement shall be entered into, the Senate will be enabled to take up other business by unanimous consent.

Mr. WALSH of Montana. But only by unanimous consent.

Mr. UNDERWOOD. But if a motion should be made, and agreed to, to take up other business, the special order would thereby be displaced.

Mr. WALSH of Montana. It would; but the joint resolution will come up automatically for a vote at 3 o'clock on Tuesday next; and the Chair has just expressly so ruled.

Mr. ROBINSON. I ask the Senator from California will he not modify his request so as to make the day on which he proposes a vote shall be taken on the resolution Monday instead of Tuesday?

Mr. SHORTRIDGE. If agreeable to other Senators, I am perfectly willing to change the day from Tuesday to Monday.

Mr. WALSH of Montana. Let us fix upon Monday; and I will ask the Senator from Washington if he will not now consent to that arrangement?

Mr. DILL. I ask for information if this unanimous consent be agreed to, and it is desired to bring up other proposed legislation, will a motion be in order to set aside the consideration of the joint resolution proposing the amendment to the Constitution and to take up other business?

The PRESIDING OFFICER. The Chair would hold that a motion could be made to take up any other business, and if that motion should receive a majority vote, such business would come before the Senate; but no motion can displace a vote on the joint resolution at the time fixed by the unanimous-consent agreement.

Mr. DILL. Then I withdraw my objection to the agreement.

Mr. FLETCHER. Mr. President, I think we ought to have a quorum here to make the unanimous-consent agreement.

Mr. STANLEY. Mr. President, I understand objection was made to the unanimous-consent agreement.

Mr. KING. The objection has been withdrawn.

The PRESIDING OFFICER. The objection has been withdrawn.

Mr. ROBINSON. I have suggested to the Senator from California that he change the date for voting from Tuesday to Monday for the convenience of certain other Senators who have spoken to me and stated that they should prefer that date. Let the request be submitted for a vote on Monday instead of on Tuesday.

Mr. SHORTRIDGE. Another Senator, I understand, desires to suggest a different hour for the vote.

Mr. STEPHENS. Allow me to inquire of the Senator from California if it would suit him to have the vote taken at 5 o'clock on Monday instead of at 3 o'clock? I expect to be out of the city for a day or two and shall probably not get back prior to 3 o'clock.

Mr. SHORTRIDGE. The change of hour suggested by the Senator from Mississippi will be entirely agreeable to me.

The PRESIDING OFFICER. The Secretary will state the unanimous-consent agreement as now proposed.

The READING CLERK. The proposed unanimous-consent agreement reads:

Ordered (by unanimous consent), That on the calendar day of Monday, June 2, 1924, at not later than 5 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States, through the regular parliamentary stages to its final disposition.

Mr. ROBINSON. The suggestion was made and accepted by the Senator from California that a definite hour be fixed for the vote. I move that the words "not later than 5 o'clock" be stricken out so that the agreement will be definite.

Mr. STEPHENS. That will be satisfactory to me.

The PRESIDING OFFICER. The Chair thinks the Senate understands the proposal. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Ernst	Ladd	Sheppard
Ball	Fess	Lenroot	Shields
Bayard	Fletcher	Lodge	Shipstead
Borah	Frazier	McKellar	Shortridge
Brookhart	George	McKinley	Simmons
Broussard	Hale	McLean	Smith
Bursum	Harreld	McNary	Smoot
Cameron	Harris	Mayfield	Stanley
Capper	Harrison	Moses	Stephens
Caraway	Heflin	Oddie	Sterling
Colt	Howell	Overman	Swanson
Copeland	Johnson, Calif.	Pepper	Underwood
Couzens	Johnson, Minn.	Phipps	Wadsworth
Curtis	Jones, N. Mex.	Pittman	Walsh, Mass.
Dale	Jones, Wash.	Ralston	Walsh, Mont.
Dial	Kendrick	Ransdell	Warren
Dill	Keyes	Reed, Mo.	Watson
Edwards	King	Robinson	Willis

The PRESIDING OFFICER. Seventy-two Senators have answered to their names. A quorum is present. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

The unanimous-consent agreement as entered into is as follows:

Ordered (by unanimous consent), That on the calendar day of Monday, June 2, 1924, at 5 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States, through the regular parliamentary stages to its final disposition.

Mr. SHORTRIDGE. Mr. President, we have now before us——

Mr. PHIPPS. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Colorado?

Mr. SHORTRIDGE. I yield to the Senator from Colorado.

Mr. PHIPPS. May I ask the Senator from California if he would be willing temporarily to lay aside the unfinished business for the purpose of taking up Calendar No. 661, being House bill 8839, making appropriations for the District of Columbia?

Mr. SHORTRIDGE. May I ask the Senator about how much time he thinks will be consumed in the consideration of that measure?

Mr. PHIPPS. That is a difficult question to answer. I should not think the bill would take more than two hours. Bills for the same purpose have been passed sometimes in an hour and at other times it has taken a little longer. It might take the remainder of the afternoon to consider and act upon this bill.

Mr. SHORTRIDGE. That is why I asked the question. Mr. President, as I understand the rules, I am perfectly willing that the unfinished business be temporarily laid aside to be resumed later.

The PRESIDING OFFICER. The Senator from California asks unanimous consent that the unfinished business may be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 3249) granting the consent of Congress to the construction of a bridge across the Niagara River and Black Rock Canal.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6721) to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, as amended, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8886) providing for sundry matters affecting the Military Establishment.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9124) authorizing the sale of real property no longer required for military purposes.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7041) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GRAHAM of Pennsylvania, Mr. DYER, and Mr. SUMNERS of Texas were appointed managers on the part of the House at the conference.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. PHIPPS. I ask unanimous consent that the Senate proceed to the consideration of House bill 8839 making appropriations for the District of Columbia for the fiscal year 1925.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. PHIPPS. I ask unanimous consent that the formal reading of the bill may be dispensed with, and that the bill be read for amendment, the committee amendments to be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, line 5, after the numerals "1925," to strike out "$8,000,000" and to insert "$14,000,000, or in lieu thereof 40 per cent of each of the following sums, except those herein directed to be paid otherwise," so as to read:

That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1925, $14,000,000, or in lieu thereof 40 per cent of each of the following sums, except those herein directed to be paid otherwise, is appropriated, out of any money in the Treasury not otherwise appropriated, and all the remainder out of the combined revenues of the District of Columbia and such advances from the Federal Treasury as are authorized in the District of Columbia appropriation act for the fiscal year 1923, namely:

Mr. CARAWAY. Mr. President, suppose we just pass over this amendment until we get through the undisputed matters, because I want to have something to say about it.

Mr. PHIPPS. The Senator from Arkansas suggests that we temporarily pass over the first amendment. That will be very agreeable.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "General expenses, executive office," on page 2, line 10, after the figures "$40,500," to insert a comma and "plus so much as may be necessary to make salary of engineer commissioner $7,500," so as to read:

For personal services in accordance with the classification act of 1923, $40,500, plus so much as may be necessary to make salary of engineer commissioner $7,500.

The amendment was agreed to.

The next amendment was, on page 3, at the end of line 13, to strike out "$15,000" and to insert "$17,000," and at the end of line 14 to strike out "$72,080" and to insert "$74,080," so as to make the paragraph read:

Building inspection division: For personal services in accordance with the classification act of 1923, $57,080; for temporary additional assistant inspectors, $17,000; in all $74,080.

The amendment was agreed to.

The next amendment was, on page 3, line 18, after the words "rate of," to strike out "$10 and $20" and to insert "$13 and $26," and at the end of line 19 to strike out "$1,560" and to insert "$2,028," so as to make the paragraph read:

To reimburse eight inspectors for expenses incurred by them in the maintenance of their own motor cycles or automobiles incident to the performance of their official duties, at the rate of $13 and $26 each per month, respectively, $2,028.

The amendment was agreed to.

The next amendment was, on page 3, line 24, after the word "required," to strike out "$3,000" and to insert "$4,000," and at the end of line 25 to strike out "$24,870" and to insert "$25,870," so as to make the paragraph read:

Plumbing inspection division: For personal services in accordance with the classification act of 1923, $21,420; for temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be required, $4,000; three members of plumbing board, at $150 each; in all $25,870.

The amendment was agreed to.

The next amendment was, on page 4, line 4, before the words "per month," to strike out "$10" and to insert "$13," and at the end of the same line to strike out "$600" and to insert "$780," so as to make the paragraph read:

To reimburse five assistant inspectors of plumbing for provision and maintenance by themselves of five motor cycles for use in their official inspections in the District of Columbia, $13 per month each, $780.

The amendment was agreed to.

The next amendment was, on page 4, at the end of line 5, to increase the total appropriation for the Executive Office from "$191,720" to "$195,368."

The amendment was agreed to.

The next amendment was, under the subhead "License bureau," on page 4, line 23, after the numerals "1923," to strike out "$16,320" and to insert "$17,820," and at the end of line 24, to strike out "$17,820" and to insert "$19,320," so as to make the paragraph read:

For personal services in accordance with the classification act of 1923, $17,820; temporary clerk hire, $1,500; in all $19,320.

The amendment was agreed to.

The next amendment was, under the subhead "Coroner's office," on page 5, at the end of line 24, to strike out "$20" and to insert "$26," so as to make the paragraph read:

For the maintenance of a nonpassenger-carrying motor wagon for the morgue, jurors' fees, witness fees, making autopsies, ice, disinfectants, telephone service, and other necessary supplies for the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, $6,000, and including an allowance at the rate of $26 per month to the coroner for furnishing an automobile in the performance of official duties.

The amendment was agreed to.

The next amendment was, under the subhead "Office of Superintendent of Weights, Measures, and Markets," on page 6, after line 12, to insert: "For the purchase or exchange of one Ford motor truck, $650."

The amendment was agreed to.

Mr. PHIPPS. Mr. President, referring to the amendment in line 24, on page 5, I might say that that correction extends through the bill, the committee having restored the rates approved by the House committee on automobiles.

Mr. ROBINSON. Mr. President, I believe it would serve the convenience of the Senate to dispose of the first amendment, which has been passed over, in advance of the other amendments.

Mr. SMOOT. Unless that is done they will all have to be open to reconsideration.

Mr. PHIPPS. Mr. President, I desire to make a short statement bearing on the remarks of the Senator from Arkansas [Mr. CARAWAY]. The Senator from Arkansas is no doubt aware that over a period of years beginning back in 1878 the expense of conducting the government of the District of Columbia was divided 50–50 as between the citizens of the District and the Federal Government. That continued along until 1920, when, upon the insistence of the House, the Senate agreed temporarily to a change in the ratio and accepted the 60–40 basis, which was continued for the year 1921, but it was understood to be a year-to-year proposition. When the appropriation bill for the fiscal year 1922 was under consideration the conferees of the two Houses had a lengthy dispute over a definite change of the proportionate contributions, which resulted in the acceptance by the Senate of the contention of the House for a 60–40 ratio, but carrying with it certain provisions, among others, that real estate and other tangible property of the District should be assessed at fair value and no less, that all tangible property, as well as real estate, should pay the full rate of taxation, and that also for a period of five years the rate of 5 mills was fixed upon all intangible property.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. PHIPPS. I yield.

Mr. McKELLAR. The Senator will recall the figures produced by the Senator from Delaware [Mr. BALL] the other day, which showed that the assessment of taxes on a great number of pieces of property was only about 40 per cent of the fair value. Does he not recall that fact?

Mr. PHIPPS. I was not present when the Senator from Delaware made that showing. I understand, however, from other remarks previously made that there had been a showing of great undervaluation or assessment. On that point the law covered in the appropriation act for 1922 provided definitely that real estate shall be assessed at full value and no less. Whether or not that law is being properly and strictly enforced remains to be seen, but one of the things we found has been that year after year even our assessor has been refused the full amount that he has asked for in the way of assistance to properly conduct the business of his office. The Senator will find in the pending bill items where the Senate

committee has added to his equipment to the extent of allowing him a passenger automobile and two Ford automobiles.

Mr. BALL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Delaware?

Mr. PHIPPS. I yield.

Mr. BALL. As to the assessed value and the true value of property in the report made a few days ago to the Senate on the housing proposition, since that report was made two large properties have been sold on third mortgages, which would make them evidently sell for probably what they were worth. One of them assessed at $235,000 sold for $242,000 and another assessed at $1,500,000 sold for $1,555,000. Evidently the assessment is the fair value.

Mr. McKELLAR. If the Senator from Colorado will permit me——

Mr. PHIPPS. Certainly.

Mr. McKELLAR. That means a discrepancy in what the owners of those properties asked to be allowed as a reasonable valuation for rental purposes just that much greater, so that the public and those who rent were taken advantage of in just the same way.

Mr. BALL. The rentals were taken on the basis of the assessed valuation, and fixed for both of those properties. The owners of both of those properties had appealed to the Rent Commission. They had tried to fix rentals on the inflated valuation, one of $3,000,000 and the other of $650,000. Those two properties have been sold since our investigation was made.

Mr. PHIPPS. Mr. President, it is not an easy matter to arrive at correct comparative figures of taxation as between large cities, even where the basis of assessment is presumably the same or where it is ordered to be 100 per cent of actual value. In some cases I have known and have had in my own experience, where property was purchased and paid for and turned in for assessment at the purchase price, the valuation was immediately raised by the assessor in order to make it relative to the rates that prevailed for similar property in the same district.

In the District of Columbia, under the law of 1922, naturally, where we change from a two-thirds valuation or one-half valuation to full valuation, the rate required to produce the revenue needed is necessarily lowered, so that 1.20 was adopted as the proper rate, the rate needed to produce the money required to pay the proportionate expenses for the District, as compared to 1.80 which had been previously paid. As a matter of fact, figuring out the next result we found that 1.20 was equivalent to 1.95 so that there was a raise of nearly 10 per cent at that time without counting the fact that all tangible property was included at full value and that all intangible property was for the first time being assessed.

I am in full accord with the Senator from Arkansas [Mr. CARAWAY] in the belief and the feeling not only that the residents of the District should pay a fair and proper rate of taxation, but I believe beyond that that the citizens of the District are perfectly willing to pay a fair rate of taxation, and that comparable with what they would pay for like advantages in other cities.

I want to remind the Senator from Arkansas that the rate of assessment until 1922 was restricted by the acts of Congress. The commissioners had no volition. They had to follow the orders of Congress and even so, after raising the money and asking to be permitted to spend it, they were cut down on their estimates and the money was not expended, and there was no reason why they should ask for permission to advance rates if they were not permitted to spend what the citizens were then paying.

I am inclined to think that the whole matter should be disposed of along proper lines, and that the basis was laid down in the law of 1922. At the time that agreement was arrived at, making the 60–40 proportionate contribution basis the law, it was not only the understanding of the conferees but of Members of the Senate and the House that it was a definite, permanent thing. Under the rules of both Houses it was not possible to change the 60–40 basis except by legislative action. There was no definite agreement that the 60–40 basis should last for 5 years, but the distinct understanding was that any change in basis should be recommended by the proper committees of both Houses and approved by them, and not placed on an appropriation bill.

Mr. CARAWAY. Just what does the Senator mean by an understanding? I thought the only thing we could do was to write anything of that sort in the law. I have never heard of a situation where the conferees might enter into an agreement or have an understanding that would be binding. There is nothing in any law covering the matter.

Mr. PHIPPS. I may not have used the word "understanding" properly.

Mr. CARAWAY. I am not captious about that.

Mr. PHIPPS. It was the feeling of every conferee, I am sure, and of the Members of the Senate and the House, when the 1922 measure was finally agreed to after long dispute and discussion, that the question was settled except it was brought up for consideration in the regular course of legislation; that never again could it be opened and tacked on as an amendment to an appropriation bill.

The House has seen fit to write a change in the 60–40 basis in the present bill which it sends to us. It is for the Senate to say what it is willing to do. Your committee, both the subcommittee and the Committee on Appropriations—and we had a full attendance, and there were no dissenting votes—favored continuing the 60–40 basis in this year's bill, although we did write in a provision, and it is for the other side to say, if they prefer it, that the 60–40 basis is to be discarded; and if that be true, then a flat amount of $14,000,000 should be appropriated.

The PRESIDING OFFICER. The Clerk will continue the reading of the bill.

Mr. CARAWAY. What became of the amendment?

The PRESIDING OFFICER. It was passed over. There was no request to go back and act upon it.

Mr. CARAWAY. I am sure I misunderstood it, then.

Mr. PHIPPS. It is an important matter. Of course, I am not asking to have a vote on it now.

Mr. KING. Mr. President, I came into the Chamber as the Senator from Colorado [Mr. PHIPPS] was concluding a statement regarding the amendment dealing with the ratio of taxes to be paid by the District and by the Government, and I have just listened to the speech of the Senator from Arkansas.

Mr. President, the question present is a vexatious one and should be settled and settled upon a rational and just basis. I know the position of some of the splendid and patriotic citizens of Washington. I have read with pleasure and profit the illuminating arguments of Mr. Noyes upon the question of taxation and understand his contention as to the rights of the residents of Washington under the organic act. I also know the position taken by him and others that the organic act constitutes a compact between the United States and the District of Columbia which may not be modified or abrogated. I am unable to assent to this view. I believe that Congress may deal with this question as it pleases, regarding, of course, all constitutional guaranties and limitations to which the people of Washington are entitled. In making this statement I assume, of course, that Congress will not legislate in a harsh or improper manner, but will adopt a system of taxation for the property within the District that will be just and equitable in every respect.

Soon after I came to the Senate, being a member of the District Committee, I took the position, and I have adhered to it ever since, that the solution of the question would not be met by establishing a ratio or fixing a proportion which the Government should pay, and the same or a different proportion which the District should contribute for municipal purposes. It was my opinion that a fair and reasonable tax should be levied annually upon the District, a property tax similar to that laid in modern and progressive cities, and whatever balance was required to meet the operating expenses of the District should be met by appropriations from the General Treasury of the United States.

I have received communications complaining about the system of taxation, or rather the manner of dividing the burdens met by the United States and the property of the District. Some persons who communicated with me were under the impression that the revenues expended for the District were obtained from the property of the District. Others were surprised to learn that for years there was an arbitrary division under which the United States paid one half of all the costs of maintaining the District government and that the other half was paid by the people of the United States, and that for the past three years the division has been 60–40. I have been compelled to answer that the property here was taxed less than in any other place in the United States. I have been unable to defend a proposition that takes money out of the Treasury of the United States to pay for the government of the District of Columbia when we are taxing the property within the District of Columbia much less than property is being taxed in other cities of the United States. Why should the city of Detroit, or why should the State of Delaware, make contributions to maintain the streets and pay for the fire and police force of the city of Washington or pay for the main-

tenance of the city until after the people of the District have paid a fair and just tax?

Mr. PHIPPS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. I yield.

Mr. PHIPPS. I should be very glad of some suggestion from the Senator from Utah that would help to solve the problem to which he refers—that is, how is that fair rate of taxation to be arrived at? If that is possible of ascertainment, why have not the legislative committees of the Senate taken cognizance of it and worked out some solution? Surely the Senator from Utah would not expect the Committee on Appropriations to deal with an abstruse question like that and solve it on an appropriation bill? In other words, the Senator, I think, is addressing himself rather to a legislative committee than to the Committee on Appropriations when he makes that criticism.

Mr. KING. In what I am saying I am not indulging in any criticism of the Appropriations Committee. I might add, however, that I think it is rather extraordinary that the District Committee of the Senate, that is presumed to have to do with the legislation for the District, should have nothing to do with the appropriation bills carrying millions for the needs of the city. But I am making no complaint; I am only referring to the somewhat anomalous situation.

Mr. PHIPPS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. I yield.

Mr. PHIPPS. Mr. President, as a matter of fact, that may have been true three years ago, but at the present time the District of Columbia Committee is represented on the Appropriations Committee for the consideration of this bill and has had a very large part in the preparation or the revision of the measure now before us.

Mr. KING. Mr. President, the District Committee as a committee does not have representation upon the Appropriations Committee. Two Senators who are members of the District Committee have places on a subcommittee of the Appropriations Committee which considers the items of appropriations needed by the District. However, in this service they do not exercise their functions and, if I may be permitted the expression, the plenary power that they possess as members of the District Committee. They are there circumscribed by the same rules that apply to the Appropriations Committee; they may not formulate or recommend general legislation to be attached to appropriation bills, even though they might have a preponderance of members upon the Appropriations Committee. I have said that by way of parenthesis; and, to complete the parenthesis, I believe it would be far better if the appropriation bills dealing with the District of Columbia were prepared by the District Committee, which is daily dealing with the affairs of the District, and the members of which are presumed to be acquainted with the needs of the District. The question suggested by the Senator from Colorado is a fair one, and I shall, in a few words, attempt to answer it.

First, let me say that I am indulging in no criticism of the Appropriations Committee, although I do not agree with the amendment which they have reported striking out $8,000,000 and inserting $14,000,000. I think that $14,000,000 is too great an amount to impose upon the people of the United States when the property of the District is paying so small a tax for the maintenance and operation of the District.

Mr. President, I have suggested, both in committee and upon the floor of the Senate, that a system of taxation should be applied to the District under which all property within the District, as well as all residents of the District, should be required to pay taxes commensurate with the benefits derived; that they should pay taxes similar in amount, if not in kind, to those paid by residents of modern cities in the Republic. I have heretofore referred to Detroit and Cleveland and Omaha and other progressive cities, where the municipal improvements were of a high order and the municipal governments measured up to a high standard, and I have stated that a fair rule would be to ascertain what taxes are paid upon property in such cities and then impose a like tax upon property in the District of Columbia.

If the rate of taxation (State and city) in modern, up-to-date municipalities is 2½ or 3 or 4 per cent per annum upon the assessed valuation of the property, then it would seem to be equitable to impose a similar rate here; if, after such taxes were laid, the amount collected was not sufficient to maintain the District government then the United States should meet the difference. Why should not property in the District, the people of which enjoy many advantages that are denied to other cities of the United States, be subjected to a fair and equitable tax? If other cities pay, as they do, from 2½ to 4 per cent upon the value of all property within such cities, upon the fair cash value of the property, why should not the property of the District, with all of the municipal advantages which its owners enjoy, pay a similar tax?

I repeat, Mr. President, this question never will be solved until it is solved in an equitable and rational manner. The method of taxation now is irrational. Fifty-fifty was the basis for a while and then 60–40. Now the House says the Government shall pay $8,000,000 and the District shall pay the residue. The Senate committee reports an amendment by the terms of which the Government will pay $14,000,000 and the people within the District pay the balance, much or little. That is an irrational method; it is scarcely a rule of thumb; it is a rule of caprice.

Mr. PHIPPS. Mr. President, it is practically a 50–50 plan, whereas the House proposition is on about a 30–70 basis.

Mr. KING. Either might be a rule of thumb. Either or both depends upon—I will not say the capriciousness but the statesmanship, the point of view, the generosity or the lack of generosity of the respective Members of the House and the Senate. The House thought that a just and fair method of approaching the subject was to impose $8,000,000 upon the Government and the balance upon the city. The Senator from Colorado and his associates said: "No; that is unjust. We will have the Federal Government pay $14,000,000 and the people within the District pay the balance."

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Mexico?

Mr. KING. I yield to the Senator.

Mr. JONES of New Mexico. I have been looking over the language of the Senate amendment, and I should like to know just what it means. The appropriation is:

> Fourteen million dollars, or in lieu thereof 40 per cent of each of the following sums, except those herein directed to be paid otherwise.

Does it happen that 40 per cent of those sums is exactly equal to the $14,000,000?

Mr. PHIPPS. No; I say the $14,000,000 would be about 50 per cent. The items excepted, of course, are the water supply, which is self-supporting, and a few of the charitable items.

Mr. JONES of New Mexico. Then may I inquire of the Senator who is going to determine whether we shall pay the $14,000,000 or the 40 per cent?

Mr. PHIPPS. That is a problem that must be worked out by the Senate or its representatives in conference. The House has one attitude of $8,000,000, a flat amount, and the Senate has another.

Mr. JONES of New Mexico. It seems to me that we ought at least to have an intelligent provision in the bill, something definite, so that we will know how much we are appropriating. The language reads:

> That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1925, $14,000,000, or in lieu thereof 40 per cent of each of the following sums, except those herein directed to be paid otherwise, is appropriated.

Who is going to determine whether we shall pay the $14,000,000 or the 40 per cent?

Mr. McKELLAR. If we should adopt this amendment just exactly as the committee has written it here, how much would we pay? Would we pay the $14,000,000, or would we pay the 40 per cent?

Mr. PHIPPS. We can not tell until we confer with the House. We do not agree with the House committee by $6,000,000.

Mr. McKELLAR. But we do not pass bills in that way.

Mr. JONES of New Mexico. I submit that we ought to have a definite appropriation. Somebody must be able to determine definitely how much is to be paid under the bill; but here is a discretion left with somebody, and no one can tell who it is.

Mr. BALL. It is left with Congress.

Mr. WARREN. Mr. President, I notice that the Senator from New Mexico is on the subcommittee that has charge of this bill. Was this matter considered when he was there?

Mr. JONES of New Mexico. Mr. President, I was going to make this observation: I heard the Senator from Colorado [Mr. PHIPPS] a while ago say that this was reported out unanimously. I am a member of the subcommittee, but, as the Senator from Wyoming well knows, during all the time this bill was under consideration by the committee I was busy on the floor of the Senate with the revenue bill. I did have an opportunity to meet with the committee once, and I distinctly said

to the Senator from Colorado that I was in favor of the District of Columbia paying a fair tax upon its property and that the Federal Government should pay the remainder. I made that statement to the Senator from Colorado, and the Senator from Washington [Mr. JONES] was also present when it was made and the Senator from Kansas [Mr. CURTIS] was present when it was made, as I recall; but that was the position which I took before the subcommittee and it is the position which I take here now.

I think it is absolutely unjust to the taxpayers of the United States to impose a special burden upon them for the benefit of the people of the District of Columbia. This city has become a haven for tax dodgers in the United States. It is the Mecca for those who want to evade inheritance taxes and other just taxes such as would be imposed upon them in the States. I say that it is unfair; it is unjust to the rest of the people of the country. I do not want to tax the people of the District of Columbia more than a fair tax, but I do say that they should pay a fair tax, and this bill does not provide for it as it comes from the Committee on Appropriations of the Senate.

Mr. PHIPPS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. I yield.

Mr. PHIPPS. Answering the Senator from New Mexico for just one moment, it is true that the Senator attended only one of the numerous mettings of the subcommittee, and that he did make the statement to which he refers; but he left with myself—no one else, so far as I am aware—his method of arriving at a fair tax.

I referred to the fact that the subcommittee acting on the bill, and the Committee on Appropriations, with full representation, reported out the bill. I did not say that it was unanimously reported by either the subcommittee or the full Committee on Appropriations.

Mr. FESS. Mr. President——

Mr. KING. I yield to the Senator from Ohio.

Mr. FESS. I am reading the first page of the bill:

> Fourteen million dollars, or in lieu thereof 40 per centum—

I read that to mean—if it does not mean what I think it does, it would be very indefinite—that 40 per cent of the full amount herein appropriated will be $14,000,000.

Mr. McKELLAR. Oh, no!

Mr. FESS. Then it is very indefinite.

Mr. McKELLAR. It reads in this way:

> Fourteen million dollars (or 50 per cent), or in lieu thereof 40 per cent.

In other words, they report in favor of both the 50 per cent and the 40 per cent. As I understood the Senator from Colorado, it means that the Appropriations Committee has reported both 50 per cent and 40 per cent in order to throw the matter into conference, and in that way get a better proposition for the taxpayers of the District of Columbia than the House has given.

Mr. PHIPPS. Mr. President, I agree with that except as to the motive implied, and that I think the Senator did not mean to imply—that there was some desire to do something in the interest of the taxpayers of the District that was unfair. Certainly the Senator does not mean to insinuate that members of this committee had any such motive.

Mr. McKELLAR. Oh, the Senator is unduly offended.

Mr. PHIPPS. But the Senator's language was dangerously near the point of imputing motives.

Mr. McKELLAR. I never dreamed of such a thing.

Mr. PHIPPS. I thought not, and I wanted to give the Senator an opportunity to say so.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. Of course, it was not in my remotest thought to impugn the motives of anybody.

Mr. PHIPPS. I understood the Senator's language to be that the bill was drafted in the interest of the taxpayers of the District of Columbia.

Mr. McKELLAR. Just one moment.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. KING. I yield to the Senator.

Mr. McKELLAR. As a matter of fact, it is remarkable that the Senator from Colorado should be so sensitive on the matter. I can not understand it; but I do want to say that in all the legislation coming from committees of the Congress I have never seen such a provision as this, appropriating $14,000,000, or, if they can not get $14,000,000, then 40 per cent of $28,000,000, which is a smaller figure.

The Senator talks about motives. I should like to have some suggestion from the Senator as to why, in the name of common sense—and I regret that my voice is in such condition that I can hardly talk to-day—the committee have reported two appropriations in a case like this. Forty per cent of $28,000,000 is $11,200,000; and here, in substance, is what the Appropriations Committee have reported:

> We appropriate by this bill $14,000,000 or in lieu thereof $11,200,000.

If that can be defended, I should like to hear somebody defend it.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. KING. I have yielded to the Senator from Ohio [Mr. FESS]. When he concludes I should like to get through, because I expected to speak only a moment.

Mr. FESS. I raised the question in order to clarify the matter in my own mind.

Mr. KING. Will the Senator permit me to suggest that I think he is in error; and I am confirmed in that view because the Senator from Delaware [Mr. BALL], the chairman of the District Committee, and the Senator from Colorado [Mr. PHIPPS] have both stated that it was in doubt, and there was incertitude in regard to it—that reply was made to the Senator from New Mexico—but that it would be adjusted in conference.

Mr. FESS. If the Senator will permit me, if the language means that $14,000,000 is 50 per cent of the entire amount, and, if we can not do that, then we appropriate 40 per cent, I agree that it is very indefinite, and I can not understand why the language is thus put. I thought, in reading it, that $14,000,000 was 40 per cent of the entire amount to be appropriated.

Mr. McKELLAR. There ought to be some explanation of it.

Mr. KING. Let me say that I am not so much interested in those relative proportions. I rose merely for the purpose of emphasizing what I have said upon a number of occasions in the past when we were discussing matters relating to the District, that I believed the system employed in meeting the expenditures of the District was wrong; that a fair tax ought to be levied upon the property of the District and upon the residents of the District, and then the Federal Government ought to pay the balance that was necessary to meet the operating expenses of the District of Columbia.

I yield now to the Senator from Wyoming.

Mr. WARREN. Mr. President, this amendment may strike my friend from Ohio as being somewhat mixed; but when we change a matter of legislation here it always has to go to a conference of both Houses and is there settled. This amendment enables the committee to do either one of the two things, to take $8,000,000 or any amount up to $14,000,000 that the conference thinks best and provide a basis of 60–40, 50–50, or whatever may be the meeting of the minds of the two sides in conference. The bill itself, if it shall pass with all of the additions that are made by the Senate committee, amounts to over $28,000,000; so that $14,000,000 would cover, if it was thought best, a 50–50 adjustment; but that does not at all bind the conference to make it that. They can make it any sum between the $8,000,000 and the $14,000,000, just as they make the percentage, as long as the House has undertaken to disturb it, any proportion, whether 50–50 or 60–40 or 45–55.

In other words, it was the understanding of the Appropriations Committee that two years ago this entire matter was settled, and settled on the 60–40 basis. In the House, at the last moment, a motion from outside of the committee entirely, without consideration in the committee, as I understand, was made proposing this change in the law, providing for the payment of $8,000,000 by the Government, and the language of the bill was changed accordingly. What could the Senate committee do to meet that in order either to hold to the old law or to start the new one on an even keel? The House sent the bill over with $8,000,000 appropriated by the Government, and perhaps a total appropriation of $24,000,000. If the Senate raised the total to $28,000,000, the supposition would be fair that the Federal Government should pay more of that whole amount than $8,000,000; so it is subject to an adjustment along that line if it passes here and goes to conference.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield to the Senator from Tennessee.

Mr. McKELLAR. I want to ask the chairman of the committee, if the amendment had stopped at the $14,000,000 the conferees could have adopted any figure between the $14,000,000 and the $8,000,000, could they not?

Mr. WARREN. Yes.

Mr. McKELLAR. Why was it necessary, then, and what was the purpose of putting in—

Or in lieu thereof 40 per cent of each of the following sums?

Mr. WARREN. Because that is the law now. That is the 60–40 basis.

Mr. McKELLAR. It was the law last year. That was the proportion established some years ago.

Mr. WARREN. It is the law to-day.

Mr. McKELLAR. Well, let us say that it is the law to-day, too.

Mr. WARREN. And it will be the law until the 1st of July.

Mr. McKELLAR. Why put in $14,000,000, or substantially $11,200,000?

Mr. WARREN. So that they can settle it either way.

Mr. McKELLAR. It could be done anyway. If $14,000,000 were inserted by the Senate, the conferees could fix any amount between $14,000,000 and $8,000,000.

Mr. WARREN. But they could not fix the other items.

Mr. PHIPPS. They could not go back to the old basis.

Mr. McKELLAR. Why put 50 per cent in the first place, and 40 per cent in the second place?

Mr. WARREN. If the Senator does not like what is in the bill, why does he not propose something by way of amendment to meet his views?

Mr. McKELLAR. I am going to vote against the amendment. I think the amendment is without foundation.

Mr. PHIPPS. Mr. President, at this point I think maybe the Senator from Utah would be glad to hear some remarks from a wise Senator, Senator Elihu Root, when nine years ago, in 1915, this very question was up. I should like to read just three short quotations from his address at that time. Speaking of affairs in the District of Columbia, he said:

Our relation to it is a relation not to a corporation but to individuals, individuals who have no voice in this body or in either House of Congress or in creating any membership in this body or in either House of Congress. They are helpless wards. We have a higher duty to them than we have to any constituents of our own, because our constituents can protect themselves, while these people are helpless. They have no voice nor vote by which they can protect themselves.

Again:

But, passing all that, Mr. President, I would rather pay four times the amount of tax and have a voice in governing myself, in saying what I shall be taxed, in saying how the money shall be expended, than to pay what the people of the city of Washington have to pay and have no voice at all.

Again:

Sir, if taxes are too low, let us revise them and make them higher; but do not let us take away from these wards of the Nation, helpless and unrepresented, the protection of the time-honored, fundamental agreement between overwhelming power and the helplessness of citizens without votes. I stand, sir, for the old half-and-half arrangement, which is the sole protection of the people of Washington against our arbitrary rule.

There is food for thought in those words, Mr. President.

Mr. KING. The Senator commends the observations of a former distinguished Senator as a guide for Congress to-day. I am afraid that Congress is not in the habit of paying much attention to the admonitions of sages and seers and prophets of the past. I am afraid the Senator from Colorado does not always do it, although I am frank to confess that he tries to keep pretty close to ancient landmarks.

The first sentence of the last paragraph which the Senator just read, as I caught the words, was something to the effect that if taxes are not fair and not high enough, they should be revised. That is a fair statement and perhaps the most sensible one in the paragraphs just read. That is what I am contending for. If the taxes of the District of Columbia are high enough now, then I would be the last man in the world to impose upon the people here the payment of a single additional penny. If they are not fair, if the people do not pay a reasonable and equitable tax, then I am in favor of a system which will impose upon them a fair tax. When they have paid a fair tax, a reasonable tax, one that comports with the benefits and advantages derived by the people of the District of Columbia, then let the Treasury of the United States yield sufficient to meet the rest of the operating expenses of the District.

I deny what Mr. Root said to the effect that the people of this District are mere wards, that they are helpless, or that they are bound, as he would have us believe, in chains of servitude. Speaking of the question of votes, only a few of the people of the great State of New York vote; as I recall the figures, sometimes less than 17 per cent.

I admit they have a right to vote if they register. I regret that the people of the United States do not avail themselves of the franchise which has been bestowed upon them. But we are not discussing now the question of whether the franchise should be granted to the residents of the District of Columbia, or whether the form of the government of the District should be changed. We are discussing the question of taxation.

I recur, now, to the question which was propounded by the Senator from Colorado a few moments ago, as to what plan I would suggest. Mr. President, what plan is adopted in the city of Denver, which is a progressive, up-to-date municipality? The administrative body of the city and county of Arapahoe—I think that is the name of the county?

Mr. PHIPPS. Denver, now.

Mr. KING. Denver now, formerly Arapahoe. They meet and determine what the budget shall be for the next fiscal year, and have in mind, based upon the assessment of the preceding years, approximately the value of the property which will be subject to taxation, and taking that value, they determine that a levy of 3 per cent or 3½ per cent will be required upon a 75 or 100 per cent valuation to yield sufficient revenue to meet the expenses for each year. In addition, of course, they have to pay their school taxes, their State taxes, and local assessment.

Why should we not do the same thing here? The District committees or Congress—the power might be committed to the District Commissioners—could determine what the levy should be after it has been ascertained what revenue is necessary for the next fiscal year. There is no reason why we could not adopt the same system here, with proper modifications, that is applied in modern municipalities and in the States throughout the Union.

I repeat, when the city pays a fair tax I am in favor of the Government of the United States paying the residue, if it is $14,000,000 or $28,000,000. If a fair tax upon the property within the District of Columbia raises only $10,000,000, then I would be in favor of Congress appropriating the balance necessary to care for the needs of the District.

I repeat, Mr. President, until we solve this question along the lines which I have indicated, we will have these recurring difficulties. I do not believe there is any sacred compact, as Mr. Root seems to imply, which forbids us from adopting a different method of distributing the burdens which are to be paid by the Government upon the one hand and the property owners on the other hand.

I want to reaffirm what was stated by the Senator from New Mexico [Mr. JONES] and what was forcibly stated by the Senator from Arkansas [Mr. CARAWAY], as to the fact that there are in Washington tax dodgers. Men come here and have residences, ostensibly, or stay here for a few weeks or for a few months during the year. This is their residence for the purpose of escaping taxation in the States in which their interests are found. This becomes a fictitious residence, and they escape taxation because they have no property here, or, at least, if they have, it is insignificant measured by their large interests elsewhere. If an intangible-property tax should be levied upon such persons and if a proper system of taxation were applied here these tax dodgers would be made to contribute toward paying the expenses of the District.

Mr. McKELLAR. Mr. President——

Mr. KING. I yield.

Mr. McKELLAR. In addition to what the Senator has so well expressed, would it not be wise to include all Government property that is used for governmental purposes, have an assessment placed upon that property, and let the Government pay the tax, just as any other taxpayer does? It seems to me that would be a fairer way than the present method, which makes the people of the United States pay such a large proportion of the taxes of the District of Columbia.

Mr. KING. Mr. President, I would not approve of that plan for several reasons. In the first place, the greater part of the property of the Government consists of buildings. Take this Capitol, for instance. Because of its historic value and its interest as the Capitol of the greatest Nation in the world, it has a value that may not be computed in dollars and cents.

Mr. McKELLAR. That is not a taxable value.

Mr. KING. Take the White House, the War and Navy Buildings, or any of these public structures owned by the

Government. Except for the purposes for which they are used, they have no great value. Their value is unimportant. The land upon which they rest possesses value. Yet if the Capital of the Nation were not here, the land itself would have but little value. The value of property in the District rests upon the fact that this is the National Capital. That fact gives value to real estate and to property generally. The facts recently disclosed by the District Committee under the leadership of the Senator from Delaware [Mr. BALL], reveal the enormous value that real estate and apartment houses have in the District. If one seeks to buy a home, or to rent property here, whether for residential purposes or for business purposes, he will discover the fact that values here are, as some say, "in the clouds."

Other cities have fluctuating values; they have booms. There is some contributing cause, which may be ephemeral, that gives added value to-day, but to-morrow the cause departs and the value is lost. But in Washington values will be reasonably stable and will increase, because this will be forever the Capital of this mighty Nation. And there will be accretions to the population as the years go by. Washington may have three-quarters of a million people within the next 25 or 50 years.

To reply again to the Senator from Tennessee, it has been and would be impossible, it seems to me, to fix any value upon public buildings, as upon churches and schoolhouses for taxation purposes.

I repeat in conclusion—and I apologize to the Senate for having taken so much time, most of it, however, being because I have yielded to Senators—I hope appropriate legislation will soon be enacted that will settle the question upon a just and rational basis.

Mr. HOWELL. Mr. President, may I ask the Senator a question?

Mr. KING. Certainly.

Mr. HOWELL. As I understand it, the House proposes to appropriate $8,000,000 as the share of the Federal Government in the maintenance of the District of Columbia.

Mr. KING. Yes.

Mr. HOWELL. What is the assessed value of the property in the District of Columbia?

Mr. KING. Does the Senator mean in dollars?

Mr. HOWELL. Yes.

Mr. KING. I can not state. I have forgotten it.

Mr. HOWELL. So the Senator could not say what percentage the $8,000,000 would be upon the assessed valuation?

Mr. KING. May I say that the $8,000,000 is paid out of the Public Treasury under the House amendment and the residue is to be obtained from taxation of property in the District.

Mr. HOWELL. I understand, but I wondered what percentage of the assessed valuation the $8,00,000 is. Would it be less or more than the amount that would be contributed, supposing it was 40 per cent of the total?

Mr. McKELLAR. It is about 35 per cent.

Mr. KING. That is, of the present assessed valuation. Of course, the Senator knows that the assessed valuation is very low.

Mr. HOWELL. Mr. President, I have had occasion to give some attention to the assessment of property in this city as the result of looking at some property with the idea of purchase. I find that the tax rate on the asking values of property here amounts to about six-tenths of 1 per cent; that is, the tax rate is six-tenths of 1 per cent on the actual value of the property. That was true in the case of every piece of property that I looked at. It varied from one-half of 1 per cent to six-tenths of 1 per cent. I have no doubt that the average for the country to-day exceeds 1.8 per cent. I am speaking now of cities of the country of this size or larger. It is probably 2 per cent of the actual value of the property within the city. In other words, taxes here to the property holder are only about one-fourth what they would be in any one of the other cities of the country of equal size.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HOWELL. I yield.

Mr. KING. I think the Senator has been more than fair in his statement as to the average throughout the United States. My recollection is that many of the cities of the United States pay as much as 4 per cent taxes upon the assessed valuation of all property, and the assessed valuation in many of the cities is nearly 100 per cent. Intangible property is also assessed in addition to the corporeal property, if I may make the distinction. Then the Senator knows that in most of the cities there are county assessments, State assessments, and school assessments, and these in the aggregate make the taxes higher than stated by the Senator.

Mr. HOWELL. I intended to be conservative, and I was referring to the actual value of the property and not the assessed value. I realize that in many cities the tax rate does run as high as 4 per cent. I have assumed that in many of those cities the assessed valuation was low in proportion to the actual value. I think it will be found, based upon actual value of the property, that the average in the country in cities of 200,000 inhabitants and more exceeds 1.8 per cent, if not 2 per cent, and yet in the District of Columbia the tax rate upon the actual valuation is probably not more than six-tenths of 1 per cent.

It seems to me, in view of all the advantages that fall to the citizens of Washington from the fact that the Capital is located here, that they should at least contribute as much in proportion for the maintenance of the city as other citizens do throughout the country. But they are not contributing, to be very conservative, more than one-third as much as other citizens of the country are contributing in cities of this size or of 200,000 inhabitants and larger. Therefore it seems to me that the sum fixed at $8,000,000 is all that Congress should contribute and that the District of Columbia should contribute the balance.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 6, line 15, before the word "motor," to strike out "four" and insert "five," and at the end of line 16 to strike out "$1,360" and insert "$1,700," so as to make the paragraph read:

For maintenance and repair of five motor trucks, at $340 each, $1,700.

The amendment was agreed to.

The next amendment was, under the subhead "Public Utilities Commission," on page 7, line 5, after the word "law," to strike out "of which not more than $1,000 shall be available for enforcement of the act entitled 'An act for the relief of street-car motormen,' approved March 3, 1905," so as to make the paragraph read:

For incidental and all other general necessary expenses authorized by law, $5,000.

Mr. McKELLAR. Mr. President, I ask the Senator in charge of the bill to let the amendment go over, because I have an amendment that I wish to offer to that paragraph, and I do not want the amendment adopted and thus be precluded from offering my amendment.

Mr. PHIPPS. We can pass over the amendment. There is no objection to that.

Mr. McKELLAR. The Senator does not expect a vote on the bill to-day?

Mr. PHIPPS. Not finally, unless we can conclude by about 6.30.

Mr. McKELLAR. I want to let the amendment go over, because I am not able physically to present the matter to-day. It is on the question of the 5-cent street-car fare.

The PRESIDENT pro tempore. The amendment will be passed over.

Mr. McKELLAR. While I am on my feet I ask permission to submit the amendment and let it be printed and lie on the table.

Mr. McKELLAR's amendment was ordered to lie on the table and to be printed, as follows:

On page 7, line 3, after the figures "$36,120," to insert a colon and the following proviso:

"*Provided*, That this appropriation shall not become available until the Public Utilities Commission of the District of Columbia shall fix rates of fare for the street-railway companies in the District of Columbia at rates not in excess of the rates of fare fixed in existing charters or contracts heretofore entered into between said companies and the Congress; and from and after the passage and approval of this act the said street-railway companies shall receive 5 cents per passenger as a cash fare, but they shall issue and sell six tickets for 25 cents, as provided in existing charters."

The next amendment was, under the subhead "Department of Insurance," on page 7, line 13, after the figures "$17,860," to insert a semicolon and "temporary clerk hire, $600; in all, $18,460," so as to read:

For personal services in accordance with the classification act of 1923, $17,860; temporary clerk hire, $600; in all, $18,460.

The amendment was agreed to.

The next amendment was, under the subhead "Surveyor's office," on page 7, line 17, after the numerals "1923," to strike

out "$39,920" and to insert "$42,320," and at the end of line 21 to strike out "$49,920" and insert "$52,320," so as to make the paragraph read:

For personal services in accordance with the classification act of 1923, $42,320; services of temporary draftsmen, computers, laborers, additional field party when required, purchase of supplies, care or hire of teams, $10,000, no part of which sum shall be expended without the written authority of the commissioners; in all, $52,320.

The amendment was agreed to.

The next amendment was, on page 7, after line 24, to strike out "For revision of the highway plan, $1,500," and to insert:

For study and preparation of a city plan for that part of the District of Columbia outside of the original Federal city of Washington, including personal services and all other necessary expenses in connection therewith, $10,000.

The amendment was agreed to.

The next amendment was, under the heading "Contingent and miscellaneous expenses," on page 10, line 2, after the word "allowance," to insert "to the purchasing officer and," and in line 3, after the words "rate of," to strike out "$20 per month" and to insert "$26 per month each," so as to make the paragraph read:

For printing, checks, books, law books, books of reference, periodicals, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; purchase of laboratory apparatus and equipment and maintenance of laboratory in the office of the inspector of asphalt and cement; damages; livery, purchase, and care of horses and carriages or buggies and bicycles not otherwise provided for; horseshoeing; ice; repairs to pound and vehicles; use of bicycles by inspectors in the engineer department, not to exceed $800 in the aggregate; and other general necessary expenses of District offices, including the personal-tax board, harbor master, health department, surveyor's office, office of superintendent of weights, measures, and markets, department of insurance, and Board of Charities, including an allowance to the purchasing officer and to the secretary of the Board of Charities, not exceeding the rate of $26 per month each, for the maintenance of an automobile to be furnished by him and used in the discharge of his official duties, $47,900.

The amendment was agreed to.

The next amendment was, on page 10, line 25, after the figures "$3,000," to insert a semicolon and "for the purchase of one automobile at not to exceed $1,500 and two automobiles at not to exceed $450 each for the use of the assessor's office, $2,400; in all, $5,400"; so as to make the paragraph read:

For the exchange of such automobiles now owned by the District of Columbia as, in the judgment of the commissioners of said District, have or shall become unserviceable, $3,000; for the purchase of one automobile at not to exceed $1,500 and two automobiles at not to exceed $450 each for the use of the assessor's office, $2,400; in all, $5,400.

Mr. McKELLAR. How many automobiles have they now?

Mr. PHIPPS. They have one worn-out horse-drawn vehicle. The assessors have been compelled to travel on street cars and get around as best they may to examine property.

Mr. McKELLAR. If they are given the automobiles, does the Senator expect that the property will be assessed at anything nearer its real value, according to law?

Mr. PHIPPS. The Senator believes that, given the automobiles, five or six men can cover three times the territory that can be covered by going on foot. The idea is to afford them means of rapid transit to get from one place to another. They must examine buildings and look up records and compare the different tracts of real estate with others on which they have to base the valuation derived from actual sales.

Mr. McKELLAR. I doubt if these automobiles will do any good. I think they are just that much extra expense. I doubt very much whether they add to the efficiency of the force or accuracy of the examination. Ordinarily it is very difficult to tell the value of property when seen from an automobile.

The amendment was agreed to.

The next amendment was, on page 14, at the beginning of line 16, to strike out "$20" and to insert "$26," so as to make the paragraph read:

For all expenses necessary and incident to the enforcement of an act entitled "An act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes," approved May 1, 1906, including personal services when authorized by the commissioners, $2,452, including an allowance at the rate of $26 per month for furnishing an automobile for the performance of official duties.

The amendment was agreed to.

The next amendment was, under the subhead "Refund of erroneous collections," on page 16, line 1, after the word "proportion," to strike out "required by law" and to insert "that the appropriations for the expenses of the government of the District of Columbia for the fiscal year involved were or are paid from the Treasury of the United States and the revenues of the District of Columbia," so as to make the paragraph read:

To enable the commissioners, in any case where special assessments, school tuition charges, rents, fees, or collections of any character have been erroneously covered into the Treasury to the credit of the United States and the District of Columbia in the proportion that the appropriations for the expenses of the government of the District of Columbia for the fiscal year involved were or are paid from the Treasury of the United States and the revenues of the District of Columbia, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia appropriation act approved March 2, 1911, $1,500.

The amendment was agreed to.

The next amendment was, on page 16, line 14, before the word "equipment," to insert "or other," and at the end of line 17 to strike out "$5,000" and insert "$10,000," so as to make the paragraph read:

For the purchase of special typewriting or other equipment, typewriters, cards, and file cases, for the use of the offices of the assessor and collector of taxes, to be immediately available, $10,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 17, to insert:

To aid in support of the National Conference of Commissioners on Uniform State Laws, $250.

The amendment was agreed to.

The next amendment was, under the heading "Street and road improvement and repair," on page 17, after line 19, to strike out:

Northwest: For paving Webster Street, Seventh Street to Illinois Avenue, 30 feet wide, $6,000.

The amendment was agreed to.

The next amendment was, on page 18, line 17, before the word "Street," to strike out "Third" and insert "Fourth," and at the end of line 17, to strike out "$7,400" and insert "$14,800," so as to make the paragraph read:

Northeast: For paving Bryant Street, Lincoln Road to Fourth Street, 30 feet wide, $14,800.

The amendment was agreed to.

The next amendment was, on page 18, line 24, after the word "increasing," to strike out "to 80 feet the roadway width of Thirteenth Street from F to Eye Street" and to insert "the roadway width of Thirteenth Street to 70 feet from F to Eye Streets and to 60 feet from Eye to K Streets," so as to make the paragraph read:

Northwest: For increasing the roadway width of Thirteenth Street to 70 feet from F to Eye Streets and to 60 feet from Eye to K Streets, $80,000, 40 per cent of the entire cost thereof to be assessed against and collected from the owners of abutting property in the manner provided in the act approved July 1, 1914 (38 Stat. p. 524), as amended by section 8 of the act approved September 1, 1916 (39 Stat., p. 716). The owners of abutting property also shall be required to modify, at their own expense, the roofs of any vaults that may be under the sidewalk on said street between the limits named if it be found necessary to change such vaults to permit of the roadway being widened.

The amendment was agreed to.

The next amendment was, at the top of page 20, to strike out:

Northwest: For paving Kennedy Street, Fifth Street to Eighth Street, 40 feet wide, $15,000.

The amendment was agreed to.

The next amendment was, on page 20, after line 11, to strike out:

Northwest: For paving Seventeenth Street, Webster Street to Allison Street, 30 feet wide, $4,800.

The amendment was agreed to.

The next amendment was, on page 21, after line 12, to strike out:

Northwest: For paving Kansas Avenue, Allison Street to Buchanan Street, 50 feet wide, with 10-foot center parking, $7,500.

The amendment was agreed to.

The next amendment was, on page 21, after line 15, to strike out:

Northwest: For paving New Hampshire Avenue, Grant Circle to Allison Street, 50 feet wide, with 10-foot center parking, $10,900.

The amendment was agreed to.

The next amendment was, on page 22, after line 6, to insert:

Southeast: For paving Sixteenth Street, East Capitol Street to A Street, 30 feet wide, $4,600;

Northwest: For paving Kansas Avenue, Thirteenth Street to Quincy Street, 40 feet wide, $6,200;

Northwest: For grading Fern Street, Blair Road to Eighth Street, $2,400;

Northwest: For paving Quebec Place, Tenth Street to Thirteenth Street, 24 feet wide, $7,000;

Northwest: For paving Twenty-seventh Street, K Street to L Street, 32 feet wide, $14,000;

Northwest: For paving Vine Street, Baltimore & Ohio Railroad to Maple Street, 20 feet wide, $2,800;

Northwest: For paving Arkansas Avenue, Georgia Avenue to Emerson Street, 40 feet wide, $13,000;

Northeast: For paving Twelfth Street, C Street to D Street, 32 feet wide, $8,000;

Northwest: For paving Seventeenth Street, Irving Street to Kilbourne Street, 30 feet wide, $7,300;

Northwest: For paving Thirty-ninth Street, Van Ness Street to Yuma Street, 30 feet wide, $13,900;

Northeast: For paving Twelfth Street, Otis Street to Michigan Avenue, 40 and 50 feet wide, $19,000;

Northeast: For paving Fifth Street, T Street to W Street, 30 feet wide, $13,800;

Northeast: For paving V Street, Fourth Street to Fifth Street, 30 feet wide, $3,500;

The amendment was agreed to.

The next amendment was, on page 23, line 9, to increase the total appropriation for street and road improvements from "$482,750" to "$561,450."

The amendment was agreed to.

The next amendment was, on page 24, line 13, after the words "purchase of" to strike out "one motor truck at a cost not to exceed $800," and to insert "three motor trucks at a cost not to exceed $800 each"; in line 17, after the word "exceed," to strike out "$20" and to insert "$26," and in line 18, after the word "purposes," to strike out "$550,000" and to insert "$600,000"; so as to make the paragraph read:

Repairs: For current work of repairs of streets, avenues, and alleys, including resurfacing and repairs to asphalt pavements with the same or other not inferior material, and including the purchase of three motor trucks at a cost not to exceed $800 each, and including the maintenance of motor vehicles used in this work, and including an allowance of not to exceed $26 per month for an automobile for use for official purposes, $600,000. This appropriation shall be available for repairing pavements of street railways when necessary; the amounts thus expended shall be collected from such railroad companies as provided by section 5 of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected.

The amendment was agreed to.

The next amendment was, under the subhead "Gasoline Tax, Road and Street Fund," on page 26, after line 19, to strike out:

Northwest: For paving Georgia Avenue, Military Road to Fern Street, 60 feet wide, $112,000.

The amendment was agreed to.

The next amendment was, on page 27, after line 8, to insert:

Northwest and southwest: For blanketing with asphalt Seventh Street, Pennsylvania Avenue to G Street, Southwest, present width, $35,000.

The amendment was agreed to.

The next amendment was, on page 27, line 12, to reduce the total appropriation to be disbursed and accounted for as "Gasoline tax road and street improvements," from "$890,000" to "$813,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bridges" on page 27, line 19, after the words "rate of," to strike out "$20" and to insert "$26," so as to make the paragraph read:

For construction and repair of bridges, including an allowance at the rate of $26 per month to the overseer of bridges for the maintenance of an automobile for use in performance of his official duties, and including maintenance of motor vehicles, $30,000.

The amendment was agreed to.

The next amendment was, on page 28, line 18, after the words "in the," to strike out "proportions required by law," and to insert "same proportions as the appropriations for such purposes have been or may be paid from the Treasury of the United States and the revenues of the District of Columbia," so as to make the paragraph read:

Appropriations hereafter made for the construction and repair of bridges shall be available for repairing, when necessary, any bridge carrying a public street over the right of way or property of any railway company, or for constructing, reconstructing, or repairing in such manner as shall in the judgment of the commissioners be necessary reasonably to accommodate public traffic, any bridge required to carry or carrying such traffic in a public street over the right of way or property of any canal company operating as such in the District of Columbia, on the neglect or refusal of such railway or canal company to do such work when notified and required by the commissioners, and the amounts thus expended shall be a valid and subsisting lien against the property of such railway company or of such canal company, and shall be collected from such railway company or from such canal company in the manner provided in section 5 of an act providing a permanent form of government for the District of Columbia, approved June 11, 1878, and shall be deposited in the Treasury to the credit of the United States and the District of Columbia in the same proportions as the appropriations for such purposes have been or may be paid from the Treasury of the United States and the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Trees and parkings," on page 29, at the end of line 16, to strike out "$55,000" and to insert "$100,000," so as to make the paragraph read:

For contingent expenses, including laborers, trimmers, nurserymen, repairmen, teamsters, hire of carts, wagons, or motor trucks, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees on city and suburban streets, care of trees, tree spaces, maintenance of motor vehicles, and miscellaneous items, $100,000.

The amendment was agreed to.

The next amendment was, under the heading "Sewers," on page 29, line 22, before the word "motor," to strike out "two" and to insert "four"; in line 23, before the word "motor," to strike out "two" and to insert "four"; in line 24, after the word "each," to insert "the purchase of two motor trucks at not to exceed $4,000 each"; and on page 30, at the end of line 5, to strike out "$231,000" and to insert "$265,000," so as to make the paragraph read:

For cleaning and repairing sewers and basins, including the purchase of four motor field wagons at not to exceed $650 each, the purchase of four motor trucks at not to exceed $650 each, the purchase of two motor trucks at not to exceed $4,000 each, and the purchase of one motor tractor at not to exceed $650; for operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics and laborers, purchase of coal, oils, waste, and other supplies, and for the maintenance of motor vehicles used in this work, $265,000.

The amendment was agreed to.

The next amendment was, on page 30, line 9, after the word "of," to strike out "one motor field wagon at not to exceed $650, the purchase of one motor field wagon at not to exceed $650, the purchase of two motor trucks at not to exceed $650 each," and to insert: "two motor field wagons at not to exceed $650 each, the purchase of one motor field wagon at not to exceed $650, the purchase of four motor trucks at not to exceed $650 each, the purchase of one motor truck at not to exceed $4,000"; and in line 17, to strike out "$325,000" and to insert "$370,000," so as to make the paragraph read:

For suburban sewers, including the exchange or replacement of two motor field wagon at not to exceed $650 each, the purchase of one motor field wagon at not to exceed $650, the purchase of four motor trucks at not to exceed $650 each, the purchase of one motor truck at not to exceed $4,000, and the maintenance of motor vehicles used in this work, $370,000.

The amendment was agreed to.

The next amendment was, on page 30, at the end of line 18, to increase the appropriation for assessment and permit work, sewers, from "$200,000" to "$300,000."

The amendment was agreed to.

The next amendment was, on page 30, line 24, to reduce the appropriation for the extension of the Rock Creek main interceptor from "$60,000" to "$30,000."

The amendment was agreed to.

The next amendment was, under the heading "Collection and disposal of refuse," on page 31, line 16, before the words "per month," to strike out "$20" and to insert "$26," and in line 17, before the words "per month," to strike out "$10" and to insert "$13," so as to make the paragraph read:

For dust prevention, sweeping, and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the commissioners, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters, in the discretion of the commissioners, including services and purchase and maintenance of equipment; rent of storage rooms; maintenance and repairs of stables; hire, purchase, and maintenance of horses; hire, purchase, maintenance, and repair of wagons, harness, and other equipment; allowance to inspectors and foremen for maintenance of horses and vehicles or motor vehicles used in the performance of official duties, not to exceed for each inspector or foreman $20 per month for a horse and vehicle, $26 per month for an automobile, and $13 per month for a motor cycle; maintenance and repair of motor-propelled vehicles necessary in cleaning streets and purchase of motor-propelled street-cleaning equipment; purchase, maintenance, and repair of bicycles; and necessary incidental expenses, $410,000.

The amendment was agreed to.

The next amendment was, on page 32, line 5, before the words "per month," to strike out "$20" and to insert "$26," and in line 6, before the words "per month," to strike out "$10" and to insert "$13," so as to read:

To enable the commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia (no contract shall be let for the collection of dead animals), including inspection and allowance to inspectors for maintenance of horses and vehicles or motor vehicles used in the performance of official duties, not to exceed for each inspector $20 per month for a horse and vehicle, $26 per month for automobiles, and $13 per month for motor cycles; fencing of public and private property designated by the commissioners as public dumps; and incidental expenses, $900,000.

The amendment was agreed to.

The next amendment was, on page 32, line 12, after the word "the," to strike out "proportion required by law" and to insert: "same proportions as the appropriations for such purposes are paid from the Treasury of the United States and the revenues of the District of Columbia," so as to make the proviso read:

Provided, That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in the same proportions as the appropriations for such purposes are paid from the Treasury of the United States and the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 32, after line 19, to insert:

For the purchase of square 739, on which the present garbage transfer station is located, $40,000.

The amendment was agreed to.

The next amendment was, under the heading "Public playgrounds," on page 33, after line 19, to strike out "For the purchase of a site on Thirty-third Street, between P and Q Streets NW., in square 1273 (lot 818), containing 2,650 square feet, $7,000" and to insert: "For the purchase of three playground sites, $14,300."

The amendment was agreed to.

The next amendment was, on page 34, line 6, after the word "playgrounds," to strike out "$151,270" and to insert: "$158,570; of which $144,270 shall be paid wholly out of the revenues of the District of Columbia and $14,300, or so much thereof as may be expended, for the purchase of land for playground purposes, shall be paid 40 per cent out of the Treasury of the United States and 60 per cent out of the revenues of the District of Columbia," so as to read:

In all, for playgrounds, $158,570; of which $144,270 shall be paid wholly out of the revenues of the District of Columbia and $14,300, or so much thereof as may be expended, for the purchase of land for playground purposes, shall be paid 40 per cent out of the Treasury of the United States and 60 per cent out of the revenues of the District of Columbia.

Mr. McKELLAR. I ask that that amendment go over until the amendment on page 1 shall have been voted on.

Mr. PHIPPS. Those items are necessarily coupled. If there is to be a change in the first amendment, it would necessarily involve going back and reviewing this one.

Mr. President, while I am on my feet, I will ask that the Secretary be authorized to make changes in all totals throughout the bill where they become necessary by reason of amendments to the various items.

The PRESIDENT pro tempore. Is there objection? The Chair hears none and the Secretary will be authorized to do so. The amendment on page 34 will be passed over.

Mr. PHIPPS. If the Senator from Tennessee does not object, I should prefer that this item be approved as it is, with the understanding that if there is a change in the first amendment this amendment will necessarily be revised to conform to that.

Mr. McKELLAR. We had better let it go over. We can easily arrange the matter afterwards.

Mr. PHIPPS. We should pass the bill to-night, I think, Mr. President.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was under the heading "electrical department," on page 34, line 15, to increase the appropriation for personal services in accordance with the classification act of 1923, from "$79,940" to "$81,080."

The amendment was agreed to.

The next amendment was, on page 34, line 24, before the words "per month," to strike out "$20" and to insert "$26"; so as to make the paragraph read:

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record books, stationery, printing, livery, purchase and repair of bicycles, allowance for the maintenance of not more than three automobiles at not to exceed $26 per month each, blacksmithing, extra labor, new boxes, and other necessary items, $30,000.

The amendment was agreed to.

The next amendment was, on page 36, line 6, to strike out "$500,000" and to insert "$525,000"; so as to make the paragraph read:

LIGHTING: For purchase, installation, and maintenance of public lamps, lamp-posts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, and for all necessary expenses in connection therewith, including rental of stables and storerooms, livery and extra labor, this sum to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia appropriation act for the fiscal year 1912 and with the provisions of the District of Columbia appropriation act for the fiscal year 1913, and other laws applicable thereto, $525,000.

The amendment was agreed to.

The next amendment was, on page 36, line 11, after the word "therewith," to strike out "20,000" and to insert "$50,000"; so as to read:

For replacing gas lamps and fixtures and older and less effective electric lamps and fixtures on streets, avenues, roads, and public spaces by improved electric installations, purchase of posts and fixtures of all kinds, and for all necessary expenses in connection therewith, $50,000.

The amendment was agreed to.

The next amendment was, under the heading "Public schools," on page 37, line 3, after the word "each," to insert: "business manager, to be in charge of the business administration of the public-school system, and to be appointed by and responsible to the Board of Education of the District of Columbia, $3,750," and at the end of line 9 to strike out "$51,900" and to insert "$55,650," so as to read:

Salaries: Superintendent, $6,000; two assistant superintendents, at $3,750 each; business manager to be in charge of the business administration of the public-school system, and to be appointed by and responsible to the Board of Education of the District of Columbia, $3,750; director of intermediate instruction, 13 supervising principals, supervisor of manual training and director of primary instruction, 16 in all, at a minimum salary of $2,400 each; in all, $55,650.

The amendment was agreed to.

The next amendment was, on page 37, line 18, to strike out "$48,300" and to insert "$56,220," so as to make the paragraph read:

Office of the superintendent of schools: For personal services in accordance with the classification act of 1923, $56,220.

The amendment was agreed to.

The next amendment was, on page 37, at the end of line 20, to strike out "$11,700" and to insert "$13,020," so as to read:

Office of the secretary: For personal services in accordance with the classification act of 1923, $13,020.

The amendment was agreed to.

The next amendment was, under the subhead "Teachers," on page 38, line 5, before the word "teachers," to strike out "two thousand six hundred and seventy-six" and to insert "two thousand six hundred and ninety," so as to read:

Salaries: For two thousand six hundred and ninety teachers at minimum salaries as follows:

The amendment was agreed to.

The next amendment was, on page 38, line 20, before the words "assistant principals," to strike out "Three" and to insert "Seven"; in line 22, after the name "Dunbar High School," to insert "Business High School, Western High School, McKinley Manual Training High School, and Armstrong Manual Training High School," so as to read:

Seven assistant principals, who shall be deans of girls of the Central High School, Eastern High School, Dunbar High School, Business High School, Western High School, McKinley Manual Training High School, and Armstrong Manual Training High School, at $2,400 each: *Provided*, That said assistant principals shall be placed at a basic salary of $2,400 per annum and shall be entitled to an increase of $100 per annum for five years.

The amendment was agreed to.

The next amendment was, on page 40, line 5, before the word "at," to strike out "245" and to insert "247," so as to make the paragraph read:

Class 5, 247, at $1,200 each, including administrative principals, vocational trade instructors, and teachers of Americanization work.

The amendment was agreed to.

The next amendment was, on page 40, line 9, before the word "at," to strike out "595" and to insert "601," so as to read:

Class 4, 601, at $1,200 each.

The amendment was agreed to.

The next amendment was, on page 40, line 11, before the word "at," to strike out "651" and to insert "655," so as to read:

Class 3, 655, at $1,200 each.

The amendment was agreed to.

The next amendment was, on page 40, line 13, before the word "at," to strike out "four hundred and thirty-two" and to insert "four hundred and thirty-four," so as to make the paragraph read:

Class 2, 434, at $1,200 each.

The amendment was agreed to.

The next amendment was, on page 40, line 15, to increase to total appropriation for salaries of teachers, from "$3,450,140" to "$3,476,540."

The amendment was agreed to.

The next amendment was, on page 41, at the end of line 20, to strike out "$20,000" and to insert "$30,000," so as to make the paragraph read:

For the instruction and supervision of children in the vacation schools and playgrounds, and supervisors and teachers of vacation schools and playgrounds may also be supervisors and teachers of day schools, $30,000.

The amendment was agreed to.

The next amendment was, on page 41, line 22, after the word "law," to strike out "$650,000," and to insert "$660,000," so as to read:

For longevity pay, to be paid in strict conformity with the provisions of existing law, $660,000.

The amendment was agreed to.

The next amendment was, on page 42, line 3, to increase the appropriation for payment of annuities from "$50,000" to "$60,000."

The amendment was agreed to.

The next amendment was, on page 42, at the end of line 10, to strike out "$43,280" and to insert "$44,000," so as to make the paragraph read:

For allowance to principals of grade-school buildings for services rendered as such, in addition to their grade salary, to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, $44,000.

The amendment was agreed to.

The next amendment was, under the subhead "Night schools," on page 42, line 15, to strike out "$70,000" and to insert "$90,000," so as to make the paragraph read:

Salaries: For teachers of night schools, including teachers of industrial, commercial, and trade instruction, and teachers of night schools may also be teachers of day schools, $90,000.

The amendment was agreed to.

The next amendment was, under the subhead "Americanization work," on page 43, at the end of line 17, to strike out "$7,500" and to insert "$10,830," so as to make the paragraph read:

For Americanization work and instruction of foreigners of all ages in both day and night classes, including a principal, who, for 10 months, shall give his full time to this work, at $1,800 per annum, and teachers of Americanization schools may also be teachers of the day school, $10,830.

The amendment was agreed to.

The next amendment was, on page 43, at the end of line 19, to increase the appropriation for contingent and other necessary expenses, including books, equipment, and supplies, from "$2,000" to "$2,500."

The amendment was agreed to.

The next amendment was, under the subhead "Care of buildings and grounds," on page 44, at the end of line 8, to increase the appropriation for salaries: For personal services in accordance with the classification act of 1923, from "$443,076" to "$452,520."

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 45, at the end of line 24, to increase the appropriation for fuel, gas, and electric light and power from "$226,000" to "$235,000."

The amendment was agreed to.

The next amendment was, on page 46, line 4, after the words "as follows," to strike out "Addition to Armstrong Manual Training School, $80,000; addition to Western High School, $82,763," and to insert "Armstrong Manual Training School and addition thereto, $160,000; Western High School and addition thereto, $82,763; eight-room school building on Spring Road site, $4,588"; and at the end of line 13 to strike out "$182,351" and to insert "$266,939," so as to make the paragraph read:

For furniture, including pianos and window shades, for buildings and additions to buildings, equipment for kindergartens, and tools and furnishings for manual training, cooking and sewing school, as follows: Armstrong Manual Training School and addition thereto, $160,000; Western High School and addition thereto, $82,763; eight-room school building on Spring Road site, $4,588; eight-room addition to the Tenley School, $7,388; three kindergartens, $3,000; two sewing schools, $1,200; two housekeeping and cooking schools, $3,000; two cooking schools, $2,000; two manual-training shops, $3,000; in all, $266,939.

The amendment was agreed to.

The next amendment was, on page 46, line 17, after the word "exceeding," to strike out "$240" and to insert "$312," so as to read:

For contingent expenses, including furniture and repairs of same, pay of cabinetmaker, stationery, printing, ice, and other necessary items not otherwise provided for, including an allowance of not exceeding $312 per annum for a motor vehicle for each of the superintendents of schools, the superintendent of janitors, the two assistant superintendents, the director of primary instruction, the school cabinetmaker, the supervising principal in charge of the white special schools, the chief medical and sanitary inspector of schools, and the supervising principal of the colored special schools, and including not exceeding $3,000 for books of reference and periodicals, $76,040.

The amendment was agreed to.

The next amendment was, on page 47, at the beginning of line 15, to strike out "$125,000" and to insert "$150,000," so as to read:

For textbooks and school supplies for use of pupils of the first eight grades, to be distributed by the superintendent of public schools under regulations to be made by the Board of Education, and for the neces-

sary expenses of purchase, distribution, and preservation of said textbooks and supplies, including necessary labor not to exceed $1,000, $150,000.

The amendment was agreed to.

The next amendment was, on page 48, at the end of line 8, to strike out "$8,000" and to insert "$10,000," so as to make the paragraph read:

For purchase of apparatus, fixtures, specimens, technical books, and for extending the equipment and for the maintenance of laboratories of the departments of physics, chemistry, biology, and general science in the several high and junior high schools and normal schools, and for the installation of the same, $10,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 3, to insert:

For the preparation of plans and specifications for a new school building for the McKinley Manual Training School, $5,000;

For the purchase of a site in the northeast somewhere within a distance of approximately a half mile of the Taylor School, located in square 891, and for construction of a junior high school on said site in accordance with the plans and specifications used in the construction of the Langley and Macfarland Junior High Schools, $600,000;

For the purchase of a site for a new school in the vicinity of Third and Rittenhouse Streets NW., $20,000;

Purchase of site, Burrville, $7,500;

Purchase of site in the vicinity of Fifth and Buchanan Streets NW., $50,000;

For athletic field for the Western High School, $125,000;

For the purchase of a site for a new school in the vicinity of South Dakota and Rhode Island Avenues NE., $15,000;

For preparation of plans and specifications and investigation of subsurface conditions of site for Junior High School near Twenty-fourth and N Streets NW., $5,000.

Mr. COPELAND. Mr. President, I should like to ask the Senator in charge of the pending bill if provision is made therein for the erection of a school which will replace one about which I read two or three days ago which is a dangerous fire hazard. In that instance I understand the pupils are kept in a wooden structure with only one means of escape. Does this bill make such provision for schools that no child in the District of Columbia will be compelled to go to a school where an element of danger exists?

Mr. PHIPPS. I can not promise that, Mr. President. The District of Columbia is still of necessity using temporary structures for schoolhouses which were erected during the war time. Up to the present time the recommendations of the Commissioners of the District of Columbia for the appropriation of money for school purposes have not been acceded to. We have not as yet caught up on the school-building program; in other words, no school buildings were erected here in the years from about 1917 to 1921, and we have not as yet made good the deficiency. There was more than a natural growth of population here during the war; the population has increased very rapidly and many of these temporary structures are still in use; but we have reduced their number. I think at the present time about 35 of such structures are still in use.

Mr. COPELAND. I am inclined to say for myself that I realize that building construction everywhere is behindhand and that it is not to be expected that a different condition should prevail here, but no Member of the Senate would forgive himself if by any lack of appropriation he permitted a child to be burned to death in any school building. We must make certain, not so much that every child has a seat in a school building; that is not so important as it is to make sure that every child who is in a school building is safe, so far as his life is concerned, from the fire hazard.

Mr. PHIPPS. Mr. President, I will say to the Senator from New York that these temporary structures are all one-story buildings; there are no two-story buildings of that character. I do not recall the instance to which the Senator has referred. Can the Senator give the name of the school building he has in mind?

Mr. COPELAND. I do not know the name of the building; it is known as an annex; but I saw a very sensational article about it a couple of days ago in one of the local newspapers.

Mr. PHIPPS. The committee has made it a point to visit numbers of school buildings every year. There may be some temporary arrangement which has been made in a rented building or something of that sort. I will confess that I am not informed regarding it. I have not been in any two-story school buildings that were of frame construction.

Mr. COPELAND. I myself wanted to be assured that progress is being made and that every possible safeguard is being thrown about the children.

Mr. PHIPPS. I think the Senator from New York may be assured that that is the aim of the committee. The best evidence of that, perhaps, is the fact that the committee has more than doubled the appropriation which was carried in the bill as it was reported by the committee in the other House. We have increased the appropriation from something over $800,000 to $1,700,000. Of course, however, that includes the large item of a junior high school for which there is an appropriation of $600,000.

Mr. ROBINSON. Is that for new construction?

Mr. PHIPPS. It is for building sites and new construction.

Mr. DIAL. Mr. President, I hope that adequate provisions have been made for lighting in the public schools.

Mr. PHIPPS. That is one of our problems, I will say to the Senator from South Carolina. The House committee apparently insisted upon shearing the Budget estimate, and the Budget had previously sheared the recommendations of the Commissioners of the District of Columbia. It has been the unpleasant province of the committee of the Senate to restore the figures to the Budget estimate in numbers of cases throughout this bill.

Mr. DIAL. We can not afford to turn the welfare of the children here over to the Commissioners of the District of Columbia or to anybody else. We ourselves have got to take care of them, and it is necessary to have better lighting facilities in some of the schools in order to make it possible for the children to study at all.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 50, line 1, to increase the total appropriation for buildings and grounds, public schools, from "$880,000" to "$1,707,500."

The amendment was agreed to.

The next amendment was, under the heading "Metropolitan police. Salaries," on page 53, line 7, before the word "captains," to strike out "20" and to insert "25," and at the end of line 13 to strike out "$1,743,000" and to insert "$1,745,700," so as to make the paragraph read:

Major and superintendent, $4,500; 2 assistant superintendents, at $3,000 each; 4 inspectors, at $2,400 each; 12 captains, at $2,400 each; additional compensation for 35 privates detailed for special service in the detection and prevention of crime, $16,800; additional compensation for 14 privates detailed for special service in the various precincts for the prevention and detection of crime, at the rate of $120 per annum, $1,680; additional compensation for 1 inspector or captain and 1 lieutenant detailed for special service in the detection and prevention of crime, at $400 each; 21 lieutenants, 1 of whom shall be harbor master, at $2,000 each; 56 sergeants, one of whom may be detailed for duty in the harbor patrol, at $1,800 each; privates—633 of class 3 at $1,660 each, 170 of class 2 at $1,560 each, 51 of class 1 at $1,460 each; amount required to pay salaries of privates of class 2 who will be promoted to class 3 and privates of class 1 who will be promoted to class 2 during the fiscal year 1925, $2,600; motor-vehicle allowance for 2 inspectors at $480 each; 25 captains, lieutenants, sergeants, and privates, mounted on horses, at $540 each; 32 lieutenants, sergeants, and privates, mounted on bicycles, at $70 each; driver-privates—35 of class 2 at $1,560 each, 3 of class 1 at $1,460 each; personal services in accordance with the classification act of 1923, $66,000; in all, $1,745,700.

Mr. McKELLAR. I wish to ask if there is any change proposed by the bill in the rule in reference to the payment of crossing policemen? Is there anything of the kind in this bill?

Mr. PHIPPS. No; that is not touched. I will say to the Senator that the amendment is a mere change designed to correct the calculations as to the amount that should be appropriated to cover the salaries of the number of officers provided for.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "Policemen and Firemen's Relief Fund," on page 55, line 14, to increase the appropriation to pay the relief and other allowances as authorized by law, from "$350,000" to "$400,000."

The amendment was agreed to.

The next amendment was, under the heading "Fire department. Miscellaneous," on page 57, line 5, to strike out "$35,000" and to insert "$50,000," so as to read:

For repairs to apparatus and motor vehicles and other motor-driven apparatus, and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools: *Provided*, That the commissioners are authorized, in their discretion, to build or construct, in whole or in part, fire-fighting apparatus in the fire department repair shop, $50,000.

The amendment was agreed to.

The next amendment was, on page 57, line 7, to increase the appropriation for hose from "$25,000" to "$30,000."

The amendment was agreed to.

The next amendment was, on page 57, line 19, after the word "For," to strike out "two" and to insert "three," and in line 20, before the word "each," to strike out "$10,000" and to insert "$12,500," so as to read:

For three pumping engines, triple combination, motor driven, $12,500 each.

The amendment was agreed to.

The next amendment was, on page 57, after line 22, to insert: "For one automobile, $2,000."

The amendment was agreed to.

The next amendment was, on page 57, after line 23, to insert:

For one drill tower and one concrete smoke-test building, to be located on land owned by the District of Columbia, adjacent to No. 8 engine house, $16,000.

The amendment was agreed to.

The next amendment was, on page 58, at the end of line 5, to strike out "$50,000" and to insert "$62,000," so as to make the paragraph read:

For house, site, furniture, and furnishings for a truck company to be located in the northeast section of the city in the vicinity of Twelfth and H Streets NE., including the cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, $62,000.

The amendment was agreed to.

The next amendment was, on page 58, line 12, to strike out "$45,000" and to insert "$56,000," so as to make the paragraph read:

For house, site, furniture, and furnishings for an engine company to be located in the vicinity of the intersection of Conduit Road and Reservoir Street NW., including the cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, $56,000.

The amendment was agreed to.

The next amendment was, under the heading "Health department, prevention of contagious diseases," on page 59, line 7, before the word "when," to strike out "not exceeding $30,000," so as to read:

For enforcement of the provisions of an act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and an act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907, and an act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908, under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, including salaries or compensation for personal services when ordered in writing by the commissioners and necessary for the enforcement and execution of said acts, and for the prevention of such other communicable diseases as hereinbefore provided, purchase and maintenance of necessary horses, wagons, and harness, purchase of reference books and medical journals, and maintenance of quarantine station and smallpox hospital, $40,000:

Mr. COPELAND. Mr. President, I desire to ask the Senator in charge of the bill why the committee proposes striking out in line 7, page 59, the words "not exceeding $30,000"?

Mr. PHIPPS. The limitation of not exceeding $30,000 would restrict the officers concerned so that they could not expend more than that amount for that particular purpose. They feel that if the restriction were removed the apropriation of $40,000 would be sufficient, but if the restriction which the House committee inserted is retained the appropriation should be increased by $10,000.

Mr. COPELAND. I should like to ask the Senator in charge of the bill, does this item make provision for the Schick test in the schools?

Mr. PHIPPS. My understanding is that it would be provided for under certain language which is incorporated in the bill. The Senator called my attention to that language.

Mr. COPELAND. The language which is found on line 5 is all right. It reads:

And for the prevention of infantile paralysis and other communicable diseases.

That is all right, but is there a sufficient appropriation to carry on this work? The reason I am asking the question is that it has been brought to my attention that not sufficient money has been authorized so that the children may have the advantage of the Schick test. It is entirely possible to wipe out diphtheria; we can make diphtheria just as rare as are typhoid fever or smallpox by the proper use of the Schick test. Diphtheria is the greatest cause of death among young children. In my judgment, there should be no doubt that ample provision has been made for protection of the children against that dread disease. Frankly, I fear that the appropriation is insufficient. I will say that it will take at least $10,000 to make a proper use of the Schick test and provide innoculation against diphtheria in the city.

Mr. PHIPPS. Mr. President, the uses of the Schick test were not called to the attention of the committee. I am not personally informed as to whether or not the appropriation herein made would be sufficient in amount to provide for the Schick test. I feel there is a great deal of merit in the statement of the Senator from New York; in fact, I may say that in my own family I thought it advisable to have my children innoculated, and I think provision should be made for those who are now unable to afford the expense of having that inoculation performed by physicians who make a charge for it.

I will say to the Senator that if he will confer with the Health Department, and if he is assured by them that they can not make the necessary Schick test without an additional appropriation, I shall be very glad to accept an amendment to the bill and carry it to conference.

Mr. COPELAND. I thank the Senator.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Dairy farm inspection," on page 61, line 18, after the word "exceed," to strike out "$20," and to insert "$26," so as to make the paragraph read:

For necessary expenses of inspection of dairy farms, including amounts that may be allowed the health officer, assistant health officer, chief medical inspector in charge of contagious-disease service, and inspectors assigned to the inspection of dairy farms, for maintenance by each of a horse and vehicle at not to exceed $20 per month, or motor vehicle at not to exceed $26 per month, for use in the discharge of his official duties, and other necessary traveling expenses, $6,000.

The amendment was agreed to.

The next amendment was, under the heading "Courts and prisons," on page 66, line 16, after the figures "$2,200," to strike out "assistant probation officer, $1,400," and to insert "two assistant probation officers, at $1,4000 each," and in line 21, after the word "exceed," to strike out "$20 per month, $240; in all, $5,137," and to insert "$26 per month, $312; in all, $6,537," so as to make the paragraph read:

Probation system: Probation officer, $2,200; two assistant probation officers, at $1,400 each; stenographer and typewriter and assistant, $900; contingent expenses, $325; maintenance of motor vehicle used in performance of official duties, at not to exceed $26 per month, $312; in all, $6,537.

The amendment was agreed to.

The next amendment was, under the subhead "Tuberculosis Hospital," on page 74, after line 2, to insert: "For furniture for nurses' home, $3,500."

The amendment was agreed to.

The next amendment was, under the subhead "Gallinger Municipal Hospital," on page 74, line 11, to increase the appropriation for salaries: For personal services in accordance with the classification act of 1923, from "$137,360" to "$162,360."

The amendment was agreed to.

The next amendment was, under the subhead "Industrial Home School for Colored Children," on page 77, line 17, after the words "in the," to strike out "proportion required by law" and to insert: "same proportions as the appropriations for

such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia," so as to make the paragraph read:

All moneys received at said school as income from sale of products and from payment of board or of instruction or otherwise shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Militia," on page 82, line 8, after the word "instruction," to insert a comma and "purchase and maintenance of athletic, gymnastics, and recreational equipment at armory or field encampments, not to exceed $500," and at the end of line 17 to strike out "$20,000" and to insert "$23,000," so as to make the paragraph read:

For expenses of camps, including hire of horses for officers required to be mounted, and such hire not to be deducted from their mounted pay, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments, damages to private property incident to encampment, instruction, purchase and maintenance of athletic, gymnastics, and recreational equipment at armory or field encampments, not to exceed $500; practice marches and practice cruises, drills and parades, fuel, light, heat, care and repair of armories, offices, and storehouses, practice ships, boats, machinery, and dock, dredging alongside of dock, telephone service, horses and mules for mounted organizations, street car fares (not to exceed $200) necessarily used in the transaction of official business, and for general incidental expenses of the service, $23,000.

The amendment was agreed to.

The next amendment was, on page 82, line 18, to increase the appropriation for rent of armory and drill hall, from "$7,000" to "$15,000."

The amendment was agreed to.

The next amendment was, on page 83, to increase the appropriation for pay of troops other than Government employees, to be disbursed under the authority and direction of the commanding general, from "$7,000" to "$9,000."

The amendment was agreed to.

The next amendment was, under the heading "Anacostia River and Flats," on page 83, line 6, after the name "Anacostia Park," to strike out "$150,000" and to insert "in accordance with the revised plan as set forth in Senate Document No. 37, Sixty-eighth Congress, first session, $200,000, of which amount $175,000 shall be available for expenditure below Benning Bridge and not more than $25,000 may be expended above Benning Bridge in the acquirement of necessary land," so as to make the paragraph read:

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document No. 37, Sixty-eighth Congress, first session, $200,000 of which amount $175,000 shall be available for expenditure below Benning Bridge and not more than $25,000 may be expended above Benning Bridge in the acquirement of necessary land.

The amendment was agreed to.

The next amendment was, under the heading "Public Buildings and Grounds. Park Police," on page 84, line 9, after the word "For" to insert "purchase," and at the end of line 10, to strike out "$3,000" and to insert "$4,250," so as to read:

For purchase, maintenance, repair, operation, and exchange of motor cycles for park police, $4,250.

The amendment was agreed to.

The next amendment was, on page 85, at the end of line 20, to strike out "$50,000" and to insert "$60,000," so as to make the paragraph read:

For improvement, care, and maintenance of various reservations, the maintenance, repair, exchange, and operation of three motor-propelled passenger-carrying vehicles to be used only for official purposes, and the operation, maintenance, repair, and exchange of motor cycles and bicycles for division foremen, $60,000.

The amendment was agreed to.

The next amendment was, on page 86, line 14, to increase the appropriation for improvement and care of East Potomac Park, from "$25,000" to "$35,000."

The amendment was agreed to.

The next amendment was, on page 86, line 16, after the word "camp" to strike out "in East Potomac Park," so as to make the paragraph read:

For the maintenance of a tourists' camp, $5,000.

The amendment was agreed to.

The next amendment was, on page 86, line 20, to increase the appropriation for placing and maintaining special portions of the parks in condition for outdoor sports from "$10,000" to "$15,000."

The amendment was agreed to.

The next amendment was, on page 87, line 7, to increase the appropriation to provide for the increased cost in park maintenance from "$30,000" to "$50,000."

The amendment was agreed to.

The next amendment was, on page 87, at the end of line 13, to strike out "$10,000" and to insert "$12,000," so as to make the paragraph read:

Tidal Basin bathing beach: For purification of waters of the Tidal Basin and care, maintenance, and operation of the bathhouse and beach, $12,000.

The amendment was agreed to.

The next amendment was, on page 87, at the end of line 25, to strike out "$35,000" and to insert "37,000," so as to make the paragraph read:

Lighting the public grounds: For lighting the public grounds, watchmen's lodges, offices, and greenhouses at the propagating gardens, including all necessary expenses of installation, maintenance, and repair, $37,000.

The amendment was agreed to.

The next amendment was, on page 88, after line 2, to insert:

For survey to establish boundary line between the District of Columbia and the State of Virginia between Chain Bridge and Jones Point, and incidental expenses, including locating monuments, $5,000.

The amendment was agreed to.

The next amendment was, under the heading "Water service," on page 90, line 7, after the word "expended," to strike out "$800,000" and to insert "$2,500,000," so as to read:

For continuing work on the project for an increased water supply for the District of Columbia, adopted by Congress in the Army appropriation act for the fiscal year 1922, as modified by the District of Columbia appropriation acts for the fiscal years 1923 and 1924, and as further modified by the report submitted to Congress by the Secretary of War December 4, 1923, and for each and every purpose connected therewith, to be immediately available and to remain available until expended, $2,500,000.

Mr. McKELLAR. Mr. President, will the Senator explain that amendment?

Mr. PHIPPS. Yes; I shall be very glad to do so.

I think we are all familiar with the fact that it was found necessary to provide an expensive extension to the water supply system of the District. The ultimate cost is now estimated at $9,000,000, in round figures. We made a start on this work in the fiscal year 1923, and expended, I think, about half a million dollars. During the present year, up to July 1 next, we will expend $1,500,000. The estimate submitted by the engineers—and this work is being performed under the direction and supervision of the engineers of the Army—was $2,500,000. Based on that estimate, they believed that the work could be completed by the 1st of January, 1927.

Mr. McKELLAR. What did the Budget allow?

Mr. PHIPPS. The Budget allowed $800,000; and progressing at that rate would mean that the completion of the work would be delayed until January 1, 1932, or for eight years.

Your committee has given quite serious thought to this problem. We do not desire to be alarmists, but we know that the requirements of the city, which is growing all of the time, are just barely being met by the present system, and that the greater volume of that water before it is used by the citizens must go through a tunnel under Rock Creek, in Rock Creek Park, which tunnel at one time caved in, and to-day is being kept from collapsing by certain reinforcing timbers that were put inside the brickwork and by the pressure of the water which passes through this tunnel, carrying the water as a siphon. It is, in fact, a siphon. If that tunnel were to break, if there were a fracture there that would allow the water to escape, we have only two days' reserve in the new reservoir to supply this great lower section of the city.

We feel, therefore, that this work should be pressed to completion as expeditiously as possible. We believe that by doing

so, by progressing along with the work as it should be done in a systematic manner, there will be a saving in the total cost; and there are many reasons why we feel that it would be unwise, and might be incurring unnecessary risk, to conduct the work so as to delay the completion of the entire plan until the year 1932.

As I say, this year we are spending a million and a half dollars on this project. That is largely for the intake at Great Falls, and the construction and the laying of the conduit along the Conduit Road. This year the plan contemplates not only the completion of that conduit but the placing of the foundations, the substructure for the pumping station and for the filtration plant which will be located in the neighborhood of the Dalecarlia Reservoir. The other features of the work are the connecting of the mains—that is, the larger service pipes, 36's and 30's and 24's—in cross section in the city, so as to connect up the old system with what will be the new system, so that when complete the water will come in, as a matter of fact, not from two different directions but through two sources of supply that are almost parallel but in different sections of the city, so that in case of interruption to either of the mains there would be no danger of any large section of the city being deprived of water.

Mr. McKELLAR. Mr. President, was this matter presented to the Budget?

Mr. PHIPPS. We did not go back to the Budget. The Budget passed on $800,000.

Mr. McKELLAR. My question is, Did the commissioners, or whoever had it in charge, recommend this $2,500,000 to the Budget, and did the Budget turn them down and fix the amount at $800,000?

Mr. PHIPPS. They did.

Mr. McKELLAR. Why does the committee report a matter that is not contained in the Budget?

Mr. PHIPPS. The item is in the Budget.

Mr. McKELLAR. Is it not subject to a point of order?

Mr. PHIPPS. No; not at all. The action on the part of the House committee was to put in the Budget figure of $800,000; but, coincidentally, right along with that, they authorized the engineers to contract for a much larger amount of work. There is, of course, the possibility of that work progressing; but if we are going to contract for $2,500,000 worth of work, and the contractors know that there is only money available to pay $800,000 during the next year, they are going to bid higher on the work than they otherwise would.

Mr. McKELLAR. Mr. President, I want to say to the Senator that I am not going to make any point of order, even if it were possible, on an item like water. My purpose in calling attention to this item is to show the absolute uselessness, in my judgment, of the Budget. Whenever the Congress desires to change the Budget recommendations it does it, and it ought to do it. It is just a fifth wheel of the wagon. Time and again—as the Senator knows, for he serves on the Appropriations Committee—we wholly disregard the recommendations of the Budget. In other words, we follow the recommendations of the Budget when in our judgment we think they ought to be followed; we disregard them when we think they ought to be disregarded, showing the utter uselessness of the Budget.

Mr. ROBINSON. Mr. President, does not the Senator think that is the way it ought to be?

Mr. McKELLAR. I do. That is what I say. I voted against the Budget. I think it is a fifth wheel of the wagon, utterly useless, and merely complicates the game.

Mr. ROBINSON. Mr. President, may I ask the Senator a question?

Mr. PHIPPS. Certainly.

Mr. ROBINSON. Did the committee, after its investigation, find that this sum of $2,500,000 is necessary to assure the District an adequate and wholesome water supply?

Mr. PHIPPS. Eventually; yes. The total expenditure will be much beyond that. That will bring it up to just about one-half of the total expenditure—$4,500,000 out of $9,000,000.

Mr. ROBINSON. It is merely a question, then, of whether $800,000 should be made available now or $2,500,000, all plans contemplating the expenditure of a very much larger sum than that amount?

Mr. PHIPPS. That is quite correct.

Mr. ROBINSON. And the committee found that it would promote the prompt and safe procurement of an adequate water supply to include the larger sum of $2,500,000?

Mr. PHIPPS. That is a correct understanding. It is simply a question of time. The committee felt that there was danger that the work might be unduly delayed, and also that the element of cost entered in; that there was danger of the waterworks costing more by reason of the money not being available with which to pay the contractors.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Water department," on page 92, line 12, before the words "per month," to strike out "$10" and to insert "$13," so as to make the paragraph read:

For maintenance of the water department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, water meters, and all buildings and accessories, and the purchase and maintenance of motor trucks, purchase of fuel, oils, waste, and other materials, and the employment of all labor necessary for the proper execution of this work, and to reimburse three employees for the provision and maintenance by themselves of three motor cycles for use in their official work in the District of Columbia, $13 per month each; and for contingent expenses, including books, blanks, stationery, printing, postage, damages, purchase of technical reference books, and periodicals, not to exceed $75, and other necessary items, $10,000; in all, for maintenance, $450,000.

The amendment was agreed to.

The next amendment was, on page 93, after line 19, to insert:

For laying 5,100 feet of 16-inch main in Fourth Street NE. from the proposed 30-inch main in Rhode Island Avenue to S Street, west in S Street to Second Street, south in Second Street to R Street, west in R Street to Eckington Place, and south in Eckington Place to connect with the 12-inch main in Florida Avenue, $44,000.

The amendment was agreed to.

The next amendment was, on page 94, line 25, before the word "during," to strike out "$100,000," and to insert "$175,000," so as to make the paragraph read:

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, street, street-cleaning or road work, or construction and repair of bridges and repair of buildings, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the commissioners in their budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed $175,000 during the fiscal year 1925.

The amendment was agreed to.

The next amendment was, on page 97, line 4, after the word "exceed," to strike out "$20,000" and to insert "$25,000," so as to make the paragraph read:

SEC. 4. That the services of assistant engineers, draftsmen, levelers, rodmen, chainmen, computers, copyists, and inspectors temporarily required in connection with water-department work authorized by appropriations may be employed exclusively to carry into effect said appropriations, and be paid therefrom, when specifically and in writing ordered by the commissioners, and the commissioners in their budget estimates shall report the number of such employees performing such services and their work and the sums paid to each: *Provided*, That the expenditures hereunder shall not exceed $25,000 during the fiscal year 1925.

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments, with the exception of those passed over. The Secretary will state the first amendment passed over.

The READING CLERK. On page 1, line 5, it is proposed to strike out "$8,000,000" and to insert certain other words.

Mr. PHIPPS. Mr. President, we desire to carry over until to-morrow the first amendment and two or three other amendments that have been passed over.

Mr. McKELLAR. That includes the amendment on page 7, lines 5, 6, and 7, and one on page 84, which is really a part of the amendment on page 1.

Mr. CURTIS. I ask unanimous consent that when the Senate concludes its business to-day it recess until 12 o'clock to-morrow.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent that when the Senate concludes its business to-day it take a recess until 12 o'clock to-morrow. Is there objection? The Chair hears none, and it is so ordered.

Mr. PHIPPS. Mr. President, I have been authorized to present certain amendments on behalf of the committee, and I send the first to the desk.

The PRESIDENT pro tempore. The Secretary will report the amendment.

The READING CLERK. On page 6, after line 25, insert:

All apportionments of appropriations made for the use of the municipal architect in payment for the services of draftsmen, assistant engineers, clerks, copyists, and inspectors employed on construction work provided for by said appropriations shall be based on an amount not exceeding 2½ per cent of the amount of the appropriation made for each project.

Mr. ROBINSON. Will not the Senator explain the purpose of that amendment?

Mr. PHIPPS. It is a limitation. It is intended to enforce accuracy in work and to prevent any department from giving out plans which can not be contracted for within the estimate of cost.

We have had this experience: We would allow, say, an item of $30,000 for one year, and they would come back the next year and still have the $30,000 available, and say they want $20,000 more, because they can not contract for the work. This provides that when an architect draws a plan in that form he shall not be paid for it; he ought to know what he is doing. The purpose is to carry the amendment to conference, and we have reason to believe that it will be favored by the House.

Mr. McKELLAR. It seems to be a very proper amendment.

The amendment was agreed to.

Mr. PHIPPS. I send another amendment to the desk, which covers language in the bill as reported to the House but which went out on a point of order on the floor. I think it is a proper piece of legislation.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The READING CLERK. On page 11, after line 20, insert:

All estimates of appropriations for the fiscal year 1926 on account of the purchase, exchange, maintenance, repair, and operation of horse-drawn and motor-propelled vehicles, and for allowances to employees for supplying their own vehicles, shall be submitted in three paragraphs under the head of "Contingent and miscellaneous expenses." One paragraph shall apply to motor-propelled vehicles, one to horse-drawn vehicles, and one to privately owned vehicles, and each shall be accompanied by detailed information showing numbers and distribution by types, and comparative actual and estimated cost figures for the fiscal years 1924, 1925, and 1926. This requirement shall not apply to the police and fire departments, or to the activities provided for herein which are not administered by the Commissioners of the District of Columbia.

Mr. McKELLAR. Will the Senator explain the amendment?

Mr. PHIPPS. The purpose is one which I think will meet with the full approval of the Senator from Tennessee. It is to segregate the different types of vehicles used in the District, to get them together in their different classes, so that we will know at a glance how many are used by the city, how many horse-drawn vehicles there are, how many motor cycles, how many Fords, and how many other automobiles.

Mr. McKELLAR. I notice no provision here for publication of the information. Will the Senator accept an amendment providing that there shall be some publication? The information should be published after they get it, so that the Congress, at least, might have it.

Mr. PHIPPS. That is the purpose of the amendment.

Mr. McKELLAR. They are to get the information and have it, but there is no way in which the Congress could get it if they wanted to deal with it.

Mr. PHIPPS. Naturally, it must come in the estimates. The only way they could get their money is by reporting the number of machines they have. They would have to report the same in making their estimates.

Mr. McKELLAR. They would have the information, but Congress would not have it. What I want the Senator to do is to put in a provision that the Congress shall be furnished the information.

Mr. PHIPPS. To make it read that they shall file report of the same with the Clerk of the House and the Secretary of the Senate?

Mr. McKELLAR. Yes.

Mr. PHIPPS. I have no objection to that. I accept that amendment to the amendment.

The PRESIDENT pro tempore. The Secretary will report the amendment to the amendment.

The READING CLERK. After the numerals "1926" insert the words "and file report of the same with the Secretary of the Senate and the Clerk of the House of Representatives."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. PHIPPS. I send to the desk another amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The READING CLERK. On page 14, after line 24, insert:

Toward the construction of a fireproof addition to the courthouse of the District of Columbia, at a limit of cost not exceeding $735,000, which is hereby authorized, for the use of the office of the recorder of deeds and such other activities of the District of Columbia as the Commissioners of the District of Columbia may designate, including fireproof vaults and heating and ventilating apparatus, in accordance with plans to be prepared under the direction of the Architect of the Capitol, under whose direction and supervision said building shall be constructed, and including necessary personal services, $300,000, and the Architect of the Capitol is authorized to enter into a contract or contracts for the erection of said addition at a total cost not exceeding $735,000.

Mr. McKELLAR. Was that passed upon by the Budget?

Mr. PHIPPS. No; it was not. I will say to the Senator that the identical provision—that is, as to the amount, $735,000—passed the Senate at the present session of the Congress. The same measure has been favorably reported in the House by the Committee on the District of Columbia, but has not yet been acted upon on the floor. The situation is one that is really distressing. We have been aware of it for some time. The Senator is familiar with the entire circumstances.

Mr. McKELLAR. I have no objection to the amendment. I just want to call attention to the fact that our Budget system is not working well.

Mr. PHIPPS. The Senator and I do not agree entirely as to that matter. I do not think there was any intention on the part of Congress to abrogate all its power, but in our experience I think we do find that the Budget examination into affairs has been helpful, and that the officers are efficient.

Mr. McKELLAR. I have nothing to say about the officers. The system is very bad, and I think we act very wisely in disregarding it whenever it is necessary to disregard it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PHIPPS. I send another amendment to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The READING CLERK. On page 24, after line 9, insert:

That, commencing July 1, 1924, the assistant to the corporation counsel of the District of Columbia charged with the duty of instituting proceedings for condemnations for opening, widening, extending, and straightening alleys and minor streets shall be paid in accordance with the rate of compensation fixed under the classification act approved March 3, 1923.

The amendment was agreed to.

Mr. PHIPPS. I send another amendment to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The READING CLERK. On page 27, line 16, after the word "specified," insert:

Provided further, That assessments in accordance with existing law shall be made for paving and repaving roadways where such roadways are paved or repaved with funds derived from the collection of the tax on motor-vehicle fuels; and hereafter all moneys derived from assessments for paving and repaving roadways under provisions of existing law arising from the expenditure of the fund created by the tax on motor-vehicle fuels, shall be paid into the Treasury of the United States and be credited to and constitute a part of said fund and shall thereafter be available for appropriation in the same manner as the proceeds of the tax on motor-vehicle fuels.

Mr. PHIPPS. The purpose of this amendment is to give proper and necessary direction for the disposition of the money that will be assessed by way of benefits against abutting property where streets are paved or repaved under the provisions of the new gasoline tax law, which went into effect, I believe, on April 23 or April 25 last. This makes the operation and method of procedure conform exactly with that in relation to the streets that are paved under existing law.

Mr. McKELLAR. Is not this in contravention of the gas-tax law? Does not the gas-tax law, recently passed by the Congress, provide how that fund shall be used?

Mr. PHIPPS. Yes; but there is no intent or purpose in that legislation, as far as I am aware, to relieve the property owners along the streets that are to be paved from the necessity of contributing their share of the expense. The object is to provide that the money which is collected from those property owners for their share of the cost of paving the roadways will be turned into the fund, to be available, so that it will be used in the manner intended by law, just as the other money comes into the District treasury.

Mr. McKELLAR. Is not this the law now?

Mr. PHIPPS. This is to make the gasoline tax paving conform exactly with existing law. There is nothing in the gasoline-tax law itself which would provide for the collection and the disposal of that money.

Mr. McKELLAR. My recollection is that the gas-tax law provides that the money shall be paid into the Treasury.

Mr. PHIPPS. Yes; the money from the gasoline-tax receipts is to be paid into the Treasury. That money is used, as far as it will go, in paying the city's share of paving the roadways; but this is to cover the property owner's share of paving a roadway. The money is to be collected from them and used for the purpose of paying the contractors.

Mr. McKELLAR. This is rather an involved amendment.

Mr. PHIPPS. It was prepared by counsel and approved by the auditor for the District. It seemed to the committee to meet the situation. At all events, it will go into conference, and we will be very glad to consult the Senator regarding the provision and to have him suggest some different form.

Mr. McKELLAR. I do not know what it means. If it is merely to be taken to conference in this form, I will not object to it.

Mr. PHIPPS. I can assure the Senator it will be properly cared for in conference.

Mr. PEPPER. If I correctly understand it, this proposed amendment deals with the disposition to be made of the fund which results not from taxation but from the assessment of the benefits against the property owners for the construction of roads. The fund to which the Senator from Tennessee refers is the fund derived as proceeds from the gasoline tax.

Mr. PHIPPS. And the two must be put together in order to pay for the entire surfacing of the roadways.

Mr. McKELLAR. My question is, Does it affect the disposition of the gasoline-tax fund?

Mr. PHIPPS. No; not at all.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the Senator from Colorado on behalf of the committee.

The amendment was agreed to.

Mr. PHIPPS. I offer another amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 49, after line 25, insert:

The Commissioners of the District of Columbia are hereby authorized and directed to erect the school building for the care of tubercular children on such part of the site now occupied by the tuberculosis hospital as in their judgment may be best suited for such purpose, the said site being described on the tax records of the District of Columbia as parcels 84–134, 84–146, and 84–147, and the said building having been appropriated for in the act entitled "An act making appropriation to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes," approved June 16, 1921.

Mr. COPELAND. Mr. President, I do not desire to be in the position of opposing the amendment, but I want to discuss it a little while.

A good many objections have come to me about the location of the tubercular school in the particular place proposed. Some of the objections raised were, in the first place, that the site was purchased for another purpose; that when it was purchased under an act of Congress approved in 1900 it was obtained as a location for a municipal hospital, and that later a tuberculosis hospital was built there, and still later a high school. Am I correct in that statement?

Mr. PHIPPS. The Senator is correct, but the high school is not in what I have looked upon as the same tract on which the tubercular school is to be located. There is a street between the two. I have always looked upon the property there as two separate and distinct tracts, separated by a roadway.

Mr. COPELAND. I trust that is correct.

Mr. PHIPPS. That is my recollection. I have been on the property more than once, and I feel confident that I am not mistaken.

Mr. COPELAND. Otherwise there is an injunction running against the proposition of putting a tuberculosis school on the Upshur site, if this is the Upshur site.

Mr. PHIPPS. This is the Upshur site. The contention was made in court that there was no legislation permitting the placing of a school on that particular property, and this amendment would give the necessary authority. I want to have it very thoroughly and distinctly understood that that is the purpose of the designation.

I will say to the Senator that I do not know of any square, block, or location anywhere within the District that the commissioners or the Board of Education might decide to devote to the purposes of a school for tubercular children which would not meet with just the same objection from residents of the neighborhood. I should say that the tract which has been chosen there is quite ample in size. There would be no danger of infection on account of the location of the tubercular hospital. It means no added danger to the children who attend the high school, and I do not think there could be any objection made to this particular site that could not be made to any other site in the city anywhere.

Mr. COPELAND. Is there not in contemplation the erection pretty soon of a business high school on that same property?

Mr. PHIPPS. Yes; but if the Senator would visit the property he would find that it is an enormous tract of land. I speak of it as two separate tracts. One, as I said, runs up to a roadway, and the roadway passing through there, as I recall it, has a very heavy cut; but that is neither here nor there. The tubercular hospital is located in a grove of trees on an eminence, on quite a little hill. The site of the proposed tubercular school is to the rear of that a distance of what would be equal to about a block and a half, at least 450 to 500 feet, while the other of which I speak is the second tract, the roadway being at least 300 feet from the tubercular hospital. The nearest school building, the high-school building which has been erected, is another 300 feet on the other side of the street. The graded school proposed would be in the farther end, farther east on that property, a distance of about 900 feet from the high-school building. If the junior high-school building or the business high school is located there, there is ample room for it and also ample room for spacious athletic fields and grounds for all the students who would attend the three or four different classes of schools. It is an ideal location.

Mr. COPELAND. Is there no other location in the District which would be just as accessible, but which would be more remote from school buildings than at this particular place?

Mr. PHIPPS. Personally I do not know of any. I may say to the Senator from New York that the Committees on the District of Columbia in the Senate and in the House have been wrestling with this question for three years past. Every time, we come back to the same decision—that this is the most available and best adapted site for the purpose and no more objectionable than any other site would be.

Mr. COPELAND. It is only fair to say that the safest place in the world, so far as protection against tuberculosis is concerned, is in a tuberculosis hospital, because the patients in a tuberculosis hospital are taught how to take care of themselves. There is no question at all that the psychological effect is bad. I have no doubt that the parents of children who attend the junior high school are going to be worried over the possibility of danger from the tuberculosis school. If it were possible to find a site in the District somewhere else than in this particular location, I think that site should be found. Yet I do not wish to interpose any objection because I believe in the project and believe in the erection of the tuberculosis school. My only thought is that it ought to be put in a place which is as remote as possible from every other school building.

Mr. McKELLAR. I do not know anything about the location of the school, but it is certainly a very worthy project and ought to be approved by the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

Mr. PHIPPS. I have two or three other short amendments, the first one of which I now send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 63, line 4, after the numerals $41,516, insert the following proviso:

Provided, That hereafter the court shall have authority in the absence of an employee to deputize another employee to act in the capacity of the absent employee.

The amendment was agreed to.

Mr. PHIPPS. I send to the desk another amendment which I ask may be read.

The PRESIDENT pro tempore. The amendment will be read.

The READING CLERK. On page 88, after line 6, insert:

When funds appropriated for the improvement and care of public grounds in the District of Columbia, or for other general maintenance purposes under the Office of Public Buildings and Grounds, are apportioned among two or more subappropriation items, any amount which may remain unexpended under any such subappropriation item may be applied, during the fiscal year for which appropriated, to other such items under the same general appropriation: *Provided further*, That the total expenditure under this authority shall not exceed 10 per cent of the total appropriated under any such subappropriation item.

The amendment was agreed to.

Mr. PHIPPS. I send to the desk another amendment, which treats with the surplus amount covered in a bill which passed the Senate at the present session of Congress. I ask that the amendment may be read.

The PRESIDENT pro tempore. The amendment will be read.

The READING CLERK. On page 99, after line 11, insert:

SEC. 7. To carry out the provisions of Senate bill No. 703, Sixty-eighth Congress, first session, entitled "An act making an adjustment of certain accounts between the United States and the District of Columbia," as passed the Senate May 5, 1924, there shall be credited to the general account of the District of Columbia the net balance of $4,438,154.92 as set forth in said Senate bill No. 703, and said credit shall be subjected to the provisions and limitations contained in said Senate bill.

Mr. McKELLAR. Mr. President, several Senators have expressed to me a wish that when this matter came up it should go over until morning. I hope the Senator from Colorado will permit it to go over with the other three amendments which have been passed over.

Mr. PHIPPS. Certainly; I have no objection. It can go over until to-morrow.

The PRESIDENT pro tempore. To keep the record straight, does the Senator now desire to take up the amendments passed over?

Mr. PHIPPS. Not until to-morrow. All amendments that have been passed over will be allowed to go over until to-morrow.

The PRESIDENT pro tempore. The Chair will proceed with that understanding.

Mr. JONES of Washington. Mr. President, the Senate, as all Senators know, has passed two or three times a bill providing for the acquisition of three different tracts for park purposes in the District of Columbia, the Klingle Road Valley tract, the Piney Branch tract, and part of the Patterson tract. Such a bill has passed the Senate at this session and, as I understand it, has been favorably reported in the House. Pursuant to the rule and to carry out the provisions of that bill, on behalf of the committee I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 89, after line 22, insert:

The Commissioners of the District of Columbia are hereby authorized to acquire, by purchase so far as they may be able to purchase at prices deemed by them to be reasonable and fair, otherwise by condemnation proceedings under and in accordance with the act approved August 30, 1890, section 3 (U. S. Stat. L., vol. 26, pp. 412, 413), the following tracts of land for park purposes, to wit: The tract known as the Klingle Road Valley Park, as shown on park map numbered 1002 in the office of the surveyor of the District of Columbia, containing about 18½ acres; the Piney Branch Valley Park east of Sixteenth Street as shown on park map numbered 291 in the office of the surveyor of the District of Columbia, containing about 11 acres; areas for widening the Piney Branch Valley Park west of Sixteenth Street to preserve the forests to the top of the hillsides, as shown on map numbered 291–A in the office of the surveyor of the District of Columbia, containing about 19 acres; and a portion of the Patterson tract known as parcel 129–2 as shown on park map numbered 647–C in the office of the surveyor of the District of Columbia, containing about 59.16 acres; said commissioners are further authorized to reduce the area to be acquired in any of said tracts, when by reason of improvements constructed or unreasonable prices asked or for other reasons in their judgment the public interest may require: *Provided*, That if acquired by purchase the cost of the respective tracts shall not exceed the following sums: The Klingle Road Valley Park, $200,000; the Piney Branch Valley Park, $155,000; areas for widening the Piney Branch Valley Park west of Sixteenth Street, $107,000; the portion of the Patterson tract as described, $300,000; *Provided further*, That the tracts herein authorized to be acquired shall become part of the park system of the District of Columbia and be under control of the Chief of Engineers of the United States Army, and the cost of the acquisition, and the improvement and maintenance of said tracts as public parks shall be paid out of the revenues of the District of Columbia and the general funds of the Treasury in the same proportion as other expenses of the Government of the District of Columbia, and there is hereby appropriated the sum of $762,000 for the acquirement of the tracts of land herein named.

The amendment was agreed to.

Mr. PEPPER. I understand that the last of the committee amendments has now been offered, and upon that understanding I desire to submit the following amendment and ask that it be read.

The PRESIDENT pro tempore. The Senator from Pennsylvania offers an amendment, which will be read.

The READING CLERK. On page 84, after line 25, insert:

For laying cement and other walks and drives in the various reservations, $53,500, of which sum $50,000 shall be expended for opening, grading, and paving drives in the Mall between the Botanic Garden and Ninth Street NW. extended.

The amendment was agreed to.

CENTENNIAL OF FLORIDA LEGISLATIVE COUNCIL

Mr. TRAMMELL. Mr. President, I desire to offer a concurrent resolution and ask unanimous consent for its immediate consideration. It provides for no appropriation.

The PRESIDENT pro tempore. The Senator from Florida asks unanimous consent for the immediate consideration of the concurrent resolution, which the Clerk will read.

The reading clerk read the concurrent resolution (S. Con. Res. 11), as follows:

Whereas the citizens of Tallahassee, Fla., the State capital, joined by the citizens of the entire State of Florida, are planning an appropriate celebration in November, 1924, of the centennial of the first meeting of the Legislative Council of the Territory of Florida, said celebration to be held at Tallahassee; and

Whereas it is desirable and fitting that the United States Government should be represented on the occasion of the said celebration: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President be, and he is hereby, authorized and directed to name and appoint a representative of the United States Government to attend and participate in the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida, said celebration to be held at Tallahassee, Fla., the State capital, during the month of November, 1924.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. JONES of Washington. What expense does the resolution contemplate?

Mr. TRAMMELL. It does not contemplate any expense. It merely authorizes the President to name some one to represent the Government and to participate in the celebration. It carries no appropriation with it.

Mr. JONES of Washington. The representative of the United States will pay his own expenses?

Mr. TRAMMELL. Certainly; he will pay his own expenses.

The concurrent resolution was considered by unanimous consent, and agreed to.

INLAND WATERWAYS CORPORATION

Mr. RANSDELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the bill (H. R. 8209) to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes.

I will say very briefly that this bill passed the other House several days ago, and I wish to substitute it for the Senate bill, which has been favorably reported and is on our calendar number, being Order of Business 573, Senate bill 3161. The bills are identical in terms; there is not a single difference between the two bills. I ask unanimous consent for the immediate consideration of the House bill.

Mr. JONES of Washington. I think the bill should be read in order that we may understand what it is.

Mr. RANSDELL. I ask that the bill may be read.

The PRESIDENT pro tempore. The Secretary will read the bill by title.

The READING CLERK. A bill (H. R. 8209) to create the Inland Waterways Corporation for the purpose of carrying out

the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes.

Mr. JONES of Washington. Mr. President, some Senator spoke to me—I forget now who it was—who desired to be present when that bill came up. It is quite an important bill, and I do not think we had better try to pass it to-night.

Mr. RANSDELL. Then, may we not make it the unfinished business? Would there be any objection to doing that?

Mr. JONES of Washington. We have two unfinished businesses now. We have the regular unfinished business and an appropriation bill.

Mr. RANSDELL. This bill is very important.

Mr. ROBINSON. Has the bill been favorably reported from the Committee on Commerce?

Mr. RANSDELL. It has been reported favorably from that committee.

Mr. ROBINSON. Was the report unanimous?

Mr. RANSDELL. I believe it was unanimous.

Mr. ROBINSON. Did the bill pass the other House unanimously?

Mr. RANSDELL. It passed the other House unanimously. I repeat, it is a very important piece of legislation.

Mr. JONES of Washington. That is quite true. It is a very important bill. I do not like to admit, however, that it was unanimously reported by the Commerce Committee. I think there were some Senators who were not very favorable to the bill, although I do not think they made any dissent. I do not think we should pass the bill to-night.

Mr. RANSDELL. I shall not, of course, insist on doing so if the Senator desires that it shall go over. I hope, however, the Senator will assist me in getting the bill up to-morrow, because we are getting near to the end of the session, and a most important public service would be delayed and crippled, undoubtedly, if we could not go on with this work.

Mr. JONES of Washington. I will assist the Senator from Louisiana in getting the bill up just as soon as we possibly can.

The PRESIDENT pro tempore. Objection is made to the consideration of the bill.

AMENDMENT OF VOCATIONAL REHABILITATION LAW

Mr. FESS. Mr. President, I had intended calling up House bill 5478, proposing to amend the vocational rehabilitation law, which expires on June 30 next. Unless we extend the law that entire work will be discontinued. On Saturday last the junior Senator from Utah [Mr. KING] stated that he had some amendments which he desired to offer to the bill, and he agreed to let me have it brought up to-day, but he is now absent.

Mr. McKELLAR. What is the bill to which the Senator from Ohio refers?

Mr. FESS. It is a bill providing for an amendment of the so-called rehabilitation law in reference to civilian employees. That law expires at the end of June. It has been in operation for four years, and if it is not continued the work for which it provides ceases.

Mr. ROBINSON. If the bill is passed at all, it ought to be passed in sufficient time to reach the President before the end of this month.

Mr. FESS. It must be passed very soon or the entire work which is provided for by the law will cease.

Mr. KING entered the Chamber.

Mr. FESS. The junior Senator from Utah [Mr. KING], who is now present, has stated to me that he prefers that the bill be not taken up to-night. May I ask the Senator if he will consent that the bill shall come up very soon?

Mr. KING. Yes.

SILVER SERVICE OF THE CRUISER "ALBANY"

Mr. COPELAND. From the Committee on Naval Affairs I report back favorably without an amendment the bill (H. R. 1018) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Albany Institute and Historical and Art Society of the city of Albany, N. Y., the silver service which was presented to the United States cruiser *Albany* by citizens of Albany, N. Y. I ask unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. Let the bill be read, Mr. President.

Mr. JONES of Washington. I ask that the bill reported by the Senator from New York may be read.

The PRESIDENT pro tempore. The bill will be read.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized, in his discretion, to deliver to the custody of the Albany Institute and Historical and Art Society of the city of Albany, N. Y., for preservation and exhibition in such museum, the silver service which was presented to the United States cruiser *Albany* by citizens of Albany, N. Y.: *Provided*, That no expense shall be incurred by the United States for the delivery of such silver service.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SINNOTT, Mr. SMITH, and Mr. RAKER were appointed managers on the part of the House at the conference.

PROSECUTION OF CLAIMS BY EX-OFFICIALS

The PRESIDENT pro tempore. The Chair lays before the Senate a report from the Secretary of the Treasury, made in response to Senate Resolution 173, containing the names of former Members of the Senate and other officials who have appeared as attorneys before the Treasury Department within two years after the expiration of their terms of office. Without objection, the communication will be printed in the RECORD and the report will lie on the table for such disposition as the Senate may see fit to make of the report.

The report of the Secretary of the Treasury is as follows:

THE SECRETARY OF THE TREASURY,
Washington, May 26, 1924.

The PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, D. C.

DEAR MR. PRESIDENT PRO TEMPORE: In response to Senate Resolution 173, requesting the names of all ex-Members of the Senate and House and ex-Cabinet officers who themselves appeared, or who had any partners who appeared, as attorney or agent before the Treasury Department within two years after they severed their official connection with the Government, I beg to report as follows:

This resolution affects in ex-officials and their partners 734 individuals, although it is understood that the required information need not be submitted at this time covering the appearances of ex-Members of the House of Representatives included in that number. There are presented to the Treasury Department in the Bureau of Internal Revenue alone each year about 180,000 claims. In addition to this there are some 300,000 additional assessments each year, and in perhaps 50 per cent of the cases protests are made by an attorney or agent for the taxpayer. To comply strictly with the requirements of Senate Resolution 173 would necessitate the searching of nearly 7,000,000 files which are stored in five buildings throughout the District. In addition to this there is a class of income returns which are filed in the 65 collection districts throughout the country. To make the search in Washington alone it is estimated would cost $120,000 for direct labor, without allowance for interference with the regular operation of the department.

When this administration took over the operation of the Treasury, the Bureau of Internal Revenue was just working out of the war period and the regulations affecting practice before the department were not clearly understood and enforced. In January, 1922, the regulations for the enrollment of all attorneys and agents authorized to practice before the department, and the filing in each case of the authority of the particular attorney or agent, became effective, and on July 1, 1922, a card index of these attorneys and agents was established. Subsequent to July 1, 1922, therefore, the records of the Internal Revenue Bureau as to those who have practiced before it are complete. A copy of the present regulations is attached for reference.

The Senate resolution covers the years from 1918 to date. After July 1, 1922, so far as internal revenue is concerned, these records are easily obtained covering connection with cases subsequent to that date. The attorneys and agents appearing before the department prior to that date could be ascertained in a practical way only by personal recollection of the heads of the various sections in the bureau. It is by these methods that the attached report has been made up, being, as I have said, complete since July 1, 1922, and incomplete prior to that date.

In connection with the claims represented by ex-Senator Kenyon's firm, I am informed that all of these involve the same general question raised by the different taxpayers.

I have attached hereto photostats of correspondence with the attorneys mentioned in the report.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

NORTHERN PACIFIC LAND GRANTS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LADD. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. LADD, Mr. CAMERON, and Mr. WALSH of Montana conferees on the part of the Senate.

ALIEN PROPERTY TRADE INVESTMENT CORPORATION

Mr. DIAL. Mr. President, I believe that we have unfinished business before the Senate; but to-morrow at the conclusion of the pending bill making appropriations for the District of Columbia, I wish to ask that I may be allowed to bring up the joint resolution (S. J. Res. 121) to create a body corporate by the name of the "Alien Property Trade Investment Corporation," and have a vote upon it very soon thereafter. I shall make an effort to have that done, and I hope we may dispose of the measure.

HARRY SIMPSON

Mr. PHIPPS. Mr. President, pursuant to the unanimous-consent agreement, I move that the Senate take a recess until 12 o'clock to-morrow.

Mr. SWANSON. Mr. President, will the Senator withhold his motion for a moment?

Mr. PHIPPS. Very well; I withhold the motion.

Mr. SWANSON. I ask unanimous consent for the present consideration of the bill (S. 773) to extend the benefits of the employees' liability act of September 7, 1916, to Harry Simpson. The bill was passed over when the calendar was last under consideration on account of objection of the Senator from Utah [Mr. KING]. I have seen that Senator since and he has waived the objection. The bill is recommended by the Navy Department. It is a case in which a man in the Norfolk Navy Yard was badly hurt by the fall of a 1,500-pound steam hammer on his hand, so that all of the fingers of his left hand had to be amputated.

The PRESIDENT pro tempore. The Senator from Virginia asks unanimous consent for the immediate consideration of the bill named by him. Is there objection?

Mr. JONES of Washington. Let the bill be read.

The PRESIDENT pro tempore. The Secretary will read the bill.

The bill was read, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to extend to Harry Simpson, on account of the results of an injury sustained March 9, 1915, while in the performance of duty as an employee of the navy yard at Norfolk, Va., the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

Mr. JONES of Washington. Has the bill been reported unanimously from the committee?

Mr. SWANSON. It has been reported unanimously from the committee and is recommended by the Secretary of the Navy. The man was seriously injured.

Mr. JONES of Washington. Why is it necessary to pass this bill? Did the injury occur previous to the passage of the compensation act?

Mr. SWANSON. Yes; it occurred previous to the passage of that act. I have before me a letter from the Secretary of the Navy, and will read it, if the Senator desires.

Mr. JONES of Washington. No; I will not ask the Senator to do that.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the benefits of the employees' compensation act of September 7, 1916, to Harry Simpson."

EASTERN BAND OF CHEROKEE INDIANS

Mr. OVERMAN. I ask the Chair to lay before the Senate the conference report on House bill 3852, which is now on the desk.

The PRESIDENT pro tempore. The Chair lays before the Senate a conference report, which will be read.

The reading clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3852) providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, and 4, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the language proposed to be stricken out by the Senate insert the following:

"That in the preparation of said roll the act of the State of North Carolina of March 8, 1895, chapter 166, entitled 'An act to amend chapter 211, laws of 1889, relating to the charter of the Eastern Band of Cherokee Indians' shall be disregarded."

And the Senate agree to the same.

J. W. HARRELD,
CHARLES CURTIS,
JOHN B. KENDRICK,
Managers on the part of the Senate.

HOMER P. SNYDER,
FREDK. W. DALLINGER,
W. W. HASTINGS,
Managers on the part of the House.

Mr. OVERMAN. I ask unanimous consent for the immediate consideration of the report.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the conference report? The Chair hears none. The question is on agreeing to the conference report.

The report was agreed to.

RECESS

Mr. PHIPPS. I renew my motion that the Senate take a recess, the recess being under the previous order until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, May 28, 1924, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, *May 27, 1924*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, we bless Thee that Thou hast again taken pleasure in sparing our lives and condescending to our needs. Inspire us with good thoughts, great hopes, and certain visions. Brighten our joys, stimulate our motives, purify our purposes, and let the light of the upper world fall upon us. Teach us that sometimes standing still is progress, that waiting means victory. May our wills possess the spirit of obedience and service and all our days may we know that we are not forgotten. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. GRIEST. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the postal salary bill, and also on the agricultural experimental station bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

POSTAL SALARY BILL

Mr. GRIEST. Mr. Speaker, the post-office workers of the United States Government handled last year 22,400,000,000 pieces of mail, aggregating in weight 6,150,000,000 pounds, an

average of almost 100,000,000 pieces of mail for each of the employees covered by the provisions of this bill.

It is the biggest business in America, public or private; its growth, like the growth of our country, has been marvelous; and its efficiency and economical management are a credit to the Post Office Department and the employees thereof.

To afford a fair and reasonable increase in compensation for these faithful employees, who constitute the personnel and backbone of the Postal Service, the Post Office Committee, after an exhaustive investigation, has reported out the measure (H. R. 9035) now under consideration.

We believe it to be equitable, well balanced, conservative, as economical as it should be, and worthy of enactment into law.

THE BASIC PROVISION OF THE BILL AND ITS COST

The basic provision in the bill is an increase of $300 per annum for clerks and carriers in first and second class offices, which makes a minimum of $1,700 per annum, instead of $1,400 as now, averaging $32.75 per week, and a maximum of $2,100 per annum, instead of $1,800 as now, averaging $40.38 per week. This provision for clerks and carriers was arrived at by both the Senate and the House committees after the most exhaustive investigation and consideration. The original bills upon which the hearings were conducted asked for an increase of $600 for clerks and carriers. The department bill carried an increase of $200 in the larger post offices and $100 elsewhere. The committee fixed the increase at $300 in all first and second class offices, as heretofore stated.

Corresponding increases have been allowed to all or nearly all employees in other branches of the Postal Service, including the Railway Mail, the Rural Delivery, assistant postmasters, and supervisory officials, inspectors, mechanics, and laborers, motor-vehicle service employees, third-class postmasters and fourth-class postmasters, the aggregate increase being estimated by the committee to be $64,644,775, being less than 50 per cent of the amount asked for in the bills upon which the hearings were conducted, and almost identical with the amount carried in a similar bill (S. 1898) which passed the Senate yesterday.

The Post Office Department, however, in a letter to the committee, estimates the increased compensation carried in the House measure at about $80,000,000, which, if correct, would be somewhat more than one-half the amount asked for in the bills upon which the hearings were conducted. In the following tabulation is presented item by item the committee estimate and the department estimate of increased expenditures:

Comparison of expenditures shown on page 8 of the majority report No. 655 and department's estimated expenditures on bill H. R. 9035

	Expenditures shown in Report No. 655	Expenditures estimated by Department
Postmasters:		
Second class	$69,100	$69,100
Third class—		
Salaries	1,093,000	1,093,000
Clerk hire	3,000,000	3,997,360
Fourth class, salaries	1,720,000	2,753,720
Assistant postmasters and supervisors, first and second class offices	2,615,650	3,144,650
Clerks, printers, mechanics, and skilled laborers	17,288,100	14,884,800
Letter carriers, city-delivery service	13,077,000	13,114,200
Watchmen, messengers, and laborers	532,050	586,200
Auxiliary service	1,500,000	1,691,500
Motor-vehicle service	865,671	731,135
Village delivery carriers	234,800	234,800
Railway Mail Service	7,900,000	[1] 14,502,992
Inspectors	167,500	179,200
Clerks, division headquarters	34,500	35,088
Overtime	400,000	443,810
Requisition fillers and packers	6,000	
Rural delivery service	14,141,404	15,000,000
Special clerks		2,363,700
Additional pay for night work (Post Office Service)		5,600,296
Total	64,644,775	80,425,551

[1] Includes differential for night work.

Men in the service not embraced in the provisions for increased compensation are postmasters of the first-class offices, whose salaries now range from $3,200 to $8,000, and postmasters of all second-class offices except the lowest grade, whose salary now is $2,300 and to which $100 has been added, and departmental employees in the District of Columbia, and others whose compensation is fixed by fees exclusively and by contract.

EMPLOYEES INCLUDED IN PROVISIONS OF BILL

The employees who will be benefited by increases in salary or compensation and allowances under the bill (H. R. 9035) are as follows:

Second-class postmasters	691
Third-class postmasters	10,930
Clerks, third-class post offices	539
Fourth-class postmasters	37,231
All other classified employees, including substitutes	223,332
Total	272,723

In addition to the above there are about 77,000 persons employed in the Postal Service whose compensation is fixed by contract, or on a fee basis, and which is not affected by the bill.

PUBLIC DEMANDS FOR INCREASED PAY

Since the opening of Congress in December, the chairman and members of the committee on the Post Office and Post Roads, as well as other Members of Congress, have been flooded with appeals in behalf of employees of the Postal Service for an increase in salaries and allowances to meet the advance in the cost of living, especially in the larger cities and urban communities. This appeal, supported, by patrons of the post office in every walk of life, came to us through every known means of communication—by letter, telegraph, and radio; resolutions and memorials of legislatures and great civic organizations, indorsements from the pulpit, and petitions bearing the signatures of hundreds of thousands of our citizens, deploring the conditions and inadequate salaries of the postal workers, and urging Congress most strongly to remedy this situation.

This appeal within a few weeks crystallized in the form of 40 bills introduced in the House and referred to the Committee on the Post Office and Post Roads for consideration. Most of these measures were proposals for the relief of a particular group of employees. Two of the bills—H. R. 4123 and H. R. 7016 introduced in the House by Mr. KELLY of Pennsylvania and Mr. PAIGE of Massachusetts, respectively—contain provisions identical in some respects, providing relief for practically all of the groups making up the personnel of this great service.

The urge for action by this time had reached the general membership of both Houses of Congress, and great pressure was brought to bear upon the committee to grant a hearing to the several organizations of the employees in order that they might present their case to Congress. This resulted in an arrangement by which, in order to conserve the time of Members of both Houses, as well as the time and expense involved in a journey to Washington by the representatives of the several groups, a joint hearing was held before the subcommittees of the Senate and House Committees on the Post Offices and Post Roads.

EXHAUSTIVE HEARINGS CONDUCTED

Public hearings were held for seven full days, beginning on March 3 and ending on March 10. At these hearings more than 100 representatives of the employees, coming from every part of the country, were here. Nearly half of the membership of the two Houses appeared and gave oral testimony of the conditions obtaining in the Postal Service and the inadequacy of the compensation of the postmasters and employees, and urged the joint committee to report to their respective Houses a large measure of relief. This testimony of Members of Congress was supplemented by communications addressed to the committee transmitting thousands of additional letters and telegrams received by them from their constituencies. After the conclusion of these hearings the subcommittees were given further authority to prepare a bill to increase postal salaries and allowances and to consider ways and means for raising the necessary revenue to meet the increased cost involved in a reclassification and adjustment.

For nearly seven weeks the members of these subcommittees gave unselfishly of their time and energy in the arduous task of solving the problem presented to them, and on the 30th of April presented to their respective committees a measure in the form of a committee bill, which, with only slight and immaterial variation, has met with the approval of the House committee and also met with the unanimous approval, without change, of the Senate committee. On May 2, after three full days of most careful and deliberate consideration, the committee directed the chairman to introduce the committee bill in the House. On the following day the committee carefully reviewed this bill (H. R. 9035) and ordered the same to be reported back to the House with a recommendation for its passage.

On May 5, by direction of the Post Office Committee, I introduced in the House a resolution which was referred to the Committee on Rules, making it in order to move to suspend the rules for the consideration of this bill. The morale of the Postal Service has been maintained during these trying months in anticipation that Congress will recognize the need and grant the relief prayed for.

THE REASON FOR THE PUBLIC INTEREST

Why this tremendous public interest in the welfare of the postal employees?

Social intercourse is the foundation upon which the structure of modern civilization rests, and the greatest of all facilities for such intercourse and contact is the post office. Through its arteries flow the messages of the rich and the poor, the great and the obscure. Primarily, the mails were established limited to such use. In our day, its activities have become manifold. Upon its proper functioning depends the very life of the Nation. No greater test and no better proof of its efficiency is wanting than its conduct during the World War. When every other means of communication and transportation failed, the post office carried on, not only its ordinary functions but innumerable and tremendous additional war activities. Under no matter what conditions or difficulties and circumstances, the post office extended itself to meet the needs of the hour. Into the front-line trenches went messages of love and cheer from the homes our boys had left behind; back to those homes came messages of victory and assurance with marvelous, almost mechanical regularity. But the post office is no mere mechanism! Its operation is intensely human. Its only stock in trade is service—service rendered by 350,000 men and women whose life work is to serve unselfishly and loyally the more than 110,000,000 of hustling, happy, thrifty people of this Nation. Courtesy, honesty, efficiency, and better than average intelligence and strength and courage are prerequisite qualifications required for appointment to the Postal Service, and unless these standards are maintained the structure must fall.

From its origin and establishment in colonial times, down to the beginning of the present century, our post office was largely an incident to the conduct of business. With the establishment of rural free delivery, parcel post, the postal savings bank, and the transmission of mail matter by air, in addition to every other known means of transportation, Postal Service has taken on a new meaning. In the short period of less than 30 years in which this expansion and growth have taken place under our modern methods of production and distribution of the necessities of life, as well as the luxuries, the revenues of the Post Office Department have advanced from $88,500,000 to more than $600,000,000 annually. And the post office has nothing to sell but service.

EXPENDITURES FOR THE POSTAL SERVICE

From the following statement of the audited expenditures for the service of the Post Office Department on account of the fiscal year 1923, it will be seen that nearly four-fifths of the disbursement are for service alone:

Salaries

Post Office Department employees proper	$1,994,438.86
Bureau of Accounts—Post Office Department	31,728.26
Post-office inspectors	1,463,557.02
Clerks, division headquarters—Post Office Inspection Service	230,922.62
Special assistant to the Attorney General for the Post Office Department	6,000.00
Postmasters	44,007,819.27
Assistant postmasters	5,716,548.90
Clerks, first and second class post offices	100,325,099.35
Printers, mechanics, and skilled laborers	70,705.32
Watchmen, messengers, and laborers	4,527,036.98
Clerks, contract stations	1,245,811.85
Temporary clerk hire	9,827,493.14
Clerks, third-class post offices	3,865,720.93
City delivery carriers	$68,979,564.31
Temporary city delivery carriers	8,635,834.42
City delivery carriers—new offices	73,090.57
Village delivery service	1,309,998.58
Special delivery fees—messengers	6,556,674.65
Star-route mail service (contracts), Alaska	120,962.53
Mail messenger service—contracts	6,967,703.20
Railway Mail Service	43,918,902.48
Star-route mail service—contracts	11,533,889.65
Rural Free Delivery Service	83,710,039.51
Vehicle service—contracts, also Government-owned and operated	14,258,592.23
Total	419,384,143.03

The total audited expenditures of the department for the fiscal year 1923 were $541,500,816.73. As above indicated, $419,384,143.03 of these expenditures were for salaries and compensation for services. In addition, approximately $3,000,000 must be added for traveling and other incidental expenses of officials and employees. The remaining expenditures, amounting to $122,116,673.70, were on account of rent, fuel, light, and equipment, including mail bags, twine, distributing and canceling machines, and other labor-saving devices. Charges for transportation by railroad, steamship, power boat, pneumatic tubes, and air craft, printing of stamps, stamped paper and envelopes, and postal cars, payment of indemnities for lost and destroyed mails, and claims for damages to persons and property and incidental expenses. I emphasize the statement that the post office is a service organization, because there has been brought before this House and the Congress for favorable consideration a bill reclassifying the salaries of postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis.

THE COST OF LIVING

The Committee on the Post Office and Post Roads, of which I have the honor to be the chairman, has given many weeks intensive study to the cost-of-living problem of the postal employees.

The United States Department of Labor has found the cost of maintenance of a family of five persons, which is the average American family, in decency and ordinary comfort is not less than $2,500 a year. The bill as presented does not increase the average salary to any such figure, but does provide on sound and scientific principles for the promotion of worthy employees to a status and salaries commensurate with the character of the work performed and the responsibilities of the positions they may attain.

These principles were well established by the enactment of the act of Congress, approved June 5, 1920, which was the result of several years of study by the Postal Salary Commission. The return to normal, pre-war conditions anticipated by the commission has not been realized; indeed, the cost of living has advanced, and to-day we find that the wages paid to postal employees generally are not "living wages," not to say "saving wages," and as a result new blood is not attracted into the service. It is true that the older employees do not leave the service, as is usually the case with dissatisfied employees in other occupations. That is because the postal employee has but one article to sell, and that is "postal service." He can not readily convert his postal experience into bread and butter and protection against the elements in any place under the sun except in a post office, and Uncle Sam has no competitor in the business who might bid a higher wage for his service—and, more than this, by some peculiar circumstance a postal employee becomes so attached and loyal to the service that it becomes practically impossible to function in any other capacity. I am reminded of an incident a year or two ago when an old employee in one of our large cities who appeared before one of our postal commissions was asked to express an opinion as to the wisdom of passing a law requiring the delivery of parcels at post offices or post-office stations; otherwise to receive no treatment as mail matter. The suggestion for such a law came from the practice of mailers depositing packages around and on top of and under street-corner mail receptacles, where the post office was expected to guard them against the elements and vandals and also to pick them up and give them treatment. The old employee's reply was that such a law would not be effective, because any postal employee coming along would pick up such packages and give them treatment—start them on to destination.

But the member of the commission insisted that the law might be so drafted as to make it improper to give the package treatment, to which the reply was that no postal employee could help himself under such circumstances. "Why post-office instinct," he said, "would compel him to pick it up and send it on—he would do that almost unconsciously."

That the problem of living on present salaries is an acute one there can be no doubt. Only recently the Congress passed H. R. 5855, increasing salaries of policemen and firemen in the District of Columbia, fixing the pay of privates in these organizations in grades of $1,800, $1,900, and $2,100 per annum, and this measure has received the approval of the President.

Similarly, the salaries of legislative employees have also been increased to meet the increased cost of living.

INVESTIGATION BY THE CIVIL SERVICE COMMISSION

Pending the consideration of the numerous bills proposing a reclassification and adjustment of postal salaries, the United States Civil Service Commission has conducted a survey of the situation throughout the country through the medium of a questionnaire directed to the secretaries of the 13 civil service districts covering areas described as follows:

First district: New England States.

Second district: State of New York and northern New Jersey.

Third district: Pennsylvania, Delaware, and New Jersey, except the counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex, and Union.

Fourth district: District of Columbia, Maryland, Virginia, West Virginia, and North Carolina.

Fifth district: Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee.

Sixth district: Ohio, Indiana, and Kentucky.

Seventh district: Wisconsin, Michigan, and northern half of Illinois.

Eighth district: Minnesota, Iowa, Nebraska, North Dakota, and South Dakota.

Ninth district: Southern Illinois, Missouri, Arkansas, Kansas, and Oklahoma.

Tenth district: Louisiana and Texas.

Eleventh district: Alaska, Washington, Oregon, Idaho, and Montana.

Twelfth district: California, Nevada, and Arizona.

Thirteenth district: Colorado, New Mexico, Utah, and Wyoming.

By letter of March 26, 1924, the commission at Washington directed questionnaires to the secretaries of the several districts requesting information, as follows:

1. The ease or difficulty with which post-office clerks and city carriers are now recruited and

2. The quality of such employees as compared with those recruited before the war.

In response to this inquiry, the secretary of the first district reported in substance as follows:

The quality of post-office employees now obtained in this district is not so high as formerly. First, there is less competition for the positions than formerly. The cause of this decreased competition is that the salaries paid by the Government do not now greatly exceed the salaries paid for similar work in commercial pursuits as they did formerly. And, second, another principal cause of the lowered quality of postal employees has been the veteran preference. Until recently every veteran who obtained a rate of 65 per cent or more went to the head of the register, and in the larger offices the entire list of veteran eligibles was exhausted before any nonveteran eligibles could be appointed. This has resulted in the appointment of large numbers of very poorly qualified eligibles, and postmasters have complained of the illiteracy of these 65 per cent veteran-preference eligibles. This has to a large extent been overcome by an amendment to the civil-service rules dated March 3, 1923.

The secretary of the second district reports:

While with our monthly examinations we are able to fill the vacancies, I am satisfied from observation that the type of men who apply for post-office and other civil-service positions is not nearly up to the standard maintained prior to the World War. This, I believe, is due to the fact that the Government has not kept pace with commerce in meeting the vastly increased living costs, particularly in New York City. At most of the offices outside of Greater New York we are now able to maintain registers with a surplus of eligibles. In Greater New York, with the examination every month, we are able to supply the needs of the department, but rarely have any surplus.

The secretary of the third district reports:

Our personnel problem will be settled just as soon as it is seen fit to make the postal employees' wage and working conditions as good as those of the men in local industries. * * *

In general, it is believed the lack of interest in the post-office service in western Pennsylvania is due to both general economic conditions and reasons which may be found in conditions peculiar to the post-office srvice, while in eastern Pennsylvania, and whatever difficulty might be encountered in Delaware and New Jersey, the lack of interest in employment as postal clerks and city letter carriers is caused by conditions peculiar to the Postal Department, such as substitute duty, night employment, and case examinations.

The secretary of the fourth district reports:

The reason for failure to secure competition in the examinations at these places is due for the most part to the fact that wages on the outside are greater than the amount earned as substitute post-office clerk or substitute city letter carrier. In many instances persons who qualified in the examination declined appointment when offered, stating that they would accept permanent appointment but not substitute work, as they could not earn enough money as substitute to support themselves. * * *

From a general knowledge gained through contact with postmasters and postal employees, it is the opinion of this office that the quality of the appointees in the post offices at the present time will compare favorably with those appointed before the war, but many of mediocre ability secured appointment during and shortly after the expiration of the war, at the time when it was necessary to appoint all persons who qualified in examinations in order to keep the offices recruited up to their proper quota.

The secretary of the fifth district reports:

First, very little difficulty is being experienced in this district in recruiting eligibles for the post-office service. Where difficulty has been experienced, such difficulty has been due not so much to general economic conditions as to the requirement of indefinite substitute service at a very low wage. Second, the quality of employees now being recruited is perhaps somewhat better than those recruited before the war.

The secretary of the sixth district reports:

As already stated, no serious difficulty has at any time been experienced in providing adequate lists, special mention having been made, however, of Cleveland, Ohio, and East Chicago, Ind. With reference to the offices referred to, the difficulties have been due very largely to the unattractiveness of the service from the standpoint of salary, especially with reference to the uncertainties as to the daily or monthly compensation, and, further, to the length of time service would be necessary under such an uncertain and elastic pay situation. It simply meant to the worthy competitor that private employment under such conditions afforded better opportunities, at least better opportunities for those dependent upon their own efforts for a livelihood. It is true in a general way, though not to such a marked extent, that with rather great frequency such a condition has generally been found to exist. On the other hand, at least this could be said: That were it possible to offer a reasonable stipulated salary during the period of uncertain employment, such as is usually the case under the existing substitute plan, fewer refusals to accept employment would be encountered, and, furthermore, it would then be possible to muster into the service many good prospects who find it necessary under the present program to accept employment affording better immediate compensation and to some extent equally as good, if not better, future prospects. * * *

As regards the matter of quality of appointments for clerk and city carrier positions at the present time as compared with those appointed before the war, it is understood to be the prevalent opinion of postmasters and others who have given the matter considerable attention that the appointees now being secured compare very favorably with those appointed immediately preceding the war. In this respect, however, conditions are found to vary somewhat, objections seldom being made to appointees at those offices where it is found possible to secure the services of eligibles ranking high on the registers. As is obvious, where conditions are such, whether from the standpoint of salary or otherwise, as to not prove attractive to the most desirable eligibles, it becomes necessary quite often to make appointment from those attaining a low average on the register and rather frequently less desirable from the standpoint of both immediate and prospective ability.

The secretary of the seventh district reports:

Difficulty has been experienced for a number of years in securing clerk and city carrier (but principally clerk) eligibles for the post office at Chicago. There has been extreme difficulty in securing such eligibles since about 1914. Since that time clerk and carrier examinations have been scheduled to be held weekly, and as much more frequently as the number of applications filed would justify. For example, at various times examinations have been held every day in the week and sometimes two examinations per day, while at other periods the number of applications filed has resulted in examinations from one to three times weekly, approximately 100 being examined each time. The matter of holding these continuous examinations at Chicago has been necessary, without any periods of recess, since 1914. The weekly examinations are still being held by reason of the fact that there are still approximately 250 temporary substitute clerks employed in the Chicago post office.

Since July 1, 1920, 10,632 appointments have been made to clerk and carrier positions in the Chicago post office from the eligible registers established by this office. The total number of regular clerk and carrier positions authorized for the Chicago post office is 8,567. It will, therefore, be seen that in a period of less than four years the total number of appointments made in the Chicago post office has greatly exceeded the total number of authorized positions. These figures are furnished in order that an understanding may be had of the enormous labor turnover in the Chicago post office.

The reasons for this abnormal turnover in the Chicago post office are due, in my judgment, both to general economic conditions and for reasons peculiar to conditions in the Chicago post office. A large number of clerks resigning from the Chicago post office have stated as their reason for resigning that they have secured another position, which probably means a better position both as to pay and as to conditions of employment. It is not due, by any means, wholly to better wages in commercial employment, although many employees leave the service for commercial employment carrying better pay. The labor turnover situation with respect to the Chicago post office could be remedied to a very appreciable extent by improvement of the working conditions, such as sanitary arrangements, lighting arrangements, and ventilating arrangements, which, coupled with night work, case examinations, and other unfavorable working conditions, constitute, in my opinion, the reasons for a considerable part of the separations from the service. Night work plays an important factor in this labor turnover.

In the Chicago post office all new appointees are assigned to the mailing division on night tours of duty. There is but little prospect of securing a tour of duty during the daytime until after several years of night work. The matter of case examinations is, of course, a contributing factor, as the schemes of distribution require constant study on the part of the employees, and this study must be done on the employee's own time between his tours of duty in the post office. The matter of considering rates of pay in private industry in this community for comparable work is an exceedingly difficult matter to express an opinion upon, for the simple reason that most of the labor turnover occurs in the mailing division of the post office and from the force employed on night tours of duty. There is not, so far as I am aware, work of a similar nature in any private or commercial enterprise.

The secretary of the eighth district reports:

We have approximately 370 offices in the district, and the general statement that we have experienced no difficulty in keeping the offices supplied with eligibles may be considered as applying to all except the three mentioned as being affected by the economic conditions, and Des Moines, because of the requirement of the two-hour substitute service; but as above stated we expect that the existing register will meet the needs of that office this year.

As to the quality of the appointees secured, it is our opinion that a much better class of eligibles were secured from the examinations held in the fall of 1923 than before the war. The matter was discussed with the postmaster's secretary here—the postmaster is ill—who stated that the last appointees recently placed on duty were a "fine lot of fellows." At least, absence of complaints from postmasters as to quality of eligibles would indicate that the registers contain the names of satisfactory material. Occasionally, of course, there may be objection to an individual because of his general reputation and character, but after investigation the eligibility of such individual may be canceled, and he is barred from participating in future examinations. As a general rule, however, the quality of eligibles secured may be considered as satisfactory.

The secretary of the ninth district reports:

First, with respect to the success attained in recruiting an adequate number of applicants for post-office work and carrier examinations, I desire to say that, generally speaking, no difficulty has been experienced along this line in examinations for classified post offices in the ninth district. Exceptions to this rule have been experienced at the following post offices:

Abilene, Kans.; Beardstown, Ill.; Camden, Ark.; Chester, Ill.; Dewey, Okla.; Earle, Kans.; East St. Louis, Ill.; Herrin, Ill.; Rantoul, Ill.; Unionville, Mo.; and Warrenburg, Mo.

I have omitted from the foregoing list the city of St. Louis, as it does not strictly fall into the group of places where difficulty has been experienced in obtaining a satisfactory number of applicants. The difficulty at St. Louis is that the turnover is so large that the eligible register is exhausted and new examinations become necessary. The reasons for this large turnover may be summed up as follows:

1. Night work. All new appointees begin on the night force. Assignments to the day force are made on a seniority basis, and the opportunity for such assignments is so limited that new appointees become discouraged and resign when they find that they may have to serve as much as 10 years on the night force before any opportunity for transfer to day work will present itself. The main objections to night work are that it interferes with a man's social and family life.

2. Requirement for substitute service before regular appointment and case examination requirements. All appointees enter the service as substitute clerks or carriers and must serve for an indeterminate period, which may be one year or more. The postmaster in St. Louis, on account of the many conditions affecting the opportunity for advancement to permanent places, informs persons making inquiry that he can give them absolutely no information regarding the length of time they may be required to serve as substitute clerk or substitute carrier before an opportunity for advancement to a permanent place presents itself. This fact and, of course, the inadequate compensation a person is able to earn through part-time service, together with the fact that substitute employees must study case examinations on their own time, has had the effect of discouraging these employees with the result that a great many of them resign.

The second main point upon which the commission has requested information relates to the quality of employees obtained through the examination method. Following the war the commission revised the examination for post-office clerk and carrier. The post-office service requires men and women who are alert and primarily adaptable. These qualities are important as post-office work is practically entirely new, there being nothing outside the post-office service which compares with it and which may be considered as an apprenticeship for that kind of work. Postmasters with whom I have discussed the type of appointee obtained through the new examinations have indicated that the results are very satisfactory. The new type of examination eliminates the slow and stolid type of person.

Inasmuch as the ninth district includes 486 classified post offices, the number at which difficulty has been experienced in recruiting a satisfactory number of eligibles is very small. The difficulty experienced at the few cities named may be summed up as follows:

1. Night service.
2. Requirement for substitute service and case examinations.
3. Inadequate salaries.

Some of these difficulties are peculiar to a particular office, of course. The difficulty experienced with the requirement for night service, for example, at the St. Louis post office will be duplicated in only a comparatively small number of post offices throughout the country. It is believed that this difficulty would be remedied if employees on the night shift were required to work only seven hours or if additional compensation were permitted employees for this work. I do not know of any private establishments which require night service, and thus I can furnish no information as to comparable salaries for night employees outside of the Government service, but the question of night work has given the St. Louis post office a great deal of trouble, and from the contact had with complainants by the assistant postmaster he is convinced that recognition of a time differential as to this class of employees would result in eliminating a great deal of the dissatisfaction which is encountered under the present conditions.

The secretary of the tenth district reports:

Summarizing the situation with regard to the recruiting of candidates for positions in the Postal Service, the secretary says:

I do not know of any post office in this district of any size in connection with which I would describe the working conditions as wholly "bad" or even "poor," although there may be cases wherein the conditions are not the ideal ones to which wage earners aspire.

It should be understood from the foregoing that this district is entirely free from difficulties in recruiting eligibles for post-office positions in certain cities. These cities, with a statement of the difficulties encountered and the probable cause, are enumerated below:

Baton Rouge, La.; Bogalusa, La.; Cotulla, Tex.; Corsicana, Tex.; El Paso, Tex.; Harlingen, Tex.; Iowa Park, Tex.; Mansfield, La.; Monroe, La.; Port Arthur, Tex.; and Shreveport, La.

At these important postal centers there appears to be a lack of competition, and even a necessity, in some instances, to import eligibles for the Postal Service from outside towns and cities. The situation is succinctly described by the secretary in the following language:

> "The difficulty is probably due to the high cost of living, higher salaries in outside employment, and difficulties attendant upon attempting to exist on a substitute's pay."

Concerning the quality of employees recruited now and before the war, the secretary says:

So far as the general run of applicants is concerned, I do not believe there is any lessening in qualifications, comparing those who applied before the war with those now applying or who have applied since the war. Congress in 1919 saw fit to pass a law which allowed ex-service men a certain preference in consideration for appointment, which, while highly beneficent in purpose, resulted in a considerable number of men with comparatively low qualifications receiving appointment.

Under a later method of granting this preference ex-service men now take their regular order of standing on the register of eligibles with their earned ratings augmented 5 points, or 10 points in case of disability, and with a regulation in force that the records of the department making an appointment must show the reasons for passing over the name of an ex-service man on the list.

Under the former procedure an ex-service man rated as low as 65 per cent was entitled to have his name placed at the head of the register of eligibles and preceding the name of a nonpreference eligible of even the highest rating. As illustrative of the practical results or workings of this system, I will state that in certain of the larger post offices in this district the number of ex-service men on the register was so great that only ex-service men were appointed, including those with low ratings in the seventies and sixties, whereas none of the nonpreference eligibles with ratings in the nineties and eighties were reached, or very few of them, before the expiration of the register.

The foregoing, in my opinion, accounts largely for any lessening in the quality of employees appointed since the war, which I know is being talked to some extent. It should also be taken into consideration that during the war, with the flower of the manhood of the country in the military or naval service, many appointments were made under restricted opportunities for selection.

Under present conditions I see no reason why the qualifications of persons being appointed in post offices should not equal those of persons appointed before the war, and I believe they do equal them. My own personal experience in connection with the few appointments I have made in my own office, which, of course, is not connected with the Postal Service, bears me out in this.

The secretary of the eleventh district reports:

I have experienced no difficulty whatever in the recruiting of eligibles at offices where there is an actual vacancy promising continuous permanent employment.

The quality of the eligibles, it appears, is also of as high grade as formerly.

The secretary of the twelfth district reports:

The post office at Los Angeles, Calif., stands out conspicuously as having the largest turnover in the clerk-carrier force of any city in this district. A large class of applicants are secured, but the appointees do not remain in the service. * * * The turnover in the post office at San Francisco has been large, but not so great as in the Los Angeles office. * * *

The objections to appointment in the larger first-class offices, which I have frequently heard expressed by employees, may be briefly stated as follows: The night work, which makes it very unsatisfactory for a married man, as it has a tendency to upset his household arrangements; the unfavorable working conditions, crowded quarters, poor ventilation and light; the almost impossible chance of promotion above the $1,800 grade; the feeling that one has lost his individuality and has become a cog in the wheel of a vast machine; the belief that efficiency is not recognized, and that promotions to the higher positions are made on the basis of pull instead of merit and fitness. The thoughtful, ambitious worker becomes discouraged and believes that the future does not offer sufficient inducement for him to remain in the service, and he seeks other employment. These, in my opinion, are the general conditions which are responsible for the increase in turnover in post-office employees.

Economic conditions outside of the office also have a marked influence on the employment situation, and in most of the cities here in the West it is possible for a bright, ambitious, efficient young man to find openings that are more desirable as to working conditions, salary, and future prospects than the Postal Service. Many of the efficient employees resign, and the service suffers because the training given them is lost.

In regard to the quality of the applicants the secretary says:

In respect to the quality of recent appointees to clerk and city carrier positions as compared to those selected before the war, you are advised that in my opinion the standard is much lower at the present time. This statement is based on information given me by postmasters, post-office inspectors, post-office employees, and my own observations. Older men are now applying for the post-office service. The percentage of applications that have been returned for correction has increased to a very alarming extent, which shows that the applicants are either below the standard of intelligence or indifferent to the requirements. In a very large percentage of the applications filed with this office for post-office position it is noted that the applicants have been arrested for violating motor vehicle rules and regulations or traffic laws. This situation in itself does not necessarily indicate moral turpitude on the part of the persons concerned, but viewing it from a different angle it seems to me to show an indifference or disregard for constituted authority. It is generally admitted that there is a widespread feeling of unrest and that the working people are disgruntled and dissatisfied, which is attributed to the reaction following in the wake of the war. The many wholesale disclosures of graft since the war has had a corrupting influence on the minds of the proletariat, and as a result the Government and its agencies are not held in the same high regard that they were before the war. Consequently there is not the same inspiration for loyal, efficient service, and there is a noticeable lack of appreciation of responsibility.

It is practically impossible to maintain a high standard of efficiency in any organization and stabilize the force unless there is good teamwork. Whole-hearted cooperation can not be secured when there is a lack of inspiration, lack of incentive, and a general feeling of indifference to or disregard for all laws, rules, and regulations, and in my judgment the quality of the present-day employee is materially affected by these conditions.

The question raised covers a broad field and has many complex ramifications. I have not plumbed the depths, but have merely scratched the surface, as the many insistent demands on my time have made it impossible for me to do more than make a partial analysis which I trust, in view of the conditions stated, will meet the requirements.

The secretary of the thirteenth district reports:

In substance, the secretary states that the difficulty experienced in securing a sufficient number of eligibles appears to be due to the fact that a higher rate of pay is offered for comparable work in private industries than is paid as an entrance salary in the post office, especially in Wyoming, and to the requirements of substitute service and night work. He also states that there is no surplus of general clerk employees at any place in the district except Denver. The quality of the appointees appears to be about the same now as before the war.

The above reports of the secretaries of the 13 civil-service districts into which the country is divided are pertinent to the subject in hand, and well worthy of study.

I am inserting them in my remarks because they were not presented in the hearings on postal salary increases before the subcommittees of the Post Office Committees of the House and the Senate.

DEPARTMENTAL OFFICIALS AND EMPLOYEES

Prior to 1923 the officials and employees of the Post Office Department in Washington were paid out of the general funds of the Treasury. Since that time—that is, for the fiscal years 1923, 1924, and 1925, under the Budget system of financing governmental activities—the salaries of these employees have been and are being paid by appropriations out of the postal revenues, the same as the salaries of postal employees in the field service. The wisdom of charging these departmental expenditures to the postal revenues can not be questioned.

It is my purpose at this time to point out the anomalous situation that obtains with regard to the classification and status of these departmental employees and the inadequacy of their compensation.

On and after July 1, 1924, the entrance salary for first-grade clerks in the department will be only $1,320 per annum, or $230 per annum less than the entrance salary of post-office laborers. The maximum salary for employees holding positions comparable to the positions of supervisory officials in the field service will be $2,200.

Of the 1,468 departmental employees 297 will receive no increase in compensation under the departmental reclassification effective July 1, 1924, but, in fact, will receive 50 cents per month less actual salary than at present. This is due to the fact that no deduction is made for retirement from the bonus which is now being paid in addition to the basic salary. Another group, 77 charwomen, will suffer even greater reductions—$8 per annum in salary and $3.40 per annum additional deductions for the retirement fund, or a total of $11.40.

The average of clerical and supervisory employees in the department at the present time, including the $240 bonus, is $1,604. The average salary under the reclassification, effective July 1, 1924, will be $1,684, or an increase of $80 a year. This average salary is $16 a year less than the entrance salary provided in the pending bill for clerks in first and second class post offices and carriers in the City Delivery Service.

The reclassification of the officials and employees of the Post Office Department and adjustment of their salaries on a basis comparable to the grades and salaries of employees in the field service is a matter which I purpose to present to the House for consideration in the near future.

Many years of intimate contact with these loyal and efficient servants of the Government convinces me that it is not only a matter of fairness and justice to them but one of economy and an investment upon which the returns can not be overestimated. A careful study of the methods and operations of large commercial and industrial corporations with which I have had considerable experience, employing large numbers of workers, has shown that a satisfied and contented personnel, employed under working conditions and on a compensation that permits them to live and bring up their families on American standards of living, is their greatest asset. The cost in the way of additional expenditures for salaries to accomplish the reorganization suggested in this branch of the Postal Service is estimated at not more than $400,000.

SUPERVISORY EMPLOYEES AND CLERKS AT FIRST AND SECOND CLASS POST OFFICES AND CARRIERS IN THE CITY DELIVERY SERVICE

Until the act of March 2, 1889, it was the custom for the Congress to make a lump-sum appropriation for the necessary clerical assistance at post offices, and this was disbursed by the First Assistant Postmaster General among the different postmasters, who in turn paid their clerks according to what they considered them worth or according to their allotments. That this plan did not work out entirely satisfactorily is evident from statements made by different Postmasters General. Postmaster General Howe in 1882 said:

These large sums are distributed among the different post offices entitled thereto by a series of orders, alloting so much to one and so much to another. In theory these orders are made by the First Assistant. No matter by whom made, this distribution will not be well made. Finite intelligence could not make a wise and just allotment of such fund; infinite intelligence can not be obtained for fourth-class clerks.

Postmasters are eager for large allowances. The most importunate are apt to be best served. They ask earliest and oftenest. They employ every kind of entreaty and offer every sort of influence, personal

and political. The clerk must act upon such a case as the postmaster presents. He has no means of rebutting it. It is not surprising, therefore, that the recent investigation by the First Assistant Postmaster General resulted in a reduction at eight offices amounting in the aggregate to $54,530. It is not to be doubted that a broader inquiry would result in still larger reductions.

Quite naturally one of the sources of complaint was insufficient appropriations, and this was commented on from time to time by the Postmaster General and his First Assistant.

In the report for the year 1888 both the Postmaster General and the First Assistant urged that the clerks attached to the larged offices be classified, the latter stating—

I recommend that the clerks attached to the first-class offices be classified, and that the salaries of the clerks be fixed by law. This important subject has been considered by a commission appointed by the Postmaster General. * * * I am of opinion that the clerks in the larger post offices should be classified with compensation ranging from a minimum salary of $600 a year to a maximum salary of not exceeding $1,400 a year. This classification, with salaries as stated in even hundreds of dollars, should not include assistant postmasters, cashiers, superintendents of divisions, or other employees directly responsible to the postmasters; nor to stampers, messengers, porters, carpenters, watchmen, or laborers. The reason for the exceptions, as above stated, are shown in the report of the commission, which very properly and wisely recommends compensation for clerks in accordance with their duties, responsibilities, experience, and the time required for a proper performance of their work.

At the 82 first-class offices on January 1, 1888, there were employed a total of 4,601 clerks.

By the act of March 2, 1889, effective July 1, 1889, clerical positions in first and second class post offices were classified, and the salaries for the various titles fixed in even hundreds of dollars.

By various enactments in the years following, Congress adjusted inequalities in the classifications and made slight changes in the salaries here and there, and improved the hours of service and working conditions of the employees. With the tremendous growth of the service, however, it was found that the classifications and salaries were inequitable, and in 1919 Congress created the Postal Salary Commission with authority to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis. The findings and recommendations of this commission resulted in the act of June 5, 1920, which is the present law relating to the employment and compensation of postal employees. On June 30, 1923, there were, in addition to the postmasters and rural carriers, 103,380 persons employed in first and second-class post offices, including 40,134 carriers in the City Delivery Service.

The free delivery of mail was first inaugurated in 1863. Prior to that time provision had been made in certain cities for delivery service upon the payment of a fee to the carrier, paid either by the persons sending or receiving mail. The act of March 3, 1863, establishing free City Delivery Service, prescribing the conditions under which service might be established, abolished the carrier fee system and fixed the salaries of the carriers. During the months of July and August of that year the service was inaugurated at 49 post offices with a total of 449 carriers at an aggregate of pay amounting to more than $300,000. In his report to Congress for that year Postmaster General Blair was very sanguine as to the possibilities of the development of this facility. From this beginning City Delivery Service has developed to-day into a service without which social intercourse, commerce, and industry would come to a standstill. It is now in operation in more than 2,500 offices, with a carrier force of nearly 45,000 carriers at an annual cost of about $100,000,000.

The salaries provided in the present bill for these groups of employees are as follows:

Assistant postmasters and supervisory employees in first and second class post offices: The inequalities frequently complained of have been corrected and a general increase of $300 provided for employees in this group. Several additional provisions recommended by the Postmaster General have been provided for.

Clerks at first and second class post offices and carriers in the City Delivery Service, five grades: Grade 1, $1,700; grade 2, $1,800; grade 3, $1,900; grade 4, $2,000; grade 5, $2,100.

Special clerks at first and second class post offices: Grade 1, $2,200; grade 2, $2,300.

POST-OFFICE INSPECTION SERVICE

Prior to 1840 certain persons were occasionally employed in cases of emergency to act as representatives of the department and to exercise temporary supervision over some of the various branches of the mail service, but the system which is now known as the inspection service had its inception in 1840, when Amos Kendall was Postmaster General, but the men were called "special agents." It was not until June 11, 1880, that the name of "post-office inspector" was used.

Under date of November 4, 1841, Postmaster General Wickliffe directed a letter of instructions to his special agents in which, in commenting upon the importance of their work, he stated in part:

Upon the active exertions and vigilant supervision of the special agents of this department mainly depend the regularity, security, and efficiency of mail transportation, and I can not too strongly impress upon you the importance and high responsibility of your stations. It is to you the Postmaster General must look for accurate information upon all subjects pertaining to the outdoor operations of the department. Give me your efficiency aid, and I do not despair of making the Post Office Department eminently useful and popular.

In 1845 the appropriation for this service was $30,000, and in 1847 the compensation of special agents was fixed at $1,000 a year, with an additional allowance of $2 for traveling expenses. In 1854 the salary of special agents was fixed at $1,600, except that the salary of the special agent on the Pacific coast was fixed at $5,000.

The appropriations were increased from time to time, and the act approved June 15, 1860, made available $70,000 and fixed the salary of these agents at $1,600. In 1861 the salary of the special agent on the Pacific coast was fixed at $2,500, with $5 for traveling expenses. In 1865, 33 special agents were employed and in 1869 there were 48. In 1871 there were 52 special agents, with aggregate compensation of $121,899, and the next year the number was increased to 59, with aggregate compensation of $168,755. In 1876 the number of special agents had increased to 62, and the appropriation was $160,000. In 1878 all special agents were allowed for their actual and necessary expenses not exceeding $5 per diem when they were actually engaged in traveling on the business of the department.

The act of June 11, 1880, making appropriations for the Postal Service for the fiscal year 1881 provided that the words "post-office inspectors" should be substituted for the words "special agents" wherever they occurred in the section, and accordingly the designation "post-office inspectors" came into existence at that time.

The act approved July 5, 1884, appropriated $200,000 for this service, and provided that post-office inspectors should be allowed $4 per day in lieu of the charges then permitted for personal expenses. In 1886 there were 75 inspectors, and the appropriation was $200,000. The act of June 30, 1890, making appropriations for the year 1891 provided $250,000 for the inspection service, and in the same year the office of the Fourth Assistant Postmaster General was created and the inspection service was placed under his jurisdiction. Prior to that time it had been under the direct jurisdiction of the Postmaster General.

The act approved March 1, 1899, making appropriations for the fiscal year ended June 30, 1900, provided $450,000 for this service. During the year 1900 post-office inspectors were detailed for special duty in Cuba, Porto Rico, and Hawaii. By order of the Postmaster General, dated January 16, 1905, the inspection service was again transferred to his office. In the reorganization of the department December 1, 1905, the division superintendents, the rural agents, and the clerks at division headquarters were transferred from the Fourth Assistant to the Postmaster General, Division Post Office Inspectors, thus placing under one division the two great traveling forces of the department.

The force increased from time to time until 1912, when there were 355 inspectors, and in that year the number was increased to 390.

The work assigned to the inspection force has grown heavier and has increased in its scope from year to year, and in 1913 the Postmaster General and chief inspector called especial attention to the extra duties on account of domestic parcel post and that of establishing registers of eligibles for certain fourth-class postmasterships.

The act approved March 9, 1914, making appropriations for 1915, classified the inspectors as follows:

Inspectors in charge, 15 at	$3,000
Inspectors:	
Thirty at	2,400
Twenty at	2,250
Thirty at	2,100
Twenty at	2,000
Thirty at	1,900
Ninety at	1,800
Sixty at	1,700
Sixty at	1,600
Sixty-five at	1,500

This same act provided for the payment of salary for one year to inspectors injured while on duty, and 50 per cent of their salary for the second year, also to pay the sum of $2,000 to the legal representative of any inspector killed while on duty or shall die within one year as a result of an injury while on duty. There are now 51 inspectors in charge and 520 inspectors. The volume of work assigned to these inspectors has increased enormously, and even in greater proportion than the increase in the business of the Postal Service, which has also been great and rapid. Their work has also greatly expanded in its scope and importance. Their function is very important to a successful and economical operation of the Postal Service.

Under the provisions of the present bill—H. R. 9035—post-office inspectors are divided into six grades: Grade 1, $2,800; grade 2, $3,000; grade 3, $3,200; grade 4, $3,500; grade 5, $3,800; grade 6, $4,000; 15 inspectors in charge of divisions at $4,500. Provision is made for not to exceed 35 per cent of the inspection force to be promoted to grade 6 for specially meritorious service.

RAILWAY MAIL SERVICE

The transportation of mail by railroads and the development and growth of the Railway Mail Service is one of the most interesting chapters in the history of the Postal Service of the United States.

Mail was first transported by railroad in 1834; in 1838 Congress declared all railroads to be post roads. At that time the railroads as a mail transportation facility merely superseded the stage coach where the lines were parallel or where more expeditious delivery at practically the same cost could be secured. The mail was carried in bulk, the same as it was carried by mail riders or stage coach, without treatment or handling whatever en route.

In 1862 Postmaster General Blair ordered the establishment of "railway post-office service" on the Hannibal & St. Joseph Railroad from Quincy, Ill., to St. Joseph, Mo., and appointed a clerk whose duty it was to accompany the mails. The first official railway post office was put in operation between Chicago, Ill., and Clinton, Iowa, on August 28, 1864. In justification of this "extravagant" expenditure of public funds, the Third Assistant Postmaster General, under date of April 6, 1865, said:

As our postal system has its foundation in public convenience and necessity, I take it as a wise and safe rule of action on the part of the Post Office Department to adopt and put in operation every facility the expenditure of which will form no just ground for complaint on the part of the public when taken in connection with its advantages and convenience.

Congress was impressed with the importance of safe and expeditious transportation and handling of the mails, and provided a lump-sum appropriation out of which the compensation to the railroads and salaries of employees were paid. From that period down to the present date practically all of the domestic mails have been transported by railroad, and until 1872 the supervisory officials and clerks of the Railway Mail Service were paid according to the nature and character of their assignments. By this time the personnel had reached such proportions that the need of determining the status of the employees on some definite basis was felt by Congress, and for the first time railway postal clerks were graded into a limited number of classes which, under regulations of the department, determined their assignments; but they were not definitely classified until 1912. In the appropriation act for the fiscal year ended June 30, 1913, approved August 24, 1912, Congress readjusted salaries in the Railway Mail Service, effective October 1, 1912, and put the employees into grades instead of classes, and classified railroad lines, terminals, and transfer offices, fixing the salaries accordingly.

The Postmaster General, in his report to Congress for the fiscal year ended June 30, 1912, stated that 11,500 clerks had been promoted and that the reclassification and adjustment of salaries provided for in that year had been a "boon to the service, and offered an incentive for increased effort and greater efficiency."

From that period, with the exception of the provision made by Congress for bonuses and extra compensation from year to year during the period of the war in Europe and until the passage of the reclassification act of June 5, 1920, the compensation of employees of the Railway Mail Service remained the same.

The following table shows the number of regular railway postal clerks and laborers in each grade, the salary for each grade, and the average salary before and after the taking effect of the act of June 5, 1920, on July 1, 1920:

Statement showing the number of regular railway postal clerks, including laborers, in each grade, the salary of each grade, and the average salary on June 30 and July 1, 1920

Grades	Annual salary by grades, June 30, 1920	Number by grades on rolls June 30, 1920	Grades	Annual salary by grades, July 1, 1920	Number by grades on rolls July 1, 1920
CLERKS			CLERKS		
Grade 10	$2,125.00	2,038	Assistant chief clerks	$2,500.00	170
Grade 9	2,025.00	398	Grade 6	2,300.00	3,780
Grade 8	1,925.00	6,537	Grade 5	2,150.00	7,257
Grade 7	1,825.00	783	Grade 4	2,000.00	2,942
Grade 6	1,725.00	1,948	Grade 3	1,850.00	1,752
Grade 5	1,650.00	2,654	Grade 2	1,700.00	1,436
Grade 4	1,550.00	282	Grade 1	1,600.00	702
Grade 3	1,450.00	41	LABORERS		
Grade 2	1,400.00	1,965	Grade 2	1,450.00	62
Grade 1	1,300.00	1,393	Grade 1	1,350.00	119
LABORERS			Average salary	2,067.05	
Grade 1	1,235.00	181			
Average salary	1,768.38				

The present bill provides increases in the compensation of these employees over present salaries of approximately $300 per annum, and it is well deserved.

A recent survey by the United States Civil Service Commission of the employment situation in the Railway Mail Service developed the following information:

In 1918 and 1919 the number of applicants for railway postal clerk examinations was comparatively small. Only about 3,000 persons were examined during these years. In 1923, 23,500 were examined. Of this number only 12,000 passed the examination and 1,000 were appointed. There is a peculiar attraction or fascination about employment in this service, but in dealing with the question consideration must be given to the hazardous nature of the work and the physical as well as the mental requirements.

Of the 20,000 Railway Mail Service employees, one out of every seven is either killed or injured every year. The danger of disease, particularly in the great terminals, from the handling of mail bags and contact in small and congested areas is not to be minimized. But, on the other hand, only recently the examinations for railway postal clerks has been changed very materially, with a view to improving its selective value. Only the highest type of man, mentally and physically perfect, will be able to qualify.

Upon the successful operation of the Railway Mail Service depends the movement of the mails and the prosperity of the people. The rewards for such service should be commensurate with the requirements and the hazards.

The committee feels that the provisions of the present bill covering this branch of the service are just and equitable.

VILLAGE DELIVERY SERVICE

This service was first authorized under the provisions of a joint resolution of Congress, approved October 1, 1890, authorizing the Postmaster General "to test at small towns and villages the practicability and expenses of extending the free-delivery system to offices of the third and fourth class, and other offices not now embraced within the free delivery."

The experiment was to be made upon the petition of the patrons in the discretion of the Postmaster General. The sum of $10,000 was made available from current appropriations to be "applied to the payment of carriers for one or two hours per day as may be necessary for the convenience of the public and advantage of the Postal Service, said pay to be fixed by the Postmaster General at rates per hour not exceeding the present maximum rates for pay of city carriers."

This experiment was carried on from year to year until 1896, and on June 30 of that year was discontinued because Congress failed to renew the appropriation.

In the Sixty-second Congress I introduced a bill (H. R. 26550) "to establish a permanent system of town and village mail delivery," which was incorporated in the act making appropriations for the service of the Post Office Department for the fiscal year 1913, approved August 24, 1912. The bill carried an appropriation of $100,000 "for the establishment of experimental mail delivery in towns and villages having post offices of the second and third classes not now by law entitled to free-delivery service, under such rules and regulations as the Postmaster General might prescribe." In his report for that fiscal year, the Postmaster

General stated that service had been established at 101 second and third class offices in 40 States with 126 carriers at an average compensation of $625. The service has been continued and extended from year to year with increased appropriations. The basic compensation of the carriers has been $600 per annum, subject to the discretion of the Postmaster General as the needs of the service might require. Under the act of June 5, 1920, reclassifying postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, their salary has been fixed under such rules and regulations as the Postmaster General may prescribe, from $1,000 to $1,200 per annum. Under this provision they have entered the service at $1,000 and have been promoted successively $100 per year to the maximum pay of $1,200. The exact compensation paid to village delivery carriers as adjusted from time to time, is set out in the following table:

	Basic salary (1918)	War bonus act, Aug. 2, 1918 (1919)	H. J. Res. 151, Nov. 8, 1919 (1920)	Act of June 5, 1920 (commission's report) (1921)
First year	$600.00	$720.00	$864.00	$1,000.00 to $1,200.00
Second year	690.00	828.00	993.60	
Third year	780.00	936.00	1,123.20	

The growth of the service is shown in the following extract from the report of the Postmaster General for the fiscal year ended June 30, 1923:

Village delivery service is now in operation in 786 villages, and 1,142 carriers are employed. This service is gradually being established upon application in those towns and villages where the requirements of the department have been found to have been complied with. The law does not prescribe the conditions under which village delivery service shall be established and operated. The department requires that the receipts of the post office where such service is established shall be $5,000, the population in the territory served 1,500, and that there shall be a substantial compliance with the requisites for city delivery in the matter of civic improvements, such as street lights, street signs, continuous sidewalks, and crosswalks, and that the places of business and dwellings shall be numbered and the latter provided with slots in the doors or receptacles of some kind for the delivery of mail. The city delivery and village delivery service are the same; the distinction relates to the size of the town and the volume of the postal business.

Supplementing the above report of the Postmaster General, on January 18, 1924, the Postmaster General submitted the following:

Offices in operation:	
January 1, 1923	776
January 1, 1924	790
Carriers employed:	
January 1, 1923	1,146
January 1, 1924	1,169

In the act making appropriations for the service of the Post Office Department for the fiscal year 1922 the village delivery service was transferred from the Fourth Assistant Postmaster General to the office of the First Assistant Postmaster General, and the appropriation therefor, $1,500,000. Since that time the appropriation has not been increased. At the end of the fiscal year 1922 the unexpended balance in this appropriation was $235,600.73. At the end of the fiscal year 1923 the unexpended balance was $177,087.42. The annual fixed charge against the village delivery service is $1,338,300, leaving $116,700 for vacation, holiday, and other charges, and extension of the service. Promotions authorized by law increase the salary expenditures each year, as indicated by the above figures.

Under the provisions of the pending bill (H. R. 9035) the salaries are fixed at $1,200, $1,300, and $1,400.

RURAL DELIVERY SERVICE—ITS ORIGIN AND GROWTH

The first step in the establishment of the Rural Delivery Service was an item of $10,000 to be expended under the direction of the Postmaster General for "experimental free delivery in rural communities other than towns and villages." This appropriation was made available July 1, 1893.

In his report to Congress in November of that year the Postmaster General stated that the department had declined to expend the funds for the reason that the appropriation was insufficient for thorough and reliable tests, and that to inaugurate a system of rural free delivery would require an appropriation of at least $20,000,000. And the following year the department took the position that a small appropriation would result only in a waste of money. Upon this, Congress increased the amount to $20,000 in 1895, but the department was unable to devise a plan for a satisfactory test with so small an allowance. The Rural Free Delivery Service, from which the present system has developed, was begun on October 1, 1896, under a direct appropriation for experimental rural delivery. During that year 83 rural routes were in operation in 29 different States. The salaries paid were as low as $150 per annum, but the extension of the service was vigorously resisted on the ground that the ultimate cost would be prohibitive. The Postmaster General at that time viewed the whole plan as impractical, and the First Assistant Postmaster General voiced his opposition in the following language:

Rural free delivery may be useful after awhile in more densely populated States, but even then the benefits derived under more favorable conditions would not be proportionate to the immense amount of money required to maintain the service.

Notwithstanding the opposition, Congress continued and increased the appropriations from year to year; and in 1898 the Postmaster General, in commenting on the result of the experiment, said:

It would be difficult to point out any like expenditure of public money which has been more generously appreciated by the people or which has conferred greater benefits in proportion to the amount expended.

The First Assistant Postmaster General refered to the service as follows:

The general results obtained have been so satisfactory as to suggest the feasibility of making rural delivery a permanent feature of postal administration in the United States, not immediately or in all districts at once, but in some gradual and graduated form, the character of which might be regulated by the tenor of the reports herewith presented as to the experimental service.

The interesting development and growth of this service to the people in the rural communities is best shown by the following table:

Statement showing the growth of the rural delivery service, by years, since its inception, and the expenditure involved

Fiscal years	Routes	Increase in routes	Appropriation	Expenditure	Increase in expenditure
1897	82		$40,000	$14,849	
1898	153	71	50,250	50,241	$35,401
1899	412	259	150,432	150,012	99,771
1900	1,259	847	450,000	420,433	270,421
1901	3,761	2,502	1,750,796	1,750,321	1,329,888
1902	8,298	4,537	4,089,075	4,089,041	2,338,720
1903	15,119	6,821	8,580,364	8,051,590	3,962,558
1904	24,566	9,447	12,926,905	12,645,275	4,593,676
1905	32,110	7,544	21,116,600	20,864,885	8,219,610
1906	35,766	3,656	25,928,300	25,011,625	4,146,740
1907	37,728	1,962	28,240,000	26,661,555	1,649,930
1908	39,277	1,549	34,900,000	34,371,939	7,710,384
1909	40,628	1,351	35,673,000	35,661,694	1,289,095
1910	41,079	451	37,260,000	36,914,709	1,253,735
1911	41,656	577	38,860,000	37,125,630	210,861
1912	42,199	543	42,790,000	41,859,422	4,733,792
1913	42,805	606	47,000,000	45,642,810	3,783,388
1914	43,652	847	47,500,000	47,380,959	1,738,149
1915	43,866	214	53,000,000	52,565,811	5,184,852
1916	42,927	939	55,000,000	51,952,326	613,485
1917	43,464	537	55,000,000	52,423,090	470,764
1918	43,453	11	58,000,000	52,552,998	129,908
1919	43,210	243	65,800,000	65,020,836	12,467,840
1920	43,445	235	68,800,000	75,795,110	10,774,274
1921	43,752	307	78,000,000	81,315,961	5,520,851
1922	44,186	434	86,800,000	82,722,469	1,406,508
1923	44,439	253	86,900,000	84,022,047	1,299,578

Number of counties in the United States	3,066
Number of counties having rural free delivery service	2,730

During the last fiscal year 304 new rural routes were established, providing more convenient mail facilities to approximately 36,938 families; in addition, 2,595 rural routes in operation were extended, thus providing more convenient mail service to another 40,357 families. Furthermore, by increasing the frequency of service from triweekly to daily, except Sunday, on 111 routes, additional service was provided to approximately 15,330 families.

There are now in operation 44,439 rural routes supplying approximately 6,488,004 families, or 29,845,232 individuals. The appropriation for the year for this service was $86,900,000. The 44,439 routes in operation at the close of the year have a combined length of 1,190,534 miles and were served by 44,312 carriers, who traveled 1,173,473 miles each day, or 300,256,364 miles during the year.

The compensation of the carriers is based upon the length of the route served. A standard route is 24 miles in length,

upon which the compensation of the carrier is $1,800. This compensation was fixed by the act of June 5, 1920. In the meantime, the advance in the cost of living, and particularly the increase in the cost of equipment and maintenance, has overtaken the carriers on every hand, so that a considerable part of their compensation must be deducted. Recognizing this situation, the committee has incorporated in the pending bill a provision granting an equipment allowance of 4 cents per day per mile scheduled. On a standard route of 24 miles this amounts to $293.76 per annum.

THIRD AND FOURTH CLASS POSTMASTERS

Under the provisions of this bill the salaries of third-class offices will range from $1,100 to $2,300 instead of from $1,000 to $2,200, thus providing an increase of $100 for each postmaster of the third class. Provision is also inserted in the bill increasing the clerk-hire allowance at third-class post offices. The existing law fixes a scale of maximum amounts which may be allowed for clerk hire at these offices. In accordance with a recommendation by the Postmaster General, the present bill fixes an amount to be allowed for clerk hire, but provides for adjusting the allowance to the varied needs of the service by giving the department discretion to modify the allowance 10 per cent over or under the amount fixed.

The provision in the bill for fourth-class offices increases the compensation of postmasters of this class approximately 10 per cent, which is granted in lieu of their request for allowances for rent, light, and fuel. The existing law with regard to compensation of fourth-class postmasters and the provision carried in this bill for their compensation are as follows:

	Cancellations	
	Present law	Committee bill
Fourth class	First $75, 145 per cent	First $75, 160 per cent.
Do	Next $100, 70 per cent	Next $100, 85 per cent.
Do	Balance, 60 per cent	Balance, 75 per cent.

NOT A PARTISAN MATTER

The payment of a proper wage is not a party question. It is rather a matter of fair dealing between men. Nevertheless, as an adherent of the Republican Party, I may be permitted to quote with satisfaction the party declaration of four years ago that "we commend the Republican Congress for the enactment of legislation increasing the pay of postal employees." The increase now proposed is even more justifiable than was the slight increase of four years ago and would undoubtedly carry with it, if enacted into law, party as well as individual commendation.

EXTENSION OF REMARKS

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a resolution passed by Cissel Saxon Post, No. 41, American Legion, Department of Maryland, in favor of the extension of Fourteenth Street through the Walter Reed Hospital.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. CRAMTON. Reserving the right to object, a similar request was refused the other day. Has this any reference to the soldiers' bonus?

Mr. LINTHICUM. No.

Mr. BEGG. I object.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Indian legislation.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD on Indian legislation. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested.

S. 2793. An act for the relief of estate of Anne C. Shymer; and

S. 3269. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910.

SENATE BILLS REFERRED

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2793. An act for the relief of estate of Anne C. Shymer; to the Committee on Claims.

mittee on Claims.

S. 3269. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; to the Committee on the District of Columbia.

ARMY APPROPRIATION BILL

Mr. ANTHONY, from the Committee on Appropriations, presented a conference report on the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, for printing under the rule.

Mr. JOHNSON of Kentucky reserved all points of order.

CONTESTED-ELECTION CASE—ANSORGE *v.* WELLER

Mr. COLE of Ohio. Mr. Speaker, I call up the report of the Committee on Elections No. 1, in the contested-election case of Ansorge *v.* Weller.

The SPEAKER. The gentleman from Ohio calls up the contested election case of Ansorge *v.* Weller and the Clerk will report the resolution.

The Clerk read as follows:

House Resolution 328

Resolved, That Martin C. Ansorge was not elected a Representative from the twenty-first congressional district of the State of New York and is not entitled to a seat herein.

Resolved, That Royal H. Wheeler was duly elected a Representative from the twenty-first congressional district of the State of New York and is entitled to a seat herein.

The resolution was agreed to.

GRANT OF LAND TO SHREVEPORT, LA.

Mr. SANDLIN. Mr. Speaker, I call up the bill H. R. 5573, an act granting certain public lands to the city of Shreveport, La., for reservoir purposes, and ask unanimous consent that the House agree to the Senate amendments.

The Senate amendments were read.

The Senate amendments were agreed to.

MAIL-MESSENGER SERVICE

Mr. SPROUL of Illinois. Mr. Speaker, I call up from the Speaker's table the bill H. R. 6482, an act authorizing the Postmaster General to contract for mail-messenger service, and ask that the House agree to the Senate amendments.

The Senate amendments were read.

The Senate amendments were agreed to.

TEACHERS' SALARY BILL

Mr. ZIHLMAN. Mr. Speaker, I call up from the Speaker's table the bill (H. R. 6721), to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, as amended, and for other purposes, and ask that the House agree to the Senate amendments.

Mr. BLANTON. Is this the teachers' salary bill?

Mr. ZIHLMAN. Yes.

Mr. BLANTON. Mr. Speaker, I have a point of order that I desire to make.

The SPEAKER. The gentleman will make it after the amendments have been reported.

Mr. BLANTON. My point of order properly comes at this juncture and is that this bill should be considered in the Committee of the Whole House on the state of the Union, as these amendments affect the Treasury of the United States. It is an increase of salaries and an increase of appropriations that will come out of the Treasury of the United States.

The SPEAKER. Is that all that is done—increasing the salaries already provided for?

Mr. BLANTON. It requires additional revenue to be taken out of the Treasury to pay larger amounts than were authorized by the House bill.

The SPEAKER. By increasing the salaries?

Mr. BLANTON. Partly, yes; and partly other expenses.

The SPEAKER. In what other ways?

Mr. BLANTON. Other school expenses embraced in the Senate amendments.

Mr. ZIHLMAN. Mr. Speaker, I call the attention of the Chair to the fact that during the next fiscal year there is no increase in salaries, except an increase of $500 to the superintendent of schools, and there are no other expenses added in the bill.

The SPEAKER. The Chair overrules the point of order.

Mr. BLANTON. But I would like to call the specific attention of the Chair to it.

The SPEAKER. The gentleman should do that.

Mr. BLANTON. The House bill granted a salary of $7,500 to the superintendent as a fixed salary. This bill gives him $8,000 for the first year, and then——

The SPEAKER. That is not subject to a point of order.

Mr. BLANTON. And a thousand dollars a year extra for two years, which makes it a $10,000 salary.

The SPEAKER. That is not subject to the point of order.

Mr. BLANTON. But it requires consideration in the Committee of the Whole, does it not?

The SPEAKER. Not according to the precedents. The Chair overrules the point of order. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. BLANTON. Mr. Speaker, I desire to get time on the first amendment from the gentleman in charge of the bill.

The SPEAKER. The Chair recognizes the gentleman from Maryland, Mr. ZIHLMAN.

Mr. ZIHLMAN. How much time does the gentleman want?

Mr. BLANTON. Ten minutes.

Mr. ZIHLMAN. Mr. Speaker, I yield the gentleman 10 minutes.

Mr. BLANTON. Mr. Speaker and gentlemen of the House, by an overwhelming vote this House refused to grant the superintendent of schools a salary higher than $7,500 a year. That is as much as you receive; that is as much as United States Senators receive. It is more than the governors in 26 States receive; but this amendment that comes back from the Senate allows the superintendent $8,000 a year for this year and two years from now $10,000, and $10,000 a year thereafter. I do not know whether you want to vote for that or not. You refused to do it when the bill was before the House. We had a good attendance here that day. There was a better attendance that day than there had been for a similar bill here for some time. That matter was discussed in full. The Members understood what the proposition was, and they then turned it down, and they stood for allowing a salary of only $7,500.

I hope you gentlemen will vote this motion down. This motion is to concur in this amendment. I am going to offer an amendment to insist upon disagreement to this amendment, and let the matter go to conference. This bill ought to go to conference, and that matter ought to be thrashed out. Do you gentlemen realize that almost every bill that we have had here during this session has increased salaries? You have added expenses to this Government on almost every bill that has been considered during the Sixty-eighth Congress. I remind you gentleman of that petition that our friend from Pennsylvania [Mr. DARROW] a member of the Republican steering committee, put into the RECORD, from some 350,000 dirt farmers of the United States, demanding that we not increase any more salaries, demanding that we not increase expenses of this Government, demanding economy and the stoppage of waste.

Mr. BEGG. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. In just a moment. What are you going to do about this situation? Are you going to back up the position of the House, or are you going to let this $10,000 amendment go through? Mr. Speaker, I offer a substitute motion.

Mr. SANDERS of Indiana. Mr. Speaker, I submit that the gentleman was not recognized for the purpose of offering an amendment.

The SPEAKER. The gentleman was not recognized for that purpose, unless the gentleman from Maryland yielded for that purpose.

Mr. BLANTON. I am glad that we have found out where we stand in a parliamentary way, for since the amendment can not be offered, we should vote down this motion. If you want to give this $10,000 a year to this superintendent, of course you will vote for this motion, but if you do not want to do it, if you want to stand by the position which this House took on this matter, when it voted a salary of $7,500, you will vote down this motion, and then this bill will go to conference, and the question can then be determined properly in conference. I hope that you Members will vote down the motion. That is the only way to stop this $10,000.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. JOHNSON of Washington. How does this salary of $10,000 compare with the salaries in other cities of about the size of Washington—Seattle, Portland, San Francisco, Baltimore?

Mr. BLANTON. I just state this, that $10,000 is $2,500 more than the distinguished author of the recent immigration bill receives. It is $2,500 more than any Senator receives. And the $7,500 we have already allowed is more than 27 governors of States receive, and that ought to be a sufficient answer to the question.

Mr. JOHNSON of Washington. Those people seek office by election and for the honor, and now we are selecting a superintendent of schools.

Mr. BLANTON. Oh, yes; but the people at home pass upon the salaries paid to their governors.

Mr. JOHNSON of Washington. Washington should rank with other cities.

Mr. BLANTON. This gentleman's salary right now, so far as the basic law is concerned, is only $5,000 a year. You have already given him an increase of $2,500 in this bill by allowing him $7,500. His basic salary is only $5,000 now. We have been giving him an extra thousand dollars a year without any authority of law, and you are already allowing him $2,500 increase when you grant him $7,500. That is enough, but this Senate amendment will give him $10,000, and I hope you will vote down this amendment.

Mr. ZIHLMAN. Mr. Speaker, this bill carries increased expenditures among the school-teachers of the District of more than $400,000. In those increases the gentleman from Texas concurs. The bill, as it comes from the Senate, carries an increase of $500 over the House bill. I move the previous question on the motion.

The previous question was ordered.

Mr. BLANTON. Mr. Speaker, I ask for a vote on the first amendment.

The SPEAKER. The question is on agreeing to the first amendment.

The question was taken; and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 106, noes 32.

Mr. BLANTON. Mr. Speaker, I object to the vote because there is no quorum present, and make that point of order.

The SPEAKER. The gentleman from Texas makes the point of order there is no quorum present. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 205, nays 149, answered "present" 2, not voting 77, as follows:

YEAS—205

Ackerman	Favrot	Lazaro	Robsion, Ky.
Aldrich	Fenn	Leatherwood	Rogers, Mass.
Andrew	Fish	Leavitt	Sanders, Ind.
Anthony	Fisher	Lindsay	Schafer
Aswell	Fitzgerald	Linthicum	Schall
Bacharach	Fleetwood	Longworth	Schneider
Bacon	Foster	Luce	Scott
Barbour	Frear	Lyon	Seger
Beedy	Fredericks	McLaughlin, Mich.	Sinnott
Beers	Free	McLaughlin, Nebr.	Sites
Begg	Freeman	McLeod	Smith
Berger	Frothingham	McNulty	Smithwick
Bixler	Fuller	McSweeney	Snell
Black, N. Y.	Funk	MacGregor	Snyder
Bloom	Gallivan	MacLafferty	Speaks
Boylan	Gasque	Magee, Pa.	Spearing
Browne, N. J.	Geran	Manlove	Sproul, Ill.
Browne, Wis.	Gibson	Mapes	Sproul, Kans.
Buckley	Gifford	Martin	Stephens
Bulwinkle	Glatfelter	Mead	Strong, Pa.
Burdick	Graham, Pa.	Merritt	Swing
Burton	Green, Iowa	Michener	Swoope
Cable	Greene, Mass.	Miller, Ill.	Tague
Campbell	Hadley	Miller, Wash.	Thatcher
Celler	Hammer	Minahan	Thompson
Chindblom	Haugen	Moore, Ohio	Tilson
Clague	Hawes	Moore, Va.	Timberlake
Clancy	Hawley	Moores, Ind.	Tincher
Cleary	Hayden	Morgan	Tinkham
Cole, Iowa	Hersey	Murphy	Treadway
Cole, Ohio	Hickey	Nelson, Me.	Tydings
Colton	Holaday	Newton, Mo.	Underwood
Connery	Hull, Iowa	Nolan	Upshaw
Connolly, Pa.	Hull, Morton D.	O'Connell, N. Y.	Valle
Cooper, Ohio	Hull, William E.	O'Connor, N. Y.	Vestal
Cooper, Wis.	Humphreys	Oliver, N. Y.	Wainwright
Corning	Jacobstein	Paige	Watkins
Cramton	James	Parker	Watres
Croll	Johnson, S. Dak.	Perkins	Watson
Crosser	Johnson, Wash.	Perlman	Weller
Crowther	Jost	Phillips	Welsh
Cullen	Kearns	Prall	Williams, Ill.
Cummings	Keller	Purnell	Wilson, La.
Dallinger	Kendall	Quayle	Winter
Darrow	Kent	Raker	Woodruff
Dickinson, Iowa	Ketcham	Ramsey	Wurzbach
Dickstein	Kiess	Rathbone	Wyant
Dowell	Knutson	Reece	Yates
Dyer	Kurtz	Reed, N. Y.	Zihlman
Elliott	Kvale	Reid, Ill.	
Fairfield	LaGuardia	Richards	
Faust	Lampert	Roach	

NAYS—149

Abernethy	Fulbright	McFadden	Sears, Nebr.
Allen	Fulmer	McKenzie	Shallenberger
Aligood	Gardner, Ind.	McReynolds	Sherwood
Almon	Garner, Tex.	Madden	Simmons
Arnold	Garrett, Tenn.	Magee, N. Y.	Steagall
Ayres	Gilbert	Major, Ill.	Stedman
Bankhead	Goldsborough	Major, Mo.	Stengle
Beck	Greenwood	Mansfield	Stevenson
Bell	Griest	Milligan	Strong, Kans.
Black, Tex.	Hardy	Moore, Ga.	Sumners, Tex.
Bland	Harrison	Morehead	Swank
Blanton	Hastings	Morris	Sweet
Box	Hill, Ala.	Morrow	Taber
Boyce	Hill, Wash.	O'Connor, La.	Taylor, Tenn.
Briggs	Hoch	O'Sullivan	Taylor, W. Va.
Browning	Hooker	Oldfield	Thomas, Ky.
Buchanan	Howard, Nebr.	Oliver, Ala.	Thomas, Okla.
Busby	Huddleston	Parks, Ark.	Tillman
Butler	Hudspeth	Pevney	Tucker
Byrns, Tenn.	Jeffers	Peery	Vinson, Ga.
Cannon	Johnson, Ky.	Porter	Vinson, Ky.
Carter	Johnson, Tex.	Quin	Voigt
Christopherson	Johnson, W. Va.	Ragon	Ward, N. C.
Collier	Jones	Rainey	Wason
Connally, Tex.	Kerr	Ramseyer	Weaver
Cook	Kincheloe	Rankin	Wefald
Crisp	King	Rayburn	White, Kans.
Davis, Minn.	Kopp	Reed, Ark.	Williams, Mich.
Davis, Tenn.	Lanham	Robinson, Iowa	Williams, Tex.
Deal	Lankford	Romjue	Williamson
Denison	Larsen, Ga.	Rouse	Wilson, Ind.
Dickinson, Mo.	Lea, Calif.	Rubey	Wingo
Dominick	Lee, Ga.	Sabath	Wolff
Doughton	Lowrey	Salmon	Woodrum
Driver	Lozier	Sanders, N. Y.	Wright
Evans, Iowa	Lyon	Sanders, Tex.	
Evans, Mont.	McClintic	Sandlin	
French	McDuffie	Sears, Fla.	

ANSWERED "PRESENT"—2

McKeown Young

NOT VOTING—77

Anderson	Drane	Lilly	Rosenbloom
Barkley	Drewry	Little	Shreve
Boies	Eagan	Logan	Sinclair
Bowling	Edmonds	McSwain	Stalker
Brand, Ga.	Fairchild	Michaelson	Sullivan
Brand, Ohio	Garber	Mills	Summers, Wash.
Britten	Garrett, Tex.	Montague	Taylor, Colo.
Brumm	Graham, Ill.	Mooney	Temple
Burtness	Griffin	Moore, Ill.	Underhill
Byrnes, S. C.	Hill, Md.	Morin	Vare
Canfield	Howard, Okla.	Mudd	Vincent, Mich.
Carew	Hudson	Nelson, Wis.	Ward, N. Y.
Casey	Hull, Tenn.	Newton, Minn.	Wertz
Clark, Fla.	Kahn	O'Brien	White, Me.
Clarke, N. Y.	Kelly	O'Connell, R. I.	Wilson, Miss.
Collins	Kindred	Park, Ga.	Winslow
Curry	Kunz	Patterson	Wood
Davey	Langley	Pou	
Dempsey	Larson, Minn.	Reed, W. Va.	
Doyle	Lehlbach	Rogers, N. H.	

So the Senate amendment was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Carew (for) with Mr. Brand of Georgia (against).

General pairs:

Mr. Kahn with Mr. Clark of Florida.
Mr. Patterson with Mr. Drane.
Mr. Graham of Illinois with Mr. Garrett of Texas.
Mr. Brumm with Mr. Taylor of Colorado.
Mr. Shreve with Mr. Barkley.
Mr. Boies with Mr. O'Connell of Rhode Island.
Mr. Hill of Maryland with Mr. Kindred.
Mr. Michaelson with Mr. Montague.
Mr. Winslow with Mr. Logan.
Mr. Vare with Mr. Howard of Oklahoma.
Mr. Wood with Mr. Rogers of New Hampshire.
Mr. Morin with Mr. Bowling.
Mr. Lehlbach with Mr. Park of Georgia.
Mr. Mills with Mr. Byrnes of South Carolina.
Mr. White of Maine with Mr. Doyle.
Mr. Underhill with Mr. Pou.
Mr. Stalker with Mr. Sullivan.
Mr. Clarke of New York with Mr. Canfield.
Mr. Brand of Ohio with Mr. Wilson of Mississippi.
Mr. Sinclair with Mr. Casey.
Mr. Ward of New York with Mr. Davey.
Mr. Edmonds with Mr. Kunz.
Mr. Hudson with Mr. Collins.
Mr. Little with Mr. Drewry.
Mr. Mudd with Mr. Eagan.
Mr. Fairchild with Mr. Hull of Tennessee.
Mr. Curry with Mr. Lilly.
Mr. Summers of Washington with Mr. Griffin.
Mr. Newton of Minnesota with Mr. McSwain.
Mr. Moore of Illinois with Mr. O'Brien.
Mr. Britten with Mr. Mooney.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

The Clerk will report the second Senate amendment.

The second Senate amendment was read.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The third Senate amendment was read.

The question was taken, and the amendment was agreed to.

SUNDRY MATTERS AFFECTING THE MILITARY ESTABLISHMENT

Mr. McKENZIE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8886, and to consider two slight Senate amendments to the bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table and consider Senate amendments to the bill, the title of which the Clerk will report.

The Clerk read as follows:

An act (H. R. 8886) providing for sundry matters affecting the Military Establishment.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Senate amendments were read.

Mr. McKENZIE. Mr. Speaker, I move to concur in the Senate amendments.

The question was taken, and the motion was agreed to.

AUTHORIZING THE SALE OF REAL PROPERTY NO LONGER REQUIRED FOR MILITARY PURPOSES

Mr. McKENZIE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9124, and to consider Senate amendments to that bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill H. R. 9124, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 9124) authorizing the sale of real property no longer required for military purposes.

The SPEAKER. Is there objection?

Mr. GARNER of Texas. Mr. Speaker, I take it the gentleman has consulted the minority conferee as to his action in this particular?

Mr. McKENZIE. There are no conferees appointed, I am simply moving that we concur in the Senate amendments.

Mr. GARNER of Texas. I think the gentleman ought to state that he has either consulted the minority leader on the committee having this bill in charge and he agrees with his request, or he ought to consult with the floor minority leader, one of the two.

Mr. McKENZIE. If the gentleman will permit, I will say that I perhaps inadvertently overlooked speaking to the minority leader about this matter, but I did take it up with the members of the Committee on Military Affairs representing the minority.

Mr. GARNER of Texas. That is sufficient. I just wanted it understood.

Mr. McKENZIE. And there was no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Senate amendments were read.

Mr. McKENZIE. I move to concur in the Senate amendments.

Mr. CHINDBLOM. Mr. Speaker, may I ask the gentleman from Illinois are these properties which have been donated to the Government for military purposes which are no longer needed for such purposes?

Mr. McKENZIE. These properties, I will say to the gentleman, have neither been donated nor are we trying to donate them back. We are simply providing for the sale of these under the law.

Mr. CHINDBLOM. I wanted to know how the Government acquired this property.

Mr. McKENZIE. By purchase.

The question was taken, and the amendments were agreed to.

AMENDING COMPENSATION ACT

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I desire to take from the Speaker's table the bill H. R. 7041, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill H. R. 7041, to disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill by title.

The Clerk read as follows:

An act (H. R. 7041) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the following conferees.

The Clerk read as follows:

Mr. GRAHAM of Pennsylvania, Mr. DYER, and Mr. SUMNERS of Texas.

EXPENSES IN CONNECTION WITH EXERCISES IN MEMORY OF WARREN G. HARDING

Mr. MACGREGOR. Mr. Speaker, I call up a privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York calls up a privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read as follows:

House Resolution 263

Resolved, That the Clerk of the House is hereby authorized to pay out of the contingent fund of the House an amount not exceeding $1,000 for expenses incurred in connection with the exercises held in the House of Representatives February 27, 1924, in memory of Warren G. Harding, late President of the United States, upon vouchers approved by the Committee on Accounts.

With the following committee amendment:

Page 1, line 3, strike out the words "an amount not exceeding $1,000 for" and insert the word "the."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

PAGE, HOUSE PRESS GALLERY

Mr. MACGREGOR. Mr. Speaker, I call up another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York calls up another privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read as follows:

House Resolution 326

Resolved, That the Doorkeeper of the House of Representatives be, and he is hereby, authorized to detail a page to the House press gallery at a salary of $100 per month until otherwise provided by law.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question.

Mr. MACGREGOR. Certainly.

Mr. BLANTON. This House is fixing to adjourn June 7. What is the use of assigning this $100 page to the House press gallery for the next few months during the period of the adjournment? Why do we not wait until we return?

Mr. MACGREGOR. The head of the press gallery committee has stated that this page is necessary for the proper conduct of the press gallery during the recess or adjournment. They need a page there, and they keep him busy all summer.

Mr. BLANTON. Doing what?

Mr. MACGREGOR. They are here doing work during the summer months.

Mr. BLANTON. But Congress is not to be in session then?

Mr. MACGREGOR. The gentleman no doubt desires to have the press work all the time; they are doing it, and this page is necessary in the press gallery.

Mr. BLANTON. I am over here frequently during adjournment, and there are then mighty few people around the Capitol at work. What is the use of having a page on the pay roll during the entire vacation at $100 per month? I do not think it is necessary. It is a small matter, but if the House is going to establish a record of that kind and have a lot of unnecessary new employees on the pay roll all during the vacation, what is the use of trying to effect economy?

Mr. LONGWORTH. Will the gentleman from New York yield?

Mr. MACGREGOR. Certainly.

Mr. LONGWORTH. It seems to me this is a proper courtesy to show the members of the press gallery. When they say they need this page I think it is the proper thing to do.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 155, noes 17.

So the resolution was agreed to.

COMPENSATION TO RELATIVES OR REPRESENTATIVES OF DECEASED EMPLOYEES OF THE HOUSE

Mr. MACGREGOR. Mr. Speaker, I call up another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York calls up another privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read as follows:

House Resolution 292

Resolved, That the Clerk of the House of Representatives be, and he is hereby, directed to pay out of the contingent fund of the House to the relatives or representatives of the following deceased employees of the House of Representatives a sum equal to six months' compensation of such employee and an additional sum, in each case not exceeding $250, to defray the funeral expenses of such employee, viz:

To Mary J. Taylor, widow of Frank I. Taylor, late assistant clerk of the Naval Affairs Committee of the House of Representatives.

To Ella Pierce, widow of C. H. Pierce, late an employee of the House of Representatives.

To Frances E. Dorsey, widow of Samuel Dorsey, late a member of the Capitol police.

To Julia M. Spees, widow of David F. Spees, late messenger of the Committee on Patents of the House of Representatives.

To Bridget Murphy, widow of Arthur Murphy, late assistant file clerk of the House of Representatives.

To Cecil J. Malmberg, widow of Carl G. Malmberg, late an employee of the House of Representatives.

To Elizabeth Lefelar, sister of Andrew T. Sabol, late a lieutenant of the Capitol police.

To Abbie Marden, daughter of William E. Gardiner, late an employee of the House of Representatives.

To W. A. Layton, as attorney in fact of the heirs of M. S. Amos, late an employee of the House of Representatives.

With the following committee amendment:

On page 2, after line 4, insert "To Edith B. Barrow, widow of Frank H. Barrow, late legislative clerk, House of Representatives."

The SPEAKER. The question is on agreeing to the committee amendment.

Mr. GILBERT. Mr. Speaker, I desire to be recognized in opposition to the resolution.

The SPEAKER. Does the gentleman from New York yield?

Mr. MACGREGOR. I yield five minutes to the gentleman.

Mr. GILBERT. Mr. Speaker and gentlemen of Congress, in my opinion it is time that Congress was giving serious attention to this character of payments. It is true that this report is in conformity with the long precedents of the House, but there is no general law authorizing the payment of these sums, and in my mind it is unwise, unjust, unbusinesslike, and we should stop it.

The custom is to pay, as you all know, upon the death of a Member of the House, a year's salary; the custom is to pay the funeral expenses of certain employees and a year's salary, and the custom is to pay the funeral expenses and six months' salary to certain other employees. I can not see why an employee of the Government, simply because he works in and about this Capitol, should receive a life insurance policy and funeral expenses not authorized by law as a gift at the hands of this Congress. Why should an employee here at the Capitol receive these additional gratuities and an employee of the same Government in the States not receive them?

It has happened in the recent past that a Member of Congress has died on the last day of the session, and the Government of the United States paid his estate for an entire year, in addition to the salary he had received. It is also true that under this same practice a Member of the House died very early in the session, within the first month of the session, and the person who received for the estate the yearly compensation of $7,500 was also elected to succeed the Member, and for 11 months drew twice the amount received by any other Member of Congress.

The acts of Congress are not hedged about with that same sanctity and divinity in the mind of the public that they once were, and there is a demand for business men to hold office for the reason that it is generally implied we do not use business methods in the conduct of business here.

I admit this is sanctioned by long custom, but however hoary with age it may be, it is unbusinesslike, unwise, unjust, and senseless, and I want to register my disapproval of it.

If it is just for these gratuities to be paid then we should frame a general law covering this entire subject, so that the public at large would know and the elected person would know just what his or her emoluments were to be.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. MACGREGOR. Mr. Speaker, I call up another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York calls up another privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read as follows:

House Resolution 293

Resolved, That the Clerk of the House of Representatives be, and he is hereby, directed to pay, out of the contingent fund of the House, to Marie Hall Hollingsworth, widow of John H. Hollingsworth, late Chief Clerk of the House of Representatives; to Louise Irland, widow of Fred Irland, and Cora E. Gray, widow of Samuel H. Gray, late Official Reporters of Debates of the House of Representatives; and to Oro L. Overhue, widow of William H. Overhue, late enrolling clerk of the House of Representatives, each a sum equal to the yearly salary that the respective husband of each was receiving at the time of his death, and that the Clerk be further directed to pay out of the contingent fund of the House the funeral expenses of each of said deceased employees, such expenses in each case not to exceed $250.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

JOHN H. HOLLINGSWORTH

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the life and services of the late John H. Hollingsworth, in connection with the resolution just passed.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the life and services of the late John H. Hollingsworth. Is there objection? [After a pause.] The Chair hears none.

Mr. MACGREGOR. Mr. Speaker, I wish to take this opportunity to bear testimony to the high character and faithful public services of John H. Hollingsworth, who served this House in various capacities for 33 years.

Coming here from Missouri when a mere boy he became a page on the floor of this House where his bright, cheerful disposition and attention to duty won for him the affection of the Members. He became the special favorite and protégé of the late Vice President Sherman, and when he reached his majority Mr. Hollingsworth established a legal residence in the State of New York, and for many years was sponsored in this House by the New York delegation.

The late James R. Mann, under whose immediate direction Mr. Hollingsworth served in the House as a special employee, and as pair clerk, regarded him as one of the best equipped employees upon whom responsible duties devolved which were always discharged intelligently and efficiently

Four years ago Mr. Hollingsworth was appointed Chief Clerk by the present Clerk of the House, who has stated to me what the older Members of this House, in point of service, already know, that in his judgment and from close personal observation Mr. Hollingsworth was one of the most faithful and conscientious public servants he ever knew, and that it was his loyalty to the many exacting details of his office that impaired his health and possibly hastened his death after a brief illness last fall.

He left a widow and five children, who were his dependents, for whose benefit the pending resolution is presented.

In no better way could the House of Representatives express its appreciation for long and faithful public services of one of its devoted servants than promptly to adopt this resolution.

BRIDGE ACROSS NIAGARA RIVER

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent to call up Senate bill 3249, granting the consent of Congress to the construction of a bridge across the Niagara River and Black Rock Canal.

The SPEAKER. The gentleman from New York asks unanimous consent to call up for immediate consideration a bill which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the immediate consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Buffalo & Fort Erie Public Bridge Co., a corporation organized under the laws of the State of New York, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Niagara River and the Black Rock Canal, at a point suitable to the interests of navigation, within or near the city limits of Buffalo, in the county of Erie and State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That, subject to the provisions of this act, the Secretary of War may permit the corporation herein named, its successors and assigns, to construct a tunnel or tunnels under said river and canal in lieu of the bridge herein authorized, in accordance with the foregoing act approved March 23, 1906, so far as the same may be applicable: *Provided further*, That before the construction of said bridge or tunnel shall be begun all proper and requisite authority therefor shall be obtained from the Government of the Dominion of Canada.

SEC. 2. That this act shall be null and void unless the construction of said bridge or tunnel is commenced within two years and completed within five years from the date of approval hereof.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. MAPES, Mr. CRAMTON, and Mr. KING rose.

Mr. MAPES. Will the gentleman yield for a question?

Mr. MACGREGOR. Certainly.

Mr. MAPES. I would like to ask the gentleman if a similar bill has been reported by the Committee on Interstate and Foreign Commerce?

Mr. MACGREGOR. A similar bill has been reported by the Committee on Interstate and Foreign Commerce of the House, and I have requested the consent of the committee for the consideration of the bill, and it has been granted.

Mr. MAPES. In what form was it granted?

Mr. MACGREGOR. By the chairman of the committee.

Mr. MAPES. The gentleman means to say that he has got the consent of the chairman of the committee to call it up in this way?

Mr. MACGREGOR. Yes.

Mr. MAPES. The committee itself has taken no formal action, I presume.

Mr. MACGREGOR. I assumed that was sufficient and that he spoke for the Interstate and Foreign Commerce Committee.

Mr. MAPES. I will say to the gentleman that it is sufficient, so far as I am concerned, if he has consulted with the chairman of the committee.

Mr. MACGREGOR. I did consult him.

Mr. CRAMTON. The gentleman says the bill is substantially the same as the bill reported by the House committee. What difference is there between this bill and the one reported by the House committee?

Mr. MACGREGOR. They inadvertently used the word "provision" instead of "provisions" in the House bill and the grammatical form was "provisions"; otherwise they are absolutely the same.

Mr. KING. Will the gentleman yield for a question?

Mr. MACGREGOR. Certainly.

Mr. KING. I notice the gentleman has in his hands a number of other bills and I want to ask him if he is going to bring up one to allow a clerk for the Committee on Expenditures in the Agricultural Department. They have been holding hearings on an inquiry for over three weeks in connection with a very important piece of legislation and we have had to sit there and do all the work ourselves. I first called the meeting to order and then I called the enrolling clerk, and the members of the committee are working there without any assistance on a very important matter. I have asked the gentleman's committee to report out such a resolution and I wonder if he would not do that this morning.

Mr. MACGREGOR. We have several of those matters pending before the committee, and the committee has not seen fit to authorize any additional clerks for committees.

Mr. KING. I see. You do not care then to have this investigation go on so far as your committee is concerned?

Mr. MACGREGOR. I am not the committee. I am the chairman of the committee.

Mr. KING. Yes; you are the committee, all right.

The SPEAKER pro tempore [Mr. TILSON]. The question is on the third reading of the Senate bill.

Mr. SEARS of Florida. Mr. Speaker, reserving the right to object, has this bill been reported by the committee?

Mr. MACGREGOR. It is on the Unanimous Consent Calendar and as I stated the chairman of the Committee on Interstate and Foreign Commerce has been duly consulted and his consent has been given.

Mr. SEARS of Florida. Mr. Speaker, I shall not object——

The SPEAKER pro tempore. The gentleman is too late anyway.

Mr. SEARS of Florida. Oh, no; I was trying to get recognition when the gentleman sought consent, but I could not hear

the private conversations going on over there. Does the Speaker hold I am too late?

Mr. SPEAKER pro tempore. The bill has been read.

Mr. CHINDBLOM. May I ask the gentleman whether this proposed bridge is going to interfere with the proposed improvement of the St. Lawrence River?

Mr. MACGREGOR. Not in the slightest, and I think it will probably improve it.

Mr. SEARS of Florida. Mr. Speaker, I make the point of order that if we are going to be asked for unanimous consent on various matters, we should know what is going on and should take a recess for 10 minutes so the gentlemen can have their private conversations, and then we can proceed.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill was laid on the table.

DEVELOPMENT OF THE PARK AND PLAYGROUND SYSTEM OF THE NATIONAL CAPITAL

Mr. ZIHLMAN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Maryland rise?

Mr. ZIHLMAN. Mr. Speaker, I rise to call up the unfinished business, Senate bill 112, a bill providing for a comprehensive development of the park and playground system of the National Capital.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas to recommit.

Mr. BLANTON. Mr. Speaker, I ask recognition.

Mr. ZIHLMAN. Mr. Speaker, I make the point of order the previous question has been ordered.

Mr. BLANTON. Not on the motion to recommit, Mr. Speaker.

Mr. SANDERS of Indiana. That is not necessary, Mr. Speaker, in order to cut off debate.

The SPEAKER pro tempore. There is no need for that so far as debate is concerned. If anyone wishes to amend the motion to recommit, it is open to amendment.

Mr. BLANTON. Mr. Speaker, I ask that the motion to recommit be read for the information of the House.

The SPEAKER pro tempore. Without objection, the Clerk will again report the motion to recommit.

The Clerk read as follows:

Mr. BLANTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from Texas offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

"Mr. BLANTON moves to recommit the bill to the Committee on the District of Columbia with instructions to report the same back to the House forthwith amended as follows: 'On page 3, line 20, after the word "hereafter," insert "for five years," and in line 21, after the word "exceeding," strike out the balance of line 21 and all of line 22 and line 23 down to and including the word "census" and insert in lieu thereof "$1,000,000."'"

Mr. ZIHLMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and there were on a division (demanded by Mr. BLANTON)—ayes 28, noes 75.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present, and object to the vote on that ground.

The SPEAKER pro tempore. The gentleman from Texas makes the point of order of no quorum, and objects to the vote on that ground. The Chair will count. [After counting.] Two hundred and eighteen Members present, a quorum.

Mr. BLANTON. Mr. Speaker, I ask for tellers.

Mr. SANDERS of Indiana. Mr. Speaker, I make the point that is too late. It is entirely within the discretion of the Chair whether tellers can be granted, anyway.

Mr. BLANTON. I ask for the yeas and nays, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas demands the yeas and nays. As many as are in favor of taking this vote by yeas and nays will rise and stand until counted. [After counting.] Thirty-seven Members have risen; not a sufficient number. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 144 ayes and 57 noes.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 215, nays 107, answered "present" 2, not voting 109, as follows:

YEAS—215

Ackerman	Foster	Leatherwood	Sanders, Ind.
Andrew	Frear	Lindsay	Sanders, N. Y.
Aswell	Fredericks	Lineberger	Schafer
Bacharach	Free	Linthicum	Schall
Bacon	Freeman	Longworth	Scott
Barbour	French	Luce	Sears, Nebr.
Barkley	Frothingham	McLaughlin, Nebr.	Seger
Beers	Fuller	McLeod	Simmons
Berger	Gallivan	McNulty	Sinnot
Bixler	Geran	MacLafferty	Smith
Black, N. Y.	Gibson	Magee, N. Y.	Snell
Bland	Gifford	Major, Ill.	Snyder
Bloom	Gilbert	Martin	Speaks
Boylan	Goldsborough	Mead	Spearing
Browne, N. J.	Graham, Pa.	Merritt	Sproul, Ill.
Browne, Wis.	Green, Iowa	Michener	Stedman
Brumm	Greene, Mass.	Miller, Ill.	Stephens
Buckley	Greenwood	Miller, Wash.	Strong, Pa.
Bulwinkle	Griest	Minahan	Sweet
Burdick	Hadley	Moore, Ohio	Swing
Burtness	Hammer	Moore, Va.	Swoope
Burton	Hardy	Moores, Ind.	Taber
Butler	Harrison	Morgan	Tague
Campbell	Hawes	Morris	Thompson
Celler	Hawley	Murphy	Tilson
Chindblom	Hayden	Nelson, Me.	Timberlake
Cole, Iowa	Hersey	Newton, Minn.	Tinkham
Colton	Hickey	Newton, Mo.	Treadway
Connally, Tex.	Hoch	O'Connell, N. Y.	Tucker
Connolly, Pa.	Holaday	O'Connor, N. Y.	Tydings
Cook	Hooker	Oliver, Ala.	Underwood
Cooper, Ohio	Hudson	Oliver, N. Y.	Upshaw
Cooper, Wis.	Hull, Iowa	Parker	Valle
Cramton	Hull, Morton D.	Parks, Ark.	Vestal
Cullen	Hull, William E.	Peery	Vincent, Mich.
Dallinger	Jacobstein	Perlman	Wainwright
Darrow	James	Phillips	Ward, N. C.
Davis, Tenn.	Jeffers	Porter	Watkins
Deal	Johnson, S. Dak.	Pou	Watres
Denison	Johnson, Wash.	Purnell	Watson
Dickinson, Iowa	Jost	Quayle	Weaver
Dickstein	Kearns	Ragon	Weller
Dowell	Kelly	Rainey	White, Kans.
Doyle	Kendall	Raker	Williams, Ill.
Dyer	Kent	Ransley	Williamson
Elliott	Kerr	Rathbone	Wilson, La.
Evans, Iowa	Ketcham	Reece	Wingo
Faust	King	Reed, N. Y.	Winter
Favrot	Knutson	Reid, Ill.	Woodruff
Fenn	Kopp	Roach	Woodrum
Fish	Kurtz	Robinson, Iowa	Wurzbach
Fisher	LaGuardia	Robsion, Ky.	Yates
Fitzgerald	Lampert	Rogers, Mass.	Zihlman
Fleetwood	Lazaro	Sabath	

NAYS—107

Abernethy	Cummings	Lankford	Sanders, Tex.
Allen	Dickinson, Mo.	Larsen, Ga.	Sandlin
Allgood	Doughton	Lee, Ga.	Schneider
Almon	Driver	Lowrey	Sears, Fla.
Ayres	Eagan	Lozier	Shallenberger
Bankhead	Evans, Mont.	Lyon	Sherwood
Beedy	Fulbright	McLaughlin, Mich.	Sinclair
Begg	Fulmer	McReynolds	Smithwick
Bell	Gardner, Ind.	McSweeney	Sproul, Kans.
Black, Tex.	Garner, Tex.	Major, Mo.	Steagall
Blanton	Gasque	Mansfield	Stengle
Box	Glatfelter	Milligan	Stevenson
Boyce	Hastings	Moore, Ga.	Sumners, Tex.
Briggs	Hill, Ala.	Morehead	Swank
Browning	Hill, Wash.	Morrow	Taylor, W. Va.
Buchanan	Howard, Nebr.	O'Connor, La.	Thomas, Ky.
Busby	Huddleston	O'Sullivan	Thomas, Okla.
Byrns, Tenn.	Hudspeth	Oldfield	Tillman
Cannon	Hull, Tenn.	Quin	Vinson, Ga.
Carter	Humphreys	Ramseyer	Vinson, Ky.
Clague	Johnson, Ky.	Rankin	Wefald
Clancy	Johnson, Tex.	Reed, Ark.	Williams, Mich.
Collier	Johnson, W. Va.	Richards	Williams, Tex.
Connery	Jones	Romjue	Wilson, Ind.
Crisp	Kincheloe	Rouse	Wilson, Miss.
Croll	Kvale	Rubey	Wolff
Crosser	Lanham	Salmon	

ANSWERED "PRESENT"—2

McKeown	Young

NOT VOTING—109

Aldrich	Cole, Ohio	Griffin	McFadden
Anderson	Collins	Haugen	McKenzie
Anthony	Corning	Hill, Md.	McSwain
Arnold	Crowther	Howard, Okla.	MacGregor
Beck	Curry	Kahn	Madden
Boies	Davey	Keller	Magee, Pa.
Bowling	Davis, Minn.	Kiess	Manlove
Brand, Ga.	Dempsey	Kindred	Mapes
Brand, Ohio	Dominick	Kunz	Michaelson
Britten	Drane	Langley	Mills
Byrnes, S. C.	Drewry	Larson, Minn.	Montague
Cable	Edmonds	Lea, Calif.	Mooney
Canfield	Fairchild	Leavitt	Moore, Ill.
Carew	Fairfield	Lehlbach	Morin
Casey	Funk	Lilly	Mudd
Christopherson	Garber	Little	Nelson, Wis.
Clark, Fla.	Garrett, Tenn.	Logan	Nolan
Clarke, N. Y.	Garrett, Tex.	McClintic	O'Brien
Cleary	Graham, Ill.	McDuffie	O'Connell, R. I.

Paige	Rosenbloom	Temple	Wertz
Park, Ga.	Shreve	Thatcher	White, Me.
Patterson	Sites	Tincher	Winslow
Peavey	Stalker	Underhill	Wood
Perkins	Strong, Kans.	Vare	Wright
Prall	Sullivan	Voigt	Wyant
Rayburn	Summers, Wash.	Ward, N. Y.	
Reed, W. Va.	Taylor, Colo.	Wason	
Rogers, N. H.	Taylor, Tenn.	Welsh	

So the bill was passed.

The following additional pairs were announced:

Mr. Underhill (for) with Mr. McKeown (against).
Mr. Carew (for) with Mr. Brand of Georgia (against).

Additional general pairs:

Mr. Kless with Mr. Wright.
Mr. White of Maine with Mr. Arnold.
Mr. Madden with Mr. Garrett of Tennessee.
Mr. Thatcher with Mr. Casey.
Mr. Davis of Minnesota with Mr. McClintic.
Mr. McFadden with Mr. Corning.
Mr. Foster with Mr. Rayburn.
Mr. Brand of Ohio with Mr. McDuffie.
Mr. MacGregor with Mr. Collins.
Mr. Shreve with Mr. McSwain.
Mr. Wyant with Mr. Cleary.
Mr. Manlove with Mr. Dominick.
Mr. Perkins with Mr. Lea of California.
Mr. Mudd with Mr. Prall.
Mr. Leavitt with Mr. Taylor of Colorado.
Mr. Wason with Mr. Sites.

Mr. ARNOLD. Mr. Speaker, I wish to vote.

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. ARNOLD. I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

On motion of Mr. ZIHLMAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ADJUSTMENT OF NORTHERN PACIFIC LAND GRANTS

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to call up House Joint Resolution 237, directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title to the House joint resolution.

The SPEAKER. The gentleman asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. SINNOTT, Mr. SMITH, and Mr. RAKER.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9429, making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes. And pending that I would like to arrange for time for general debate. I ask the gentleman from Oklahoma, suppose we have four hours of general debate?

Mr. CARTER. There is a political battle pending and some of the warriors on this side of the House are getting ambitious and impatient and want to have something to say to their constituents; they do not want any of them to get off the reservation. I do not think we can get along with two hours on this side, for I have requests already for about three hours.

Mr. DICKINSON of Iowa. Will the gentleman be willing to agree to four and a half hours?

Mr. CARTER. I expect that the gentleman had better make it five hours.

Mr. DICKINSON of Iowa. Four and a half hours will take us up to adjournment.

Mr. CARTER. Very well; we will try and get along with that time.

Mr. DICKINSON of Iowa. Then, Mr. Speaker, I ask that general debate be limited to four and one-half hours, to be equally divided, the gentleman from Oklahoma to control one half the time and I control the other half.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The motion of Mr. DICKINSON of Iowa was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GREEN of Iowa in the chair.

The Clerk read the title of the bill.

Mr. DICKINSON of Iowa. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DICKINSON of Iowa. Mr. Chairman, the legislative appropriation bill includes the appropriations for the Members of the Senate and House and their employees, the architect of the Capitol, including the care of the Capitol and the grounds, Library of Congress, the Government Printing Office, the Capitol police, the legislative drafting service, and the Botanic Garden. We are going to have four hours and a half of general debate, and I shall reserve to myself 10 minutes in which to explain the bill at the end of the general debate, when we are about to go into the reading of the bill under the 5-minute rule. At the present time I shall take up for discussion the famous bill known as the McNary-Haugen or the Mary Hogan bill.

There is a great deal of discussion now as to whether or not this bill is economically sound, whether or not it will do what its friends claim it will do. There is a great deal of criticism of the bill for the reason that it goes further than the average bill has gone in trying to adjust economic conditions in this country. I believe it is a confirmation of a policy that has been carried on in this country for a great many years. I can understand the different conflicts in view now passing through the minds of Members of the House. I understand how a man who has lived in an industrial locality all his life, whose whole experience is in the world of industry and industrial atmosphere, fears that this is reaching out into a new field and that for that reason he has grave doubts in his mind as to whether he should support the bill. I also understand the attitude of the man who has always stood against a protective tariff, when we come in here and ask him to support a measure that is based upon a protective tariff.

If this bill is anything, it is an emergency proposition, and if we are justified in taking care of our industries during peace times, we ought to be able to take care of our agricultural situation during an emergency following war time. In this bill we are making every effort to make applicable to present conditions the principles of the protective tariff. We say that we are going to protect the agricultural people of the country against being compelled to sell their produce in competition with world conditions, when world conditions are in the chaotic state in which we find them to-day. That being the case, it is an extension of the protective-tariff principle which has had to do with protecting our industries here at home. For that reason you are practically saying to agriculture now that under these conditions it will have to weather the storm that is facing it, or we must give agriculture relief from the condition it is now facing. The man who is committed to a free-trade policy can say, "I do not want to vote for anything that will confirm the protective-tariff principle," but he now knows that there is absolutely no hope of readjustment of these schedules that will permit the decreases in prices to a parity with those of agricultural products throughout the world, and he knows that there is no possibility of adjusting the difficulty from the basis of the high prices down. For that reason this is the only measure which you can bring in here that will do what we contend it will do, and that is bring the low price of the farmers' commodities up to a parity with that of industrial commodities.

If you adopt one principle and say that you will never vote for anything that will have a tendency to inflate prices under peace conditions, then you are saying to the farmer that he must compete on world conditions, although they are disorganized by a world war, until other conditions are so hampered in carrying on the industrial program that their prices gradually slump down to his. I do not see how the laboring man or how the industrial man can come into the Congress to-day and vote against this measure under the conditions. The farmers of the Middle West for lo, these many years, and the record showed that on the immigration vote which was taken the other day, have been friends of the laboring man in putting through the immigration policy here which protects the laboring man, and in helping in other measures which are now laws upon the statute books.

Mr. EVANS of Montana. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. I do not want to yield at the present time. The immigration policy certainly protects labor, and we want it to do that because we are the friends of labor. We want our men to maintain the highest standard of labor that it is possible to maintain in this country, and that is the purpose of the immigration bill. Under these conditions labor, if it shall vote against this measure, says, "We want you to

help us maintain our standard as it should be maintained, but we want you to go out and produce food for us to consume, and produce it in competition with world prices, while we receive wages fixed by conditions as we find them here." I believe, for that reason alone, labor ought to be interested in this measure.

What about the industrial situation? Too much has been said about New England here. New England is not the only manufacturing section in this country. If you take the centers of trade all over this country, you will find more of them are centralized around Pittsburgh than around Boston. You will find more of them around Cleveland than you will around Philadelphia or New York City. The great industrial centers are not all on the Atlantic coast, and I say to you that the industrial men of this country can insist that the farmer go ahead and produce in competition with the world and that they be allowed to feed their workmen on the food products of the farmer in competition with the world, while the farmer is losing money; but sooner or later the buying power of the farmer is going to come back home, and the industrial man is not going to be able to sell his products, because by maintaining that high price he gradually eliminates the farmer from his purchasing quota, and for that reason every time you maintain the higher price you gradually reduce the number of men to a smaller circle who can afford to buy that commodity. Therefore, we are up against the proposition of either trying to raise the price of agricultural products up to where it is on a parity with labor and other commodities, or we are in the position of letting conditions take the path of least resistance until all are brought down to a parity with what we find in European circles to-day, and that is the one thing that I do not think the Congress ought ever to permit this country to do.

A great many men have said that this bill will not work, and, on the other hand, these same men who say the bill will not work, saying it will put so many millions in the pockets of the packers and so many million dollars into the pockets of the millers, and yet in the other breath say the bill is not feasible and will not work. Now, here is what happens. The agricultural organizations of this country have made a most careful survey of all the needs of their existence in this country. They have had the very best minds working on this legislation. In all the years I have never known a time when the agricultural organizations of this country were as near unanimous in support of any measure as in support of this measure. They are committed to this bill as now written. They want it tried on all the commodities named. They do not want it amended or substitutes tried. For years we have been saying to agriculture, get together and agree on your legislation and we will pass it for you. Their program is agreed upon and presented to you in this bill. That being the case, I want to say to you I believe these men with absolute confidence and that this bill will work. It is going to bring them the relief that they think it will bring them, and for that they are here asking this Congress that this legislation be enacted into law.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. DICKINSON of Iowa. I do not care to do so now.

Mr. CONNALLY of Texas. How much time has the gentleman?

Mr. DICKINSON of Iowa. Twenty minutes.

Mr. CONNALLY of Texas. And the gentleman speaking on the legislative appropriation bill will not yield for a question?

Mr. DICKINSON of Iowa. I am not speaking of the legislative appropriation bill, and so announced before I began.

Mr. CONNALLY of Texas. The gentleman is in charge of the legislative appropriation bill, and we would like to have some information about it.

Mr. DICKINSON of Iowa. I say that this legislation is necessary. Why should we be asked to enact this legislation at the present time? It is because agriculture is helpless to defend itself under present conditions; that is all. Labor has been able to organize itself, and they are not reducing the price of labor in this country.

Industries are able to control the output of their commodity, also of the demand and supply to where they do not have to reduce prices for their commodity. They have idle spindles in New England and in Pittsburgh and these other localities, but has the price of labor been reduced one cent? Not at all. The price of labor is being maintained. They have got idle spindles in many of the factories. Are they reducing the price of their commodity in order to give more people an opportunity to buy? Why, everyone knows it is a principle that underlies all commercialism that as you lower the price you expand the circuit of your customers; that is, increase the number. If you have a suit of clothes at only $20, you can always sell more of them than if you limit the price to $50 for a suit of clothes, and for that reason you will find our industries have not waked up to the fact that sooner or later this is going to come back and knock at the door of industry, and they are going to have to close their plants; they are going to have to reduce their price. Now, we believe in order to bring that about we ought to bring agriculture upon a parity and let the whole general scale come down together. "Oh," you say, "agriculture is only meeting its deserts. It speculated in land." Ah, but there are many, many localities where agriculture did not speculate in anything, where the depression is just as severe as in those localities where there was speculation. Now, who is going to be the best able to withstand this depression? Is it going to be the agriculture of the country or is it going to be the industries of the country? Why, this depression is going to be the most severe and the misery is going to be the greatest where you have the most labor and where you have the greatest industrial plants. You can depress agriculture, but you can not starve them to death, because they raise too much of the things they eat. You can depress Iowa to where we do not have the buying power, but we are going to have plenty of fresh eggs, milk, potatoes, and corn, and all of that, but you are not going to be able to sell your commodities out in Iowa, and the farm-implement concerns of this country must either go out of business or limit their output, because the farmers are not buying farm implements.

Why is this bill economically sound? We are asking here that you invoke at least those same principles that in my judgment have made the industries of the East immensely wealthy and immensely profitable. We are saying, "Adopt this same principle with farm commodities." But then you say, "Oh, but you are going so much further than that. You are putting the Government into business." You are saying that the Government must assume control of the export surplus, and that is the one essential that is necessary in order to make this bill workable and that is the very principle on which every manufacturer carries on his business successfully. He does not try to run the plant just to the limit of the home-market consumption. He might even, if you please, produce a surplus, and when he finds there is such a surplus he in turn sells that surplus abroad in the markets of the world for the best he can, and it was under those conditions that he is able to employ his labor 100 per cent of the time and run his factory 100 per cent of efficiency. He can shut down his number of spindles, reduce his output; but the farmer, if you please, must be doing something with his land. Ah, it was quoted here the other day there has been a reduction in the War Finance Corporation loans made in the Middle West, and the farmers have been paying off those loans.

How have they been paying them off? They have been paying them off by increasing the real-estate mortgages on their lands and their land holdings. That is the way they paid them off. They have not paid them off by making money, and you have no right to say that the farmer shall continue to feed the people of this country and do so by drawing on his capital stock and selling his capital investment, and in that way continue to produce his crops.

Oh, it is said that this is not a condition which can be remedied by legislation. We contend it is. Whose word are you going to take for it? These same people will say to you that legislation has not done anything to relieve the farmer of his depression. But I know, and some of you know, that legislation was passed within the past three or four years that saved the sheep industry of this country. You know, and so do I know, that we have assisted in carrying out many of the policies which have been directed by legislation and which had an effect on the economic policies of our country.

Mr. BLANTON. Will the gentleman yield?

Mr. DICKINSON of Iowa. No. I am going to complete my statement first. What is the law of supply and demand? The law of supply and demand is that law which has to do with the making and the selling of an article under the conditions it is manufactured. How did you create a demand for raisins? By advertising all over the country that people must eat iron every day; and by reason of that advertising the raisin crop was sold at the greatest price at which it has ever been sold in the history of the country. Was that the law of supply and demand? No. It was the law of supply and demand directed by conditions which were then in effect all over this country. The law of supply and demand is only that law of supply and demand which is controlled by legislative policies, and that is what we want you to do in this bill. We want you to help us, if you please, direct the legislative policies we have to-day with respect to agricultural commodities.

Now, why is it necessary to take this extreme step? Because it is impossible to so concentrate the grain commodities, the beef commodities, the pork commodities of this country so that no one concern or no one individual can control the part that must be sold abroad.

It is very interesting to me that Julius Barnes, when he was on the stand before the Agricultural Committee in connection with the grain futures act, absolutely contended that that part of your crop which is sold abroad fixed the domestic price. I do not believe there is any question about it. And yet this same Julius Barnes, before the Cleveland convention of the National Chamber of Commerce, stated that the price of the commodity was not entirely controlled by that part which had to be sold as surplus in foreign markets.

In one place he was arguing against the grain futures act on the theory that you could not help conditions by regulating the Board of Trade in Chicago, but now he makes a different argument, an argument which comes right back to him and which flies in his face. He says that statement is not exactly correct as to this bill because he wants to show that the part which is sold abroad does not fix the domestic price.

The CHAIRMAN. The gentleman has used 20 minutes.

Mr. DICKINSON of Iowa. I yield myself five minutes more.

There are just one or two more propositions I want to take up and they are these: This has been called the packers' bill Oh, anyone who has studied the conditions as you find them with reference to this bill, I believe, can be convinced in a minute that this is not the packers' bill but that the packers are here opposing it as vigorously as they know how.

In the Congressional Digest, which has just been received in your offices in the past few days, are found expressions of views with reference to the McNary-Haugen bill. One statement is by Norman Draper. If any of you have been following the meat business and the livestock business of this country, you know that Norman Draper represents the associated packing concerns in the District of Columbia. What does he say—and he is put in here as against this bill:

> Packers now are marketing abroad as much product as the foreign markets will absorb, at a price consistent with the cost of raw materials here plus expenses. It is conceivable that these losses would be so colossal as to bring about disastrous results.

And he gives an illustration in which he contends that this bill would disorganize the meat-packing businesses now carried on by the packers. If the packers were for this bill and if this bill were a packers' bill, have you any doubt as to what the attitude of Norman Draper would be?

Another thing. It has been contended that this bill will materially increase the cost of living. Most of you gentlemen received a letter from the Federal Trade Commission submitting their report with reference to the wheat-flour milling industry in this country. This report is dated May 16 and is one of their latest findings. These are the second and third paragraphs of that report:

> From January, 1919, to September, 1922, the monthly average quoted prices of flour declined 33 per cent in the northwestern (Minneapolis) district and 43 per cent in the southwestern (Kansas City) district; wheat prices declined 50 per cent in Minneapolis and 55 per cent in Kansas City, while bread prices declined about 2 per cent in Minneapolis, about 15 per cent in Kansas City due to a price war, 6.6 per cent in Boston, and 2 per cent in New York City.

The above comparison shows that the decline in wheat prices, so disastrous to the farmer, has benefited the purchaser of bread very little.

Now, you go right on with your livestock proposition and you will find that the exact principle underlies it, namely, that the reduction in the price of the raw commodity has not been reflected in a reduction of price to the consumer. We are not here to legislate on that condition, because, so far as I know, no one at the present time knows how to reach that situation. But we are here, if we can, to raise the prices of the farmers' commodities up to a parity with the prices of other articles. In that we have taken 404 articles. Many have said this will cause a vicious circle to start. Let me suggest to you that if you take all of those 404 commodities, representing $32,000,000,000 in total, and put in your entire wheat crop, you will find it amounts to less than 3 per cent of the total. How can 3 per cent cause a vicious circle to start? The prices of all these commodities fixes the price of wheat.

We find, when we take livestock, that all of the livestock in this country, as compared with the total of those 404 commodities, represents about 2⅞ per cent of the total of all those commodities. Now, do you believe that 2⅞ per cent of those total commodities can cause a vicious circle to start that is going to result in a higher cost of living all along the line? We all know that whenever a commodity reaches a maximum amount the people quit using it. Why did the price of sugar go down a little over a year ago? It was because an advance was made, and within less than three months the consumption of sugar fell off in this country more than 40 per cent. That being the case, they found that they were going to either have a surplus supply of sugar on hand or they had to reduce the price to where the people would buy and consume it. There is always a place where any commodity if raised to too high a price practically eliminates itself from the market. So there is no fear of a vicious circle.

All we want to do by this legislation is to give the farmer a chance to have his products put on a parity with other commodities, and if you do that I believe that the price parity of all commodities will gradually go down.

I do not believe we can continue to live on war prices, and for that reason I am convinced that this bill ought to pass and that it is sound legislation. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BLANTON. I was wondering if this was the keynote speech of acceptance of the new vice presidential candidate.

Mr. CARTER. Mr. Chairman, I yield three minutes to the gentleman from Maryland [Mr. TYDINGS].

Mr. TYDINGS. Mr. Chairman, during the debate in the House some days ago considerable opposition was voiced by certain Members to the extension of Fourteenth Street in Washington through the grounds of the Walter Reed Hospital. It was said that the veterans who are patients in the hospital objected to the extension of Fourteenth Street through these grounds and that it would work serious hardship upon them. As pointed out at that time, the extension does not pass through the hospital section of the grounds but through the administrative section only. If extended, the closest ward would be almost two squares from Fourteenth Street.

I have received a resolution from the Equality Walter Reed Post, No. 284, Veterans of Foreign Wars, which puts the disabled ex-service men now at the Walter Reed Hospital on record as strongly in favor of this extension. This should show conclusively that there is nothing to the argument that it will in any way injure these disabled veterans:

> EQUALITY WALTER REED POST, No. 284,
> VETERANS OF FOREIGN WARS,
> *Washington, D. C., May 20, 1924.*
>
> Whereas we, the members of the Equality Walter Reed Post, No. 284, of the Veterans of Foreign Wars, feel that we are entirely familiar with the conditions of Walter Reed Hospital and are so well able to judge what is for the benefit of the wounded World War veterans and enlisted men at the hospital, because the majority of our members are wounded World War veterans who were treated at Walter Reed Hospital; and
>
> Whereas during our entire associations with Walter Reed we have always been greatly inconvenienced by the lack of adequate street-car service to the hospital, although the wards in which we were placed as patients or which we visited were placed by the officers of the Medical Corps immediately adjacent to the only available street-car line, the Georgia Avenue line; and
>
> Whereas we further note that from the maps approved by the Medical Department for the permanent plan of Walter Reed Hospital that the wards are to be permanently placed closer to Georgia Avenue than to the present line of Fourteenth Street; and
>
> Whereas we further note from the same maps that the enlisted men stationed on the reservation are to be quartered immediately alongside of the Georgia Avenue street-car line: Now, be it
>
> *Resolved*, That we are entirely at a loss to understand the statement made by Members of Congress when they were attempting to close Fourteenth Street through the Army Medical Officers' College that they were fighting for the best interests of the wounded veterans of the World War or the soldiers at Walter Reed Hospital, because we know that the officers' college end of the reservation will never be of any service or convenience to either the wounded veterans of the World War or the enlisted men of the reservation; be it further
>
> *Resolved*, That we are opposed to the entire idea of using our wounded comrades and the enlisted soldiers as a cover for a fight to close the main north-and-south business street of Washington for the sole benefit of the campus of the officers' college; be it further
>
> *Resolved*, That we are convinced that those of our wounded comrades of the World War who still occupy the hospital and the enlisted men of the reservation are entitled to and should have the benefit of the Fourteenth Street car line to give them better and quicker service to Washington City, more particularly because they do not own automobiles as do most of the medical officers stationed at the post; be it further

Resolved, That the post quartermaster be instructed to send a copy of this resolution to the members of the Military Affairs Committee of Congress, to the members of the District of Columbia Committee of Congress, and to all the Members of Congress who took part in the debate after which it was voted to close Fourteenth Street through the officers' college.

H. C. FORNEY,
Acting Commander Equality Walter Reed Post.
A. C. PROBEY,
Adjutant Equality Walter Reed Post.

This is a resolution from a post formed by the wounded veterans at Walter Reed Hospital itself. There are five other resolutions from other posts in the city which I will not insert in the RECORD, but if anyone cares to see them I will be very glad to exhibit them.

Mr. CARTER. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. CONNALLY]. [Applause.]

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, you would be saved the annoyance of this speech had the gentleman from Iowa [Mr. DICKINSON] a little while ago yielded to me for an interrogatory. But he declined to do so and naturally I shall have to propound it to the gentleman in my own time. I have a very high regard for the gentleman. I served at one time on a committee with him, and I really wanted the opportunity to interject an interrogatory into his speech to show his constituents, when he sends it out, that it was really made on the floor of the House instead of being an extension of remarks. [Laughter.]

I was very much interested in the gentleman's speech, because we all know here that he is the leader of the farm bloc. The papers every few days carry statements that emanate from the gentleman as the leader of the farm bloc, whatever that is. I heard a radio speech a month or two ago on the farm situation and the distress of agriculture by the distinguished gentleman from Iowa in his capacity not as a Member of Congress alone but in his capacity as leader of the farm bloc.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. CONNALLY of Texas. Not just now. I can not yield in five minutes, but I will try to yield later.

I am wondering why the leader of the farm bloc waits until about a week or 10 days before the Congress is to adjourn before he is able to persuade his party in his capacity as leader of the farm bloc to bring in some kind of legislation in behalf of the farmer. Is it because the gentleman knows that it is now too late to enact any legislation in behalf of the farmer, or is it because the gentleman has just now realized that there is something really the matter with the farmer that ought to be relieved?

The gentleman a little while ago discoursed learnedly on the law of supply and demand. While I do not think from his utterances on economic questions, he knows much about the economic law of supply and demand, I do believe he thoroughly understands the political law of supply and demand. [Laughter.]

I think he recognizes a political demand, a demand for political expediency, as quickly as anyone, and that the gentleman also knows how to furnish a supply of political quackery at the right moment when it is needed for political purposes. [Laughter.]

When I heard the gentleman stand here on this floor and tell about the industries of the East, of Pittsburgh and other points, being built up at the expense of the American farmer, I almost wept as I heard him describe the prostrate condition of agriculture to-day, and saw him then dramatically point to New England and Pittsburgh and the other industrial centers which he said had grown rich beyond the dream of avarice at the expense of the poor downtrodden American farmer, principally those farmers who have registered duly and legally for the next coming election. As I saw the gentleman shedding tears in behalf of the farmer, and when I heard him telling how the industrial East and the great industrial centers were reaping the profits from the toil and the labor of the farmers out in Iowa and in the Middle West, my mean, cruel memory rose up in the secret precincts of my mind and said, "Can that be the same friend of the farmer who, in July, 1922, when the roll was called up yonder on the Fordney-McCumber tariff bill, stood up in his place, representing the farmers of Iowa, the poor, oppressed, downtrodden, exploited farmers, and voted 'aye' in behalf of the Fordney-McCumber tariff bill that destroyed the markets of the farmer in Europe and built up the highest Chinese wall ever erected in the history of any country and thereby said to the farmer, 'You have got to sell your goods in a world market, but we will make you buy in a restricted market; we will give the industries of the East and the great centers a monopoly whereby they can say to Mr. Farmer, "Come up and buy what you have got to buy in this monopolistic market, but take your agricultural products, Uncle Reuben, and sell them in the markets of the world."'"

Sell them in the world market said the gentleman in 1922. We are investigating the Shipping Board and that investigation has developed that one reason why American ships can not operate to-day at a profit is that while we have cargoes going abroad we can not get any cargoes coming back, because the American farmer is not permitted to buy in the world market. He is not permitted to buy French steel or German steel or British steel that goes into his agricultural implements or the railroads which he must support. The gentleman now having committed that crime against the farmer comes up and wants to undo it. Having lifted industry and manufactures by one leg and put it on a high pinnacle, unbalancing the economic arrangement, he is trying to pull the poor farmer up by the boot straps and put him on an equality when he knows he can not do it. Why, the gentleman ought to know that the gentleman from Massachusetts [Mr. LUCE], for whose constituents he voted this iniquitous tariff, for the constituents of the gentleman from Massachusetts [Mr. TREADWAY], and the gentleman from Connecticut [Mr. TILSON], the gentleman from Iowa ought now to know that Mr. LUCE stated on the floor that he was not going to vote for the McNary-Haugen bill because it would cost the citizens of Waltham, Mass., $80,000 annually. I think reciprocity ought to obtain. I think if the gentleman from Iowa votes to give $80,000 of the money of the people of Iowa to Waltham the gentleman from Massachusetts ought to vote to return an equal amount. But such is not to be in the nature of things. That is not the way the tariff works. The gentleman is salving his conscience because he knows the bill will never pass through the Congress before adjournment and he will be happy because in his candidacy this fall for Vice President, and as leader of the farm bloc, he will have a platform of political promises as to what he will do and political pride as to what he tried to do, and yet the country will be saved because he knows the legislation will not be enacted. [Applause.]

Mr. CARTER. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman and gentlemen, it is not my intention to speak on the bill before the House. Gentlemen will recall that in the last Congress there was a very intensive propaganda in opposition to a bill with reference to the Pueblo Indian affairs. I am rising to-day to advise the House that it is the hope of the chairman of the committee to bring before the House before the session closes the bill S. 2932, which embodies the conclusions of all the considerations of last year and for the past four or five years on this matter and has finally gotten into a condition where all the parties agree upon the form of legislation.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I will.

Mr. CARTER. Have all parties agreed to the legislation embraced in the gentleman's bill?

Mr. SNYDER. All whom are interested.

Mr. CARTER. Have the Pueblo Indians agreed?

Mr. SNYDER. They have.

Mr. CARTER. The principal contention with reference to this matter was over the settlement of those lands under pleas of color of title and under adverse possession. Will the gentleman explain what tenure of adverse possession is necessary under the bill to give title?

Mr. SNYDER. There are two sections. One provides under color of title the period under which grantors and ancestors can hold lands from the 6th of January, 1902. Adverse possession, their ancestors, grantors, and privies or predecessors in interest dates from March, 1887, and is the period agreed upon by all parties as being just and right.

Mr. CARTER. Then, under color of title the requirement is 22 years of adverse possession, and where there is no color of title 35 years of adverse possession is necessary?

Mr. SNYDER. Yes. I have a telegram signed by Stella H. Atwood, who is chairman of the Indian committee of the Federation of Women's Clubs. The Women's Federated Clubs and the Eastern Association on Indian Affairs were the principal opponents of the legislation proposed last year. These are all very much in favor of this legislation.

Mr. CARTER. Does the gentleman say that the Federation of Women's Clubs favor it?

Mr. SNYDER. Yes; here is a telegram, dated May 21:

RIVERSIDE, CALIF., *May 21, 1924.*

Hon. HOMER P. SNYDER,
House Office Building, Washington, D. C.:

Understand Senate 2932, Pueblo land bill, has been reported favorably, all parties being satisfied. As federation chairman, Indian welfare, I can assure you of our deep appreciation if you use every effort toward passage of bill, thereby relieving critical situation of Pueblo Indians.

STELLA M. ATWOOD.

Mr. CARTER. All these people were opposed to the so-called Bursum bill.

Mr. SNYDER. Absolutely, and they now favor this legislation. The Committee on Indian Affairs of the House spent many weeks last session in investigating the matter, endeavoring to straighten it out. These matters date way back to 1855.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. SNYDER. Yes.

Mr. LEATHERWOOD. Who speaks for the General Federated Women's Clubs?

Mr. SNYDER. A. A. Berle, jr. Here is a telegram from him:

NEW YORK, N. Y., *May 21, 1924.*

Hon. HOMER P. SNYDER,
House Office Building, Washington, D. C.:

General Federation Women's Clubs and American Indian Defense Association, also other Indian organizations and Pueblo Indians indorse Senate bill 2932 and will support any move for its speedy passage in House. Failure to pass in this session might be disastrous. All elements heretofore in conflict agree on this bill as a desirable solution of the difficulties of Indians and non-Indians alike, and will appreciate anything you can do to secure its passage by unanimous consent.

A. A. BERLE, JR.

Mr. LEATHERWOOD. I call the gentleman's attention to the fact that that individual speaks without authority.

Mr. SNYDER. I am giving the message to the committee as it comes to me. I want to say that when the bill was on the floor in the Senate, Senator JONES, Senator BURSUM, and several others in their arguments all stated that all parties had agreed upon this matter.

I believe most of the Members have received some information along the line I am giving you. Last year the word "Pueblo" immediately caused a half dozen people to rise in their seats and object. I want every Member of this House to know that so far as the two committees who have charge of Indian affairs are concerned this bill that is before us now, having passed the Senate unanimously, is a proper bill for the adjustment of this very critical matter, which should be put in a position so that these titles may be cleared up and the people for once be able to know who owns them and who does not. If we get opportunity to bring this bill up, I hope that we may be able to pass it.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I shall digress for a moment from what I have to say in order to refer to an editorial in this morning's New York Times which pays special attention to a remark I made upon the floor of the House yesterday, but distorts it, as occurs frequently in the editorial columns of the Times. I asked a representative of the New York Times to be in the gallery at this time, because I wish to compliment the reporters of the various newspapers who present the facts in their news columns correctly, and the news columns of the Times reported my remarks accurately. It takes an editorial writer, however, to exercise the imagination of a Munchausen, and those gentlemen often deliberately lie by distorting language appearing in the news columns. I was referring yesterday, while speaking, to Mr. Mellon, Secretary of the Treasury. The New York Times in its editorial columns of yesterday quotes me as follows:

> "Let the gentleman in the Treasury," cried Mr. FREAR, "keep his hands off or resign." * * *

The editorial writer goes on to comment as follows:

> That is the spirit in which Congress boasts that it can run itself.

Then follows a long, distorted criticism based on my supposed remark and of the spirit of Congress that inspires such remarks.

The New York Times, like other big business papers of New York, idolizes Secretary Mellon. We discredited him when he opposed the bonus and told us that we could not pass it, for we carried it over his protest. When he opposed any tax bill except the Mellon proposition and said that we could have nothing else, again we overruled him yesterday, almost unanimously. I said that he ought to resign from his position as Secretary of the Treasury unless he was in sympathy with the bonus bill and the tax bill as we had passed them. That, I insist, is a fair statement. He ought not to administer a law unless he can do it fairly. That is what I said, and I repeat it.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. FREAR. In a moment. It is the judgment of every man on the floor, I feel sure, and is the judgment of the gentleman who is now addressing me and asking me to yield. I voted with 376 Members of the House yesterday in opposition to the position of the Secretary of the Treasury. We put over a tax bill, as did the Senate, directly opposed to the policy favored by Mr. Mellon, and the President must either sign or veto, and if he vetoes it we will show the sentiment of the country by passing it over his veto. Mr. Mellon does not sense the situation in the country or the Congress, as I stated yesterday.

Mr. BLANTON. And how many stood with Mr. Mellon?

Mr. FREAR. Only nine lonesome Members against 376.

Mr. SNYDER. I noticed last night in the Washington Times it stated that the gentleman demanded that the President should resign. I am sure that the gentleman did not say that.

Mr. FREAR. Oh, no. Of course not. That appeared in the newspaper. The President was not referred to in that connection, but the administrative official whose duty it is to carry out the will of Congress as expressed by law, Mr. Mellon.

Every Member of the House knows that I said nothing of the kind concerning the President. I said that the President could veto the bill or not, and I did say that the financial official of the Government, Mr. Mellon, should resign if he could not administer this law or the soldiers' bonus law and be in sympathy with it. That statement I repeat.

Just one word further. The New York Times, which is one of the best newspapers in the country, is, however, in its editorial policy reactionary, as we all know. It is unjust, it is unfair to other interests, and it is subservient to big business so far that it does not see straight. It is unfortunate in the class of men it has to do the editorial writing, or because of the editorial policy demanded from the writers. In an election in the city of New York, with practically all of the newspapers against him, the present mayor was first elected by a large majority. That shows the influence of these papers with the public. The opposition of such papers invites support from those who disagree with their views. If such papers would get in touch with human nature and understand the ordinary run of people, instead of always worshiping wealth and the financial game, they would gain much for their editorial policies. As I said before, I compliment the men in the gallery here who do give the news correctly; but the editorial policy of the New York Times seems to require that it distort and misrepresent in order to meet the views of those who control its well-known reactionary policies.

PARTY REGULARITY

Mr. Chairman, I wonder if any colleague of mine on this side of the aisle can give a clean-cut definition of his Republicanism or a standard by which party regularity or insurgency is to be measured. In this query our Democratic friends are left to herd their own lambs into line to follow their leader or to act independently as they see fit. My concern is with party colleagues whose definition of "regularity" is now determined by men and not by principles. I am a party man. I believe in parties that will promote the public welfare through governmental agencies. That is their proper mission.

My father, still living, has voted for every Republican President I believe since Frémont became its first standard bearer. I have followed in the footsteps of the father like others have done in their party affiliations. The Frémont platform declared for the principles found in the Declaration of Independence and Constitution, which then as now needed revitalizing. What issues are paramount in 1924?

Protection to home industries is supported on both sides of the aisle. Free trade can not muster a handful of votes on this floor. A prohibitory tariff on the contrary is repugnant to the average voter of to-day, however much desired by the protected producer who thrives on political regularity. Sound money and State rights are no longer party issues. This being so, the ideals of Lincoln are safe for us to follow, but I am startled when some Democratic colleague across the aisle declares that Lincoln's republicanism is nearer democracy than standpatism, which he charges now controls our party.

A few observations are offered not in a contentious spirit but for the purpose of having some wise man who will command the confidence of the country, set forth principles that may hereafter infallibly guide us when party regularity or insurgency is in issue.

WHEN REGULARITY IS IRREGULAR

Child labor was recently an issue, and 13 Republicans who have loudly denounced party irregularity carried their own flag of obstruction to the amendment. Yet the Republican platform demanded child-labor legislation in so many words. These 13 irregular regulars joined hands with Democratic Members of like mind across the aisle in opposition to child labor and yet they denounce Republican "irregulars" in unmeasured terms.

Another band of regulars led by able Representatives from Abraham Lincoln's own State carried a flag of irregularity when the Ford Muscle Shoals $100,000,000 water-power gift was before Congress. Conservation of natural resources in the Republican platform received a heavy jolt when one of the greatest water powers in the country was to be given away to private interests by Republican leaders whom I love but could not follow. Yet these same leaders led the special-interest Mellon tax plan up the hill and down again, and after the President's pronouncement they insisted that the Mellon plan was a simon-pure test of party regularity.

Again I submit, where has the Republican Party ever defined party regularity to mean a 50 per cent tax reduction for Mr. Mellon and those best able to pay? That was a contention of reactionaries; but what of the 408 House Members, including some 200 Republicans, who passed a tax-reduction bill for the same amount but representing an entirely different principle of tax reduction, and what of the unanimous report of the conferees who have discarded the Mellon plan? Who fixed the Mellon plan as a party issue and when and why?

Who is high enough in the counsels of the Republican Party to say that opposition to the ex-service men's compensation bill that registered only 78 against out of 391 votes cast in the House is a test of party regularity because the President also was opposed? Cabinet officials, I submit, are not yet our legislative or political guardians on taxation or on patriotism. Who will contend before any audience that vicious rules which smothered all efforts to amend the 1921 revenue bill were rules to encourage intelligent legislative consideration, or their support a test of party regularity? No other parliamentary body in the world submits to such gags; yet efforts to prevent liberalization of rules and to maintain the strangle hold of special interests on Congress were made a test of regular Republicanism by the stand-pat press of the country and by some of my colleagues on this floor.

Mr. Chairman, who says Republican regularity requires surrender of a Representative's conscience in election cases? Orders from Republicans to oust a Democratic Member and seat a Republican in the Chandler-Bloom case to control the New York State delegation were sought to be made a test of Republicanism by the reactionary press of the country. In this attempt to fix party standards I absolve the majority leader from any responsibility. These so-called tests of Republicanism will not stand analysis or meet with the approval of 10 per cent of the voters of the country. They are not tests under Abraham Lincoln's measure of a government by, of, or for the people. They are tests of and by big business reactionaryism pure and simple, and as such are opposed to the public interest.

LINCOLN'S IDEALS

If Lincoln were now living he would be classed as a radical and demagogue by the same New York influences that once denounced him and the abolition of slavery. Those same influences are potent in business and politics in America to-day. The Gettysburg speech promising continued government by, of, and for the people is popular on Memorial and Independence Days, but 363 days of the year are given over to chambers of commerce acting for special interests that tell Congress and country what to do and fix standards of party loyalty and national patriotism.

Lincoln protested against party or commercial domination even in his opposition to the Mexican War on this floor when during that war he declared it was a war of conquest and exploitation. Was Lincoln a good Republican then or afterwards when he became the party's national standard bearer?

Does any man believe Lincoln would have favored smothering legislation under the rules of the last Congress, or would he have led in a demand for right to amend the rules and to prevent important measures from being smothered?

Does any man believe that following a legislative gift of $500,000,000 by repeal of the excess-profits tax for big business in 1922 Lincoln would have favored giving a further tax reduction of 50 per cent to men of great wealth and only 25 per cent to those least able to pay, as proposed by the Mellon plan, with a threat from big campaign contributors not to play or pay unless given special financial privileges? Among these campaign contributors $1,000,000,000 of admitted error by Secretary Mellon in revenue estimates becomes a tribute to his scientific accuracy when instructing Congress on taxation, while to them four-fifths of the House are politicians, and Mellon of antisoldier tendencies is the genuine patriot when a soldiers' relief bill is before Congress, whether it be a Bursum bill or a soldiers' bonus measure. Congress has repudiated the Mellon standards on taxation and soldiers' relief.

Does any man believe Lincoln, who loved the country's defenders and loved even-handed justice, would have urged, under the advice of a Mellon, the defeat of a soldiers' insurance compensation bill?

Does any man believe Lincoln in this day and age would have advocated the giving away to private interests for 100 years of a $100,000,000 Government investment and the last of our great water-power natural resources, as now advocated in high places?

Weeks, Wood, and other representatives of special interests have convinced the President that the policy of denying Philippine independence and postponing the pledge to a far-distant date is a test of regular Republicanism. McKinley, Taft, and Roosevelt, to the contrary, more clearly represented the Republicanism of the great-hearted Lincoln when they urged early independence. Am I irregular because I differ from Weeks and Wood and President Coolidge on this subject; or, after having studied conditions while in the Philippines, have I no right to use my own judgment? No more shameful treatment of a subject people has ever been imposed by our country than in its continued maintenance of the arrogant, brass-buttoned, autocratic Wood who still rules the Philippines. Tobacco, sugar, hemp, rubber, and oil speak loudly for retention of the islands, but Wood should be recalled and the Filipinos given their liberty. It rightfully belongs to them after a quarter of a century of American rule. Roosevelt urged freedom at the earliest possible moment for the Philippines. That means "now," and Congress, not Weeks or Wood, should say the word. That is what Lincoln would do.

Mr. Chairman, if independent Republicans are irregular when exercising their honest convictions on these questions, then I say the fault lies not with those who are independent but with those who have drifted far from the ideals of Lincoln and the founders of the Republican Party.

RECENT POLITICAL GUIDES

The charge is made by our Democratic opponents, as stated at the outset, that big business has an undue influence on the Republican Party. Big business does not stop for party labels. It is bipartisan and deals with both parties. It demands returns for its influence, and when campaign contributions are given to Democratic and Republican committees alike by big business—and I understand they are so given—something will be demanded in exchange. Money is required to run political campaigns, and whenever any party, whether Republican or Democratic, mortgages its independence or its right to free legislation that party ceases to serve the people.

The Republican leader in the Senate, LODGE, declared in debate with the Democratic leader of the Senate, ROBINSON, last week (RECORD, p. 9108) that "moderately" stated, nine-tenths of the money regularly expended in political campaigns for both parties is raised in the city of New York. That money, reaching many millions, is given by hard-headed business for the political and legislative control of government. It comes through tax favors, tariff favoritism, Cape Cod canals, judicial appointments, and other special privileges. When the country is held up for auction, what party regularity is involved?

Is party regularity then to be measured by standards set up by campaign contributors or shall we return to the Republicanism of Lincoln and those who founded the party on principles of a government for the people?

Lincoln's declaration that you can not fool all the people all the time needs fulfillment to-day when distortion of facts and gross misrepresentation of men and measures fill the news and editorial columns of magazines and of the press controlled by great financial interests that now seek to monopolize every field of human endeavor.

REACTIONARY DICTATORSHIP

Extreme reactionaries in the House and of the press have called independent Republicans "radicals," "Bolshevists," "socialists," and like names. What is the character of the offense? Simply voting according to one's judgment and not as we are told. "Sit down" or "stand up" are orders that should cease on this floor if representative government is to be maintained. What of political scarecrows held up by reactionary interests to frighten?

Mr. Chairman, Wisconsin, my own State, has been the birthplace of progressive laws. It was also the birthplace of the Republican Party, according to eminent authority. The primary, direct election of United States Senators, regulation of railways and public utilities, workmen's compensation, child labor, and similar laws first introduced in Wisconsin were once termed socialistic by petrified reactionary minds that are still 100 years behind their time. For these progressive laws Wisconsin carried the flag long before they were reluctantly considered by opposing forces of the country. That is a sufficient answer to the threadbare wolf cry of "socialism."

I have studied Bolshevistic methods in the land where Bolshevism rules but no Bolshevist dictatorship is more arbitrary or arrogant in its methods in Russia than is the dictatorship of big business here. One difference exists, however, for the Bolshevist claims he is unselfishly working for the public good while big business employs its dictatorship in order to serve special privileges for selfish ends. Independence is the opposite of Bolshevism, whereas slight difference in methods exist today between reactionaries and Bolshevists. Both dictatorships are repugnant to American principles of government.

Republicans are accused by Democratic foes of playing politics in Congress with no definite progressive program. I ask as a consistent Republican what are either of the great parties doing constructively, and I am seeking light rather than criticizing or finding fault.

We declare, for instance, that agriculture is the backbone of government. That all other industries depend upon agriculture. What are we doing legislatively for agriculture? Sixteen cents out of every dollar paid for bread gets back to the farmer who furnishes the wheat and about the same proportion paid by the consumer for pork gets back to the pocket of the producer. Seventy-six cents to the packer and 60 cents to the baker and seller are among the prices paid to interests that live off from the consumer and producer while the backbone of the country is being wrenched so that the privileged few may get the cream of the business.

What has either party suggested to meet this situation? Any effort to aid the farmer, to reach the packer, to control the trusts, to reduce high transportation rates is denounced as socialistic and radical, and those who offer constructive legislation are charged with advocating restrictive, radical, uneconomic laws.

Six million five hundred thousand farmers averaged less than $500 net return for their services in 1921; and yet, on highly watered stock, after paying extravagant salaries and enormous overhead expenses, one Rockefeller oil company, that fixes the price of oil for all these farmers, reported 775 per cent profits on its capitalization in 10 years. The Gary steel story is much the same.

REAL LEGISLATION NEEDED

Mr. Chairman, any attempt to regulate great monopolies or to tax wealth or inheritances that now reach 10 figures in individual cases is denounced as "socialistic" by Mr. Mellon and his associates.

Mr. Chairman, I am willing to compare my Republicanism or that of my distinguished friend and colleague, Congressman COOPER of Wisconsin, who has had an unimpeachable progressive record for 30 years, or the political standards of Major LAGUARDIA, of New York, or Major WOODRUFF, of Michigan, or of any other independent colleague with the record of any "regular" on this floor. To my mind, of far greater moment than any mere following of false political or economic dogma is the privilege of doing my own thinking and voting my own convictions. These are rights never more valued than to-day, when propaganda by special interests urges us to vote for or against practically every proposal that comes before us for decision.

Political parties are necessary, and party cohesion is important when vital principles are at stake. Whenever a party, through dry-rot, ceases to function, or whenever it has been captured by political or economic forces so that it does not represent the public welfare we are sworn to protect under the Constitution, then party regularity tested by such influences may be honored by nonobservance.

Last session I predicted on this floor when discussing the revenue bill that the reactionary votes of some of my colleagues, for whom I have genuine affection, would cause a heavy loss to the 169 Republican majority of the last Congress. While easy to predict, a startling fulfillment of prophecy occurred, to which I point with regret.

SAFE REPUBLICANISM TO FOLLOW

I am a believer in the Republicanism of Lincoln, as I understand Lincoln's Republicanism. I am not disturbed over criticisms from reactionaries in either party or both parties. No man can safely prophesy what the future will bring forth, but I predict the next House will produce substantial additions to the ranks of progressive, independent Republicans.

Whether they agree with my conclusions or legislative judgment when they take their places here is not important, but it is vitally important that they do think and refuse to accept orders from those who blindly lead the blind.

I do not seek to criticize those who differ from me or who justify their own regularity or irregularity even while they criticize others, but I do say that whatever the future may have in store for the party to which I belong—and I hope in the interest of good legislation it will return a majority of my political faith—yet the worst I fear is that our party or both parties may lose sight of the ideals of Lincoln in a surrender to reactionary influences. I trust that day will never come, but in the meantime I maintain the right to support what I deem to be constructive, progressive legislation, whatever party label it carries.

The perpetuity of our democratic form of government can not be destroyed by foes from without or from within if we cleave to the principles of our party. Wealth, power, and arrogance have had their hours of control throughout all history, but humanity eventually strikes a balance. Lincoln said God loved the masses, the poor people of the earth, because He made so many of them, and they are not long misled when fundamentals are at stake. More liberal thought, more fearless legislative action, and more of the old-time independent Lincoln Republicanism and Jefferson Democracy is needed to-day, for on right basic principles must rest the future of any great political party. To that political creed every man may safely subscribe. [Applause.]

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. My colleagues, I wish to submit to you some observations and suggestions on the farmers' relief bill (McNary-Haugen).

Since I have been a Member of the House we have passed the Federal land bank and the farm-loan bank act. We have placed fertilizer on the free list and have placed a protective tariff on those commodities of the farm that need protection. We passed the farmers cooperative marketing bill. It was my pleasure to give all these measures my hearty support. I voted in favor of leasing Muscle Shoals to Henry Ford, because I thought it would give the farmers of the country much cheaper fertilizer. While these measures have all been helpful, yet the farmer needs other relief. They are urging that we pass this bill. It is not entirely clear in my mind that it will accomplish what the farmers and their friends believe it will accomplish. I do not want to lose an opportunity to help the farmers of America, and I wish to say that I intend to give this measure my hearty support. [Applause.]

REARED ON FARM

I was born on a farm in the hills of old Kentucky, but I was not as fortunate perhaps as some of you, my colleagues. My father was a farm tenant. We raised tobacco and other crops on shares on the lands of other people. We worked by the day, the job, and the month for our landlord and other farmers. I have never lost interest or touch with agriculture. Because of my experience and my knowledge of the hardships of the farmers as a class, I can approach this subject very sympathetically. You, who, like myself, were brought up on the farm, know the drawbacks; crops injured by late freezes; crops destroyed by early frosts, cut worms, potato and chinch bugs, and boll weevils take their toll; the rust and the blight must be encountered; droughts parch the crops, and floods destroy them.

A bumper crop means a glutted market and starvation prices. The gamblers on the stock exchange and the middlemen add to the distress and the hazards of the farmer. The farmer begins his work many times before the light of day and must continue until dark. How many of us have "fed, curried, and geared up" the horses by the light of the lantern and done the chores in the evening in the same way. On the farm the father and mother must toil from early morn until night. This is true as to each and every child after they reach about 8 years of age. They must use the greatest economy in their clothing, you often see patch upon patch and sole upon sole. Their terms of school are short. Most of them must be satisfied with a humble home and a meager living. Many of them must leave the family at home to carry on the work from time to time while they find employment in the mines, on the railroad, or in the shops, to make some ready money. The result of it is, at the end of the year many farmers find themselves with no gain and during the last year or two thousands and thousands have gone into bankruptcy. It is an

unthinkable situation. He has more hardships than any other class and he has less reward than any other class, and yet he is feeding the world. The farmer must have relief from this intolerable condition. [Applause.]

THERE MUST BE AN ADJUSTMENT

It is admitted on all sides that the farmer is in a bad condition. It is conceded that agriculture is the source of wealth and the backbone of the country. About one-third of our people are engaged in this great industry. The most of our people go to work when the sun is high and quit work when it is still high in the heavens and receive anywhere from $5 to $20 per day; while the farmer goes to work at break of day and continues until dark. He and his family perhaps do not average a dollar a day. In fact, in 10 or 15 of the States of this Union 30 per cent or more have gone into bankruptcy.

It is not just or fair for one-third of our people to be required to put in 12 to 14 hours per day and, with their investment in lands and equipment, find themselves at the end of the year without profit or reward. This bill does not propose to cut other people down or to impose upon them the hardships that the farmer is now undergoing, but it does propose to provide agencies whereby the farmer will receive such prices for his products as will put him on an equal basis with other industries and with other workers of the Nation. Some have expressed doubt if this will work out. It is not entirely clear in my own mind. It is indorsed and recommended by the Secretary of Agriculture, a man who has had wide experience in farming and in business affairs. It is indorsed and urged by the leading farm organizations of the Nation and their representatives. A large majority of the great Committee on Agriculture of the House has reported this bill out favorably and urged that it be passed. I think too many people in the years gone by have been resolving the doubts in matters of legislation against the farmers and in favor of other industries. If there is any doubt in this measure, I am in favor of resolving the doubt in favor of the farmers of America. [Applause.]

Mr. BLANTON. Will the gentleman yield?

Mr. ROBSION of Kentucky. In just a moment.

We are not trying to pull anybody down. We are trying to lift the farmer up. I yield to the gentleman from Texas.

Mr. BLANTON. None of us would pull anyone down; but there must be some maximum. I notice from the newspapers here in Washington of a plasterers' strike for $14 per day and a five-day week so as to charge double time for Saturday. Whenever they do that, it is a reflection against the farmer on the farm.

Mr. ROBSION of Kentucky. I am in favor of high wages. Of course, there should be reason about everything. Some people are always trying to pull down wages; but America can not be prosperous with poor wages. The working people must have good wages or they will not have the money with which to buy the products of the country. The country is always prosperous with good wages and you have hard times with poor wages. I want the farmers also to have good prices to bring good wages for their labors and their investment. [Applause.]

Wagons, plows, and other farm implements have doubled and trebled in price. Clothing, shoes, sugar, coffee, and other necessities, and taxes have increased by leaps and bounds.

The farmer can not employ help. Men who work for wages can receive so much more in other industries than the farmer can agree to pay. This great difference and the lack of proper reward are causing more than a million people to leave the farm each year. This condition is a real menace to the future of this Nation. It is up to us to do all in our power to help remedy this situation.

IF THE FARMER PROSPERS THE NATION PROSPERS

My district is largely engaged in mining, railroading, and the manufacture of timber and lumber. We perhaps consume more than we produce. This might suggest to the unthinking that I should oppose this measure and grind the farmer down into the dust so that we might get cheaper farm products. But gentlemen the coal mine, the factory, the lumber yard, the shop, and the railroad can not run unless there is a market for the products of the mine, the shop, the factory, and the lumber yard. The factories of the Nation consume more than one-half of the coal produced in the Nation. The factories are busy making plows and other farm machinery and implements and in producing clothing and other necessities for the home; if the farmer is bankrupt and is not making any money he can not buy the products of the mine, the shop, the factory, and the lumber yard, and they must remain idle much of the time. Some gentlemen on the floor of this House have criticized some great plow and implement concerns, and many bankers and labor organizations that have backed this bill; but how could the plow factory sell its plows or the banks continue in business or the merchants succeed or the miner and other workers continue employed if the farmers have no money with which to buy. Humanity dictates that we try to relieve the condition of the farmers and good business judgment urges this relief.

You can not have prosperity in this country with one-third of the population in distress any more than you could expect to have good health if you had a great cancer or some other malady eating at one of your limbs or on one of the vital organs; the whole body suffers if some important part of the body is in distress by reason of disease or injury, so it is with the body politic of the Nation. If one-third of our people are in distress because of economic conditions, this distress affects the whole body politic. You gentlemen representing the great commercial and factory districts may think you are not interested in this bill, but you let this condition continue and there will be no market for your products, the hum of industry will be hushed, and the wheels of commerce will stop. [Applause.]

WE MUST ACT NOW

My friend from Texas can not kill this bill by talking against the tariff. The tariff is necessary on a great many farm products to protect our farmers. I note that a number of Texans and other southern Democrats voted for a protective tariff on many farm products in their section. A great many farmers believe in a protective tariff. It will not do for us to simply ridicule each other. What the farmers of America want is action. They want us to adopt some constructive measure that will bring them up on a level with other industries and give them a fair return for their labor and their investment.

Mr. HAUGEN, the author of this bill in the House and chairman of the Committee on Agriculture, has been a Member of this House for 25 years, and has all his life been engaged in a large way in farming and is a real "dirt" farmer. The Committee on Agriculture is one of the great committees of the House. They have been working on this problem ever since Congress met last December. They have heard many witnesses, from men in all walks of life, bankers, merchants, railroad managers, farmers and farm organizations, the American Federation of Labor, and after hearing them all they bring to us this bill and urge its passage. I know that many are very active and anxious to kill this bill; they have ridiculed it and denounced it. They have said this bill will not work, but what have they offered in its place? They admit that the farmers are in a bad condition. If this bill will not relieve the situation, why do they not offer something better? I am unwilling to help kill the only bill that is before Congress for the relief of the farmers, and you gentlemen who are opposing this measure when you go back home you will find many farmers saying to you, "You killed the only bill that was before the Congress for the farmers." You may answer, "Well, it was not a good bill." They will say, "If it was not a good bill, why did you not bring out a better bill in its place?" Gentlemen, the farmers of the country are depending on us to help them solve this problem. If this, the McNary-Haugen bill, is not the solution, or the best solution that can be worked out for the farmers, let us get our minds and hearts together, Republicans and Democrats, and think this question out and amend this bill if necessary and do the very best thing that will help the farmers of this country. I thank you. [Applause.]

Mr. DICKINSON of Iowa. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. SCHALL].

Mr. SCHALL. Mr. Chairman, I do not believe five minutes will take care of me, but I presume the gentleman from Iowa [Mr. DICKINSON] will yield me a few more minutes if I need them.

Mr. DICKINSON of Iowa. I will yield the gentleman two additional minutes if he needs them.

Mr. SCHALL. Yesterday morning there came to my desk in this Capitol Building newspapers printed in my State on Friday and Saturday, and there was smeared all over those papers the stigma of unfair treatment to this House, the stigma that I had deliberately lied and that I had stated falsely. It seems that a Member of this House, my colleague [Mr. LARSON of Minnesota], had come in here, and, because I referred to his patron, Julius Barnes, as having paid $30,000 a year to his son while he was president of the United States Grain Corporation, Mr. LARSON impugns my motives and assails my veracity and accuses me of the practice of making false and slanderous accusations, of "flagrant and reckless abuse of congressional immunity."

I get my knowledge, my friends, through my ears; therefore it must come through other men's eyes. In talking with my

friend in Minneapolis, W. T. Coe—who has made a special study of the United States Grain Corporation, because Julius Barnes wiped him and his little mill from the face of the earth—I gleaned certain facts, and I understood him to say—it was some years ago—that Julius Barnes had appointed his son. I immediately wired asking if I had misquoted him on the 20th when I made that statement, and he sends back a wire, which I have. He says that it was not his son he appointed but a relative, and that is why all this fuss and slander is made concerning me and my statement in the RECORD. I would like to have the Clerk read a few samples of what my friend LARSON did for me in assailing my honesty and integrity throughout the entire newspaperdom of my State.

The CHAIRMAN (Mr. HADLEY). The Clerk will read the communication referred to.

The Clerk read as follows:

[From the Minneapolis Journal]

SCHALL'S ATTACK ON BARNES SPIKED—LARSON CALLS CHARGES OF NEPOTISM AND GRAFT "FALSE AND SLANDEROUS"

WASHINGTON, May 24.—Representative THOMAS D. SCHALL was charged by Representative O. J. LARSON with having made a "false and slanderous" statement about Julius H. Barnes in the House.

"Last Thursday my colleague, Mr. SCHALL, of Minnesota, in discussing the McNary-Haugen bill, made a statement in which he attributed nepotism and graft to Mr. Barnes while acting as the head of the Food Administration Grain Corporation," Mr. LARSON said late yesterday.

"I was not present when Mr. SCHALL made that statement."

Mr. SCHALL. I hope he is present now. Half an hour ago I sent him word.

The Clerk continued to read, as follows:

"Had I been present, I would have called him to account then and there. When I read it in the CONGRESSIONAL RECORD I was shocked at such flagrant and reckless abuse of congressional privilege and immunity. I could not imagine what motives prompted my colleague to utter such a false and slanderous charge against Mr. Barnes."

[From the Minnesota Daily Star, Saturday, May 24, 1924]

LARSON SCORES SCHALL ATTACK—FLAYS MINNESOTA REPRESENTATIVE FOR STATEMENTS ABOUT JULIUS H. BARNES

St. Paul Pioneer Press.—SCHALL is scored for Barnes attack. LARSON to ask fellow citizen to have remarks expunged from RECORD.

Mr. SCHALL. You have not heard him around here, have you?

The CHAIRMAN. The time of the gentleman has expired.

Mr. SCHALL. I shall have to have a few minutes more to get this little muss straightened up.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield the gentleman five additional minutes.

The CHAIRMAN. The gentleman from Minnesota is recognized for five additional minutes.

The Clerk read as follows:

[Washington Bureau of the Pioneer Press]

WASHINGTON, May 23.—Representative THOMAS D. SCHALL, of Minnesota, to-day was condemned on the floor of the House by Representative LARSON, of Minnesota, for abusing the privilege of congressional immunity in making alleged untrue statements about Julius H. Barnes, Director of the United States Grain Corporation during and following the war.

Mr. SCHALL. I would like to have the Clerk read wires received in response to my wire inquiry.

The Clerk read as follows:

Hon. THOMAS D. SCHALL,

House of Representatives, Washington, D. C.:

Facts regarding Barnes's conduct Wheat Corporation published in his testimony report Senate Agriculture Committee, mistaken about my saying Barnes's son; it was other relative of Barnes who had such job Duluth. Barnes paid 30,000 salaries to large number.

W. T. COE.

Congressman THOMAS D. SCHALL,

Washington, D. C.:

Barnes appointed brother-in-law, Frank L. Carey, vice president Grain Corporation, Minneapolis district. Business associates appointed as vice president Buffalo and Omaha districts. All these men dollar a year men, but later received salaries for honorariums, Carey in neighborhood of $50,000 per annum; business associates, $30,000 per annum each. These, on rocks at time of appointment, as heads of Grain Corporation are worth millions to-day. Brother-in-law now president Board of Trade, Chicago. Barnes absolute control of grain business in world and grain business back of opposition to McNary-Haugen bill. This information given me by prominent Minneapolis Chamber of Commerce operator who with many others was wiped out by manipulations of Barnes. Barnes as head of corporation with brother-in-law and business associates at strategic points knew every move in market and used this information to wipe out competitors. LARSON owed first election to Barnes and associates.

J.

Mr. SCHALL. There are some things I believe should be said to the country since this matter has been brought up, although I had no intention of doing it.

The United States Grain Corporation, whose work Mr. LARSON so feelingly lauds, was a damnable thing, a stench in the nostrils, the darkest of the whole cloud of war grafting, and everyone knows it. It robbed the farmers of the Northwest ruthlessly, deliberately, and cruelly. It put out of business hundreds of small millers. It operated solely and entirely for the benefit of the big fellow, using the machinery of storing and of marketing and of gathering information solely for their profit. Instead of being the universal benefactor Mr. LARSON would have his patron appear, he used his genius in business to break the price of wheat, to boost the price when it was in the hands of the speculator, and to depress it when the farmer was attempting to sell. The wheat corporation operated to hold down the price when the law of supply and demand would have operated to raise it. Mr. Barnes made the statement openly that he intended to prevent, if possible, the selling of wheat above Government price. He arbitrarily interpreted the law's purpose to fix the price of wheat, not, as surely was the intent, to fix the minimum price.

Mr. Barnes, in his wire, states that the most "casual inquiry could have ascertained," and Mr. LARSON states that it "would not require the services of a trained investigator to ascertain." I have been unable to ascertain through any of the departments any records of salaries paid to officers of the United States Grain Corporation, how the money was handled, or what was done with the money. This information is regarded highly confidential, and will not be disclosed to individuals.

There are rumors floating around that the money was invested in foreign bonds and lost. Since Mr. Barnes makes the issue, perhaps it would be well for him to straighten this out for the public. He dismisses the bankrupt farmer of the Northwest with a statement. He says the wheat grower received the full-pledged price. He does not state how, in September, October, November, and December, of 1918, the Wheat Corporation urged the rapid shipment of wheat to terminals. As soon as the bulk of the wheat was sold by the farmers, prices went up. The elevators and mills sold out at the advanced prices and our grain director made no protest, until, in the spring, when the farmer stood a chance to make a little money on the small surplus he had left from seed wheat. Then Barnes began to threaten to import Canadian wheat. He broke the price, not on the speculator's wheat but on the producer's. He, more than any other man in the country, is responsible for the necessity of the farmers organizing into the Nonpartisan League. He drove thousands of farmers and small millers into such desperate straits, that, seeing no help in any direction, they banded together to form new party lines, to get a new deal and some hope, for they otherwise faced ruin. And he is right in the front rank to-day fighting any relief for the farmer.

Mr. Chairman, on page 9020 of the RECORD of May 20, I wish to ask unanimous consent to change the word "son" near the end of the first paragraph and insert instead "brother-in-law and former business associates."

The CHAIRMAN. That correction must be made in the House.

Mr. SCHALL. I was informed by the Speaker this morning, when I asked for time in the House, it could be made here.

The CHAIRMAN. Does the gentleman withdraw his request?

Mr. SCHALL. Yes; I will make it in the House.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SCHALL. May I have another five minutes?

Mr. DICKINSON of Iowa. I am sorry, but I can not yield the gentleman five more minutes.

Mr. BOYLAN. Mr. Chairman, I ask unanimous consent that the gentleman be given 10 additional minutes.

Mr. DICKINSON of Iowa. The time has been fixed.

Mr. BOYLAN. But by unanimous consent the gentleman could get additional time. We can do anything by unanimous consent if there is no point of order made or no objection raised.

Mr. DICKINSON of Iowa. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota be allowed to pro-

ceed for five additional minutes, not to be taken out of the time.

The CHAIRMAN. That request can not be entertained in committee.

Mr. BLANTON. It has been done, Mr. Chairman, when there is no point of order made against it.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the gentleman from Minnesota be permitted to proceed for five additional minutes, the time not to be taken out of the allotted time. Is there objection? [After a pause.] The Chair hears none.

Mr. SCHALL. The only crime I have committed for all this slanderous spread of the newspapers throughout my entire State is the fact that I made a mistake in the kind of a relation Barnes appointed at $30,000 a year. A moment's reflection will show that there is not a great deal of difference in degree between brother-in-law and son. The relationship did exist. There was no intent upon my part to state anything falsely to this House. I have never, since I have been a Member, stated upon this floor anything that I did not believe, and I believed when I said "son" that that was the relationship. I now know I have erred in the relationship, but the thought and the principle were there. It is the brother-in-law.

Had the gentleman from Minnesota [Mr. LARSON] come to me and said, "SCHALL, you have made a mistake," I would have gladly risen in this House and had it stricken out, and he knows it. But he came in here in my absence and put into the RECORD half truths and cleverly concealed the material facts.

Everyone knows the principle is the same, whether it is brother-in-law or son, and he well knew it. Had he been fair in his criticism of me, there would have been no statement in this House upon which foundation could be laid to hold me up to ridicule and impugn my motives through all the press of my State. But it was done for a purpose. It was done to injure me and for no other purpose.

He says he can not understand my motive for uttering this falsehood. Oh, yes; he knows that the only motive I had was the interest of the downtrodden farmers of my State; and in citing Julius Barnes I only cited the archenemy of farm relief. He knows well enough what my motive was. It was nothing sinister; it was nothing but to take care of the interests of the farmers of my State, and he knows my statement was neither false nor slanderous.

Perhaps, since he questions my motives, it may be pertinent for me to inquire a moment into what his motive was in making these false statements before this House. The gentleman from Minnesota [Mr. LARSON] and I have always been friends, or I thought so. We have never had one word of friction, and there has never been one rupture between us in all the time we have been together in this House. Our relations were very friendly—in fact, so friendly that when he was in a tight hole four years ago before election and it did not look as though he could win this Cæsar did cry, "Tom, come and help me." And I went and lent a helping hand. I made seven or eight speeches throughout his district advocating his election, because I thought he was an honest man.

The CHAIRMAN (Mr. GREEN of Iowa). The time of the gentleman from Minnesota has expired.

Mr. SCHALL. Mr. Chairman, I will have to have more time. Mr. LARSON had plenty of time; at least, his remarks took much space in the RECORD.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes, notwithstanding the time fixed, and not to be taken out of the fixed time.

The CHAIRMAN. The gentleman's request is not in order. The time has been fixed in the House.

Mr. BLANTON. I offer the Chair the precedent established five minutes ago. There is no point of order made against it, and I submit the gentleman may proceed if there is not a point of order made.

The CHAIRMAN. The Chair feels compelled to uphold the rules, as much as the Chair would like to grant additional time. Gentlemen in charge of the bill on either side can grant additional time.

Mr. AYRES. Mr. Chairman, in the absence of the gentleman from Oklahoma [Mr. CARTER], I yield the gentleman two minutes.

Mr. SCHALL. Thank you.

Gentlemen, the environment of Congress strangely changes some men; and Mr. LARSON, having reached the topmost round of fame and material gain in the last four years in Congress, spurns the base degrees by which he rose and has allowed himself to become the cat's-paw of the monkey plunder gang of my State who see fast slipping their control and power in that State to the men who carry the people's banner.

I will tell you what is the matter with LARSON: There is a nomination to be made up in the State of Minnesota on the 16th of June. My friends tell me that I am very likely to get the Republican nomination for the United States Senate. [Applause.] It would not do for the big, selfish interests of my State to have TOM SCHALL elected to the Senate of the United States, and that is what will happen if I get that Republican nomination. This self-centered, bullheaded gang, constantly lying in wait to seize any pretext to turn loose their vitriolic attacks, felt it was high time to use all the implements they had in times of emergency, and so this report goes out. A crafty, little, unfair, unsportsmanlike attack. He says that if he had been present he would have "taken me to task." Why is not he here now? I am uttering remarks which should vitally interest him. I am very sorry and deeply grieved to note the path of my erstwhile friend.

> Just for a handful of silver he left us;
> Just for a riband to pin on his coat.

[Applause.]

I wish I had more time, but I am going to ask the privilege of extending my remarks.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Chairman, it is evident up to this moment that very little has been said about the bill which has just been reported, namely, the legislative appropriation bill. Therefore, there appears to be no controversy over that bill, and it must be because the subcommittee of the great Committee on Appropriations, of which I have the honor to be a member, has done its work splendidly, thanks to its distinguished chairman, who is so prominently mentioned for the second highest place in the gift of the people of this country in the next presidential election [applause], and thanks also to the ranking Democrat on the subcommittee, the distinguished gentleman from Oklahoma, [Mr. CARTER]. [Applause.] It was my good fortune to have served on this particular subcommittee in other years, but my assignments on the Committee on Appropriations this year have led me to other paths; yet I am always interested in the legislative bill. The preparation of it is most interesting and instructive; and there is plenty of preliminary work for those who prepare it for the Congress.

Mr. FREAR. Will the gentleman yield?

Mr. GALLIVAN. With pleasure.

Mr. FREAR. Does not the gentleman consider himself out of order in speaking on the bill at this time? He is the only gentleman that has broken the record thus far.

Mr. GALLIVAN. Well, perhaps so. I seldom observe all the rules. I do not believe it is necessary to ask unanimous consent to extend my remarks on the agricultural bill because general leave has been granted, but I have listened to what the gentleman from Kentucky [Mr. ROBSION] said a moment ago, representing a farming district, and the other day I listened with interest to the gentleman from Maine [Mr. HERSEY], a distinguished and able Member of this House, and when the representatives of the farmers differ so widely on this McNary-Haugen bill, I wonder where they are going to permit us city folks to get off when it comes to a vote.

The speech of the gentleman from Kentucky [Mr. ROBSION] was most appealing and effective, and the speech of the gentleman from Maine [Mr. HERSEY], who represents the second largest agricultural district in America, was to me most convincing; and I am wondering just what a fellow from Boston who has not got a farm or a farmer in his district is going to do with his vote when he is sympathetically persuaded by both of them. [Laughter.]

If this bill were surely going to accomplish half of what its sponsors promise it will do for the suffering farmers, I do not believe you would find the able Congressman from Maine rising here and opposing it.

Oh, I will admit that the farmers of the West and the Northwest are solidly behind the measure. Their spokesmen in this House have argued that farming in those sections is no longer profitable. They tell us, and I am loath to disbelieve the statement, that thousands of their farmers are in bankruptcy; nearly all the others are facing ruin. Prices of foodstuffs, so far as they are concerned, have dropped below the cost of production. Those who urge the passage of this bill insist that the manufacturers and the wage earners in industry are, and always have been, directly aided by the Government. Now

the farmer insists that the time has come when this sort of subsidy plan should be extended to him, in order to make a fair deal all around. The advocates of the McNary-Haugen bill admit it is primarily a food-products price-fixing bill. Just what, in brief, does the bill provide?

It appropriates the sum of $200,000,000 to set up the United States Agricultural Export Association. Its directors are to be officers of the Government. These directors are given absolute power to fix, month by month, the prices that shall be paid for staple farm products raised in the United States.

Their first duty is to fix a price for wheat, corn, oats, and so forth. They will first ascertain just how far above the average 10-year pre-war price general commodities, outside of farm products, have risen. When this is worked out, farm products will be automatically lifted in price to conform to this average. If general commodities have risen, say, 50 per cent, the price of wheat will be fixed at $1.50 a bushel instead of the prevailing price—assuming it is a dollar.

As soon as this price is fixed all wheat raisers are paid on the basis of $1.50 a bushel. The commission will guarantee to take all the wheat the farmer raises and market it. Other products will be handled in the same manner. The farmer will know in advance just about what he can get for his crop and be sure of selling it expeditiously.

Inasmuch as there is at present and likely to be for some years a sizeable surplus of farm products here the commission will have on its hands a great stock of food supplies to be marketed outside the United States.

The procedure for marketing is simple. As soon as the United States demand is supplied at the fixed price the commission will take the surplus and "dump" it in England, Germany, Belgium, Italy, France, and Cuba for just what it will bring. It might be that wheat, corn, and so forth, would have to be sold at half price. At any rate, it would be sold at a sacrifice.

Farmers in selling their products to the commission would not be paid the full fixed price. They would be given, say, three-quarters of the fixed price in cash. The balance they would get after the returns from the sales in foreign countries were in, the expenses paid, and the pro rata share to the farmers figured out. If, for instance, a great surplus of wheat had to be "dumped," the first price the farmer would receive would be less than the $1.50 fixed price for the United States. If the surplus should be small and the price outside fairly good, the farmer would benefit accordingly.

Mr. Clifton Carberry, of my home city, an earnest student of national and international questions, has been making an intensive study of the possibilities of this proposed legislation. He has given to me the benefits of that study; and although Mr. Carberry has great sympathy for the struggling farmer, he has found the objections to the bill almost insurmountable. He necessarily has had to think of the suffering consumer, and so must we think of that consumer.

Now, as my friend advises me, the main objections are easily apparent to the most casual student of the present problem, if he will but give ordinary effort to discover them.

Food buyers in the United States would resent paying an artificially high price while people in England, France, and other places would get the same produce, raised here, at a much cheaper price. In answer to this the farmers declare that manufacturers here do exactly the same thing—"dump" goods abroad for what they will bring in order that the surplus shall not drift into the American market and spoil prices.

The "hole" in this argument is that while it is true that some manufacturers "dump" goods abroad they do it as individuals and at their own risk, while under the McNary-Haugen bill the United States Government would be doing the "dumping."

Another objection is that foreign nations would greatly resent our "dumping" policy and take reprisals. Canada, Australia, New Zealand, and South Africa are direct competitors of American farmers. Any "dumping" of foodstuffs in England would simply ruin the trade of Canada, South Africa, Australia, and New Zealand, and the Dominions would make a violent protest.

RELY UPON LURE OF CHEAP FOOD

Wherever we "dumped" foodstuffs we should run up against trouble from competition.

On the other hand, the sponsors of the McNary-Haugen bill say that the lure of cheap food for the masses in all the European countries would be so strong that no statesman would dare to do anything to prevent this cheap food coming in. They anticipate no trouble on this score. I fear they are in error.

Again, the farmers say that this whole plan will really cost the Government nothing beside the initial $200,000,000 fund, because all expenses will be paid by the farmers themselves.

They admit, of course, that prices of foodstuffs will be raised, but only to the same degree that all other commodities have been raised since the war.

MAY INCLUDE ALL FARM PRODUCTS

At the start it is intended to deal only with wheat, corn, oats, and so forth, but it can be readily seen that if the scheme results in assured profits to the wheat farmers the pressure to include all farm products will be tremendous. Certainly hogs and cattle would be included.

The bill gives the commission tremendous power. Besides the price fixing it can enter into such activities as grist mills, warehouses, grain elevators, packing plants, and so forth, controlling, if need be, every industry that supplies food products to the country from the farmer to the consumer.

The possibilities are stupendous. Yes; and we must watch our step. One careful analysis of this bill estimates that the American consumers will pay $1,000,000,000 more for their foodstuffs in the 12 months following the passage of the bill, should it be written into the law of the land.

I can not support any such measure, and I am not yet persuaded that my colleagues here will help to place that tremendous burden on our people.

Mr. BOYLAN. Mr. Chairman, a parliamentary inquiry. I would like to ask the gentleman from Massachusetts why he desires to extend his remarks in the RECORD when he says he has no farms or farmers in his district?

Mr. GALLIVAN. I shall answer the gentleman from New York by saying that as a Member of Congress I do not represent one district. I represent the whole country. In other words, I feel that I am really an all-American Congressman. [Applause.] At any rate, I try to be that kind of a Congressman. [Applause.]

Mr. AYRES. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. UNDERWOOD].

Mr. CARTER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. UNDERWOOD].

The CHAIRMAN. The gentleman from Ohio is recognized for 20 minutes. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. UNDERWOOD. Mr. Chairman and gentlemen of the committee, it will be conceded perhaps that next to the food-supply and transportation business of our country that of the Nation's fuel supply is the most important. There is every probability that for many generations to come the production and transportation of coal will be of vital concern to our people. It is, and will continue to be, one of our basic industries. The coal business is basic because our economic and industrial life is absolutely dependent upon a supply of coal. Industry in this age of mechanics and machinery depends upon power to run the various agencies of production and distribution. The source of the larger portion of this power is coal.

I have listened with interest to able addresses delivered upon the floor of the House relative to the anthracite coal industry. Since becoming a Member of this body I have not heard a single one of my colleagues speak upon the bituminous-coal situation. I would be unfaithful and derelict in my duty to thousands of men, women, and children in my State and district if I remained silent longer upon certain conditions in this industry which I believe can and ought to be remedied.

In the brief time alloted to me I will not attempt to discuss the anthracite-coal industry because anthracite coal is a luxury, pure and simple, is confined in its production to a small area, principally the State of Pennsylvania, is produced by very few companies, and is used by a comparatively small number of people in comparison with bituminous coal. About 147,456 mine workers and other laborers are engaged in mining anthracite coal.

Approximately 600,000 mine workers are engaged in the production of bituminous coal, extending over a wide range of States, with the principal bituminous coal industry centered in the States of Ohio, Pennsylvania, West Virginia, Illinois, Indiana, and Kentucky. It has been officially estimated that during the coal year ending March 31, 1924, we had a gross production of bituminous coal in this country amounting to 540,000,000 tons. Our consumption for the coal year ending on that date was 510,000,000 tons. Thus it can be seen, gentlemen, that the production, transportation, and consumption of bituminous coal is a matter of great importance to those who are engaged in the business and to the American people.

EXISTING CONDITIONS IN THE BITUMINOUS COAL FIELDS

The great bituminous-coal producing districts in certain sections of our country have been idle, or only operating part time, for many months past. Economic conditions directly resulting from or growing out of the great world conflict are no doubt contributing factors to the existing conditions in the soft-coal industry. Large excess stock piles and overdevelopment have helped drive the coal industry into its present desperate and deplorable situation. There may be too many mines and too many men in the industry. But these conditions are not the only evils which affect the industry. I can not understand why any of these elements or conditions should justify certain producing coal districts in our country having an advantage over other districts producing a similar product by granting them favored freight rates which are unfair and discriminatory.

Many elements and factors enter into the solution of the present problem. In the short time which I have it will be impossible for me to discuss all of these elements. I desire to direct myself more particularly to the transportation question. To-day we have the great transportation systems of our country, the system through which must flow the life blood of our country—its commerce—still charging high and prohibitive freight rates. I have always been of the opinion that the transportation question and the existing freight rates, in many instances discriminatory and unjust, have had much to do with the disturbed conditions in the mining industry.

The problems of transportation and excessive, unfair, and discriminatory freight rates have been ruinous to the farmer and the public and, particularly, certain districts of the soft-coal industry. I believe the present coal freight-rate structure should have the immediate favorable attention of the Interstate Commerce Commission and this Congress. I do not believe there is any necessity for a continuance of war rates into the period when war coal prices have long since disappeared. The public is gradually learning by experience that high coal prices are in large part high freight rates. Those engaged in the industry have learned by bitter experience that under the existing economic conditions unfair and unjust freight-rate differentials determine and vitally affect sales in limited or dead markets.

Extending over a period of more than half a century, freight rates on coal have been gradually built up into the present complicated structure. In the beginning coal-consuming industries grew up around rich coal deposits, or coal fields located near these industries were opened. The coal-producing and coal-consuming industries naturally and gradually developed together, with a direct and logical relationship to one another.

As time went on other coal deposits of good quality were discovered, resulting in new railroads being built to connect these coal deposits with the large centers of population and industrial markets. Naturally there was a pressure or demand for the development of coal traffic from these new fields over these newer railroads. Favored freight rates were established and granted by the railroads sufficiently low to permit the hauling of this coal long distances in order to compete with other coal much nearer the markets. In establishing freight rates on these long hauls from the newly developed coal fields no regard was given to cost of transportation service rendered or difference in distance.

Before railroads were under the strict governmental supervision which is supposed to exist to-day they inaugurated a system of building up a particular section of the country in the hope of thereafter reaping profits from it. One of the means of doing this was the hauling of freight to or from the favored community for less than the actual cost of the haul. This has resulted in communities, States, and certain sections of this country being discriminated against, while other sections were especially favored.

The Interstate Commerce Commission, in violation of the plain intent of the laws passed by Congress, has repeatedly by its rulings assisted the railroads in doing this, thus perpetuating a system which has resulted in unjust freight rates and special privileges to certain coal-producing districts over others. This has literally resulted in the ruin of many of the older coal-producing fields in the bituminous industry. The Interstate Commerce Commission was supposed to abolish these evils and establish a system of transportation rates favoring all sections alike, but in many instances it has not justly and fairly arranged and established freight rates. It has permitted and sanctioned a continuation of the old system inaugurated by selfish interests for selfish purposes.

If any particular district in the coal-producing fields is given an advantage in freight rates of a few cents or a few mills per ton upon its commodity, the locality or section having that advantage can gather to itself increased business and wealth. Any section suffering from unfair discrimination in this respect has its development arrested and its industries injured. The importance of fair freight rates can not be overestimated. They are the key to the development of many sections of our country. I have always believed in the theory that every section or locality is entitled to the benefit of its natural advantages. If it is situated close to a market, it is entitled to that natural advantage, and no law of Congress or ruling of the Interstate Commerce Commission should take away that advantage. Freight rates upon any commodity should not be framed that work to the disadvantage of certain producing sections of our country. Interference of this kind with natural conditions and advantages is un-American and unjustifiable. Such a system does not make for the good of the country. Our policy should be the evenly balanced development of all parts of our country.

The question of favored freight rates over long and short hauls is not a new one for Congress or the Interstate Commerce Commission. Congress at various times has attempted to correct this evil, but it seems impossible to get the Interstate Commerce Commission to carry out the intent of Congress. Affected districts have repeatedly filed applications for relief. It is true that some relief has been given, but it has not been sufficient to correct certain existing serious situations in the bituminous-coal industry. I contend that through the railroads and the rate structure much can be done to restore normal conditions in this industry.

The public is vitally interested in this question. They realize that where rates are not compensatory for services rendered the burden of making up the deficiency is borne by the consumer. They realize that the difference resulting from freight rates that are not equitable must be borne by other commodities. They are beginning to understand that rates made to favor the long haul in the coal traffic are not at the present time to the public interest.

The existing coal freight-rate basis has been built up on the theory that competition was desirable and that expansion of coal production was needed. To accomplish this the rate structure has been shaped to encourage development of fields remote from the market. Rates from long-distance points have been built up on a lower rate per ton per mile than from short-distance points. Since the carriers must earn in the aggregate sufficient to carry on their operations, the higher short-haul rate bears a portion of the long-haul cost. In order to sustain the long haul a consumer from a short-haul mine is compelled to pay a rate abnormally high for a portion of the service rendered the long-haul shipper.

Gentlemen, it may be contended that the development of the rate structure was designed for a proper purpose, because of war conditions and the rapid industrial growth of the country. However, the time has come when development has been overdone. The rate-making theory and practice should be modified so as to stop encouraging unnatural long-haul development and operation. I believe more importance should be attached to the factor of distance. Long hauls have a tendency to cause congestion, high cost, and inefficient service, whereas short hauls would supply the demands of the consumer, eliminate certain evils of the transportation problem, and tend to better efficiency.

It is not disputed that much of the soft coal now produced and consumed in this country is transported undue distances. It is not disputed that in many instances this coal from distant fields on its way to market travels over fields producing coal of similar grade and quality. This practice has resulted in a gradual encroachment on the natural markets of older coal-producing fields in the bituminous industry. It has enabled remote coal fields to enter the large consuming markets and compete with nearer coal fields, which must pay a higher freight rate, at a price that does not reflect distance in the cost of transportation. The Interstate Commerce Commission has failed to correct this earlier established practice of favored freight rates and has done much to continue the system. The rates have been only slightly modified.

It seems almost impossible to get the Interstate Commerce Commission to move when it is necessary to have prompt action to relieve a serious situation. It has been charged that the railroads exercise too much control over this commission. It is my opinion that the commission has not been as absolutely fair, just, and impartial as it could have been in dealing with this problem.

This practice of unfair, discriminatory, and preferential freight rates has permitted the coal-producing districts of West Virginia, eastern Kentucky, and other States to ship coal into and through Ohio over long hauls at a favored freight rate much lower in comparison with the existing rates over shorter hauls from coal fields of Ohio much nearer the markets and industrial centers. This has resulted in placing Ohio coal at a disadvantage, and the evil effects to operators and miners of that State is self-evident. It is natural that in the coal industry each producing field is seeking to widen the territory in which it can market its product; but, gentlemen, each producing coal field should have a fair chance to successfully compete for its share of the trade and not be discriminated against, and lose its natural markets and advantages through unfair, unjust, and discriminatory freight rates. The Interstate Commerce Commission has, in my opinion, either evaded or failed to carry out the intent and purpose of laws enacted by Congress in fixing coal freight rates over long and short hauls.

Gentlemen, I realize that this condition which has grown up through a half century can not be removed in a day, but I believe the favored long-haul freight rate is one of the factors partially responsible for existing conditions of unemployment and idleness among the bituminous coal miners and operators in many of the older fields. It is a long and difficult road to get action before the Interstate Commerce Commission that would mean real relief.

The railroads, with a large array of high-priced lawyers, oppose fair and equitable readjustments, and as a result procedure for relief before the commission is more expensive and troublesome than it should be. The commission knows the facts through investigations and protests which have been made before it. Congress and the Interstate Commerce Commission can do much by suitable laws and rules to stabilize and cure the mining industry of these conditions. I realize that this is a big question. An expression from Congress would bring action by the commission or at least help in solving this problem.

Mr. McSWEENEY. Will the gentleman yield?

Mr. UNDERWOOD. I will gladly yield to my colleague, who, I know, is very much interested in this question.

Mr. McSWEENEY. The gentleman from Ohio has gone into this subject very thoroughly and, I am sure, is anxious to help solve the difficulties of the miners of our State. I would like to ask him whether this question of unfair and preferential freight rates affects all the mining districts of Ohio.

Mr. UNDERWOOD. I think it vitally affects all the coal-producing districts in the State of Ohio, and I expect to discuss the Ohio situation a little later in my remarks.

I can not go into the entire question of existing freight rates. I do not desire to do so at this time. Gentlemen, I contend that the existing coal freight rates in certain sections of our country are unfair, preferential, and discriminatory. I propose to show you the result this has had upon the coal industry in those coal fields. In support of my argument and position I desire to call to the attention of this Congress the existing coal situation in Ohio and the effect the present coal freight-rate structure has helped produce.

COAL SITUATION IN OHIO

Ohio has a just right to be proud of her diversified industries. The good people of my State have an excellent history of achievement in agriculture, mining, manufacturing, and other industrial activities, but the existing and prevailing system of coal freight rates is literally killing one of the greatest industries of my State. The Ohio coal situation is extremely bad and the great mines of the State and my district are in many instances idle. Millions of dollars have been invested in the mining industry and thousands of miners and their families are dependent upon this industry for their livelihood. To-day a large part of this capital is idle and thousands of miners are unemployed. Conditions in many of the mining fields are sad and desperate. Men have not had employment for months. Their homes have been mortgaged, their savings exhausted, and actual want and hardship exist in many localities. Only the kindness of the merchants in extending credit prevents men, women, and little children from facing actual want and hunger.

The following statistics compiled by the Bureau of Mines, Department of the Interior, show the importance of the coal industry in the district which I represent:

Coal-mine data for Hocking and Perry Counties, Ohio

HOCKING VALLEY AND CROOKSVILLE DISTRICTS

Year	Number of employees	Average days worked	Production (net tons)	Total value	Value per ton
HOCKING COUNTY					
1919	2,823	141	1,573,622	$3,458,617	$2.19
1920	2,610	171	2,198,938	8,786,000	3.99
1921	2,317	80	[1] 969,870	2,454,000	2.53
1922	2,529	68	[1] 868,629	2,935,000	3.38
PERRY COUNTY					
1919	3,752	147	2,519,050	5,400,790	2.14
1920	3,808	179	3,651,343	14,483,000	3.97
1921	3,570	89	[1] 1,584,017	3,928,000	2.48
1922	4,270	84	[1] 1,788,476	5,685,000	3.23

[1] Exclusive of product of wagon mines.
1923 figures not available, but average days worked much less than in 1922.

The outlook in the central Ohio coal fields is the worst since 1896 and 1897. In the southern Ohio coal fields the following tabulation of working time at mines on various railroads serving this district for the week ending April 12, 1924, fairly illustrates conditions prevailing during that month and the first four months of the year:

Railroads	Total mines	Idle entire week	Worked 1 day	Worked 2 days	Worked 3 days	Worked 4 days	Worked 5 days	Worked 6 days
Hocking Valley	175	142	5	0	8	7	8	4
Toledo & Ohio Central	57	46	1	9		1		
Zanesville & Western	73	61	4	3		2	2	1
Kanawha & Michigan	96	30	4	1	1			
Pennsylvania	14	9	1		1	2		1
Baltimore & Ohio:								
Ohio Division	29	25	3		1			
Toledo Division	17	17						
Newark Division	39	34	1	1	3			
Total	440	364	19	23	14	12	5	3

The above table of the United States Department of Commerce indicates that out of a total of 440 mines, 364 of them were idle for the entire week, and that only 76 mines were working. It further shows that these 76 mines worked only a total of 198 days, or an average of two and one-half days each, for the week. For the first four months ending April 30, 1924, in the same coal field, 274 mines and 9,631 men out of 23,030 men were idle the entire four months and 13,399 worked 28½ per cent of the time. Railroad fuel helped bring up the total percentage. From April to December, 1923, a period of nine months, or 225 working days, we had in the southern Ohio coal fields approximately 504 mines with a rated daily car production of 2,888 cars, employing 23,089 men. Of this number 128 mines were idle and 2,765 men were unemployed during this entire time, while 376 of the mines, employing 20,324 men, were only working one, two, and three days a week.

These illustrations indicate the depressed, deplorable, and distressed conditions existing in certain producing sections of the State, which can, in my opinion at least, be partially remedied by immediate action of Congress or the Interstate Commerce Commission.

Authorities agree that a reorganization of the entire rate structure for freight is necessary, and especially coal rates. It has been urged that this should be ordered at once by Congress. We have been told that one of the suffering needs of the soft-coal industry is action that will secure more continuous production, and that one of the sources of the difficulty in the bituminous coal fields is the intermittence and irregularity of production. Ohio operators and miners agree, and would welcome action by this Congress that would effect a revision of the coal freight-rate structure. They believe, as I do, that a revision of the existing coal freight-rate structure is needed and should be ordered. It is neither fair nor just that coal mining, one of Ohio's greatest industries, should be depressed and held down, as it has been, for years, while competing coal fields in neighboring States, developed by discriminatory and unfair freight rates, have progressed and grown by leaps and bounds.

The United States Coal Commission, which cost the taxpayers of this country approximately $650,000 investigating this industry, in its report, dated September 20, 1923, has this to say:

The railroads tapping the coal fields have competed for prospective tonnage from new fields and by rate adjustments have expanded markets for the operators on their lines.

It is evident from the foregoing that the railroads in their competition for new business have helped expand the markets of the new fields. If this had been accomplished by fair methods I would have no complaint. But, gentlemen, the railroads own millions of acres of coal; they have had more than a passing interest in the development of the newer coal fields. The Coal Commission did not go far enough in its investigation. In stating that the railroads by rate adjustments have expanded markets for the operators on their lines, they did not stress the fact that development by such methods has resulted in stunting the growth of the old-established fields, such as Ohio, nor that the new fields by favored freight-rate adjustments had absorbed the markets and displaced the coal from Ohio mines. Statistics show that Ohio coal mining has practically stood still for two decades. It is not disputed that the industry has grown like a mushroom in the adjoining States of West Virginia, eastern Kentucky, and other sections.

To illustrate the existing depression and idleness in the coal fields of Ohio as compared with the coal business in the neighboring States of West Virginia, Kentucky, Illinois, and Indiana, I have prepared a table of the coal produced in these States in the years 1900, 1910, and 1923, the last year for which an estimate was made, as follows:

	1900	1910	1923
Ohio	18,988,150	34,209,668	40,000,000
West Virginia	22,647,207	61,671,109	100,000,000
Kentucky	5,328,964	14,623,319	41,000,000
Indiana	6,484,086	18,389,815	27,000,000
Illinois	25,767,981	45,900,246	84,000,000

An examination of the preceding table will disclose that in 1900 Ohio, West Virginia, and Illinois production was about on a par. Ohio produced almost double the combined tonnages of Kentucky and Indiana. To-day West Virginia and Illinois production exceeds that of Ohio. Kentucky and Indiana have made great strides and are about on a par with Ohio production. It will be noted from the foregoing table that West Virginia production has increased from approximately 22,000,000 tons to 100,000,000 tons in the period covered, this unusual and extraordinary increase being almost five times the production of 1900. Kentucky's production has increased until it is approximately six times as large as it was in 1900. Ohio's production has barely more than doubled in the same period of time.

Has this rapid increase in the producing coal fields mentioned been the result of the normal and natural growth of this industry unaffected by other influences? I contend that it has not. Ohio operators and miners have had, and still have, to contend with unfavorable and discriminatory freight rates in which the usual factors, such as distance, have been ignored. These freight rates, especially favoring the producing fields of West Virginia and Kentucky, have placed Ohio coal at a disadvantage. Jurisdiction of freight rates has been placed by certain laws in the Interstate Commerce Commission. Numerous complaints and lengthy hearings before this commission have resulted in some relief, but not sufficient to enable unrestricted competition and distribution. With a tremendous natural industrial and fuel-consuming territory near their mines, Ohio shippers have seen their natural and local markets absorbed by coal from mines in West Virginia, eastern Kentucky, and other States 100 to 300 miles distant. These coal fields have been given an unfair advantage over Ohio mines by a system of unfair freight rates favoring the long haul from mines to markets.

I propose to show that the rates from certain producing districts in the States referred to, as compared with the rates from Ohio, are unreasonable, preferential, and discriminatory, and do not place Ohio districts on an equality with other competitors. For that purpose a brief comparison has been made in the following table, which will demonstrate that the present coal freight-rate adjustment unduly discriminates against Ohio coal and grants an undue advantage to the mines of other States.

Comparison of average mileage, rates (in cents per ton), and rate per ton-mile (in mills)

From—	To Chicago, Ill.			To South Bend, Ind.			To Grand Rapids, Mich.			To Detroit, Mich.			To Toledo, Ohio		
	Average miles	Rate (cents)	Rate per ton-mile (mills)	Average miles	Rate (cents)	Rate per ton-mile (mills)	Average miles	Rate (cents)	Rate per ton-mile (mills)	Average miles	Rate (cents)	Rate per ton-mile (mills)	Average miles	Rate (cents)	Rate per ton-mile (mills)
Ohio: Hocking district	417	274	6.6	384	254	6.6	396	275	7.0	263	210	8.0	193	189	9.8
West Virginia: Kanawha district	560	309	5.5	579	304	5.2	623	325	5.2	474	260	5.5	395	239	6.1
Kentucky: Hazard and Elkhorn districts	578	309	5.3	520	304	5.8	625	325	5.2	523	260	5.0	468	239	5.1

The foregoing chart, gentlemen, will show a comparison of average mileage, rates (in cents per ton), and rates per ton (in mills) from the Hocking district in Ohio, the Kanawha district in West Virginia, and the Elkhorn and Hazard districts in Kentucky, to Chicago, Ill.; South Bend, Ind.; Grand Rapids, Mich.; Detroit, Mich.; and Toledo, Ohio.

This statement of rates and distances is intentionally brief, but it furnishes a clear and concise view fairly representative of the whole situation. The mileages shown are averages of entire groups or districts, and do not illustrate extremes. The destinations indicated are located in different sections of the territory affected and fairly represent the whole.

A careful study of the rates and distances shown will prove conclusively that rates from Ohio mines, particularly those in southern Ohio, are very much higher than rates for similar distances from other principal producing districts. It is not necessary to state how this is reacting upon the coal industry in this section. The Coal Commission's data and findings bear out the statements made herein.

An examination and analysis of the coal freight preferential rates on this chart will amaze and astonish anyone who has heretofore had neither knowledge nor interest in unfair, discriminatory, and preferential freight rates. For instance, we will take a ton of coal from the Hocking district, one of the largest producing districts in Ohio, to Toledo, Ohio, a distance of 193 miles. The freight rate per ton for transporting this coal is $1.89. This rate expressed per ton-mile will be 9.8 mills. If you take a ton of coal from the Kanawha district of West Virginia to Toledo, Ohio, a distance of 395 miles, or more than twice as far, the freight rate will be $2.39, or the rate as expressed per ton-mile will be 6.1 mills.

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. May I have five minutes more?

Mr. CARTER. I yield the gentleman five additional minutes.

The CHAIRMAN. The gentleman from Ohio is recognized for five additional minutes.

Mr. UNDERWOOD. For further illustration, a ton of coal is taken from the Hocking district of Ohio to Grand Rapids, Mich., a distance of 396 miles. The freight rate per ton for transporting this coal is $2.75. This rate expressed per ton-mile will be 7 mills, while a ton of coal from the Hazard or Elkhorn districts of Kentucky, a distance of 625 miles, will be charged a freight rate of $3.25, or the rate as expressed per ton-mile will be 5.2 mills. This differential per ton as compared with the distance, in my opinion, is unfair to the Ohio district, is discriminatory, and does not return reasonable compensation to the railroads for the long haul as compared with the short haul. The short haul in Ohio unquestionably helps bear the cost of the long haul from West Virginia and Kentucky. This results in West Virginia and Kentucky coal entering into unfair competition with Ohio coal through this advantage in freight rates. It displaces Ohio coal from its natural markets. It has resulted in the rapid development of West Virginia fields, whose production passed the 100,000,000-ton mark during the last year, while Ohio mines and miners are idle, partially at least, as a result of this unfair discrimination in coal-freight rates.

Who can deny that such preferential and discriminatory freight rates are a great contributing factor to a situation which permits West Virginia and Kentucky coal to monopolize markets at the very threshold of Ohio mines? As a result Ohio mines are practically idle for lack of markets. Ohio

operators and miners face a dismal and unhappy future. Relief, if possible, must be given, or mining in this great State will be destroyed. Ohio citizens should ponder well over this situation. If the mining industry suffers, other business and industry will suffer correspondingly. The farmer, laborer, merchant, and manufacturer will directly or indirectly feel the effects of this depression.

I am sure you are interested, as I am interested, in granting them every relief possible. I believe the existing freight rate schedule as it pertains to Ohio coal fields should have been given attention long ago by the Interstate Commerce Commission and this Congress. Existing conditions have been permitted to run on until the operator and miner are to-day in a critical and desperate condition. With millions of dollars invested in coal-mining properties, the operators and miners believe that a maladjustment of coal freight rates exists, and that it is responsible in a great measure for many of their vexing problems of to-day. They realize, as I do, that as a result natural resources are wasted and that labor in great numbers is idle.

There are several thousand miners in the district which I have the honor to represent. I have lived among them all my life. I think I understand something of the mining business and the problems of those who earn their living by digging coal. I know of many who by reason of the conditions under which they work can not from their wages support and educate their families as the families of American workmen ought to be supported and educated. The operators and miners of Ohio are at peace. They have recently signed an agreement extending for a period of three years. They are agreed that their interests are mutual and not antagonistic; they realize the operator must have the miner and the miner must have some place to work. The miners and operators of my State are only asking a fair chance and a square deal in order that Ohio-mined coal may come back into its own and enjoy its natural markets. Gentlemen, no better coal is mined anywhere than in the hills of Ohio and the beautiful Hocking Valley. There are no better mines, and nowhere on earth are there better classes of men than comprise the mine workers of southern Ohio. I know these miners in the Hocking Valley and Crooksville districts. You can search the entire country over and you will not find a group of men, taken individually or collectively, who have a finer sense of true American spirit than the miners of my State and district. They are with few exceptions all American citizens, and the vast majority of them are American born. Many of them own their own homes and have been attempting out of their meager incomes to educate, feed, and clothe their children. As a group they want to do what is best for themselves, their families, and their communities.

I can see before me to-day in the mining fields, composing a part of the district which I have the honor to represent, thousands of these loyal, patriotic American citizens face to face with actual want and hardship. Gentlemen, the miners of Ohio, who have always been honest, fearless, and true to their families, their country, and their God, believe that partial relief can be granted by a removal of the existing discriminatory and unjust freight rates which give advantage to the neighboring coal States of West Virginia and Kentucky.

If you will go with me into the mining fields of Ohio to-day, with which I am acquainted, I can show you the coal miner living in a modest and simple home, where he sits with his family brooding over the unkindness of fate. Gentlemen, if you knew the miners of my district and State as I know them, if you had associated with them as I have done, if you only knew the many hardships they have encountered and are encountering to-day, I am sure that you and the good people who sent me here would not ask that I remain silent upon a question which is of vital importance to the happiness and welfare of thousands of men, women, and children in the coal fields of my State and district.

I say that the man who goes down in the bowels of the earth, who hazards his life, and endures the hardships of the miner, is entitled to our consideration. We should remember that the coal miner is just like other men, with the same sentiments, the same inspirations, ambitions, hopes, and aspirations as other men. He has the same love for his family that other men have for their families. He is the same kind of a citizen as other men, with the same patriotic devotion to his country that is found in other men.

I am interested in their welfare. It is my duty to represent them, as well as all my people, in this Congress. I have always been their friend and will continue to help them by my vote and influence wherever possible. The Ohio miner only seeks for himself and family what every true American wants, an honest living and a square chance to work in unrestricted and unhampered competition with his fellow workers in other fields. I want all sections and all the people of this great country to prosper and be happy. I regret that any of our people must suffer where it is possible to grant them a measure of relief. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. DICKINSON of Iowa. Mr. Chairman, I now yield to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG. Mr. Chairman, partisans or adherents of the Howell-Barkley bill have branded as their enemies all those who refused to vote to take this bill away from the Committee on Interstate Commerce before that committee had held hearings upon it or had given its provisions careful consideration.

No Member of Congress with a proper appreciation of his responsibilities to all the people should vote to take up any bill which affects railroad rates or upon any other subject vital to all the people for consideration in the House until every phase and angle of it has been thoroughly revolved, discussed, and considered in committee, following a committee hearing not only of its proponents but also all those who might be able to throw any light upon it. That is the only wise way to legislate. All kinds of trouble have followed the hasty enactment of legislation upon difficult subjects, both in Congress and in the State legislatures.

Admittedly the Howell-Barkley bill deals with a subject which affects railroad rates, and as such is of great importance to all the people, and it is the right of all the people that it shall be fully and thoroughly considered. There can be no justification for rushing such a measure through Congress.

The proponents and partisans of the measure, however, said they were justified in such a course because according to their assertion the committee had neglected or refused to give it prompt consideration. To my mind, even if this were true, it would not be sufficient justification for Congress to proceed without proper information. What are the facts? Did the proponents of the measure exercise diligence? Did they have the measure drafted before the meeting of Congress? Did they have it introduced on the first day of the session? No; it was introduced on February 28, when the session of Congress was practically half over. In the meantime the committee had taken up and was in the midst of the consideration of other important measures.

Again, it is important to inquire who were consulted in the preparation of the bill. If Congress is expected to pass it almost "unsight and unseen" it is important to know to what extent the plan proposed has been worked out prior to its introduction in Congress and whether all those to be affected by it have been consulted. Were the farmers consulted? Were other producers consulted? Were the shippers of the Nation consulted? Were the views of the employers ascertained? The answer to all these questions is "No."

Again, were all the railroad employees themselves consulted? Or were all of their leaders consulted? Apparently not. I have received many letters and petitions from railroad workers protesting against the passage of the Howell-Barkley bill. Here is one from the local organization at Jamestown, N. Dak., of the Carmen's Craft, signed by 34 men, asking me to use all honorable means to defeat the bill.

It appears, therefore, that this bill has never had up to this time any consideration excepting by leaders of a portion of the railroad employees.

Under all these circumstances should we attempt to write the bill into law by only such hasty consideration on the floor of the House as is possible under our House rules and the usual time of the House which can be devoted to it?

I represent a district in which farmers are in the great majority. They must sell their products on a market. They can not add to their price the cost of freight. They get the market price at the place of consumption, less the freight and other carriage charges. Proponents of the Howell-Barkley bill are proposing to establish arbitration boards without any representatives of the public, excepting on one board which they declare shall have no jurisdiction without their consent as well as the consent of the railroad owners. This means the public, including farmers and all producers, shippers, and consumers are to be left out of the reckoning. They are the ones who must eventually pay the bill, but they are not to be considered in the adjustments of wages or working conditions if this bill passes.

It is provided in the bill that railroad owners shall be forbidden to make any change in present wages or working conditions and no tribunal is provided to which they can go, save

and except with the consent of the employees. At the same time they propose that the employees shall have the right to strike for higher wages or better working conditions.

Mr. Chairman, I would be recreant in my duty to the people I represent if I were to vote to take such a bill away from the committee before it has had careful investigation, searching inquiry, and deliberate consideration. The Members of the House are entitled to the views of the members of that particular committee who have given years of study to transportation problems, and the members of that committee have the right to reasonable time within which to investigate, consider, and express their views, and with due regard to other important bills of prior date pending in the committee.

My votes in this House have been fair to organized labor. Members of organized labor know this. And my votes here have also been fair to the farmers and others of my district, and they will continue to be so while I am a Member of this body.

Fairness to all the people of my district has dictated my action in regard to the Howell-Barkley bill. Its proponents have not, in my judgment, justified its consideration and passage in the House without committee consideration. While I could not vote for the bill in its present form, what my final action on the bill might be if it were carefully considered, modified, and perfected, I would not venture to say. It would be my desire, after being placed in full possession of all the facts, to act in all fairness to the railroad employees as well as all the people of the Nation.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield now to the gentleman from Montana [Mr. LEAVITT].

Mr. LEAVITT. Mr. Chairman, in the office of the Postmaster General this afternoon of May 27 I presented the flag of Montana to Postmaster General New to be added to the collection of State flags in the possession of the department. The flag was procured for presentation by the Great Falls (Mont.) Chapters of the Order of De Molay and the Daughters of the Rainbow. Taking part in the presentation were Mrs. H. W. Benton, of Great Falls, Mont., wife of one of the advisors of the De Molay, and Coel W. Mills, also of Great Falls, past master councilor of that organization. The following remarks were prepared for the occasion:

Mr. POSTMASTER GENERAL: The privilege of presenting this flag of my State of Montana has been given me by two organizations of young people in my home town of Great Falls—the Daughters of the Rainbow and the Order of De Molay. The teachings of these two groups, one of girls and one of boys, includes honor to home and parents, love of country, and devotion to God; and their pride and affection for their State is proven by their thus securing and sending here this flag to hang among the banners of all the Union.

The Montana State flag is officially designated as that carried by the First Montana Infantry in the Spanish War, without having printed on it the name of the regiment. I am presenting this flag to you on the nearest date obtainable to the one on which that regiment left Montana in 1898 for the Philippines. It left on the 25th of May, and made a record so enviable that its flag was made that of the State when it returned. In the Great War it was carried again with equal glory.

The motto on this flag is "Oro y Plata," gold and silver, and it was adopted when the treasure of the mountains had drawn into what was then a wild land of promise and adventure a hardy citizenship which laid the foundations of the State. It recalls the day in the sixties when law and order rode into Virgilia City and Bannock in the form of the Vigilantes and orderly government put its steady hand to the building of the State. Gold and silver! Romance and adventure of the other days, but still appropriate because a new gold in the form of vast fields of grain has come with even greater wealth, and the silver of mighty mountain streams now flows over power dams to turn the wheels of industry.

The past of Montana is the story of the discoverer and the pioneer. The present is enough of fruition and accomplishment to point the way into a future of almost boundless promise and accomplishment.

To imagine Montana in size, take first of all the New England States. Add New York and then South Carolina to round out the measure. Only Texas and California are greater in area. It stands first among the States in the production of spring bread wheat (over 39,000,000 bushels in 1923) and fifth in the production of all wheat (53,000,000 bushels). It stands first in percentage of spring wheat grading No. 1 (74 per cent). It uses more electricity per capita than any other State. It leads in the production of manganese and precious stones. Even its flowers are supreme, because its bees produce more honey than in any other State. The Russell Sage Foundation in 1920 placed Montana's primary school system first among the States.

In the production of copper, silver, and zinc Montana stands second, and only one State had a lower death rate last year. Only two States have greater measures of coal, and only three produce more electricity by water power. It possesses one-tenth of all the water power in the United States.

But statistics alone are not the most interesting things about a State. That our cattle and sheep and horses run into the millions; that our standing timber amounts to over 58,000,000,000 feet; that our annual average production of leading farm crops is shown by the United States Department of Agriculture to exceed the production, per acre, of all the chief crop-producing States to the east; that our industrial development is evidenced by the fact that we have the tallest smokestack in the world, taller than the Washington Monument and big enough to contain the Monument without touching on the inside; that we have over 5,000 miles of railways and 30,000 miles of improved roads, over half a million farms and more Federal irrigation projects than any other State—all of these things have interest because they show what Montana is as a State in which to make homes and build a future.

Montana people do not live in the past except to take lessons from it. They have learned from the rigors of pioneer days, and they know that pioneer days are not over. Two-thirds of the agricultural area is still to be developed, but it is not a task for the faint-hearted or the weak. Montana invites people of sturdy fiber and sufficient resources to the opportunity which comes from cheap land of high productive power to help build an empire and grow independent.

In its eastward reaches Montana is the land of wide prairies and rolling hills. Toward the west it is the land of shining mountains and rivers which flow out of them toward the Pacific, Hudson Bay, and the Gulf of Mexico. It is in truth the treasure State, and the spirit with which its sons and daughters have sent this flag for me to present to you for addition to your flags of all the States is that of the men and women who have built Montana.

I am proud to be the instrument for its presentation and give it into your keeping conscious of the fact that it will hang in beauty and glory among these other flags as Montana stands among her sister States of the great Union.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield two minutes to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. Mr. Chairman, when the House had under consideration the resolution from the Committee on Military Affairs authorizing the President to direct Major Kirby to act as Director of the Bureau of Engraving and Printing, in remarks upon that bill a member of the committee appointed by the Speaker of this House under a resolution directing the investigation of alleged duplications in and fraudulent issues of Government securities, speaking in opposition to the resolution, made the statement to the effect that such a designation of authority directing Major Kirby to so serve would injure the work of such special committee, and in response to a question from one of the Members of the House the further statement was made that the entire committee took that position. As a member of that committee, I wish to say that such statement is erroneous in so far as I am concerned.

The investigation I made regarding Major Kirby convinced me that he is a high-class, fine, talented, and able man, and I favored his appointment as Director of the Bureau of Engraving and Printing for the reason that I believed that he would promote needed efficiency there and reestablish the morale among the employees in that bureau. I not only favored and voted for the resolution authorizing the President to continue Major Kirby as Director of the Bureau of Engraving and Printing but I went before the acting chairman of the Committee on Military Affairs and asked him to bring the resolution out of the committee.

In the remarks of the gentleman to whom I have referred, the intimation was also carried that the committee believed that the Secretary of the Treasury was hindering us in our investigations. As one member of that committee, I must say that I entertained no such view. I think that Secretary Mellon has granted us every assistance that we have asked for. [Applause.]

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. JAMES].

Mr. JAMES. Mr. Chairman, let me quote from Abraham Lincoln, who said:

I do not know much about political economy, but I do know that when we purchase a ton of steel rails from Great Britain for $100 we get the rails and Great Britain gets the money, and when we produce the rails from our own mines and in our own mills we have both the money and the rails. When you buy goods from abroad you have the goods, but some one else has the money. When you buy goods at home, we have both the goods and the money.

Mr. Chairman and gentlemen of the House, for many weeks, and especially the past week, we have heard about the serious plight of the farmer and reasons why, unless he should get

relief of some kind or other, nearly every farmer, especially in the West, will go into bankruptcy. I do not believe that these conditions are exaggerated, and personally I have been glad ever since I have been in Congress to vote for any bill that will give a square deal to the American farmer.

The farming sections, however, gentlemen, are not the only ones that are having hard times. The copper country of Michigan, which I have the honor to represent, is suffering as much as any district in the United States.

Up to about 10 years ago the copper country of Michigan—the Lake Superior region—was as prosperous as any district in the United States. "Hard times" did not affect us; we did not feel either the panic of 1876 or the panic of 1893.

From time to time during the last two years, and with increasing persistency within the last six months, there has been brought to my attention the grave situation with respect to the copper-mining industry within the United States. Representing, as I do, a district in which copper mining is the dominant industry, it is peculiarly distressing to me to witness the gradual but steady contraction of this great industry, the shutting down of mines, and the abandonment of heretofore prosperous communities.

MATTER OF TARIFF TAKEN UP OVER TWO YEARS AGO

Two years ago Mr. A. F. Rees and Mr. A. E. Petermann, representing some of the largest copper mines in my district, came to Washington and informed me of the deplorable condition in which the owners of copper mines found themselves. The Fordney tariff bill had passed the House about a year before, so it was too late to get relief from the House of Representatives. We took the matter up with our Senators, who agreed with us that a tariff on copper was necessary if our mines were to exist. The tariff bill was then being considered on the floor of the Senate, and we were informed that it was then too late to arrange for hearings on the matter and that those in charge of the bill would oppose any amendment for tariff on copper without hearings being held to show the necessity for the same, so the matter was dropped for the time.

In the following July—1922—I made a speech on the matter of tariff on copper, and the following is a short extract from the same:

When copper was in demand here and across the pond we did not need to fear competition from South America. Now we do. I was very much surprised to be told a few months ago that Chile could and was mining and transporting to America copper at a far less price than most of our mines could produce. I immediately took the matter up with some very good mining experts employed by the United States and found out that things were really worse than I had been told.

Unless things pick up "over there" in from four to six years 70 per cent of all the copper mines of the United States will have to close down unless there is a tariff on copper—something to be considered a joke a few years ago.

It is a case of Americans employing cheap peon labor in Chile, being able to undersell other Americans owning mines in America and employing American labor and paying the American wage scale.

When Hancock, as the Democratic candidate for President, said that the tariff was a "local" issue he was laughed at, but when I notice Democrats voting for protection for sugar and peanuts I realize he was nearly right after all.

The tariff ought to be taken out of politics and kept out. There ought to be a board with full authority to correct any tariff that is hurting American business and trade.

For instance, if conditions demanded a tariff on copper for a few years the Tariff Commission ought to have authority to put one on. If conditions change and the tariff is too high, users of copper ought to be able to present their case to the Tariff Commission and have the rate reduced.

MATTER AGAIN TAKEN UP LAST FALL

The matter was again taken up with me last fall by Mr. Gordon R. Campbell, president of the Calumet & Arizona Mining Co., of Calumet, Mich., who told me of the conditions of the copper industry at that time, and who asked me if I would introduce a bill for tariff on copper. I replied immediately that I would be glad to introduce a bill as soon as the parties interested could agree on the kind of a bill that was necessary, and also that I would do everything that I could to see that the bill became a law.

Many parties in Michigan, in the East, and the Southwest had to be consulted, and I did not receive word to introduce the bill until May 17. On May 19 I introduced a bill for tariff on copper that I will read later in my speech. This bill has been referred to the Ways and Means Committee.

We knew many months ago that it would be impossible to secure any revision of the tariff law in a presidential campaign year. We thought it wise, however, to introduce the bill so that between now and the next session we will have time to show Members of the House and the Senate, the Tariff Commission, and the people of the United States that unless we get help soon most of our copper mines will be forced out of business and will never be reopened.

NOT A MATTER OF PARTY POLITICS

There is no matter of politics about this bill. The Democrats in my district are as anxious that our copper mines shall continue to work as those of us who are Republicans.

LETTER FROM SENATOR WOODBRIDGE N. FERRIS

The following letter from Senator FERRIS of our State expresses the sentiment of our Democrats better than I can express it:

UNITED STATES SENATE,
COMMITTEE ON EDUCATION AND LABOR,
May 22, 1924.

Hon. W. FRANK JAMES,
United States House of Representatives,
Washington, D. C.

MY DEAR MR. JAMES: I thank you for sending me H. R. 9316. As I have previously indicated, I am not in favor of a high protective tariff. However, I have always realized that there are times when a protective tariff is defensible. I believe that your bill is justifiable. From what I now know and think, I shall favor your bill.

Cordially yours,

WOODBRIDGE N. FERRIS.

Appeals for legislative assistance have been of almost daily occurrence, and these appeals come not only from the copper producers themselves but are most insistent coming from the thousands of people dependent upon the industry. It is a call for assistance to save their communities, their homes, and their means of livelihood. It is an appeal that can not be ignored.

While the present situation in the Michigan field is duplicated to a greater or less extent in every copper mining district in the country, particularly in those in which are located the so-called high-cost producers, I am confining my remarks to the copper mining district of Michigan, because I am familiar with conditions there and my information is first hand.

MICHIGAN ONCE THE GREATEST COPPER-PRODUCING STATE

Copper production in Michigan started in 1845. By 1850 Michigan had become the greatest copper-producing State in the Union. From 1850 to 1880 it was responsible for over 80 per cent of all copper produced in the United States. Due to the phenomenal increase in copper production in the United States since that time, Michigan's product to-day is only about 10 per cent of the whole, but from its modest beginning in 1845 the industry has had a steady, healthy growth. Improved methods of mining and extraction, keeping step with the depletion of the older mines, broadened the mineral areas susceptible of profitable treatment so that under normal conditions the future of the district seemed assured.

MINING CAMPS IN MICHIGAN HAVE DISAPPEARED

Mining camps disappeared from the Michigan copper country in the eighties. They have been replaced by modern cities and villages built in a substantial and permanent way. Wages in the mines were consistently good and living conditions were in keeping with American standards. The copper country, with its developed mineral resources and its prosperous and contented population had become a tremendous asset to Michigan.

CONDITIONS DURING THE GREAT WAR

With the war came a greatly increased demand for copper. Production all over the world was pushed to the utmost limit, in many cases at the cost of legitimate and necessary development. The selling price of copper rose to over 30 cents per pound. This increase in selling price was accompanied by a corresponding increase in costs. Timber, powder, supplies of all kinds, coal, transportation, taxes, and wages doubled or trebled in cost and when the selling price of copper was fixed by the Government at 23½ cents per pound, the cost of production had reached so high a figure that the copper-mining industry did not share in war profits to the same extent as did other industries.

GOVERNMENT CONTRACTS CANCELED AS SOON AS ARMISTICE WAS SIGNED

As soon as the armistice was signed all Government contracts were canceled, and the copper companies were confronted with the problem of marketing their product in competition with the Government surplus, with large accumulations of secondary copper and scrap copper, scrap brass, and other composite metals of which copper is a component part, which was freely imported from foreign countries. The price of copper dropped sharply, and the American producers found themselves with their mines producing at capacity and large supplies of high-cost copper on hand and no market.

OUR WORKING POPULATION HAS BEEN CUT 75 PER CENT

It was expected that with the absorption of the war surplus the price of the metal would reach a level which would permit of profitable operation, and so the industry struggled along until 1921, when necessity forced a general shut down. Since that time several of the mines have resumed operations, forced by the necessity of maintaining their organizations and preserving their properties, but these operations are being conducted only in a very limited way. The working population has been cut by 75 per cent. In 1916 over 16,000 men were employed in these mines. To-day they number only about 4,000.

OUR MINERS HAVE BEEN BROUGHT UP IN THIS INDUSTRY

The labor employed in and about the mines is more or less skilled. These men have been brought up in the industry. In many cases two or three generations of workmen in the same family have been employed by the same company. They have become thoroughly identified with the copper-mining industry and trained in their particular work, and it is not an easy matter for them to change the nature of their employment.

OUR BUSINESS MEN STRUGGLING FOR EXISTENCE

Business in the copper-mining towns, built up over a period of many years with the larger working population and now dependent upon only 25 per cent of the same, is struggling for existence. It is only the hope of assistance and of a speedy return to better conditions that is holding the copper communities together.

MANY COMPANIES NOW PAY NO TAXES

As to the copper-mining companies themselves, a glance at their reports for the last several years tells a significant story of operations conducted at a loss, reduction of surplus and working capital, and depletion of ore reserves. Perhaps the most striking proof of the grave condition of the copper-mining industry can be found in the income-tax returns made to the Treasury Department. Exact figures are not available to me at this time, but it is a fact that up to a few years ago the copper companies were paying millions of dollars annually into the United States Treasury by way of income taxes. To-day most companies are paying no taxes at all, and the amount collected from those few companies in the United State, still able to show a yearly profit has dwindled to a comparatively insignificant sum.

DIRECT CAUSE OF DEMORALIZATION

The direct cause of demoralization of the copper-mining industry in the United States is the inability of a majority of the companies to produce copper at a cost below the selling price. The average pre-war selling price of copper over a long period of years was slightly in excess of 15 cents per pound. Under pre-war conditions copper could be produced at a cost which would permit of a profit. With the increased costs which came with war conditions and which in a large measure still exist, the industry could not exist even if the pre-war selling price still obtained. But copper is practically the only commodity which is selling at less than pre-war prices. Copper is selling now at from 13 to 14 cents per pound, and this in spite of the fact that the United States is consuming more copper to-day than ever before in any period of its history.

The situation is one which demands earnest consideration, an effort to find the causes underlying the disorder, and the prompt application of any remedy calculated to correct the same.

DEEP MINING CAN NOT "MARK TIME"

The question naturally arises, Why do not these mines cease operations entirely and await better prices? The answer is that deep mining can not "mark time." You can not close down a copper mine like you would lock the front door of a grocery store. With a close down in a mine comes rapid deterioration, loss of organization, loss of trained workmen, and a prohibitive cost of maintenance. Most of the companies operating to-day are doing so merely because in self-protection they have chosen the lesser of two evils. If the present situation is protracted it must lead to permanent abandonment.

TARIFF ON COPPER NOT A NEW THING

In order to give the copper-mining industry within the United States sufficient protection to enable it to live, I have proposed that a tariff of 6 cents per pound be imposed upon all copper imported from foreign countries. A tariff on importations of copper is by no means a new proposition. Such a tariff was imposed under the act of 1861, and copper in its various forms remained on the dutiable list from that time until 1894. During this period the copper-producing industry developed within the United States to such an extent that production reached a point where it could and did meet all domestic requirements, with a large surplus for exportation. As long as the foreign export surplus was unable to meet European demands costs in the United States were the controlling factor in the industry.

Due partly to the World War, but largely to one other factor, the situation has now entirely changed.

Foreign consumption has decreased.

Domestic consumption has increased.

Foreign production has increased enormously.

THE FOREIGN PRODUCER PRACTICALLY DOMINATES THE AMERICAN MARKET

The decrease in foreign consumption is undoubtedly due to the aftereffects of the war and the demoralized economic condition, particularly of Germany. It may be that in time the reparations problem will be solved and Europe will once more be in position to demand and use copper in large quantities. For six years the copper producers of the United States have been fondly hoping for this to become an accomplished fact. Each succeeding year has only served to bring them closer to bankruptcy.

Domestic consumption has now practically reached domestic production, but the domestic market no longer belongs to the domestic producer.

Foreign production and importation have increased so enormously within the last five years that the foreign producer is practically dominating the American market.

Appended hereto are certain tables of copper statistics over a period of years to which reference is made. These tables show:

Production in the United States.

Consumption in the United States.

World production.

World consumption.

Exports.

Imports.

A study of these tables will disclose the radical change that has taken place in the economic position of the domestic copper producers and will bear out the conclusions embodied in these remarks.

The following table merits careful study. The years 1914 to 1917 have been omitted, as this represents an abnormal or war condition. The years 1921 and 1922 were years during which American production was greatly restricted because of the great surplus of copper left over from the war.

TABLE 1.—*Net exports in terms of United States mine output*

	Per cent
1913	42.3
1918	8.9
1919	7.2
1920	10.9
1921	59.0
1922	20.5
1923	9.5

First quarter 1924, United States consumption in excess of United States production.

This table is derived from figures compiled by the Government bureaus (see Table 2). Here we are not dealing with estimates as to consumption but are taking the American Bureau of Metal Statistics' figures for mine production, which do not differ in any important respect from the production figures reported by the United States Geological Survey. Figures for imports and exports are taken from the Bureau of Foreign and Domestic Commerce. The excess exports are applied against the domestic production. In other words, if the domestic production had been less in any of the above years by the percentage indicated in Table 1, there would have been no copper available for export.

TABLE 2

	United States mine production	Exports	Imports	Excess exports
1913	1,228,510,000	908,241,092	407,130,742	519,110,350
1918	1,937,374,000	747,689,580	575,805,115	171,884,465
1919	1,209,284,000	516,622,775	429,387,594	87,240,181
1920	1,270,496,000	624,053,701	485,670,691	138,383,010
1921	472,038,310	628,364,750	350,472,611	278,382,139
1922	967,707,198	743,010,507	541,013,224	202,003,283
1923	1,477,824,000	816,298,940	676,739,530	139,557,410

Exports include copper contained in insulated wire and cables and copper manufactures for the years 1922 and 1923 only. Imports include copper in manufactures for the year 1923 only.

We have still to consider the imports and exports of copper in the classification "Brass and bronze" of the United States Bureau of Foreign and Domestic Commerce. For the year 1920 to 1923 the imports of the brass have greatly exceeded the

exports of brass and bronze. This is because of the large movement of brass scrap from the war area of Europe to American smelters and consumers. Exports of brass and bronze in the following table include all such material which is reported in pounds. In the case of imports scrap brass is the only item reported in pounds, so that such imports do not include manufactured brass and bronze.

TABLE 3

	Imports	Exports
1920	44,710,361	9,030,288
1921	40,998,549	9,391,000
1922	143,924,404	21,998,417
1923	40,700,349	31,002,474

This makes it clear that the amount of copper produced in this country did not exceed the quantity required for domestic consumption by so large an amount as the above tables would indicate. There is no escape from the conclusion that the country is now using for its own purposes, and entirely aside from copper exported in manufactured form, more copper than it is producing. When we attempt to make further refinement and go into the field of brass and bronze, instead of having this conclusion questioned it is further strengthened, and the present deficit of copper for domestic requirements becomes all the larger.

The Bureau of Foreign and Domestic Commerce shows that copper imports in January and February of 1924 were 77,000,000 pounds greater than in the same months of 1923. Exports in January and February increased 24,744,891 pounds over 1923, so that in two months there is a reduction of more than 50,000,000 pounds in the excess exports, which totaled 139,557,410 pounds in 1923. At this rate in 12 months there would be 300,000,000 pounds to deduct from 139,557,410, which would mean 160,000,000 pounds of excess imports. Our exports may increase more rapidly from now on, but our imports are sure to increase rapidly. The record shows an ever-rising tide of imports, while exports do not show such a pronounced trend.

Imports of primary copper into United States by quarters

	1922	1923	1924
First quarter	80,447,563	130,415,805	[1] 206,271,316
Second quarter	118,138,339	183,010,553	
Third quarter	164,857,328	187,708,530	
Fourth quarter	177,579,994	175,604,642	
United States mine production		1,477,824,000	[2] 1,430,000,000
Exports		816,295,940	[2] 900,000,000
Imports		676,739,530	[2] 950,000,000
Excess exports		139,557,410	
Excess imports			[2] 50,000,000
Per cent of United States production exported		9.5	
Per cent of United States production imported			3½

[1] On basis of January and February.
[2] Estimated.

We do not claim these figures for 1924 are even shrewd guesses, but the conclusion that there will be an excess of imports is certain.

Production

	World's production	United States mines	United States percentage
1913	2,181,253,000	1,235,000,000	57
1922	1,975,080,000	965,000,000	49
1923	2,710,000,000	1,477,819,000	54
1924 [1]	2,900,000,000	1,400,000,000	47

	Domestic	South America	Africa	World
1913	1,235,000,000	162,520,000	50,472,000	2,181,253,000
1922	965,000,000	384,856,000	119,232,000	1,975,080,000
1923	1,477,819,000	474,432,000	148,800,000	2,710,000,000
1924 [1]	1,400,000,000	500,000,000	175,000,000	2,900,000,000

[1] Estimated.

In 1913:
1. The domestic production was 57 per cent of the world's production.
2. The South American production was 7 per cent of the world's production.
3. The African production was 2 per cent of the world's production.

In 1922:
1. The domestic production was 49 per cent of the world's production.
2. The south American production was 19 per cent of the world's production.
3. The African production was 6 per cent of the world's production.

In 1923:
1. The domestic production was 54 per cent of the world's production.
2. The South American production was 17.3 per cent of the world's production.
3. The African production was 5.5 per cent of the world's production.

In 1924 (estimated):
The domestic production will be 47 per cent of the world's production.
The South American and African production combined will be 24 per cent of the world's production.

Domestic production 1913 to 1923 increased 17.5 per cent.
South American production 1913 to 1923 increased 192 per cent.
African production 1913 to 1923 increased 199 per cent.
World's production 1913 to 1923 increased 257 per cent.

The above figures show a decided increase in production, especially in copper from foreign sources.

South America and Africa combined produced:
In 1913 9 per cent of world's production.
In 1922 25 per cent of world's production.
In 1923 23 per cent of world's production.
In 1924 at the rate of 28 per cent of the world's production.

Consumption

	Domestic	Germany	England	France	World's
1913	812,000,000	582,000,000	315,000,000	229,000,000	2,448,888,000
1914	745,000,000	336,000,000	379,500,000	192,700,000	2,147,000,000
1921	665,000,000	283,500,000	140,000,000	106,000,000	1,495,000,000
1922	1,091,100,000	261,000,000	83,500,000	176,600,000	[1] 1,850,000,000
1923	1,417,900,000	183,000,000	184,000,000	221,000,000	2,182,000,000

[1] Estimated.

Percentage consumption

	Domestic	England, France, and Germany
	Per cent	*Per cent*
1913	33	46
1914	34	42
1921	44	35
1922	59	28
1923	65	27

Foreign group

	1923		1912	
	Production in pounds	Cost per pound	Production in pounds	Cost per pound
		Cents		*Cents*
Chili copper	204,897,500	6.9	None.	
Braden	139,531,048	8.9	7,735,079	
Katanga [1]	135,000,000	[2] 9.0	5,500,000	
Cerro de Pasco [1]	92,000,000	8.0	45,272,000	9.0
Total	571,428,638		58,507,079	
Weighted average		8.06		

[1] No official report of productions or costs published.
[2] Estimated.

United States

NO. 1 LOW-COST GROUP

	1923		1912	
	Production in pounds	Cost per pound	Production in pounds	Cost per pound
		Cents		*Cents*
Utah copper	195,142,919	8.7	91,366,337	9.5
United Verde [1]	80,000,000	9.0	31,570,152	
United Verde extension	41,855,950	8.5	None.	
Kennecott, Alaska	45,326,021	8.35	22,366,478	4.4
Mother Lode, Alaska	33,000,000	7.3	None.	
New Cornelia	38,367,718	11.2	None	
New Cornelia (without depreciation)		9.32		
Total	433,692,617		145,302,967	
Weighted average		8.81		

[1] No official report of productions or costs published.

United States—Continued

NO. 2 GROUP (PRECIOUS-METAL CREDITS AN IMPORTANT FACTOR)

	1923		1912	
	Production in pounds	Cost per pound	Production in pounds	Cost per pound
		Cents		*Cents*
Anaconda[1]	200,779,688	[2] 13.0	294,474,161	9.7
Phelps Dodge	147,746,975	13.8	140,628,798	7.7
Calumet and Arizona	42,166,930	13.0	53,108,628	7.0
Old Dominion	26,704,801	15.3	28,786,972	10.7
East Butte	13,674,932	15.0	14,709,460	9.7
North Butte	Closed.		26,480,123	9.7
Shasta District	Closed.		26,000,000	
Colorado and Idaho	8,000,000		15,145,705	
Total	436,133,326		599,332,947	
Weighted average		13.35		8.99

NO. 3 GROUP ("PORPHYRY" DEPOSITS WHOSE COSTS HAVE INCREASED ALONG WITH ADVANCES IN WAGE AND SUPPLY COSTS)

		Cents		*Cents*
Inspiration	88,881,012	11.6	None.	
Miami	64,446,345	11.6	32,832,699	10.1
Nevada Consolidated	61,573,246	10.9	63,003,261	8.3
Ray	61,385,205	12.4	34,674,275	9.8
Chino	54,261,228	12.9	27,776,088	7.2
Total	390,549,036		158,346,233	
Weighted average		11.83		8.8

NO. 4 LAKE GROUP (HIGH LABOR COSTS—THESE COSTS INCLUDE NOTHING FOR DEPRECIATION OF PLANT)

		Cents		*Cents*
Calumet and Hecla	80,384,831	[3] 10.50	121,824,007	9.40
Copper Range Mines	23,571,360	12.2	37,584,647	9.25
Quincy[4]	15,000,000	15.0	20,634,800	11.6
Mohawk	10,622,874	13.1	21,404,558	9.29
Isle Royale	8,002,244	12.45	8,186,957	11.9
Total	137,581,309		209,635,059	
Weighted average		11.59		9.67
Total for District	137,581,309		231,112,228	
Total for the 4 groups	1,337,956,288		1,112,617,206	

[1] No official report of productions or costs published.
[2] Report not yet published.
[3] July and August costs not given.

Mines closed include Osceola, Allouez, Trimountain, Superior, and Centennial.

EXPLANATION OF TABLES

The last tables do not carry sufficient explanation, so I will insert the same here. These costs are taken from the annual reports of the companies, which are published and sent to the stockholders, except as noted, in which case they are a careful estimate and believed to be correct. The 1923 costs include depreciation of plant, except in the case of Group 4. These costs do not include anything for depletion of ore deposits on the basis of March 1, 1913, value. These tables, therefore, represent an official record of the increase in production costs of 33 per cent to 50 per cent in the United States. This is really a very small part of the story, because the decline in output in Groups 2 and 4 means that these properties are now working only the richest portions of the ore deposits. Had a similar portion of the deposits been worked in 1912, 1912 costs would have been at least 25 per cent lower than actually was the case.

I have also averaged the production costs by groups. From this it appears that costs in Group 2 for the companies whose costs are given increased in 1923 to 150 per cent of the 1912 costs. Group 3 increased to 134 per cent of the 1912 costs. In Group 4 I have added one-half cent per pound for depreciation, making a cost of 9.67 cents in 1912 compared with 12.09 cents in 1923, which latter cost is 125 per cent of the 1912 figures.

FOREIGN MINES CAN PRODUCE COPPER 6 TO 7 CENTS PER POUND CHEAPER THAN WE CAN

For many years there has not been a major producer of copper developed within the United States outside of the known copper districts. On the other hand, during the last decade enormous new copper deposits have been developed in foreign countries, particularly in South America and in Africa. The companies operating these deposits are now reaching the stage of high production. The deposits are of such magnitude as to seem practically inexhaustible, and are much more easily worked than the deep mines of the United States. Due largely to the extremely low wages paid to native labor and freedom from high taxation, these mines can and do produce copper at a cost of from 6 to 7 cents per pound cheaper than it can be produced in the United States. It is significant that the increased foreign production comes from nations whose own consumption of the metal is small. For this reason almost the entire production is available for export. This cheaply produced copper is now pouring into this country in ever-increasing quantities, and in the absence of direct protection it seems inevitable that this foreign production will in a short time gain entire control of the American market.

AMERICAN MINES CAN NOT MEET FOREIGN COMPETITION

American mines can not meet this competition. They must operate under American conditions; they must continue to pay wages to their employees which will permit them to live according to American standards. Furthermore, American mines must continue to bear their burden of American taxes which to-day is no small factor in their cost of operation.

FOREIGN PRODUCER PAYS NO REVENUE TO THE UNITED STATES

The foreign producer of copper pays no revenue to the United States either by way of import or direct taxation and is permitted to place his produce on the American market in direct competition with the domestic production.

WE MUST PROTECT AMERICAN INDUSTRY

It has long been the policy of this Nation to protect its industries by equalizing through a tariff the cost of production abroad and at home. Particularly has this been true of those industries in which the difference in cost of production is due in large part to the difference in the wages paid to labor. Every argument that has ever been made in favor of a tariff on other American-produced commodities can be advanced with equal force in favor of a tariff on copper.

Such a tariff will not only produce a large revenue directly from the import of copper but will restore a large taxable asset within this country.

OUR COPPER RESOURCES MUST BE CONSERVED FOR MANUFACTURE OF MUNITIONS

The crisis in the copper mining industry is vital not only to the copper companies themselves and to the many people dependent upon them but to the entire country as well. The great war taught the lesson that modern warfare can not be carried on without copper. Munitions can not be made without copper and its alloys, brass and bronze. To-day when we are fully awakened to the necessity of conserving our oil resources for the use of the Navy in time of war, we may well consider the problem of conserving our copper resources for the manufacture of munitions in the same emergency.

UNDER PRESENT CONDITIONS ONLY RICHEST AREAS CAN BE MINED WITHOUT LOSS

It is a significant fact in connection with present-day operations that the copper content of the rock which is being mined has increased tremendously over that of 10 years ago. This is not by any means an indication of increasing richness with depth, but is due entirely to the fact that under present conditions only the richest areas can be mined without substantial loss. Under normal conditions areas carrying as low as 15 pounds of copper to the ton of rock have been mined in Michigan at a profit, and an average of 1 per cent, or 20 pounds of copper to the ton of rock, was almost an assurance of dividends to the stockholders. Areas of this character are now being left in place.

At normal prices for copper the leaner areas can be mined; but copper will never reach a selling price within the life of these mines which will permit of going back, reopening the abandoned stopes, and recovering the lean areas when the richer portion of the vein has been mined. Furthermore, in most cases it is physically impossible to go back and mine areas which have once been abandoned.

Thus day by day we can see the copper resources of the country disappearing forever.

MATTER OF NATIONAL DEFENSE

There can be no problem more important or urgently vital than that of preventing the disintegration of an industry so important in the matter of national defense.

WHAT TARIFF ON COPPER WILL DO

A tariff of 6 cents on imported copper will equalize the cost of production abroad and at home will provide a large amount of revenue not only directly but through the restoration of a taxable asset and an income-producing industry, and will conserve resources within our borders without which the safety of the Nation would be seriously endangered in time of war.

NO REASON WHY COPPER SHOULD NOT BE PROTECTED

Whether one believes in a protective tariff, a tariff for revenue only, or in no tariff at all, the fact remains that this country has for the past century adhered consistently to the policy of protecting its industries by means of a tariff. There is no reason why the copper-mining industry should not share in that protection.

The bill that I have introduced reads as follows:

A bill (H. R. 9316) to amend the tariff act of 1922, being H. R. 7456, entitled "An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes"

Be it enacted, etc., That Title I of the tariff act of 1922 is amended by adding after paragraph 380 the following new paragraph:

"PAR. 380-a. Copper ore of all kinds, copper concentrates, regulus, mattes, cement copper, and black or coarse copper, 6 cents per pound on the copper contained therein; old copper, scrap copper fit only for remanufacture, copper scale clippings from new copper, blister copper, copper in plates, bars, ingots, or pigs not manufactured, and copper in any other form not specially provided for, 6 cents per pound; all alloys or combinations of copper not specially provided for, 6 cents per pound on the copper contained therein: *Provided,* That such duty shall not be applied to the copper contained in copper-bearing ores or mattes unless actually recovered: *Provided further,* That on all importations of copper-bearing ores and mattes of all kinds the duties shall be estimated at the port of entry and a bond given in double the amount of such estimated duties for the transportation of the ores or mattes by common carriers bonded for the transportation of appraised or unappraised merchandise to properly equipped refineries, sampling or smelting establishments, whether designated as bonded warehouses or otherwise. On the arrival of the ores or mattes at such establishments they shall be sampled according to commercial methods under the supervision of Government officers, who shall be stationed at such establishments, and who shall submit the samples thus obtained to a Government assayer designated by the Secretary of the Treasury, who shall make a proper assay of the sample and report the result to the proper customs officers, and the import entries shall be liquidated thereon. And the Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this paragraph."

SEC. 2. Paragraphs 1533, 1555, and 1556 of Title II of the tariff act of 1922 are hereby repealed.

SOME REASONS FOR INTRODUCING BILL

Among my reasons for introducing the bill are the following:

First. To conserve one of our greatest natural resources.

Second. To enable the mining companies to pay a living wage.

Third. To give back to owners of American copper mines a small part of their investment.

Fourth. To keep the copper sections of the United States from complete abandonment.

Fifth. To protect American copper industry from ruin from foreign competition.

At the time I introduced the bill I gave out the following statement:

Up to about 10 years ago the copper country of Michigan—the Lake Superior region—was as prosperous as any district in the United States. "Hard times" did not affect them; they did not feel even the panics of 1876 or 1893.

In 1916 the copper mines of Houghton, Ontonagon, and Keweenaw Counties gave employment to 16,000 men. The wages compared favorably with wages paid in the balance of the United States.

These three counties had a total population of about 130,000 people. To-day the population is estimated at about 70,000, and only about 4,000 are employed by the mining companies. At that time 10 mining companies were paying dividends. Copper was then selling at 13 cents per pound; the highest operating cost was about 10 cents per pound.

Timber, powder, wages are now twice or three times the price paid up to 1916, and the cost of producing copper has increased very materially.

Real estate has no value, and there are about 2,500 vacant buildings in Houghton County alone. Property that could have been sold for $20,000 cash is now being sold for $1,000.

In 1913 foreign copper was scarcely a factor in the domestic market; in 1923 over one-third of the copper consumed in the United States came from abroad.

The copper mines of the United States can not meet this foreign competition. Our mines operate under American conditions, they employ American labor, and pay an American wage scale. Foreign mines can produce copper for 6 or 7 cents per pound less than American copper mines.

Unless there is a tariff on copper within a few years there is no reason why foreign copper mines will not have absolute control of the American copper market.

WILL A TARIFF ON COPPER HELP OR INJURE THE UNITED STATES

To attack this question we must first make a survey of the copper business in this country, which must include some study of the amount of copper produced and consumed. Comparing 1923 with 1913 we find consumption has doubled in this 11-year period, while production has increased one-fifth. Production from mines in the United States was 1,228,510,000 pounds in 1913 and 1,477,824,000 pounds in 1923. All figures for consumption are necessarily estimates. The American Bureau of Metal Statistics computes the apparent domestic consumption in 1913 at 673,783,226 pounds and at 1,328,000,000 pounds in 1923. This is after deducting from the total domestic consumption the bureau's estimate of the amount of copper exported in manufactured form in these two years.

WE ARE NOT PRODUCING AS MUCH COPPER AS WE NEED FOR HOME CONSUMPTION

In the first quarter of 1924 production is running at the rate of 130,000,000 pounds per month and may decrease owing to curtailment in output recently decided on by some Montana, Michigan, and Arizona mines. Domestic deliveries, which averaged 122,586,800 pounds per month in 1923, totaled 447,208,000 pounds in the first quarter of 1924, or at the rate of 149,069,000 pounds per month. These figures make dry reading, but there is no escape from the rather startling conclusion that the United States is not producing as much copper as it needs for home consumption.

THE UNITED STATES NO LONGER HAS AN EXPORTABLE SURPLUS OF COPPER

For a generation or more the United States has been Europe's main source of copper. For many years prior to 1914 American mines produced 2 pounds of copper for every pound required by the United States consumer. As a result of this long history of great copper exports, this country is still popularly considered to be a producer of copper far in excess of its own needs. But we must look at the present situation. There has been a complete change in the last 10 years. Tracing out these changes statistically this does not appear at first sight to be a gradual development. The abnormal influence of the war and postwar readjustment period have obscured the record, but we are to-day witnesdng a progressive and continuous change. The United States no longer has an exportable surplus of copper. If all the varied causes that have brought about this change continue unchecked, the alternation process will soon make us dependent on foreign countries for a large part of our own copper supply.

WE ASK THAT YOUR VOTE BE CAST ON THE SIDE OF MEN EMPLOYING AMERICANS

I am not asking for a monopoly for our copper mines; I am not asking that they be placed in position so that they can charge an excessive price for their product; I am not asking that they be so favored that they can pay large dividends to their stockholders; I am asking, however, that you heed our prayer for relief and that the people of my district will not be compelled to close down their mines because they have been unable to meet competition from mines employing cheap labor and paying cheap wages. I feel confident, gentlemen, that when you come to decide between Americans owning mines in the United States, employing American labor, paying the American wage scale, and other men owning mines in foreign lands, employing peon or other cheap labor, your influence and votes will be cast on the side of the men employing Americans. [Applause.]

Mr. CARTER. Mr. Chairman, I yield one minute to the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Mr. Chairman and gentlemen, irrespective of the personal equation, I think we all agree that it is a beautiful commentary upon the growing fellowship between the sections that the son of a Confederate soldier is invited by the Grand Army of the Republic to make the annual address at Gettysburg on next Friday, May 30, national Memorial Day. I greatly appreciate the announcement that has been made by my colleague [Mr. GLATFELTER] in whose district Gettysburg is located, announcing that the address will be broadcasted about 2 o'clock Friday afternoon, and inviting his colleagues who can get away to attend that patriotic occasion. Frankly, I hope many will be able to accept. I ask unanimous consent to extend my remarks in the RECORD by printing therein the address that I am to deliver on that day.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Chairman, under leave granted to extend my remarks in the RECORD I wish to insert a speech I will

deliver at Gettysburg on next Friday, May 30, national Memorial Day, which is as follows:

ANNUAL ADDRESS, NATIONAL MEMORIAL DAY, AT GETTYSBURG, MAY 30, 1924, AUSPICES GETTYSBURG POST, GRAND ARMY OF THE REPUBLIC, BY WILLIAM D. UPSHAW, CONGRESSMAN, FIFTH DISTRICT OF GEORGIA

Mr. Commander of the Gettysburg Post, Grand Army of the Republic, ladies, gentlemen, and fellow Americans:

"There are moments, I think, when the spirit receives
Whole volumes of thought on its unwritten leaves—
There are moments that glow with an angel's fair face—
There are hours that throb with the hope of the race."

Fresh from the impact of patriotic scenes and legislative activities in the Nation's Capital, which has given a positive elixir of spirit for such an hour as this, I bring to this high and holy task a heart that is responsive, I hope, to every tide of inspiration which any loyal American must feel in the memorial atmosphere of historic Gettysburg.

But, significant as your memorial exercises always are on the 30th of May, it is surely without controversy that this hour carries a lesson of national fellowship which is rich with international inspiration.

In other lands that have been torn by internal strife bitterness lives and blights for generations after the cannons have been spiked and the smoke of battle has cleared away; but here in our beloved country, where the measureless triumphs of our Christian civilization fashion the regnant ideals of our once riven land, we see the son of a Confederate soldier invited by a post of the Grand Army of the Republic to speak the message of fellowship on our national Memorial Day.

Save for that national aspect which Gettysburg must always give to a memorial occasion, this scene is not very different in spirit nor in the character of the audience from that high day at Toronto, Ohio, where on the first anniversary of Armistice Day I spoke at the unveiling of the first monument erected on Ohio soil to the heroes of the World War. The invitation was extended by my gallant colleague in Congress, FRANK MURPHY, of Steubenville, whose only fault, so far as I know, is the fact that he is as stanch a Republican as I am an innocent and well-meaning Democrat. In beginning that address I said:

"It is a striking commentary on the varicolored hues of our American civilization that a man who is a son of the South, a son of a Confederate soldier, a rantankerous Democrat and a deep-water Baptist has been invited to this memorial occasion by a Congressman who is a son of the North, the son of a Federal soldier, a rock-ribbed Republican, and a shouting Methodist, and that I have been introduced to this great audience by a Roman Catholic priest."

And lifting my arms far apart, added:

"This Catholic priest and I are as far apart theologically as men ever get to be, but they tell me he was intensely patriotic during the war; and we are having good American fellowship today beneath the Stars and Stripes, and we both stand ready to declare our everlasting opposition to any force, foreign or domestic, political or ecclesiastical, that dares to dispute the supremacy of the American flag on the American Continent."

This many-sided, all-embracing Americanism is the dominant spirit of this high and ardent hour on the spot where the brave Confederacy began to totter to its fall and where Americans learned as never before the stuff out of which real Americans are made.

We of the South love to recall, as you of the North now love to confess, and as we of America all proudly remember, that answer of Henry Ward Beecher when, on the occasion of his second visit to England, while the weary years of the Civil War dragged on, somebody in that London audience shouted, "Thought you said the North was going to win this fight in six months," whereupon Beecher quickly retorted, "If we were fighting the English, we would; but we are fighting Americans."

It is only in the reciprocal recognition of genuine Americanism on both sides that we can hope to build for the present and for the future that temple of perfect national fellowship in which the Nation we love can victoriously endure. This temple of faith, my fellow Americans, can not grow into perfect symmetry and power as long as one side holds the other side at a distance in a spirit of espionage and distrust. It can never come, if you please, as long as the South calls a northerner a "blank Yankee," and the North calls a son of the South a "blank rebel" or a "blank traitor." We might as well recognize that fact in the beginning of this memorial hour and carry it away with us a newly treasured heritage from this spot of deathless memories, for that is my theme, ladies and gentlemen—"Our national heritage in Gettysburg and Appomattox."

THE HERITAGE OF A COMMON PURPOSE

It may be a new doctrine to many, but it will be the undimmed basis of our perfect understanding if we remind each other that the cause which led to the unhappy war of the sixties was a sense of constitutional loyalty on both sides of the line that divided the North and the South. When this fact is once established, dishonoring and tantalizing epithets will be forever lost words in our American vocabulary, and we will agree with President Coolidge at the Confederate memorial service yonder at Arlington last Sunday, when he declared, "They were all Americans, all contending for what they believed were their rights."

HARDING'S IMMORTAL SENTENCE

Side by side with this ringing declaration of President Coolidge I place that immortal sentence of his lamented predecessor.

For more than half a hundred years the hungry heart of the misunderstood South had waited for those honest, beautiful words of President Warren G. Harding when, speaking at the dedication of the Lincoln Memorial, he frankly said:

"There were ambiguities in the Constitution that could only be wiped out by a baptism of blood."

Now the hearts of South-born patriots leaped to the music of those tardy but timely, those wondrously welcome, words from the Chief Executive of our common country! And what a triumph of our American civilization and our cherished national fellowship that every citizen of the one-time North who likewise rejoiced at that great honest confession is willing, yes, eager, now to admit that if President Harding was right in that worthy, brave declaration then the "fast-thinning lines of gray" who gathered with their children at Stone Mountain's base on Robert E. Lee's last birthday to unveil the head of Lee in Gutzon Borglum's marvelous memorial were heroes indeed for furnishing their part of that "baptism of blood" which was accounted necessary to wipe out the ambiguities of our Constitution and make possible an "indissoluble Union of indestructible States."

Benedict Arnold secretly and surreptitiously sought to sell his country's honor for foreign preferment or sordid gold. That was the act of a traitor. But a gulf of darkness a million miles across and deeper yet with miasmatic shame separates such a traitorous deed from the sacrificial act of the hero-patriot who intelligently espouses a sacred principle and walks out in the open, offering his lifeblood, if necessary, for the vindication and the coronation of that principle before the eyes of the world.

Such a hero can be trusted in battle, trusted in victory, and trusted in defeat. And from the ashes of that defeat the chivalric form of Robert E. Lee arose, stainless in his Christian character and gloriously inspiring in the dedication of life's beautiful evening to the building of citizenship among the students of Washington and Lee University and teaching them and their children to be forever loyal to the Constitution and the flag of our reunited country.

It was to such marvelous combination of towering genius and yet more towering character—a Christian character reaching to the skies, because that character from the skies has come—that the eloquent Benjamin Harvey Hill paid that incomparable tribute:

"When the future historian shall come to survey the character of Lee he will find it rising like a huge mountain above the undulating plain of humanity, and he must lift his eyes high toward heaven to catch its shining summit. He possessed every virtue of other great commanders without their vices. He was a foe without hate; a friend without treachery; a soldier without cruelty; a victor without oppression; and a victim without murmuring. He was a public officer without vices; a private citizen without wrong; a neighbor without reproach; a Christian without hypocrisy; and a man without guile. He was Cæsar without his ambition; Frederic without his tyranny; Napoleon without his selfishness; and Washington without his reward. He was obedient to authority as a servant, and royal in authority as a true king. He was gentle as a woman in life; modest and pure as a virgin in thought; watchful as a Roman vestal in duty; submissive to law as Socrates; and grand in battle as Achilles."

No wonder the magnanimous Grant refused to receive the sword of such an incomparable man. For this chivalric deed, as well as his military genius and statesmanship, the name of Ulysses Grant is enshrined around the world.

The reverent contemplation of such a lofty character, ladies and gentlemen, as graven in history's supreme monument at Stone Mountain, will make us daily better men and women, and the pilgrimage of millions from this land and all other lands to this mecca of memories—this supreme memorial—in the history of mankind will send the purest streams of patriotic and God-fearing inspiration to all parts of the civilized world.

I am proud to represent a district in Congress whose far-visioned sentiment has made possible this imperishable memorial of deathless valor. If it is objected by some callous soul that such a stupendous memorial is the acme of expensive sentiment, I answer in the brilliant words of my fellow townsman, Hon. Walter McElreath, one of the most scholarly members of the Atlanta bar, when he declared:

"I am uneasy about the man who inveighs against sentiment. It was sentiment that bathed Marathon and Platea in blood; it was sentiment that gave Sparta her living walks; it was sentiment that moved Luther to preach and Wyckliffe to die; it was sentiment that rang the Liberty Bell and fired the first shot at Lexington; it has been sentiment—pure, noble, self-immolating sentiment—that has given to the world its freedom and its religion."

Yea, my comrades; and it was sentiment—sentiment sacred as life and stronger than death—that carried your fathers and mine, whether clad in the blue or wearing the gray, to dedicate their all to the redemption of their sacred concept of that compact by which our Revolutionary fathers gave to America its birth of enduring freedom.

A BEAUTIFUL PICTURE AT ARLINGTON

That was a beautiful picture that we saw at Arlington last Sunday afternoon—a picture which no one who witnessed it can ever forget. The President of this Nation, sturdy son of New England whose forbears wore the blue, stood arm in arm with Captain Beal, "the grand old man" of Washington, clad in his comely suit of gray. The cameras clicked that picture into immortality as the Nation's President laid a beautiful bouquet of flowers on the monument to the Confederate dead. Tears glistened in many eyes as we thanked God for that wonderful picture of reconciliation beneath our common flag. It brought afresh some of the wonderful evidences of this reconciliation which have taken place in Washington within recent weeks. The bill authorizing the coinage of 5,000,000 half dollars commemorating the Stone Mountain Confederate memorial passed through Congress—wonder of wonders—without a dissenting vote; and then that timely and touching bill by the brilliant prohibition leader, CRAMTON, of Michigan, authorizing the reestablishment of Arlington as a southern as well as a national shrine—carrying within its sacred walls every possible reminder of its one-time princely master, Robert E. Lee.

Great times are these, my countrymen, and we all thank God for the progress made toward the perfected ideal; but let us go all the way.

Last Sunday at Arlington carried something of tragedy as well as beauty and pathos. How? "Listen, my children, and you shall hear," not "The midnight ride of Paul Revere," but of an empty oversight which I believe would be speedily corrected if the same Grand Army of the Republic post which invited the son of a Confederate soldier to be the speaker of this day would only take the initial step. Alas, when the President of the Nation stood up to pay tender tribute to the Confederate heroes whose ashes lay before him, he stood in an improvised shack thrown together and reconditioned every year for these Confederate memorial services. The President stood in this cheap, little shack, I tell you, when just yonder in sight was the beautiful marble amphitheater, where the Grand Army of the Republic holds its great annual celebrations. And that amphitheater, I remind you, was built not by northern money to commemorate northern valor but out of all the money of all the people to commemorate American valor.

A Confederate soldier in the District of Columbia was named, I remind you, in the very bill which made the appropriation, and yet the names of such immortal Americans as Robert E. Lee, Stonewall Jackson, Joseph E. Johnston, James Longstreet, John B. Gordon, and Fighting Joe Wheeler—Fighting Joe Wheeler, remember, who fought side by side with Theodore Roosevelt at San Juan Hill for the glory of our common flag—none of these names were allowed in the roll of American heroes.

I think you will agree—every brave soldier before me who wore the blue—that if President Taft was right when he set apart a parcel of ground in Arlington to receive the Confederate dead—if Theodore Roosevelt was right when he had the Confederate rank of General Joe Wheeler placed upon his gravestone in Arlington—if the martyred McKinley was right when he uttered in my home city of Atlanta just after the Spanish-American War, the sentence that melted all southern hearts, "It is now time for the Federal Government to take care of the graves of Confederate soldiers"—if President Harding was right when he declared "There were ambiguities in the Constitution that could only be wiped out by a baptism of blood"—if President Coolidge was right when he declared "They were all Americans fighting for what they believed to be their rights"—then, in God's name, in the name of all the glory of our past and all of the comradeship which our sons and brothers enjoyed beneath a common flag in Cuba and in France, let us see no more of the President of the Nation delivering a Confederate memorial address from an improvised platform of planks and boards in sight of the empty Arlington auditorium—let us hold all of our memorial services in that amphitheater built out of the money of all the people. Let us remember, as I said on the floor of Congress the day before the unknown soldier was buried there—who knows but that he is the son of an American hero who wore the gray? Surely his ashes would not be disturbed if that discovery were ever made, and if his ashes are worthy to sleep in that great national shrine, if the ashes of any of the heroes in gray are worthy to sleep beneath the sod in beautiful Arlington, then let us have no lines of cleavage between the two.

With all the ambiguities wiped out in the baptism of the mingled blood of the blue and the gray and with common victories won for our common flag, as the "sons of the gray from the sun-kissed South" marched side by side with the "sons of the blue from the wind-swept North," let us have done forever with the spirit of invidious discrimination wherever American valor sleeps in a grave of common glory.

MAKE THE PICTURE COMPLETE

Like that unfinished picture hanging in the gallery of the immortals that waited the final touch of the master artist, even so that beautiful picture in Arlington lacked yet another master stroke to make it nationally complete. If we are to have any semblance of fellowship at all, let us go all the way and make the picture complete.

When I delivered that Armistice Day address in Ohio I told them how Congressman MURPHY had commended my bill providing a Federal pension for Confederate soldiers and how some great-hearted Union soldiers came up and said: "Certainly that time has come at last. We are anxious to reach out our hand of pension fellowship to our brothers who wore the gray. They were loyal to their concept of the Constitution. Their sons have fought through two wars side by side with our sons. Let there be no difference between us now." And when I told that story to that great crowd at Toronto, why, bless you, the applause was led by another group of war-scarred veterans who wore the blue. No, no; not in "mendicant supplication," if you please, would such a governmental recognition be accepted, but simply and supremely as a token of the complete picture—the 100 per cent picture of perfect fellowship between every citizen beneath the flag.

It was easy to find the names of Confederate soldiers when we wanted to sell Liberty bonds; it was easy enough to find the names of Confederate soldiers and their widows when we wanted to raise the revenues of war; it was easy enough to find their happy hearthstones when our Government wanted to find soldiers to fight side by side with your own brave boys for the safety of America and the freedom of mankind; then why, in God's name; why, in the name of the priceless glory of our common travail and our common triumphs, should it not be easy to find their names upon the pension rolls of the land they love so well? Not because they will suffer for life's necessities if their Government does not give this practical recognition, but because, as God is my witness, supremely for our country's sake. I would despise myself if I had allowed any sectional spirit to keep me from voting for each increase in pensions proposed since I have been in Congress for the battle-scarred soldiers in blue as they totter toward their honored graves. I want to see the sons and daughters of all the soldiers of the North and the South look at our flag through eyes of equal love, then look at each other through joyous tears, and see such a beautiful, deathless illustration of sectional prejudice lost forever in a glorious rainbow of enduring national brotherhood. We want the nations of earth who honor our flag as never before to look across land and sea and behold a nation, once grappling in fratricidal strife—because we blindly misunderstood—but now clasping hands in this blessed triumph of our Christian civilization. Surely if England can give a pension to the Boers who fought with Kruger and Botha in the South African War; if England can receive officially the monument of George Washington and place it in Trafalgar Square beside the statue of Nelson; if King George can come to a salute at Old Glory in passing in review before Buckingham Palace, then surely, I say, this grateful Government can brighten the few declining years of the few remaining Confederate soldiers with this kiss of love and this handclasp of national benediction.

The War of the Revolution could never have been won without the South; the War of 1812 could never have been won without the South; the war with Mexico, that stretched our dominion from sea to sea, could never have been won without the South; the war of the sixties for the permanency of the Union would never have been fought and won but for the South's tenacious devotion to a sacred, constitutional concept; the war with Spain was not won without the South; and the war with Germany, God knows, could never have been won without the sons and daughters of the South. Where, oh, where, then, will you find a narrow spirit and a callous philosophy that would shut out from this governmental recognition the fathers and builders of that glorious section whose salutary influence in lofty patriotism, in orthodox religion, and in aggressive commerce has made a veritable Gulf Stream flowing through the Nation's larger life and fructifying every shore that it has touched?

MEETING THE TEST OF FULL-ORBED AMERICANISM

But what of Gettysburg's annual memorials and the solidarity of the Union for which the name of Gettysburg stands? What of Abraham Lincoln's immortal speech on this consecrated spot, when he breathed the prayer that Americans should so live that "government of the people, by the people, and for the people shall not perish from the earth"?

What of every anthem of patriotism and every hymn of worship and praise concerning the flag and the cross, if we shall suffer that full-orbed, united Americanism for which Gettysburg and Appomattox stand to trample the clarified Constitution which we brought as our heritage out of that unhappy war?

We can only meet and solve the vexing problems of these testing times by an Americanism that is unselfish—that is loyal; that is sober; that is reverent and God-fearing. Self on the cross and Christ on the throne in every human heart is the hope of both church and state. Loyalty to the flag is essential to the authority of the flag, for "there

is no place beneath the American flag for the heart that does not love it and the arm that will not defend it."

It is ours to illustrate by voice and vote, by precept and practice, through the highest officials and the humblest citizen the integrity of our Constitution, the majesty of our laws, and that personal and national righteousness which alone exalteth a nation! It was for such a nation that heroes fought and fell. Verily, "who seem to die in such a cause, we can not call them dead." They live as Kosciusko lives; they live as Robert Bruce and William Wallace live; they live as Cromwell and Washington, Garibaldi, and Savonarola lift their heads above the ages as the restless years roll on!

Lincoln's immortal declaration constitutes America's sacred challenge to-day. This is the heritage bequeathed to our generation and all the generations that are to follow. America must, under God, fulfill, as Ben Hill said, "her high and expected destiny," not only for her own sake but for the sake of the watching world. If, as Emerson said, "America is God's last, best national effort in behalf of the human race," let every memory of Gettysburg and Appomattox wake our souls as God's last trump shall wake the dead. The tramp of 2,000,000 sons of blue and gray on the battle front of the world was the startling, compelling answer to that military autocracy that threatened the freedom of mankind. Two millions more of eager reserves were ready to go, while countless other millions of American men and women and billions of American wealth stood tiptoe and impatient to be dedicated to the supreme task of answering the call of destiny.

Ah, this Gettysburg memorial means that we will not forget. The holy inspiration of the call of Flanders Field is burning in our hearts and leaping to flame upon our lips:

"To you from falling hands we throw the torch—
Be yours to hold it high!"

We will not break faith with those who died, nor forget that they died for us—for our homes, for our ideals, for the very soul of our national life.

"Forgotten? No!
Beneath its snow-clad crest
Far down, the still volcano
Pants with fire!

"Forgotten? No!
Within our silent breast
Stir seeds of will and ire
Hopes, even despair
Brought forth by memories true,
Baptized in sacred dew!

"Forgotten? No!
These occult forces yet
Fused and made perfect
In the womb of years,
Bursting, shall show
How we the scorned forget
How faith, kept bright by tears,
Mounts to fruition, and
Our souls again
Shall tower in free-born men."

This be that full measure of united Americanism that is our country's golden heritage from Gettysburg and Appomattox, that full-orbed, God-fearing Americanism that we dedicate anew on this national Memorial Day to the most beautiful flag in all the world.

Mr. CARTER. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, I pray your indulgence for just a few minutes to talk to you about H. R. 3260, a bill introduced by myself in this House and reported by the Committee on the Judiciary, and also a bill S. 624. These bills have to do with the procedure in the Federal courts. These bills put the Federal judiciary in the trial courts upon the same plane as the State judges, giving the Federal judges no greater powers, and they do not take from them any power that the State judges do not now have. There seems to be a great misrepresentation in respect to this bill, and a great opposition has arisen among certain lawyers and the judges themselves, but I am glad to find that down in the State of Georgia there are two Federal judges who are in favor of this bill, who favor the bill in substance. There is no reason why the trial judge in the Federal court should invade the province of the jury and comment upon the testimony of the witness or the credibility of witnesses any more than a State judge should do so.

Now, gentlemen, I want to say that this bill has passed the Senate and has been reported out by the House committee and it is here on the calendar. I am asking, gentleman, if you are interested in this legislation to see if we can not get some way to have this legislation considered and passed. Gentlemen talk about the feeling against the Federal courts. The passage of this bill would do much to take from the people the feeling that they have of resentment against our Federal trial judges.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. I will yield to the gentleman.

Mr. CRAMTON. The American Bar Association has taken action, has it not, in reference to this measure on several occasions, and always adversely?

Mr. McKEOWN. No, sir. I will say to the gentleman the facts are these: The committee that represents the American Bar Association has sent down a brief against this bill based on the action of the committee at a former meeting on this bill in 1916. There is a dispute and a very grave dispute on the part of many members of the American Bar Association as to the action of the convention and they say that they refused to give them a vote, that a vote was refused them. I will say that I have received from members of the bar all over the country, who are general practitioners, an indorsement of this bill.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. CHINDBLOM. Do not a majority of the men who practice in the Federal courts object to this legislation?

Mr. McKEOWN. No, sir.

Mr. CHINDBLOM. Does not the correspondence show that?

Mr. McKEOWN. No, sir.

Mr. CHINDBLOM. It has in my case, overwhelmingly.

Mr. McKEOWN. I will say to the gentleman we will have a referendum for the lawyers at Chicago, the gentleman's own city, and I will venture the assertion that there will not be 25 per cent who understand this bill who will be against it.

Mr. CHINDBLOM. I will say to my friend the gentleman is mistaken.

Mr. McKEOWN. We will submit it to a referendum.

Mr. CHINDBLOM. And I have had a large number of communications on the subject.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. GARRETT of Tennessee. Suppose a majority of the lawyers do object. Is it not sound in principle?

Mr. McKEOWN. Absolutely it is sound in principle, because it is only of recent years that here in the District of Columbia a Federal judge charged a jury, or rather said to the jury, in these words, "I can not charge you to return a verdict of guilty in this case, but what I say to you amounts to the same thing." It was held by the Supreme Court of the United States that this was not a reversible error. Now, the newly appointed Federal judges, many of them, and many judges who are on the bench took that to mean that they can charge a jury to return a verdict of guilty by saying to them, "I can not direct you to return a verdict of guilty, but what I tell you amounts to the same thing." Now, it is based upon the old English doctrine that has come down to us that a trial judge could comment upon the credibility of a witness and upon the testimony of a witness, which is an invasion of the right of trial by jury. [Applause.]

Mr. CHINDBLOM. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. CHINDBLOM. I appreciate the courtesy of the gentleman if he will give me permission to answer the question directed to me by the distinguished gentleman from Tennessee, that for one I do not concede or believe the theory of the bill is sound. I think the present practice in the Federal courts is sound.

Mr. McKEOWN. I will say to the gentleman if he says the present practice in the Federal courts is sound he ought to go into a Federal court and try a few cases where the trial judge says, "Gentlemen of the jury, I do not believe a word that this witness says. You can believe what you please. I think he told a lie, but you can believe what you want to." You can not reverse a charge of that kind to a jury although it manifestly is not a fair trial.

Mr. HASTINGS. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. HASTINGS. To permit me to say that the worst offenders we have ever had in Oklahoma have been judges that have been imported from the gentleman's State of Illinois. [Laughter and applause.] I particularly mention Judge Raymond.

Mr. CHINDBLOM. Who?

Mr. HASTINGS. A man by the name of Raymond.

Mr. CHINDBLOM. From Illinois?

Mr. HASTINGS. Yes, sir.

Mr. CHINDBLOM. In what court did he sit in in Illinois?

Mr. HASTINGS. He was appointed upon the Federal bench before we had Statehood, from the State of Illinois. His name was C. W. Raymond and he was the worst tyrant that ever sat on a bench in a civilized country.

Mr. CHINDBLOM. What district in Illinois was he from?

Mr. HASTINGS. I mean he was appointed from Illinois and sent down there to preside over the Federal court.

Mr. CHINDBLOM. He was a judge in Oklahoma?

The CHAIRMAN. The colloquy between the gentlemen is not in order.

Mr. McKEOWN. I want to call attention to this fact and a few words with reference to the invasion of power by the Federal judiciary. When the State of Kentucky was admitted into the Union it passed a law to prohibit the imprisonment of a person for debt and providing that no one should be imprisoned for debt. There was no provision in the Federal law for issuing any execution on judgments, and as a result the two Federal judges of the State of Kentucky undertook to and did make rules by which they proceeded to issue executions and confine in jail debtors in the State of Kentucky. The matter aroused the Congress and the people of Kentucky, and I want to quote from a speech by one of the greatest Senators who ever represented that Commonwealth, made on the floor of the Senate on February 2, 1828.

He said this in part:

> The judges are men, and however good they may be their successors may not be so. Wise men are subject to the errors of human frailty; foolish and vicious men are never without motives to do wrong. The judges are men, and it is wise in the legislature to guard against the injurious exertion of their power, either weakly or wickedly. While, like the fixed star spoken of by the gentleman, they continued to occupy their appropriate sphere and to shed their luster upon the other departments, they would have his approbation; but when, instead of the benignant beamings of a fixed star, they pursued the erratic and desolating course of a blazing comet, threatening destruction to their coordinate orbs, he must be pardoned for withholding his approbation.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. Will the gentleman give me a little more time? I hate to trespass on the time of the House, and I will extend my remarks in the RECORD on this subject.

Mr. CARTER. I will yield the gentleman two minutes more.

The CHAIRMAN. The gentleman is recognized for two additional minutes.

Mr. McKEOWN. You can say what you please and you can do with this bill what you please, but if you do not take from the Federal judges the power they now have of invading the right of trial by jury there will come a day in this country when the Congress of the United States will be called upon to use more severe means.

Gentlemen, you have 22 judges, recently appointed, who are now being transported to various parts of the United States, and they go into many States. Are you going to say that you are going to deprive the people of this Nation of the right of trial by jury and deprive them of their rights to a fair and impartial trial? What is the criticism of the Federal court? The criticism of the Federal court is by the litigant who has business in the State court. He goes into State courts and the judges do not interfere with the trial of the case. They do not invade the province of the jury. But when a litigant goes into the Federal court he finds that a Federal judge will immediately take part in the trial of the case and undertake to direct the verdict of the jury. Then he goes out and says, "I did not have a fair trial." The great prejudice now against the Federal judiciary arises from the invasion of the right of trial by jury. This is a free country, and we never gave them any right to invade our rights and take away from us the right of trial by jury. [Applause.]

Mr. BLANTON. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BLANTON. I am for the gentleman's bill, but why is it not possible to get it up?

Mr. McKEOWN. Well, the gentleman knows you can get up an appropriation bill, but you can not get up this bill.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. McKEOWN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CARTER. Mr. Chairman, I yield one minute to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD. I want general permission to extend my remarks in the RECORD. The truth about it is, Mr. Chairman, that as the curtains are about to fall on this session of Congress we want to say a few things to our own people as to our feeble efforts in their behalf. [Applause.] That is what I intend to do if this permission is granted me by the courtesy of the House.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HASTINGS. Mr. Chairman, at 7 o'clock on June 7, 1924, this session of Congress will pass into history.

Every business man during the course of the year stops and strikes a trial balance with reference to his business, and we should do the same at the close of each session of Congress by reviewing the efforts put forth to enact beneficial legislation and the service rendered on behalf of those whom it is our privilege to represent.

Inasmuch as Oklahoma is a comparatively new State and inasmuch as it has 33 Indian tribes, a Representative in Congress from that State must of necessity give consideration to much local legislation and many departmental matters not required of Members of Congress from many of the other States. The duties of a Member from Oklahoma, therefore, consist of a very large departmental work, correspondence, and legislation, local and general.

During my service I have endeavored to give special consideration to matters peculiarly affecting Oklahoma, and particularly the second congressional district, and through correspondence and speeches and through the press I think that the people of my district are familiar with the efforts that I have made in their behalf, the attention I have given to their correspondence, to departmental work, to local legislation, and to the larger questions affecting the people of the Nation as a whole.

Appreciating that we have a wonderful new State, rich in natural resources, and a splendid citizenship, I have done everything possible during the present session to encourage and further its development.

AMENDMENT TO RURAL CREDITS BILL

In 1916 I was a member of the Banking and Currency Committee, which helped to prepare and pass the rural credits bill, approved July 17, 1916. In my judgment, this is the greatest piece of constructive legislation ever enacted by the Congress for the benefit of the farmer. At that time I endeavored to have an amendment inserted authorizing the appointment of local agents for farm land banks at convenient points throughout the country, where applications for loans could be received and papers examined and forwarded to the farm land banks instead of requiring the organization of local associations. I knew that this would greatly expedite consideration of applications for loans and would make the bill workable.

During the present session I introduced a bill (H. R. 7682) as an amendment to section 15 of the act of 1916 authorizing the appointment of these agents. This is a very important amendment. It is approved by all of the members of the Farm Loan Board, and I hope to get favorable action upon the same at the next session of Congress. If enacted into law, it will greatly expedite the action upon applications for loans, popularize the law, and enable loans to be made directly through agents having about the same power as the secretary-treasurer of a loan association and about the same authority that an agent for a mortgage loan company has, and would permit the farmers to borrow direct money at from 5 per cent to 6 per cent, payable on the amortization plan, by adding 1 per cent interest, applied to the reduction of the principal, which pays the principal in 36 years. This would enable the farmers to liquidate their present indebtedness and greatly assist tenant farmers in acquiring homes.

INCREASED RURAL MAIL ROUTES

The people of the second congressional district are very much interested in increased rural mail facilities. Upon returning to Congress I found a great many applications were pending for the establishment of new rural mail routes and for the extension of others, and when action upon them was urged we were met with the explanation by the Post Office Department that there were insufficient funds on hand to improve the service. We immediately made an investigation and found that the department had carried over a large unexpended balance which

was not used during the prior year. I called attention to this in the House, and, joining with other Members, we succeeded in having $1,000,000 additional added to the item making appropriation for the Rural Mail Service, with $300,000 immediately available, so that the people of my district would not have to wait until the end of the fiscal year for this service. This enabled us to have all of the rural routes which had been inspected and favorably reported upon ordered to be installed at an early date. Other routes have been changed, enlarged, and lengthened so as to accommodate a great many additional people living in the country.

This is a very important service. I have communicated with every postmaster and rural mail carrier in my district offering assistance and cooperation in bettering the mail facilities. I voted for the increased pay for postal employees and for the provision for the maintenance of equipment. As soon as the roads are in proper condition I hope to see rural routes so gridiron the second congressional district as to afford good mail facilities to every rural community.

TAX LEGISLATION

One of the most important questions coming up for consideration during the present session of Congress was tax revision and reduction. Congress was besieged from every quarter by well-organized propaganda. Untold thousands of letters, petitions, and telegrams came in demanding the enactment of the so-called Mellon plan. The people throughout the country were made to think that the so-called Mellon plan and tax reduction were synonymous.

The truth is that every Member of Congress favored tax reduction. The difference was as to details. I favored tax reduction, but favored a larger decrease for the small taxpayer, made an extended speech on the question when the matter was before the House, and I am confident that now that the people are able to study the provisions of the bill finally enacted into law that they will generally indorse it as a great improvement over the Mellon plan.

Every government should be most economically administered. We are not justified in taking a penny more through taxation from the people than is necessary to run the Government. The money absolutely necessary to maintain the Government with rigid economy should be collected from the people, taking into consideration their wealth and their ability to pay. With this in view I favor a graduated income tax, in the first place granting liberal exemptions to the man of small wealth, and beginning with a lower tax upon the man of moderate income, and exacting a larger tax upon the larger incomes.

ECONOMY IN PUBLIC EXPENDITURES

I favor the most rigid economy in public expenditures. The total expenditures of the Government during the first 15 months of Washington's administration amounted to $4,269,027. The expenditures during the fiscal year ending June 30, 1923, were $3,647,647,849. A large part of the taxes, of course, are local. Comparatively few people pay any direct Federal taxes. All, of course, pay a tariff tax. The way to reduce Federal taxes is to reduce expenditures. I make a distinction between what I please to term "productive" and "nonproductive" appropriations. I regard appropriations for agriculture, rural-mail service, roads, and for like purposes as investments, or productive appopriations, whereas I regard the excessive appropriations for the Army and Navy and for like purposes as nonproductive, and I think they should be reduced to the minimum.

The appropriation this year for agriculture was $58,575,274. For the Navy, $275,105,067. An appropriation bill also passed the House making an additional appropriation of $111,360,000, exclusive of armament, estimated to increase the cost to $150,000,000, which passed both Houses, but was withheld from the President only because a motion to reconsider was filed after passage of the bill in the Senate. This bill will be enacted in December. Three hundred and twenty-seven million nine hundred and seventy thousand four hundred and sixty-five dollars was appropriated for the War Department. In addition to these appropriations, other items for the Army and Navy are carried in the deficiency appropriation bills. The authorization of $75,000,000 for an appropriation for road construction passed the House, but was not reported to or acted upon by the Senate. We insist that there should be larger appropriations for the internal development of the country and smaller appropriations for the Army and Navy. The other appropriations for the current year are as follows: $26,455,105, District of Columbia; $398,776,740, independent offices; $263,250,455, Department of Interior; $14,220,016, legislative establishment; $15,001,646, State Department; $21,371,430, Department of Justice; $23,939,905, Department of Commerce; $7,956,516, Department of Labor; $120,768,405, Treasury Department; $613,645,195, Post Office Department.

The other appropriations for the current year are $156,671,585 for the first deficiency appropriation bill and $2,333,000 for the urgent deficiency appropriation bill. In addition, the second deficiency appropriation bill failed in conference, carrying approximately $160,000,000 for expenditures already authorized and which must be passed, which will make the total appropriations for the coming fiscal year $2,534,689,804. This does not include the interest on our bonded indebtedness.

To this should be added $1,455,080,738.85 permanent and indefinite appropriations for interest on the public debt, sinking fund, and other miscellaneous, permanent, and fixed purposes. This will make our expenditures for the coming fiscal year aggregate $3,989,770,542.82. With appropriations which must be authorized and appropriated for Federal aid in highway construction, and for other purposes, the expenditures will be well over $4,000,000,000.

I voted against the appropriation of $111,360,000 for the building of eight cruisers and lighter naval craft. I voted against the $10,000,000 appropriation for the German relief fund. I voted against the remission of more than $6,000,000 of the indebtedness due from China. I voted against the appropriation of $11,000,000 to take over the Cape Cod Canal project, which in the end is estimated will cost the Government from $50,000,000 to $75,000,000, and I voted for numerous other decreases in items in the Committee of the Whole during the consideration of the various appropriation bills.

Foreign governments are indebted to us, including principal and interest, in amounts aggregating approximately $10,000,000,000. England, Finland, and Hungary have satisfactorily funded their indebtedness. Stronger pressure should be brought to bear on other foreign governments to do the same. Federal taxes can be further reduced and the burden of the Government lightened when the indebtedness of all countries to us are funded, and our Government can anticipate with certainty the fixed amounts to be received as interest and for reduction of the principal. I favor and urged in a speech the collection of every dollar of the entire foreign indebtedness, both principal and interest, and the remission of none.

AGRICULTURE

Everybody appreciates that agriculture is the greatest basic industry in the United States. Almost half of the entire population is immediately dependent upon farming, and the remainder are directly interested in the prosperity of the farmer because all are dependent upon him for their food supply.

The farmers of the country, particularly those in the West and Southwest, are in a destitute condition, and should be favored with sympathetic and helpful legislation.

During the consideration of the agricultural appropriation bill I made an extended speech on the floor of the House, giving my views with reference to agricultural conditions, needed legislation, and called attention then to the fact that the House Committee on Agriculture had before it a number of bills for the relief of the farmer, and expressed the hope that before adjournment some beneficial legislation would be reported from that committee and enacted into law.

I cooperated with and kept in touch with the members of the Committee on Agriculture, with other Members of Congress from other agricultural States, and made an effort to secure legislation beneficial to the farmers at the present session. I deeply regret that no general legislation for their benefit was enacted. I voted for the bill directing the Interstate Commerce Commission to make an investigation with a view of reducing freight rates. The committee has that authority now. It should exercise it. I voted against the adjournment of Congress on June 7, because I thought it was the duty of Congress to remain in session so that careful and painstaking care could be taken in the preparation and enactment of some farm-relief legislation. The farmers need financial assistance. They need better markets. They need lower freight rates. They need tariff reduction so that they will not be compelled to pay such high prices for everything they buy. They need additional appropriations for Federal warehouses, and their cooperative associations need to be sympathetically encouraged.

In order to give the farmers cheap fertilizer, I voted to give Henry Ford a lease on Muscle Shoals. There were many provisions in this contract which I did not approve, and if they had stood alone I would not have voted for them, but the farmers of the country need to be assisted in increasing production which will lower the cost of production, and this bill, in my judgment, insured cheap fertilizer for the farmers. Although it had objectionable features, I voted for it and supported it for the above reasons.

FLOOD CONTROL

A number of drainage districts have been formed in the second congressional district—one traversed by the Deep Fork in Okmulgee County, one by the Verdigris in Wagoner County, one by the Canadian River in the southern part of the district—and much complaint has been made because of the caving of the banks of the Arkansas River and other streams.

I had a provision with reference to these streams added as amendments to the flood control bill, which was finally enacted and became a law, which will cause a survey to be made of these streams. This will assist in their flood control. I had previously introduced separate bills for these streams, and their addition to the general bill insured their enactment.

ROAD LEGISLATION

I was a Member of Congress when the first road legislation was enacted, July 11, 1916, took an active part in framing the bill, and made a speech in the House upon it.

On November 9, 1921, Congress passed another act, which changed the proportionate part paid by the Government from the Federal highway fund in proportion to the unappropriated public lands in excess of 5 per cent within any State. This was because these lands were nontaxable. Upon my return to Congress during this session I introduced a bill (H. R. 8885) amending this act so as to include in the same class "nontaxable Indian land, individual and tribal."

The provisions of this bill were incorporated into the general road bill—H. R. 4971—as section 4 of that act, as follows:

SEC. 4. That section 11 of the Federal highway act approved November 9, 1921, as amended and approved by the acts of June 19, 1922, and June 30, 1923, is further amended by inserting after each place where the words "unappropriated public lands" occur the words "and nontaxable Indian lands, individual and tribal."

I appeared before the committee in advocacy of this provision and made a speech on the floor of the House, and the bill passed the House with this provision added as section 4, and is now pending in the Senate. It will unquestionably be passed during the coming session of Congress in December, and before March 4, 1925. There is no opposition to this provision. It is very important to Oklahoma because of the large amount of nontaxable Indian lands, and the Government will be authorized to pay a larger proportionate share of the cost for road construction.

I supported the bill H. R. 7269, which passed the House but which failed in the Senate because of an effort to add to it an objectionable amendment, which authorized the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture for use in the improvement of highways and road construction in the various States. It included one hundred 5-ton caterpillar tractors, complete, with tools and spare parts, and 1,000 motor trucks.

SOLDIER LEGISLATION

I took an active part in the legislation reported from the Veterans' Bureau Committee amending and humanizing legislation for the benefit of the ex-service men and appeared before the committee and made a statement urging legislation and made a speech on the floor of the House. The bill unanimously passed the House containing a provision extending the time for the filing of disability claims, and where an ex-service man has contracted tuberculosis within six years from the date of expiration of his service conclusive evidence of the fact that it originated in the service is implied, and in other diseases it is presumptive proof but may be rebutted by the Government. There is a provision for the hospitalization of all ex-service men, Spanish-American War veterans, and Civil War veterans, and further increases the compensation to be paid on claims of ex-service men and their dependents.

I supported the adjusted compensation bill, giving to the overseas ex-service men $1.25 per day additional and those who served at home $1 additional, in paid-up insurance, where the amount due was $50 or more, and payable in cash where it did not exceed that amount.

I appeared before the committee in support of this legislation, made a speech on the floor of the House, and my views are well known upon this legislation.

I supported the bill authorizing an appropriation and additional expenditures needed for hospitals throughout the country. This bill authorized an expenditure of $6,500,000. This bill passed and was approved, and an item added to the second deficiency appropriation bill making an appropriation for this purpose. This passed the House, but failed in conference because of certain objectionable irrigation items insisted upon by certain Senators from Western States. This appropriation included an item to purchase, on behalf of the Government, the hospital at Muskogee now leased by the Government. There is no objection to this particular amendment, and I am sure it will be enacted at the coming session of Congress.

I have conducted an active correspondence in an effort to secure expeditious action upon every claim of every ex-service man in my district and joined with the Oklahoma delegation in having a committee of medical examiners sent to Oklahoma to personally examine ex-service men who have claims pending. This committee is now in Oklahoma, and personal examination of every claim should greatly expedite action upon them. Inasmuch as the bill just passed extends the time for filing claims and makes the finding of certain diseases, including tuberculosis, conclusive proof of their origin in the service, this will greatly expedite action upon all claims.

IMMIGRATION

The people of the country are perhaps as well advised and certainly as deeply interested in immigration legislation as upon any other question which came up for consideration during the present session. The act as passed, and reluctantly and with a frown signed under protest by the President, recognizes that the immigration question is a domestic one and that we have a right to provide by legislation as to those who may come to our shores and as to those whom we may accept as citizens of our Nation.

The bill as finally passed and approved greatly reduces the number of immigrants for the next few years. The Japanese and other orientals who are ineligible for citizenship are excluded.

I made a speech on the floor of the House during the consideration of this bill advocating a reduction of immigrants, and voted for other amendments which were not accepted which would have had the effect of further reducing the number eligible for admission. The time has come when we must be more careful with respect to those whom we admit, and if the existing law and this act which amends it are properly enforced all undesirables may be excluded from admission. The number of immigrants to be admitted during the coming year is reduced to 161,184. This is a very great reduction from the year 1907, when 1,285,349 immigrants were admitted to our shores. No person should be admitted who is not desirous of or capable of becoming a patriotic American citizen, obedient to our laws and loyal to our flag.

THE CHILD LABOR AMENDMENT

During my previous service in Congress I voted for the child labor law which was held to be unconstitutional by the United States Supreme Court. I voted for the resolution submitting a constitutional amendment to the States, which will empower Congress to enact child labor legislation.

Oklahoma already has splendid child labor laws. Most of the States have enacted adequate legislation along this line. It is important to child welfare that legislation upon this subject be uniform throughout the States. With the adoption of this constitutional amendment and the enactment of appropriate legislation by Congress it is expected that uniform laws will be enacted by the several States to cooperate with such Federal legislation as may be enacted. The children of to-day are the fathers and mothers of to-morrow. We can not afford to permit them to be neglected.

CONSTITUTIONAL AMENDMENT

Upon returning to Congress in December I introduced a resolution (H. J. Res. 108) proposing an amendment to the Constitution of the United States permitting the President to veto any item or appropriation of any bill passed by Congress. I made a speech upon a resolution of like tenor during my previous service in the House and corresponded with the governors of all the States, and with one accord all of them recommended this amendment.

The necessity for the submission of this amendment to the States for ratification is emphasized by the action of the Senate in adding a very large number of amendments to the second deficiency appropriation bill in the closing hours of Congress and attempting to force them upon an unwilling Congress. Some of these amendments were far-reaching legislation and should not be enacted without most careful consideration, while others appropriate millions of dollars—eight or ten millions—and because the House refused to accept them a filibuster was inaugurated and the entire bill defeated, which included the most necessary appropriations for many branches of the Government, among them items for the ex-service men and for additional hospital facilities that had already been authorized, and this included the appropriation for the hospital at Muskogee.

INDIAN LEGISLATION

The first session of the Sixty-eighth Congress just adjourned has passed more Indian legislation than any previous Congress. Legislation of this character greatly affects the people of Oklahoma because there are in all 33 Indian tribes in the State.

Upon returning to Congress I prepared and introduced a bill (H. R. 4457) conferring jurisdiction upon the Court of Claims, with the right of appeal to the Supreme Court of the United States, to hear, determine, and adjudicate all claims which the Cherokee Tribe of Indians may have against the United States. This was the first of the jurisdictional bills enacted. It was favorably reported by the Interior Department, by the Committee on Indian Affairs, of which I am a Member, and by me reported from the Indian Committee to the House, passed the House and the Senate, and was approved by the President without a single change or amendment. The same is true with reference to the Creek jurisdictional bill, H. R. 7913. A jurisdictional bill in the same language was passed and approved for the Seminole Tribe, and, except for permitting the tribal attorneys to assist in the suit, a bill, H. R. 5325, by Mr. CARTER in the same language was passed and approved for the Choctaw and Chickasaw Tribes. A similar jurisdictional bill was passed for the Wichita and affiliated bands, and a bill was favorably reported and passed the House for the Ponca Indians, and a bill was favorably reported to permit the Delaware Indians to adjudicate their claims.

The Interior Department appropriation bill carries an appropriation for the Indian Service, including appropriations for the office of the superintendent for the Five Tribes, probate attorneys, $150,000 in aid of the public schools in lieu of nontaxable Indian lands, $56,300 for the Cherokee, now Sequoyah Orphan Training School with an additional appropriation of about $10,000 for a hospital, and appropriations for health work. Many bills of local importance were also enacted.

A committee, of which I am a member, was appointed to investigate Indian affairs in eastern Oklahoma. It has arranged to meet at Muskogee on September 8, 1924.

I have urged before Congress and before the Indian Office in every possible way and on every occasion the advisability of making a per capita payment to the Choctaw and Chickasaw Tribes this summer of all funds they have available for distribution, and I trust this will be done. The Department of the Interior has that authority under the act of February 14, 1920. I have also urged the sale of the coal deposits. I have urged the dismissal of all tribal officers not necessary for the service and have urged the winding up of the affairs of these tribes at the earliest possible date.

RULES

It is not generally known and appreciated throughout the country that under the prior rules of the House there was no way to get consideration of a bill favorably reported from a committee except (1) by special rule, and this could never be secured with reference to local bills; (2) by call of the committee reporting the bill upon what is known as Calendar Wednesday, and as applied to Indian legislation the Indian Committee has not yet had its call during the present session; and (3) by placing the bill upon the Unanimous Consent Calendar, subject to be stricken off upon the objection of a single Member of the House.

During my six years previous service in the House I fought for a liberalization of this rule and finally succeeded in having the unanimous-consent rule modified so that while the objection of one Member can prevent the consideration of a bill the first time it is reached upon the call of the Consent Calendar, it requires three objections the second time. This has worked a revolution in the House. It is the most important rule adopted in years. It has resulted in the House being able to secure consideration and action upon more important local legislation than at any previous session. Everyone now approves of the change in the rule, and the wonder is that it had not been adopted years ago.

SPEECHES

No Member of Congress can keep up with all of the bills pending before Congress. He of course is expected to be familiar with those reported from the committee of which he is a member, and every Member attempts to familiarize himself with the bills of general importance throughout the entire Nation and with those which peculiarly affect his district and State. I promised my constituents that I would do this and have tried to keep my promise. In addition to participating in general debate upon a large number of matters I made a study of and made speeches on the floor of the House upon the following subjects:

1. An additional appropriation of $1,000,000 for rural mail service.
2. The civil service, showing that it was disregarded in the appointment of postal employees.
3. Extended speech on the subject of agriculture.
4. Muscle Shoals and cheap nitrate for the farmers.
5. Osage Indians—a bill affording them additional protection.
6. Indians—general speech on Indian questions and Indian legislation.
7. Roads—urging the placing of "nontaxable Indian lands" in a class with "unappropriated public lands."
8. Immigration—general speech in support of restriction of immigration.
9. Speech on winding up of affairs of Choctaw and Chickasaw Nations—advocating per capita payment for them—and speech favoring jurisdictional bills permitting the Five Civilized Tribes to present their claims to the Court of Claims.
10. Prohibition.
11. Tax reduction—general speech discussing question and advocating tax reduction.
12. Soldier legislation—favoring (a) adjusted compensation, (b) supporting amendments to legislation codifying and liberalizing existing laws, (c) appropriation to purchase hospital at Muskogee.

DEPARTMENTAL WORK AND CORRESPONDENCE

We have made an effort to give diligent attention to all departmental matters, attending to every detail, and I am sure everyone will agree that we have given prompt attention to all matters. We make it a rule to answer every letter and telegram the day it is received, unless delay is occasioned in getting the necessary information from or action by the departments. We have innumerable requests and inquiries with reference to the approval and assignment of oil and gas leases forwarded to the department here, the removal of restrictions on Indian lands, letters from ex-service men with reference to applications for compensation and hospitalization, applications for pensions and increases of pensions of soldiers of all wars, petitions for the establishment of rural mail routes, changes in routes, and letters, petitions, and telegrams with reference to the innumerable bills introduced in Congress, either favoring the legislation, protesting against it, or making some inquiry with reference to it.

NUMBER OF BILLS INTRODUCED

In order that my constituents may know something of the number of bills introduced, with which a Member of Congress must keep in touch and familiarize himself, there were introduced in the Senate during the past session 3,492 bills and in the House 9,802 bills, and in addition to this a large number of resolutions. These are all referred to appropriate committees and by them assigned to the departments affected for report, and they later come back to the committees for consideration and report and then to their respective Houses, and if placed upon the calendar of the House each Member must make some examination and study of them. Inquiries are made, however, of many bills introduced which have not at the time been reported upon by the committees.

COMMITTEE ASSIGNMENTS

I am on two important committees—(1) the Committee on Indian Affairs and (2) the Committee on Education.

I have attended every meeting of both committees and took an active part in all matters coming before them for consideration, action, and report.

CONCLUSION

I have attempted to invite attention to some of my activities during the present session of Congress, affecting the Nation as a whole and peculiarly affecting the people of my district, as they are entitled to know what their Representative has accomplished and endeavored to accomplish. I have worked in entire harmony with the other members of the Oklahoma delegation in both the House and the Senate, and have had their hearty assistance and active support.

I submit this record to the people of my district for their consideration in the hope that it will meet with their approval.

Mr. BLACK of Texas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD in connection with the remarks I made this afternoon.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the RECORD in connection with the remarks he made this afternoon. Is there objection? [After a pause.] The Chair hears none.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield one minute to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend and revise his remarks in the RECORD.

Mr. BLANTON. Are the gentleman's remarks in connection with the Bright Angel Trail?

Mr. CRAMTON. No; not directly.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield five minutes to the gentleman from Connecticut [Mr. TILSON].

The CHAIRMAN. The gentleman from Connecticut is recognized for five minutes. [Applause.]

Mr. TILSON. Mr. Chairman, last week for 15 hours I sat most of the time and heard the general debate on the McNary-Haugen bill. Then an entire day under the five-minute rule on the first paragraph of the bill. I learned a great many things that I did not know before. I was somewhat doubtful whether some of them were so or not, but at least some of the things I heard I am quite sure were not correct. It is in relation to some of the latter that I wish to speak just a few words. With all that I have learned I still do not feel myself competent to give information on the bill, so I am not open to questioning on the bill itself.

Judging from many of the speeches made in connection with this bill, one would think that this country were divided into just two parts—New England and the rest of the country. According to this division we have one portion, New England, in which all the manufacturing is done, and the rest of the country, in which the farming and other interests are carried. I am very glad to accept for the New England States all the laurels that may be coming. It is with reluctance that I decline any, but this is going a little too strong. The people who reside in that matchless little corner of this big country have never claimed anything of this sort and they would not wish me to let it go unchallenged that they accept it as a true statement of the situation.

The New England Sates are engaged to a considerable extent in manufacturing, and we are very proud of the fact, but so are the other States of the Union. Some of you will perhaps be astonished to know that the average of the total value of the products of manufacture is not as great in the New England States as in the other States of the Union. The total value of the manufactured products of the United States, according to the census of 1920, was, in round numbers, $62,000,000,000 for one year. For the entire 48 States of the Union this is an average for each State of the Union of $1,300,000,000, in round numbers. Of the $62,000,000,000, the total value of the manufactures in the six New England States is $7,183,000,000, an average of $1,200,000,000, or less than the average for the other 42 States of the Union.

According to the census of 1920 there are single States that have more manufactured products in value than all of the six New England States combined. New York, for instance, has $8,800,000,000; Pennsylvania has $7,300,000,000. Then follows Illinois with a little less than the total for all of New England, and then Ohio with over $5,000,000,000, being but slightly behind Illinois in this regard. As a matter of fact, New Jersey, which is rarely heard mentioned here as a manufacturing State, has manufactured products exceeding in value those of five New England States, my own great State of Connecticut included.

Now, gentlemen, I have brought you these figures so that those of you who are preparing speeches to deliver on the McNary-Haugen bill during the remainder of the discussion that is to follow may have the facts before you, and not mar a good speech by putting in illustrative matter which upon examination may indicate that you have not been careful in the selection of your data.

Mr. CRAMTON. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. CRAMTON. Outside of the family tree industry and the summer resort industry, what is the chief glory of New England?

Mr. TILSON. Well, New England is an all around fine portion of the country. We have not only fine old families and fine new families, too, and a wonderful summer climate attracting people from all over the country, but we have other things as well. We have manufacturing, of which I have spoken; we have agricultural interests, which you good people of the boundless West sometimes forget; we have wonderful institutions of learning, and best of all, we have an industrious, happy, and prosperous people.

Mr. UPSHAW. Will the gentleman yield?

Mr. TILSON. Yes; I yield to the prospective Democratic vice presidential nominee.

Mr. UPSHAW. May I suggest that New England, especially the State of Connecticut, has proven that it grows splendid Congressmen out of the sons of the South. [Applause.]

Mr. LINEBERGER. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. LINEBERGER. The gentleman has spoken of the McNary-Haugen bill and the speeches which our colleagues expect to make in its favor. Does the gentleman think that anybody could make a good speech on as bad a bill as the McNary-Haugen bill?

Mr. TILSON. I said in the beginning that I did not have the qualifications entitling me to give information on the bill; therefore I am not going to try to give any in answering the gentleman's question.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. WHITE]. [Applause.]

Mr. WHITE of Kansas. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. WHITE of Kansas. I will proceed to discuss very briefly the subject of transportation as it applies to agricultural products, especially grain, grain products, hay, and some other basic commodities.

In the discussion of a subject as important, as comprehensive, and at the same time as complicated as is the subject of transportation, one can not cover the entire subject even in a cursory or superficial manner.

However, there are certain phases of the present transportation situation which relate to rates on certain commodities which to my mind are of very great importance to all the people of the country and of especial and imperative interest to the agricultural industry of the United States.

As a basis for my remarks I will direct your attention to the general rate reduction, decided May 16, 1922. This was a horizontal reduction extending to practically all commodities except grain, grain products, and hay by approximately 10 per cent. This is the first and the only general reduction which has been ordered since the peak of high rates was reached by the general order, Ex parte hearings, No. 74, which was made the basis for the 35 per cent general increase of July, 1920, which, in addition to the 25 per cent increase of 1918, resulted in a rate from 70 to 80 per cent higher than in 1918. It should be stated that 16 months after the promulgation of the big increase of 35 per cent, a decrease of one-half of the big increase of 35 per cent on grain, grain products, and hay was allowed by the commission.

This reduction was ordered upon a showing that the rates on these commodities were unjust, unreasonable, out of the line with the rates on other commodities, and were highly discriminatory.

That was the contention of the complainants in the abstract of their evidence in asking that the balance of that 35 per cent increase should be removed from the product I have mentioned.

It was shown in this case that the effect of the high rate in effect from July, 1920, to October, 1921, paralyzed the hay industry. This industry had borne an important place in commerce previous to that time. But at once after the higher rate became effective the business declined and thousands of acres of good hay lands were left unharvested because the product would not bear the cost of transportation. To use the old, common phrase, the rate was higher than the traffic would bear.

In a speech delivered by me here something more than two years ago I strongly contended that reduction in rates would stimulate traffic and therefore would not result in loss to the carriers.

I am inserting in the RECORD the opinion of Chairman McChord, of the Interstate Commerce Commission, of Commissioner Potter, of Commissioner Cox, and Commissioner Campbell, dealing with that concrete proposition, and I think it will interest you if you have the time to examine the reports.

The hay producing and shipping industry has experienced considerable stimulation on account of the decreased rates effective October 20, 1921, and if the remainder of the 35 per cent increase of July, 1920, was removed, hay would no doubt resume its former important place in the commerce of the country.

Again, I say the rates on the basic products are too high and out of line for the unanswerable fact that the decrease in rates on October, 1921, of one-half of the 35 per cent was

ordered on the ground and so stated by the commission that the rate charged was out of line with rates on other commodities, and therefore through that decrease they were brought into what was regarded by the commission as a proper relation with other commodities.

Therefore, it necessarily follows that those products or commodities should share in any subsequent general reduction in order to maintain the proper relationship established by the decrease of October 20, 1921, and if participation in any such general reduction is denied those commodities we can not escape the conclusion that injustice has been done and the former maladjustment restored; and that is exactly what happened. The Interstate Commerce Commission refused grain, grain products, and hay the benefit of participation in the only general reduction which has been ordered since the peak of high rates was made effective by the order of July 29, 1920.

This refusal on the part of the commission to allow the commodities to which I have referred to participate in this general 10 per cent reduction in rate is, to my mind, unjustified and inexcusable.

First, in answer to clearly proven contentions of the complainants that the wheat and hay producers are in hard straits financially, the commission said the needs of commerce can not be met if rates are to fluctuate with market prices of commodities.

Well, I never heard it seriously contended by anyone that they should so fluctuate, but the commission is prompt to say in the same paragraph of its summary that in any permanent or long persistent shift of price levels the element of value and the principle of what the traffic will bear would be given consideration.

The commission having recorded this statement, I am here to say without fear of successful contradiction that the present low price level of wheat is a long, persistent shift of price levels—they are out of line in their purchasing power; out of line in their ability to bear cost of transportation; out of line in the actual relation of car-mile earnings to other commodities—and should certainly have fair consideration at the hands of the Interstate Commerce Commission.

All the foregoing facts were set forth in the complainants' abstract of evidence in the pending application and were not controverted. I want to say here that this application has been pending before the Interstate Commerce Commission for more than 14 months.

It is a well-known maxim that a rate higher than the traffic will bear results in loss to the carriers and paralysis to the industry to the products of which the rate is applied.

This principle has always been recognized in transportation and by rate-making bodies. It was argued at length by Commissioner Campbell in explanation and in justification of his dissenting opinion to the commission's adverse report and refusal to grant the relief asked for. Mr. Commissioner Campbell said that although the carriers are not earning the prescribed return of 5.75 per cent that should not necessarily deter us from reducing the rates on grain and grain products, for there is other traffic which contributes to the revenues of the carriers, and increases in the rates thereon may be justified. Mr. Campbell also says:

> Furthermore, the duty cast upon us by section 15a does not constitute a guaranty to the carriers.

Quoting again, the commissioner says:

> It is generally conceded that in the old days the carriers' only rule was that the rates should earn "all the traffic would bear"—what the traffic will reasonably bear is still a controlling factor, and we always give it due weight.

He says again:

> I think the carriers thought it proper to exact all it was possible to exact and still allow the traffic to move.
>
> I think we should consider it more from the viewpoint of what the industry can pay and still live. The evidence in the case is conclusive that wheat is being raised at a loss. It moves to market because it has to, but it moves at a great loss to the producer. Can the industry continue to function under present conditions? Clearly not.

But Mr. Campbell does not disdain to invoke the distressed conditions of agriculture as a justification for the reductions asked for, and which he felt the commission should approve. On this point he makes a most sound and fundamental statement:

> Civilization can not exist without the farmer. The present wave of prosperity will not continue unless the farmer is prosperous. Can there be much more dire necessity for low rates than is shown in this case? To my mind the present record amply justifies the elimination of the balance of the 1920 increases as to grain and grain products.

Yet the petition of the complainants was denied. But you will note the commission notified the Atchison, Topeka & Sante Fe that in consideration of this case, and good cause appearing therefor, the case is referred for further hearing, and was so referred recently in the city of Washington and heard before the Interstate Commerce Commission, and additional testimony was taken of record.

Let me call attention to the evidence submitted in this supplementary hearing. The complainants have clearly proven their case from every reasonable point of view.

In the case to which I have referred, wherein complaint was filed in behalf of all grain and hay shippers of the State of Kansas—with other States in the western group, intervening with like complaint—the petition alleges, as before stated, that freight rates on grain, grain products, and hay in carloads between points in the western group as defined by the Interstate Commerce Commission (that group being mainly the States of Kansas, Nebraska, Oklahoma, North Dakota, South Dakota, Colorado, Iowa, Missouri, Wisconsin, and Texas) are unjust, unreasonable, unnecessarily discriminatory, and unduly prejudicial, and in violation of sections 1 and 3 of the interstate commerce act.

And it was further alleged, and to my mind clearly proven, that considering farm costs of producing grain and hay as compared with farm and market prices of such commodities, the existing rates between points in the western group are prohibitory and operate to the serious disadvantage of shippers of those commodities.

RAISE IN RATES AND CAUSES GIVEN

It is still fresh in the minds of everyone how the carriers, through their representatives, pleaded before committees of Congress during the pendency of the consideration of the Esch-Cummins Transportation Act and afterwards before the Interstate Commerce Commission—in the first instance, to secure legislation favorable to their interests, and, secondly, to secure an enormous increase in rates after the railroads were restored to their owners.

I do not blame them in the least. The necessity for more and better equipment was recognized by all—and many shippers intervened with the carriers to secure better equipment and approved a reasonable advance in rates to attain that result—and the commission proceeded, under authority of law conferred in the transportation act, to grant such rates as in their judgment would permit the carriers to earn the fair return as provided for and defined in subdivisions 2 and 3 in section 15d of the said act. What has been the result?

First, it is common knowledge that the entire transportation system is on the most efficient basis ever known in its entire history. We hear no complaint of car shortage from any quarter whatever. Commenting on this very subject, in relation to the movement of cattle from Texas to the Kansas City market, the Daily Drovers Telegram said in a recent article that there has never been such good service at any time in the past, even before the war. Trainloads of cattle from the central Texas territory are arriving in Kansas City in 36 hours which were formerly required to be unloaded and fed, but now, on account of the improved service, are moved continuously without unloading, much to the advantage of the service and, frankly stated, to the very great satisfaction of the shippers. That the service is the best ever known is claimed by the carriers and is admitted by their patrons.

The rates now in force on grain, grain products, and hay between points in the western group bear down very heavily upon those particular commodities, and there are hundreds of thoughtful persons with extensive experience in such matters who have investigated the subject and have compared the rates on those commodities with rates on other commodities who believe that the rates are unjust, unreasonable, and discriminatory.

That, in brief, was the contention of the complainants in the case now pending asking for the removal of the last one-half of the 35 per cent increase of October, 1920. There is, I believe, no more equitable basis of comparison for the ascertainment of what is a just and reasonable rate than a comparison of the car-mile earnings, giving fair consideration to the relative cost of the equipment used by the carrier.

First, in relation to hay, it is interesting to note the effect of the 35 per cent increased rates effective July 6, 1920. That is the great big increase of 35 per cent, which, on top of the horizontal 25 per cent increase ordered by the Director General of Railroads in 1918, made the rate 169 as to 100 before the roads were taken over. Well, the effect of this increase on the hay industry can best be shown by quoting from the commission's summing up of the evidence in this case, wherein

the complainants appeared asking for decreased rates on grain, grain products, and hay, as before stated.

It may be stated that the increase in the rates on hay intrastate and interstate resulted in a rate 70 per cent higher than immediately before the Government operations, although in many instances the rates on these commodities have been subjected to much greater increases. Of course it is known that the increase on corn, oats, and barley approximated and in some instances exceeded 80 per cent. Now, just one more instance as to the effect on hay, and then I will go back to grain and grain products.

In the hearing referred to, Newton C. Campbell, president of the Kansas City Hay Dealers' Association (rec. 3751), testified that Kansas City was the world's greatest hay market, and in discussing Exhibit 22a (rec. 3755), attention was directed to an increase of 20,452 cars of hay received at Kansas City in years 1920 compared with 1913; and a very material decrease of 24,423 received at Kansas City in two years, 1922 compared with 1920, and it was the opinion of this witness that this decline in the number of cars received at Kansas City was due to the fact that the transportation charges on hay prohibit the movement over the long hauls that it necessarily takes. At record 488 this witness stated:

In fact, it is a foregone conclusion, after the period of time that has elapsed since this freight advance, that the increase in freight rates, with the return to approaching normal on farm products in other sections, has resulted in this diminution of receipts.

At record 490, the same witness continued:

It is a fact that in some sections of Kansas thousands of acres of prairie grass were not harvested at all this past year or the year before, for the reason that the farmer could not afford to take the chance of putting it up under values that existed at the time. Previous to the advances in freight rates, a great deal of alfalfa hay was forwarded from as far west as Colorado to as far east as New York State, but since the advances in freight rates that trade has been entirely cut off and the dairy interests have resorted to the use of timothy and clover, which are merely substitutes for alfalfa, because they can not afford to pay the present price that the present transportation rates make necessary to charge for that hay.

At record 496, Mr. Campbell further declared:

In conclusion I just want to say that the transportation of hay has been the outgrowth of 20 years among dealers and farmers in the territory tributary to Kansas City. That hay is indigenous to the country in the West; it has to move to the territory where hay is not grown, and it can not move under the present burden of transportation charges.

And again, at record 3770, the witness, Mr. Campbell, says:

Now, I will say this: The hay business is in the worst condition that it has been in for years, and it may be that hay has no place in commerce; I do not know.

The distressed conditions of agriculture are not especially invoked. Were I so inclined, I might with great propriety plead that especial favor should be accorded the products of agriculture in fixing the burdens of transportation, and justify the plea on the ground of great public necessity. But I elect to plead only on the ground that the products of agriculture shall be accorded a square deal.

It is self-evident that agriculture supplies the primary imperative wants of mankind. This statement needs no argument. Suspend for a single day the supply of sustenance that flows constantly from the soil and there would be suffering; suspend it for a week and there would be extreme distress; a month and the great and populous cities would be tenantless; the world would be a "lump of death, a chaos of hard clay."

But I seek not to convince you by the conjury of such argument, except only in so far as to say that if the necessity is so universally known and so universally admitted is it not strange that instead of being favored, as would seem most natural, that instead of being given at least fair and equitable treatment by the carriers and the rate-making powers, as would seem most just, those products should be grossly discriminated against as they are to-day.

Does this appear to any Member of the House as a broad assertion? If so, then hear the evidence.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. WHITE of Kansas. May I have five minutes more?

Mr. DICKINSON of Iowa. I yield the gentleman three minutes more.

Mr. KING. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas be permitted to proceed for additional minutes without interruption.

Mr. WHITE of Kansas. That would be magnanimous if it could be done. I could finish in that time.

The CHAIRMAN. The request is not in order. The time is in charge of the gentlemen in charge of the bill.

Mr. WHITE of Kansas. In the statement of their case—in the abstract of the evidence and in the closing argument in the case, asking reduced rates on grain, grain products, and hay, it was shown clearly that the rates on these commodities in the western group are unreasonable and grossly discriminatory; and this statement is borne out by the strongest kind of evidence.

I think I hear, and very naturally, the inquiry that if all this is true, then why does not the Interstate Commerce Commission afford the requisite relief? Well, that is a question I have asked many, many times, and it has been asked by the American farmer thousands of times.

What is the evidence? I have called your attention to the case of hay. Now, let us look at grain. To my mind the strongest evidence is the fact that the record of car-mile earnings on grain are higher, much higher, than the car-mile revenue on all traffic—and mark what I say in this connection. While it is true that grain rates have not been increased, by orders of the commission, by a greater percentage than rates on other commodities, yet it is a fact that during the period from 1913 to 1921 car-mile earnings on grain increased 91.23 per cent by the increase of loading capacity per car, as compared with 43.51 per cent on all carload traffic. This is not fair to the products of agriculture and constitutes an unjust discrimination. Clearly agriculture can not come back under the handicap of such injustice.

Especial attention is directed to the fact that in 1913 the car-mile revenue on grain was at a ratio of 148 per cent of the rate on all car-mile revenues, and in 1921 it was 198.17. This startling increase in the car-mile earnings on grain is irrefutable proof that grain is paying an unjust portion of the burden of transportation.

Let me pause here to say that you have the record here available, and you have an imperative duty resting upon the Interstate Commerce Commission, the great rate-making body of this country, to give the products of agriculture a square deal in comparison with the products of other industries, and in that respect we can accomplish much relief for agriculture. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. DICKINSON of Iowa. I yield the gentleman two additional minutes.

Mr. WHITE of Kansas. And how any member of a rate-making body with a fair conception of the equities of the situation, a fair consideration for the rights of agriculture and the interests of the public, shall fail to give weight to these facts is more than I can tell.

Further, it was conclusively shown that the reductions asked for in the pending case are in harmony with the provisions contained in section 16a of the transportation act when certain abnormal expenditures for the year 1923 in the western group are considered, for it is shown in the record that $53,000,000 in excess of normal expenditures was set aside for equipment by the carriers, and if this amount had been applied to the true net earnings it would have provided a sum in excess of the fair return in the western group.

When the big general increase was made on July 20, 1920, prices were at their peak, wages were the highest ever known, but in less than eight months the extreme force of the readjustment was being felt.

It is admitted by carriers, and it is fundamental, that a rate higher than the traffic will bear can only result in depression and practical extinction of the industry affected and in loss of traffic to the transportation company.

Transportation, industry, and commerce are interdependent. It is futile to say the country can not prosper without transportation and at the same time deny that the carriers are equally dependent on traffic. And the freest interchange of the products of all industry entering into general use and consumption on a relatively equitable cost of distribution is essential; yes, I say it is imperatively necessary to the prosperity of all the industries of the country and also to the business of transportation.

Any distinct, palpable maladjustment of rates which discriminates against a basic commodity can not but suppress its very life and result also in great loss to the carrier. The appli-

cation of the horizontal percentage method of changing rates, introduced by Director General McAdoo, has resulted in grave maladjustments, and its continued employment by the Interstate Commerce Commission can have no other effect than to perpetuate these maladjustments.

I have believed and have many times stated that a very serious discrimination in rates against grain, grain products, and hay has operated since the general order of May 16, 1922, making a general reduction in rates of approximately 10 per cent on all traffic in the country except grain, grain products, and hay, and while it is true that there had been a previous reduction in rates on those commodities, it was made solely on the ground that those commodities were out of line with rates on other commodities and the reduction made at that time—October 20, 1921—was justified by the record, which showed that they were unjust and unreasonable and out of line with rates on other commodities.

And the commission said in that case, without detailing the results of a study of the exhibits in the case:

It seems to be indicated that the earnings on grain traffic are relatively somewhat high.

This being the case it inevitably and inescapably followed that agricultural commodities should have shared in the general reduction of May 16, 1922, in order to maintain the relation put into effect by the previous readjustments.

The representatives of the carriers claimed in the case now pending, in substance, that the reductions would not amount to much to the individual farmer. One proponent of the carriers tried to show us in a speech at Mankato during the pendency of the application of the complainants, the Kansas Public Utilities Commission and other similar commissions of other States as interveners, that if the benefits of the 10 per cent reduction as of May 16, 1922, should have extended to the basic commodities, that it would not have been greatly worth while and would probably not have benefited the individual farmer in excess of $30 each per annum, which the gentleman did not seem to realize would amount to the enormous aggregate of $180,000,000 per year.

No stronger argument for the reduction asked for can be found than in the universally admitted rule that a rate the traffic will bear will always stimulate the movement of the product to which it is applied, and therefore produce greater revenues for the carriers.

It is significant that the commission in its decision granting the decreased rates of 1921 gave great consideration to the then prevailing distressed condition of agriculture and also to the fact that the readjustments subsequent to 1920 had operated much more detrimentally upon agriculture than upon other industries.

I am pleased to see some evidences of returning prosperity to many branches of our agriculture. The sheep and wool production interests, under the stimulus of the emergency tariff and the general tariff act, have maintained a stable and prosperous status for two and one-half years past. The same is true of cattle but in a lesser degree. The corn farmer with abundant yields is receiving remunerative prices at the railroad station and at the feeders' cribs.

Wheat and swine, largely due to overproduction and high freight charges, are relatively much lower than the products of the factory. I have great confidence that the agriculture of the Nation will soon experience its full share of the general prosperity now enjoyed by almost every other industry in the Nation, a prosperity more widely diffused and incomparably greater than is enjoyed by any other country in the world.

DISSENTING VIEWS

No more convincing argument for decreased rates on grain, grain products, and hay has been presented by anyone at any time since the 35 per cent advance ordered by the Interstate Commerce Commission July 29, 1920, than is found in the argument of Chairman McChord, dissenting from the decision of the commission in so far as it refused to make the general 10 per cent reduction applicable to grain, grain products, and hay. Among other things, Mr. McChord said:

In so far as it results in a reduction of rates, I assent to the report in this case, but I am not in full accord with it.

At this time I am opposed to fixing a rate of annual return on the aggregate value of the railway property, and in any event to a rate of 5.75 per cent. If a rate of return is to be fixed at all I think it should not exceed 5.5 per cent, which was that fixed by Congress at a time when conditions were at their worst, and which seems to me not only adequate for present purposes but for future adjustments.

I think that the times and conditions plainly demand reductions in rates on all materials and products that are basic in industry and in our existence as a people to a level that business interests will recognize as the lowest available for some time to come. Nothing less will quiet the prevalent unrest and agitation for lower transportation costs and encourage the needed healthy flow of traffic. The more nearly we approximate the admissible limits of reduction the more effectually will we obtain that stabilization of rates which is conceded to be essential to a full and country-wide resumption of business.

In my judgment the general reductions now decreed fall short of full attainment of the desired end. The record convinces me that the present level of rates on the basic articles is now operating as a serious burden upon commerce and should be materially reduced, and that upon a considerably lower level of rates, with an induced higher level of traffic activity, not only will the carriers secure more net revenue but the prosperity of the country as a whole will be greatly enhanced.

Commissioner Potter, of the Interstate Commerce Commission, comments in part as follows:

The percentage increases authorized by Ex parte 74 resulted in disproportionate increases upon long-haul traffic. The effect was seriously to disturb relationships between competing communities, with resulting prejudice and injustice. The short-haul class rate and the less-than-carload traffic is less remunerative than the long-haul carload commodity traffic. Therefore, when called upon to eliminate a portion of the increases authorized by Ex parte 74, we should first correct the injustice of that decision by giving preference in reduction to carload and long-haul traffic.

The theory upon which reductions have been made since Ex parte 74 on certain traffic instead of on all was that such reductions were required in justice to the traffic to which they applied and in order to bring such traffic into proper relation with traffic as a whole. No unlawful preferential—this relates to decreases on grain and by-products and hay—treatment was intended when such reductions were made. The reductions now required do not increase the reduction heretofore made upon agricultural products, livestock, and certain other commodities. As the reductions heretofore made were to remove injustice and establish a proper level and relation as between commodities, it seems to me that in distributing the prospective surplus now available for reduction such commodities should share.

Commissioner Lewis, in his opinion, brought out the following interesting observation:

There are commodities and raw materials that are basic to existence, to industry, and to readjustment, on which transportation charges are relatively and absolutely too high. They are out of proper relationship to the selling prices of the commodities and constitute not only maladjustments at home but most unfavorably affect us in world competition. Making these commodities and materials more cheaply available to consumers and manufacturers would contribute to reduction of costs of living, relief in the housing situation, maintenance of productivity of the soil, increased employment, and stimulation of buying.

The fullest possible measure available for reductions should be applied in conformity with the guiding principles which were the foundation of our order in rates on grain, grain products, and hay (64 I. C. C. 85), and of our recommendations in National Livestock Shippers League et al. (63 I. C. C. 107), on which the carriers acted and which the carriers accepted as the basis for their voluntary 10 per cent reduction in rates on products of the soil.

Commissioner Cox, of the Interstate Commerce Commission, made the following comment in the course of his opinion:

Our railroads are national institutions and are vitally necessary to the industrial prosperity of the Nation, but if our transportation systems fail to provide a comprehensive and efficient service to the people of our country at a rate which will bear a proper relation to the value of the service and price of the commodity, then must all industry suffer in the same proportion as our transportation systems fail to measure up to their opportunity and responsibility.

The productivity of the soil is one of our country's greatest assets, and the prosperity of our agricultural interests is reflected in all other lines of industry, including transportation. Agriculture was one of the first industries to feel the depression in 1921. Prices of farm products fell, in some instance, far below pre-war levels.

I do not concur in the views of the majority that rates on all commodities should be reduced at this time, and it is a matter of record that many commodities at present rate levels are not bearing more than a just share of the transportation burden.

It is my judgment that the amount available for reduction at this time should be applied to agricultural products, raw materials, and basic commodities which are essential to the reestablishment of industry, the reemployment of labor, and which could at once be reflected in reduced living costs.

Mr. Chairman, in common with most of the Members of this House, I believe, I approved the commission for the promptitude with which it acted when the railroads were in distress largely as a result of mismanagement while under Federal administration, and I believe the people generally approve of those

steps by which the carriers have been brought to their present state of efficiency and prosperity, but I can not approve of a continuance of a rate structure that, since the railroads have been made whole and prosperous, penalizes the great basic industries that supply the tonnage that has built up this prosperity. I regret exceedingly, more than I am able to state in mere words, that the commission has not acted with its former alacrity and readjusted the rate structure so that these basic industries would not continue to bear an improper share of the burden of transportation charges and so that they, like the railroads, might be brought back to a condition of well-being and prosperity. I fear, Mr. Chairman, that a continuance of the present policy of inaction on the part of the commission will force the public to the conclusion that this great body, whose purpose should be to serve the whole public, is less zealous when the shippers are in dire distress than when it is the railroads that are suffering. I hope that the very near future will develop action by the commission so fair and so just to the shipping public that such a conclusion will be averted and that this great Government agency will not fall under the condemnation and displeasure of the people of the country.

Mr. HUDDLESTON. Mr. Chairman, it seems clear that the agricultural interests of the country are not to receive any relief from the present session of Congress. The House is "bluffing along" with the McNary-Haugen bill. Although it may pass the House it is very clear that it is not intended by those in control of legislation that it shall become a law. It is only the most unreasoning optimism that allows anyone to believe that anything will be done. It is the obvious purpose of the leadership of Congress to pass some sort of pretense of agricultural relief measure through the House and then leave it hanging on high as a bait for the farmer voters in the next election, and in the meantime to adjourn Congress.

It is also clear that the filibuster against the Howell-Barkley railroad labor bill has been successful. A special rule has been sought, but it will not be granted. The bill will not be further considered—the filibuster has won. The committee discharge rule adopted by the House has proved to be a failure; it is not within the power of the House to pass a measure, although a clear majority be on the affirmative side.

With this situation presented, I ask what is left to be done by a conscientious Member of Congress who believes that the Howell-Barkley bill should be passed, who believes that some reasonable and proper relief for agriculture should be granted? It seems to me that there is only one thing to do, and that is to retaliate against the arrogant minority which has elected to place a gag in the mouth of the Congress. We should refuse to adjourn [applause] until those measures have been dealt with. I think the majority should demand of the minority the right to legislate on these two measures, at least, before they turn from pretended statesmanship into the frank and open playing of politics.

I for one want it distinctly understood that I shall oppose any effort for adjournment of Congress until legislation upon the subjects of agricultural relief and railroad labor legislation has had consideration by Congress. I do not know whether there will be anybody else to stand with me, but I would be glad to see the majority, which are entitled to rule, assert themselves and refuse to adjourn.

We have it in our power by refusing to adjourn to compel the leadership to accord us an opportunity for action. I for one am willing to take that method of geting something done. I would be glad to see the majority assert its rights, and I trust a movement will be put on foot both in the House and the Senate to see to it that we do not adjourn until we have considered these measures and Members have had some opportunity to express themselves by voting upon them. That is a right which as Members of Congress we are entitled to. It is a right which our constituents are entitled to. They will ask of us, How it is you have allowed yourselves to be so thwarted by a minority; why did you not refuse to adjourn? What will be our answer when we go back home? For my part my answer will be that I did all in my power to prevent an adjournment and to secure action by the Congress. [Applause.]

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Wisconsin [Mr. BERGER].

Mr. CARTER. Mr. Chairman, I yield 20 minutes also to the gentleman from Wisconsin.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 40 minutes.

Mr. BERGER. Mr. Chairman, in the present unsettled conditions of our political life I believe it would be interesting to recount the origin and growth and future of our various political parties. I do not know that I can do it in the allotted time, and therefore I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BERGER. Mr. Chairman and gentlemen, political parties are simply the political expression of economic interests.

It is therefore only natural that class interests should sooner or later prevail. The trouble in our country is that the class interests of the capitalist class prevail in both of our big political parties.

WHY WE HAVE "BLOCS"

The producers of the country—the people who work with brain and brawn—the workingmen in the cities and the farmers have no political party of their own to express their economic interests.

And that is also the reason why we have these various "blocs" in our Congress. We have the "farmer bloc," the "railroad bloc," the "soldiers' bloc," and several other blocs. It is simply nonsensical to denounce these "blocs" in the papers so long as these economic interests have no other way to express their demands.

ARE AS NECESSARY AS MACHINES IN INDUSTRY

And it is also nonsensical of certain reformers to despair of all parties. These reformers simply want to elect "good men," without any regard as to parties or party principles.

I consider this a fallacy.

Parties are as necessary to our political life as are machines to our industrial life. And it is therefore dangerous for a party to depend entirely on one individual—it is as bad as to have a machine depend entirely on one screw or one lever.

PARTIES CARRY RESPONSIBILITY

We must not forget that no matter how rotten a party may be, it is responsible to the voters of its ticket for the selection of its candidates. These candidates may prove to be rascals. Nevertheless the party that selected them is responsible.

The Republican Party may be bad. No doubt in the opinion of many people it is very bad. But it will be held responsible—and is responsible—for Fall, Daugherty, and the rest of the dark gentry.

The Democratic Party may be bad. No doubt in the opinion of many people it is very bad. Yet it can not shirk its responsibility for McAdoo and Palmer and Doheny and its other "oily blessings."

Even Tammany in New York and the Gray Wolves of Chicago are to a certain extent always held responsible.

"GOOD MAN" FALLACY

In an organization concentrated around one man, however—no matter how good the man may be—nobody is really responsible.

The "good man"—the person of the office seeker is everything—principle counts for little or nothing. Political life becomes a question of "catch-as-catch-can" as long as it lasts.

Therefore, I say voters should organize politically according to their economic interests. And our old parties started in that way.

AS TO PARTY NAMES

Party names have nothing to do with it, of course.

Thus Democracy simply means in Greek the rule of the "demos"—the people. The Republican Party derives its name from "res publica"—the Latin for Government by the people.

The names of the two old parties express the same thing, and, although originally both were formed for a different purpose, both stand for the same kind of capitalism to-day.

Let us review in a few words the history of parties in America.

HAVE INHERITED TWO-PARTY SYSTEM FROM ENGLAND

We have inherited our political ideas of government and our two-party system very largely from England.

"NOT WORTH A CONTINENTAL"

When the young Republic of 13 States started, the first trouble facing our country was the question of money. The current bills of Congress were unpaid. Millions of dollars of continental paper money that were issued by Congress were worth about 1 cent and at most 2 cents on the dollar. That is how the popular saying "Not worth a continental" originated.

The Congress of the United States fell into utter disrepute. Even Washington himself was discouraged. That was the time when the Constitutional Convention was called and the Constitution framed.

In the beginning there were two parties—the Federalists and the Anti-Federalists.

ECONOMIC INTERESTS OF OUR FIRST PARTIES

The Federalists were the forerunners of the present Republican Party. Their foremost leaders—Hamilton, Madison, and others—were mainly responsible for framing the Constitution. They represented the well-to-do class—the merchants, bankers, land speculators, and their following.

The Anti-Federalists, under the leadership of Jefferson, Mason, Lyon, and others, represented the farmers, planters, and small shopkeepers. They were deeply in debt to English creditors who had advanced money and manufactured goods, especially to the planters of the South.

The foreign treaties provided that these debts must be paid, although the Colonies had won their political independence from England. This debtor class and the common people in general were therefore very dissatisfied with the treaties and with the Federal Government.

INFLUENCE OF FRENCH REVOLUTION

About that time the French Revolution broke out, and the radical party, the Jacobins, controlled France for some time and inaugurated the reign of terror.

The French Revolution profoundly influenced the first political parties in our country.

The followers of Alexander Hamilton, now proud of the name "Federalist," and inclined to be aristocratic, drew back in fright as they heard of the cruel deeds committed during the French reign of terror. They turned savagely upon the friends of the French Revolution in our country and denounced everybody as a "Jacobin" who did not condemn loudly enough the French Republic.

A Massachusetts preacher assailed "the atheistic and anarchistic and immoral principles of the French Republic." And then he proceeded, with equal passion, to attack Thomas Jefferson and the Anti-Federalists, whom he charged with spreading French propaganda and betraying America. He said:

Of all traitors they are the most criminal; of all villains they are the most infamous and detestable.

JEFFERSON'S OPINION OF ADAMS

Then came the campaign of 1796, when John Adams was elected President by a majority of only 4 votes over Thomas Jefferson.

The Anti-Federalists were enraged and cast off all restraint. In honor of republican France and in opposition to what they called "the monarchial tendencies of the Federalists" they assumed the name "Republican" for their party. The name "Democratic" was attached later. At that time it applied only to the obscure and very much despised little class of agitators who called themselves Democrats, but were denounced as "demagogues" by all the respectable people. Nevertheless, the name "Democrat" was attached to the "Republican" a few years later.

John Adams was not a popular man. In one of his books he had declared himself in favor of "government by an aristocracy of talent and wealth," and for this the Republican-Democrats never forgave him.

And while Chief Justice Marshall, for instance, found him "a sensible, plain, candid, good-tempered man," Jefferson could see in him nothing but a "monocrat," which was Jefferson's term for a despot. And Jefferson also called him an "Anglo-man," by which he probably meant what we call an "Anglomaniac" nowadays.

PRACTICALLY AT WAR WITH FRANCE

Then came the quarrel with France because the French Government sent home our American minister in Paris, and demanded an annual tribute from the United States as a price for continued friendship.

This insult united all parties in America for a moment. It gave occasion to the great slogan: "Millions for defense, not a cent for tribute." Preparations for war with France were made. Indeed, fighting actually began on the high seas, and went on without a formal declaration of war until the year 1800. Napoleon soon became a power, however, and a treaty was made with him.

ALIEN AND SEDITION ACTS RESISTED

And flushed with success, the Federalists decided to put an end to French influence in America and to silence Republican-Democratic opposition. They therefore passed two drastic laws in the summer of 1798—the alien and sedition acts—the model for our infamous espionage act, only the eighteenth century model was not nearly as vicious as the twentieth century copy.

These acts dug the grave of the Federalist Party. Thomas Jefferson was quick to take advantage and drafted a set of resolutions declaring the sedition laws null and void, and these resolutions were passed by the Kentucky Legislature in 1798 and transmitted to all other States for consideration.

In the neighboring State of Virginia, Madison and Mason led a movement against the alien and the sedition laws, and the Virginia Legislature also passed resolutions condemning these laws. Even Hamilton disapproved of them in New York.

THE "BOLSHEVIKS" OF THE EIGHTEENTH CENTURY

Thus the Federalists were not in a position to make a good campaign. They tried to discredit their opponents by calling them "Jacobins" and "Democrats," which in those days had the same sound as the words "Bolshevik" and "anarchists" to-day; but these terms have been weakened by excessive use.

ORIGIN OF PRESENT-DAY PARTIES

The election of 1800 meant the end of the Federalists, and the ascendancy of the power of the Republican-Democratic Party, which soon after called itself proudly the Democratic Party.

The Whigs later on took the place of the Federalists as a conservative political organization, although the Democrats soon became conservative enough and even standpatters, especially on the question of slavery.

The Whig Party was wrecked on the slavery question. It did not dare to take a decisive stand either way on this important issue and was rent to pieces by its factions.

The Democratic Party also failed to understand the simple fact that capitalism rests on wage labor, and this is the reason why the Republican Party was founded and grew up. It was the immediate result of a combination of free soilers, abolitionists, and remnants of the Whig Party.

The Republican Party solved one great and important question, the question of chattel slavery.

REPUBLICAN PARTY FAVORITE ORGANIZATION OF BIG BUSINESS

And the Republican Party did not take up that question as a measure of humanity or brotherly love, but because chattel slavery was inconsistent with modern capitalism and did not pay. And since slave labor did not pay in the Northern States and manufacturing establishments the slaves naturally were sold to the South.

Modern capitalism rests upon wage labor—not chattel slavery.

The abolitionists and the antislavery agitators had, of course, their ideals in view, but with the practical politicians of that time the question was largely a matter of business and business solely.

The Republican Party of the early day was the party of William Lloyd Garrison, Wendell Phillips, and Abraham Lincoln. It very soon became the party of the businessmen of the country, and as business grew big it became the organization of "big business." And thus it has become naturally the party of Elbert H. Gary and of Andrew W. Mellon, and just as naturally, also, the party of Albert B. Fall, Harry M. Daugherty, and Harry F. Sinclair.

But the Democratic Party of Thomas Jefferson and Andrew Jackson can also point with "pride" to Edward Doheny, A. Mitchell Palmer, and William G. McAdoo.

Because of the split in the Republican ranks the Democratic Party won the election in 1912. Woodrow Wilson was at the helm in 1914, when the World War broke out.

BIG FINANCIERS AND MUNITION MAKERS OWNED BOTH

In spite of all the democratic and "liberal" phrases of the author of the New Freedom, Wall Street and the big financiers and the munition makers and profiteers very soon owned the Wilson administration.

And while high finance prefers to deal with the Republican Party, high finance well understands the advantage of coming to terms with the Democrats. And thus at that time also it had the "unstinted" and "unlimited" use of both political organizations for the war and during the war.

INDICATES WASTE AND PROMOTES ROTTENNESS

It seems to indicate waste and lack of efficiency, however, that our capitalists support two parties. Our "best citizens" are thus put to the necessity of paying campaign contributions to two organizations—contributions which reach millions of dollars at national elections.

Moreover, since the existence of the two parties is superfluous, both of them often become rotten and corrupt.

The only excuse for this condition was given by Arthur Brisbane, a gifted writer, in his column. He said:

DEMOCRATIC PARTY "SPARE TIRE" ON BIG BUSINESS BAND WAGON

While the Republican Party is dominated by crooked big business, the people also know that the Democratic Party is the "spare tire"

of crooked big business. That Democratic "spare tire" is carried on the back of the big business band wagon, to be used in case a Republican tire should accidentally blow out.

And some voters conclude that they would rather have Republican crookedness with some efficiency than Democratic crookedness without any efficiency.

This excuse may hold good for voters who follow in the train of big business, which needs the Democratic "spare tire." It is no excuse at all, however, as far as the rest of the people are concerned. We do not need two capitalist parties, and, in fact, could spare both of them.

WORLD WAR CRIME DEADENED CONSCIENCE

There can be no question that the late World War, which in itself was probably the greatest crime against humanity ever perpetrated since recorded history and into which we were drawn through the propaganda instigated by our big financiers, has thoroughly spoiled the morals of our people, and has especially deadened the conscience of our business men.

And right here let me say a few words about "business" and "business men."

THE DRIVEL ABOUT "BUSINESS METHODS"

If there is any fetish in this country to-day it is the word "business." If a man is a "business man" he is supposed to be the embodiment of all ability and of every virtue. But the fact is that our business men very often by business necessity become dishonest. That at least is frequently found in the case of "big business."

And the big politician simply applies these "big business principles" to politics. If the business man is not in business for his health, neither is the politician. He wants his share. And there you have the explanation of Teapot Dome, of the California leases, and a thousand other grafts, big and small.

Therefore, we socialists warn the voters not to be caught by the current drivel about "business methods" and "business principles." A government is not a personal matter, like a private business. A government should be managed to bring the greatest good to the greatest mass, regardless of profits.

STRONG ORGANIZATION NECESSARY

And for that reason we socialists do not attack the Democrats and the Republicans personally as "bad men." No intelligent man longer believes in the elevation of so-called "good men" to office as a panacea for social ills. Yet personal honesty is very important. It must go hand in hand with good principles and with a strong organization to enforce these principles.

MUST AWAKEN SOCIAL CONSCIENCE

Therefore socialists are deeply interested in honesty in government.

Socialism can never take root in a commonwealth that is absolutely corrupt. A social democracy can never be established in a nation that is thoroughly rotten. More than any other citizens, more than any other political party, the socialists are interested in unearthing corruption, weeding out graft, and fighting moral decay.

More than any other class of voters, we are interested in awakening the social conscience of the people.

MUST REMOVE CAUSES AND TEMPTATION

A new political alignment has become an absolute necessity. But it must be honest, consistent, and give the people relief.

It must, above all, stand for measures that remove causes of corruption and take away the temptation for corruption.

It must bring more and more activities that are necessary for the welfare of all under the control of all.

And it must also try to enact legislation that will enable the individual to live a freer and fuller life. Therefore, such a party must take special care of the needs of the city worker and of the farmer.

And this is where the trouble comes in, as far as reformers are concerned. A political party can not be judged solely by its platform promises.

AN INCONSISTENT FRIEND

A splendid illustration of the futility of platform promises was furnished in the House of Representatives several days ago. The platform of the La Follette Progressive Republicans declares for the public ownership of railroads.

The distinguished gentleman who is the spokesman of the Wisconsin group of progressives, when asked during his speech on the Barkley railroad bill several days ago whether he favored public ownership, declared that he did not. During his speech he admitted, however, that the corruption of which he bitterly complained was bound to continue as long as the railroads remained in private hands.

The great leader of the progressives, then as now a Senator from Wisconsin, stood the "acid test" during the war. And this will always be to his credit. But did his following?

THE PROGRESSIVES IN CONGRESS

Surely not his adherents in the House of Representatives, or in the legislature of Wisconsin. These Republican progressives were terrorized by the profiteer press and the patrioteer propaganda. They fell by the wayside, kept silent, or became patrioteers.

They voted for the infamous espionage act, for the trading with the enemy bill, for suppression of freedom of speech and abolition of the free press. They directly or indirectly supported all the doings of Woodrow Wilson, A. Mitchell Palmer, and Albert S. Burleson.

And when the war ended these so-called progressives were just as willing to substitute the "red scare" for the German terror. They were willing to eat "radicals" alive instead of "Huns."

And, with the exception of one man, the progressives of this House also voted repeatedly to exclude VICTOR L. BERGER from the seat to which he was rightfully elected, some of them going so far as to have extended in the RECORD speeches to prove their 100 per cent "patriotism."

HAVE FULL CONTROL IN WISCONSIN—WHAT HAVE THEY DONE?

But even a better test is furnished by my home State.

The progressives have been in power in Wisconsin for more than 20 years. Their national leader has proven more than once that he has absolute sway over the majority of the voters of the State.

And it must be admitted that our progressives and their great leader are unsparing critics of everything in general. They are especially strong in criticizing the results of the present system.

Naturally many people will want to know what they have done in Wisconsin, in order to know what they would do if they were in full control of the national administration.

The administration in Wisconsin during the last two years is especially a good example, because the progressives have had full control of the administration. They elected a governor, lieutenant governor, secretary of state, and attorney general.

John J. Blaine, the governor, was elected by the progressives on a progressive Republican ticket. They had an overwhelming majority in the asssembly and full control also of the senate.

HOW THE GOVERNOR TREATED THE FARMERS

Wisconsin is one of the foremost dairy States in the Union. Thus Wisconsin escaped the worst of the agricultural depression which was the plague of the farmers in Minnesota, Iowa, and other grain-growing States.

Still the deflation brought about by the financial interests of the East was also felt in the agricultural sections of our State.

Every farmer in Wisconsin looked, therefore, with great expectation to the progressive administration to see what help it would give the farmer.

The session came, and the session went, but nothing was proposed either by the governor or any of the progressives that had anything to do with the solution of the farmer's trouble.

On the contrary, Governor Blaine was responsible for cutting down the appropriation to fight tuberculosis among cattle from $1,000,000 to $500,000.

And this was the only bill, or at least the only one of importance, that the progressives presented to the legislature in the agricultural line.

The progressives have their main strength in the great agricultural States of the Northwest. The farmer element of these sections has good reason to be dissatisfied with both capitalist parties—which are doing nothing for agriculture. I must admit regretfully, however, that Governor Blaine and his "progressive" administration also present a very sorry spectacle.

HOW THE GOVERNOR TREATED THE WORKERS

Wisconsin, furthermore, has a very important manufacturing section. One might say that our State is almost evenly divided between agriculture and manufacturing.

A labor program, therefore, is as necessary for an efficient administration as an agricultural program.

The socialist members of the legislature and the Wisconsin State Federation of Labor presented the usual labor measures—a program that contained nothing more radical than the propositions put forward by Father John A. Ryan, of the very conservative Catholic University, Washington, D. C., at the National Catholic Welfare Council. The socialists purposely did not demand much, in order not to embarrass their progressive friends.

But even that program had no support whatever from the governor.

He objected to the eight-hour law which he had himself recommended in his message. When the bill of the socialists

passed the assembly, he had it killed in the senate by his followers. He used the same tactics in regard to the labeling of prison-made goods.

An old-age pension law passed both the upper house and the lower house. It was about to become law, when Blaine blocked its final passage.

ARE NEITHER FOR FARMERS NOR FOR WORKERS

Now, since Blaine and his so-called progressives have prevented all these laws from passing, they surely can not be called a labor party. And as they have prevented all the agricultural bills from becoming law, they surely can not be called a farmer party.

WORSE THAN TAMMANY GOVERNOR

The desertion of our progressive administration is further evidenced by its behavior in regard to the State retaining its own water-power resources.

Governor Blaine lined up with the private interests—in this case with the Ford interests—who desired to kill all progress toward public ownership of water power. In fact, Wisconsin saw a duplication of the Muscle Shoals proposition, and the Ford interests came out on top, thanks to the assistance they received from Governor Blaine.

There you have a progressive governor of the Republican Party in action. The Tammany Governor of New York, whom I do not want to boost, refused to stand for that kind of a deal.

THE POSITION OF THE SOCIALISTS

Moreover, there is the question of taxation.

Certain progressives will talk more about taxation than about anything else under the sun. They will talk long and loud about the taxes of the poor people.

Some of them are even willing to play the part of a bull in a china shop. They are simply governed by envy of the rich. They would destroy capital and capitalist business without any regard for consequences and without being in a position to replace that system by anything better simply to satisfy a certain amount of envy inherent in some human beings.

That is not the position of the socialists. They understand that capitalism also has a mission to perform. The socialists expect to keep all that is good or useful in the capitalist system and leave it as a heritage to the next generation. And the socialists will destroy nothing that they can not replace by something better or more beneficial.

GOVERNOR BLOCKING TAX REFORMS

But our Progressive Republican governor during the campaign made more speeches on the subject of taxation than on any other. Nevertheless he also did less on taxation when the legislature met than on any other matter. And that is saying a great deal.

The governor did one thing, however. He blocked effectively all measures for tax reform.

COMPARE RECORD OF SOCIALISTS

Compare this record of the progressives of Wisconsin with the record of the Socialist Party in the city of Milwaukee, where it has also been a power in municipal affairs for about 20 years. Compare it with the record of the socialist representatives in the legislature during the last 20 years.

And last, but not least, compare it with the record of the Socialist Party Representative in Congress, where he had to stand up for his principles in face of a war hysteria, several expulsions from the House of Representatives, and a sentence to serve 20 years in the penitentiary.

WERE BURNED IN EFFIGY WHILE "PROGRESSIVES" JOINED IN WAR CRIES

While some of our so-called progressives were joining in the war cries of the profiteers and "paytrioteers," war-crazed mobs in Wisconsin were burning or hanging ROBERT M. LA FOLLETTE and VICTOR L. BERGER in effigy.

SAILING UNDER FALSE FLAG IS DISHONEST

This also makes it very plain that the common people—the farmers, the workers, the small business man—can expect no relief whatsoever as long as the progressive movement is the tail end of either of the capitalist parties and receives its final inspiration and dictation from "big business."

Notwithstanding my sympathy with some of the efforts of my progressive friends, I must admit that their position is as they remain in the capitalist parties.

They are sailing under a false flag and are using somebody else's label unjustly. I say this with regret, because I always have had, and even now have, hopes for the progressive movement, provided it stands on its own feet.

TAIL OF ELEPHANT OR TAIL OF DONKEY

Moreover, so much is proved now—the progressives will always be absolutely impotent until they have their own organization, which is vividly illustrated by the results of their flounderings in Congress.

To use a figure of speech, while they remain the tail of the Republican elephant or of the Democratic donkey they can accomplish very little. Just now they are usually the tail of the donkey.

WISCONSIN'S GOVERNOR ONLY INTERESTED IN DISTRIBUTION OF PLUMS

And in Wisconsin? Well, our Republican progressive governor, while not interested in the labor program or the farmer program, or in the revision of the Constitution, or in education, or in taxation, or in public ownership, or in preserving the State's water power, diligently and devotedly gave practically all of his time to efforts in changing the personnel of the various State commissions.

The State of Wisconsin is blessed—or cursed—with 62 commissions. Most of the members are drawing fat salaries. They are employing clerks, attorneys, advisers, and so forth. We most assuredly have a "government by commission."

One may say that never was there a man in the governor's chair in Wisconsin who was more interested in personal politics and less interested in principles.

USELESS TO PUT NEW WINE INTO OLD BOTTLES

In short, we must have a new party, with new ideas. And it is absolutely useless to put new wine into old bottles.

THE GREATEST OBSTACLE—THERE ARE VERY FEW INDEPENDENT PAPERS

The greatest difficulty, however, is that an enlightened public opinion is required, and to have an enlightened public opinion we must have an independent public press.

Thinking observers know that our journalism has changed entirely during the last 30 years.

Formerly we had journals of opinion which balanced each other, and thus controlled each other. But because of recent mechanical developments the modern daily newspaper and the large weekly paper require a great deal of capital. They have become almost invariably capitalist institutions.

NO ESSENTIAL DIFFERENCE BETWEEN BIG PAPERS

The proprietors of all the important news organs, and even those of the large agricultural weeklies, necessarily belong to the capitalist class. They necessarily have the capitalist outlook. In that respect there is no essential difference whether one reads the New York Times or the Wisconsin News, the Philadelphia Ledger or the Washington Post.

There is also this: The modern way of using the wires has made it possible for one man to own an unlimited number of papers that are identical in their most important news, their features, and their editorials.

The numberless Hearst newspapers all look alike, for instance.

Mr. William Randolph Hearst owns a chain of newspapers reaching from the Atlantic to the Pacific. He has one in Milwaukee, the Wisconsin News, and it contains essentially the same matter as the Washington Times or the Atlanta Georgian. They vary only in their politics—they are Republican in some places and Democratic in others, but they are always for Mr. Hearst.

Then there is the Scripps-Howard combination, controlling the United Press. And the Shaffer chain, so prominently mentioned during the oil investigation.

A newspaper owner of that kind can thus influence the Nation very thoroughly. And he does. Mr. Hearst claims that he put the bonus over. I doubt that, however.

Mr. Hearst's papers conducted an intense campaign for the Mellon bill—for a sales tax to cover the bonus. They stand for a big Army and for a big Navy. They wanted a war with Mexico and are looking for trouble with Japan. Yet the Hearst papers were not able to put those things over. It was a fear of the soldiers' vote in the coming election that put over the bonus.

PERNICIOUS PRESENT-DAY JOURNALISM

Thousands of daily and weekly papers, however, identify capitalism with patriotism. And it is the business of all these papers and their editors to use the news columns—not only the editorial page—to prejudice the people against socialism and radicalism, to talk about murder cases, divorces, prohibition, give advice to the lovelorn, write about mah jong, or about dear old France, or the Kaiser, but not about our rotten conditions—and, above all, to tell the readers that "law and order" is being endangered by the radicals, who are really "Bolsheviks," and a Bolshevik is anyone who believes that it was right to investigate Teapot Dome, the oil graft, or Mr. Daugherty.

But this is the press upon which the American reading public, and especially also the workman and the farmer, must rely for daily information as to the world's news, the world's markets, and the world's ideas.

THIS PRESS MONOPOLY IS THE GREATEST DANGER

Do you realize that this press monopoly is more dangerous than a school monopoly or a church monopoly would be? Whatever these great, powerful newspaper owners do not want you to know they simply do not tell you.

That is why we have such impossible political parties. We must have an independent press, and this will only be made possible by great sacrifices on the part of the working people in the cities and by the cooperation of the farmers.

DEPENDING ON ONE MAN, THE PARTY WOULD DIE WHEN THAT MAN DIES

And we must have a new party, and not a party dependent on any one man. A party which depends on one personality must necessarily die when that individual dies.

Just as it was necessary for the solution of chattel slavery to create a new party, the Republican Party, which was finally organized by uniting the Free Soilers, the Abolitionists, and the remnant of the old Whig Party, so it has become absolutely necessary to organize a new political party to oppose the autocracy of present-day capitalism.

It is a much more difficult task, I admit. Capitalism is infinitely stronger and better intrenched than were the slave owners in their day. It is a task, however, that must be undertaken and accomplished, if any American freedom and our American civilization are to survive.

And it will be accomplished.

PRESENT PRODUCTION CAN SUPPLY WANTS OF ALL

If in former centuries the producers meekly submitted to oppression and deprivation, there was some reason for it. There was not enough of the world's goods to go around, to suffice for everybody. Naturally, therefore, the stronger took the first choice for himself and his kin, and the people got the leavings, if there were any.

The economic basis has changed.

We have secured control over the forces of nature to such a degree as to bring the possibilities of comfort and well-being within the reach of everybody, at least in civilized countries. With the present machinery of production it is within the power of society to supply all the reasonable wants of every man, woman, and child, provided we have sense enough to make the proper use of our opportunities.

WILLING TO COOPERATE WITH EVERYBODY SINCERE

But remember the only party which has always stood for securing the greatest economic advantages for the largest number of individuals is the Socialist Party. It is the only party that has always sought to remove corruption by removing temptation.

It is the only organization that stood upright in war and in peace.

But the Socialist Party is willing to cooperate with any and all other organizations striving for the same aims and objects—however different their point of view—provided they are consistent and sincere.

Mr. KVALE. Mr. Chairman, will the gentleman yield?

Mr. BERGER. Yes, with pleasure.

Mr. KVALE. I have listened with a great deal of interest to what the gentleman has said, and I am interested in hearing all sides. The gentleman states that you can not rely upon electing good men to office, and as I understand it he also stated that there is no reliance to be placed in platforms and principles. Then what are the main traits and characteristics of the party to which he would adhere?

HONEST MEN MUST ADHERE TO HONEST PRINCIPLES

Mr. BERGER. Mr. Chairman, the gentleman has misunderstood me—in quoting me as saying that there is no reliance to be placed in platforms and principles. Nor did I say that we can not place any reliance upon good men. I said that more than any other class of voters we are interested in awakening the social conscience of the people. Socialists are deeply interested in honesty in government. Both must go together, we must have honest men with good principles, backed by strong organizations that will see to it that these good principles and platform pledges are carried out.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BERGER. Yes, gladly.

Mr. BLANTON. The gentleman would admit that it is absolutely necessary for capital to exist?

OPPOSING CAPITALISM—NOT TRYING TO ABOLISH CAPITAL

Mr. BERGER. Of course, we are not trying to abolish capital, we are opposing capitalism.

Mr. BLANTON. The gentleman spoke of Mr. Gary. I hold no brief for Mr. Gary, but he furnishes jobs now to 64,000 men and women with an average salary of $1,904 each per year. Is not that a larger number of salaries than the Socialist Party furnishes now?

A NATION IS FURNISHING JOBS FOR GARY AND HIS MEN

Mr. BERGER. Mr. Chairman, the gentleman from Texas is mistaken. The 64,000 men and women furnish a very big job for Mr. Gary, at about $800,000 a year. And the American Nation—or rather the needs and necessities of the American people—are furnishing the jobs for Mr. Gary and the 64,000 men.

Mr. BLANTON. How many jobs do the socialists furnish?

Mr. BERGER. Wherever they are in power they furnish more jobs and better-paid jobs than Mr. Gary does. For instance, in England they are in power, and they furnish several hundred thousand jobs, and better-paid jobs than any private corporation or any private monopoly. The city of Milwaukee pays better wages than any private concern. Our final aim is to take over the trusts. That would mean that we would also take over the Steel Trust. After we have taken over the United States Steel Corporation, Mr. Gary, if he wants to keep his job, might probably do so, but we would not pay him $800,000 a year.

There are some very able gentlemen in Congress who are receiving $7,500 a year, and who are satisfied to hold their position. For instance, there is the gentleman from Texas [Mr. BLANTON], who is an orator ready to be heard most any day and on any subject.

Outside of the congressional circle there is Mr. Mellon, a millionaire many times over. He is working for $12,000 a year and is proud of his job as Secretary of the Treasury, which is even a bigger institution than the Steel Trust. We have other men as able as Mr. Gary working for the Government—that is, for the Nation—for a very much smaller salary than $800,000 a year. The American people undoubtedly will use the talents of Mr. Gary or of any man of his type if they can get them to work for the Government in case the Nation takes over the trusts, but the people will not pay a salary of $800,000 a year, which Mr. Gary is reputed to get. And what is far more important than the manager's salary is the elimination of Steel Trust profits—as much as $500,000,000 a year during the war. Under national ownership there would be no profits. These profits would go partly to the workingmen and partly to the Nation, just the same as there are no profits in the Post Office, and just the same as there are no profits in a municipally owned water department or in the public schools or in other public institutions.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. BERGER. Of course.

Mr. CARTER. I yield two minutes to the gentleman in which to answer these questions. I do not agree with the gentleman from Wisconsin on his economic ideas, but I do have great respect for his ability and his sincerity. I ask this question, not to embarrass him nor to detract from the value of his speech, but because I know he is well advised upon these matters and can probably give us information. He has berated the Democratic and the Republican Parties for the part they took in the war and has said that it was a capitalist war. The United States did not get into the war until it was more than two years and six months old. If it be true that this was a capitalist war, how does it come about, or how can the gentleman reconcile any consistency with reference to his party in Germany, when practically every socialist member of the Reichstag voted for the war in the beginning?

Mr. BERGER. That is easily answered. To begin with, the gentleman is away off as to his information. The socialists in the German Reichstag did not vote for the war until they were told officially that the Russians had crossed the Niemen, which is the river dividing Russia and Germany. After they were given official proofs, which they believed—that the Russian Cossacks were on German territory, murdering, pillaging, and ravaging women—they simply lived up to the socialist doctrine to defend the country and their homes, their firesides and their families, any time and everywhere, whenever invaded. Then the German socialists voted for the credits.

Mr. WEFALD. And the socialists will do the same here.

Mr. BERGER. Yes.

Mr. CARTER. Then, according to the gentleman's explanation, the socialists made the same mistake there that the Democrats and the Republicans made here.

Mr. BERGER. They did not, because our country was not invaded. No enemy soldier set foot on our shores except as a prisoner. The war was fought more than 3,000 miles away and we had no valid reason to interfere even from a capital-

istic point of view, since the European troubles did not concern any vital interest of America. The world and our country would have been infinitely better off if we had stayed out. We were put into this war by the propaganda of international capitalism, headed in our case, by the fiscal agents of Great Britain, France, and Russia—the banking house of J. Pierpont Morgan & Co.

Mr. DICKINSON of Iowa. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GREEN of Iowa, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9429, the legislative appropriation bill, and had come to no resolution thereon.

HOUR OF MEETING THURSDAY

Mr. DICKINSON of Iowa. Mr. Speaker, the debate is unfinished, and by reason of the fact that Thursday will be the next day upon which this legislation will be before the House, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Thursday at 11 o'clock a. m.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. WELLER for five days on account of important business.

INDIAN LEGISLATION

Mr. HASTINGS. Mr. Speaker, Indian legislation and the management of Indian affairs is important and concerns all of the people of the Nation, but it is of especial importance to the State of Oklahoma. It is not generally known, I think, in my own State that we have in all 33 different Indian tribes within its borders. Of course, in point of numbers, the Five Civilized Tribes are the largest. The Cherokees are the largest, there being 41,824 enrolled members. The Choctaws have 20,799 enrolled members, exclusive of freedmen; the Creeks have 18,761; the Chickasaws 6,304, exclusive of freedmen; and the Seminoles 3,127. In all there are 101,506 members, this last number including the freedmen. Of these about 75,000 were of Indian blood, of whom 37,182 were restricted. The rolls were made as of date of 1902, with provisions for "new borns" enrolled up to March 4, 1906, and the rolls were finally closed as of that date, on March 4, 1907. Of the restricted members of the Five Civilized Tribes it is estimated that there are approximately 15,000 living, whose restrictions have not been removed by legislation or by the Secretary of the Interior, and who are still under some governmental supervision, and are known as restricted Indians.

WINDING UP OF AFFAIRS OF FIVE CIVILIZED TRIBES

During the present session of Congress everything has been done that has been possible to wind up the affairs of the Five Civilized Tribes.

We have labored in season and out of season with the Indian Office and committees of Congress to the end that the affairs of these tribes may be wound up. The number of tribal officers were reduced and expenses of others limited. The office of the Creek tribal attorney was abolished. The two mining trustees representing the Choctaw and Chickasaw Nations were consolidated into one. We have the promise of the Indian Office that the coal deposits in the Choctaw Nation will again be offered for sale during the fall of the present year, in the hope that these valuable properties may be converted into cash and the proceeds paid per capita to the members entitled to the same.

CHOCTAW AND CHICKASAW PER CAPITA PAYMENTS

We have urged the Commissioner of Indian Affairs, immediately after June 30 of this year, to pay out per capita, under the act of February 14, 1920, the money now to the credit of the Choctaws and Chickasaws. The act is as follows:

Provided further, That until further provided by Congress the Secretary of the Interior, under rules and regulations to be prescribed by him, is authorized to make per capita payments of not to exceed $200 annually hereafter to the enrolled members of the Choctaw and Chickasaw Tribes of Indians of Oklahoma entitled under existing law to share in the funds of said tribes, or to their lawful heirs, of all the available money held by the Government of the United States for the benefit of said tribes in excess of that required for expenditures authorized by annual appropriations made therefrom or by existing law.

The hearings before the Appropriation Committee in December, 1923, shows that there was to the credit of the Choctaws on October 31, 1923, the sum of $881,707.84, and to the credit of the Chickasaws the sum of $207,487.86. Other money, subsequently collected, should increase both of these amounts and there should therefore be a still larger amount for distribution after June 30, 1924.

In the current Interior Department appropriation bill $5,000 is provided for the expenses of a per capita payment to the enrolled members of the Choctaw and Chickasaw Tribes of Indians, to be paid from the funds held by the United States in trust for said Indians.

This was a congressional direction to the Interior Department to pay out these funds per capita. I have urged on the department the advisability and necessity of making per capita payments to the Choctaws and Chickasaws during the present summer.

APPROPRIATIONS

The Interior Department appropriation bill carries appropriations for the entire Indian Service. Many items in it are of especial importance to my State. Among other items, the bill carries an appropriation of $160,000 for the expenses of the administration of the affairs of the Five Civilized Tribes; $40,000 for salaries and expenses of probate attorneys appointed after a competitive examination by the Civil Service Commission from an eligible list furnished by the commission, which is intended to insure the appointment of competent attorneys and removes them from political activity; and $150,000 is appropriated to aid the common schools in eastern Oklahoma in lieu of taxes from nontaxable Indian lands.

THE SEQUOYAH TRAINING SCHOOL

The tribal boarding schools are continued as at present during the next fiscal year. Local school taxes are supplemented from this appropriation and rural schools are continued for longer terms. The name of the Cherokee Orphan Training School is changed to Sequoyah Orphan Training School in honor of the Cherokee inventor, Sequoyah, and an appropriation of $53,500 is made for its maintenance. In addition, $6,500 is appropriated for improvements, with authority to use $1,000 of that amount for road improvements. Certain unexpended balances of approximately $10,000 are provided for the construction and equipment of a hospital for that school. Several years ago, when I was national attorney, this property was sold to the Government, and it has since been greatly enlarged so as to accommodate 250 orphan Indian children of the restricted class. It is the only Indian school in the United States where orphans only can attend.

CHILOCCO INDIAN SCHOOL AND HASKELL INSTITUTE

Adequate appropriations are made for the Chilocco Indian School, in Oklahoma; for the Haskell Institute, at Lawrence, Kans.; and the Wyandotte Indian School, at Wyandotte, Okla., which is largely attended by Indian children from Oklahoma.

HEALTH WORK

An appropriation of $500,000 is provided for the relief and care of destitute Indians, including health work among them, and of this $35,000 is to be used for the Choctaw and Chickasaw Hospital in Oklahoma, and amounts for other hospitals in western Oklahoma.

JURISDICTIONAL BILLS

I promised the people of eastern Oklahoma that I would make every effort possible to provide a means whereby the claims the Five Civilized Tribes had against the Government might be submitted to the Court of Claims with the right of appeal to the Supreme Court.

Immediately upon my coming to Washington in December, 1923, I introduced the bill known as the Cherokee jurisdictional bill. This bill was favorably reported by the Interior Department, the Committee on Indian Affairs, and passed both the House and Senate without amendment, and was approved March 19, 1924.

I also introduced a jurisdictional bill for the Creek Tribe, which passed without amendment and has been approved.

Similar bills were introduced for the Seminoles, Choctaws, and Chickasaws, and all were referred to and favorably reported by the Committee on Indian Affairs, of which I am a member, and all have been enacted and approved.

These bills will enable the members of the Five Civilized Tribes to press every claim which they have against the Government, and will result in an early settlement of their affairs. With the coal deposits sold and these claims presented and adjudicated, there is no reason why the affairs of all of the Five Civilized Tribes should not be speedily wound up.

The affairs of the Cherokees, with the exception of certain claims, were wound up under my direction as national attorney for the Cherokees on June 30, 1914, 10 years ago. I was their last national attorney. They have not had one since that time. The members of the other tribes have a right to insist upon the

administrative officers of the Government acting more expeditiously in the winding up of their affairs. No additional legislation is needed by Congress, except perhaps for two additional claims which are pending before Congress—one for the payment to the Choctaws and Chickasaws for the "leased district," and some hearings have been had upon this bill, and a second bill for the payment of what is known as the "Loyal Creek claim." Of course, if judgments are rendered under any of these jurisdictional bills for any of the Five Civilized Tribes, they will be certified to Congress for an appropriation and payment. Let me impress upon you that it is now a question of administration.

GENERAL LEGISLATION

In addition to the legislation to which I have especially referred as affecting the Indians of my State and district, permit me to say that there are approximately 300,000 Indians in the United States, for the most part located in the Western States. There has been more general Indian legislation enacted during the present session than during any previous session of Congress. The Indians of the country are greatly indebted to Hon. HOMER P. SNYDER, the present able, efficient, and sympathetic chairman of the House Committee on Indian Affairs. He has taken a deep interest in legislation affecting the Indians generally, and under his wise leadership the committee during the present session of Congress has reported out 72 bills, and of these 65 have passed the House of Representatives and 47 have been approved. In addition 8 Senate bills have been favorably reported from the House Indian Committee, and of these 7 have passed the House and 7 have been approved. In all 54 of these bills have passed both the House and Senate and have become laws.

I want to acknowledge my personal indebtedness to Mr. SNYDER for his unfailing courtesy and on behalf of the Indians of the Nation to express their deep appreciation for his splendid record on Indian legislation. His announced voluntary retirement from Congress is to be deeply regretted.

OSAGE LEGISLATION

A comprehensive bill, after extended hearings, was unanimously reported from the House Committee on Indian Affairs and passed the House by a large majority, looking to the further protection of the Osage Indians in Oklahoma. It is pending consideration in the Senate. These Indians are being exploited and demoralized and their funds dissipated, and the department, under existing law, is helpless to protect them. The House of Representatives, of which I am a Member, has done its duty, and the responsibility for not enacting this legislation is not with the House of Representatives.

ALL INDIANS MADE CITIZENS

One of the bills of very great general importance to the Indians throughout the country was one conferring citizenship upon all Indians in the United States. Citizenship was conferred upon the members of the Five Civilized Tribes by the act of March 3, 1901, and upon numerous other tribes by both special and general legislation. This act confers citizenship upon every Indian in the United States without affecting his property rights and without interfering with any supervison of the Government over his property under existing laws.

OTHER JURISDICTIONAL BILLS

Jurisdictional bills were passed for a large number of other Indian tribes, including the Wichita and affiliated bands of Indians in Oklahoma, and a number of other Indian tribes in the West and Northwest, and jurisdictional bills were favorably reported and are upon the calendar for the Delaware Indians and the Kaw Tribes of Indians in Oklahoma, permitting each of these tribes to present their claims to the Court of Claims with the right of appeal to the United States Supreme Court, and it is anticipated that favorable action may be had upon them during the coming session of Congress. The jurisdictional bill for the Ponca Indians has passed the House and is pending in the Senate. There can be no reason why any Indian tribe having a claim against the Government should not be permitted to present their claims to the Court of Claims for adjudication under proper jurisdictional bills where the interests of the Government are safeguarded, in language approved by the Department of the Interior, before the affairs of the tribes are wound up.

All the Indians of the United States are now citizens; in a large number of cases final rolls of their members have been completed and approved and their lands allotted in severalty. The Government is spending large sums of money annually for their civilization and education. Every encouragement should be given to them to accept the full responsibility of citizenship and prepare to meet the same.

The Indians during the recent World War were among those who fought to defend the flag for the civilization of mankind. It is their duty now to study the fundamentals of our Government and not only obey its laws in times of peace but to aggressively assist in their enforcement. Let all Indians remember that this is their Government and that it is their duty to defend and perpetuate it.

ADJOURNMENT

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 14 minutes p. m.) the House adjourned until to-morrow, Wednesday, May 28, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

529. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the General Accounting Office for the fiscal year ending June 30, 1925, for the purpose of enabling the Comptroller General of the United States to meet the additional work which will devolve upon him by reason of the World War adjusted compensation act of May 19, 1924, $75,240 (H. Doc. No. 334); to the Committee on Appropriations and ordered to be printed.

530. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior for the fiscal year ending June 30, 1924, to compensate certain Nisqually Indians, of Washington, for lands and improvements given up for use by the War Department, $85,000 (H. Doc. No. 335); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HOCH: Committee on Interstate and Foreign Commerce. S. J. Res. 107. A joint resolution declaring agriculture to be the basic industry of the country, and for other purposes, with an amendment (Rept. No. 867). Referred to the Committee of the Whole House on the state of the Union.

Mr. WINTER: Committee on the Public Lands. S. 2761. An act to authorize the withdrawal of lands for the protection of antelope and other game animals and birds; without amendment (Rept. No. 868). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNYDER: Committee on Indian Affairs. S. 2799. An act to provide for quarters, fuel, and light for employees of the Indian field service; without amendment (Rept. No. 869). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNYDER: Committee on Indian Affairs. S. 3111. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Stockbridge Indians may have against the United States, and for other purposes; without amendment (Rept. No. 870). Referred to the Committee of the Whole House on the state of the Union.

Mr. QUIN: Committee on Military Affairs. S. 3026. An act authorizing the Secretary of War to permit the city of Corinth, Miss., to construct, operate, and maintain water and sewer mains under and along the Government approach roadway to the Corinth National Cemetery; without amendment (Rept. No. 871). Referred to the House Calendar.

Mr. HAMMER: Committee on the District of Columbia. H. R. 8062. A bill to quiet title to original lot 4, square 116, in the city of Washington, D. C.; without amendment (Rept. No. 872). Referred to the House Calendar.

Mr. MORROW: Committee on the Public Lands. S. 1762. An act providing for the acquirement by the United States of privately owned lands within Taos County, N. Mex., known as the Santa Barbara grant, by exchanging therefor timber, or lands and timber, within the exterior boundaries of any national forest situated within the State of New Mexico; without amendment (Rept. No. 881). Referred to the Committee of the Whole House on the state of the Union.

Mr. MORROW: Committee on the Public Lands. S. 3024. An act providing for the acquirement by the United States of privately owned lands within Rio Arriba and Taos Counties, N. Mex., known as the Las Trampas grant, by exchanging therefor timber, within the exterior boundaries of any national forest situated within the State of New Mexico; without amendment (Rept. No. 882). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WILLIAMS of Michigan: Committee on War Claims. S. 970. An act for the relief of the De Kimpke Construction Co., of West Hoboken, N. J.; without amendment (Rept. No. 873). Referred to the Committee of the Whole House.

Mr. WILLIAMS of Michigan: Committee on War Claims. S. 1815. An act for the relief of Capt. Murray A. Cobb; with an amendment (Rept. No. 874). Referred to the Committee of the Whole House.

Mr. WILLIAMS of Michigan: Committee on War Claims. S. 2527. An act for the payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army; with amendments (Rept. No. 875). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 1307. A bill for the relief of William A. Glasson; without amendment (Rept. No. 876). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 2107. A bill for the relief of Orrin F. Strickland; without amendment (Rept. No. 877). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 8672. A bill for the relief of Robert W. Caldwell; with an amendment (Rept. No. 878). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. H. R. 8329. A bill for the relief of Albert S. Matlock; without amendment (Rept. No. 879). Referred to the Committee of the Whole House.

Mr. COLE of Iowa: Committee on Foreign Affairs. S. 1699. An act authorizing Dominic I. Murphy, consul general of the United States of America, to accept a silver fruit bowl presented to him by the British Government; without amendment (Rept. No. 880). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5881) granting a pension to Barbara E. Baker; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (S. 1725) for the relief of Rubie M. Mosley; Committee on War Claims discharged, and referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DYER: A bill (H. R. 9487) to supplement the act of June 30, 1906, creating the United States Court for China; to the Committee on the Judiciary.

By Mr. ELLIOTT: A bill (H. R. 9488) to provide for the construction of certain public buildings in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. SWEET: A bill (H. R. 9489) to authorize the coinage of a 7½-cent piece in commemoration of Warren G. Harding, late President of the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. GREENE of Massachusetts: A bill (H. R. 9490) to amend section 4426 of the Revised Statutes of the United States, as amended by the act of Congress approved May 16, 1906; to the Committee on the Merchant Marine and Fisheries.

By PARKER: A bill (H. R. 9491) to regulate interstate commerce in articles made by convict labor; to the Committee on Labor.

By Mr. REID of Illinois: A bill (H. R. 9492) to amend the law relating to patents, trade-marks, etc.; to the Committee on Patents.

By Mr. DALLINGER: A bill (H. R. 9493) to determine proceedings in contested elections of Members of the House of Representatives; to the Committee on Elections No. 1.

By Mr. FREDERICKS: A bill (H. R. 9494) to authorize the Secretary of the Interior to issue patent in fee simple to the county of Los Angeles, in the State of California, for a certain described tract of land for public-park purposes; to the Committee on the Public Lands.

By Mr. SINNOTT: A bill (H. R. 9495) granting to the State of Oregon certain lands to be used for the purpose of maintaining and operating thereon a fish hatchery; to the Committee on the Public Lands.

By Mr. SABATH: Joint resolution (H. J. Res. 272) to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921; to the Committee on Immigration and Naturalization.

By Mr. BARKLEY: A resolution (H. Res. 329) providing for the consideration of H. R. 7358, a bill to provide for the expeditious and prompt settlement, mediation, conciliation, and arbitration of disputes between carriers and their employees and subordinate officials, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of Ohio: A bill (H. R. 9496) granting a pension to Bartholomew L. Byal; to the Committee on Invalid Pensions.

By Mr. FREE: A bill (H. R. 9497) granting a pension to Alice Mansfield; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 9498) granting an increase of pension to Lucy J. Duffin; to the Committee on Pensions.

Also, a bill (H. R. 9499) granting a pension to Ama E. Nichols; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9500) granting a pension to Sophronia Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9501) granting an increase of pension to Emily Rogers; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 9502) granting an increase of pension to Emma L. Knapp; to the Committee on Invalid Pensions.

By Mr. HAWES: A bill (H. R. 9503) granting an increase of pension to Henrietta Harenberg; to the Committee on Invalid Pensions.

By Mr. JOHNSON of West Virginia: A bill (H. R. 9504) for the relief of Mrs. Gill I. Wilson; to the Committee on Military Affairs.

By Mr. KURTZ: A bill (H. R. 9505) granting an increase of pension to Martha Cox; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 9506) granting a pension to Joshua McWaid; to the Committee on Invalid Pensions.

By Mr. MAJOR of Missouri: A bill (H. R. 9507) granting an increase of pension to Frances Back; to the Committee on Invalid Pensions.

By Mr. PEERY: A bill (H. R. 9508) for the relief of Isabelle R. Damron; to the Committee on Claims.

By Mr. REID of Illinois: A bill (H. R. 9509) granting a pension to Priscilla Redman; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 9510) for the relief of Wilbur Stookey; to the Committee on Accounts.

By Mr. SNYDER: A bill (H. R. 9511) granting a pension to William H. Johnston; to the Committee on Invalid Pensions.

By Mr. THOMAS of Oklahoma: A bill (H. R. 9512) granting an increase of pension to Jennie Beadle; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2911. By the SPEAKER (by request): Petition of the Buntyn-Normal Civic Club, Buntyn, Tenn., favoring an amendment to the 1927 provision of the new immigration act that will permit skilled farmers from English-speaking countries to enter the United States; to the Committee on Immigration and Naturalization.

2912. Also (by request), petition of Group 7, South Dakota Bankers' Association, favoring the immediate passage of the McNary-Haugen bill; to the Committee on Agriculture.

2913. Also (by request), petition of Guy Moffett, member representing the United States Civil Service Commission on the Personnel Classification Board, declining to concur in the majority report of the Personnel Classification Board submitted under date of May 23, 1924; to the Committee on the Civil Service.

2914. By Mr. BURTON: Papers to accompany H. R. 9462, granting a pension to Mary E. Marks; to the Committee on Invalid Pensions.

2915. By Mr. FULLER: Petition of Benjamin C. Marsh, managing director Farmers' National Council, opposing the McNary-Haugen bill, H. R. 9033; to the Committee on Agriculture.

2916. Also, petitions of the Chicago Association of Commerce and sundry citizens of Sycamore, Ill., favoring the bill (H. R. 4088) to establish the upper Mississippi River wild life and fish refuge; to the Committee on Agriculture.

2917. Also, petitions of the Rockford (Ill.) Chamber of Commerce; Streator (Ill.) Drain Tile Co.; Albert Dickinson Co., of Chicago; the Lions Club of Belleville, Ill.; National Printing & Engraving Co., of Chicago; Truscan Steel Co., of Chicago; and sundry citizens of Illinois, opposing the Howell-Barkley bill (H. R. 7358); to the Committee on Interstate and Foreign Commerce.

2918. Also, petitions of the legislative board of the Brotherhood of Railroad Trainmen of Illinois and sundry organizations, favoring the Howell-Barkley bill (H. R. 7358); to the Committee on Interstate and Foreign Commerce.

2919. Also, petitions of the North Pacific Millers' Association, the Illinois Grain Dealers' Association, and Eugene Frey, of Argyle, Ill., opposing the McNary-Haugen bill; to the Committee on Agriculture.

2920. Also, petitions of the Cass County (Ill.) Farm Bureau, the Virginia (Ill.) Chamber of Commerce, the St. Paul Association, the National Cooperative Milk Producers' Federation, First National Bank of Mazon, Ill., and the joint labor legislative board of Illinois, all favoring the McNary-Haugen bill; to the Committee on Agriculture.

2921. Also, petitions of the Isaac Walton League of America, Chapter 32, Mendota, Ill.; Rockford (Ill.) Chamber of Commerce; Isaac Walton League of Rockford, Ill.; Milvin Grover, of Malta, Ill.; and Peru (Ill.) Chapter, No. 74, Isaac Walton League of America, favoring the bill (H. R. 4088) to establish the upper Mississippi River wild life and fish refuge; to the Committee on Agriculture.

2922. Also, petition of sundry citizens of La Salle County, Ill., favoring the bill (H. R. 188) to provide for the deportation of certain undesirable aliens; to the Committee on Immigration and Naturalization.

2923. By Mr. GALLIVAN: Petition of Robert E. Buffum, of Boston, Mass., recommending passage of Senate resolution restoring original name of Mount Tacoma, in the State of Washington; to the Committee on the Public Lands.

2924. Also, petition of C. L. Hauthaway & Sons (Inc.), of Boston, recommending passage of the Dallinger bill, which provides for extension of air mail service from Boston to San Francisco; to the Committee on Interstate and Foreign Commerce.

2925. By Mr. KIESS: Petition of members of Hebron Grange, No. 1251, and others, of Roulette, Pa., protesting against increased parcel-post rates; to the Committee on the Post Office and Post Roads.

2926. By Mr. ROUSE: Petition of American Council of the Daughters of America, of Bellevue, Campbell County, Ky., favoring Sterling-Reed educational bill; to the Committee on Education.

SENATE

WEDNESDAY, *May 28, 1924*

(Legislative day of Monday, May 26, 1924)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the bill (S. 112) providing for a comprehensive development of the park and playground system of the National Capital, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 2169. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

S. 2450. An act to amend section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894;

S. 3272. An act granting the consent of Congress to the Panola-Quitman drainage district to construct, maintain, and operate a dam in Tallahatchie River;

H. R. 1869. An act for the incorporation of the Grand Army of the Republic;

H. R. 3009. An act for the relief of Robert J. Kirk; and

H. R. 4820. An act to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Ball	Ernst	Keyes	Shipstead
Bayard	Fernald	King	Shortridge
Borah	Ferris	Ladd	Smith
Brandegee	Fess	Lenroot	Smoot
Brookhart	Fletcher	Lodge	Spencer
Broussard	Frazier	McKellar	Stanfield
Bursum	George	McKinley	Stanley
Cameron	Gerry	McNary	Sterling
Capper	Glass	Mayfield	Swanson
Caraway	Gooding	Moses	Trammell
Colt	Hale	Norbeck	Underwood
Copeland	Harreld	Oddie	Wadsworth
Couzens	Harris	Overman	Walsh, Mass.
Cummins	Harrison	Pepper	Walsh, Mont.
Curtis	Heflin	Phipps	Warren
Dale	Johnson, Calif.	Pittman	Watson
Dial	Johnson, Minn.	Reed, Mo.	Willis
Dill	Jones, N. Mex.	Robinson	
Edge	Jones, Wash.	Sheppard	
Edwards	Kendrick	Shields	

Mr. CURTIS. I was requested to announce that the Senator from Nebraska [Mr. NORRIS] and the Senator from Louisiana [Mr. RANSDELL] are engaged at a meeting of the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. Seventy-seven Senators have answered to the roll call. There is a quorum present.

PERSONNEL CLASSIFICATION BOARD (S. DOC. NO. 122)

Mr. STERLING. Mr. President, on last evening there were presented to the Senate two communications, one from one member of the Personnel Classification Board in regard to certain services and the other a communication from another member of the Personnel Classification Board. Both were referred to the Committee on Civil Service, and no order was made for printing the communications. I ask unanimous consent that the communications be printed as a Senate document.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the communications will be printed as a public document.

WORLD COURT

Mr. JOHNSON of California. Mr. President, on day before yesterday the senior Senator from Pennsylvania [Mr. PEPPER] filed a report from the majority of the Foreign Relations Committee upon the so-called World Court. I want the RECORD to show that I do not subscribe to that report, nor do I concur in it.

JUDGE WILLIAM S. KENYON

Mr. BROOKHART. Mr. President, on yesterday the Secretary of the Treasury, Mr. Mellon, submitted a list of ex-Senators who, he claimed, had been practicing before the Treasury Department. In that list he includes the name of former Senator William S. Kenyon, my predecessor, and he lists about 100 cases in which he says Senator Kenyon was associated with B. M. Kelleher. He then says this in his letter:

> In connection with the claims represented by ex-Senator Kenyon's firm, I am informed that all of these involve the same general question raised by the different taxpayers.
>
> I have attached hereto photostats of correspondence with the attorneys mentioned in the report.

Mr. President, I have this telegram from Judge Kenyon:

ST. PAUL, MINN., *May 28, 1924.*

Hon. SMITH W. BROOKHART,
Washington, D. C.:

> Any statement Mellon report that I have been connected with any claim before that department is false. If my name used in any way, it was without authority and unknown to me. Have not been connected with any law firm for over eight years. Please investigate. Write full particulars.
>
> W. S. KENYON.

Mr. President, I have examined the photostat copies of the correspondence which Mr. Mellon submitted with his statement, and there is absolutely no warrant for using Senator Kenyon's name in any way. Many years ago Mr. Kelleher was a partner of Senator Kenyon, but, according to this telegram and accord-

ing to my own knowledge, that partnership was ended a long time ago.

These letters distinctly state that the powers of attorney filed in the cases were filed by Mr. Kelleher personally, and there is no warrant whatever for including the name of ex-Senator Kenyon, now Judge Kenyon, who was an ex-Senator only one day, and who was then sworn in as judge of the United States Circuit Court of Appeals.

Under that situation I am at a loss to know why the Treasury Department should put in its statement the name of Senator Kenyon in that way, and I certainly shall see that the department corrects that matter in some way, if possible. I have asked for a check on all these powers of attorney that have been filed, and I will find out if his name has been included in any of them. If so, it has been done absolutely without authority; but the letters which the Secretary of the Treasury himself filed with this report indicate clearly that Senator Kenyon's name was not used in this connection.

PETITIONS AND MEMORIALS

Mr. SHIPSTEAD presented a petition of sundry citizens of Minneapolis, Minn., praying an amendment to the Constitution granting equal rights to women, which was referred to the Committee on the Judiciary.

Mr. PEPPER presented a petition, numerously signed, by John S. Lynch, president of the Navy Yard Retirement Association, and sundry employees of the Philadelphia (Pa.) Navy Yard, praying for the prompt passage of the bill (S. 3011) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof, which was referred to the Committee on Civil Service.

Mr. WILLIS presented a resolution adopted by the Men's Bible Class of the First Presbyterian Church of Wellsville, Ohio, favoring the participation of the United States in the Permanent Court of International Justice, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry members of local chapters of the Izaak Walton League of America, of New Philadelphia, Uhrichsville, and Dennison, all in the State of Ohio, praying for the passage of legislation establishing the Upper Mississippi River Wild Life and Fish Refuge, which were referred to the Committee on Commerce.

Mr. McLEAN presented the petition of James W. Milne Camp, No. 14, United Spanish War Veterans, of Rockville, Conn., praying for the passage of Senate bill 3314, the so-called Bursum bill, granting pensions and increase of pensions, which was referred to the Committee on Pensions.

He also presented resolutions of the Stamford Musicians' Protective Association of Stamford; Local Union No. 76, United Association of Journeymen Plumbers and Steam Fitters of Hartford, and Painters and Decorators Union, Local No. 21, of New Britain, all in the State of Connecticut, favoring an amendment to the Constitution relative to the regulation of child labor, which were referred to the Committee on the Judiciary.

He also presented a resolution of Charter Oak Lodge No. 285, Brotherhood of Locomotive Firemen and Enginemen, of Hartford, Conn., favoring the passage of the so-called Howell-Barkley railway labor bill, which was referred to the Committee on Interstate Commerce.

He also presented a telegram in the nature of a memorial from the Hartford Chamber of Commerce, of Hartford, Conn., remonstrating against the passage of the so-called Howell-Barkley railway labor bill, which was referred to the Committee on Interstate Commerce.

He also presented a telegram in the nature of a petition from Vater John Lodge, D. O. H., of New Britain, Conn., praying for the passage of the joint resolution (H. J. Res. 180) for the relief of the distressed and starving women and children of Germany, which was referred to the Committee on Foreign Relations.

He also presented petitions of the congregation of the Main Street Baptist Church, of Meriden; the congregation of the Greenfield Hill Congregational Church, of Fairfield, and the Connecticut Universalist Convention at New Haven, all in the State of Connecticut, praying for the participation of the United States in the Permanent Court of International Justice, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. BRANDEGEE, from the Committee on the Judiciary, to which was referred the bill (S. 3392) to amend section 558 of the Code of Law for the District of Columbia, reported it without amendment.

Mr. ERNST, from the Committee on Patents, to which was referred the bill (S. 3324) to amend section 5 of the trademark act of 1905, as amended, relative to the unauthorized use of portraits, reported it without amendment.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 1056) for the relief of A. V. Yearsley, reported it without amendment and submitted a report (No. 641) thereon.

Mr. HARRELD, from the Committee on Indian Affairs, to which was referred the bill (S. 2557) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Cowlitz Tribe of Indians may have against the United States, and for other purposes, reported it with an amendment and submitted a report (No. 642) thereon.

Mr. SPENCER, from the Committee on the Judiciary, to which were referred the following bills, reported them each without amendment:

A bill (S. 292) to incorporate the American Bar Association; and

A bill (S. 3213) to incorporate the American War Mothers.

Mr. SPENCER also, from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 109) proposing an amendment to the Constitution of the United States relative to the adoption of amendments thereto, reported it with amendments.

He also, from the Committee on Claims, to which was referred the bill (S. 3034) for the relief of Ida Smith, reported it with an amendment and submitted a report (No. 643) thereon.

Mr. JOHNSON of California, from the Committee on Territories and Insular Possessions, to which were referred the following bills, reported them each without amendment:

A bill (H. R. 6255) to amend an act entitled "An act to authorize the incorporated town of Ketchikan, Alaska, to issue its bonds in any sum not to exceed $100,000 for the purpose of constructing a schoolhouse in said town and equipping the same," approved February 7, 1920; and

A bill (H. R. 6950) to authorize the incorporated town of Cordova, Alaska, to issue bonds in any sum not exceeding $100,000 for the purpose of constructing and equipping a public-school building in said town of Cordova, Alaska.

Mr. BAYARD. The junior Senator from Maryland [Mr. BRUCE] is ill, and on his behalf I ask leave to submit reports from the Committee on Claims.

The PRESIDENT pro tempore. The reports will be received.

Mr. BAYARD (for Mr. BRUCE), from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 1937) for the relief of the Staples Transportation Co., of Fall River, Mass. (Rept. No. 646);

A bill (S. 2254) for the relief of the Beaufort County Lumber Co. of North Carolina (Rept. No. 647);

A bill (S. 2568) for the relief of the owners of the steam tug *Joshua Lovett* (Rept. No. 648);

A bill (S. 2774) for the relief of G. Ferlita (Rept. No. 649);

A bill (S. 2992) for the relief of the Berwind-White Coal Mining Co. (Rept. No. 650);

A bill (H. R. 6383) for the relief of the Maryland Casualty Co., the United States Fidelity & Guaranty Co. of Baltimore, Md., and the National Surety Co. (Rept. No. 651); and

A bill (H. R. 6384) for the relief of the Maryland Casualty Co., the Fidelity & Deposit Co. of Maryland, and the United States Fidelity & Guaranty Co. of Baltimore, Md. (Rept. No. 652).

Mr. BAYARD (for Mr. BRUCE) also, from the Committee on Claims, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

A bill (S. 1022) for the relief of Francis Nicholson (Rept. No. 653);

A bill (S. 2079) for the relief of the owner of the American steam tug *O'Brien Brothers* (Rept. No. 654);

A bill (S. 2130) for the relief of the owner of the ferryboat *New York* (Rept. No. 655); and

A bill (S. 2860) for the relief of the Canada Steamship Lines (Ltd.) (Rept. No. 656).

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on the 27th instant that committee presented to the President of the United States an enrolled bill and joint resolution of the following titles:

S. 946. An act for the relief of Amy L. Fallon, mother of Lieut. Henry N. Fallon, retired; and

S. J. Res. 105. Joint resolution authorizing the President to detail an officer of the Corps of Engineers as Director of the Bureau of Engraving and Printing, and for other purposes.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GERRY:

A bill (S. 3397) to remit the duty on a carillon of bells to be imported for the Church of Our Lady of the Rosary, Providence, R. I.; to the Committee on Finance.

By Mr. SWANSON:

A bill (S. 3398) to authorize the city of Norfolk, Va., to construct a dam from the southern and northern banks of Lafayette River to the southern and northern edges of the channel of said river; to the Committee on Commerce.

By Mr. BORAH:

A bill (S. 3399) granting an increase of pension to Nancy Conklin (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3400) for the purchase of the tract of land adjoining the militia target range at Auburn, Me. (with accompanying papers); to the Committee on Military Affairs.

By Mr. McLEAN:

A bill (S. 3401) granting a pension to Rose A. Rafferty (with accompanying papers); to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 3402) for the relief of the Rochester Merchandise Co.; to the Committee on Claims.

A bill (S. 3403) granting an increase of pension to William R. S. George; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3404) for the relief of James A. Simpson; to the Committee on Military Affairs.

A bill (S. 3405) granting the consent of Congress to the T. & O. Red River Bridge Co. (Inc.), of St. Jo, Tex., a corporation organized under the laws of the State of Texas, to construct a toll bridge across the Red River in the vicinity of Illinois Bend, Montague County, Tex.; to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 3406) relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the national prohibition act, and for other purposes; to the Committee on Finance.

By Mr. NORBECK:

A bill (S. 3407) granting an increase of pension to Tilghman Stone (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 3408) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918, and for other purposes; to the Committee on Military Affairs.

By Mr. BAYARD:

A bill (S. 3409) granting the consent of Congress to the Delaware State Highway Department to construct a bridge across the canal near Rehoboth, Del.; to the Committee on Commerce.

By Mr. LODGE:

A bill (S. 3410) to provide for the preservation of the frigate *Constitution;* to the Committee on Naval Affairs.

By Mr. STANLEY:

A bill (S. 3411) to facilitate the marketing of farm products; to the Committee on Finance.

By Mr. TRAMMELL:

A joint resolution (S. J. Res. 132) authorizing the United States Marine Band to attend the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida and furnish music for the occasion; to the Committee on Naval Affairs.

OSCAR M. SIMPKINS

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 6426) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, which was ordered to lie on the table and to be printed.

ALVIRA M. STEVENS

Mr. PEPPER submitted an amendment intended to be proposed by him to the bill (H. R. 6941) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which was ordered to lie on the table and to be printed.

REGULATION OF CHILD LABOR

Mr. DIAL and Mr. BAYARD each submitted an amendment intended to be proposed to the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States, which were ordered to lie on the table and to be printed.

MIGRATORY-BIRD REFUGES

Mr. ROBINSON submitted an amendment intended to be proposed by him to the bill (S. 2913) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes, which was ordered to lie on the table and to be printed.

TARIFF REDUCTION ON MANUFACTURED PRODUCTS

Mr. STANLEY submitted the following resolution (S. Res. 240), which was referred to the Committee on Finance:

Whereas on account of the depressed condition of agricultural products and the urgent necessity for the marketing of the same at a living profit: Be it

Resolved, That whenever the various marketing associations now organized in the United States, not for profit but for the sale of agricultural products, can not sell such products at home at exceeding the cost of production or at a fair profit and shall export the same in exchange for finished products in foreign markets; that when such cotton, grain, wool, tobacco, or other farm products are thus exchanged by such cooperative-marketing associations in any foreign market for finished products, such as cloth, cutlery, tools or utensils, or other articles necessary or essential to the domestic or industrial life of an agricultural community, and the President of the United States shall have been so advised of the importation of such articles, it is the sense of the Senate that he shall immediately, by proclamation, reduce the duty upon such products by 50 per cent, as provided in the tariff act of 1922, approved September 21, 1922.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS

Mr. HARRELD submitted the following resolution (S. Res. 241), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 112, agreed to January 7, 1924, authorizing the Committee on Indian Affairs or any subcommittee thereof during the Sixty-eighth Congress to hold and report hearings upon any subject which may come before said committee, be, and hereby is, amended to enable said committee or any subcommittee thereof to hold such hearings at such times and places as may be considered necessary by the committee or its subcommittee, the expenses incident thereto to be paid out of the contingent fund of the Senate.

PARK AND PLAYGROUND SYSTEM OF THE NATIONAL CAPITAL

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill from the Senate (S. 112) providing for a comprehensive development of the park and playground system of the National Capital, which were, on page 2, lines 3 and 4, to strike out "Public Buildings and Grounds" and to insert "the District of Columbia"; on page 3, lines 23 and 24, to strike out "to be available until used"; on page 3, line 24, after the word "commission," to insert "for the payment of its expenses and"; and, on page 4, to strike out all after "appropriations," in line 4, down to and including "District," in line 8, and to insert "The funds so appropriated."

Mr. BALL. I move that the Senate concur in the House amendments.

The motion was agreed to.

PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on May 28, 1924, the President approved and signed the act (S. 589) for the relief of James Moran.

AGRICULTURAL DEPARTMENT APPROPRIATIONS (S. DOC. NO. 123)

Mr. McNARY submitted the following report, which was ordered to lie on the table and to be printed:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7220) making appropriations for the Department of Agriculture

for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 17, 18, 19, 21, 26, 28, 30, 33, 36, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 8, 9, 14, 20, 23, 24, 29, 35, 38, 39, and 43, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$573,000: *Provided*, That of this sum $30,000 may be used for the purchase and distribution of blackleg vaccine at cost"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$91,115"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$185,450"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,602"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,008,004"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,687,924"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,280,606"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,781,489"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$231,920"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,111,305"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,065,848"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$786,150"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$892,490"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and for investigation of the economic costs of retail marketing of meat and meat products, $549,628"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,288,001"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,325,864"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$800,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$452,540: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer under such rules and regulations as he may prescribe, to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provision of said act, he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$58,575,274"; and the Senate agree to the same.

CHAS. L. MCNARY,
W. L. JONES,
ARTHUR CAPPER,
E. D. SMITH,
WM. J. HARRIS,
Managers on the part of the Senate.

MARTIN B. MADDEN,
WALTER W. MAGEE,
EDWARD H. WASON,
J. P. BUCHANAN,
GORDON LEE,
Managers on the part of the House.

PROTECTION OF ALASKAN FISHERIES

Mr. JONES of Washington. Mr. President, I do not want to delay the District of Columbia appropriation bill, the unfinished business now before the Senate, but the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, is in a shape to be passed except that the junior Senator from Utah [Mr. KING] desires to discuss for a little while a matter in connection with it. The fishing season is almost on in Alaska and the people there ought to know what we are going to do. I do not think it will materially delay the District appropriation bill, in charge of the Senator from Colorado [Mr. PHIPPS]. I ask if he will not consent to lay aside that bill temporarily and let us take up the Alaskan fisheries bill? I think probably half or three-quarters of an hour will be sufficient to dispose of it.

Mr. PHIPPS. I have no objection to that course of procedure. I am willing to lay aside temporarily the District appropriation bill for that purpose.

The PRESIDENT pro tempore. Is there objection? The Chair hears none. The District of Columbia appropriation bill, the unfinished business, is temporarily laid aside, and the Chair lays before the Senate House bill 8143.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes.

The PRESIDENT pro tempore. The bill was considered on May 26 and amended. It is open to further amendment.

Mr. KING. Mr. President, I would not have trespassed upon the time of the Senate to discuss the bill before us, except for the misleading statements and unfounded criticisms of the Secretary of Commerce, Mr. Hoover, with respect to myself, and because the bill reported by the Senate Committee on Commerce contains an amendment to the bill as it passed the House, which I think will nullify some of its meritorious features.

Judging from statements recently furnished the press by Mr. Hoover one would be led to believe that the Secretary of Commerce was the foe of monopoly and was the one person manifesting solicitude for the preservation of the fisheries of Alaska. The conduct of this department under his administration has not furnished convincing proof that either Mr. Hoover or the officials dealing with the Alaskan fisheries were much concerned in preventing the destruction of these fisheries. Indeed, many residents of Alaska, as well as many American citizens who have visited Alaska, and who have studied the question under consideration, have been forced to the conclusion that the policy of the Department of Commerce during the past three years in dealing with the fisheries of Alaska has been in the interests of certain large canning corporations, so integrated as to constitute a monopoly; and that such policy, if followed for a few years more, will result in the practical destruction of the salmon fisheries along the entire Alaskan coast from British America to the Aleutian Islands.

Many streams and districts which formerly had enormous quantities of fish are now depleted. This has aroused public sentiment, and some American newspapers have been criticizing the governmental policy which has resulted in the destruction of this great source of wealth in so many waters of the Alaskan coast. These criticisms, as well as the denunciation of the department's policy by persons who have investigated the subject, have evidently had their effect, and we now find the Secretary of Commerce, and perhaps some of the officials of his department, supporting a measure which will give some relief, and if properly executed tend to prevent the destruction of more of the fisheries along the Alaskan coast.

I confess that it is somewhat amusing to witness the newfound zeal exhibited by the Secretary of Commerce for the inauguration of a fish conservation policy. Appeals which have been made by the people of Alaska and by public-spirited and patriotic citizens against the policy of the Secretary of Commerce found no response. And it is only since Congress has been in session and investigations have been demanded that there seems to have been an awakening upon the part of officials in the Department of Commerce to the perils which beset the great industry under consideration and secured its support of a measure, not comprehensive and drastic as it should be but possessing some meritorious features which, as I have stated, will afford some protection to the salmon industry if the provisions of the bill shall be honestly and rigidly enforced. I shall call attention later in my remarks to the provisions of the bill and some of its weaknesses as well as its valuable provisions.

Mr. Hoover in one of his statements attacks what he calls "the Hearst press," Hon. DAN SUTHERLAND, Delegate from Alaska, and myself. His attacks upon the Hearst newspapers, I presume, grow out of the fact that they have devoted considerable attention to the vanishing salmon fisheries and to the unwise policies which have been adopted and are now being followed by the Department of Commerce in dealing with this matter. Mr. SUTHERLAND is subjected to a fierce assault at the hands of Mr. Hoover because he has exposed what he believed to be evils in the administration of the Bureau of Fisheries. Why the distinguished Secretary of Commerce has leveled his guns upon me I am somewhat at a loss to know, except that I offered a resolution on the 11th of December last asking for the appointment of a special committee to investigate and report the facts relative to the creation and administration of the various fish reserves in Alaska and to investigate and report the facts relative to any monopolization of the fisheries industry or of preparing fish for the market in said territory. The resolution also called for the ascertainment of further facts. I shall later in my remarks invite attention to the resolution and shall ask permission to have it inserted in the RECORD.

I have before me the Washington Star of the date of May 1, 1924, which contains a statement of Mr. Hoover's, which, in part, is as follows:

"The test of the character of the renewed attacks to-day upon the Alaskan salmon fisheries conservation by the Hearst press, quoting Senator KING and Delegate SUTHERLAND, is very simple and very direct," said Mr. Hoover's statement. "Does the Hearst press or do these gentlemen favor the conservation bill reported unanimously out of the House Committee on Merchant Marine and Fisheries after weeks of investigation and reported unanimously out of the Senate Committee on Commerce after personal investigation on the ground by members of that committee?"

I submit the facts show that Mr. Hoover is trying to develop a smoke screen behind which his department may take refuge. Mr. Hoover knew when he gave out this statement and when he gave out other statements that Mr. SUTHERLAND was persistent and militant in his efforts to secure legislation for the protection of the Alaskan fisheries and to take from Mr. Hoover and his department the power to perpetuate a monopoly controlled by certain canning interests in the Northwest. He knew that the same purpose actuated various newspapers, and that they were attempting to present to the public the facts with respect to this monopoly and the imminent destruction of the salmon fisheries along the Alaskan coast.

Of course I do not know what information the Secretary had respecting my own attitude upon this question, although I had, in November last, called his attention to complaints which I had received "regarding the destructive policies adopted by the Government in dealing with the fisheries problem in Alaska." I also called his attention to the fact that I had been informed that many of the best salmon streams had been totally depleted, among them being the Frazier and Copper Rivers. I quoted from a letter which I had received from an engineer of standing and ability, who was familiar with the fisheries of Alaska, having resided in that Territory for a number of years. Two of the paragraphs quoted are as follows:

The traps destroy all of the salmon caught, whereas only a few of them, the red fish, for example, are used.

The reservation system is not effective as a conservation measure, and seems un-American and unjust. It prohibits the small fisherman from fishing within the reservations, at the same time permitting the trap, an instrument of destruction, to continue its awful work. No privileged few should be permitted to catch to the exclusion of all others not intrusted with the preservation of so valuable a food supply as the Alaska salmon.

In my letter I stated that I had not brought the matter to the attention of the Senate during the preceding session, hoping that something would be done to remedy the evils of which complaint was made; and in conclusion I expressed the desire to be advised as to whether the Government intended to adhere to its policy in dealing with the Alaska fisheries matter. My letter clearly indicated my disapproval of the policy of the Department of Commerce, and particularly for the reason that such policy was in the interest of a monopoly and would further deplete the streams of their fish supply.

Repeatedly since December I have attempted to secure legislation for the conservation of the salmon and other fish in Alaskan waters and to break up the canning monopoly which has fastened itself upon the fish industry of the Northwest. I made frequent appeals to the chairman of the committee and members of the committee for action upon my resolution, believing that an investigation would reveal such facts as would result in imperatively needed legislation.

After the Committee on Commerce had reported the bill now before us I asked the chairman of the committee, Mr. JONES, on the 25th of April of this year, what disposition would be made of the bill passed by the House. And when he replied that the Committee on Commerce had reported the bill, I stated that I was glad to learn of that fact. I also stated that I had examined the bill which had passed the House and was afraid that the Committee on Commerce of the Senate would bury it. In view of the fact I stated on the floor of the Senate on the 25th of April that I had prepared a resolution, which I then read to the Senate. The resolution is as follows:

Whereas the Secretary of Commerce, without authority of law, has suspended the fishery laws relating to Alaska, and has granted exclusive fishery rights to favored packing corporations, and has denied to American citizens the common right of fishery as established by the law of the land and recognized by the courts of the United States; and

Whereas the Committee on the Merchant Marine and Fisheries of the House of Representatives of the United States has investigated the administration of the Alaskan fisheries and has recommended

unanimously that the practice of granting exclusive fishing rights in Alaskan waters should cease: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that all orders and regulations granting exclusive fishing rights to packing corporations or others in Alaskan waters should be immediately rescinded and abrogated.

Senators will perceive that I challenged attention to the granting of exclusive fishing rights and declared that it was the sense of the Senate that all orders and regulations granting exclusive fishing rights to packing corporations or others in Alaskan waters should be immediately rescinded and abrogated. Mr. Hoover knew when he gave out the statement appearing in the Star, and which I have just referred to, that I was giving what support I could to the Delegate from Alaska in his efforts to secure legislation which would destroy the monopoly which the Department of Commerce had aided in building up, and to preserve the salmon industry from destruction.

And yet he continues in the statement from which I have quoted as follows:

> This publicity campaign can have no other purpose than to aid in the defeat of the bill, for there has not been a word in these statements favoring the measure itself. In these days of credulity the smooth and artful way to destroy legislation that interferes with some people's private interests is not to oppose the measure on merit, but to slander the men who have the responsibility of protecting interests.

Mr. Hoover knew when he gave out this statement that there was no campaign to defeat the bill unless it was being conducted by his department or by the canning monopoly. He knew that Mr. SUTHERLAND and various newspapers were earnestly seeking to secure just and proper legislation, and that I was doing what little I could to accomplish the same result. It would seem that his statement was an appeal to the "credulity" of the people in a "smooth and artful way." He knew that Mr. SUTHERLAND had not only favored remedial legislation in the House but had attempted to make the bill stronger than it was. And he knew that an important amendment strengthening the bill and which Mr. SUTHERLAND had aided in having adopted in the House was stricken out by the Senate committee. And the Secretary of Commerce knows that his department was favorable to this important provision being eliminated from the bill, and must know that its elimination weakened the bill.

I could with propriety retort that if there is any slander relating to this matter it must be laid at the door of the Secretary of Commerce. Much could be said upon the subject but I forbear, because the conduct of the Department of Commerce and the Secretary furnishes conclusive evidence to the American people as to who have been the friends of monopolists and the enemies of a policy to preserve the salmon fisheries in American waters.

Mr. President, it is known that Mr. Hoover induced President Harding to create certain salmon reservations, notwithstanding the fact that efforts in prior administrations to establish such reservations were unavailing. Judge Wickersham, who is a Republican and who represented Alaska in the House for a number of terms, stated:

> Congress persistently refused for several years to do this extraordinary thing, but it is now being done, in spite of Congress, under Executive authority. It results in a complete monopoly of the great fisheries of Alaska in the hands of a few foreign corporations, to the great harm of Alaska and to the destruction of our settled fishing population.

He also, in his letter to Delegate Sutherland under date of January 27, 1923, stated:

> We are very much interested out here in the present effort of the Secretary of Commerce and the Bureau of Fisheries to put the worst features of the old Alexander bill into force in the territory through the power of the President to make reservations.

Senators will recall that the so-called Alexander bill was defeated largely because it provided for the exclusive rights to the fisheries of Alaska. It is worthy of note that Congress, as Judge Wickersham states, had refused to create reservations or to confer upon the President or the Department of Commerce such power. Notwithstanding this consistent and undeviating policy, Mr. Hoover conceived the idea of establishing reservations by Executive order without law or authority from Congress. What the effect of his plan was is indicated by Judge Wickersham. It resulted in—

> A complete monopoly of the great fisheries of Alaska in the hands of a few foreign corporations.

Mr. FESS. Mr. President, will the Senator from Utah yield?

Mr. KING. Yes.

Mr. FESS. I understand that there are at least 400 companies of fishermen operating in Alaska. How is that a monopoly?

Mr. KING. Mr. President, I stated that the establishment of these reservations and the permits granted to canneries aided in establishing a monopoly. That is the view of Judge Wickersham and others who have made an investigation of the subject.

Mr. FESS. Mr. President, will the Senator from Utah yield further?

Mr. KING. Yes.

Mr. ROBINSON. May I interrupt the Senator?

Mr. KING. Yes.

Mr. ROBINSON. Mr. President, I do not think there is any question about what the Senator from Utah [Mr. KING] has stated. The Secretary of Commerce himself, I think, feels that that is so. The effect of these contracts has been to create monopolies and, in certain areas, to shut out from their usual vocation hundreds of fishermen who make their living by fishing.

Mr. FESS. But is there any privilege granted to what is styled a monopoly that was not granted before Mr. Hoover became Secretary of Commerce?

Mr. ROBINSON. I think perhaps the Senator from Utah [Mr. KING] himself would want to answer that question; but I myself have no information that the practice of granting exclusive rights to fish originated prior to the time of Mr. Hoover. I think he originated that practice in an effort to control the fisheries and to protect the supply.

Mr. KING. May I say to the Senator from Ohio that I am advised that Mr. Hoover has recently declared that this bill, if passed, will break up the monopoly?

Mr. FESS. I think the Senator from Utah did not catch my question and I want the Senator to answer it. Is there any company that he denominates a monopoly which was not operating in Alaska before Mr. Hoover became Secretary of Commerce?

Mr. KING. I did not say that any one company is a monopoly. There are some large canning companies which, as I have heretofore stated, are so integrated and joined together that they constitute a monopoly. They handle and dispose of most of the fish caught in Alaskan waters. A majority of the few individuals who are allowed permits are brought within the zone of their operations and find no market for their "catch" except through these large canning corporations. There are a number of individuals—Indians and small fishermen—who get permits to fish, and there are various persons connected with or related to the canning corporations who likewise get permits, but they are, in fact, "appendages,"—if I may use this expression—of the corporations themselves.

I do not know what corporations were operating prior to Mr. Hoover's entering the Department of Commerce. Undoubtedly some of those now operating were in existence prior to 1901, but they were not so powerful then as at present, nor did they have the exclusive rights or privileges referred to by Judge Wickersham, which they now enjoy under permits granted by Secretary Hoover.

Mr. ROBINSON. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield.

Mr. ROBINSON. The first question of the Senator from Ohio [Mr. FESS] was directed as to the time when the practice of granting exclusive rights to fish in Alaskan waters was inaugurated. My information is that that practice began after Mr. Hoover became Secretary of Commerce; and until Mr. Hoover granted exclusive rights to fish in Alaskan waters that practice had not prevailed anywhere in those waters.

Mr. FESS. Let me ask the Senator from Utah another question.

Mr. KING. Does the Senator from Ohio challenge the statement which has just been made by the Senator from Arkansas [Mr. ROBINSON]?

Mr. FESS. I still am in doubt about that statement; but let me ask the Senator from Utah another question.

Mr. KING. The Senator from Arkansas stated what I understand to be the facts.

Mr. ROBINSON. One of the things that the fishermen in Alaska complained of most was that under the practice of the department which prevailed last season hundreds of men who made their living by fishing had their occupation destroyed by reason of the fact that the Secretary of Commerce had made contracts with concerns which gave them the exclusive right to take fish in certain waters where the common right of fishing had theretofore prevailed.

Mr. FESS. I have understood that there was a greater curtailment of the fishing rights of the larger companies in 1923 as compared with 1922 than there was of the rights of the smaller companies. I think I have the figures to demonstrate that.

Mr. KING. I think the facts are, Mr. President, that in the reservations where exclusive rights have been given the streams have been so denuded that the canning companies could not get as large a catch in 1923 as they obtained in 1922.

Mr. FESS. But does not the Senator agree with me that the purpose of the administration, so far as the fisheries in Alaska are concerned, is to conserve the fish; and if there is any privilege denied it is in order to prevent the decrease of the salmon supply?

Mr. KING. No; I do not agree with the Senator.

Mr. FESS. That is my impression.

Mr. KING. I think, Mr. President, that Mr. Hoover's policy has fostered monopolies and has been disadvantageous to the best interests of the people. In my opinion, the Executive order creating these reservations was illegal, and the granting of exclusive privileges to fish within these reservations was not only unfair and unjust, but was likewise illegal. It permitted the growth of monopolies and was a discrimination against those denied fishing permits. Protests were made by the Legislature of Alaska as well as by the residents of that Territory, and the policy of Mr. Hoover was denounced as a violation of the rights of American citizens and calculated to promote the interests of the large canning corporations which, if not individually, at least collectively, constitute a monopoly. In the face of these protests and the charges that the action of the President in creating reservations was illegal and that the granting of certain exclusive privileges was unjust and promotive of monopoly, the Department of Commerce in November last issued permits to the same corporations to continue their fishing operations within the reservations so created.

On page 7 of the Pacific Fisherman, a publication issued at Seattle, Wash., being the December, 1923, number, a list of corporations to which permits were granted appear, and in the November number of the same publication, on page 15, under the head of "Alaska fish permits issued," it will be observed that some of these corporations to which I have referred were named as permittees.

Mr. FESS. Will the Senator from Utah yield?

Mr. KING. I yield.

Mr. FESS. Mr. President, the Senator complains that the Secretary of Commerce has not discontinued the rights of fishing to those companies that have been fishing there for years, and because he has not done so therefore he is granting exclusive privileges. I do not get the angle of the Senator as to that. He is complaining about the Secretary's refusal to allow these companies to go on. It strikes me that that is not a fair complaint against the Secretary.

On the question of reserves—those reserves were created after the recommendation of Commissioner Smith, who was on the ground and understood the destruction of the salmon, and that seemed to be the only way, without legislation, to take care of the salmon, the supply of which is rapidly declining.

Mr. KING. I would prefer the Senator would make his speech in his own time and defend Mr. Hoover and the administration of the Bureau of Fisheries not in my time. I think they need defense.

Mr. FESS. I beg pardon of the Senator. I will do that.

Mr. KING. I did not concede that these corporations have been fishing there for years; nor do I admit that they had the same rights and privileges now enjoyed prior to the administration of Mr. Hoover. My understanding is that a few corporations for several years have been engaged in salmon fishing in Alaskan waters and had canning establishments in which fish caught by them, as well as by many persons whose operations were unimportant, were processed and made ready for market, but that these corporations had no exclusive privileges.

There were no "reserves" marked off by Executive order from which all were excluded unless they obtained permits from the Department of Commerce. My particular complaint is not that the Department of Commerce has not discontinued the rights of fishing which these companies may have had prior to 1920, but rather that this department has had fishing reserves created and has made them in many instances exclusively available to large corporations which practically control the canning industry in the Northwest. I might add, however, that these corporations have become so powerful and are so much of a monopoly as to have challenged the attention of the Secretary of Commerce. Notwithstanding that fact he has granted them exclusive permits instead of denying them permits or reducing their catch to limits far below those allowed in the permits granted. My complaint is against the policy of marking off reservations and granting exclusive permits to corporations and a few individuals, most of whom were employees or attachés of the corporations which have been fostering monopolies or were dependent upon them for a market for their "catch," and the adoption of a course which I regard as at variance with the traditions of this Republic and inimical to the interests of the people.

Mr. President, I was commenting upon the fact that the order of the President in creating these reservations was, in my opinion, without authority of law. I believe that it was as invalid as was the order of President Harding when he sought to transfer from the Navy Department to the Interior Department certain naval oil reserves.

Mr. FESS. That is a question to be adjudicated.

Mr. KING. The Senator from Ohio has been a teacher. He is regarded as a scholar and a man of learning. I hope he will forgive me if I express a lack of confidence in his legal ability and his judgment upon legal questions. Upon educational and scholastic matters, because of his erudition, I might be inclined to follow him, but I respectfully submit that I would not care to sit at his feet as a modern Gamaliel when great constitutional questions or legal principles were to be determined or elucidated.

Mr. FESS. I hope the Senator's opinion will not be the same of the court which will hand down a decision later on.

Mr. KING. Mr. President, I confess, as many lawyers are compelled to confess, that the decisions of the courts are not always satisfactory—and it might be added that the views of lawyers are not always satisfactory to the courts. However, under the best system of government the world has ever seen we have made the judiciary a coordinate branch of the Government. The judicial department is a vital feature of our republican form of government. It should not be weakened, and it must not be destroyed.

But, to return after the diversion resulting from the interruption of Senators, I am gratified to know that Secretary Hoover has finally come to support the bill which is now before the Senate. I regret that he has not used his influence with the Senate Committee on Commerce to have retained in the bill certain provisions which were included within it when it passed the House. The House bill contained the following provision:

> It shall be unlawful to drive, construct, set, or fish, with any fixed or floating trap, weir, or pound net, or fish with purse seines in any bay, inlet, or estuary in Alaska, the width of which at its entrance is 3 miles or less, or within any channel or passage connecting larger bodies of water where the width of said channel or passage is 3 miles or less, or within 1 mile of the entrance to any bay, inlet, or estuary which is 2 miles or less in width at its entrance, or within 1 mile of the mouth of any stream into which salmon are accustomed to run.

It was stricken out by the Senate committee and, as I understand, the committee's action has been agreed to by the Senate. At the conclusion of my remarks I may ask the Senate to reconsider the vote by which this provision was stricken from the bill. In my opinion, the bill has been weakened and provisions to conserve the fish supply emasculated. At least, the provision prohibiting the use of traps should be restored. It is in the interest of conserving the salmon fisheries of the Pacific. If I had time, I think I could convince the Senate of the importance of preventing the use of traps and certain other devices which are being employed in catching fish.

Mr. SMITH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from South Carolina.

Mr. KING. I yield.

Mr. SMITH. In order to follow the Senator clearly, do I understand that the Secretary of Commerce obtained a permit to set aside territory for the preservation of salmon?

Mr. KING. I referred to the action of the President in transferring from the Secretary of the Navy to the Secretary of the Interior certain oil reserves, and stated that, in my opinion, such action was illegal. I also stated that the Secretary of Commerce had procured from the President of the United States an order creating certain fish or salmon reservations, from which all persons or corporations were excluded and denied any fishing rights unless permits were granted by certain officials in the Department of Commerce. These officials have assumed to deny permits to many fishermen and have granted permits to the large corporations engaged in the fish industry and to a few small concerns and to a limited number of persons.

Mr. SMITH. Those reserves, set aside by the authority of the President through the Department of Commerce, were for the purpose of preserving the salmon on the Alaskan coast;

and within those reservations the Senator now states that Secretary Hoover has permitted certain individuals to monopolize the fishing rights, to the exclusion of the public?

Mr. KING. Yes. That is, a few large corporations practically control these reservations. The public may not fish within them. A few persons, however, mostly connected with or dependent upon the canning companies, have been granted permits to fish within these reserves.

Mr. SMITH. Is there evidence to the effect that application was made by others than those representing the monopoly to which the Senator refers?

Mr. KING. That is my information.

Mr. SMITH. That they were denied the privilege of entering these preserves set aside for the preservation of the fish, and that the right of fishing there was granted exclusively to these monopolistic concerns?

Mr. KING. To them and to a few small and unimportant concerns, and also a few individuals whose principal market for the fish which they catch is the large canning companies.

Mr. FESS. Mr. President, will the Senator yield there?

Mr. KING. Yes; I will yield, though I am desirous of concluding as soon as possible.

Mr. FESS. I understand that in the last permits granted——

Mr. KING. The Senator means in November of 1923?

Mr. FESS. Yes. I understand that there were greater reductions on the large corporations than on the smaller fishermen—a greater per cent—so that the suggestion of the chairman of the Committee on Interstate Commerce, I think, is misleading.

Mr. KING. I think the Senator from South Carolina made an inquiry. If there is anything that is misleading, the Senator must lay the fault at my door.

Mr. SMITH. If the Senator from Utah will allow me, I wanted to follow him intelligently, and I had to get the premise from which he was arguing; and it was to the effect that through the Interior Department the President had allowed certain reservations to be set aside for the protection of the fish, and in these reservations the Secretary of Commerce had granted exclusive rights to certain monopolistic concerns to the exclusion of others.

Mr. FESS. I think that is a mistake.

Mr. SMITH. I asked for that information.

Mr. KING. I think that is the fact, with the qualifications which I have just stated.

Mr. FESS. I think I have figures to show that that is not true.

Mr. KING. The Senator calls attention to the fact that these large operating companies, under the permits which have recently been given them, do not have the same rights that they had under former permits. Of course, the reasons for the limitations are found in the constant protests of the people of Alaska as well as other American citizens against the policy of the Department of Commerce which has denuded the streams of their fish and aided the monopoly enjoyed by the big canning and packing interests. The department, too, was made aware of the fact that within a few years these big companies, with their traps and wheels and various devices to obtain fish, would leave Alaskan waters without any salmon, thus destroying the fishing industry in Alaska waters as it has been destroyed in most of the streams and waters of Oregon and Washington.

It is the packing corporations—and they have a community of interest which amounts to a monopoly—which have depleted the Alaskan fisheries and destroyed the fisheries on many of the Alaskan streams. It is a cardinal fact in regard to the salmon fisheries that the salmon only returns to the stream in which it was spawned, and this return is after an interval of from two to five years. This periodic return of the salmon to spawn and to die makes the annual run of fish in the salmon streams. It is these greedy packing companies that have fished some of the streams clean year after year, until the particular schools of salmon related to that stream have been exterminated, and there are no more salmon to return.

In 1906 Congress passed an act which was designed to keep the packing companies out of the mouths and estuaries of the salmon streams, so as to permit the spawners to return and reproduce themselves. But this law was not enforced, or violations were merely followed by a nominal fine, and the evil, with its irreparable results, continued. Undoubtedly the strict enforcement of the law of 1906 would have prevented the great havoc which has been wrought in the salmon fisheries of Alaska. Many streams which have been depleted would still have an abundant supply of fish. Prior administrations are subject to censure because of their failure to strictly enforce the law, and to anticipate that with the aggressive character of the big packers the time would come when the fish supply in Alaskan waters would be exhausted.

I am not attempting to justify the course of former administrations nor to lay all the blame for the serious condition of our Pacific fisheries at the door of the present Republican administration.

It is a fact, however, that the Department of Commerce, when Mr. Hoover came to power, was fully advised that the salmon industry was threatened, and that unless drastic steps were taken it would soon be annihilated. With full knowledge of this fact, the new Secretary, when he obtained reservations, gave the big canners and packers almost complete control of these reservations instead of reducing to a minimum the right to fish therein. These corporations were permitted the right to obtain large catches and thus further deplete the fish supply.

Packing companies last year, when an attempt was made to enforce the provisions of the law, moved out into the shoal water along the coast, but kept within 500 yards of the mouth of the streams. The salmon proceed, when the run is on, along the coast, each school turning to its own stream when it is encountered. Unrestricted fishing, especially with these modern traps, along the shoal-water coast can be made quite as effective for the destruction of salmon as fishing within the mouths of the streams. The packing companies had merely moved in the last year from the mouths of the streams to the shoal waters on the coast.

Permit me to again refer to the Executive order made in 1922 relating to the waters of western Alaska which were the particular habitat of the red salmon. I submit that these reservations were not for the purpose of conserving the Alaskan fisheries, but they seemed to have been created for the purpose of making them areas in which exclusive privileges to fish should be granted to packing corporations, at the same time American citizens, including natives of Alaska, who desired to exercise their ancient right to fish in public waters, were denied the required permits. Among the corporations which were granted these exclusive fishing rights within the so-called reservations were the Alaskan Packers' Association, Libbey, McNeill & Libbey, and Booth & Co. These three packing corporations in 1923 captured within the Bristol Bay area alone over 12,000,000 salmon, while six other small packers, who were also admitted to the reserve, took 3,934,000 salmon. These big packers took 80 per cent of the catch in 1923; and over half of the total fish caught, or 8,906,729, were taken by the Alaskan Packers' Association.

In 1923 the Department of Commerce for the Cook Inlet section of the reservation pretended to fix the pack limit to be allowed these packing companies. The packers took all the fish they could, and then only got about 40 per cent of the restricted quantity which had been prescribed by the Department of Commerce as a measure for the "preservation" of the salmon fisheries within the Cook Inlet section. This is typical of the regulations for pack limits fixed by the Department of Commerce for the preservation of the Alaskan salmon fisheries.

Mr. Hoover now admits that the Alaskan fisheries are in imminent danger of permanent destruction. He would have us believe that he has always been in favor of fish conservation in Alaska. The only measures which have been taken by the Department of Commerce for this purpose are the creation of these reserves within which packing corporations and their agents, or a few persons dependent upon them for a market, are given exclusive privileges, and where their destruction of the salmon fisheries is proceeding quite as effectively as of yore. The fact is that these fishing reservations in Alaska are reservations of the packing companies. The facts warrant the conclusion that the reservations were created for and by the packers, and that the regulations were drawn for and by the packers.

The real mind of the Department of Commerce as it relates to the preservation of Alaskan fisheries was disclosed in the bill which the department brought in—H. R. 2714—on December 6 last. This bill was also introduced in the Senate on the same day. The bill was merely designed to confirm the reservation scheme which had been put into effect without express authority of law. It was merely to give legality to the packers' plan for the conservation of the Alaskan fisheries.

Mr. President, if we are to judge what the attitude of the Department of Commerce was upon the question before us, we might discover it in these bills. What is known as the White bill—H. R. 2714—was offered in the House early in December, and the Jones bill—S. 486—was introduced in the Senate by the chairman of the Committee on Commerce December 6, 1923. The phraseology of these bills is the same. The language of the bills is as follows:

A bill to provide for the conservation and protection of fish in Alaskan waters, and for other purposes

Be it enacted, etc., That for the purpose of protecting and conserving the fisheries of the United States in Alaskan waters until such time as Congress shall enact general legislation applicable thereto, the President of the United States may from time to time set apart and reserve any lakes, rivers, streams, bays, inlets, estuaries, or any other bodies of water within or adjacent to the Territory of Alaska over which the United States has jurisdiction, and may by public proclamation declare the establishment of such reserves and the limits thereof; and from and after the date of such public proclamation it shall be unlawful to fish or to operate any boats, seines, nets, traps, or other gear or apparatus for the purpose of taking fish, within the limits of any such reserve, except to the extent, in the manner, at the time, and under such rules and regulations as the President may from time to time prescribe.

Any person violating any of the provisions of this act shall be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or both.

I repeat, Mr. President, these bills reflected the views of the Secretary of Commerce and the Bureau of Fisheries when Congress met. Hearings were had in the House upon the House bill. My recollection is that those who appeared as witnesses before the House committee as representatives of the department did not express disapproval of their own child. An examination of this bill reveals that it contains no real conservation features. It seems intended to perpetuate the monopoly enjoyed by the fish packers and to increase the authority of the Secretary of Commerce or, rather, the Department of Commerce to create further reserves and, of course, to grant exclusive rights of fishing therein.

I do not know whether Mr. Hoover and the Department of Commerce ever repudiated this vicious and un-American bill. I do not know whether they have ever abandoned it. The showing before the House committee was such that the committee would not approve the department's measure, and they reported a bill which, with the amendment to which I have above referred, passed the House and is now before us stripped of the amendment just alluded to. The House hearings furnished convincing proof of the unwisdom of the past policy of the department and the evils which would result if the so-called White bill or the so-called Jones bill—S. 486—was enacted into law.

If I were critical, I should say that this bill, which the department wanted, is not a conservation measure, but is a bureaucratic and destructive measure, which, if enacted into law, would have soon brought an end to the salmon fisheries in Alaskan waters. As stated, the House repudiated the measure, and the Senate committee followed the same course with respect to the so-called Jones bill.

Mr. SMITH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from South Carolina?

Mr. KING. I yield.

Mr. SMITH. Is there no law now to prohibit the taking of the salmon during the running or spawning season in certain localities, absolutely forbidding any and all persons from taking? It is almost the universal fixed law throughout the Atlantic Coast States that during the seasonal running of certain fish certain days are set aside when there is a closed season, so to speak. Certain days during the week are set aside when fishermen may go in and take, but on the days when they are prohibited no one may do so, and the game warden is empowered to see that the law is rigidly carried out. Under the provisions of the bill the Senator has just read, the President may make such rules and regulations as to lead rather to destruction than to conservation.

Mr. KING. And to confirm a monopoly which has been granted.

Mr. SMITH. It seems to me the Congress ought to pass rigid legislation prohibiting anyone from taking the fish upon which the supply is dependent during certain days and at certain places.

Mr. KING. I agree with the Senator, but the act of 1906, to which I may refer later, contains a provision which, if properly interpreted and strictly enforced by the Department of Commerce, would have prevented the destruction of salmon in many of the streams in the Alaskan fisheries.

Mr. FESS. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. FESS. The law of 1906 covered only the waters within 500 yards of the mouth of any river. That is not sufficient protection.

Mr. KING. My position is that if the act of 1906 had been enforced by the Department of Commerce, the canning and packers monopoly would not have existed and the salmon industry would not have been threatened with extinction.

Mr. FESS. That is really why this legislation is necessary.

Mr. KING. Further replying to the Senator from South Carolina [Mr. SMITH] the act of 1906 provides that—

it shall be unlawful to erect or maintain any dam, barricade, fence, trap, or fish wheel or other stationary obstruction, except for purposes of fish culture, in any of the waters of Alaska at any point where the distance from shore to shore is less than 500 feet, or within 500 yards of the mouth of any red salmon stream where the same is less than 500 feet in width with the purpose or result in capturing salmon or in preventing or impeding their ascent to their spawning ground, and the Secretary of Commerce is hereby authorized and directed to have any and all such unlawful obstructions removed or destroyed.

Perhaps I should place in the RECORD at this point sections 4, 5, and 6 of the act of 1906, which will more fully answer to the suggestions of the Senator from South Carolina.

I ask that the same be inserted in the RECORD without reading.

The PRESIDING OFFICER (Mr. LADD in the chair). Without objection, it is so ordered.

The provisions are as follows:

SEC. 4. That it shall be unlawful to lay or set any drift net, seine, set net, pound net, trap, or any other fishing appliance for any purpose except for purposes of fish culture across or above the tidewaters of any creek, stream, river, estuary, or lagoon for a distance greater than one-third the width of such creek, stream, river, estuary, or lagoon, or within 100 yards outside of the mouth of any red-salmon stream where the same is less than 500 feet in width. It shall be unlawful to lay or set any seine or net of any kind within 100 yards of any other seine, net, or other fishing appliance which is being or which has been laid or set in any of the waters of Alaska, or to drive or construct any trap or any other fixed fishing appliance within 600 yards laterally or within 100 yards endwise of any other trap or fixed fishing appliance.

SEC. 5. That it shall be unlawful to fish for, take, or kill any salmon of any species in any manner or by any means except by rod, spear, or gaff in any of the waters of Alaska over which the United States has jurisdiction, except Cook Inlet, the Delta of Copper River, Bering Sea, and the waters tributary thereto from 6 o'clock p. m. of Saturday of each week until 6 o'clock a. m. of the Monday following, or to fish for, or catch, or kill in any manner or by any appliances except by rod, spear, or gaff any salmon in any stream of less than 100 yards in width in Alaska between the hours of 6 o'clock in the evening and 6 o'clock in the morning of the following day of each and every day of the week. Throughout the weekly close season herein prescribed the gate, mouth, or tunnel of all stationary and floating traps shall be closed, and 25 feet of the webbing or net of the "heart" of such traps on each side next to the "pot" shall be lifted or lowered in such manner as to permit the free passage of salmon and other fishes.

SEC. 6. That the Secretary of Commerce may, in his discretion, set aside any streams or lakes as preserves for spawning grounds in which fishing may be limited or entirely prohibited; and when, in his judgment, the results of fishing operations in any stream or off the mouth thereof indicate that the number of salmon taken is larger than the natural production of salmon in such stream he is authorized to establish close seasons or to limit or prohibit fishing entirely for one year or more within such stream or within 500 yards of the mouth thereof, so as to permit salmon to increase: *Provided, however*, That such power shall be exercised only after all persons interested shall be given a hearing, of which due notice must be given by publication; and where the interested parties are known to the department they shall be personally notified by a notice mailed not less than 30 days previous to such hearing. No order made under this section shall be effective before the next calendar year after same is made: *And provided further*, That such limitations and prohibitions shall not apply to those engaged in catching salmon who keep such streams fully stocked with salmon by artificial propagation.

Mr. KING. I repeat, Mr. President, that it would appear that the bills favored by the Department of Commerce, namely, the White bill—H. R. 2714—and the Jones bill—S. 486—were designed to continue present conditions, or rather to give authority to create further fish reserves without restriction upon the department as to the method of dealing with the same, thus confirming its present policy of granting exclusive fishing rights. I might add that the people of Alaska are quite as intent upon the preservation of the fisheries as are the people who do not live in Alaska. They are opposed to the monopolistic packers combine and to the terms of the departmental bill just referred to, and to the present policy of the Department of Commerce.

It has been said that the potential wealth of Alaska lies in its fisheries, not in its coal deposits or its mineral resources. Senators may be surprised to learn that in 1918, 6,000,000 cases of fish were packed, all taken from Alaskan waters, and that

the value of the same exceeded $50,000,000. It would be a most reprehensible thing if Congress were to take no steps to preserve this great industry. It is to be regretted that the bill before us is not full and comprehensive, and that it does not deal with the entire subject in a manner that those familiar with the industry agree is essential, if the subject is handled in a broad, scientific, and comprehensive manner. The measure before us, while it has meritorious provisions, is not, as I have already stated, the last word upon the subject, and it will need to be supplemented by further legislation within the near future. Why the Committee on Commerce of the Senate has not added to the House bill further needed provisions, and why it has eliminated the provision to which I had called attention, has not been satisfactorily explained.

It has been stated that the act of 1906 did not meet the situation. Why did not the Department of Commerce with its knowledge suggest a broad and satisfactory bill instead of the repudiated measure which legalized the illegal establishment of reservations and provided for additional ones within which the same exclusive rights were to be granted?

I accept the bill before us and desire its passage because I can not get a better bill and believe that it will, if properly enforced, prove of some benefit in protecting a decadent industry.

Mr. President, at this point I should like to have read a copy of resolutions adopted by the Society of the Pioneers of Alaska, at Anchorage, November 3, 1923.

The PRESIDENT pro tempore. Without objection, the Secretary will read the resolutions.

The principal clerk read as follows:

RESOLUTION

Be it resolved, That Igloo No. 15, Pioneers of Alaska, disapprove and condemn the fisheries reservations of the Department of Commerce as applied to the Territorial waters of Alaska as arbitrary, un-American, anti-Alaskan, and in violation of Article X of the Constitution of the United States, and in support of this resolution offer the following reasons:

1. The reservations, in principle, repudiate the ancient and inalienable right of fisheries as a common heritage of all the people and establish a protectorate, over the fish, in the department to determine who shall and who shall not fish.

2. The restrictions, which are designed to limit the catch of fish, are not applied primarily to the number of fish permitted to be caught but rather to the particular persons who are permitted to catch them, and the right to determine who these particular persons shall be is reserved to the department, to be determined arbitrarily and without the right of appeal.

3. By granting private rights to particular zones the department has revived an ancient custom long ago abandoned by all the civilized nations of the world—that is, that the fish in the sea can be allotted to individuals before they are caught.

4. That any right of property in fish before they are caught can not be defended on any principle of American or English jurisprudence since Magna Charta was wrested from King John.

5. That no right to the migratory uncaught fish of the sea can be predicated on the ownership of land or property on the shore or on floating equipment on the water.

6. That the method by which the department determines the persons who may be privileged to fish, as well as the number of fish which each may catch, is, of necessity, whimsical, arbitrary, unscientific, dependent on personal prejudice, and subject to gross abuse.

7. That the practical operation of the fishing reserves is to establish in the large packing and canning companies, which have removed the fishing industry from Alaska to Seattle and San Francisco and which take 90 per cent of Alaska's fish, a perpetual and exclusive monopoly, calculated to drive the Alaska fishermen from the Territorial waters.

8. That while the commendable purpose of the fishing reserves is the protection of Alaska's fish, the principle upon which it is founded is so fundamentally inequitable, unjustifiable, and antagonistic to the popular American doctrine of "equal rights to all and special privileges to none" that there is no hope that it will ever be accepted and approved by the people of Alaska.

9. That this Igloo, composed of 300 members, residents of Alaska for more than 18 years, desires to offer constructive and not destructive criticism, and to this end suggests the following principles as best calculated to solve Alaska's fish problem:

First. That all limitations on fishing be directed toward a restriction of the catch rather than to the persons who may make the catch; and that the free right of fisheries be restored to Alaska waters.

Second. That the simplest and easiest way to restrict the catch is to place time limitations on the fishing periods.

To place restrictions on the kind and amount of gear to be used, with special attention given to the traps.

Third. That no general regulations can successfully be applied to all the Territorial waters of Alaska; but that each particular fishing district must have consideration given to its own peculiar conditions, which are very different in different parts of the Territory.

Fourth. That theories evolved without experience in Washington, D. C., are of little value in Alaska.

Fifth. That a careful and unprejudiced inquiry be directed into the question as to whether a complete separation of the packing from the fishing branches of the industry would not result in the conservation of the fish, as well as building up a fishing population in the Territory.

Sixth. Failing in all these, that the question be considered of the propriety of turning over Alaska fish to Alaska, whose people may, with some reason, be supposed to know more about the fish problem and to have a greater interest in the conservation of Alaska fish than the people of the United States.

Unanimously adopted at the regular meeting of Igloo No. 15, Pioneers of Alaska, in Anchorage, November 3, 1923.

HENRY SOGN, *President*.

Attest:

[SEAL.] C. R. BOOTH, *Secretary*.

Mr. FESS. Mr. President, will the Senator yield again?

Mr. KING. I yield.

Mr. FESS. Does the Senator indorse the recommendation of that resolution to turn the fisheries over to the people of Alaska?

Mr. KING. The suggestion referred to is made only as a dernier ressort. If Congress will not do something to preserve the industry, then the residents of Alaska suggest that they have an opportunity to deal with the matter. I would rather turn over to the people of Alaska the control of the fisheries than to have them controlled by the Department of Commerce, if it pursues in the future the same course which it has pursued in the past. The people of Alaska are more interested in the preservation of this great industry than is the Department of Commerce and its officials, if we are to judge of that interest by their past record. I have great respect for the people of Alaska, for their courage and for those fine qualities which have sustained them in their struggles against an inhospitable climate and the vicissitudes encountered in that far-off land. They have carried our flag into the frozen regions of the north and maintained the institutions common to our civilization and found under our form of government. They have contributed not only to the wealth of the United States but they have put into the arteries of trade and commerce, which vitalize the industries of the world, millions of gold and other precious metals. They have added to the reservoir of the world's wealth.

The Senator's question would imply criticism of the Alaskan people.

Mr. FESS. Will the Senator yield?

Mr. KING. I have known many of the people of Alaska. They have proven themselves to be fine, upstanding, patriotic American citizens, competent to deal with big questions in a big and American way. I now yield to the Senator.

Mr. FESS. I listened to the reading of the resolution very carefully. The complaint of those people is against conservation of the fish. They want free privilege to enter the fishing industry there. Our purpose is to conserve, and the whole resolution is against the Secretary of Commerce because of his policy of conservation.

Mr. KING. Mr. President, I do not agree with the Senator. The people of Alaska have become exasperated because of the nonenforcement of the act of 1906 and the illegal reservation policy which has been supported by the packers' monopoly and which was inaugurated by Mr. Hoover. They see their streams being denuded of fish and this great industry being destroyed. If the control of the fisheries had been committed to the Territory of Alaska, it would have adopted measures sound and rational which would have conserved the salmon industry and operated justly and fairly toward all persons engaged in the fishing industry. Perhaps the resolution goes too far, but it is a condemnation of a policy the evils of which they have suffered from and which if continued will drive thousands of residents of Alaska from the Territory.

Mr. REED of Missouri. Will the Senator from Utah permit me to ask a question?

Mr. KING. I yield to the Senator.

Mr. REED of Missouri. If the resolution is an attack upon the Secretary of Commerce, or the manner in which he has conducted this business, why is it proposed now to put the whole of the business into his hands?

Mr. FESS. Because it belongs there.

Mr. REED of Missouri. Why?

Mr. FESS. Because we are responsible for what is done in Alaska.

Mr. REED of Missouri. Why should the Senator propose putting it into the hands of the Department of Commerce——

Mr. FESS. There is no other place to put it.

Mr. REED of Missouri. When he stands here admitting that the Secretary of Commerce has arbitrarily, without any real authority, assumed to do wrongful acts, which the Senator now criticizes?

Mr. FESS. I do not admit that he is doing an illegal act or that it is wrong.

Mr. REED of Missouri. But the Senator said this whole resolution was aimed at his misconduct.

Mr. FESS. No; at his conduct in conserving the fish.

Mr. REED of Missouri. It is aimed at his conduct. Then does the Senator approve his conduct, or disapprove it?

Mr. FESS. I approve of his conduct in the conservation of the fish in Alaska.

Mr. REED of Missouri. And granting a monopoly to a few gentlemen?

Mr. FESS. He has not done that.

Mr. REED of Missouri. That is my information.

Mr. FESS. The Senator's information is not accurate. I have the figures here.

Mr. KING. Mr. President——

Mr. REED of Missouri. May I pursue that thought just a moment?

Mr. KING. I yield to the Senator.

Mr. REED of Missouri. Is it not true that the Secretary gave the privilege of taking fish to two or three companies?

Mr. FESS. He gave the privilege to 400.

Mr. REED of Missouri. How many took it?

Mr. FESS. That number. I have the figures, and I shall put them into the RECORD.

Mr. REED of Missouri. I shall be glad to see them, because my understanding is that he turned this industry over largely to two or three companies.

Mr. FESS. I know the Senator will be glad to get these facts.

Mr. REED of Missouri. There has been bitter complaint about it. I understood the Senator from Utah [Mr. KING] to say that this resolution was aimed at the Secretary of Commerce, which I interpreted to mean that it was intended to be in the form and nature of a criticism, or at least of a reformation of his acts.

Mr. FESS. It is intended to be that.

Mr. REED of Missouri. If it is in the nature of a criticism, why is it proposed that the business be put in the hands of the man whose conduct has been such that it is found necessary to criticize him? That gets us back to the question I started with.

Mr. FESS. Because the Government is responsible for the conservation of the fish industry in Alaska, and if the Secretary of Commerce has the administration to conserve, those who are opposing it desiring to go on fishing, with unlimited privileges, we ought to forbid it.

Mr. REED of Missouri. But we do not have to put it in the hands of the Secretary of Commerce. We have a Secretary of the Interior, and if necessary we can pass a general law on conservation.

Mr. FESS. That is what we are going to do in this legislation.

Mr. REED of Missouri. But you put it in the hands of a man who has already abused the powers he has had——

Mr. FESS. I do not agree that they have been abused.

Mr. REED of Missouri. And who, by virtue of his misconduct, and without legal authority, and by the abuse of a power he once had of licensing dealers in grain, fixed the price on farm products in this country, and robbed the farmers of the country of not less than $3,000,000,000, and did it in the interest of the country he belongs to—Great Britain.

Mr. FESS. I am not raising that question about the administration of food control. I know how the Senator feels about that. I may differ from him in that, but I do not know that I do. The question here is the conservation of fish in Alaska, a very important question.

Mr. REED of Missouri. I agree that is true.

Mr. FESS. I think he has taken the right view.

Mr. REED of Missouri. The Senator agrees that he has taken the right view, and yet says he is subject to criticism.

Mr. FESS. Criticism ought never to be taken as always justified. If that were true, the Senator from Missouri would be a very unhappy man.

Mr. REED of Missouri. Undoubtedly, but when I admit that my critics are right.

Mr. FESS. I do not admit that.

Mr. REED of Missouri. But the Senator has admitted it by his statement not two minutes ago in which he said that this was aimed at the Secretary of Commerce and was a criticism of his acts.

Mr. FESS. And those criticisms are unjust.

Mr. REED of Missouri. But the Senator said this is a report which he asked to have adopted and is a criticism.

Mr. FESS. I did not ask to have it adopted.

Mr. REED of Missouri. The Senator said he was criticizing it. I can not follow the Senator. He travels in one direction when I ask him about that, and then says that is not the way he is going, but he is going some other way.

Mr. FESS. The Senator from Missouri does not mean to state that any criticism which might be offered of him or of me or of the Secretary of Commerce is evidence that that is the fact?

Mr. REED of Missouri. Certainly not, but I understood the Senator to say that the conduct of this matter by the Secretary of Commerce had not been proper——

Mr. FESS. Oh, no.

Mr. REED of Missouri. And that he was trying to rectify it by the bill.

Mr. FESS. Certainly the Senator misunderstood me. I never stated it had not been proper. I say it has been proper, and that is the reason why I am on my feet now.

Mr. KING. Mr. President, it is rather remarkable that the Senator from Ohio [Mr. FESS] defends the policy of the Department of Commerce and argues that it has been in the interest of the public, and yet declares that we must have constructive legislation to deal with this matter. As I understand his position, he indorses the illegal establishment of reserves and the exclusive permit privileges granted to a limited number of corporations and individuals. I do not understand that he condemns the bill which the Department of Commerce brought to the attention of the House and Senate in December last, which was not a comprehensive measure and was aimed solely at perpetuating an evil and granting further unrestricted powers to the Department of Commerce.

But I refer to the suggestion made by the Senator [Mr. FESS] concerning the people of Alaska. I repeat they are more interested in the conservation of the Alaskan fisheries than is Mr. Hoover or the able Senator from Ohio or myself. The future of Alaska largely depends upon the preservation of these fisheries. The prosperity of the residents of Alaska are inseparably connected with the preservation of Alaska salmon fisheries. Their interest, it must be confessed, is not solely altruistic; they have a personal, a material, indeed I might say a selfish, interest in preserving the fishing industry. They perceive what has happened to the fisheries in the rivers of Oregon and Washington, and the inevitable destruction of the salmon fisheries in Alaskan waters within the next 10 or 15 years if the Department of Commerce shall continue the same policy which has guided it in the past.

I repeat, I would prefer to trust the people of Alaska to handle this problem than I would trust an unrestrained bureaucracy. However, the responsibility rests upon Congress to deal with this subject. It should approach it without prejudice and having in view only the public welfare. A source of such great wealth must not be destroyed. The food supply of the future must be conserved.

There has been much talk, particularly since Mr. Roosevelt was President, about conserving the natural resources of our country. There has been no little hysteria upon this subject at various times, and fantastic and irrational schemes were often projected. "Pinchotism," as it was called, was responsible for frightful blunders and absurd and reactionary policies. Where the Constitution commits to the Federal Government authority to deal with questions, whether under the interstate commerce clause of the Constitution or under some other grant of power, it must not shirk such responsibility; but in a wise and comprehensive way it must deal with such subjects, keeping in mind the welfare of all the people. But in dealing with questions we must avoid the evils of a deadly paternalism or a despotic bureaucracy. We must avoid the delegation of unrestricted authority to boards and bureaus and Federal agencies. Human nature is much the same in a democracy as in an autocracy. A despotic government may exist under a republic where the executive powers of the government are committed to bureaus and commissions and agencies without proper limitations being imposed upon them.

Many writers who have examined our Constitution and the experiences of the American people under it have been impressed with the stupendous growth of commissions and the almost absolute power exercised by them. It has been remarked that this is not a republic but a commission form of government. In many of our States hundreds of commissions are found, and the personnel of those in the public service is multiplying out of all proportion to the needs of public service

and to the interests of the people. And so in the Federal Government hundreds of commissions and bureaus and Federal agencies and boards are being created, and hundreds of thousands of Federal officials are being sent through the land to execute absurd and oftentimes tyrannical and oppressive rules and regulations and to eat out the substance of the people.

It is becoming more and more the rule when some evil, real or imaginary, is discovered for Congress to create a new commission or a new bureau or some form of executive agency and commit to it, without proper and oftentimes without any restriction, authority to deal with the question and all cognate matters. Rules and regulations are promulgated by the thousands. They are regarded as having the same force as penal statutes, and American citizens are often haled into court and punished for the infraction of some absurd or tyrannical regulation. The assumption is indulged in that wisdom and common sense and a spirit of justice will always guide these executive and Federal organizations and the multitude of officials and employees attached thereto.

We are developing a most exasperating and indeed despotic Federal executive system, and the hysterical and irrational schemes which find legislative and executive sanction are promoted by vociferous and often neurotic individuals who have no conception of our form of government or the limitations to which the Federal Government is subject or the rights which belong to a free people.

But I shall not pursue this subject further, as it may not be germane to the matter under discussion. I only alluded to it because the bill offered by the Department of Commerce—H. R. 2714—was a bureaucratic and unjust bill and because the Senator from Ohio seemed to indorse it as well as the bureaucratic methods which have been followed by the Department of Commerce in its dealing with the fisheries question.

The bill before us is not sufficiently guarded. It gives too much legislative and regulatory power to the department. A most offensive and despotic system may be built up under it and grave injustices be perpetrated; but it is to be hoped that the power to promulgate and enforce rules and regulations conferred by the bill may not be abused, and that reason and common sense may find some place in the administration of the law. Imperfect and incomplete as the bill is—and I hope I shall be pardoned for repetition—I shall support it because of the few valuable provisions found therein.

Mr. President, the Legislature of Alaska memorialized Congress upon this subject. They condemned the creation of fish reserves and indirectly the policy of the Department of Commerce in dealing with the Alaskan fisheries. The memorial reads as follows:

To the President and the Congress of the United States:

Your memorialists, the Senate and House of Representatives of the Legislature of Alaska, respectfully present:

That we deplore the indiscriminate creation of fish reserves in the Territory of Alaska and consider the same not only unjustifiable but inexcusable. We know them to entail numerous evils which are more than a loyal and self-respecting people should be expected to bear uncomplainingly.

We have been taught to believe, and we do believe, that all the law-making power of the Federal Government has been by the Constitution confided to Congress.

The creation of fish reserves in Alaska is for the avowed purpose of suspending the laws enacted by Congress and to substitute others made by a bureau. We regard this as a vicious infraction of the fundamental law of the land.

It is astounding for patriotic citizens of a republic to contemplate that, whenever the executive department is dissatisfied with the laws enacted by the legislative branch of government or with the failure of the latter to amend those laws in such manner as the former may desire, any executive may authorize some officer to substitute arbitrary rules of conduct in place of statutes enacted under constitutional powers.

A government of a reserve is essentially a government by men instead of by law and places the individual fortunes at the mercy of official whim. Irrespective of the good intentions of present officials, the privileges upon a reserve must, in the very nature of things, go to those who maintain the strongest lobby. It can not be presumed that before the Bureau of Fisheries, any more than before a tribunal primarily created to administer justice, a claimant who can neither appear in person nor by counsel can possibly have an even chance with one who is constantly represented by men specially skilled in presenting facts.

The people of Alaska crave that equal opportunity in the pursuit of happiness and that equal protection of the laws vouchsafed by the Constitution which they have been taught to respect.

To remove from the entire fishing population of Alaska all those constitutional and statutory protections for equal opportunities is such a violent departure from sound governmental principles that we can view the new system with only the greatest apprehension and as unnecessary affront to the people of this Territory.

Your memorialists beg to submit that there is no elective official authorized to speak for the people of the Territory of Alaska, except the members of this legislature and the Delegate to Congress from this Territory.

Wherefore, your memorialists respectfully urge that no further fish reserves be created in Alaska, and that those which have already been created be immediately abolished, and that the Territorial Legislature of the Territory of Alaska be granted full power and authority to manage and control its fisheries.

And your memorialists will ever pray.

Passed by the House March 24, 1923.

CASH COLE,
Speaker of the House.

Attest:
E. EARL BLOSSOM,
Chief Clerk of the House.

Passed by the Senate, April 6, 1923.

FORREST J. HUNT,
President of the Senate.
SELMA N. SCOTT,
Secretary of the Senate.

Mr. President, an examination of the hearings before the Committee on Merchant Marine and Fisheries of the House, held between January 31 and February 8 of this year, will confirm my statements as to the injustice of the reservation policy and the discriminatory and unfair, as well as inefficient manner in which the Department of Commerce has administered existing laws and departmental regulations. In a letter from Mr. William L. Paul, representing an Alaskan organization, found in the hearings on pages 72 and 73, reference is made to the White and Jones bills and the unsatisfactory character of the same. The writer says:

There are no people who have a greater right to demand of Congress that its rights be protected than the natives of Alaska. We live on fish and have lived on it as our principal source of food for centuries. To-day we still live on fish; we buy our clothing with fish, support our families with fish, educate our children with fish, and bury our dead from that source.

And yet by the irony of fate we are the one people who have had no consideration given us by Congress or by the President's Cabinet. There are over 10,000 of us on this coast. Laws are being made with but one end in view, to wit, protection of certain special interests that have come into Alaska within the last few years. As these special interests have grown, the welfare of our people has gone downward. We are too poor this year to send a man to Congress, but the special interests will have highly paid agents and skillful lawyers to talk for them.

I have been told that the interests that monopolize the salmon industry upon the Pacific coast have opposed a comprehensive bill and have remonstrated against the House provision which forbade the use of traps and certain other devices for the catching of fish. They favored exclusive privileges which the department's bill provided for. They do not want this bill, imperfect as it is, because it prevents exclusive rights of fisheries being granted to them or to any person. Mr. Paul further states:

Several facts stand out as indisputable as we look back 20 years: First, the depletion of the fisheries of Alaska began with the advent of the fish trap; second, that whereas depletion has been well known to fishermen, the Bureau of Fisheries have never discovered the fact until it was accomplished; third, that the Bureau of Fisheries is the only governmental agency that has had charge of fisheries, and yet that agency has never made a specific recommendation to Congress as a basis for adequate law—on the contrary, it has shifted the burden by telling Congress that something drastic must be done, and yet opposing everything that approximated such a term; fourth, that every law heretofore presented, with the exception of the final draft of the White bill (H. R. 2394) was written by special interests, cannery men and trap owners, whose sole purpose was conservation of fish for them by recognizing the trap which to-day is a mere license, like the saloon, and thus creating it into property and bringing it under the protection of the fourteenth amendment; fifth, that the principle of the White bill (H. R. 2394) has been conceded by all parties, and yet opposed by certain few powerful associations because in particular districts depletion has not yet made their inland traps too expensive.

Senators will bear in mind that when Mr. Paul refers to the "final draft" of the White bill he does not mean the bill as it was introduced and as prepared by the Department of Commerce, but he means the perfected bill as it was reported by the House committee and as it is now before us.

On page 66 of the House hearings reference is made to the action of Mr. Wingate, of the Fisheries Bureau, who denied permission to Mr. Gardner, who was born in Alaska and has a

family there, to fish on Unimac Island, but at the same time the Pacific American Fisheries Co. were given the necessary permit to fish. Similar instances are referred to in the record, and my attention has been called to many cases where the representatives of the Fisheries Bureau have denied residents of Alaska the right to fish within so-called reservations, but the big canning companies were accorded whatever rights they desired.

A letter from Mr. O. L. Grimes is found on pages 62 and 63 of the hearings. It is dated November 3, 1923. He refers to the fact that some of the small canneries have been discriminated against:

Alaska has been cut up into zones—fishing zones—it is claimed by the Bureau of Fisheries, for the purpose of controlling the escapement of salmon up the fish streams. It is declared unlawful to carry fish from one zone to another; the object of this is to do away with competition, for prior to the zoning of Alaska waters the Katmai Packing Co., which has a small cannery located at Ouzinkie, Alaska, and in which I hold stock, fished near Karluk at what is known as the "Waterfalls" for two years, but after the Bureau of Fisheries made the entire waters a reservation, cutting it into zones, the Katmai Packing Co. was not allowed to fish at Karluk or the waterfall; but our fishermen could fish there, they were told, but they were also told that they would have to sell their fish to the Alaska packers, since they could not be taken out of the zone. * * * The Robinson Packing Co. had fished one season at Karluk with purse seines, not at the waterfalls, where we had fished, but the Bureau of Fisheries gave them the waters where we had fished, but prohibiting them from fishing at Karluk. Result, the Karluk natives received $50 per 1,000 for fish this last season, and we paid the natives $200 per 1,000 for much smaller fish. The Karluk natives want competition, and if they had competition they would be getting more for their fish.

It is argued that the Alaska Packers' Association has invested big sums of money and that it would almost be equivalent to confiscation to allow strong competition to destroy or render their investments valueless. This is all rot; if the packers can not stand competition, they should quit business.

* * * We pack fish that cost us $200 per 1,000 and sell them in the market against fish that cost the packers $50 per 1,000.

Mr. SUTHERLAND follows this statement with these words:

This thing has just reversed the situation of the little canneries. They could sell fish cheaper than the packers when they were permitted to catch the red fish; but now they are driven into the pink-fish district, where they can not catch any red fish, but they get a few red fish and pay $200 a thousand for them, while the packers get the natives in there to sell exclusively to them and pay $50 per 1,000.

Mr. Grimes further states that the Bureau of Fisheries "has set apart streams for the canneries." He protests against discrimination, but does not object to a policy that will protect the fish "even to the extent of closing the streams entirely, but when they are open give everybody an equal show."

The evidence before the committee shows that the Alaska Packers' Association designed the zones in the great Bristol Bay district, where the red-salmon fishing abounds, that they limited the number of boats to 1,260 for the entire bay, the Alaska packers having 578 boats and Libbey, McNeill & Libbey 682. The Federal Trade Commission in its report states that in the fish-packing industry—

Great profits of the packers were not primarily due to exceptional efficiency in operating packing houses and manufacturing plants, but were secured through the monopolistic control of the shipping machinery. With the control of the distributing machinery, which these canning factories which are affiliated with the meat packers now possessed, added to the relation of the salmon canners and the sales agencies which market the bulk of the pack and control the price, a monopoly of the source of the supply will enable the dominant interest to exert a control in the industry which might even surpass that exerted by the Big Five in the meat industry.

The evidence shows that Libbey, McNeill & Libbey is a subsidiary of Swift & Co., that the Booth Fisheries and the Northwestern Fisheries Co. are a part of the Booth Co., of Chicago. The Alaska Packers' Association is a subsidiary of the California Packing Corporation, and the Pacific-American Fisheries Co., as I am advised, is connected with the Cudahy Co.

Mr. President, I received the following letter, which throws considerable light upon the method in which the salmon fisheries have been controlled by the Department of Commerce:

SEATTLE, WASH., *December 11, 1923.*

Hon. WILLIAM H. KING,
United States Senate, Washington, D. C.

DEAR SENATOR: * * * I am a pioneer and father of Nome, Alaska, but have been engaged in curing and shipping as well as fishing on Puget Sound since 1889 and in Alaska from 1898 to 1919. I have also been a producer of codfish oil, which was on exhibition at the St. Louis Exposition in 1902.

Salmon on Puget Sound were very plentiful in 1889 and remained so until the traps used by the cannery owners to catch salmon gradually became more numerous and the salmon caught less and less, until now it is almost nothing.

May I suspend for a moment and ask the Senator from Ohio if he favored the elimination from the bill of the provision prohibiting the use of traps? Is he in favor of the action of the Senate committee in striking out such provision? Of course, the canners are opposed to it, and the Senate committee has reported in favor of eliminating this provision, which the House in its wisdom inserted in the bill? Does the Senator favor it?

Mr. FESS. I am of the opinion that the use of the fish trap is being abused, and therefore should be regulated; but as to whether or not it should be entirely discontinued is to be developed.

Mr. KING. Ah, we have the same old conditions and provisos. As I understand the Senator, his attitude is the same as that of the fish-canning monopoly. His position is that next summer or next century we will look into the alleged evils resulting from the use of traps and other destructive devices, but in the meantime we will continue to deplete the streams.

The writer of the letter continues:

In Alaska the cannery owners have lately put up traps more and more. Not satisfied with one trap for each cannery, they now have up to five and six, and sometimes more.

And yet, let me add, the Senate has stricken from the House bill important provisions which would protect the fish from the devastating operations of the canning monopoly, and it was done, evidently, to satisfy the demands of this monopoly.

The writer continues:

Each trap of any consequence catches up to 500,000, 800,000, and 1,000,000 salmon during the season. How many traps there are in Alaska now I do not know, but I have been informed there are over 300. The fish law forbids the use of traps for fishing from Saturday 6 p. m. to Monday 6 a. m., but the cannery owners do not care if they keep them open and pay $150 fine for taking 20,000 to 40,000 salmon out in 36 hours. Their fine should be $5,000 and five years in prison.

The taking of so many salmon from the traps is leading to overproduction, which causes the small packers to lose out, and it is a matter of no consequence to the big packers when the little fellow goes broke.

Mr. Herbert Hoover, Secretary of Commerce, claims to have tried to place a restriction on the fishing, but as long as there is protection for the big canneries such as the Alaska Packers, Northwestern Fisheries, Libby's, and other big concerns, the results of this restriction are not very apparent, and one is forced to the conclusion that Mr. Hoover must have been incorrectly informed and have gained a wrong impression as to the actual facts concerning the salmon industry. He should not only listen to the cannery owners and their lawyers, but also to the fishermen and experienced citizens. That he has not done so thus far is apparent from the way he has given the Alaska Packers and Northwestern Fisheries entire control of the Karluk River, Kodiak Island, which river is now almost fished out of the most valuable salmon for canning—the "sockeye."

I wonder if the Senator from Ohio denies the statement of this man as to exclusive control of this company of that island?

Mr. FESS. I will place figures in the RECORD which will deny it.

Mr. KING. The letter continues:

That canneries can operate without traps has been proven by the Pacific Coast Packing Co., Mr. Hale, manager, Klawack, Prince of Wales, Alaska, who buys his fish from the natives and fishermen at an agreed price for the season, and a stipulated pack for the season, but the greed of the Canneries Association demands the whole profit.

If I might be permitted to make a suggestion, I would advise that no cannery should be allowed to put up more than a certain stipulated pack, and no company should be allowed to have more than one trap. If the run of fish is not sufficient to fill the pack, then the fish should be purchased from the fishermen. This regulation of the pack and number of traps used should be by the Government.

The Senator from Ohio asks what should be done? Here is a suggestion from a man who knows the situation and seems to be dealing with it in a fair and impartial manner.

Some of the canneries pay no attention whatever to Government rules. In one instance that I recall a cannery took seine and skiff up to the lagoon in southeastern Alaska, where there was a hatchery, and took out from the lagoon 60,000 sockeye salmon in 10 days. The United States fish warden was there enjoying himself, but paid no

attention to this outrage. He did, however, arrest an Indian, who was fined $200 for taking out 200 salmon from a river mouth.

As a rule the fish wardens notify the managers of the canneries when they will make a visit, so they in the meantime can break the laws until the fish warden arrives.

Mr. President, scores of Americans who have visited Alaska have stated to me facts substantiating what is written in the letter from which I am now reading.

The greed of the canneries can be proven by the act of Lindenberger Bros. in 1919 when they took so many salmon from their traps at Craig that they were unable to handle them, most of the fish rotting before being canned, and as a consequence 100,000 cases, or 1,000,000 salmon were confiscated by the United States inspectors. If the canneries were controlled by the Government and one fish warden with a good salary employed with every cannery or on each place of fishing, the canneries would cease their outrages.

Why is Alaska not more populated? Because all the canneries or most of them take their Japanese or Chinese crews up with them in the spring and back in the fall, and there you are. If a white man wishes to settle down in Alaska he gets no support either from the United States Government or the canneries. The motto seems to be "Help yourself and God will help you." That is all right for the cannery owners and bankers; but not for a poor man who wishes to make Alaska his home for himself and family in the future. The Government should step in here now as is done in other northern countries. Thank you.

Very respectfully,

REGNOR DAHL.

Mr. President, I have other letters from persons familiar with conditions in Alaska corroborating the statements in the letter I have just read.

I wish to read a few excerpts from a letter written to me by Mr. Earl Hyde, a civil engineer, who has spent years in Alaska, and is intimately acquainted with the fisheries situation. After being absent for a few years he returned to Alaska last November, and he wrote me as follows:

The Frazier—

Speaking of the river of that name—

always considered one of the greatest salmon streams, is among them—

The preceding part of the letter shows that many of the streams have been fished out—

and to-day there is not a red fish to be had in the Frazier River. Going north the same condition prevails, streams being more or less depleted, many of them totally so. I remember the Copper River, flowing into Prince William Sound, which seemed at one time to be an inexhaustible supply, and now is of no commercial importance.

The fact of the matter is that the industry, under the existing conditions, is being destroyed, already many of the best streams being totally depleted.

Fish in the ocean belong to all of the people, and all should be allowed to catch them under some system that will insure their conservation and permit enough fish to escape and reach the spawning grounds to insure the permanence of the industry. It would seem that this could best be accomplished by standardizing and limiting the gear with which they are caught, thus leaving the fishing, or the catching, under restrictions, free to all; or removing the traps to a greater distance from the entrance to the streams, or the abolishing of them altogether.

The traps destroy all of the salmon caught, whereas only a few of them, the red fish for example, are used.

Think of the waste that results from the perpetuation of this trap system of fishing!

The reservation system is not effective as a conservation measure and seems un-American and unjust. It prohibits the small fisherman from fishing within the reservation, at the same time permitting the trap, an instrument of destruction, to continue its awful work. No privileged few should be permitted to catch to the exclusion of all others not intrusted with the preservation of so valuable a food supply as the Alaska salmon.

Mr. President, I could read for an indefinite period from letters which I received, and from the hearings before the House committee, showing that the people of Alaska have a real grievance and that the policy of the Department of Commerce in handling the Alaskan fisheries question has been, and is, unfair and discriminatory, and if continued will destroy the great salmon industry of the Northwest. Because of the numerous complaints brought to my attention, and because I believed a real evil existed, I felt constrained to demand an investigation of the fisheries question by the Senate.

Accordingly, I offered a resolution on the 11th of December last, which was referred to the Committee on Commerce. In company with the Delegate from Alaska [Mr. SUTHERLAND], I appeared before the committee and called their attention to the resolution and the grievances of the people of Alaska and the general criticisms which were leveled against the Department of Commerce in its administration of the 1906 act and in its dealing with the Alaskan fisheries. I also called attention to the investigations made by grand juries and to their findings—findings which revealed the power of the canning and packers monopoly and the ruthless and brutal way in which they conducted their operations. I also called attention to the fact that the grand-jury reports, as well as reports from officials and persons interested in the subject, showed the insanitary methods attending the canning operations, the character of persons employed in the business, and the inevitable results that would attend the continuation of the present governmental policy.

I ask that Senate Resolution No. 58, which I offered, be inserted in the RECORD without reading.

The PRESIDING OFFICER (Mr. LADD in the chair). Without objection, it is so ordered.

The resolution is as follows:

Whereas by Joint House Memorial No. 1 the Legislature of the Territory of Alaska, recently in session at Juneau, Alaska, condemned the creation of fish reserves in Alaska by presidential proclamation, denounced the same as a dangerous usurpation of legislative power by the executive department of the Government, and charged that the fishing population of the Territory has become the prey of vicious discrimination practiced by the Bureau of Fisheries; and

Whereas the Delegate from Alaska has charged that the creation of said reserves was conceived for the purpose of abolishing the common right of fishery in Alaska and of turning the fishing grounds of that Territory over to a few favored corporations; that the said reservations have been dishonestly administered by the Bureau of Fisheries; and that vicious discrimination has been practiced by that bureau, to the detriment of the public; and

Whereas a grand jury recently in session at Valdez, Alaska, and another grand jury recently in session at Ketchikan, Alaska, has each condemned the practices of many concerns engaged in catching and canning salmon in the Territory of Alaska; and

Whereas in said house joint memorial No. 1 the Legislature of the Territory of Alaska urge the immediate abolishment of said reservations and pray that the legislature of the Territory be given full authority to legislate on the subject of fisheries within the Territorial waters: Therefore

Resolved, That the President of the Senate appoint a special committee of five members to investigate, ascertain, and report the facts relative to the inception, creation, and administration of the various fish reserves in Alaska; to investigate, ascertain, and report the facts relative to any monopolization or attempt at monopolization of the industry of fishing or of preparing fish for the market in said Territry, the partiality or impartiality of public officials in the enforcement of the law applicable to said industry, and the conditions of labor and sanitation and the standards of living connected with such industry; and to ascertain the truth of the statements contained in the said memorial and in the said charges made by the Delegate from Alaska and the said grand-jury reports above referred to; also that said committee report such measures as they may deem necessary to remedy any evils found to exist and to protect the fisheries of the United States.

For the purpose of this resolution the committee is authorized to sit and act at such times during the Sixty-eighth Congress in the city of Washington, D. C., to hold such hearings and to employ counsel and such clerical and stenographic assistance as it deems necessary, the cost of stenographic services to report such hearings to be not in excess of 25 cents per 100 words.

The committee is further authorized to send for persons, books, and papers; to administer oaths; and to take testimony. The expenses of the committee, including fees and mileage for witnesses, shall be paid from the contingent fund of the Senate.

Mr. KING. Mr. President, I regret to say that no action was taken upon the resolution and that no investigation was made. My understanding is that the Senate committee reported out the bill now before us without any hearings.

This bill, when reported to the House by the Committee on Merchant Marine and Fisheries, was accompanied by a report submitted by Mr. WHITE, of the committee. In that report he stated that for several years those interested in the Territory of Alaska and who were familiar with the fisheries—

have been gravely concerned with the diminution in the numbers of salmon found in the waters adjacent to Alaska and in the bays and streams thereof; also that it has been repeatedly urged upon the Con-

gress that unless some conservation measures were adopted this valuable food supply would disappear.

He further states that—

the evidence before the committee discloses that in particular rivers and areas there has been an almost total extinction of salmon.

He then states:

Your committee are unanimous in the opinion that the situation calls for immediate and drastic consideration. * * * At the present time it is the policy of the department, as one means of control of fishing, to grant a limited number of fishing permits within any designated area and to exclude all others from fishing rights therein.

Your committee does not question the purpose of the department in this regard, but it has reached the unanimous and positive opinion that this practice of granting exclusive fishing privileges should cease, and in this section it is declared that all regulations authorized to be made shall be of general application and that no exclusive or several right of fisheries shall be granted, nor shall any citizen be denied the right to take fish in waters where fishing is permitted.

This declaration of policy and prohibition of law was earnestly urged upon the committee by the Delegate from the Territory (Mr. SUTHERLAND) and has the general support of the people of the Territory.

It will be seen that the House committee condemns the reservation policy with its exclusive privileges.

Mr. FESS. Mr. President, will the Senator from Utah yield?

Mr. KING. I yield.

Mr. FESS. I am interested to know how else we can limit the fishing and conserve it than is suggested by the report. Is there any other way?

Mr. KING. The statement which I have just read from the committee's report, I think, answers in part, at least, the Senator's question. I repeat, the committee condemns the creation of reserves and the discrimination in the granting of permits by the Bureau of Fisheries. Of course, there must be regulations in the salmon streams of Canada. Regulations are imposed by the Canadian Government, which are just to all, and which do not favor or create monopolies. The common-law right of fishing is recognized and the people of Canada are satisfied that the policies pursued are just and equitable and that the law is fairly administered.

The manner in which the law has been administered by the Department of Commerce is a scandal, and has justified the criticisms to which I have referred, and demand an immediate, and in the language of the committee, "a drastic" change in the law and its administration. I repeat, of course, there must be regulations, and these may call for permits——

Mr. FESS. Let me ask the Senator a question.

Mr. KING. Will the Senator permit me to conclude my sentence?—but a system which favors individuals or corporations or permits the department to grant exclusive permits or privileges, as Mr. WHITE, in his report, states the Department of Commerce was doing, is to be condemned. I submit that my friend from Ohio, notwithstanding his apparent admiration for Mr. Hoover and the Department of Commerce, can not defend the course which they have pursued.

I now yield to the Senator from Ohio.

Mr. FESS. Will the Senator tell the Senate how it is possible to limit fishing, if we allow permits to be unlimited to all those who want to fish?

Mr. KING. Mr. President, regulations can easily remedy this matter. Of course, there must be a limitation placed upon the quantity of fish which each permittee may take from the waters. In the first place, no permit ought to be granted to any monopoly or to individuals or corporations who are fostering or promoting monopolistic control of the salmon or fish industry. These big packing companies which have monopolized the salmon trade should be denied the right to fish within the waters controlled by the Government until they have quit their evil practices and conformed their business activities and their fishing and canning operations to the standards of fair dealing and with due regard for the laws of the land.

It may be that proper rules and regulations would limit the number permitted to fish within certain streams or districts, but if such limitation was imposed, equally valuable fishing rights should be granted in other sections and districts. In other words, there should be no favoritism and no discrimination. The little canning company and the lone fisherman with his small catch should not be deprived of their rights, and they should have the same privileges, differing only in degree, as are granted to larger companies.

Canada has no serious problem in handling her fisheries. The ancient rights of fishery are preserved and her officials have adopted a course which has conserved the fish supply; whereas our Department of Commerce has built up monopoly, destroyed the fish in many streams, and carried out a policy of discrimination which has been resented and denounced by thousands of residents of Alaska and by many citizens of the United States.

Mr. FESS. If the Senator would yield, I desire to say that I understand that a monopoly is not a monopoly unless it has control of the thing that is being done. How can four companies have a monopoly where 400 other people are permitted to do the same thing?

Mr. KING. Oh, Mr. President, there is incontestable proof that there is a packers and canning monopoly. The Standard Oil, while it does not own all the oil fields in the United States, is nevertheless a monopoly. It has the power, and it exercises it, to fix prices and to dominate and control the market. The oil investigation conducted by one of the committees of the Senate recently furnished convincing proof of this fact. The record in the matter before us shows that in a particular stream, while there were a number of permits granted to what are called small fishermen, the catch of two companies was more than 9,000,000 salmon, and the catch of all other companies and individuals was but approximately 3,000,000. The fact is that many of these so-called fishermen are directly or indirectly connected with the big companies, and others are dependent almost exclusively upon the big companies for markets for their catch. If a large company was operating in a given field and had the only canning factory in the district it could fix the price of all the fish caught by small operators, no matter their number. That is exactly the situation in some of the districts in the Alaskan fisheries.

I repeat, there can be a monopoly in the canning and fishing industry without the monopolizing corporations catching all the fish or owning all the canneries. I can not understand why the Senator denies the monopolistic operations of the packers and canners. The hearings prove that the big canning companies constitute a monopoly, oppressive to the small fishermen and oppressive to the public. Judge Wickersham, to whom I have referred, stated that under the reservation policy a complete monopoly of the great fisheries of Alaska had resulted and that it was in the hands of corporations who are not interested in Alaska and whose course was destroying the "settled fishing population." The House committee's report declares that the policy of granting a limited number of fishing permits within any designated area, and excluding all others, "is a practice which must cease." The Senator knows that the permits granted to these big corporations have given them the right to take more fish from the waters than they could possibly obtain because of the diminishing supply of fish within these reservations. For instance, the permits granted for fishing in the Cook Inlet section of the reserve for 1923 show that the Alaska Packers' Association had a pack limit of 40,000 cases, and they obtained only 14,611 cases; Libby, McNeil & Libby had a pack limit of 40,000 cases and obtained only 26,088 cases; Northwestern Fisheries Co. (Booth) were granted permits to catch 40,000 cases, but actually obtained but 15,931 cases; the pack limit granted to the Fidalgo Co. was 40,000 cases, but the actual pack was only 14,344 cases. Of 10 important canneries granted permits to fish within the Cook Inlet during the season of 1923, the pack limit was 208,000 cases, but the actual pack obtained was but 88,937 cases. The evidence shows that the permits to these corporations have resulted in the practical extinction of the salmon in Cook Inlet; and this has been done under the pretext of conservation!

In the Chignik Bay district three large companies received allotments of 50,000 cases each for the year 1923. The actual pack amounted to but 69,886 cases. There was intensive fishing within the district, but the limited number of fish prevented the companies from obtaining their full allotment.

These companies receiving these privileges are powerful factors in the monopolization of the fish industry. The Department of Commerce knew that they could not catch the full allotment, but they were so indifferent to the preservation of the fish that they gave these companies permits which enabled them to absolutely deplete the streams. The Senator knows that the existence of this monopoly in the Alaskan waters is recognized by those familiar with the situation, and he must have learned of the enormous output of the few companies and the reiterated charges that they dominate the market. These companies put in enormous traps and wheels and resorted to all sorts of fishing devices to increase the number of fish caught, and their monopolistic activities have been the subject of investigation and have been provocative of universal criticism.

Mr. FESS. How can the fishing industry be controlled when it is unlimited?

Mr. KING. Is it not so controlled? Does the Senator from Ohio deny it?

Mr. FESS. I deny it.

Mr. KING. Well, the Senator——

Mr. FESS. How can it be so controlled when there are 400 people fishing there?

Mr. KING. Mr. President, how can four packing companies in the United States control the meat market and create a monopoly such as every person knows exists, though every man in the United States is free to butcher his own cattle and sheep and hogs if he desires. The Senator knows the methods by which Armour & Co., Swift & Co., Cudahy Packing Co., and the Wilson Co. have gotten control of the meat industry of the country. They have built up a gigantic monopoly which controls the livestock industry of the United States. The prices of cattle and sheep and hogs raised upon the farms are determined by these four companies. It is true there are a number of independent packing companies, and that there are perhaps thousands of small slaughterhouses and meat markets, but nevertheless the powerful hand of the Big Four controls meat prices in the United States. Everybody knows this, and I am sure the Senator from Ohio can not plead lack of knowledge.

The Legislature of Alaska declares that the big fish-canning companies constitute a monopoly. Grand juries have so declared. The Federal Trade Commission, in effect, has indicated the same view, and Mr. Hoover, as I understand, seeks this bill upon the ground that it will aid in terminating this monopoly. The Senator from North Dakota [Mr. LADD], who is now in the chair, if he will leave the chair and speak upon this measure, I am sure would corroborate what I am stating. Senators know that he spent several weeks in Alaska during June and July, 1923, and made a thorough investigation of conditions obtaining in that territory.

Mr. FESS. Would the Senator offer as a remedy that those who have been fishing, whom he denominates as monopolists, be denied the privilege of fishing there? Is that his remedy?

Mr. KING. Mr. President, with the knowledge which I have of the manner in which the big canning factories and packers have operated and with the information which I have received as to the manner in which they dealt with the Government during and immediately following the war, I certainly would deny them permits to engage in fishing in waters controlled by the Government until they had quit their illegal practices and changed their method of business.

Mr. President, I have not been in Alaska. I have no business or other interests there, but I have been concerned in the development of Alaska and have been desirous of seeing her resources developed and the population of the Territory increased. I am anxious for the adoption of a policy that will prevent the destruction of the salmon fisheries—indeed, a policy which will increase the annual output of this important food product. I am not a member of the Commerce Committee of the Senate.

I have no desire to criticize any individual or any department of the Government, but when my attention was repeatedly challenged to evils which I had every reason to believe existed I felt it a public duty to try and ascertain the facts and to secure proper action by Congress in order to terminate an unpleasant, not to say an intolerable, condition and to bring about the adoption of a policy which would be a benefit to the people of Alaska as well as to the people of the United States.

Before resuming my seat I desire to ask the Senator from Washington [Mr. JONES] if he does not agree with what has been stated by the Legislature of Alaska, by Mr. Hyde, and others, that the traps now employed ought to be abolished? Does not the Senator think that his committee made a mistake in rejecting the provision of the House bill which prohibited the use of traps as well as certain other fishing devices?

Mr. JONES of Washington. Mr. President, I want to say this to the Senator: There is quite a controversy involved in the provision that is stricken out of the bill. That provision covers not only traps but purse seines. There is a very great difference of opinion as to the destructiveness of purse seines. The incorporation of that language in the bill means the destruction of a very large amount of property.

Mr. KING. The Senator means the traps?

Mr. JONES of Washington. Both traps and purse seines. That provision strikes out practically all the purse seines. I think about 29, according to the estimates of the department, could be used in the waters of Alaska. While, of course, the seines are not nearly so expensive as the traps so far as the money invested is concerned, a great many purse seines are used by the local fishermen up in Alaska, and their prohibition would work a very great hardship upon many of the people in whom I know the Senator is very much interested.

Mr. KING. No; I have no interest in any particular person in Alaska. I have only a general interest that all citizens of the United States have in the development and progress of Alaska.

Mr. JONES of Washington. The Senator understands what I mean. I do not mean that the Senator is financially interested or especially interested——

Mr. KING. Not the slightest.

Mr. JONES of Washington. Except that he wants the small man to have his opportunity, and so on. That is the only sense in which I used the word, and I am sure the Senator understood it in that way.

Mr. FLETCHER. Mr. President, there was a strong appeal, was there not, on behalf of the local people, the residents there, to eliminate the purse-seine proposition?

Mr. JONES of Washington. The local people are divided. Some of them want to eliminate the traps, some of them opposed the purse seines, and so there was a controversy that our committee felt that under the exigencies of the situation we ought not to go into. When the committee struck out that language it did not express its opinion one way or the other upon the merits of the contentions with reference to traps and purse seines, but the committee acted in the interest of getting some legislation that we thought would be effective in the conservation of the salmon. We knew that if we left in this language there would be a great controversy. The parties were insisting upon having a hearing, because this language, too, was put in on the floor of the House. Since the matter involved such property interests as it did, and such a controversy as we knew to be involved in it, we concluded that in the hope of getting beneficial legislation we would strike out that provision, and that we would take up the question when we had plenty of time to do so.

I want to say frankly to the Senator that that was the purpose of striking out those provisions, simply in the interest of getting what I think everybody concedes to be some good legislative enactment. I feel this way, and I do not say it to influence anyone, except that I just feel this way: If those provisions should not be stricken out, then, in justice to the interests that are involved, there would have to be some hearings.

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. JONES of Washington. Yes.

Mr. KING. The House committee went into this matter exhaustively, and after hearings reported out a bill which prohibited the use of traps.

Mr. JONES of Washington. Yes; but we are not striking out any language in this bill that the House committee reported—not a word. The language that we strike out in this bill was put in the bill on the floor of the House. As the Senator said, the committee over there had extensive hearings, and they did not recommend this provision. They reported to the House other provisions which our committee is perfectly willing to accept, and which in the interest of the conservation of the fish, in which I know the Senator is so much interested, I am glad to support. It was in the interest of getting legislation that would conserve the fish that our committee struck out a provision that does involve a very great controversy, and one that would, in justice to the interests involved, require extensive hearings upon the specific proposition.

So I hope the Senator will not endanger the passage of the bill by insisting upon further controversy over that language. Next winter, or at any time when we have time, we shall be glad to take up that controversy and do what is thought to be wise, but in the interest of legislation that will promote what both the Senator and I want we struck out that provision.

Mr. KING. The Senator knows that the bill with this Senate amendment will have to go to conference?

Mr. JONES of Washington. Oh, yes; but I want to say that I have conferred with the Delegate from Alaska. I have recognized the Delegate's position in this matter, and I want to carry out his views in regard to these matters as representing the people of Alaska as much as I can consistently with what I think is right. While the Delegate from Alaska would like to have one part of the language go out, he does not want the trap provision to go out. He wants that left in. He wants the purse-seine provision to go out. There are others who are opposed to the purse seines, and so we have that controversy.

Mr. KING. Mr. President, I shall not insist upon a vote to reconsider the action of the Senate in striking out the amend-

ment to which I have just called the attention of the Senator. I have such confidence in the Senator from Washington that when matters arise in the Senate upon which we differ I feel instinctively a disposition to either accept his view or modify mine. I regret, however, that he has not seen his way clear to accept my views upon this matter and to support a plan that will limit the use of traps and other destructive devices employed in fishing, and which, if the unrestricted use thereof shall continue, must inevitably result in destroying the salmon industry in the Pacific waters.

Mr. JONES of Washington. If the Senator will permit me, when we take up this matter and give it full consideration there may be no difference between the Senator and me.

Mr. KING. I say this because the information which I have received is to the effect that the present method of fishing is destructive of the fish in the streams. There is some controversy as to the effect of permitting "purse fishing," but no one can possibly defend the use of the deadly and destructive traps which are being so extensively employed. I am anxious to have legislation. I have not the confidence that the Senator has in the efficacy or virtues of this bill, but it seems that it is the best that can be obtained. Therefore I shall vote for it. For several weeks I have joined with the Senator in trying to have the bill considered in order that it might be passed at the earliest possible moment.

I relinquish the floor.

Mr. FESS. Mr. President, I am pleased with the last statement of the Senator from Utah that he will support the measure. I had some fear that he was going to oppose it; and that would appear to me to be a very serious decision from the standpoint of one who is interested in the conservation of salmon fishing.

My interest in the subject is exactly as his, not because I have ever lived in Alaska, nor because I know so much about all the facts concerning that great country; but I have known, and it has been a matter of common knowledge, that the salmon fishing is very rapidly decreasing. It has been one of the great sources of food supply as well as one of the chief activities of a great number of people. We used to have it on the Atlantic. It is no more. We used to have it in certain sections of the Pacific where now it has disappeared. There was no fact more patent than that under the present situation, without protection other than the law of 1906, we would ultimately have no salmon fishing in Alaska.

I was somewhat surprised at the statement of the Senator from Utah—and I regret very much that he has found it necessary to leave the Chamber—when he said that the Secretary of Commerce has finally agreed to support some measure of conservation. There is no one thing, so far as I know, in which the Secretary has been more interested and as to which he has been more aggressive right from the beginning of his service than to see the salmon-fishing industry protected; and because of that he has written upon the subject, he has appeared before committees upon the subject, and has stated very distinctly the necessity of some further legislation.

My interest in this matter arose from reading an editorial coming from one of the New York papers, in which the Secretary of Commerce was severely indicted on a charge that I thought was quite critical, if true, and I immediately began an investigation. I read all the hearings before the House committee. I read the various charges that had been made. I read the hearings of the committee on those charges, and, to my surprise, all of them were dismissed as without foundation, and perfectly futile, and the bill recommended unanimously.

If these charges, many of which have been repeated to-day, were true, certainly a great committee like the committee of the House, headed by the veteran legislator, Mr. GREENE of Massachusetts, and the great committee of the Senate would not have dismissed the subject by making a recommendation such as we have here in this bill.

I also noted that there was a charge—and it has been repeated here—that the reservation plan is illegal, and that the operation under it was therefore without force of law. That is a question which may be the basis of controversy.

The same question that was raised on another matter is a question of controversy in the courts, not to be forestalled by some opinion that I or some one else might have, but to be determined by judicial procedure. As to whether this reservation plan, devised for the purpose of conserving fish in that one remaining country where they can be found, is illegal or not, I doubt it very much; secondly, the purpose of it was certainly to be commended by anyone interested in this great industry.

We have had no legislation on protection of this great industry since 1906. All of these facts came to my knowledge by an investigation. The legislation of 1906 was so limited that the protection extended only 500 yards from the mouth of the river, and the habits of salmon, as anyone conversant with them must know, are such that that sort of protection will not preserve the salmon in any section where they are found.

With that lack of protection and with the salmon decreasing at a dangerous rate, without ability to secure protective legislation, something had to be done. The Secretary of Commerce asked that Congress pass some protective legislation. Congress did not see fit to do so, for reasons I do not know; I presume on account of the pressure of the calendar. Again, a second time, the Secretary of Commerce made the recommendation, and a third time he made the recommendation, all of which indicates that the Secretary of Commerce has not "finally agreed" to support legislation, but from the very initial hour has been recommending that this protection be granted by the only body that can give it. In view of the fact that protection was not given by Congress, the Secretary of Commerce acted upon the recommendation of the commissioner, who, of all people, ought to know the situation, that there be reservations granted in order to cover certain streams. Those reservations were granted after the Secretary of Commerce made his recommendation. On the matter of objection of the people of Alaska to the reservation, it is interesting to know that last summer the Secretary of Commerce while in Alaska called conferences in six cities to go over the question of reservations. By unanimous vote in each conference the policy was commended and urged to be extended to cover the rest of the area needing protection.

I was glad to hear the magnificent approval uttered by the Senator from Utah of the probity and the honesty of purpose of the Senator from Washington [Mr. JONES]. The Senator from Washington was up in Alaska last year. I have not talked with him on this subject at all other than to inquire when the bill would come up, but I read the suggestions of the Senator from Washington as he reported them in the city of Seattle when he returned from his trip, and I note that he is reported as saying: "I will urge President Coolidge to put all of Alaska into a fish reserve, as has been done in western Alaska." He further stated that—

> The Secretary of Commerce should then take such steps as may be necessary. The experience of two or three years would demonstrate what legislation, if any, is needed—

The Senator declared—

> A general outline of an administrative policy would be limitations of the pack, regulation of the number, kind, and size of the gears suitable to each locality, fixing closed seasons, and zoning, with such other regulations as may be necessary.

That was the recommendation made upon the condition that, if we do not get legislation protecting the fisheries, then the President ought to extend over all Alaska the power of the reservation.

I think he is right, and I believe everyone who is interested in the conservation of that industry will agree that he is right. Unless this body and the other can put on the statute books protection of an industry being rapidly depleted, then the President should use all legal measures within his power to do what Congress thus far has neglected to do, in spite of the persistent urgency of the Secretary of Commerce.

It has been charged here, and it is one of the things that has attracted my attention, that the administration of the Secretary of Commerce tends to the maintenance of monopolies. I took occasion to ask for the facts. I did not want opinion. I might now state for the information of the Members of this body my relationship with the Secretary of Commerce. I have no brief for the Secretary. There is no man in public life from whom I have differed more sharply than I have differed from Secretary Hoover, and there is no man in public life I have gone out of the way to criticize with greater vehemence than I criticized him in 1918. So that what I say is not the result of any particular friendship or any particular relationship whatever that exists between the Senator from Ohio and the Secretary of Commerce. It is only in the interest of fair play that I am thus taking the floor.

I asked for the figures, not for an opinion, as to whether or not monopolies controlled the salmon fisheries in Alaska, as is so generally charged. I have these figures, and I am not going to ask that they be read, but I do want them printed in the RECORD in order completely and for all time to answer this futile charge, which is based pretty largely upon either misinformation, or, I should say, prejudice on the part of certain interested parties.

Here are the fishery permits, issued by the bureau's representatives in Alaska, numbering nearly 400, stating the amount

of fish which could be taken. It is a very important document in connection with this controversy, and must be conclusive against this unfounded charge, and I ask unanimous consent that it be printed in the RECORD.

The PRESIDING OFFICER (Mr. LADD in the chair). Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Fishery permits issued by bureau's representatives in Alaska, 1923

KODIAK-AFOGNAK DISTRICT

Permit No.	Permittee	Location	Gear allotment	Catch or pack limit
1	John Brodtkorb	Kiupalik Island	Cod and halibut gear; 1 beach seine and 2 60-fathom gill nets.	20,000 salmon to prepare 100 barrels and fox feed.
61	John P. Johnson	Paramanof Bay	3 50-fathom gill nets	No limit; for sale.
62	Simeon Barrestoff, Daniel Elynak, John Peterson, Nick Barrestof, and Yaska Barrestof.	Malina Bay	1 110-fathom beach seine	Do.
63	Peter Chickenof, Alexander Chickenof, Alexis Chickenof, and Peter Nekrasof.	do	do	Do.
64	Gregora Chernikof and Afony Lukin	Paramanof Bay	do	Do.
65	Mike Boskofsky, Dmitry Boskofsky, William Boskofsky, and John Demidof.	Malina Bay	do	Do.
66	Afoney Malutin, Nicolai Agik, Tichon Sheratine, and Herman Pichoon.	do	do	Do.
67	John Arlof, Peter Arlof, Wanka Panamarlof, and Wasili Iznawnak.	Seal Bay	do	Do.
68	Joe McCormick	Raspberry Strait	1 25-fathom beach seine, and 1 50-fathom gill net.	Do.
69	Ivan Alghoon, Tim Noya, and Nekifer Noya	Paramanof Bay	1 110-fathom beach seine	Do.
70	Elia Kangin, George Chanium, and Herman Shangin.	Little Afognak	do	Do.
71	Gregora Yakonak, Paul Yakonak, Fred Demidof, and William Lukin.	Paramanof Bay	do	Do.
72	Zenovin Boskofsky, Simeon Alexandrof, Kelly Gregora, and Willie Gregora.	Little Afognak	do	Do.
73	Peter Derenof, Macar Derenof, and Nick Anderson	Malina Bay	do	Do.
74	Nick Amachuk, Walter Kewan, and Nick Lukin	Paramanof Bay	do	Do.
75	Ernest Strickler	Raspberry Strait	3 50-fathom gill nets	Do.
76	Barney Mullin and John Noumeof	Little Afognak	1 110-fathom beach seine	Do.
77	C. D. Whitney	Kizhuyak Bay	150 fathoms gill net	Do.
78	Albert Johnson	Kodiak and Spruce Island waters.	5 50-fathom gill nets and 1 40-fathom beach seine.	No limit; for fox feed and for sale.
79	Arthur Levine	do	4 50-fathom gill nets and herring, cod, and halibut gear.	No limit; for sale.
80	William Castell and Leo Hankins	do	400-fathom gill net and 1 40-fathom beach seine for salmon and herring, cod, and halibut gear.	Do.
81	Theodore Rosenberg	do	250-fathom gill net for salmon and herring and cod gear.	Do.
82	Hardy Hofstad	Zone 3	4 50-fathom gill nets and 1 150-fathom beach seine for salmon and herring and cod gear.	Do.
83	Rickleff C. Richardson	Nelson Island	1 80-fathom gill net and 1 60-fathom beach seine.	3,000 salmon for fox feed.
84	George Chernikof, Mike Chernikof, Tichon Chernikof, and Alexis Wache.	Seal Bay	1 110-fathom beach seine	No limit; for sale.
85	Senofone Yagashof, Dick Yagashof, Trafen Chernikof, and Herman Shanagan.	Little Afognak	do	Do.
86	Gus Freeburg and Oscar Carlson	Zone 3	400-fathom gill net for salmon and herring and cod gear.	Do.
87	John Vick	do	250-fathom gill net	Do.
88	Harry Eden	do	do	Do.
89	Otto Erickson and Leo Erickson	do	200-fathom gill net and 100-fathom beach seine for salmon and herring and cod gear.	Do.
90	John Swanson	do	3 60-fathom gill nets	Do.
91	Charles W. Gunderson, Adrian E. Moorehead, Bud Bergh, and Frank Roeder.	Shuyak Island	1 110-fathom beach seine and 3 50-fathom gill nets.	200 barrels salmon, fox feed, and salmon for sale. Herring, cod, and halibut.
92	Harry Morrison, Peter Maltsoff, and Larry Cope	Kodiak and Spruce Island waters.	1 110-fathom beach seine and herring, cod, and halibut gear.	No limit; for sale.
93	August Heitmann	Chiniak Bay and vicinity	1 50-fathom beach seine and 1 40-fathom gill net.	Do.
94	Robert Scott	Zone 3	150-fathom gill net for salmon, and cod, herring, and halibut gear.	Do.
95	Ole Olsen	do	1 50-fathom beach seine and 100-fathom gill net for salmon, and herring, cod, and halibut gear.	Do.
96	Charlie G. Anderson	do	200-fathom gill net, and herring, cod, and halibut gear.	Do.
97	Alfred Paakkanen	Alf's Island	1 60-fathom beach seine and codfish lines.	No limit; 25 barrels salmon bellies, for feed, and for sale.
98	Peter Petrovsky	Amook Island	1 60-fathom beach seine and 2 codfish hand lines.	No limit; 30 barrels salmon other than reds or kings, fox feed, and for sale.
99	William H. Boll	Harvester Island	100 fathom gill net and 3 codfish hand lines.	No limit; fox feed and for sale.
100	Harry Carlsen	Carlsen Lagoon	1 60-fathom beach seine, 2 80-fathom gill nets, and 2 codfish hand lines.	Do.
101	Charles Pajoman, Roy Trout, Fritz Laurenzen, Philip Katellnakoff, and Carl Pajoman.	Raspberry Island	1 140-fathom beach seine and 5 50-fathom gill nets.	No limit; for sale.
102	Fritz Laurensen	Dry Island	110-fathom beach seine and 150-fathom gill net.	7,500 mixed salmon for fox feed. Other fish for fox feed and commercial purposes.
103	Dr. Basil C. Parker	Whale Island	150-fathom beach seine and 150-fathom gill net.	25,000 mixed salmon for fox feed. Other fish for fox feed and commercial purposes.
104	Alexander Lukin	Paramanof Bay	1 110-fathom beach seine	No limit; for sale.
105	Tony Benchola	do	do	Do.
106	Fred Squartzoff, Sergay Panaronioff, Tete Pestrikoff, and John Panaronioff.	Seal Bay	do	Do.
107	Wasceli Squartzof, Dick Squartzof, Innocence Squartzef.	do	do	Do.
108	Nick Katellnakof, Fred Thorsen, Nick Susarenkin, and Nick Susarenkin, jr.	do	do	Do.
109	Nicholai Laircionoff	Whale Strait and Kizhuyak Bay.	do	Do.
126	Charles Petersen	Northeast Harbor	2 40-fathom gill nets or 1 60-fathom beach seine.	Do.
174	M. C. Knutsen	Black Island	1 beach seine and 1 gill net	20,000 mixed salmon for fox feed or for sale.
1	Mike Taoshwak and Antone Noya	Litnik Bay	1 110-fathom beach seine	No limit.
2	Peter Malutin, Paul Malutin, and Ralph Demidoff	do	do	Do.

Fishery permits issued by bureau's representatives in Alaska, 1923—Continued

KODIAK-AFOGNAK DISTRICT—continued

Permit No.	Permittee	Location	Gear allotment	Catch or pack limit
3	Martin Larzen, John Keegan, Antone Larson	Litnik Bay	1 135-fathom beach seine	No limit.
4	Oscar Ellison, Fred Sunberg, and Rudolph Sunberg	do	1 150-fathom beach seine	Do.
5	John Ketelnikoff, Pete Squartoff, Stepan Panimarioff, and Teet Pestrekoff.	do	do	Do.
6	Stephan Apalone, Andrew Shenagak, and Martin Panimarioff.	do	1 110-fathom beach seine	Do.
7	Waselie Nikrassoff and Nikrassoff	do	do	Do.
9	Efim Alpiak, Paul Nikrossoff, Willie Apalone, and Alesa Knagin.	do	do	Do.
10	Robert Knagin, Alek Knagin, and Fred Knagin	do	1 120-fathom beach seine	Do.
	COOK INLET DISTRICT			
2	J. A. Gustavason and W. L. Lippincott	Kamishak Bay	2 hand traps	No limit; 200 barrels and for sale.
3	Nick Elznit and Tom N. Anderson	East shore	3 30-fathom gill nets, king; 3 30-fathom gill nets, red.	No limit; for sale.
4	Ralph Sparks	Kachemak Bay	3 25-fathom gill nets; 3 codfish hand lines.	No limit; for sale. See No. 194, as to herring.
5	U. G. Norton	do	1 50-fathom gill net and gear for crabs and codfish.	No limit; for sale. See No. 195 as to herring.
6	Gudni Jackson	East shore	1 60-fathom beach seine; 3 30-fathom gill nets; herring and cod gear.	No limit; 5 tierces kings, 3,000 mixed salmon for fox feed, and for sale.
7	Nathan White	Kamishak Bay and Kachemak Bay.	1 90-fathom beach seine and cod gear	No limit; 12,000 salmon for fox and dog feed, and for sale. See No. 196 as to herring.
8	John Leiren	do	do	No limit; 5,000 salmon for fox and dog feed, and for sale. See No. 197 as to herring.
9	Fred I. Munson	Halibut Cove	1 30-fathom beach seine, 1 25-fathom gill net, and cod gear.	No limit salmon, herring, and cod; for sale. See No. 186 as to herring; 50 cases butter clams; 25 cases crabs.
10	Ansium Alexanderoff	Kachemak Bay	1 beach seine, 30 fathoms	No limit; for fox feed and for sale.
11	Andy Lundgren and Hilmar Olsen	do	1 30-fathom gill net	Do.
12	Andrew Berg and Chas. De LaMatyr	East shore	1 hand trap	No limit; for sale.
13	John Peterson and Martin Peterson	Kachemak Bay	1 50-fathom beach seine, 1 30-fathom gill net.	No limit; for sale and for fox feed.
15	Wm. H. Cantwell	East shore and Kachemak Bay.	150-fathom gill net and crab and cod gear.	No limit; for sale.
16	Niels M. Jensen	Kamishak Bay	1 60-fathom beach seine	Do.
17	Edward T. Jensen, Simon Josefson and Axel Anderson.	East shore and Kamishak Bay.	1 90-fathom beach seine and 1 trap	Do.
18	James A. Hart	Kamishak Bay or east shore.	1 hand trap or 1 90-fathom beach seine.	Do.
19	Andy Anderson	Seldovia head or east shore.	1 hand trap or 1 90-fathom beach seine and 2 30-fathom gill nets, crab and cod.	No limit; for sale. See No. 198 as to herring.
20	Isam F. Burgin, Lawrence A. Dunning, and Frank H. Burgin.	Kachemak Bay	1 35-fathom beach seine, 1 60-fathom beach seine, and 3 30-fathom gill nets.	18,000 cheap salmon for fox feed and for sale. Small amount red and king.
21	John Yackaloff	do	1 50-fathom beach seine	No limit; fox feed and for sale.
22	Tollak Tollestad	do	1 35-fathom beach seine and 1 60-fathom beach seine.	1,000 red and king salmon for sale, and 11,000 other species for fox feed and for sale.
23	Keith McCullough	do	1 60-fathom beach seine and 2 30-fathom gill nets	5,000 red and king salmon for sale, and 15,000 other species for fox feed and for sale.
24	Anton Johansen and Peter D. Olssen	do	1 40-fathom beach seine and 1 30-fathom gill net.	No limit; for fox feed and for sale.
25	Chas. R Olssen	East Shore	1 90-fathom beach seine and 2 25-fathom gill nets.	Do.
26	Rufus H. Bowen	do	1 90-fathom beach seine and 2 25-fathom gill nets.	Do
27	Sholin Bros. Fox Ranch Co	Kachemak Bay	75-fathom gill net	5,000 cheap salmon for fox feed and red and king salmon for sale
28	William J. Babis	do	1 skate, 200 hooks, codfish gear	4 tons codfish.
29	Arne C. Olson	do	Codfish and halibut gear	5 tons codfish and 5 tons halibut.
30	Henry Ladehoff and Arsende Romanoff	do	1 50-fathom beach seine and 1 30-fathom gill net.	20,000 salmon for fox feed and for sale.
31	Julius Christiansen and Tim Balashoff	do	1 30-fathom beach seine and 1 30-fathom gill net.	7,000 cheap salmon for fox feed and red and king salmon for sale
32	Mike Moonin	Port Chatham to Port Graham.	1 80-fathom beach seine	No limit; for sale.
33	DeMetrick Moonin	Port Chatham to Halibut Cove.	do	Do.
34	Emil Berg	East Shore	1 hand trap	Do.
35	Gust Ness	Corea Bend	do	Do.
36	Matt Yuth	Kachemak Bay	1 30-fathom beach seine; 1 25-fathom gill net.	5,000 cheap salmon for fox feed; and red and king salmon for sale.
37	Tom O. Perry	do	1 25-fathom beach seine, 3 50-fathom gill nets.	Do
39	Knik Pete	Kustatan River	3 25-fathom king salmon gill nets; 1 25-fathom red salmon gill net.	No limit; for sale.
40	Paul Kalifonski	Kalifonski Beach	do	Do.
41	Jim Marmelia	Kustatan River	do	Do.
42	Ed. G. Kagden	do	do	Do
43	Little Maxime	do	do	Do.
44	Nick P. Mishakof	do	3 25-fathom king salmon gill nets and 1 25-fathom red salmon gill net.	Do.
45	John Nicholai	do	do	Do.
46	Knik Paul	do	do	Do.
47	Nakishka Pete	do	do	Do.
48	Serge Pete	do	do	Do.
49	Alex Shaska	do	do	Do.
50	Ely Stephen	do	3 25-fathom king salmon gill nets and 1 25-fathom red salmon gill net.	Do.
51	Victor Anton	do	3 25-fathom king salmon gill nets and 1 15-fathom red salmon gill net.	Do.
52	Julius Kallender	Point Possession	1 hand trap 2 25-fathom king salmon gill nets and 1 25-fathom red salmon gill net.	Do.
53	Harry Wodell	Point Possession to Moose Point.	125 fathoms gill net	Do
54	Johnny X. Nicholai	Point Possession	2 25-fathom king salmon gill nets and 2 25-fathom red salmon gill nets.	Do
55	Alex Cleutna	Anchorage to Fire Island	2 25-fathom gill nets	Do.
56	August Juntunen	Point Possession to Moose Point.	4 25-fathom king salmon gill nets and 1 25-fathom red salmon gill net	Do.

Fishery permits issued by bureau's representatives in Alaska, 1928—Continued

COOK INLET DISTRICT—continued

Permit No.	Permittee	Location	Gear allotment	Catch or pack limit
57	Emil Anderson	Moose Point to Point Possession.	4 25-fathom king salmon gill nets	No limit; for sale.
58	Alfred Danilof	Kustatan River	3 25-fathom king salmon gill nets and 1 25-fathom red salmon gill net.	Do
59	Richard Crisp and Gus Abrahamson	Point Possession to Nakishka.	2 25-fathom king salmon gill nets and 2 25-fathom red salmon gill nets.	No limit; for salting and smoking, and for sale fresh.
60	George Boiga, Russell R. Hermann, and George Hermann.	Chuit River to Beluga River	1 hand trap, 1 25-fathom king salmon gill net, and 1 25-fathom red salmon gill net.	No limit; for sale.
110	Axel Norstadt	Anchor Point and Kachemak Bay.	150-fathom king salmon gill net and 2 30-fathom gill nets for red and silver salmon.	10 tierces king; 50 barrels salted silver. No limit, others; for sale.
111	Eric Albert A. Gissberg	East Shore	100-fathom king salmon gill net and 1 16-fathom beach seine, cod gear.	10 tierces kings, 50 barrels silvers. No limit others than kings; for sale; 10 tons codfish. See No. 200.
112	Anderson and Koch	Trading Bay to Tyonek	1 hand trap and 2 25-fathom king salmon gill nets.	No limit; 20 barrels salted, 2 tons dog feed, and for sale fresh.
113	Frank Standifer and Albert Thompson	East Forelands	1 hand trap	No limit; for sale.
114	Pitka Backoff and Alex Demidoff	Kalgin Island	1 hand trap and 2 25-fathom king salmon gill nets.	Do.
115	Charlie Wagner	Kustatan River	3 25-fathom king salmon gill nets and 1 25-fathom red salmon gill net.	Do.
116	Nick Kalifonski	Kalifonski Beach	1 hand trap	Do.
117	Heywood March	Corea Bend	do	Do.
118	Ero Walli	Anchor Point to Starichkof	2 25-fathom king salmon gill nets and 2 25-fathom red salmon gill nets.	Do.
119	Clyde Coombs	Port Chatham	1 50-fathom gill net	5,000 mixed salmon for fox feed; no limit others for sale.
120	Harry Leonhardt and C. S. Patterson	Kachemak Bay	1 35-fathom beach seine and 1 25-fathom gill net.	3,000 mixed salmon for fox feed; no limit for sale.
121	James S. Collius and Gus Drimeris	Elizabeth Island	75-fathom beach seine	10,000 mixed salmon for fox feed; no limit for sale.
122	Alex Elxnit	Anchor Point to Ninilchik	3 25-fathom king salmon gill nets	No limit; for sale.
123	W. E. Ludy	Port Chatham Bay	1 hand trap for herring	See No. 201, as to herring.
124	Virgil Waller	Anchor Point	1 25-fathom gill net	No limit; for fox feed and for sale.
125	Fred Sundel	Corea Bend	1 hand trap	No limit; for sale.
127	Chas. M. Robinson and E. W. Robinson	Chuit River to Beluga River	6 25-fathom gill nets	Do.
128	T. W. Lloyd	Seldovia Bay	1 50-fathom gill net	No limit; for fox feed and for sale.
129	J. E. Dwyer	Chugach and Rocky Bays	100-fathom gill net	Do.
130	Gabriel Egoraff	Kachemak Bay	120-fathom beach seine	No limit; for sale.
131	Axel Ursin	East Shore	100-fathom gill net	Do.
132	Per E. Johnson	Lewis River to Three Mile Creek.	4 25-fathom king salmon gill nets	Do.
133	Albert Johnson	Knik Arm	1 25-fathom king salmon gill net	Do.
134	Ed Rothe	Kustatan River	3 25-fathom king salmon gill nets	Do.
135	John Lund	do	do	Do.
136	Eric Isaacson	do	do	Do.
137	Chas. West	Humpy Point	1 25-fathom gill net	Do.
138	Gregory Oskalkof	Corea Bend	2 25-fathom gill nets	Do.
139	Mike Graford	Corea Bend to Deep Creek	do	Do.
140	Steff Churkin	do	do	Do.
141	Philip Wilson	Kustatan River	3 25-fathom king salmon gill nets; 1 25-fathom red salmon net.	Do.
142	Billy Stephen	do	do	Do.
143	Mike Damilof	do	do	Do.
144	Nicholai L. Meshagof	do	3 25-fathom king salmon gill nets and 1 25-fathom red salmon net.	Do.
145	Louis Nisson	Kasilof River	1 25-fathom gill net	Do.
146	Garasen Oskolkof	Corea Bend to Deep Creek	2 25-fathom gill nets	Do.
147	Louis Kvasnikof	do	do	Do.
148	Mike Oskolkof	do	do	Do
149	Alex Kalifonski	Kalifonski Beach	1 25-fathom king salmon gill net	Do.
150	Nick Onorka	do	do	Do.
151	Nick A. Sackalof	Kustatan River	3 25-fathom king salmon gill nets and 1 25-fathom red salmon net.	Do.
152	P. S. Meshagof	do	do	Do.
153	Andrew Dolchak	do	do	Do.
154	Chief Nicholai	do	do	Do.
155	Simeon Ynasha	do	3 25-fathom king salmon gill nets	Do.
156	William Avemof	do	do	Do.
157	Joe Oskolkof	do	do	Do.
158	Paul Murphy	do	do	Do.
159	Nick Toman	do	do	Do.
160	William Hunter	do	do	Do.
161	John Otterstrom	Salamato to East Forelands	1 25-fathom gill net	Do.
162	Joe Martinez	Kasilof River	do	Do.
163	Eric Soderberg	do	1 25-fathom king salmon gill net	Do.
164	R. O. Burgess	Port Chatham to Halibut Cove.	1 100-fathom beach seine	Do.
165	Lloyd Swan	Port Chatham to Anchor Point.	1 60-fathom beach seine, 2 30-fathom gill nets.	Do.
166	George Hilleary, Pat McNamara, and Alvin Norton	Boulder Point to Swansons Creek or Kalgin Island and Fire Island.	1 hand trap or 1 60-fathom beach seine and 4 25-fathom gill nets.	Do.
167	Joe Filardo	Kachemak Bay	1 25-fathom beach seine and 1 25-fathom gill net.	No limit; for fox feed and for sale.
168	Joe Magill	Three Mile Creek and Beluga River.	1 hand trap and 4 30-fathom gill nets	50 tierces mild cured kings; 100 barrels red salmon; 300 barrels other species; 3 tons fox or dog feed; sell 4 tons fresh salmon.
169	Ivan Asou Paulik and Pavilla Tokolnik	Kamishak Bay	1 60-fathom beach seine	No limit; for sale.
170	Ivan John Chenik and Simeon John Chenik	do	do	Do.
171	Chas. Danielson	Chuit River to Three Mile Creek.	2 25-fathom gill nets	Do.
172	William Hauck	Moose Point	3 25-fathom gill nets	Do.
173	Ent. N. Pond, R. E. McDonald, Fred M. O'Neil	Northern end	1 100-fathom beach seine	Do.
175	L. W. Bishop	Russian River		4,500 mixed salmon for dog and fox feed.
176	Jones and Williamson Silver Black Fox Farm	Kasilof River		10,000 mixed salmon for fox feed.
182	Carl E. Anderson	do	50-fathom gill net	250 barrels herring.
183	J. A. Gustavson, Axel Anderson, and Simon Josefson	do	100-fathom gill net	500 barrels herring and 25 tons bloaters.
184	Fred Stone	do	50-fathom gill net	150 barrels herring.
185	Charles Engstrom	do	do	Do.
186	Fred I. Munson	do	100-fathom gill net	250 barrels herring and 5 tons bloaters or dry salted herring.

Fishery permits issued by bureau's representatives in Alaska, 1923—Continued

COOK INLET DISTRICT—continued

Permit No.	Permittee	Location	Gear allotment	Catch or pack limit
187	San Juan Fishing and Packing Co. (Inc.)	Halibut Cove and Kachemak Bay.	500-fathom gill net and one 200-fathom purse seine.	2,000 barrels herring and 150 tons bloaters or dry salted herring.
188	Northern Products Corporation	Halibut Cove	1,000-fathom gill net	5,000 barrels herring and 150 tons bloaters or dry salted herring.
189	Vogen and Uthein	do	200-fathom gill net	1,000 barrels herring and 10 tons bloaters or dry salted herring.
190	Charles F. Dies	do	50-fathom gill net	150 barrels herring.
191	Meyers and Armstrong	do	150-fathom gill net	1,000 barrels herring and 10 tons bloaters or dry salted herring.
192	H. B. Sundsby	do	100-fathom gill net	700 barrels herring and 10 tons bloaters or dry salted herring.
193	Edward T. Jensen and Anton J. Johnson	do	do	1,000 barrels herring and 75 tons bloaters, or dry salted herring.
194	Ralph Sparks	do	50-fathom gill net	250 barrels herring.
195	Eugene Norton	do	do	150 barrels herring.
196	Nathan White	do	do	250 barrels herring.
197	John Leiren	do	250-fathom gill net	3,000 barrels and 10 tons bloaters, or dry salted herring.
198	Andy Anderson	do	50-fathom gill net	150 barrels herring.
199	Axel Norstadt	do	100-fathom gill net	300 barrels and 50 tons bloaters, or dry salted herring.
200	Eric Albert Gissberg	do	do	250 barrels and 75 tons bloaters, or dry salted herring.
201	W. E. Ludy	Port Chatham Bay	1 herring trap	150 barrels and 10 tons bloaters, or dry salted herring.

BRISTOL BAY DISTRICT

W1	William Sullivan[1]	Kvichak	Gill net, 200 fathoms	No limit; for sale.
W2	Eric Dohlberg[1]	do	do	Do.
W3	August Nelson[1]	Nushagak	do	Do.
W4	Andrew Nelson[1]	do	do	Do.
W5	Joseph Shaffer[1]	do	do	Do.
W6	Peter Knudsen[1]	do	do	Do.
W7	John Nichelson[1]	Clark Point	do	Do.
W8	Chris Peterson[1]	Snag Point	do	Do.
W9	Peter Krause[1]	do	do	Do.
W10	F. Garne	Ugashik	do	Do.
W11	Galba Meluk[1]	Egegik	do	Do.
W12	A. Meluk[1]	do	do	Do.
W13	Alek Strom	do	do	Do.
W14	Fuma Afognak	do	do	Do.
W15	Matteo Nauskin	do	do	Do.
W16	Charley Strom	do	do	Do.
W17	Dan Amaguk	do	do	Do.
W18	Demmion Begeroff	do	do	Do.
W19	Constantine Mekan	do	do	Do.
W20	Luke Mekan	do	do	Do.
W21	George Amelek	do	do	Do.
W22	Evan Takudak	do	do	Do.
W23	Custro Takudak	do	do	Do.
W24	Ablama Takudak	do	do	Do.
W25	Tamelak Meluk	do	do	Do.
W26	Fedore Upugak	do	do	Do.
W27	Pete Olympic	Naknek	do	Do.
W28	Harold Backman	do	do	Do.
W29	James Roach	do	do	Do.
W30	Ed. Ahola[1]	do	do	Do.
W31	D. Andrew[1]	Nushagak	do	Do.
W32	Mike Micolie[1]	do	do	Do.
W33	E. Sarge[1]	do	do	Do.
W34	B. Sarguis	do	do	Do.
W35	Andrew Krause	do	do	Do.
W36	George Gakup	do	do	Do.
W37	K. Wassalie	do	do	Do.
W38	H. Moxie	do	do	Do.
W39	L. Bronchos	do	do	Do.
W40	Evan Hiyeuak	do	do	Do.
W43	Nicholas Christenson	Ugashik	do	Do.
W44	Andrew Arenson	Naknek	do	Do.
W45	Antone Roe	do	do	Do.
W46	John A. Johnson	do	do	Do.
W47	Mike Anderson	do	do	Do.
W48	Willis Zumgumgmik	Ugashik	do	Do.
W49	Chas. Smith	do	do	Do.
W50	Luis Smith	do	do	Do.
W51	Nick Mikuguglak	do	do	Do.
W52	Joe Mikuguglak	do	do	Do.
W53	R. Neuckiavacla	do	do	Do.
W54	J. Aleauk	do	do	Do.
W55	Charles Johnson	do	do	Do.
W56	Mike Thompson	do	do	Do.
W57	Mike Oknak	Igushik	do	Do.
W58	Petla Ivanowich	do	do	Do.
W59	—— Alexi	do	do	Do.
W60	Medicine Man	do	do	Do.
W61	Sam Sapsop	Ugashik	do	Do.
W62	Barney Sapsop	do	do	Do.
W63	John Spoon	do	do	Do.
W64	Frank Spoon	do	do	Do.
W65	John Nickelson[1]	do	do	Do.
W66	John Washa[1]	do	do	Do.
W67	Alfred Anderson[1]	do	do	Do.
W68	Chas. Dahl[1]	do	do	Do.
W69	Axel Johnson[1]	do	do	Do.
W70	Sig Heglund[1]	do	do	Do.
W71	P. Evans	Nushagak	do	Do.
W72	M. Pavlo	do	do	Do.
W73	P. Vasile	do	do	Do.
W74	Farmer Nelson	do	do	Do.

[1] Not used.

Fishery permits issued by bureau's representatives in Alaska, 1923—Continued

BRISTOL BAY DISTRICT—continued

Permit No.	Permittee	Location	Gear allotment	Catch or pack limit
W75	Evan Togiak [1]	Nushagak	Gill net, 200 fathoms	No limit; for sale.
W76	Wesley Togiak [1]	do	do	Do.
W77	Joe the Jap	do	do	Do.
W78	Oscar Kuskokwim [1]	do	do	Do.
W79	Gregorg	do	do	Do.
W80	Julius	do	do	Do.
W81	Willis Togiak [1]	do	do	Do.
W82	Evan Togiak No. 2	do	do	Do.
W83	Tyon [1]	do	do	Do.
W84	Fred Carlson	do	do	Do.
W85	E. Day [1]	do	do	Do.
W86	H. Helmerson [1]	do	do	Do.
W87	Jim Timmerman	Snag Point	do	Do.
W88	H. Johnson	Nushagak	do	Do.
W89	Malka	do	do	Do.
W90	Paplok	do	do	Do.
W91	Ole Nelson	do	do	Do.

SHUMAGIN DISTRICT

1-W	A. Ostermark	Popof Straits	One-half purse seine	2,500 salmon.
		Acheredin Bay		3,500 salmon.
		West Nagai Straits		8,250 salmon.
2-W	Harry Olsen	Popof Straits	One-half purse seine	2,500 salmon.
		Acheredin Bay		3,500 salmon.
		West Nagai Straits		8,250 salmon.
3-W	N. H. Johnson [1]	Popof Straits	One-half purse seine	10,000 salmon.
		West Nagai Straits		18,500 salmon.
4-W	S. Brandal	Paul and Jacob Islands	1 gill net	50 barrels salted red salmon.
5-W	Sam Larsen	Popof Straits	One-half purse seine	7,500 salmon.
		West Nagai Straits		21,000 salmon.
6-W	August Lindquist	Orzenoi Bay	1 beach seine	665 barrels, all species.
7-W	Andrew Hanson	Barlof Bay	1 beach seine or gill net	2,500 salmon.
8-W	Chas. Christiansen [1]	Sandy Cove and Coal Harbor.	1 beach seine and gill net	140 barrels, all species.
9-W	A. Grosvold [1]	Sand Point and Unga Strait	do	200 barrels salted red salmon; 25,000 humpbacks for fox feed.
10-W	J. Olsen	Nagai Island	1 beach seine or gill net	10,000 humpbacks for fox feed.
11-W	A. Pedersen and T. Skulstad	Simeonof Island	1 beach seine or set net	Do.
12-W	R. Grosvold	Little Koniugi Island	1 beach seine or gill net	15,000 humpbacks for fox feed.
13-W	R. Reeve	East Nagai Straits	1 beach seine and gill net	10,000 mixed salmon for fox feed.
14-W	Chas. McCallum	do	do	Do.
16-W	Knut Knutsen [1]	Ivanof Bay	1 beach seine or gill net	7,000 all species.
20-W	Ed Johnson	Barne Cove	1 beach seine	100 barrels, all species.
21-W	H. Sharpneck, W. Hubbley, T. Foster, S. Larsen, and H. Olsen.	Sandiego, Balboa, and Ivanof Bays, and Stepovak flat.	One-half purse seine	75,000 humpbacks and chums; 5,000 red salmon.
25-W	S. Brandel		Codfish gear	No limit on codfish.

IKATAN DISTRICT

15-W	Porter and Wolf	Belkofsky Bay and Deer Island.	One-half purse seine	50,000 salmon, all species.
17-W	Peter E. Nielsen	Cold Bay	Beach seine and half purse seine	15,000 red and 50,000 other salmon.
18-W	Edward Smith	King Cove	Set gill nets	5,000 salmon of all species
19-W	Chas. Hansen and Oscar Longsmith [1]	Boiler Point to Whalebone Bay	Set gill net or beach seine	3,000 salmon, all species.
23-W	Oscar Vanner	Isanotski Strait	1 beach seine	50,000 chum salmon.
24-W	Fred Brandel		Codfish gear	No limit on codfish.

PORT MOLLER DISTRICT

22-W	M. Gunderson, Peterson and Michaelson	Nelson Lagoon	3 50-fathom gill nets	100 barrels coho salmon.

ALEUTIAN ISLANDS DISTRICT

W1	San Juan Fishing & Packing Co	Unalaska and Akutan Pass	Codfish gear	No limit of codfish.
W2	A. C. Goss	Umnak and Nicholsky Bay		175 barrels salt salmon.
	E. H. Larson	Umnak Island		100 barrels salt salmon.

[1] Not used.

Mr. FESS. Here is another. This is in reference to the character of machinery, the gear that is used, which will answer completely the insinuations that have been offered here on the floor of the Senate imputing certain motives to the Secretary of Commerce. This is headed:

"Comparison of allotments of gear and salmon pack under 1923 and 1924 permits for the Alaska Peninsula Fisheries Reservation and the Southwestern Alaska Fisheries Reservation."

I ask unanimous consent that this may be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Comparison of allotments of gear and salmon pack under 1923 and 1924 permits for the Alaska Peninsula Fisheries Reservation and the Southwestern Alaska Fisheries Reservation

Permit No.	Permittee	Location	District	Reservation	Allotment of gear		Allotment of pack	
					1923	1924	1923	1924
							Cases	*Cases*
1	Alaska Packers Association.	Kvichak [J]	Bristol Bay	Southwest Alaska	62 gill-net boats	51 gill-net boats		
2	Do	Kvichak [X]	do	do	60 gill-net boats	50 gill-net boats		
3	Do	Naknek [NN]	do	do	do	do		
4	Do	Naknek [O]	do	do	do	do		
5	Do	Naknek [M]	do	do	do	do		
6	Do	Egegik [E]	do	do	36 gill-net boats	30 gill-net boats		
7a	Do	Ugashik [U]	do	do	24 gill-net boats	20 gill-net boats		
8	Do	Nushagak [PHJ]	do	do	48 gill-net boats	28 gill-net boats		
9	Do	Nushagak [NC]	do	do	60 gill-net boats	35 gill-net boats		
10	Alaska-Portland Packers' Association.	Nushagak	do	do	54 gill-net boats	31 gill-net boats		
11	Do	Naknek	do	do	42 gill-net boats	35 gill-net boats		
12	Alaska Salmon Co	Kvichak	do	do	12 gill-net boats	10 gill-net boats		
13	Do	Wood River	do	do	36 gill-net boats	21 gill-net boats		
14a	Bristol Bay Packing Co.	Koggiung	do	do	60 gill-net boats	60 gill-net boats		
15	Carlisle Packing Co	Ships Anchorage	do	do	36 gill-net boats	30 gill-net boats		
16	Columbia River Packers' Association.	Nushagak	do	do	do	21 gill-net boats		
17a	International Packing Co.	Ugashik (floating)	do	do	18 gill-net boats	15 gill-net boats		
18	Libby, McNeill & Libby.	Ekuk	do	do	36 gill-net boats	21 gill-net boats		
19	do	Nushagak	do	do	do	do		
20a	do	Libbyville	do	do	48 gill-net boats	35 gill-net boats		
21	do	Koggiung	do	do	60 gill-net boats	50 gill-net boats		
22	do	Igushik	do	do	10 gill-net boats	6 gill-net boats		
23	Naknek Packing Co	Naknek [B]	do	do	48 gill-net boats	40 gill-net boats		
24	Northwestern Fisheries Co.	Naknek	do	do	do	do		
25	do	Nushagak	do	do	36 gill-net boats	21 gill-net boats		
26a	Red Salmon Canning Co.	Ugashik	do	do	24 gill-net boats	20 gill-net boats		
27a	Alaska Packers' Association.	Chignik	Chignik	Alaska Peninsula	3 traps	3 traps	50,000	
28a	Columbia River Packers' Association.	do	do	do	do	do	50,000	
29a	Northwestern Fisheries Co.	do	do	do	do	do	50,000	
30	Shumagin Packing Co	Squaw Harbor	Shumagin	do	4 traps	5 traps	90,000	75,000 (25,000 red).
31	P. E. Harris & Co	False Pass	Ikatan	do	4 traps, 2 purse seines.	4 traps, 2 purse seines, 1 beach seine.	70,000	69,500.
32	Pacific American Fisheries.	Ikatan	do	do	8 traps	8 traps	76,000	70,000.
33	do	King Cove	do	do	8 traps, 3 beach seines.	8 traps, 2 beach seines.	100,000	90,000.[1]
34	do	Kupreanof Harbor	Shumagin	do				
35a	Alaska Packers' Association.	Larsen Bay	Kodiak-Afognak	Southwest Alaska	Beach seines	Beach seines, 2 traps.	50 per cent of run	50 per cent of reds
36a	Northwestern Fisheries Co.	Uyak	do	do	do	Beach seines		
37	Alaska Packers' Association.	Kasilof [C]	Cook Inlet	do	10 traps	5 traps	40,000	30,000 (15,000 red).
38	Fidalgo Island Packing Co.	Port Graham	do	do	7 traps	do	40,000	Do.
39	Libby, McNeill & Libby.	Kenai	do	do	10 traps	do	40,000	Do.
40	Northwestern Fisheries Co.	do	do	do	do	do	40,000	Do.
47	North Coast Packing Co	Ninilchik	do	do	2 traps	1 trap	100 tierces, 100 barrels, and 5,000 cases.	3,000 (1,300 red)
48	Robinson Packing Corp	Zachar Bay	Kodiak-Afognak	do	6 beach seines and 10 gill-net boats.	6 beach seines and 10 gill-net boats.	20,000	20,000.
50	Arctic Packing Co	English Bay	Cook Inlet	do	1 trap, 1 beach seine, and 3 gill nets.	1 beach seine and 3 gill nets.	100 barrels and 5,000 cases.	3,000 (1,500 red), 100 barrels.
51	Libby, McNeill & Libby.	Egegik	Bristol Bay	do	36 gill-net boats	30 gill-net boats		
52	Red Salmon Canning Co.	Naknek [P]	do	do	do	do		
53	Peter M. Nelson	Squaw Creek	do	do	12 boats	10 boats		
		Copenhagen Creek	do	do	2 boats	2 boats		
		Igushik	do	do	4 boats	3 boats		
54	Belkofsky natives	King Cove (P. A. F.).	Ikatan	Alaska Peninsula		2 traps and 2 beach seines.		(1)
55	August Lindquist	Orzenoi River	Shumagin	do	1 beach seine	1 beach seine	665 barrels	800 barrels or 2,250 cases.
56	Libby, McNeill & Libby.	Lockanok	Bristol Bay	Southwest Alaska	48 gill-net boats	40 gill-net boats		
57	Pacific American Fisheries.	Port Moller	Port Moller	Alaska Peninsula	2 traps, 4 purse seine boats.	2 traps, 3 purse seine boats.		
58	Alitak Packing Co	Lazy Bay	Kodiak-Afognak	Southwest Alaska	4 traps, 6 beach seines, 4 gill nets.	3 traps, 6 beach seines, 4 gill nets.	7,500 reds; no limit others.	7,500 reds; no limit others.
59	Alaska Packers' Association.	Olga Bay	do	do	7 traps, 3 beach seines.	5 traps, 6 beach seines.	do	do
60	Kodiak Fisheries Co	Kodiak	do	do	1 trap, 19 beach seines, 7 gill nets.	2 traps, 10 beach seines.	40,000	40,000.
61	Katmai Packing Co	Uzinki	do	do	15 beach seines, 300-fathom gill net.	15 beach seines, 200-fathom gill net.	20,000	20,000
62	Kodiak Island Fishing & Packing Co.	Uganik Bay	do	do	5 beach seines	5 beach seines	20,000	15,000.
63	Everett Packing Co	Herendeen Bay	Port Moller	Alaska Peninsula	3 purse seine boats	3 purse seine boats		
64	Pacific American Fisheries.	Nelson Lagoon	do	do	3 traps	3 traps, 3 days a week.		
65	Bering Sea Salmon Packing Co.	King Salmon Creek.	Bristol Bay	Southwest Alaska	12 gill-net boats	10 gill-net boats		
66	J. A. Magill	Three Mile Creek	Cook Inlet	do	1 trap, 4 30-fathom gill nets.	1 trap, 4 30-fathom gill nets.	50 tierces, 400 barrels, 4 tons fresh, 3 tons dog feed.	

[1] Pack from fish caught under permit No. 54 not to be included in limit under permit No. 33.

Comparison of allotments of gear and salmon pack, etc.—Continued

Permit No.	Permittee	Location	District	Reservation	Allotment of gear		Allotment of pack	
					1923	1924	1923	1924
							Cases	*Cases*
69	Phoenix Packing Co.	Herendeen Bay	Port Moller	Alaska Peninsula	2 purse seine boats	2 purse seine boats		
70	Pajoman & Trout	Tiger Cape	Kodiak-Afognak	Southwest Alaska	1 beach seine, 5 set nets	1 beach seine, 5 set nets.	2,000 cases	2,000 cases.
71	Peter E. Nielsen	Cold Bay	Ikatan	Alaska Peninsula	1 seine	1 seine	15,000 red salmon, 50,000 others.	15,000 red salmon, 50,000 others.
72	Alaska Year-Round Canneries.	Seldovia	Cook Inlet	Southwest Alaska	2,000-fathom gill nets.	500-fathom gill nets.	3,500 cases	3,000 cases (1,500 red)
74	Henry J. Emard	Moose Point	do	do	2 traps, 6 gill nets	1 trap, 250-fathom king salmon gill nets, 250-fathom red salmon gill nets.	5,000 cases	Do.
75	Fidalgo Island Packing Co.	Herendeen Bay	Port Moller	Alaska Peninsula	2 purse seine boats	2 purse seine boats		
76	Kamishak Canning Co.	Kamishak Bay	Cook Inlet	Southwest Alaska	3 beach seines, 5 gill nets.	1 trap, 1 beach seine.	5,000 cases	3,000 cases (1,500 red).
78	Opheim and Sargent	Shuyak Island	Kodiak-Afognak	do			100 barrels red, 300 barrels cohos, 500 barrels pinks, herring, and cod.	50 barrels reds, 300 barrels cohos, 500 barrels pinks, herring, and cod.
79	Cook Inlet Packing Co. (1923, Seldovia Packing Co.)	Seldovia	Cook Inlet	do	2 traps, 1,000 fathoms gill net, 5 beach seines.	1 trap, 500 fathoms gill net.	5,000 cases	3,000 cases (1,500 red).
80	John Delorne	Cottonwood Creek	do	do	2 king, 2 red gill nets	2 75-fathom king, 2 75-fathom red gill nets.	200 cases	200 cases.
81	Polar Fisheries Co.	Snug Harbor	do	do	4 traps, 2 beach seines, 300 fathoms gill nets.	2 traps	15,000 cases	10,000 cases (5,000 red).
82	Anchorage Packing Co.	Anchorage	Cook Inlet	do	4 traps	1 trap	15,000 cases	7,500 cases (3,750 red).
86	International Packing Co.	Makushin Bay	Aleutian Islands	Alaska Peninsula		5 beach seines		
88	Michael P. Galvin	Our Island	Kodiak-Afognak	Southwest Alaska			5 tons fox feed	2 tons fox feed.
90	Ilinick Packing Co.	Port Heiden	Port Heiden	Alaska Peninsula	Gill nets	Gill nets	700 barrels	700 barrels.
91	Hopp & Danielson	Uganik Bay	Kodiak-Afognak	Southwest Alaska	1 beach seine	1 beach seine	500 cases, 200 barrels cohos.	200 barrels red, 200 barrels cohos, 200 barrels humpbacks.
92	Alaska Commercial Co.	Unalaska	Aleutian Islands	Alaska Peninsula				100 barrels humpbacks.
94	Harry S. Crosby & Sons	Izembeck Bay	Port Moller	do		3 traps, 1 beach seine.		5,000 cases reds, 5,000 cases others.

Mr. FESS. There is also a charge that there was a limitation that is exclusive of the rights of certain others who would like to fish. I have here the allotments under permits to date, for 1924, compared with similar allotments for 1923, giving the facts in the matter of licenses covering every one of the districts where fishing is now engaged in, which is conclusive; not opinion, but figures from the records. It should put an end to this unfortunate charge so loosely made by certain people. I ask unanimous consent that that be also printed in the RECORD.

I submit the facts touching allotments in each district of the reservations, which disclose the efforts to conserve the industry.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

(December 1, 1923; revised to January 2, 1924; February 13, 1924; February 18, 1924)

Allotments under permits to date for 1924, compared with similar allotments for 1923

SOUTHWESTERN ALASKA FISHERIES RESERVATION

BRISTOL BAY DISTRICT

In 1923 a total of 1,260 gill-net boats were permitted to the companies operating. For 1924 permits are given for 966, a net reduction of 294 boats. No pack limit for either year was placed on the plants in Bristol Bay.

COOK INLET DISTRICT

According to the report of the bureau's representative on Cook Inlet in 1923 a total of 61 traps were constructed and operated under permits. Of these 45 were company traps (8 others authorized but not operated) and 16 were independent traps under permits issued by the bureau's local representative.

In 1924 only 27 of the 45 will be allowed to operate and 20 independents, making a total of 47 for the season of 1924, a reduction of 14.

Pack allotments for 1923 totaled 223,500 cases, with no specification as to the proportion which might be red salmon. In 1924 the total of allotments will be 158,700 cases, with provision that not more than half shall be red.

KODIAK-AFOGNAK DISTRICT

In 1924 two companies at Karluk will again operate, as in 1923, taking not over 50 per cent of the run of red salmon, as indicated by the count at a weir, no specific limit being imposed on the pack.

At Alitak Bay two companies will again each have a limit of 7,500 cases of reds each, without a limit on the pack of other species. Their gear has been reduced from a total of 11 traps, 9 beach seines, and 4 gill nets in 1923 to 8 traps, 12 beach seines, and 4 gill nets in 1924.

Permits to all the other salmon canneries in the district which allowed 1 trap, 46 beach seines, and 26 gill nets in 1923 have been changed to 2 traps, 37 beach seines, and 19 gill nets for 1924. These same companies received a reduction on pack limit from 102,000 cases in 1923 to 97,000 cases in 1924.

At Chignik 6 traps are to be operated by the three companies in Chignik Bay in 1924 instead of 9 as in 1923, and not to exceed 50 per cent of the red salmon run, as determined by the count at a weir, will be permitted to be packed. No limit is imposed on other than reds.

In Nelson Lagoon the three traps operated in 1923 will be fished only three days a week. In the remainder of the Port Moller-Herendeen Bay region there is a reduction of one purse seine boat, leaving the total allotment of gear 2 traps and 10 purse seine boats. No limit is placed on the pack.

In the waters previously fished in the Ikatan and Shumagin Districts there has been a reduction of 1 trap and 1 purse seine in the gear to be operated, and of 21,500 cases. A local resident has been given a permit to can 2,250 cases in 1924 in lieu of previous permit for salting 665 barrels. Gear allotted to him is 1 beach seine, as in 1923.

Waters not previously fished in the reservation, and which are allotted in 1924, include the following: (a) Swanson's Lagoon, on northern shore of Unimak Island; (b) Izembeck Bay; (c) Makushin Bay; (d) vicinity of Belkofsky; (e) region of Kupreanof Harbor; and (f) vicinity of Chignik.

Mr. FESS. I also have here a statement of the reduction of the fishing privileges. It has been charged that the administration of the Commerce Department is in the interest of a few great companies, and against the rights of the general people in the territory. I asked for this information, "Pack of

salmon in Alaska Peninsula and Southwestern Alaska Fisheries Reservation in 1923, compared with pack in the same area in 1922."

This is to indicate whether there is any effort to conserve this industry by limiting the output. The large packers, those named a while ago by the Senator from Utah, Alaska Packers, Libby, McNeill & Libby, Northwestern Fisheries Co. and Pacific-American Fisheries, in 1922 took 1,504,874 and in 1923 they took 1,141,930, a decrease of 24 per cent. That is the decrease to the large packers, while the decrease to the small packers was from 781,215 cases to 651,571, a decrease of only 16 per cent. If the administration of the Commerce Department is in the interest of the big packers, then why should the decrease in 1923 over 1922 be 24 per cent for them, while the small packers had a decrease of only 16 per cent? That ought to be sufficient evidence of whether this is partial to the big fishermen or not.

On the subject in which the Senator from Utah was interested, as evidenced by his observations, much interest had been shown, and on November 20, 1923, Secretary Hoover made a full and fairly complete statement, as I take it, in a letter to the Senator from Utah. I have a copy of the letter. It is so comprehensive, covering this subject, that I would like to have that also printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 20, 1923.

Hon. WILLIAM H. KING,
United States Senate, Washington, D. C.

MY DEAR SENATOR KING: I have felt for some time that the condition of our Alaskan fisheries was not receiving the public attention which its seriousness merits. It has been and is a source of great concern to me, and I am glad to see from your letter of the 7th that you are giving thought to it. I am in complete agreement with the view of your correspondent that the industry is in danger of destruction and that many of the streams have been or are being depleted. In reality we are facing an emergency, and the future of these fisheries will depend very largely upon action taken in the immediate future. It is not, however, correct to say that this condition arises from any "destructive policies of the Government." Indeed, the truth lies in the opposite direction. The streams and bays are being overfished and the supply of young salmon destroyed not because of the existence of a Government policy, but because of the lack of it.

There has been no congressional action on this subject since 1906. The law then passed empowered the Secretary of Commerce to prohibit or regulate fishing in the rivers of Alaska and within 500 yards of their mouths. No other authority was given. Whatever may have been the situation then, that law wholly fails to meet present conditions.

The department has exercised its powers within the area allowed by this act, but great fishing operations are now carried on in open waters far beyond the very limited area within which the statute permits control.

Because of the extreme seriousness of the situation and to furnish some protection pending congressional action, President Harding in 1922 created two fisheries reservations in Alaskan waters, the Alaska Peninsula and the Southwestern Alaska. His thought was that regulations prescribed for these reservations would accomplish a measure of conservation and would also provide a record of practical experience in this wholly new regulatory field in the light of which Congress could legislate with knowledge of its actual workings. These two reservations have been administered by the Department of Commerce, and I think I may say that they have accomplished conservation to a large extent. There has resulted in the streams within their limits a proper escapement of salmon to allow sufficient propagation; and while this has necessarily meant a curtailment of fishing operations and a decrease in the number of fish taken, it has been accomplished with as little harm as possible to the industry and with a minimum of complaint.

But compared with entire Alaskan waters these reservations are small. They cover only about 40 per cent of the fishing grounds, and only about 35 per cent of the total salmon pack was made within their boundaries in 1923. In all other Alaskan waters, excepting in the rivers and the areas at their mouths regulated under the 1906 law, fishing proceeds unregulated and unrestricted, limited only by the total number of available fish and the facilities for their destruction. There is no law to cover them. It is no wonder that depletion has resulted and ruin is threatened.

Two rivers, the Fraser and the Copper, are specifically cited by your correspondent as having been depleted as far as commercial fishing is concerned. It is true that the Fraser River was at one time a very important red-salmon stream and that it is now almost wholly depleted. Its history affords an impressive instance of the fate that awaits the salmon fisheries when left without adequate regulation by competent authority. This river, however, lies wholly in Canadian territory. Our law is not applicable to it.

The Copper River, which seemed at one time to have an almost inexhaustible supply of salmon, is now comparatively of no commercial importance. It lies outside of the reservations. Under the act of 1906 fishing in this stream and within an area of 500 yards from the delta mouths has been wholly prohibited. It is futile to hope for any recovery of this important fishing under present conditions, inasmuch as no legal restrictions or limitations can be imposed beyond the 500-yard limit.

I note the statement that the reservation system in Alaska prevents the small fisherman from operating. In this respect your correspondent is misinformed. Permits are given them at any time before the beginning of the fishing season upon application to a local representative of the Department of Commerce. Others must make application direct to the Secretary of Commerce by October 1 of the year preceding that in which operations are proposed.

The statement that "the traps destroy all of the salmon caught, whereas only a few of them, the red fish, for example, are used," is also incorrect. All the species of salmon in Alaska are valuable and all are usable. The wanton waste of any is forbidden by law, and any violation coming to the attention of the department is vigorously prosecuted.

Your correspondent states that the reservation system permits the continuous use of traps. Existing legislation contemplates the use of traps, and specifically places limitations upon their use. Without entering into a discussion of the merits or demerits of traps from an economic standpoint, it may be stated that the reservation policy has resulted in a restriction upon them at least equal to that upon other forms of fishing gear, and perhaps even greater. Throughout the entire Bristol Bay district, in which are the largest and most important red-salmon fishing grounds in the world, the use of traps has been entirely prohibited. Beach seines and purse seines have also been eliminated from this district as a result of the reservation policy. For commercial fishing in this district drift-gill nets only are permissible, and the smallest operator can use this type of gear to as good advantage as the largest.

One of the methods suggested by your correspondent for conserving these fisheries is the removal of traps to a greater distance from the entrance to the streams or the abolishment of them altogether. The present law gives the department no authority to abolish them. It does, however, permit the department to prohibit their use in or within 500 yards of the mouth of any salmon stream, and this has been effected by department regulation since 1921 for every salmon river in Alaska.

The object to be accomplished is the conservation of the salmon. It can only be brought about by limitation or in some places prohibition. Those now guilty of excessive fishing do so generally under the assertion that the right to fish in public waters is a natural common-law right inherent in every citizen. Obviously only a legislative body can properly deal with such a subject in a final manner. Executive measures must necessarily be temporarily or merely palliative, except to the extent that the law may lay down a definite policy which the Executive may follow, carry out, and administer. It is for that reason that I am especially glad that your attention has been called to the subject. I hope you will take an active interest in constructive legislative methods for a solution of this important problem. I shall welcome your aid and suggestion. I am asking Mr. O'Malley, Commissioner of Fisheries, to hand this letter to you personally so that he may give you any further information and detail which you desire, and I would be glad to discuss the whole subject myself with you at any time.

It will also afford me much pleasure to discuss with you at any time this department's policy regarding the disposition of fur-seal skins taken at Pribilof Islands.

Yours faithfully,

HERBERT HOOVER,
Secretary of Commerce.

Mr. FESS. I regret that the charge has been made—although not here on the floor—that the Secretary had shielded some persons from punishment or prosecution by the Department of Justice. That was not mentioned in the debate to-day. However, it has been mentioned in the press. It was one of the things that attracted my attention.

I have a letter from the Attorney General, Harlan Stone, covering that particular item. I ask unanimous consent that that letter may be printed in the RECORD, together with a supplemental letter written by Mr. Frank Reavis, the assistant in the Department of Justice whose business it was to prosecute these cases. I would like to have these letters printed in the RECORD to make up the record.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., May 20, 1924.

Hon. HERBERT HOOVER,
Secretary of Commerce.

MY DEAR MR. SECRETARY: I beg to reply to your communication of the 3d instant relating to action on your part, which, it has been suggested in newspaper reports, occasioned delay on the part of this department in instituting certain contemplated actions against a number of salmon packers. I have to say that I have caused a thorough investigation to be made of this matter and I am most happy to say that any criticism of you in connection with it is without any foundation whatever.

The prosecution of these cases has been under the immediate direction of C. Frank Reavis, Esq., special assistant to the Attorney General. I inclose herewith copy of a letter from him to me dated May 19, in which he makes it clear that the sole cause of delay in prosecuting these suits has been the great difficulty in gathering the essential data and documentary evidence necessary to prove the Government's case.

I may say further that the request that the salmon packers be given an opportunity to present their case before the Government instituted action in the courts was entirely proper, and the granting of it was in accord with the practice which I have adopted since I came into the department. It is my understanding, however, that the packers did not avail of the opportunity which was given them to present their side of the case and that no delay whatever has been occasioned by the willingness of this department to grant the request.

Sincerely yours,

HARLAN STONE, *Attorney General.*

WAR TRANSACTIONS SECTION,
May 19, 1924.

The honorable the ATTORNEY GENERAL,
Washington, D. C.

MY DEAR MR. ATTORNEY GENERAL: The letter addressed to you under date of May 3 by Mr. Herbert Hoover, Secretary of Commerce, relating to any action on his part that might have caused delay in the institution of certain contemplated actions against a number of salmon packers, has been handed me for my attention.

The facts in the case, as briefly as possible, are as follows:

The War Department shortly after the signing of the armistice made a reclamation contract with a number of salmon packers for the sale of all surplus salmon in the hands of the department. It was, and still is, the opinion of this section that the contract was inspired by mistake and misrepresentation and resulted in large and unnecessary loss to the Government. I was appointed special assistant to the Attorney General to prosecute these cases through the courts. The contracts, correspondence, and supplemental agreements were scattered through every zone supply depot throughout the United States. It was necessary not only to have an accounting of all of these cases but it was essential that all data and documentary evidence necessary to prove the Government's case be collected, tabulated, and catalogued. This work presented difficulties that were almost insurmountable, and notwithstanding the most painstaking and continuous effort of the accounting division of the war transactions section, it has required approximately two years for them to prepare the Government's case. This work has been admirably done by the accounting division, and the cases will be ready to present to the courts within the next few weeks.

The delay has been occasioned solely by the facts above stated, and Mr. Secretary Hoover has not in the remotest degree been responsible for the same. The request of his letter that the salmon packers be given an opportunity to present their case before the Government instituted action had nothing to do with the delay of the Government in starting the cases.

It has been my policy ever since I took up the work in which I am now engaged to give every business institution the opportunity of a conference with me before I started any case against it. It frequently occurs that what may appear to be unrighteous conduct by a superficial examination is susceptible of a complete explanation. I have been very reluctant to charge anyone, even in a civil action, with taking advantage of the country when it was wounded and in distress, unless I was certain that my charges were correct. I have always felt that if I could not win my case in my own office I would have a very poor chance of success in a court, consequently, following this custom I, on my own motion, agreed with the salmon packers that I would confer with them as soon as the Government's case was complete; and unless such action should meet with your disapproval, I should like to keep this promise.

This action was taken in obedience to the custom which I have adopted and not because of the request of Mr. Secretary Hoover, though I should have been very glad to have complied with his request in the absence of the custom I have suggested. Any criticism of Mr. Hoover in this particular is entirely unjustified.

Sincerely yours,

C. FRANK REAVIS,
Special Assistant to the Attorney General.

Mr. FESS. Mr. President, my only interest in this matter is, to begin with, the conservation of an industry which I regard as exceedingly important. I have great sympathy with the effort of the Commerce Department to conserve the industry. It is easy to see that conservation is impossible if the elements opposing Secretary Hoover have their way. The Secretary has been unable thus far to induce legislative action. Under the law of 1906 this can not be done, because it is not far-reaching enough. He has tried to supplement the law by the only method which has now come into controversy with some criticism, namely, the reservation plan.

The Secretary is not in favor of the reservation plan as a policy, but only as an emergency to cover the interregnum until Congress acts. He stated in a letter that it was subject to criticism in that it would, in a sense, favor exclusive privileges, and be subject to the charge of monopoly. Therefore he did not like the reservation plan, and for three years he has been urging that Congress pass some additional legislation to take care of this industry thus far so rapidly depleting.

So far as I know, very little serious opposition has been displayed to the proposed legislation, and I sincerely hope, in the interest of not only the people of Alaska but of all of our people in a great source of food supply in one of the great industries of the land, that the Congress will not be derelict but will take speedy action for the conservation of the salmon fisheries.

The attack upon the Secretary I very much deplore as certainly unfounded, as is clearly shown by a mere recital of the facts.

The idea that any monopoly has been created in Alaska is nonsense. Everybody fishing there to-day was fishing before the reservations were put in. If there is a fishing trust in Alaska it was there when the Secretary of Commerce undertook to curtail the destruction of fisheries.

The first reservation, covering 20 per cent of the Alaskan fisheries, has been in operation for only two seasons.

The second reservation, covering another 20 per cent of the Alaskan fisheries, has been in operation for one season.

The reservations were based on holding the status quo until Congress could act and were the result of failure of Congress to act on application of the Secretary of Commerce. The regulations under the reservations were designed to reduce the amount of fish taken by limiting the amount of fishing gear, preventing the addition of new canneries, and limiting the season. Everybody who was fishing at the time before the reservations were put in was given a license to continue to fish on a reduced scale.

Last season 400 licenses were granted and 20 refused. Among the applicants who were refused licenses were some of the big packers as well as small ones.

At every session of Congress during this administration the Secretary of Commerce has applied for legislation.

On December 21, 1922, he addressed the chairman of the House Committee on Fisheries as follows:

> We have through Executive order during the past year made two reservations covering southwest Alaska, purely for temporary purposes. We have now before us applications from all of the commercial and public bodies of southeastern Alaska to extend these reservations over the whole of the fisheries of that territory. This method of protection works many inequities and has a tendency to establish monopolies and is only in public interest as a temporary emergency method. It becomes critical, therefore, that adequate legislation for the protection of the fisheries should be advanced.

This method of regulating the fisheries was established as an emergency measure on recommendation of the experts of the Bureau of Fisheries as the only practicable method which could be applied quickly with limited staff and resources available and until such time as there was fundamental law upon the subject. It was put in action because preparations were being made to largely increase the number of canneries, particularly by the large canning companies.

The result of these measures was to reduce the amount of fish caught in 1923 in the reserve area by about 20 per cent, whereas it increased in the nonregulated area of Alaska by over 40 per cent.

The reservations were recommended by practically every civic body in Alaska and by the Governor of Alaska.

The extension of reservations over the remaining 60 per cent of Alaska has been strongly recommended by the governor and many civic bodies of Alaska if there should be further failure in legislation.

The statement that the Secretary of Commerce has in any way favored the creation of trusts, or any individual in Alaska, is nonsense in the face of this reduction of their activities and in the face of persistent application to Congress to save the fisheries.

The extension of the reservation idea over the balance of Alaska was recommended during last summer by the governor and the civic bodies in Alaska and was also recommended by the senior Senator from Washington after spending two months in Alaska in inspection of the system.

The Secretary of Commerce, on the other hand, refused to extend the reservations because he preferred that Congress should act.

Thirty-five men of the Bureau of Fisheries reduced salmon taken by 20 per cent over a coast line of 2,400 miles.

The PRESIDING OFFICER. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time. The bill was read the third time and passed.

Mr. JONES of Washington. Mr. President, I ask permission to have printed in the RECORD a letter from the President of the United States with reference to the bill which has just been passed; also a statement showing the effect of the provision in the bill as passed by the House, which the Senate committee struck out; and also a letter from Secretary Hoover to the Attorney General, dealing with the very matter to which the Senator from Ohio [Mr. FESS] referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter and statement are as follows:

THE WHITE HOUSE,
Washington, April 30, 1924.

MY DEAR SENATOR JONES: In my message at the opening of Congress I called attention to the necessity for legislation to preserve the Alaskan fisheries from destruction. Legislation to prevent the continued exploitation of these fisheries has been urged by Secretary Hoover and the Department of Commerce for the last three years. It has been supported by exhaustive scientific inquiry, by personal investigation of Members of the House and Senate in Alaska, and the whole subject has been traversed in public hearings on frequent occasions before congressional committees. These fisheries are in extremely precarious condition. The salmon are being rapidly depleted in many sections and are in grave danger of extinction. The situation can not be met under existing law. To-day practically one-half of the fishing areas are absolutely unregulated and unprotected, open to private exploitation in its most ruthless form, for there is no law which may be applied to them. The remaining areas are covered by reservations established by President Harding two years ago and by regulations which have limited the establishment of new canneries and curtailed the operations of those already existing. It has been frequently stated by the department that these executive measures are of a purely temporary nature. They were wholly inadequate to meet the permanent necessity. They are justified by the exigency of the need to prevent the extension of further destructive operation pending action by Congress, and they have served that purpose.

H. R. 8143 offers a solution of these difficulties. It has passed the House of Representatives, been reported with an amendment by unanimous vote of your committee, and is now pending before the Senate. I am advised that this bill in its present form affords ample powers for the preservation of this great but fast-failing source of food supply for the American people. It necessarily means the curtailing of fishing operations. No conservation measure can be worth the name unless it reduces the amount of fish that may be taken and thus provides for sufficient proportion of escapement to the spawning grounds to assure the runs for future generations. Any reduction necessarily means sacrifice for those now engaged in these fisheries, but selfish considerations must always yield to the public interests. In the long run, it is in the interest of both canners and fishermen that the industry should be preserved and that it should be placed on a sound and stable basis of contribution to American food supply and that it should become the basis of a permanent livelihood to the people engaged in it.

I can not too strongly urge upon you the necessity for the prompt passage of this legislation as the fishing season for this year is rapidly approaching.

Very truly yours, CALVIN COOLIDGE.

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

Statement showing the effect of H. R. 8143 on the fishery industry of Alaska as passed by the House

The canneries not affected in the bill as passed by the House total 41, with a pack in 1923 of 1,237,469 cases.

An estimate of the total pack for 1924, assuming the passage of this bill, shows 1,392,847 in southeastern Alaska, 490,331 in central Alaska, and 1,254,080 in western Alaska.

The pack of 1923 compared with the estimate for 1924 is as follows:

District	Pack in 1923	Estimated pack in 1924	Per cent of decrease
Southeastern Alaska	3,007,119	1,392,847	54
Central Alaska	743,640	490,331	34
Western Alaska	1,284,938	1,254,258	2
Total	6,035,697	3,137,436	48

APRIL 28, 1924.

List of companies probably losing traps under the terms of H. R. 8143 (on basis of traps operated in 1923)

Port Moller:	
Pacific American Fisheries	4
Ikatan:	
Pacific American Fisheries	2
P. E. Harris & Co	1
Morzhovoi Bay:	
Pacific American Fisheries	4
Shumagin Islands:	
Shumagin Packing Co	1
Chignik:	
Alaska Packers Association	3
Northwestern Fisheries Co	3
Columbia River Packers' Association	2
Kodiak Island:	
Kadiak Fisheries Co	1
Alitak Packing Co	2
Cook Inlet:	
Fidalgo Island Packing Co	1
Northwestern Fisheries Co	2
Libby, McNeill & Libby	3
Alaska Packers Association	1
North Coast Packing Co	1
J. A. Hart	1
Henry J. Emard	1
Anchorage Packing Co	2
Joe Magill	1
Moquawkie Reservation	1
Anderson & Koch	1
Backoff & Deunidoff	1
Prince William Sound:	
Emel Packing Co	2
Moore Packing Co	1
Copper River Packing Co	3
San Juan Fishing & Packing Co	1
Southeastern Alaska:	
North of fifty-seventh parallel:	
Wilson Fisheries Co	1
Deep Sea Salmon Co	6
Pyramid Packing Co	1
Geo. T. Myers	3
Auk Bay Salmon Canning Co	1
Carlson Bros. (Inc.)	3
Alaska Pacific Fisheries	6
Columbia Salmon Co	1
Libby, McNeill & Libby	4
P. E. Harris & Co	1
Superior Fish Co	1
Hoonah Packing Co	3
Pacific American Fisheries	1
Thlinket Packing Corporation	1
Booth Fisheries Co	2
South of fifty-seventh parallel:	
Pyramid Packing Co	1
Sam Buttes	1
Southern Alaska Canning Co	8
Hoonah Packing Co	3
Booth Fisheries Co	8
Hanseth & Kildahl	1
Petersburg Packing Co	1
Alaska Packers Association	4
Grant & Darwell	1
F. S. Barnes	1
F. C. Barnes	1
Simmons & Barnes	1
Burnett Inlet Packing Co	3
Karheen Packing Co	4
Swift, Arthur, Crosby Co	5
North Pacific Trading & Packing Co	2
Sea Coast Packing Co	1
Alaska Fish Co	2
Alaska Pacific Fisheries	6
A. & P. Products Corporation	2
Beegle Packing Co	1
Kubley Payne	1
H. Bergman	2

Southeastern Alaska—Continued	
South of fifty-seventh parallel—Continued	
J. L. Smiley & Co	3
George Inlet Packing Co	2
Annette Island Packing Co	2
Starr-Collinson Packing Co	1
Fidalgo Island Packing Co	1
Sunrise Packing Co	2
Sunny Point Packing Co	2
Ketchikan Fur Farms (Inc.)	1
Alaska Consolidated Canneries	1
Gambel, Anderson & Lambert	1
Chacon Fish Co	1
Duke Island	1
Total	160

Summary of traps probably eliminated under terms of H. R. 8143 (on basis of operations in 1923)

Booth Fisheries Co. (10) and Northwestern Fisheries Co. (5)	15
Pacific American Fisheries (11) and Shumagin Islands Packing Co. (1)	12
Alaska Packers Association	8
Libby, McNeill & Libby	7
	42
All others	118
Total	160
Number of traps operated in canning industry in 1923	397
Number not affected by H. R. 8143	237

Statement showing salmon-canning companies whose operations by purse seines will be affected by the proposed law, with number of seining areas occupied in 1923 and the number which would be closed under the terms of the bill:

Companies	Areas used in 1923	Areas closed	Areas unaffected
Western Alaska: None affected.			
Central Alaska:			
Shumagin Islands—			
Shumagin Packing Co	4	2	2
Prince William Sound—			
Carlisle Packing Co	19	19	0
Emel Packing Co	12	12	0
Moore Packing Co	5	5	0
Southeastern Alaska:			
Northern District—			
Alaska Consolidated Canneries—			
Pybus	5	0	5
Tee Harbor	5	1	4
Tenakee	11	6	5
A. & P. Products Corporation, Ford Arm	24	24	0
Astoria & Puget Sound Canning Co	1	0	1
Auk Bay Salmon Canning Co	2	0	2
Carlson Bros. (Inc.)	8	7	1
Deep Sea Salmon Co	10	9	1
Haines Packing Co	2	1	1
Hidden Inlet Canning Co	27	20	7
Hoonah Packing Co	1	1	0
George T. Myers & Co	2	1	1
Northwestern Fisheries Co	27	24	3
Pyramid Packing Co	24	22	2
Superior Fisheries Co	5	0	5
Sitka Packing Co	9	9	0
Southern District—			
Alaska Sanitary Packing Co	15	15	0
Alaska Consolidated Canneries—			
Chomly	16	15	1
Quadra	14	13	1
Rose Inlet	19	19	0
Alaska Consolidated Canneries, Yes Bay	28	25	3
A. & P. Products Corporation—			
Hecata	5	5	0
Hidden Inlet	7	7	0
Union Bay	15	15	0
Alaska Fish Co	11	11	0
Annette Island Packing Co	11	11	0
F. C. Barnes Co	9	9	0
Beauclaire Packing Co	12	12	0
Burnett Inlet Packing Co	5	5	0
Chas. W. Demmert	12	12	0
Dobbins Packing Co	7	6	1
Fidalgo Island Packing Co.—			
Bay of Pillars	7	6	1
Ketchikan	3	3	0
George Inlet Packing Co	8	8	0
Hetta Packing Co	1	1	0
International Packing Co	1	1	0
Karheen Packing Co	6	5	1
Mountain Point Packing Co	13	12	1
North Pacific Trading & Packing Co	43	41	2
Northwestern Fisheries Co.—			
Shakan	7	7	0
Kasaan	20	20	0
Quadra	15	15	0
Petersburg Packing Co	18	15	3
Pure Food Fish Co	37	36	1
Sanborn Cutting Co	27	25	2
Sea Coast Packing Co	27	27	0
J. L. Smiley & Co	25	24	1
Starr Collinson Packing Co	6	6	0
Straits Packing Co	18	15	3
Sunny Point Packing Co	20	20	0
Stuart Packing Corporation	6	6	0
Ward's Cove Packing Co	16	16	0

Total number of purse-seine areas reported in 1923	348
Number closed under terms of H. R. 8143	319
Number not affected by H. R. 8143	29

MAY 5, 1924.

The honorable the ATTORNEY GENERAL,
Washington, D. C.

MY DEAR MR. ATTORNEY GENERAL: A statement has appeared in the press in the last few days on authority of some member of the Department of Justice that a war fraud case against certain Alaskan salmon packers had been held up due to intervention of the Department of Commerce. I wish to state emphatically that this is not true.

So far as this department is concerned the facts are as follows:

In the month of December, 1922, while in San Francisco, I was approached by Mr. Warren Gregory, attorney for the Alaskan Packers Association, who stated that he had heard rumors that there were some war fraud prosecutions in preparation in the Department of Justice against certain of the salmon canners. He stated that the association had no desire whatever to defend any malpractices on the part of individual canners, but that if the matter involved the association he would like to have opportunity to appear before the Department of Justice and state their side of the case, and asked if I could ascertain if they could have this privilege before he came all the way from California on the question.

On my return to Washington I communicated with the Department of Justice, under date of December 18, as follows:

> "I have received an appeal from the Salmon Packers' Association, which cooperated with the Government during the war, that in case rumors of actions against them for wickedness in their war business should come before you they should be given opportunity of a hearing before such actions are launched. It appears to me that this would only be justice, because the destruction to reputation is irretrievable once such things are put afloat.
>
> "I have no knowledge of the intrinsic merits of the matter and am in no way desirous of entering upon the functions of your office. I merely pass this suggestion along."

I received the following reply:

> "Beg to acknowledge receipt of your letter of December 18 relative to the appeal which you received from the Salmon Packers' Association. This matter is under the jurisdiction of the Hon. C. Frank Reavis, and I have requested him to get in touch with the advisory council of the war transactions section, composed of Senator Thomas, Judge Bigger, and Judge Kerr, so that a hearing may be granted to those parties and an opportunity given them to present their side of the case before any action is taken by the Government. I can assure you that the Advisory Council and Mr. Reavis will give them every consideration."

I notified Mr. Gregory of the purport of this letter and from that day I never heard of the matter again until this statement appeared in the press.

It is obvious from the lapse of time that the delay could not have been due to the simple suggestion I made—a suggestion which I am informed is consonant with the usual practice of all branches of the Government.

Yours faithfully,

HERBERT HOOVER.

REGULATION OF CHILD LABOR

Mr. FLETCHER. Mr. President, I ask that the unfinished business, House Joint Resolution 184, be laid before the Senate, as I desire to submit some comments upon it.

Mr. SMOOT. It will be understood that the District of Columbia appropriation bill is to be only temporarily laid aside?

Mr. FLETCHER. Oh, yes; I do not call up the joint resolution with the purpose of having it kept before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. FLETCHER. Mr. President, the proposed amendment to the Constitution reads as follows:

SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

Now that we are to have a 5-day week and 8 hours' work a day, what are we to do with our idle time?

With all persons under 18 years of age forbidden to work, the problem shifts—we must devise some method for occupying the time between sleep and work.

The measure of our civilization will become the use to which we put our leisure. There was a time when a man worked 10 or 12 hours a day, and you had no difficulty in finding him at night.

In the case of a healthy boy 17½ years old, restrained from work, forbidden to labor, new emphasis will be given to the refrain, "Where is my wandering boy to-night?" He can not go to school all the time he has to spare, nor a major portion of it. New proofs will be furnished of the old saying, "An idle mind is the devil's workshop."

Constantly fighting to lessen the hours of labor—in some instances warranted—encouraging the disposition to avoid and shirk labor, are harmless compared to the reflections on honest toil and the effect of the efforts put forth to brand labor as a curse. Coming generations will be taught to glorify leisure and idleness and to condemn all manual labor.

Why attempt to degrade labor?

Why bring labor into contempt?

Six days shalt thou labor and do all thy work (Ex. 20:29).
Come to Me all ye that labor (Matthew 11:28).
The laborer is worthy of his hire (Luke 10:7).
The laborer is worthy of reward (1 Timothy 5:8).

The holiness of labor is to be effaced.

The new Nation which "our fathers brought forth on this continent, conceived in liberty and dedicated to the proposition that all men are created equal," we are asked to say shall not endure.

"Freedom is the last best hope of the earth," we are now to learn is a mistaken doctrine.

The man making those announcements went to work when he was 7 years of age. His biographers tell us, "During his years in Indiana young Abraham grew strong and athletic and long before he was 20 he made a full hand at all kinds of heavy work."

It is proposed now to send out to the humble homes of Thomas and Nancy Lincolns, all over the country, and tell them how to rear and treat their children. We will have agents of the Federal Government to direct what shall be the occupation, the recreation, the environment of their girls and boys. It is proposed to set up a guardianship over the children of these "plain folks," who have furnished the country Presidents, Congressmen, governors, judges, ministers, teachers, and leaders in industry. We will even intervene between parent and child, and advise the child to disobey the parent and flout the domestic authority. It will discredit the judgment of the parent with the child, displace the parent as guide and adviser. It would destroy the respect and lessen the affection which should obtain in the family relation.

There is strong evidence that the only progress the world has made for over 3,000 years has been along social lines. We may include the uses of steam and electricity. It is proposed now to set that back to the beginning.

A large number of new jobs will be created. That feature impresses a good many people. It will cost a large amount of money to enforce the laws Congress will enact. Who will pay the expenses?

The philanthropic, benevolent, kind-hearted, self-appointed friends of the "persons" under 18 years of age will contribute little revenue along with much advice and insistence for more power, extension of the work, and unlimited control.

Mr. Average Individual pays $103.84 taxes a year. He would like to feel this is not to be used to interfere with his family relations, his household affairs, and to oppress him. He has supposed that when any regulating was required it was an affair of his State. He recalls that section 4 of Article IV of the Constitution of the United States provides that "The United States shall guarantee to every State in this Union a Republican form of Government," and so forth. He wonders why it is proposed now to bore into the Constitution, disregard this mandate in the fundamental law, and instead give the States dictatorial government directed from Washington.

Are we to permit surface-minded sentimentalists, unthinking enthusiasts, to change the government from one by the people to one by self-appointed dictators?

The second section amounts to nothing. All State laws must give way before the laws of Congress. Nothing is reserved by this section that is embraced by the first section. Congress becomes the supreme lawmaking power in dealing with the subject. The States might as well abandon every attempt to handle it. They are to be silenced. Their laws are to be suspended. Congress will now legislate and be obeyed. This section merely repeats what was laid down in Fletcher *v.* Peck in 1810.

Not only is the power granted, in the first section, to Congress but along with it goes the power to make the grant effective. This may mean that the power to prohibit the labor of persons under 18 years of age and to prescribe the conditions of such labor will include the power to prescribe how persons under 18 shall be occupied, how and to what extent they shall be educated, and what standard of conduct must be observed.

The powers granted to Congress by such an amendment to the Constitution, and necessarily implied, would involve and include, it may reasonably be held, national control of education and of the care, custody, and guardianship of all minors under 18 years of age. The Children's Bureau would have its hands full.

The idea of regulating, much less prohibiting, the labor of a person 17½ years of age is absurd. Youthful labor may be invaluable to such a person as well as to a large family of struggling people.

Such an amendment followed by legislation it implies would bring great distress to many families, throw many children into idleness, prevent them from acquiring knowledge and experience to fit them for some gainful occupation, deprive them of opportunities, and destroy their future.

Besides, it would break down the ideal government that the Constitution provided. It is proposed to graft on that precious document that which never was intended to be a part of the original law.

On the contrary, the master builders intended the States should forever reserve such powers.

The report of the committee on Senate Joint Resolution 1—reported the same as the preceding resolution—is quite fair, frank, and illuminating. It refers to the two attempts of Congress heretofore made to encroach upon the prerogatives of the States and indicating how far Congress is disposed to go.

Let us examine it. At page 14 of that report the committee said:

Inasmuch as the Congress has twice considered it necessary and wise to enact a law for the protection of the child life of our Nation, it would seem to be the mature, deliberate judgment of the people that such a law would be beneficial.

That is an assumption that the people insist upon the action taken by Congress.

We must assume that Congress considers that it has power to enact such laws, and thought it for the welfare of the Nation to accept that power.

Congress was greatly mistaken. It had no such power, as the Supreme Court of the United States subsequently declared. I think Congress was in error likewise when it assumed that the people of the country insisted upon it exercising that supposed power.

The report states:

But inasmuch as the Supreme Court of the United States, in Hammer *v.* Dagenhart (supra) and Bailey *v.* Drexel Furniture Co. (supra), decided that the Congress under the existing Constitution did not have that power, it is proposed to confer or delegate that power by way of a proposed amendment.

Frankly it is now proposed to grant the power which Congress heretofore presumed it had, and to grant it with such emphasis and such comprehensiveness as to leave no doubt or question about its grant and extent. Turning now to page 3 of the report, it recites:

The foregoing act—

Referring to the act of September 1, 1916, entitled "An act to prevent interstate commerce in the products of child labor, and for other purposes"—

based on the commerce clause of the Constitution, was held to be unconstitutional in the case of Hammer *v.* Dagenhart (247 U. S. 251),

the comment is—

It was not intended as an authority to Congress to control the States in the exercise of their police power over local trade and manufacture, always existing and expressly reserved to them by the tenth amendment.

The opinion was rendered by Mr. Justice Day, and it is interesting to note the concluding paragraph, which is as follows:

Thus the act in a twofold sense is repugnant to the Constitution. It not only transcends the authority delegated to Congress over commerce but also exerts a power as to a purely local matter to which the Federal authority does not extend. The far-reaching result of upholding the act can not be more plainly indicated than by pointing out that if Congress can thus regulate matters intrusted to local authority by prohibition of the movement of commodities in interstate

commerce, all freedom of commerce will be at an end, and the power of the States over local matters may be eliminated, and thus our system of government be practically destroyed.

That is precisely what is proposed to be accomplished by this suggested amendment to the Constitution. If the joint resolution proposing this amendment be passed by Congress by the requisite vote, and the amendment be ratified by a sufficient number of States, then we shall see what Justice Day predicted in his opinion—"our system of government will be practically destroyed." The report continues:

The act of September 1, 1916, having been declared unconstitutional, the Congress passed another child labor law based on the taxing power, approved February 24, 1919.

That act is a part of the revenue act, being "Title XII—tax on employment of child labor."

This latter act met the same fate as its predecessor—it was declared unconstitutional in the case of Bailey *v.* Drexel Furniture Co. (259 U. S. 20).

The opinion in that case was rendered by Mr. Chief Justice Taft; and in that opinion, at page 12 of this report, I quote:

It is the high duty and function of this court in cases regularly brought to its bar to decline to recognize or enforce seeming laws of Congress dealing with subjects not intrusted to Congress, but left or committed by the supreme law of the land to the control of the States.

Here were two instances when Congress, being appealed to by the same influences that are behind this joint resolution to a large extent, undertook to pass laws which were in contravention to the Constitution, assuming powers which were reserved to the States and which were under the control of the States. The opinion further says:

In the maintenance of local self-government on the one hand and the national power on the other our country has been able to endure and prosper for near a century and a half.

Now, the proposition is to change all that. We are not satisfied with this progress; we are not satisfied with this dual exercise of power contemplated by the framers of the Constitution. It is now suggested that the whole plan and system be changed and that we shall launch upon the idea of centralization of power.

Why abandon now that principle to which the court so strongly referred in its opinion? What is the call for it? What is the need for it? The opinion further says:

To give such magic to the word "tax" would be to break down all constitutional limitation of the powers of Congress and completely wipe out the sovereignty of the States.

If that would have been the result of the effort attempted by Congress in the exercise of its assumed power—mistaken though it was—unquestionably that would be a consequence following this broad, unlimited grant of power to Congress and the legislation which would follow from such grant. We would "completely wipe out the sovereignty of the States." I venture to quote just a little further from this opinion, as found on page 14 of the report. Referring to a previous opinion, it is stated:

The court there made manifest its view that the provisions of the so-called taxing act must be naturally and reasonably adapted to the collection of the tax, and not solely to the achievement of some other purpose plainly within State power.

To meet these decisions, sound in every respect, upholding our institutions, sustaining our form of government as the founders planned and purposed, it is proposed to break down the proper relation between the States and the Federal Government, make a vital departure from the true American system, and adopt the bureaucratic system. It is proposed now to give Congress authority over every detail of the citizen's personal life and habits; it is proposed to discontinue the State as an entity in our national system. Is this extravagant? Let me read further from the report of the committee on Senate Joint Resolution No. 1, at page 15, where the committee very frankly says:

Still further, it will not be questioned but that that power should be given to control, regulate, or even to prohibit the use of such labor in all cases where the character of the labor is dangerous in itself or may become dangerous through the inexperience or heedlessness of childhood, where in itself or in its surroundings it is detrimental to the physical or moral welfare of childhood, or where it is in character too onerous for the growing bodies of youth.

Who is to determine these matters? Who is to decide whether the labor engaged in or proposed to be engaged in is "dangerous in itself or may become dangerous"? Who is to determine whether the person just under 18 years of age is "inexperienced or heedless"? If such a person be prohibited from labor, he will die inexperienced and he will continue heedless. Who is to pass upon all these questions and then give orders and directions in reference to the application of and enforcement of that decision? Undoubtedly the Federal agents, who will have supervision and control and unlimited power in the premises.

Who is to determine whether the surroundings are what they should be; whether they are "detrimental to the physical or moral welfare of childhood"? Is that to be turned over absolutely to a passing Federal agent in every community of the country? Who is to determine whether the labor proposed to be engaged in is "too onerous for the growing bodies of youth"? The parents have no further right or authority; they are supposed to be incapable of settling these questions; they must refer them to some Federal agent engaged in this business and sent out by the Children's Bureau or some other governmental authority. The report further says:

Equally manifest is it that in all occupations where child labor is permitted legislative authority should have a determinative voice as to the terms, times, conditions, and environment of its use.

In other words, Congress must pass the law; that law must be obeyed, and Congress is to determine, by and through regulations which some department or bureau will prescribe, the terms, times, conditions of employment, and environment of all persons under 18 years of age throughout this country.

Think of the audacity of a proposition like that! It is absolutely inconceivable that people who know anything about the fundamental principles of this Government or any other civilized country should propose to vest in a bureau in Washington the power over the lives and destinies of the youth of the land that is suggested here.

Mr. DIAL. Mr. President——

Mr. FLETCHER. I yield to the Senator.

Mr. DIAL. I do not want to disturb the thought of the Senator, but I should like to hear the Senator on the injury to agriculture that will result from the adoption of this amendment. I have an amendment which I should like to have printed and lie on the table exempting agriculture, and I should like to hear the Senator on that point.

Mr. FLETCHER. I am perfectly willing to yield for that purpose, and I will discuss that matter a little later.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. FLETCHER. Mr. President, this same legislative authority, if vested in Congress under this proposed amendment, will determine further as to day and night work, where allowable and where not allowable, as to reasonable hours, as to dangerous machinery, as to hygienic conditions, and the like. The father of the child, the mother of the child, the civic pride and public spirit of the community—none of those matters are to be taken into consideration; but it is the Federal agent that will determine all these questions and give orders about obeying them.

Mr. SMITH. Mr. President, does the Senator understand the word "terms" there to mean wages—"terms, conditions, and environment"?

Mr. FLETCHER. I take it that would be included. If the wages were not sufficient, this agent could say: "Stop that employment entirely!" They have the right not only to limit, not only to regulate, but to prohibit the labor of any person. The amendment does not even say "child"; it says "persons under 18 years of age." There are mothers under 18 years of age. I read in the paper the other day that the fastest typist in the world is only 16 years of age.

This report undertakes to palliate matters a little by referring to section 2. It says:

The amendment is not designed to deprive the States of any of their police powers, except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

That exception includes everything. All State laws are to be suspended in obedience to every act of Congress passed to carry out section 1, so that section 2 is utterly valueless.

The report further says:

It seemed wise to adopt the word "labor" in lieu of the suggested word "employment." The former word expresses precisely the matter of the proposed amendment. It is the use of the labor rather than the matter of its employment which is of direct concern—

Concern to whom? Mainly to the national child labor committee of New York—

and to state it thus avoids all possibility of the shufflings and evasions which might follow the adoption of the latter word.

They wish to avoid the possibility of any narrow construction being placed upon any amendment that might be submitted and ratified. They wish to make the amendment, under a strict construction, so broad that it will include the whole field of employment and labor under 18 years of age.

At page 16 of the report they proceed further to say:

An age limit is declared.

There is method in that madness.

It unquestionably would have been simpler to have provided for the regulation and prohibition of the labor of children and to have stopped there.

They did not do that. They do not refer to children. In the whole amendment there is no reference to children. They refer to labor—not employment but labor, the whole field—and they refer not to children but to persons, and they fix the matter beyond any sort of doubt or question by putting the age at 18 years.

They say:

A marked difference of opinion was developed at the hearings before the subcommittee, it being argued on the one hand that after 18 years of age girls and boys had passed the period of dependency and were physically and mentally capable of fending for themselves.

In such cases they are willing to turn them loose. When they are capable of taking care of themselves, when they are on their own resources, then the Federal Government says, "You can be free, and you can look out for yourself."

They say further in this report—

while, on the other hand, it was argued that many cases and classes merited protection after the age fixed, and that as the State's police power embraced the protection of its children during the period of their nonage—

They admit that. They concede that. Everything that I claim with reference to the power of the State is admitted. The State's police power embraces the protection of its children during the period of their nonage. Why should the State give it up? Why should it relinquish its police power? Why turn over to a Federal Government or to any other agency that power which they have reserved to themselves from the very beginning of the life of this country?—

and up to the instant of their majorities it was reasonable to ask that identical police power be conferred on the National Government.

Identical police power with the State government, but superior to it, and suspending the power of the State by any legislative act on the part of Congress. The power thus vested in the National Government is to take the place of the police power of the State.

The report further says:

Your committee finally concluded to insert the 18-year limitation, because such limitation would certainly embrace the vast majority of cases calling for protection and remedial legislation, while the exceptional cases calling for legislation after that age might arise in one State and not in another and therefore might safely be left to the wisdom of each State.

How generous! How gracious! What a concession—to leave to the State the exercise of its police power over persons after they reach the age of 18 years!

They say:

In order to remove all doubt as to the power to be delegated it was thought wise to use the word "persons."

And so they have used it in this proposed amendment.

Here we have set forth the plan, the purpose, to send Federal agents into the homes, the schools, and churches of the citizens, to give orders and enforce the laws which Congress may enact and the regulations which a bureau of the Federal Government may prescribe.

The Senator from South Carolina [Mr. DIAL] made some reference to the labor of persons under 18 years of age on the farms. I have here a bulletin issued by the National Child Labor Committee, New York City, June, 1924, Volume VI, No. 6.

Mr. SMOOT. Not June, 1924?

Mr. FLETCHER. Yes; that is what it says.

Mr. SMOOT. We have not arrived there yet.

Mr. FLETCHER. No; but this is anticipating it.

They say:

The committee has always recognized that child labor can not be disassociated from the other problems relating to the welfare of children, and has given much attention to problems of education, health, and comfort.

I suppose the mothers and fathers of this country have not been attending to that business at all. This committee has assumed to do that.

But while associating in the most harmonious cooperation with other agencies we have considered that our special mission lay in the field of child employment, in efforts to study exact conditions, to report these to the public, and to cooperate wherever possible in securing remedial legislation and efficient administration.

These people certainly have some assurance. They are assuming a good deal, and they evidently assume that whatever they want done Congress will do.

In this statement they say:

The National Child Labor Committee has no intention of trying to secure any Federal action to regulate the work of children in agriculture under the direction of their own parents on their own farms.

That is to say, we are to adopt or to reject a proposed amendment to the Constitution of the United States on an expression of the intention of a committee established in New York as to the legislation that will follow.

The National Child Labor Committee has no intention of asking Congress to pass legislation which will prohibit the labor of persons under 18 years of age on the farms. What difference does that make to us when we are considering a bold proposition here, the end of which can not be misunderstood, and which gives the Congress the very power they say they have no intention of asking it to exercise?

Suppose Congress should have the assurance to go on and exercise it without the consent of this committee. It has the power to do it if this resolution is agreed to and the amendment is ratified, and I am unwilling to base my vote upon this resolution on a statement made by a voluntary association or committee as to what its purpose is in reference to the subsequent legislation which the amendment would authorize.

They say further:

The National Child Labor Committee, in advocating a Federal constitutional child labor amendment, does not understand that such amendment contemplates or would make desirable Federal legislation to prohibit the normal employment of children by parents or guardians on their own farms.

It is very unfortunate that this committee does not understand what this resolution means, but there can be no doubt in the mind of any person that this resolution is broad enough, comprehensive enough, unrestricted and unlimited enough, to give the very power to Congress which this committee says it does not understand will be authorized.

Mr. SMITH. Did they say "authorize" or "desirable"?

Mr. FLETCHER. They say they do not understand "such amendment contemplates or would make desirable" such legislation. I do not think it would make it desirable, either, and therefore I do not propose to vote to give Congress the power to do the undesirable thing.

This is another quotation from this publication:

The National Child Labor Committee seeks to protect the interests of the child.

The parents of children, it seems, have no interest in that.

And it can not remain true to its past traditions without recognition of the fact that thousands of children are now and are likely to be in the future exploited by an industrialized agriculture.

In one breath they say they do not intend to ask Congress to prohibit the labor of children upon the farms under certain conditions, their own farms, and under the supervision of their own parents, and in the next breath they say that there are conditions in this country which they propose to correct, that they recognize the fact "that thousands of children are now and are likely to be in the future exploited by an industrialized agriculture." So that they intend to go after that situation.

Mr. SMITH. They might go after our pages.

Mr. FLETCHER. They would not only regulate them; they are likely to prohibit their employment.

The wealthy, who have few children—the well to do—may be able to carry out the directions of the Federal agents respecting the disposition of their children; but I shudder to think

what unhappy conditions may be imposed upon the plain people of limited circumstances—the "average man."

Prof. William G. Sumner, in 1883, said in his "The forgotten man":

> The forgotten man is delving away in patient industry, supporting his family, paying his taxes, casting his vote, supporting the church and school, reading his newspaper, and cheering for the politician of his admiration, but he is the only one for whom there is no provision in the great scramble and the big divide.

All he asks is to be allowed to pursue his orderly way unmolested. He gives no trouble. He excites no admiration. He is the plain, commonplace man. He is not a hero—not notorious, not an object of sentiment, not a burden, not an object out of which social capital may be made, not an object of charitable aid and protection, not the object of a job. All the burdens fall on him or her, for it is time to remember that the "forgotten man" is not seldom a woman.

They are the very life and substance of society.

He contended then that we have been striving for the last 500 years to bring it about that each man and woman might live out his or her life according to his or her own notion of happiness and up to the measure of his or her own virtue and wisdom.

That civil liberty is the status of man, who is guaranteed by law and civil institutions the exclusive employment of all his own powers for his own welfare. Vice is its own curse. If we let nature alone she cures vice by the most frightful penalties. Jobbery is the great evil and abuse.

He tells us "there are 100,000 Federal officeholders; public office is treated as spoils, benefices, and sinecures, as jobs, and a part of pillage." I venture to suggest the situation has not improved, but at least the number of officeholders has greatly increased. There are now some 600,000 Federal officeholders and agents supposed to be at work. Now it is proposed to add more and reach out further for "stratagem and spoils."

We have prided ourselves on the establishment on this continent of a representative democracy—by which we mean equality of opportunity and a share in control. The proponents of this resolution propose to change the program. They will not remedy any of the conditions yet needing correction but increase all the evils which may be complained of and add others of a revolutionary, destructive sort.

They would turn toward the ideals of Lenin. They would destroy all initiative, break down self-reliance, substitute governmental judgment for that of the individual, let the Government fix prices and wages, impair the homely virtues that fashion the structure of any permanent State, and short-circuit the individual dynamos that provide the only power for economic progress and national development. No one favoring this resolution should criticize Soviet Russia.

This, threatened or partially accomplished, warns us—

> But it hath not yet been shown what we shall be.

When this was written 900 of every 1,000 men were slaves.

Do we want to go back to that situation? We must realize that when Congress absorbs the police power of the States it is difficult to conceive what is left to the States.

For 135 years we have been taught and have believed that the Federal Government is one of enumerated powers. This principle has been universally admitted.

Very early in our career the Supreme Court declared—

> The power of the States to regulate their purely internal affairs by such laws as seem wise to the local authority is inherent and has not been surrendered to the General Government. (11 Pet. 102, 139; 16 Wall, 36, 63.)

In the presence of this proposal we are made to wonder if we have been in error all these years regarding the character of our Government or if the time has come to change our course and reverse fundamental principles.

In the light of the glorious history of this Republic; its marvelous growth from a struggling 3,000,000 on the Atlantic seaboard to more than 100,000,000 from ocean to ocean, from Lakes to Gulf, and into the islands of the seas; its position of leadership among the nations of the earth, I would, like Victor Hugo, appeal from the propaganda powers to the tombs of Washington, Madison, Jefferson, Hamilton, Marshall, and all the mighty men of the mighty past.

Turn to that oration on Voltaire in Paris, May 30, 1878, which the eloquent Victor Hugo concluded in these words:

> Let the eighteenth century come to the help of the nineteenth.
>
> The philosophers, our predecessors, are the apostles of the time; let us invoke their illustrious shades; let them, before monarchies meditate wars, proclaim the right of men to life, the right of conscience to liberty, the sovereignty of reason, the holiness of labor, the beneficence of peace, and since right issues from the thrones, let the light come from the tombs.
>
> Let the light come to-day from the tombs of men who stood for liberating humanity, who believed in a universe unrestricted by fear, who insisted upon liberty, a synonym of opportunity.

Clearly the States have the power and authority to deal with the subject of child labor in all its phases. There is no dispute as to that, and the States are dealing with it. Many, if not all States, have laws that declare no child under 16 years of age shall be employed in any occupation injurious to health or dangerous to life, limb, or the morals of such child.

Florida provides a State inspector whose duty it is to see to the enforcement of the law. I know of no complaint in that regard. I deny that there is need of Federal inspectors to supervise the work of State officers, empowered to harass and inconvenience and oppress our people by arbitrary inspections, making complaints before United States commissioners, arresting and prosecuting them before the Federal courts in the process of earning their salaries. We have too many inspectors, special agents, secret service employees, and the like now, costing the people hundreds of thousands of dollars for the privilege of being watched from the time they arise in the morning until they retire at night.

Laws have been and are being enacted by the States on this subject, as fast and as effective as the need for them is brought home to the people. Local conditions should not be ignored, and these conditions no general national legislation can adequately meet. Granted such legislation proposed would serve a high purpose, I can not believe it would be wise to pass Federal legislation or that it is the best way to handle the subject. It is a field already occupied by practically all the States, and the States and local communities are in position to deal with it directly and to correct every evil, national or individual, which it is desired to correct.

It is argued that the State laws are not enforced, but I answer, Who is given the right to pass that judgment? And if that conclusion be true, it by no means follows the Congress has power for that reason to go into a State and interpose to correct such dereliction. That would be an unwarranted, bold assumption of power by Congress.

If that amendment were adopted, then they would have it.

I can quite appreciate that in some circumstances and under some conditions the privilege of a child under 16, and even under 14, years of age to work is a blessing of the highest character. The welfare of the child, the good of society, may be subserved by the reasonable employment of such a child in useful labor. Work under proper conditions—wholesome, healthful employment, not too hard or difficult—never on earth injuriously affected the morals of the child. Idleness, with its proximate consequences, on the other hand, voluntary or forced, has always been a fruitful source of vice and evil.

The situation does not make it necessary or justify the enactment by Congress in the public interest of a measure which must inevitably lead to conflict of jurisdiction, confusion of laws, and clashing of authority. Such legislation would open the way, move far along that road which leads toward the gradual destruction of the rights of the States and the undermining of the constitutional liberty Americans have not ceased to love. The leadership of the future will be founded on commercial and industrial progress. Admit the constitutionality of such legislation and you recognize a power in Congress to shackle commerce and strangle industry. When that day comes you will realize you have thrown to the winds the leadership and the power of the United States.

I made that comment when we had legislation before us. Now the legislation that would follow the adoption of this amendment would be broader in scope and more comprehensive than any that Congress has ever attempted to enact in the past.

THE ORIGINAL DESIGN

Instead of getting away from them, it is high time we were returning to the principles declared by the fathers of the Republic.

What was the work of that convention of delegates from the States, composed of the best intellect and character of this country, who met in Philadelphia in May, 1787, and continued in session nearly four months?

Gladstone called it "the most wonderful work ever struck off at a given time by the brain and purpose of man."

Fiske called it "one of the longest reaches of constructive statesmanship ever known in the world."

It guaranteed to every State a republican form of government. It expressly recognized human slavery, though in "discreet and euphemistic phrases," so careful were the authors

to adjust the division of powers between the National Government and the States.

It created a duality form of government—a Nation composed of sovereign States, with its system of checks and balances. It embodied a great governmental principle.

All objections were met by the adoption of the 10 amendments—the Bill of Rights—containing those provisions for the protection of individual liberty and property.

The great achievement was the creation of a dual system of government and the apportionment of its powers. There was fear expressed then of loss of liberty, State and individual, through encroachment of the central power.

The purpose was to limit the National Government to "the irreducible minimum of functions absolutely needed for the national welfare." (Bryce.)

Hence, the powers granted to the Federal Government were specified and all other powers were reserved to the States respectively, or to the people. (Tenth amendment.)

Says Mr. Pierson in his Our Changing Constitution, page 22—

The State sovereignty doctrine was not a mere political dogma, but had its roots in history. It was an expression of the pride of the inhabitants of the thirteen Colonies, in their respective Commonwealths. To them it stood for patriotism and traditions.

Particularly pertinent is the admonition:

There is danger, however, that in the process of change something may be lost; that present-day impatience to obtain desired results by the shortest and most effective method may lead to the sacrifice of a principle of vital importance.

The men who framed the Constitution were well advised when they sought to preserve the integrity of the States as a barrier against the aggressions and tyranny of the majority acting through a centralized power. The words "State sovereignty" acquired an odious significance in the days of our civil struggle, but the idea for which they stand is nevertheless a precious one and represents what is probably America's most valuable contribution to the science of government.

We shall do well not to forget the words of that stanch opposer of national power and authority, Salmon P. Chase, speaking as Chief Justice of the Supreme Court in a famous case growing out of the Civil War:

> "The preservation of the States and the maintenance of their government are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government. The Constitution in all its provisions looks to an indestructible Union composed of indestructible States."

Again says Mr. Pierson:

Some profess to view the recent encroachments of Federal power as a triumph of the principles advocated by Alexander Hamilton and John Marshall over the principles of Thomas Jefferson. Such a claim does Hamilton and Marshall an injustice. While both stood for a strong National Government, neither of them contemplated any encroachment by the Government on the principle of local self-government in local matters or the police power of the States.

Marshall, in one of his most powerful and far-reaching pronouncements in support of the national supremacy, speaks of—

> "that immense mass of legislation, which embraces everything within the territory of a State not surrendered to the General Government; * * * inspection laws, quarantine laws, health laws of every description * * * are component parts of this mass."

Later in the same opinion he refers to—

> "the acknowledged power of a State to regulate its police, its domestic trade, and to govern its own citizens. * * * The power of regulating their own purely internal affairs whether of trading or police."

Hamilton devotes an entire number of the Federalist to combating the idea that the rights of the States are in danger of being invaded by the General Government. In another place he returns to the idea—

> "that there is greater probability of encroachments by the members upon the Federal head than by the Federal head upon the members."

And concludes that it is to be hoped that the people—

> "will always take care to preserve the constitutional equilibrium between the general and the State governments."

That hope has failed of realization. The "constitutional equilibrium" of which Hamilton wrote is not being preserved. Some will say that this is an ogre of progress and we are improving upon Hamilton. Others, however, think we are forgetting the wisdom of the fathers.

This author points out, also, that in the days of Marshall the Supreme Court was the bulwark of national power against the assaults of the States. To-day it is the defender of the States against the encroachments of national power. It has been the most consistent factor in our governmental scheme. May providence guard and guide the Supreme Court.

There is one branch of the Government, at least, which brings assurance of security at all times to the country and establishes a sense of repose and justifies the confidence and faith of all the people.

Said the Supreme Court in South Carolina v. United States (199 U. S. 437):

The Constitution is a written instrument. As such its meaning does not alter. That which it meant when adopted it means now.

Referring to the particular subject under consideration, Mr. Pierson says:

No well-informed person supposed for a moment that the regulation of child labor was one of the functions of the General Government as those functions were planned by the makers of the Constitution. The United States Supreme Court has declared over and over again that such matters were the province of the States; that "speaking generally, the police power is reserved to the States, and there is no grant thereof to Congress in the Constitution."

May I draw attention to the concluding chapter of this book, "Our Changing Constitution," which deals with the future in a most thoughtful way? I wish to read an extract from page 143:

What, then, of the future? Is the Constitution hopelessly out of date? Are the States to be submerged and virtually obliterated in the drift toward centralization? No thoughtful patriot can view such a possibility without the gravest misgivings. The integrity of the States was a cardinal principle of our governmental scheme. Abandon that and we are adrift from the moorings which, to the minds of statesmen of past generations, constituted the safety of the Republic.

I say it is of vital importance to every man, woman, and child in the Republic that that scheme should be saved.

There is another aspect of the matter, however; the burden of Federal bureaucracy is beginning to be felt by the average man. He is being regulated more and more in his meats and drinks, his morals, and the activities of his daily life, from Washington. If he will only stop and think, he must realize that no one central authority can supervise the daily lives of a hundred million people, scattered over half a continent, without becoming top-heavy. He must realize, too, that, even if such a centralization of power and responsibility were humanly possible, our National Government is unsuited for the task. The electorate is too numerous and heterogeneous; its interests and needs are too diverse. Shall the conduct of citizens of Mississippi be prescribed by vote of Congressmen from New York, or supervised at the expense of New York taxpayers? Will an educational system suitable for Massachusetts necessarily fit the young of Georgia? Such suggestions carry their own answer. In the very nature of things there is bound to be a reaction against centralization sooner or later. The real question is whether it will come in time to save the present constitutional scheme.

I read further from page 144:

The makers of the Constitution never intended that the people of one State should regulate, or pay for supervising, the conduct of citizens of another State. They made a division of governmental powers between Nation and States along broad and obvious lines. To the Federal Government were intrusted matters of a strictly national character—foreign relations, interstate commerce, fiscal and monetary system, post office, patents, and copyrights. Everything else was reserved to the States or the people. Here was a scheme at once explicit and elastic.

This is a very interesting chapter, but I am only troubling Senators with a few brief extracts. From page 147 I read further:

Social welfare legislation presents a very different problem. Some of the most dangerous assaults upon the Constitution to-day are being made in that field. The leaven of socialistic ideas is working. Representative government is becoming more paternalistic. Legislation dealing with conduct and social and economic conditions is being demanded by public sentiment in constantly increasing measure. Such legislation for the most part affects State police power and lies clearly outside the scope of the powers conferred by the Constitution on the National Government.

If Congress will proceed year after year to enact legislation outside the Constitution and in violation of the Constitution to control, direct, and manage the social and domestic affairs in the States, what may it be supposed Congress will do when it

shall be given the unlimited and vast authority proposed by this amendment?

Accordingly, recourse is had to Congress, and Congress looks for a way to meet the popular demand. There being no direct way, and public sentiment being insistent, Congressmen find themselves under the painful necessity of circumventing the Constitution they have sworn to uphold. The desired legislation is enacted under the guise of an act to regulate commerce or raise revenue, and the task of upholding the Constitution is passed to the Supreme Court.

Such subterfuges, far from arousing public condemnation, are praised by the unthinking as far-sighted statesmanship. It is popular nowadays to apply the term "forward looking" to people who would make the National Government an agency for social-welfare work, and to characterize as "lacking in vision" anyone who interposes a constitutional principle in the path of a social reform. Friends of progress sometimes forget that the real forward-looking man is he who can see the pitfall ahead as well as the rainbow; the man of true vision is one whose view of the stars is steadied by keeping his feet firmly on the ground.

It can not be reiterated too often that, under our political system, legislation in the nature of police regulation (except in so far as it affects commerce or foreign relations) is the province of the States, not of the National Government. This is not merely sound constitutional law; it is good sense as well. Regulations salutary for Scandinavian immigrants of the Northwest may not fit the Creoles of Louisiana. In the long run the police power will be exercised most advantageously for all concerned by local authority.

The present tendency toward centralization can not go on indefinitely. A point must be reached sooner or later when an overcentralized government becomes intolerable and breaks down of its own weight. As an eminent authority has put it: "If we did not have States, we should speedily have to create them." The States thus created, however, would not be the same. They would be mere governmental subdivisions, without the independent, the historic background, the traditions, or the sentiment of the present States. These influences, hitherto so potent in our national life, would have been lost.

* * * * * * *

Will the people see these things in time? Americans with pride in their country's past and confidence in her future dare not say no. The awakening may be slow. Currents of popular will are not readily turned. It is hard to make the people think. But if leaders and teachers do their part, American intelligence and prudence will assert themselves and the slogan of an awakened public sentiment may yet be, "Back to the Constitution!"

Mr. PHIPPS. Mr. President, will the Senator from Florida yield for a question?

The PRESIDING OFFICER. Will the Senator from Florida yield to the Senator from Colorado?

Mr. FLETCHER. I yield to the Senator.

Mr. PHIPPS. I should like to inquire of the Senator if he can give me any indication of the time he will require in order to finish his remarks? His answer will have a bearing on the action which I shall have to take with reference to the District of Columbia appropriation bill, of which I am in charge.

Mr. FLETCHER. I shall be very glad to answer the Senator. In response to his question I will say that I expect to conclude in 10 or 15 minutes.

Mr. PHIPPS. I thank the Senator.

Mr. FLETCHER. I think what I have just read is a very conservative and absolutely sound expression by a thoughtful student of political affairs and of public questions. I fully indorse every word of it. In the face of this proposed amendment to the organic law of the land I would go even further than he has gone, giving reasons why now has come a time when we should cry aloud throughout the land, "Back to the Constitution!"

At the expense of some repetition, may I refer again to our scheme of government and the Constitution? The first 10 amendments to the Constitution being a bill of rights, were brought forward by Mr. Madison June 8, 1789, and there was little opposition shown to them.

Twelve proposed amendments were submitted by the Congress on September 25, 1789, to the several States. Ten were quickly ratified and became a part of the Constitution and are to be treated as part of the original document. The eleventh amendment, proclaimed in 1798, provided that the judicial power of the United States should not extend to any suit prosecuted against one of the United States.

There matters rested until after the Civil War, when the thirteenth, fourteenth, and fifteenth amendments were ratified and proclaimed to incorporate in the fundamental law the results of that great struggle.

No change was made in the text of the Constitution after the proclamation of the fifteenth amendment in 1870 until 1913, when the sixteenth amendment, providing for the levy of income taxes, was proclaimed. Three months later the seventeenth amendment, providing for the election of Senators of the United States by direct popular vote in the several States instead of by the State legislatures, was proclaimed. In January, 1919, the eighteenth or prohibition amendment was proclaimed. In August, 1920, the nineteenth or woman suffrage amendment was proclaimed.

The nineteenth amendment, asserting the right of suffrage to be within the control of the National Government, rests upon the same basis as the fifteenth. The seventeenth amendment established no new principle of government. The eighteenth amendment introduced for the first time a drastic and uniform exercise of the police powers.

Now, it is proposed to extend that power into a new and wider field to be exercised without limitation by the Federal Government.

A number of other proposals to amend the Constitution are pending. We seem to be getting into the habit of tinkering with the Constitution. It is enough to amaze and alarm the friends of the Republic.

Doctor Butler, in his work, "Building the American Nation," page 284, well says:

A hundred years ago to contend for State rights meant to attack and to weaken the Constitution; to-day to contend for State rights means to defend and strengthen the Constitution.

The political system of the United States of America is neither an imperial state nor a parliamentary state nor a class-government state; it is a Federal Republic having a government of limited and carefully defined powers. If the proper balance be preserved between those powers which are delegated to the National Government and those powers which are retained for the State governments, the Federal principle will be protected and its usefulness will grow with time and political experience. Under centralization of authority with the bureaucratic system of control which this always brings in its train will be avoided, as will undue weakening of the central authority, which is the forerunner of disintegration and even of separation.

His prediction that we would avoid "undue centralization" is about to be shown not well founded. It is now proposed to do what he said we would avoid.

If this amendment should be adopted, ratified, and proclaimed, it should be followed with another amendment abolishing all State governments. To continue the use of the State governments after that would not be worth the cost thereof. The fears of those who opposed the ratification of the original Constitution, as expressed in the conventions to which its ratification was submitted, would be realized.

The attempt in section 2 to say that the power of the State is not impaired by the article is absurd, for this very section says that State laws shall be suspended to give effect to the enactments of Congress.

When those enactments take place, we will see in greatly increased force what Doctor Butler describes, page 282, and which already excites alarm, to wit:

The agents and officers of the National Government are in almost every community and in almost every place of business. In number they have multiplied manyfold, and consequently the cost of maintaining the National Government has advanced by leaps and bounds. Where 50 years ago the appearance of an official bearing credentials from Washington was a rare event, and occurred only in connection with the Postal Service, the customs service, or the collection of internal revenue from tobacco and alcoholic liquors, that appearance is now an everyday occurrence. It may relate either to some large public interests or to the most intimate details in the administration of a national bank, a railway, an industrial corporation, or to the food and drink and medicine of the humblest household.

The Constitution puts no time limit upon the period for which a proposal to amend it remains unacted upon.

In addition to the 19 amendments already made a part of the original Constitution four other proposals for amendment have been submitted by the Congress, but have never been acted upon by a sufficient number of States to secure their ratification. Two of these have now been before the States for nearly 135 years—since the First Congress, September 15, 1789. The third was proposed more than 113 years ago and is still pending. The fourth was submitted the day Abraham Lincoln was to be first inaugurated President.

I can not believe that this proposed amendment under discussion will be passed in this body by the requisite votes. If it should be submitted to the States, I can not conceive of a sufficient number ratifying it to make it a part of the Constitution, now or at any other time. My hope would be that it would take its place with those submitted 134 years ago and now forgotten.

Mr. President, I wish above everything else that I might adequately respond to the call of this hour. I hope in this debate some one will measure up to the commanding responsibilities which now confront us. We are to preserve American institutions or abandon them as out of date and weak. Truth, justice, honor never get old or need revision. We are to hold fast to the system of government laid in the blood and treasure of a free people, designed by the inspired vision and wisdom of the master builders, or discard that system for one which the experience of mankind has discredited.

The century-old conflict between dominion founded upon power and a confederacy founded upon law has never met but one ending wherever waged. Between an autocracy or a dictatorship and democracy the gulf is wide and can never be successfully bridged. We hoped to develop true constitutional liberty here. We aspired to be a Nation that loves liberty—where every man is set free to do his best and be his best.

The danger the early statesmen apprehended now confronts us—the centralization of power in the National Government, the destruction of local self-government, and the relinquishment of the sovereign powers of the State. Against that those far-seeing patriots set their souls, and we have had no occasion to question their wisdom. They would be distressed beyond measure if they could look upon this vital thrust at the sacred instrument of their prayerful making.

I would stay the hands that would strike that blow.

It is supreme folly and inexcusable rashness to push down the pillars of the temple.

Mr. WADSWORTH. Mr. President, I do not intend to address the Senate at this time on the so-called child-labor amendment; but, as I can not help regarding this amendment as being by far the most important proposal for the amendment of our Constitution since the fifteenth amendment was adopted, I do not think I am transgressing the proprieties of the occasion if I seek permission of the Senate to put into the CONGRESSIONAL RECORD some tables showing, first, the condition of the law in every State of the Union as to compulsory school-attendance standards affecting the employment of minors, contained in a chart published by the United States Department of Labor, Children's Bureau, and also a table showing the condition of the law in every State of the Union relating to child-labor standards.

These two sets of tables are as of January 1, 1921, the latest which I understand are available and complete. I ask unanimous consent that they be printed in the RECORD for the information of Senators who are sufficiently interested in the Constitution of the United States to inform themselves as to the state of affairs in each of the 48 States.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED of Missouri. Mr. President, I hope the Senator who presents this tabulation will have some order made so that the tabulation, when it is printed in the RECORD, will appear in such form as to preserve its effect. If some such stipulation is not made about it, it is liable to be printed without being set up in a form where it speaks for itself, as it does now.

Mr. WADSWORTH. My request is that these tables be reprinted in the RECORD just as they appear upon the sheets which I have sent to the desk.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The tables follow:

[U. S. Department of Labor, Children's Bureau]

State compulsory school-attendance standards affecting the employment of minors, January 1, 1921

This summary presents briefly the main provisions of the various State laws making attendance at day, continuation, and evening schools compulsory. The day-school laws constitute prohibitions of employment of children during the hours of required attendance at school and often in effect fix educational requirements for going to work. The provisions for attendance at continuation and, in many cases, at evening school are imposed primarily upon employed minors.

Under "exemptions" are given the conditions under any one of which a child between the specified ages may be excused from attendance. Clauses exempting from attendance at public schools children receiving "equivalent instruction" elsewhere are not classed as exemptions.

State	Day school			Continuation school			Evening school		
	Children affected		Minimum attendance required	Children affected [1]	Minimum attendance required [2]	Localities where schools must be established	Children affected	Minimum attendance required	Localities where schools must be established
	Ages	Exemptions							
I	II	III	IV	V	VI	VII	VIII	IX	X
Alabama	8 to 16	(1) 14 and completed elementary school course; (2) 14 and employed; [3] (3) exemptions (*a*), (*b*), and (*c*)	Entire session; board of education may reduce to 100 days.	No provision			No provision		
Arizona	8 to 16 [4]	(1) Completed grammar school course; (2) excused [5] for "satisfactory" reasons; (3) exemption (*a*).	Entire session	14 to 16, regularly employed	5 hours per week; 150 hours per year; between 8 a.m. and 6 p.m. [6]	School district where there shall have been issued 15 employment certificates, unless excused. [7]	do		
Arkansas	7 to 15 [8]	(1) Completed 7th grade; (2) poverty exemption; [9] (3) exemption (*a*).	Three-fourths entire session	No provision			do		
California	8 to 16	(1) Has permit to work; [10] (2) has age and schooling certificate; [11] (3) exemptions (*a*) and (*b*).	Entire session	Under 18, [12] "too old to be subject to" day-school attendance law. Exemptions: [13] (1) Personal service to be rendered to dependents; (2) exemptions (*a*), (*b*), and (*c*).	Four 60-minute hours per week, between 8 a. m. and 5 p. m., [14] during regular school term [15]	High-school district wherein there were enrolled, in the regular day classes of the high schools during the school year next preceding, 90 or more persons living within 3 miles of high school in said district; provided there are in the district 12 or more minors who would become subject to attendance according to the provisions of this act.	18 to 21, who expect to remain in district for 2 or more months, who can not "speak, read, or [sic] write" English with the proficiency required for completion of 6th grade and who are not receiving equivalent instruction in part-time classes. Exemptions: (1) Personal service to be rendered to dependents; (2) exemptions (*a*) and (*b*).	Four 60-minute hours per week (instruction shall be given for at least 36 weeks) [16]	High-school district wherein there are living within 3 miles of high school in said district 20 persons 18 to 21 who would become subject to provisions of this act (exemptions not excluded).
Colorado	8 to 16	(1) 14 and completed 8 grades; (2) poverty exemption; [9] (3) 14 and exemption is for his "best interests"; (4) exemption (*a*).	do	No provision			14 to 16, employed in any occupation, who can not read and write simple sentences. [17], [18]	Regular attendance.	No provision.
Connecticut	7 to 16	(1) 14 and employed; [3] (2) exemptions (*a*) and (*c*).	do	do			14 to 16, having employment certificate. Exemptions: (1) Excused by board of school visitors, town school committee, or board of education; (2) exemption (*f*).	8 hours per week for period of 18 weeks per calendar year.	Do.
Delaware:									
City of Wilmington. [19]	7 to 14	(1) Excused [6] because prevented from attendance or study by mental, physical, or other urgent reasons; [20] (2) exemption (*b*).	5 months, or if so voted by school district, 3 months.	do			No provision		
Outside city of Wilmington.	7 to 17	(1) 14 and completed eighth grade; (2) 14 and employed [3] (if 14 and not exempted under (1) or (2), child must attend for only 100 days); (3) in cases of "necessary or legal absence"; [21] (4) exemption (*a*).	180 days (100 days for child over 14 not exempted). (See also exemption (3).)	do			do		
District of Columbia.	8 to 14 [22]	(1) Acquired branches taught in public schools; (2) exemption (*a*).	Entire session	do			do		

Florida	7 to 16[1]	(1) Completed 8th grade; (2) poverty exemption;[9] (3) any unusual cause acceptable to attendance officer; (4) instruction by parent or guardian;[22] (5) exemptions (*a*), (*b*), (*c*), and (*x*).	Entire session of school attended.	do			do	
Georgia	8 to 14	(1) Completed 7th grade; (2) temporarily excused for "good reason";[24] (3) exemption (*x*).	6 months	do			do	
Idaho	8 to 16	(1) 15 and completed 8th grade; (2) poverty exemption,[9] if 15; (3) 15 and exemption is for his "best interests"; (4) exemption (*a*).	Entire session	do			do	
Illinois	7 to 16	(1) 14 and employed;[1] (2) completed private or parochial school and entitled to 8th grade diploma; (3) exemptions (*a*), (*d*), and (*x*).	Entire session (not less than 7 months of actual teaching).	14 to 18, regularly and lawfully employed[23] in city or district where continuation school or class has been established "for the instruction of minors of such minor age." (See Column VII.) Exemptions: (1) Minors attending private or parochial schools or receiving training at home; (2) exemption (*e*).	8 hours per week; 36[26] weeks per year between 8 a. m. and 5 p. m.[27]	City or school district, on the following dates, where there are 20 minors of the following ages not in regular attendance upon all-day schools; 14 to 16, beginning Sept. 1, 1921; 14 to 17, beginning Sept. 1, 1922; 14 to 18, beginning Sept. 1, 1923.	do	
Indiana	7 to 16	(1) 14 and employed;[1] (2) exemption (*a*).	Entire session.	14 to 16,[23] regularly employed, if board of education or township trustee requires attendance.	4 hours per week, between 8 a. m. and 5 p. m., during public-school term (board of education or township trustee is authorized, not compelled, to require this attendance).	No provision	do	
Iowa	7 to 16[1]	(1) 14 and completed eighth grade; (2) 14 and employed;[1] (3) excused[1] for "sufficient reasons;" (4) exemptions (*a*), (*b*), and (*d*).	24 weeks. (In cities of first or second class entire year may be required by board of school directors.)	14 to 16, (1) holding work certificates, or (2) who have not completed eighth grade and are working in mercantile establishment employing less than 9 persons, or in "establishments or occupations owned or operated by their own parents," or (3) who have completed the eighth grade and are not engaged in some useful occupation.[28]	8 hours per week, between 8 a. m. and 6 p. m., during public-school term.[6]	Organized school district whenever there are 15 minors resident therein who would become subject to the act.	do	
Kansas	8 to 16	(1) Completed common-school course; (2) [child 14, literate in English, and regularly employed for support of self or dependents, is excused from all but 8 consecutive weeks]; (3) temporarily excused[29] in extreme cases of emergency or domestic necessity; (4) exemption (*a*).	Entire session of school attended. [See also exemption (2).]	No provision			do	
Kentucky:								
In cities of first, second, third, or fourth class.	7 to 16	(1) 14 and employed;[1] (2) exemption (*a*).	Entire session	14 to 16, lawfully and steadily employed on employment certificate. Exemptions: (1) Exemption (*f*).	Not less than 4 nor more than 8 hours per week, between 8 a. m. and 5 p. m. (but not Saturday afternoon or Sunday), during public-school term.	No provision	do	
In county school districts.	(30)	(1) Completed full course of instruction offered by public schools of district where he resides; (2) exemption (*a*).	do	do	do	do	do	

[For footnotes see pp. 9720 and 9721]

State compulsory school-attendance standards affecting the employment of minors, January 1, 1931—Continued.

State	Day school			Continuation school			Evening school		
	Children affected		Minimum attendance required	Children affected [1]	Minimum attendance required [2]	Localities where schools must be established	Children affected	Minimum attendance required	Localities where schools must be established
	Ages	Exemptions							
I	II	III	IV	V	VI	VII	VIII	IX	X
Louisiana:									
In parish of Orleans	8 to 16	(1) Completed elementary school course; (2) 14 and employed; [3] (3) exemptions (*a*) and (*b*).	Entire session.	No provision			No provision		
Outside parish of Orleans	7 to 14	(1) Completed elementary course; (2) poverty exemption; [4] (3) no adequate school facilities; (4) exemptions (*a*) and (*b*).	140 days, or entire session if less than 140 days.	do			do		
Maine	7 to 17	(1) 15 and literate in English; (2) has work permit (but same law fixes minimum age of 15 for work during school hours); (3) excused [5] for necessary absence; (4) exemption (*a*).	Entire session.	[Provisions of the law are not compulsory, but schools are established for benefit of persons 14 to 18 engaged in industrial occupations who have not completed elementary school course.]	[Instructions shall cover 144 hours per year. Law defines "continuation" school as such school or class as is conducted during regular working hours of person employed.]	[No provision—superintending school committee and boards of education are authorized to establish.]	do		
Maryland:									
In Baltimore City	8 to 16	(1) 14 and employed; [1] (2) excused [5] for necessary and legal absence; (3) exemption (*a*).	do	No provision			do		
Outside Baltimore City	7 to 13	(1) Excused [5] for necessary and legal absence; (2) exemption (*a*).	do	No provision			do		
	13 to 17	(1) 15 and completed elementary school course; (2) exemption (*a*).	At least 100 days, and entire session if not employed.[1]						
Massachusetts	7 to 16	(1) 14, has such ability to read, write, and spell in English as is required for completion of sixth grade, and is employed; [1] (2) exemptions (*a*) and (*x*).	Entire session.	14 to 16, engaged in regular employment or business, on employment certificates, or to whom such certificates have been issued and who are temporarily unemployed, or who are engaged in profitable employment at home, on home permit.[32]	4 hours per week for minors regularly employed not less than 6 hours per day at home or elsewhere, and 20 hours per week (provided school is in session for 20 hours) for minors who have employment certificates but who are temporarily unemployed; hours to be between 8 a. m. and 5 p. m. of working days except Saturday.[33]	City and town in which, during a calendar year ending Dec. 31, 200 minors under 16 are regularly employed,[34] by authority of employment certificates or home permits, for not less than 6 hours per day, shall establish continuation schools or courses at the beginning of the next school year.[35]	16 to 21, if illiterate [36]. Exemptions:[37] (1) Married women; (2) exemption (*a*).	Entire session (school shall be maintained for at least 40 evenings during school year).	City or town in which there are issued, from Sept. 1 to Aug. 31, certificates authorizing the employment of 20 illiterate[38] minors.
Michigan	7 to 16	(1) Completed eighth grade and employed; [3] (2) poverty exemption, [4] if 14 and completed sixth grade; (3) regularly employed as page or messenger in either branch of legislature; (4) exemptions (*a*), (*b*), and (*d*).	Entire school year (but, where school is maintained during entire year, not more than three quarters.)	Minors under 18 [39] who have ceased to attend all-day school. Exemptions: (1) Minors may be excused for same reasons and under same conditions as children under 15 may be excused from provisions of compulsory education law (see column III); (2) exemption (*e*)	8 hours per week, [26] between 8 a. m. and 5.30 p. m.[27]	School district having a population of 5,000 or more and containing 50 children subject to provisions of this act.	No provision		

Minnesota	8 to 16	(1) Completed 8th grade; (2) except in cities of first or second class, child 14 whose help is required in permitted occupations in or about his home may be excused from Apr. 1 to Nov. 1; (3) exemptions (*a*), (*b*), (*d*), and (*x*).	Entire session (but no child shall be required to attend more than 10 months). In districts where school sessions are of different lengths, attendance may be for shorter term. (See also exemption (2).)	No provision			do		
Mississippi	7 to 14 [8] (county may release itself from law).[39]	(1) Completed common-school course; (2) temporarily excused [4] in extreme cases of emergency; (3) exemption (*a*).	80 days	do			do		
Missouri	7 to 16	(1) Completed common-school course; (2) 14 and employed; [3] (3) exemption (*a*).	Entire session of school attended.	Under 16, lawfully engaged in regular employment; under 18, who have not completed elementary school course.	4 hours per week, between 8 a. m. and 5 p. m., for a period not less than regular school term.	School district wherein have been issued, and are in full force and effect, 25 employment certificates for children under 16.[7]	do		
Montana	8 to 16 [40]	(1) 14, literate in English, and regularly employed (but later law prohibits employment under 16 during school term and while public schools are in session unless child is 8th grade graduate or is over 14 and services are necessary for support of family); (2) exemptions (*c*) and (*b*).	Entire session of school attended, to be in no case less than 16 weeks.	14 to 18,[41, 42] employed. Exemptions: (1) Exemption (*c*).	4 hours per week, between 8 a. m. and 6 p. m., during regular public-school term.[6]	School district of the first class or county high school located in district of the first class, in which there shall reside or be employed, or both, 15 children 14 to 16 [43] who have entered upon employment.[7]	do		
Nebraska	7 to 16	(1) 14 and employed [3] for support of self or dependents; (2) exemptions (*a*) and (*b*).	Entire session in city or metropolitan school district; elsewhere at least 12 weeks and where term is longer, two-thirds of term, but in no case less than 12 weeks.	14 to 16 who hold employment certificates in force.	8 hours per week (instruction shall cover a period of at least 144 hours per year [6]).	School district having 15 children 14 to 16 who hold employment certificates in force.	14 to 16, employed in occupations requiring certificate who have not completed work of 8th grade.[43]	2 hours per evening; 3 evenings per week; 20 weeks per year.	No provision.
Nevada	8 to 16	(1) Completed 8th grade; (2) poverty [9] exemption; [44] (3) exemptions (*a*) and (*b*).	Entire session	14 to 18 [45] who are employed.[46] Exemptions: (1) Exemptions (*a*) and (*b*).	4 hours per week, between 8 a. m. and 6 p. m., during public-school term.[6]	School district in which there shall reside or be employed, or both, 15 children 14 to 16 who have entered upon employment.[7]	No provision		
New Hampshire	8 to 16	(1) 14 and completed elementary school course; (2) 14 and excused [5] "for such period as seems best for the interests of the child" on ground that his "welfare" will be best served by withdrawal from school; (3) exemptions (*a*) and (*x*).	Entire session; law applies to districts "in which public school is annually taught."	(46)	(46)	(46)	16 to 21, unable to read and speak English understandingly.[47] Exemptions: (1) Excused by commissioner of education or person designated by him.	Regular attendance until minimum course prescribed by State board is completed.	School district in which reside or are employed 15 persons, 16 to 21, who can not read and speak English understandingly
New Jersey	7 to 16	(1) 14 and employed; [3] (2) exemption (*a*).	Entire session.	14 to 16, regularly and lawfully employed on age and schooling certificate or temporarily unemployed.	6 hours per week; 36 weeks per year (if temporarily unemployed, 20 hours per week); between 8 a. m. and 5 p. m. on any day except Saturday or Sunday.[48]	School district in which are employed 20 children 14 to 16 to whom have been granted age and schooling certificates.[48a]	No provision		

[For footnotes see pp. 9720 and 9721]

State compulsory school-attendance standards affecting the employment of minors, January 1, 1921—Continued.

State	Day school			Continuation school			Evening school		
	Children affected		Minimum attendance required	Children affected [1]	Minimum attendance required [2]	Localities where schools must be established	Children affected	Minimum attendance required	Localities where schools must be established
	Ages	Exemptions							
I	II	III	IV	V	VI	VII	VIII	IX	X
New Mexico	6 to 16	(1) 14 and excused by issuance of employment certificate; (2) exemptions (a) and (b).	Entire session	14 to 16, to whom employment certificates have been issued.[49]	5 hours per week; 150 hours per year; between 8 a. m. and 6 p. m.[6]	School district in which have been issued 15 employment certificates to children 14 to 16.[7]	No provision		
New York	7 to 16[50]	(1) 14 and employed[3] (child under 15 who has not completed elementary school course can not obtain certificate for employment during school term); (2) exemption (a).	Entire session, which in cities or school districts having a population of 5,000 or over and employing a superintendent shall be for not less than 180 days.	Under 18, not attending day school, or who are regularly and lawfully employed, or temporarily out of employment. Exemptions: (1) Exemption (e).	Not less than 4 nor more than 8 hours per week[51] (20 if temporarily unemployed), between 8 a. m. and 5 p. m. during entire session,[36] on regular school days.	City or school district having a population of 5,000 or over, where 20 minors 14 to 18 are not in regular attendance upon instruction.[52]	16 to 21 who do not possess such ability to speak, read, and write English as is required for completion of 5th grade. Exemptions: (1) Exemption (a).	Entire session[34]	
North Carolina	8 to 14[53]	(1) [State board of education shall describe what constitutes truancy, what causes constitute legitimate excuses for temporary nonattendance due to physical or mental inability to attend, and under what circumstances teachers, principals, or superintendents may excuse pupils for nonattendance due to immediate demands of farm and home in certain seasons]; (2) temporarily excused [4] on account of sickness, distance from school, or other unavoidable cause which does not constitute truancy as defined by State board of education.	Entire session (any district without adequate buildings allowed until July 1, 1921, to make proper provisions).	No provision			No provision		
North Dakota	7 to 17	(1) Completed 8th grade; (2) poverty [9] exemption; [57] (3) exemptions (a) [57] and (b).[57]	Entire session	do			do		
Ohio	8 to 16	(1) Boy 15, who has completed 6th grade and is regularly employed; (2) exemption (a).	Entire session, in no case to be less than 28 weeks.	Boys 15 to 16, having age and schooling certificates and regularly employed. Exemptions: (1) Exemption (f).	Not to exceed 8 hours per week, between 8 a. m. and 5 p. m., during school term.	No provision	do		
Oklahoma	8 to 18	(1) 16, has completed 8th grade, and is employed;[3] (2) 16 and has completed full course of instruction provided by public schools of his district; (3) exemption (a).	Two-thirds of entire session (State constitution directs legislature to provide for compulsory school attendance "for at least 3 months").	16 to 18, employed. Exemptions: (1) Minors who have completed common-school course plus 2 years of high school.	144 hours per year.	School district where 20 minors 16 to 18 are employed.	do		
Oregon	9[58] to 16[59]	(1) 14, completed grammar grades, and employed;[3,60] (2) exemptions (a) and (b).	Entire session.	14[60] to 18, legally employed. Exemptions: (1) Exemption (j).[60] (Evening school attendance for same period accepted as substitute.)	5 hours per week, or 180 hours per year,[36] between 8 a. m. and 6 p. m.	School district in which there shall reside, or be employed, or both, 15 children 14 to 18 who have entered upon employment.	do		

	16 to 18 (continuation school law).	(1) Legally employed	do						
Pennsylvania	8 to 16	(1) 14, literate, and employed;[3] (2) excused by school board because prevented from attendance or study by physical, mental, or other "urgent" reasons;[39] (3) exemption (*b*).	Entire session, but board of school directors in any district of 4th class may reduce period to 70 per cent of school term for pupils 12 years of age or over.	14 to 16, employed with certificate. Exemptions: (1) Children employed on farms or in domestic service; (2) exemption (*b*).	Period or periods equivalent to 8 hours per week, between 8 a. m. and 5 p. m., on any day except Saturday.[61]	School district where there are 20 children eligible to attend. (Ruling of State board of education.)[62]	do		
Rhode Island	7 to 16	(1) Completed 8 grades (excluding kindergarten); (2) 14 and employed;[3] (3) excluded "by virtue of some general law or regulation;" (4) exemptions (*a*) and (*c*).	Entire session.	(63)	(61)	(63)	16 to 21, who can not speak, read, and write English in accordance with standards approved by State board of education.	200[64] hours in each year between Sept. 1 and June 1, until reasonable facility in speaking, reading, and writing English shall have been acquired.	Town[65] in which are resident 20 persons 16 to 21 who can not speak, read, and write English.
South Carolina	8 to 14	(1) Poverty exemption,[9] if 12; (2) attendance officer "may excuse any absence;" (3) exemptions (*a*), (*b*), and (*z*).	4 consecutive months or 80 days (entire session if less than 80 days); entire session upon petition of majority of qualified electors.[66]	No provision.			No provision.		
South Dakota	8 to 16	(1) Completed 8th grade; (2) exemption (*a*).	Entire session, but district boards may decrease time to 16 consecutive weeks after child has completed 6th grade.	(67)	(67)	(67)	16 to 21[68] who are unable to speak, read, and write English with the proficiency required for completion of 5th grade. Exemptions: (1) Exemptions (*a*) and (*b*).	8 hours per week for entire time class of the proper grade is in session. (Schools shall be maintained for a period of 25 weeks, or a total of 200 hours during school year.)[69]	Any school district when so directed by State superintendent of public instruction,[69] but no district shall be required to maintain a class for fewer pupils than minimum number which said superintendent shall determine.[70]
Tennessee	7 to 16[8]	(1) Completed 8th grade; (2) 14, literate, and employed,[3] (3) exemptions (*a*), (*b*), and (*c*).	Entire session.	No provision.			No provision.		
Texas	8 to 14	(1) Poverty exemption,[9] if 12 and completed 4th grade; (2) exemptions (*a*) and (*b*).	100 days or entire session if less than 100 days.	do			do		

For footnotes see pp. 9720 and 9721

State compulsory school-attendance standards affecting the employment of minors, January 1, 1921—Continued.

State	Day school			Continuation school			Evening school		
	Children affected [1]		Minimum attendance required [2]	Children affected [1]	Minimum attendance required [2]	Localities where schools must be established	Children affected	Minimum attendance required	Localities where schools must be established
	Ages	Exemptions							
	II	III	IV	V	VI	VII	VIII	IX	X
Utah	8 to 18. [See note in Column III.]	(1) Completed 8th grade and legally excused to enter employment; (2) 16 and legally excused to enter employment. [These provisions are those of the day-school law combined with the later continuation-school law, as interpreted by the State board for vocational education. The two laws are not entirely consistent, the earlier one applying to children between 8 and 16 and exempting child who has acquired branches taught in the district schools whose services are necessary for support of his parents, whose home is 2½ miles from school, or who is physically or mentally incapacitated. It limits the requirement of 30 weeks to cities of the first and second class, permitting elsewhere attendance of only 20 weeks (10 consecutive). The later law requires for children 16 to 18 and those under 16 who have completed the 8th grade the 30 weeks' attendance here specified.]	30 weeks [but see note in Column III.]	Under 18, legally employed. Exemptions: (1) Minor is taught at home the required number of hours; (2) exemptions (*a*), (*b*), and (*e*).[71]	144 hours per year. (Classes shall be in session 4 hours per week [6] between 8 a. m. and 6 p. m.)	School district in which there are 15 minors resident, or employed, or both, who would be subject to this act.[7]	Aliens 16 to 21 [alien adults up to 45 also included] who do not possess such ability to speak, read, and write English as is required for completion of 5th grade. Exemptions: (1) Exemptions (*a*) and (*b*).	4 hours per week while school of proper grade is in session, school shall be maintained for 200 hours during school year.[6]	School district directed by State board of education to establish such schools, but no district shall be required to maintain a class for fewer pupils than minimum number to be determined by State board of education.[6]
Vermont	8 to 16	(1) Completed elementary school course or rural school course and first 2 years of junior high-school course; (2) if 15 and completed rural school course, child may be excused [8] for poverty [9] or any other sufficient reason; (3) excused [8] for a definite time not to exceed 10 consecutive school days, such excuse to be granted only for emergencies or for absence from town; (4) exemption (*a*).	Entire session; if session is more than 170 days, superintendent of school may excuse any child from attending more than that period.	No provision			No provision		
Virginia	8 to 12 [72]	(1) Child is literate; (2) excused "for cause" by district school trustee; (3) exemptions (*a*) and (*b*).	16 weeks [73]	do			do		

Washington	8 to 16	(1) Attainment of "reasonable proficiency" in branches taught in first 8 grades; (2) 15 and employed;[3] (3) excused by school superintendent for "other sufficient reason"; (4) exemption (*a*).	Entire session.	14 to 18, not in attendance upon full-time day school. Exemptions: (1) Child can not in judgment of superintendent of schools or of county superintendent profitably pursue further school work; (2) child regularly and legally employed during school year ending June 30, 1919; (3) exemptions (*a*) and (*e*).	4 hours per week, between 8 a. m. and 5 p. m. on school days and between 8 a. m. and 12.30 p. m. on Saturday, during public-school term.	No compulsory provision. Board of school directors in any organized school district, upon the written request of 25 adult bona fide residents, may within 1 year from date of request establish part-time schools or classes when there are 15 minors who would be required to attend under the provisions of this act.	No provision		
	[8] to 18 (continuation school law).[74]	(1) Completed high-school course; (2) has employment [75] permit, which may be issued only to child 15, or to child 14 who either has completed 8th grade or "can not profitably pursue further regular school work," provided that family needs or personal welfare make leaving school necessary or advisable.	Entire session (implied).						
West Virginia	7 to 16[76]	(1) 14 and employed[3] (not to be excused on ground of completion of elementary school course if high school is within 2 miles of home); (2) poverty exemption[3] (to cease after aid has been given); (3) exemptions (*a*), (*b*), (*d*), and (*x*); (4) excused[5] for other causes accepted as valid.	Entire session.	Same as in Column VIII.	Same as in column IX. (Child must attend either continuation or evening school.)	No provision	14 to 16, regularly employed for 6 or more hours durin the day. Exemption: (1) Exemption (*b*).	5 hours per week for 20 weeks, or for such period as school is in session if less than 20 weeks.[77]	No provision.
Wisconsin	7 to 16	(1) Completed eighth grade; (2) 14 and employed;[3] (3) exemptions (*a*) and (*b*).[78]	Entire session in all cities of first class; 8 school months in any other city; 6 school months in any town or village.[78]	14 to 17 (excluding minors indentured as apprentices),[79] not regularly attending other recognized school. Exemptions:[80] (1) Exemptions (*a*) and (*b*).	8 hours per week in the daytime, for 8 months and such additional months or parts thereof as other public schools are in session,[81] or the equivalent as determined by the local board of industrial education.	In every town, village, or city of over 5,000 inhabitants there shall be (and elsewhere there may be) a local board of industrial education, which shall establish such school whenever 25 persons qualified to attend file a petition therefor.	Minor over 17 who can not read at sight and write legibly simple sentences in English, if employed.[82] Attendance at public vocational (continuation) school accepted as substitute.	4 hours per week.[77]	[See Column VII for provisions for the establishment of vocational (continuation) schools, which apply to the establishment of evening as well as part-time day schools.]
Wyoming	7 [83] 14[5]	(1) Excused by district board because law would "work a hardship" to child; (2) exemptions (*a*) and (*z*).	Entire session.	No provision			No provision		

[For footnotes see pp. 9720 and 9721]

Exemption (a). Physically or mentally incapacitated, except for the following variations: *Michigan, Oregon,* and *Wyoming*—physically incapacitated; *South Carolina*—physically, mentally, or morally unfit; *South Dakota*—physical or mental condition such as to render attendance unsafe, impracticable, or harmful to himself or others (day-school attendance); *Virginia*—"weak in body or mind"; *Washington*—attendance would be injurious to health (continuation-school attendance).

Exemption (b) Home (in continuation-school laws sometimes place of employment) specified distance from school; in day-school laws usually with proviso that exemption cease if free transportation is provided. The distance sometimes varies with age of child and occasionally is expressed in general terms, as "distance from school makes attendance undue hardship."

Exemption (c). Parent or person in loco parentis unable to provide books or clothing, or both, sometimes with provision that child shall be dealt with as a dependent child, and often with proviso that exemption shall cease after aid has been otherwise provided.

Exemption (d). Child is exempted under some one of the following conditions: Attending religious service or receiving religious instruction, or excused for observance of regular church ordinances, or child is between 12 and 14 years of age and is attending confirmation classes conducted for specified period.

Exemption (e). Completion of four-year high-school course, or equivalent.

Exemption (f). Completion of elementary-school course.

Exemption (g). Miscellaneous exemptions as follows: *Florida*—"Occasional nonattendance" amounting to not more than 4 days' unexcused absence in any school month, does not render parent liable to penalty; *Georgia*—temporarily excused, by principal or teacher in charge, because of bad weather, sickness, etc., or other reasonable cause; *Illinois*—temporary absence excused by principal or teacher "for cause"; *Massachusetts*—excused for necessary absence (not exceeding 7 days in 6 months); *Minnesota*—conditions of weather or travel make attendance impossible; *New Hampshire*—excused for part of session on stated days to receive instruction in music; *South Carolina*—absence due to providential cause or cause that would seriously endanger child's health does not make parent liable to penalty; *West Virginia*—(1) conditions making attendance impossible, or hazardous to life, health, or safety; or (2) death or serious illness in immediate family of pupil; *Wyoming*—child is excluded from school for legal reasons and no provision has been made for his schooling.

[1] The limitation of required attendance to places where schools or classes of the type under consideration have been established is usually expressed in the law and would necessarily be implied. This limitation is made (1) by requiring attendance only of children living, or working, or both, in the school district or other specified unit in which the school has been established, or (2) by making the requirement general in application and exempting children not within a specified distance of any such school, or (3) by requiring attendance of children only within a specified distance of such a school. Cases (2) and (3) are noted under exemption "(*b*)." The provisions under "Localities where schools must be established" should be carefully noted in connection with the columns "Children affected," as they directly affect the number of children amenable to the law.

[2] It is generally intended that the time spent at continuation school shall be deducted from the child's working time. This end is attained by various provisions. The most usual is that the time in continuation school shall be counted as part of the child's legal working hours or of the time he "can be employed" (Illinois, Massachusetts, Michigan, Missouri, Pennsylvania); in Arizona, Montana, Nevada, New Mexico, Oregon, Utah, and Washington it is specified that the hours of attendance are to be counted as part of the hours of employment fixed by "Federal or State law." In California it is provided that the daily hours of employment, except in agricultural and home-making occupations, plus required attendance, must not exceed eight. In Iowa, Nebraska, and New Jersey the weekly legal hours for children under 16 in the regulated occupations are reduced by the number of hours of required attendance. The Wisconsin law, in addition to providing that the time shall be counted as part of the legal working hours, states that where the working hours and class time coincide the reduction in hours shall be allowed at the time when the classes are held. The legal requirements as to the holding of classes during daylight hours and on working-days are given in this column.

[3] The employment exemption in some States specifically covers children employed at home; in others it is indefinitely worded, so that child working at home may or may not be included; a few States limit the exemption to children who have employment certificates and are actually at work. In Michigan, child must be regularly employed on employment certificate (not granted for work during school hours under 15), "if physically able to do so," or excused for work for which employment certificate is not required.

[4] Continuation school law passed later than law here tabulated, but apparently not superseding it, requires attendance at school of all children between 8 and 16, except those physically incapacitated and those 14 or over excused to enter regular employment.

[5] Excuses are granted by the following officials: *Arizona*—board composed of specified school officials and probation officer; *Delaware*—(Wilmington)—majority of school commissioners (excuse countersigned by county superintendent); *Iowa*—court of record or judge thereof; *Kansas*—local school board; *Maine*—local school committee, superintendent, or teacher; *Maryland*—superintendent or principal of school or his deputy; *Mississippi*—school trustees, with approval of county superintendent of education; *New Hampshire*—State superintendent of public instruction; *North Carolina*—principal, superintendent, or teacher in charge; *Vermont*—superintendent of an elementary school; *West Virginia*—county superintendent or supervisor or superintendent of schools.

[6] Law states merely that schools must give instruction for this period, but the general tenor of the law implies that child must attend for this period. In Montana this interpretation is put upon the law by State board of education.

[7] Excuse from establishing may be granted by State authority (in some States the State board of education and in others the State board for vocational education). In Montana, however, the State board of education refuses to recognize as valid any reason except that there are fewer than 15 employed children of ages amenable to the law.

[8] In the following States the age to which these provisions apply is made ambiguous by the use of the word "inclusive": *Arkansas*—"between the ages of 7 and 15, both inclusive"; *Florida*—"between the ages of 7 and 16 years, both inclusive" (another section of the law states that the compulsory school attendance period shall begin with beginning of term nearest seventh birthday, and end at close of term nearest sixteenth birthday); *Iowa*—"of the age of 7 to 16 years, inclusive" (a ruling of the attorney general, 1904, under the section of which this is an amendment, would make provision extend only to time child becomes 16); *Louisiana*—"between the ages of 7 and 14 years, both inclusive," law applying outside Parish of Orleans; *Mississippi*—"between the ages of 7 and 14 years of age, inclusive"; *Tennessee*—"between the ages of 7 and 16 years, inclusive"; *Wyoming*—"between the ages of 7 and 14 years, inclusive."

[9] "*Poverty exemption*" for the various States in which it is found is as follows: *Arkansas*—services necessary for support of widowed mother; *Colorado*—services necessary for support of self or parent (child must be given such poor relief as shall enable him to attend, but it is not to be required to attend more than three hours per day); *Florida*—services necessary for support of widowed mother or other dependent; *Idaho*—services necessary for support of self or parent; *Louisiana*—services necessary for support of widowed mother; *Michigan*—services necessary for support of parent; *Montana*—services necessary for support of family; *Nevada*—child's labor necessary for support of self or parents; *North Dakota*—services necessary for support of family; *South Carolina*—in case of widowed mother or crippled father, child whose labor is necessary for support "of any person" may be excused; *Texas*—services necessary for support of parent or guardian; *Utah*—services necessary for support of parent; *Vermont*—services needed for support of dependents; *West Virginia*—destitution of parent or person in charge of child.

[10] Not issued under 14.

[11] Not issued under 15. (If child having such certificate is unemployed for more than two weeks he must return to school while unemployed.)

[12] Law provided that compulsory school-attendance provisions were to become operative as follows: During school year 1919–20 they apply to all persons under 21 who can not "speak, read, or write" English with the proficiency required for completion of sixth grade and to all other persons subject to its provisions under 16; 1920–21, also to all persons subject to its provisions under 17; 1921–22, also to all persons subject to its provisions under 18.

[13] District high-school board may exempt any minor whose "interest would suffer" if compelled to attend; but such board may not exempt a number of minors "greater than three and in addition thereto a number which shall exceed 5 per cent of the total number of minors" subject to attendance.

[14] Classes may be on Saturday afternoon, and shall be at that time if five or more minors residing in district can not arrange with employers for attendance at any other time.

[15] Local school authorities may accept in lieu thereof not less than 144 hours of attendance, beginning with the opening of the high schools of the district and accumulated at a rate of not less than four 60-minute hours per week; or they may arrange with parent, etc., for child's full-time attendance at special class, maintained at a convenient season, wherein he may secure the 144 hours of attendance required of him.

[16] Law applies to all school districts except where seating capacity is insufficient.

[17] Applies to children only in town or city where evening school is established, but elsewhere employment certificate can not be issued to such children for work in the occupation in which minimum age is 14.

[18] Earlier law, partially nullified by later provisions for attendance at day and evening school (see provisions tabulated), requires any minor 14 to 16 who can not read and write English to attend school at least one-half day of each day, or to attend public night school or take regular private instruction from some qualified person until he obtains certificate from county superintendent that he can read at sight and write legibly simple sentences in English.

[19] The city of Wilmington has not yet (December, 1920) accepted the provisions of the State law tabulated below.

[20] "Urgent reasons" to be strictly construed.

[21] State board of education is to prescribe rules controlling "necessary absence," giving due consideration to needs of parents and welfare of children. Working at agricultural pursuits shall be considered a proper and necessary reason for absence, but no child shall be excused for cause other than illness or physical or mental incapacity so as to reduce attendance to less than 120 days.

[22] Child labor law, passed later than compulsory school attendance law, provides for the issuance of work permits to child 12 or over whose services are necessary for support of self, parents, or younger brother or sister.

[23] Upon permission from county superintendent of public instruction, such permission granted only in case of necessity, and child to be examined twice a year.

[24] Local board of education, which grants excuse, is authorized to consider need for agricultural labor in excusing child in farming districts.

[25] Including minor employed or kept at home in the service or assistance of parent, etc.

[26] Classes must be maintained during entire session of public schools in city or district. In Illinois day school law specifies that employed children under 16 must attend continuation school entire session.

[27] Sessions are to be on regular business days, but not on Saturday afternoon.

[28] The law applies to all children "between the ages specified by the school attendance laws of the State" who are regularly employed, but the present day school attendance law requires full-time attendance up to 16 unless child is 14 and employed or is physically or mentally disqualified.

[29] Nowhere does the law specify that these children must attend, but this requirement may be implied from the general tenor of the law and from the fact that the provision fixing a maximum 48-hour week for children under 16 employed in the occupations for which the minimum age is 14 specifies that where these schools are established such children must not be employed for more than 40 hours per week.

[30] Law is ambiguous as printed, a line apparently having been omitted. State department of education considers law applicable to children between the ages of 7 and 16 years, inclusive (until seventeenth birthday).

[31] This limitation is expressed in the title only, not in the body of the law.

[32] This applies only to minors issued employment certificates or home permits in city or town where school is established, but any minor under 16 who has been regularly employed in city or town other than that of his residence, who is temporarily unemployed, may be required, under conditions approved by board of education, to attend in the city or town of his residence.

[33] School to be in session same number of weeks as high schools.

[34] Minors so employed during vacation not included.

[36] This act shall take effect in any city or town upon its acceptance by the qualified voters thereof voting thereon at the annual State election in the current year. Law provides that "a city or town which refuses or neglects to raise and appropriate money for the establishment and maintenance of * * * schools or courses * * * as required by this act, to be instituted not later than September 1, 1920, shall forfeit from funds due it from the Commonwealth a sum equal to twice that estimated by the board of education as necessary properly to establish and maintain such schools or courses."

[38] Illiteracy is defined in the law applying to minors at work on educational certificates as lack of such ability to read, write, and spell in English as is required for completion of sixth grade.

[37] These exemptions are found only in the law applying to illiterates not employed on educational certificates.

[39] Act shall not apply to employed minors who have reached the age of 16 prior to September 1, 1920.

[40] By majority vote of qualified electors at an election held for the purpose, which election may be ordered only upon petition of 20 per cent of the qualified electors. [The counties of Franklin, Jefferson, Claiborne, and Wilkinson have voted to release themselves from the act (information as of December 13, 1920).]

[41] In first-class districts, according to continuation school law, children who have not completed high school must attend school up to the age of 18 unless exempted as provided in Column III.

[42] Sections imposing penalty on parent, etc., refer only to children "between and including the ages of 15 and 17."

[43] This act shall refer only to minors under 18 who are issued employment permits after September 1, 1919. (State board of education interprets provisions as applying only to children becoming 16 on or after September 1, 1919.)

[43] Attendance is required only in city or village where evening school is maintained for at least 20 weeks each year, 3 evenings each week, and 2 hours each evening, but elsewhere employment certificate can not be issued to child who has not completed work of the 8th grade. Compulsory day school attendance law provides also that enforcing officials may require attendants specified in Column IX of any child exempted from regular school attendance under exemption (1), Column III.

[44] The minimum age for employment in any business or service during school hours is 14.

[45] Section 3 of compulsory continuation school attendance law requires all children to attend school up to 18 years of age unless they are employed and excused under exemption (3) of compulsory day school attendance law (see Column III). But according to information received (February, 1921) from the State director of vocational education, the State attorney general has issued a formal opinion to the effect that this section is inoperative by reason of being foreign to the title of the act.

[46] The provisions tabulated in Columns XIII–X, inclusive, require attendance at either "special day" or evening schools; the type of school which shall be established is optional with school district.

[47] Provision does not apply to persons cutting, harvesting, or driving pulp wood and timber, nor to persons temporarily employed in any sort of construction or agricultural work.

[48] Attendance shall be in school district or county where child is employed, but for reasons satisfactory to State board of education attendance may be in school district or county where child resides.

[48a] In any county having a board of education of the county vocational school the board of education of a school district the municipalities of which have a population of 25,000 or less may request said board to establish a continuation school or schools, and said board must do so, but no such school shall be established with an enrollment of less than 20 pupils.

[49] Compulsory attendance is implied though not directly stipulated by the law.

[50] Eight to sixteen in places other than cities or school districts having a population of 5,000 or over and employing a superintendent.

[51] But the school authorities may, subject to approval of commissioner of education, permit minor to increase the number of hours per week and decrease the number of weeks.

[52] Board of education shall begin to operate such schools in September, 1920, and annually thereafter additional schools and classes shall be opened and maintained, so that by September, 1925, a sufficient number of such schools shall have been established.

[54] Minor subject to provisions of act may not be employed unless employer has weekly record of regular attendance.

[55] No specific provision, but fact that law absolutely requires attendance of such minors implies that schools must be established for them. Any employer may meet requirement of act by conducting, under supervision of local school authorities, a class in his place of employment for teaching English and civics to the foreign born, and any minor may satisfy requirements by attendance thereon.

[56] Act is not in force in any city or county having a higher compulsory attendance law than that here given.

[57] Not clear whether this exemption extends only to children between 7 and 15 years of age or to children between 7 and 17 years of age.

[58] Act creating parental schools (acts of 1917, ch. 242), by defining an habitual truant to be "a child between 7 and 16 years of age who willfully and habitually absents himself from school," apparently lowers this age from 9 to 7 years.

[59] These provisions are a combination of the compulsory school-attendance requirements of the education law, the labor law, and the rulings of the industrial welfare commission.

[60] Ruling of industrial welfare commission (Aug. 12, 1919) forbids employment of child under 16 unless he has completed common-school course, which in effect limits the continuation-school requirement to children 16 to 18 who have not completed such course.

[61] School shall be part of public-school system of district.

[62] Information as of December, 1920.

[63] The provisions tabulated in Columns VIII and IX require attendance at either evening or "special-day" schools, where established, but the compulsory establishment provisions apply only to evening schools.

[64] School shall be taught for two hours on each of at least 100 nights.

[65] School committees of two adjoining towns may establish jointly.

[66] Act shall not shorten period of school attendance in any district where a longer term is now maintained and attendance required under the local option law.

[67] Regular attendance at public day or part-time school shall be accepted in place of attendance at evening school (see Columns VIII–X, inclusive).

[68] Law applies to "all persons between the ages of 16 and 21 years, inclusive."

[69] State superintendent of public instruction (South Dakota) or State board of education (Utah) shall make regulations concerning establishment, attendance, etc., necessary to carry out provisions of act.

[70] The same provision applies to establishment of evening schools in any subject for which in the opinion of State superintendent of public instruction there is a sufficient demand among persons over 16.

[71] Evidence of each of these causes must be sufficient to satisfy superintendent of district, who shall issue certificate of exemption.

[72] An amendment to the State constitution passed at the election of 1920 gives the legislature power to provide for the compulsory education of children "of school age" instead of only, as formerly, of children 8 to 12 years of age.

[73] Two weeks' attendance at half time or night school is considered equivalent to one week's attendance at day school.

[74] In effect only in districts where part-time schools are established—see Column VII.

[75] The "employment" (which may include home occupations, home study, or private instruction) must be "legal for minors."

[76] A number of independent districts have differing but not directly conflicting requirements, but none has a lower standard than the State law.

[77] Employer shall, if necessary, release such children from work for five hours per week to attend such school.

[78] Child whose home is 2 miles from school is exempted if no free transportation, except that if between 9 and 14 and living between 2 and 3 miles from school he must attend at least 60 days per year.

[79] Indentured apprentices (minor over 16) must attend school according to agreement contained in indenture. During the first two years of apprenticeship attendance must be not less than five hours per week or the equivalent, and the total number of hours of instruction and service must not exceed 55 per week.

[80] The exemptions are found in the sections of the education law which require attendance at continuation school, but not in the sections of the labor law imposing the same requirements.

[81] When work time and class time coincide, reduction in hours shall be allowed by employer at time when classes are held.

[82] Upon presentation of physician's certificate showing that child's physical condition or the distance necessary to be traveled would render school attendance in addition to employment prejudicial to health, the State industrial commission may authorize his employment for such period as it may determine.

State child-labor standards, January 1, 1921

This summary covers the more important restrictions upon the employment of children in factories and stores, together with those fixing a minimum age for boys in mines. Where, in addition to work in factories and stores, other specific employments are included in the minimum age and hour laws for general occupations, these additional employments have been indicated by the word, "etc.," but where the law applies to all occupations or to all work during school hours, this fact is noted. Canneries are specifically named wherever mentioned in the law.

Work in agricultural pursuits, domestic service, street trades, or in connection with theatrical or other exhibitions, is not included, even though such employment may constitute an exemption to a prohibition of work in "any gainful occupation."

NOTE.—In order to ascertain all exemptions to the minimum age requirements, the footnotes on both the age and occupation columns must be consulted.

States	Factories, stores, etc.										Mines and quarries[1]	
	Minimum age[2]		Hours of labor under 16[3]				Night work prohibitions under 16[3]		Requirements for regular employment certificates under 16[4]		Minimum age for boys	Occupations[1]
	Occupations	Age	Occupations	Maximum hours: Daily	Maximum hours: Weekly	Days per week permitted	Occupations	Hours between which work is prohibited	Physicians's certificate of physical fitness	Educational requirements[5]		
Alabama	Any gainful occupation[6] at any time, or in any employment or service during school hours.	a 14	Any gainful occupation.	8	48	6	Any gainful occupation.	7 p. m. to 6 a. m.	Mandatory	Completion of fourth grade (until Sept. 1, 1921, school record showing specified school attendance in previous year will be accepted).	16	In, about, or in connection with mines, quarries, or coal breakers.
Arizona	Factories, stores, etc., at any time, or any business or service during school hours.	a 14	do	8	48		do	7 p. m. to 7 a. m.	do	Completion of fifth grade.	18 16	Underground in mines. In, about, or in connection with mines, quarries, or coal breakers.
Arkansas	Any remunerative occupation.	a 14	Any occupation	8	48	6	Any occupation	7 p. m. to 6 a. m.	[No provision.]	Completion of fourth grade.	16	In mines, quarries, or coal breakers.
California	Factories, stores, etc., or "any other place of labor."[7]	b 15	Factories, stores, etc., or "other places of labor."[7,8]	8	48	6	Factories, stores, etc., or "other places of labor."	10 p. m. to 5 a. m.[9]	Mandatory	Completion of eighth grade, or completion of seventh grade plus attendance at evening or continuation school.	16	In or about or in connection with mines, quarries, or coal breakers.
Colorado	Any "gainable" occupation in factories, stores, etc., at any time, or in any work for compensation during any part of any month when school is in session.	b 14	Any gainful occupation.[10]	8	48		Any gainful occupation.[10]	After 8 p. m.[11]	[No provision.]	No grade specified; proficiency in certain subjects required (evening school attendance accepted as substitute).	16	In any underground works or mine, or in or about the surface workings thereof.[12]
Connecticut	Factories, stores, etc., at any time, or in any occupation during school hours.	14	Factories, etc. Stores[13,14]	10	55 58	6 6	Factories, stores, etc.[14]	After 6 p. m.[15]	Mandatory	No grade specified; proficiency in certain subjects required.	16	In mines or quarries.
Delaware	Any establishment or occupation	b 14	Any establishment or occupation except fruit and vegetable canneries	10	54	6	Any establishment or occupation except fruit and vegetable canneries	7 p. m. to 6 a. m.	do	Completion of fifth grade.	15	In or about or in connection with mines, quarries, or coal breakers.
District of Columbia.	In factories, stores, etc., at any time, or in any work for compensation during school hours.[6]	b 14	Factories, stores, etc.	8	48	(16)	Factories, stores, etc.[17]	7 p. m. to 6 a. m.	Optional with issuing officer.[18]	No grade specified; proficiency in certain subjects required.		[No provision.]
Florida	Factories, etc. Stores, etc.	14 12	Factories. No provision for stores.	9	54	6	Factories. No provision for stores.	8 p. m. to 5 a. m.	do	do		[Law contains no specific provisions.[19]]
Georgia	Factories. No provision for stores.	b 14	Cotton or woolen factories.[20] No regulation for other factories (except a "sunrise to sunset" provision for persons under 21) or for stores.		a 60		Factories (applies only to children under 14). No provision for stores.	7 p. m. to 6 a. m.	[No provision].	Attendance for 12 weeks during the preceding year.		[No provision.]
Idaho	Factories, stores, etc., at any time, or in any business or service during school hours.[21]	a 14	Any gainful occupation.	9	54		Any gainful occupation.	9 p. m. to 6 a. m.	do	No grade specified; proficiency in certain subjects required.	14	In underground mines.[22]

Illinois	At any gainful occupation[29] in or in connection with factories, canneries, stores, etc., at any time, or in any work for compensation during school term.	14	....do	8		6	....do	7 p. m. to 7 a. m.	Mandatory	Completion of fifth grade.	16	In mines or quarries
Indiana	In any gainful occupation.	*14	....do	[30]8	[31]48		....do	6 p. m. to 7 a. m.	[No provision][30]	....do	14	Do.
Iowa	Factories, packing houses, stores, etc. (but no provision for stores where less than 9 persons are employed).	†14	Factories, packing houses, stores, etc. (but no provision for stores where less than 9 persons are employed).[37]	8	48		Factories, packing houses, stores, etc. (but no provision for stores where less than 9 persons are employed).[37]	....do	Mandatory	Completion of sixth grade.	16	During school term, in or about mines; 14 in mines at any time.[38]
Kansas	Factories, packing houses, canneries, etc., at any time, or in any business or service during school hours.[39]	14	Factories, canneries, packing houses, stores, etc.	8	48	6	Factories, canneries, packing houses stores, etc.	6 p. m. to 7 a. m.	[No provision][32]	Completion of elementary school course.	16	In or about mines or quarries.
Kentucky	Factories,[30] stores, etc., at any time, or any business during school term.	*14	Factories, stores, etc.[30]	8	48	6	Factories,[30] stores, etc.	6 p. m. to 7 a. m.	Mandatory	Completion of 5th grade.	16	In, about, or in connection with mines or quarries.
Louisiana	Factories, packing houses, stores, etc., or "any other occupation whatsoever."	14	Factories, packing houses, stores, etc., or "any other occupation whatsoever."[34]	10	60		Any occupation [34]	7 p. m. to 6 a. m.	[No provision]	[No provision]	14	In mines.
Maine	Any business or service for hire during school hours. 14 in manufacturing and mechanical establishments outside school hours. No minimum age for employment in stores outside school hours.	15	Factories (establishments handling perishable products exempted), etc.[33]	[34]9	54		Factories (establishments handling perishable products exempted), etc.[33]	6 p. m. to 6.30 a. m.	Optional with issuing officer.[35]	Completion of 6th grade.		No specific provision. [Minimum age in any business or service during school hours is 15.]
			Stores, etc.[35]		54		Apparently no provision for stores.					
Maryland	Factories, canning or packing establishments, stores, etc.	14	Factories (canning and packing establishments not included), stores, etc.	8	48	6	Factories (canning and packing establishments not included), stores, etc.	7 p. m. to 7 a. m.	Mandatory	Completion of 5th grade.	16	In, about, or in connection with mines, quarries, or coal breakers.
Massachusetts	Factories, stores, etc., at any time or in any work for compensation during school hours.	14	Factories, stores, etc.	8	48	6	Factories, stores, etc.	6 p. m. to 6.30 a. m.[34]	....do	Such ability to read, write, and spell in English as is required for completion of 6th grade.		No specific provision. [Minimum age in any work for compensation during school hours is 14.]
Michigan	In or in connection with factories (canneries included), stores, etc.	*15	Factories (fruit and vegetable canneries exempted), stores, etc.	10	54		Factories, etc.[36] Apparently no provision for stores.	6 p. m. to 6 a. m.	Optional with issuing officer.[35]	Completion of 6th grade.	15	In or in connection with mines.
Minnesota	In or in connection with factories, etc., at any time, or in any business or service during school term. No minimum age for employment in stores outside school term.	14	Any gainful occupation	8	48		Any gainful occupation.	7 p. m. to 7 a. m.	Mandatory	Completion of common-school course.	14	In mines.
Mississippi	Factories and canneries (but penalty clause does not specify canneries). No provision for stores.	*12 †14	Factories and canneries (but penalty clause does not specify canneries). Boys between 14 and 16 in cotton or knitting mills exempted.[37] No provision for stores.	8	48		Factories and canneries (but penalty clause does not specify canneries). Boys between 14 and 16 in cotton or knitting mills exempted. No provision for stores.	7 p. m. to 6 a. m.	[No provision]	[No provision]		[No provision.]
Missouri	Any gainful occupation.	†14	Any gainful occupation (provision does not apply to children working for their parents or guardians).	8	48		Any gainful occupation (provision does not apply to children working for their parents or guardians).	7 p. m. to 7 a. m.	Optional with issuing officer [35]	No grade specified; proficiency in certain subjects required.	16	In, about, or in connection with mines or underground works.

* Boy. † Girl.

For footnotes see pp. 9726 and 9727]

State child-labor standards, January 1, 1921—Continued

States	Factories, stores, etc.									Mines and quarries	
	Minimum age		Hours of labor under 16				Night work prohibitions under 16		Requirements for regular employment certificates under 16		Minimum age for boys	Occupations
	Occupations	Age	Occupations	Maximum hours: Daily	Maximum hours: Weekly	Days per week permitted	Occupations	Hours between which work is permitted	Physicians's certificate of physical fitness	Educational requirement		
Montana	Factories, etc., or where any machinery is operated. No regulation for employment in stores except requirement of certificate [58] for any work "during school term while the public schools are in session."	16	[Employment of child under 16 in factories, etc., is entirely prohibited. Apparently no provision for stores except maximum 8-hour day for all females (10 hours allowed in retail stores during week preceding Christmas).]				[Employment of child under 16 in factories, etc., is entirely prohibited. No provision for stores.]		[No provision [59]]	Completion of eighth grade.	16	In or about mines.
Nebraska	Factories, stores, etc., at any time, or in any business or service during school hours.	14	Factories, stores, etc. (law covers packing houses and beet fields).	8	48		Factories, stores, etc. (law covers packing houses and beet fields).	8 p. m. to 6 a. m.	Optional with issuing officer.[18]	Completion of eighth grade, or literacy in English plus attendance at evening school.		No specific provision. [Minimum age in any business or service during school hours is 14.]
Nevada	Any business or service during school hours.[60]	14	Any gainful occupation.	8	48		[No provision]		[No provision]	[No provision]	16	In, about, or in connection with mines, quarries, or coal breakers.
New Hampshire	Factories, stores, etc., at any time, or in manufacturing, mechanical, mercantile, or other employment when school is in session.	14	Manual or mechanical labor in any employment.[6,61]	10½	54		Any gainful occupation.	7 p. m. to 6.30 a. m.	Mandatory	No grade specified; proficiency in certain subjects required.[61a]	14	In, about, or in connection with quarries.
New Jersey	In factories, places where manufacture of goods of any kind is carried on, mercantile establishments,[62] etc.	a 14	Factories, etc., or mercantile establishments.[62]	8	48	6	Factories, etc., or mercantile establishments.[62]	7 p. m. to 7 a. m.	do	Completion of fifth grade.	18	Underground in mines. (Earlier law fixes minimum age of 14 in mines or quarries.)
New Mexico	[No provision]		[No provision]				[No provision]		[No provision]	[No provision]	14	In mines.
New York	Factories (canneries and canning sheds included by definition, etc.; mercantile establishments in cities or villages of 3,000 population or over; and any business or service during school term. No provision for employment in stores outside school term in places of less than 3,000	14	Factories (canneries and canning sheds included by definition), etc.; stores in cities or villages of 3,000 population or over. Apparently no provision for stores in places of less than 3,000	8	48	6	Factories (canneries and canning sheds included by definition), etc. Stores in cities or villages of 3,000 or over; apparently no provision for stores in places of less than 3,000	5 p. m. to 8 a. m. 6 p. m. to 8 a. m.	Mandatory	Completion of eighth grade if child is under 15 years of age; otherwise completion of sixth grade.	16	In or in connection with mines or quarries.
North Carolina	Factories, canneries, stores, etc.	b 14	Factories.[39] No provision for stores.	11	60		Factories,[63] canneries, stores, etc.	9 p. m. to 6 a. m.[63]	[No provision, but employment certificate is to be issued "under such conditions" as State child welfare commission may prescribe.]	No educational requirement, but employment certificate is to be issued "under such conditions" as State child welfare commission may prescribe.	16	In, about, or in connection with mines or quarries.
North Dakota	Factories, stores, etc., at any time, or any business during school hours.	14	Any gainful occupation	8	48	(64)	Any gainful occupation	7 p. m. to 7 a. m.	Optional with issuing officer.[18]	No grade specified; proficiency in certain subjects required.[61a]	16	Any service or labor in any underground workings or mine.

Ohio	do	{* 15} {† 16}	Factories, stores, etc. (girl under 16 prohibited from employment in these establishments).	8	48	6	Factories, stores, etc. (girl under 16 prohibited from employment in these establishments).	6 p. m. to 7 a. m.	Mandatory	Completion of sixth grade for boys, seventh for girls.	16	In, about, or in connection with mines, quarries, or coal breakers.
Oklahoma	Factories, etc. No provision for stores.	14	Any gainful occupation.	8	48		Factories, etc. Apparently no provision for stores.	do	Optional with issuing officer.[13]	No grade specified; proficiency in certain subjects required.	16	Underground in mines or quarries.
Oregon	Factories, stores, etc., at any time, or in any work or labor of any form during school term.	[a] 14	Any occupation	8		6	Any occupation	do	do[13]	Completion of eighth grade.		[Law contains no specific provision.[42] Minimum age in any work or labor during school term is 14.]
Pennsylvania	Any establishment or occupation.	14	Any establishment or occupation.	9	51		Any establishment or occupation.	8 p. m. to 6 a. m.	Mandatory	Completion of sixth grade.	16	In mines.
Rhode Island	Factories or manufacturing or business establishments.[43]	14	Factories, stores, etc.	10	54		Factories, stores, etc.[43]	do	do	No grade specified; proficiency in certain subjects required.	18	In or about quarries.[44]
South Carolina	Factories. No provision for stores.	14	Cotton or woolen factories and knitting mills.[30] No provision for stores except a maximum 12-hour day and 60-hour week for all females.	11	[30] * 60		Factories, etc.	do[31]	[No provision].[36]	[No provision][36]	14	In mines.
South Dakota	At any gainful occupation in factories, etc., or in any other work for compensation during school hours.[52]	15	Any occupation[53]	10	60		[No provision]		do	No grade specified; proficiency in certain subjects required (specified school attendance may be substituted).	14	In mines.[54] Minimum age for employment in mines (among other occupations) during school hours is 15.
Tennessee	Factories, canneries, etc., or any business or service which interferes with child's attendance at school during school term (provision interpreted to apply to all establishments where labor is employed).	14	Factories, canneries, etc. (provision interpreted to apply to all establishments where labor is employed).	8		6	Factories, canneries, etc. (provision interpreted to apply to all establishments where labor is employed).	7 p. m. to 6 a. m.	do	No grade specified; proficiency in certain subjects required (by implication from compulsory school attendance law).	16	In mines or quarries.
Texas	Factories, etc. No provision for stores.	[b] 15	Any occupation (applies only to children under 15; no provisions applicable to children 15 to 16 except those of the hours of labor for women).[55]	10	48		[No provision]		[No provision][56]	[No provision][56]	17	In or about mines or quarries.
Utah	[No provision][57]		Any gainful occupation except fruit or vegetable packing (applies only to boy under 14 and girl under 16; no provision for boy over 14).	8	48		do		do	do	16	In mines, quarries, or coal breakers.
Vermont	Factories, canneries, etc.[58] No provision for stores.	14	Work connected with manufacturing, etc.[58] Apparently no provision for stores.	8		6	Work connected with manufacturing, etc.[58] Apparently no provision for stores.	7 p. m. to 6 a. m.	do	Completion of elementary-school course, or rural-school course and 2 years of junior high-school course.	16	In mines or quarries.
Virginia	Factories, canneries,[59] etc., and in stores in places of 2,000 or more inhabitants. No provision for stores in other places.	[b] 14	Factories, canneries,[59] etc., and in stores in places of 2,000 or more inhabitants.[60] No provision for stores in other places.	8		6	Factories, canneries,[59] etc., and in stores in places of 2,000 or more inhabitants.[60] No provision for stores in other places.	9 p. m. to 7 a. m.	do	[No provision]	16	Do.
Washington	Factories, stores, etc.	[b] 14	Factories, stores, etc.	8		6	Factories, stores, etc.	7 p. m. to 6 a. m.	do	[61]	16	In coal mines[62] except those in which less than 5 men are employed underground on one shift and those in which less than 10 men are employed.

* Boy. † Girl.

[For footnotes see pp. 9726 and 9727]

State child-labor standards, January 1, 1931—Continued

State	Factories, stores, etc.									Mines and quarries	
	Minimum age		Hours of labor under 16				Night work prohibitions under 16		Requirements for regular employment certificates under 16	Minimum age for boys	Occupations
	Occupations	Age	Occupations	Maximum hours		Days per week permitted	Occupations	Hours between which work is permitted	Physician's certificate of physical fitness / Educational requirement[4]		
				Daily	Weekly						
West Virginia	Any gainful occupation at any time, or in any business or service during school hours.	[a] 14	Any gainful occupation.	8	48	6	Any gainful occupation.	7 p. m. to 6 a. m.	Mandatory / Completion of sixth grade.	16	In mines, quarries, or excavations.
Wisconsin	Factories, stores, etc., or in any gainful occupation or employment.	[a] 14	do	8	48	6	do	6 p. m. to 7 a. m.	Optional with issuing officer.[m] (Mandatory in Milwaukee.) / Completion of seventh grade.	18	In or about mines or quarries.
Wyoming	[No provision [n]]		Any gainful occupation (applies only to children under 14; no provision applicable to children 14 to 16 except those of the hours of labor law for women [o]).	9	56		[No provision]		[No employment certificate required.] / [No employment certificate required.]	14	In underground works or mines or in or about the surface workings thereof.[o]

[a] ***Exemptions limited to outside school hours.—Alabama:*** Boy 12 or over during summer vacation in mercantile establishments (except soft-drink and ice-cream establishments, restaurants, and cafés) and business offices. ***Arizona:*** Boy 10 to 14 outside school hours at labor not harmful physically or morally, on license. ***Arkansas:*** During school vacation child under 14 may be employed by parent, etc., in occupation owned or controlled by him. ***Colorado:*** Child 12 or over (during that part of June, July, and August when public schools are not in session), on permit. ***Idaho:*** Child 12 or over during public-school vacation of two weeks or more. ***Indiana:*** Child 12 or over, June 1 to October 1, in business of preserving or canning perishable fruits and vegetables (later law prohibits work in any gainful occupation during school hours, but apparently exempts child physically or mentally unfit to attend school). ***Michigan:*** Permit to work outside school hours may be obtained at 14. ***New Jersey:*** Child 10 or over desiring to assist in support of self or family may obtain permit for work outside school hours in street trades and "other light employments" not otherwise prohibited by law (another section of the law, however, limits such work to "employment in the open air"). ***Oregon:*** Child 12 or over during school vacation of over two weeks in nonharmful work, on permit. ***West Virginia:*** Boy 12 or over in mercantile establishments and business offices outside school hours, on permit. ***Wisconsin:*** Child 12 or over may be employed during school vacation, on permit, in store, office, mercantile establishment, warehouse, or telegraph, telephone, or public messenger service, in place where he resides.

[b] ***Exemptions not limited to outside school hours.—California:*** Child 14, on permit (if he has completed elementary-school course and services are needed for family support); child 12 during school vacation or on weekly school holidays. ***Delaware:*** Boy 12 or over, on permit, in occupations not dangerous or injurious, at any time when he is not required by law to attend school; child 12 or over in fruit and vegetable canneries; any child on permit from chairman of labor commission issued on account of poverty. ***District of Columbia:*** Child 12 or over in occupations not dangerous or injurious, on permit issued because of poverty. ***Georgia:*** Child over 12, on permit issued because of poverty. ***Iowa:*** Child working in establishment or occupation owned or operated by parent exempted. ***Missouri:*** Provision does not apply to children working for their parents or guardians. ***North Carolina:*** Except in cases and under regulations prescribed by State child-welfare commission (commission allows employment of boy 12 to 14 at any time outside school hours, on certificate, under certain specified conditions; exempts children employed under direct personal control of parents in or about places owned or operated by the latter; and allows employment of boys 12 to 14 during school hours for a limited time where arrangements have been made for "continuation schools," and the outside employment is to be a unit of the school work). ***Texas:*** Child 12 or over may obtain permit to work on account of poverty, but not "in or around any mill, factory, workshop, or other place where dangerous machinery is used" or where child's moral or physical condition is liable to be injured. ***Virginia:*** Child over 12 employed in fruit and vegetable canneries "when public schools are not actually in session," and in running errands or delivering parcels—the latter group of occupations interpreted by bureau of labor and industrial statistics to be permitted also only "when public schools are not actually in session." (Employment in establishment owned or operated by parent is not to be "prevented.") ***Washington:*** Child 12 or over may obtain permit on account of poverty for work in occupations not dangerous or injurious to health or morals (a later law prohibits employment of boy under 14 or girl under 16 in factories, stores, etc., or any inside employment not connected with farm or housework, except on permit from judge of superior court).

[1] All minimum age laws applying specifically to employment of boys in mines, quarries, or coal breakers are included.

[2] The indirect effect of compulsory school attendance laws, which by requiring children to be in school sometimes in effect raise the minimum age for going to work during school hours for many children, could not be indicated in this chart.

[3] The laws here summarized often apply also to children up to 18 or 21 years of age or to all females, but this fact is not noted, and laws applying only to women or to all employees are included only when they are broader in scope than those applying to children, and consequently affect the work of children under 16. Laws requiring attendance of working children at continuation school usually specify that the school time shall be counted as part of the working hours, thus lessening the number of hours of actual employment in the States where they are in effect.

[4] These columns show very briefly only the physical and educational requirements for the regular employment certificates granted to children who are of legal age to work, but over whom the law still exercises a degree of supervision. These requirements are often waived for special permits, such as those issued for work during vacation or on account of poverty or under other specified conditions. Except in Texas and Wyoming such an employment certificate is required, at least in some occupations, in every State. In Texas, however, a temporary permit is issued under certain specified conditions to a child under the minimum age. In North Carolina the law does not specifically demand the certificate, but if issued under such conditions as the State Child Welfare Commission prescribes it is prima facie evidence that the child is of legal age for employment. The occupations covered include factories and stores and often many other employments, with the following exceptions: In Iowa, stores where fewer than nine and in Louisiana stores where fewer than six persons are employed are exempted; in New York, stores in places of less than 3,000 inhabitants, and in Virginia stores in places of less than 2,000 are outside the operation of the law; Florida, Georgia, Mississippi, Oklahoma, South Carolina, and Vermont do not include stores among the occupations for which the regular certificate is required, but the South Carolina school law requires for children under 14 a certificate for any work during school hours showing that child has attended school during the current term for the period required by law or has been excused for mental, moral, or physical unfitness. In Kansas the law is ambiguous as to whether stores are included. The ages covered extend from the minimum age up to 16, with the following variations: Georgia, to 14½ years of age; Ohio, girls to 18; Wisconsin, minors to 17; Michigan, Nevada, Oregon, Utah, and Washington, to 18 (according to continuation school law). It is not clear whether the Oregon physical requirement extends up to the age of 18, and its educational requirement extends only up to the age of 16. The California continuation school law brings the certificate age up to 18, but the relation between this law and the requirements of the labor law tabulated in these columns is not defined.

[5] Only the grade of school work required is given, without regard to additional requirements, such as ability to read and write English, or attendance at continuation school.

[6] Certain employments apparently not affecting work in factories and stores are either entirely or partially exempted.

[7] Law has exemption allowing more hours to make repairs or to make one short day per week; but orders of Industrial Welfare Commission fix for minors under 16 an 8-hour day, 48-hour week, and 6-day week without exemptions in factories, mercantile establishments, fruit and vegetable canning or packing and fish canning.

[8] Six-day week for all employees, except in cases of emergency, and sometimes in case of certain specified occupations and employees.

[9] 7 p. m. to 6 a. m. in factories, fruit and vegetable canning or packing, and fish canning (order of Industrial Welfare Commission).

[10] Apparently child 14 to 16 (12 to 16 during summer vacation) may secure exemption on special permit.

[11] Under 14, 8 p. m. to 7 a. m.

[12] Later law prohibits employment of boy under 16 in or about coal mines, except in mine office in clerical capacity.

[13] Stores exempted during week before Christmas, with qualifying provisions (Connecticut), or during that week and for eight days before Easter (Maine).

[14] The hours of labor and night-work laws apparently apply to all establishments, since they cover manufacturing and mechanical establishments and "any mercantile establishment other than manufacturing and mechanical."

[15] Employment permitted until 10 p. m. on one day per week and during week before Christmas. In event of war or other serious emergency governor may suspend limitations as to such industries and occupations as he may find demanded by such emergency.

[16] Six-day week for all females.

[17] Under 14 employment prohibited 7 p. m. to 6 a. m. in any occupation except in service of Senate.

[18] Because issuing officer's power to require an examination by a physician is implied from the fact that the law requires him to certify to child's physical condition (District of Columbia and Oregon); because issuing officer must certify to child's physical condition and is specifically empowered to require examination by physician (Florida, Michigan, Missouri, Nebraska, North Dakota, and Oklahoma); because issuing officer is empowered to require examination "in doubtful cases" (Maine); or because issuing officer (Industrial Commission or some person designated by it) may refuse permit to a child who seems physically unable to perform intended work or if in his judgment "the best interests of the child would be served by such refusal" (Wisconsin).

[19] State labor inspector classes work in a mine or quarry as a dangerous occupation and prohibits employment of children under 16 therein.

[20] Engineers, watchmen, etc., exempted.

[20a] Time lost on account of accident may be made up under certain conditions.

[21] Compulsory school attendance law appears in effect to raise minimum age for employment during school hours to 15 (child mentally or physically incapacitated exempted).

[22] Constitutional provision. Employment in or in connection with all mines also covered by minimum age of 14 (12 during vacation of two weeks or more) applying to factories, etc.

[23] Child under 14 doing voluntary work of a temporary and harmless character, for compensation, when school is not in session is exempted. It has been ruled by the Attorney General, however, that this clause does not exempt employment in any occupation specifically prohibited for children under 14, and that it permits work in the summer vacation period only.

[24] 6 p. m. to 7 a. m. for children under 14.

[25] Child with consent of parents may work 9 hours per day, 54 per week.

[26] If specified evidence of age is not available, issuing officer may certify that in his opinion child is 14 or over and physically fit for intended work.

[27] Child working in establishment or occupation owned or operated by parent is probably exempted (law ambiguous).

[28] Employment in "establishments or occupations" owned or operated by parent is exempted.

[29] Mercantile establishments are not mentioned in the minimum-age section, but a work permit showing child to be 14 is required for all vocations mentioned in the child labor act, and mercantile establishments are mentioned in the hours of labor section of that act.

[30] Canneries may also be included—law not clear.

[31] Stores and mercantile establishments employing more than five persons exempted on Saturday nights.

[32] Child at work, however, who appears to factory inspector to be under legal age must obtain certificate of physical fitness from city or parish physician. Since factory inspector is also the issuing officer, there is a possibility that he might require this before issuance of employment certificate.

[33] Employers engaged in public service exempted in certain cases of public emergency.

[34] More hours permitted to make one short day per week.

[35] The same night-work prohibition applies to children under 14 in all occupations.

[36] "The provisions of this section in relation to the hours of employment shall not apply to nor affect any person engaged in preserving perishable goods in fruit and vegetable canning establishments."

[37] Maximum 10-hour day, 60-hour week, for all employees in cotton and knitting mills would apply to boys 14 to 16 in cotton and knitting mills.

[38] Granted only to eighth-grade graduate or to child over 14 whose services are necessary for support of family.

[39] Children under 16, however, are prohibited from employment in factories.

[40] No limitation, apparently, on employment outside school hours, other than requirement of permit for boy under 14 or girl under 16 employed in factories, stores, etc., or in any inside employment not connected with farm or housework.

[41] Act is suspended as regards manufacture of munitions or supplies for the State or Federal Governments while the United States is at war; former law fixing maximum 11 hours per day, 58 per week, for children under 16 in any gainful occupation except domestic service and work on a farm would apparently apply under these conditions. Mercantile establishments are exempted (as to regular employees) during week preceding Christmas if total hours during year do not exceed 54 per week for full year.

[42] Mercantile establishment is to be construed to apply to any employment for compensation other than in the occupations covered by the provisions for factories, etc. (factory, workshop, mill, place where the manufacture of goods is carried on, mine, quarry), or in agricultural pursuits.

[43] An earlier law, perhaps not entirely superseded, prohibits employment of children under 14 in factories between 8 p. m. and 5 a. m.

[44] Six-day week for all females in factories, stores, etc., except in villages or towns of less than 500 population.

[44a] Minimum-wage department of workmen's compensation bureau has issued ruling (now suspended by injunctional orders) fixing eighth-grade requirement for employment during school hours.

[45] The requirement of a certificate for any employment, this certificate to prove boy to be 15 or girl to be 16, apparently extends this provision to all occupations.

[46] Previous record of school physician showing child sound in health may be accepted in lieu of physician's certificate.

[47] Board of inspectors of child labor under its power to refuse to issue certificates to children not physically able to do the work required; refuses to issue certificates to children under 16 to work in mines or quarries.

[48] This prohibition is contained in P. L. 283, acts of 1909. Nearly all the provisions of this act are superseded by P. L. 286, acts of 1915, but, since the latter act does not specify quarries, they would appear to be still regulated by the earlier law. Ruling of industrial board of State department of labor and industry, July 10, 1918, prohibits employment under 18 in quarries.

[49] Every person, firm, or corporation employing children under 16 is subject to these provisions, "whatever the business conducted."

[50] There are no provisions specifying mines and quarries, but a minimum age of 14 for employment in factories or manufacturing or business establishments is fixed by the child labor law, and another section of that act states that every person, firm, or corporation employing any child under 16, whatever the business conducted, is "subject to its provisions."

[51] Employment permitted until 9 p. m. to make up time lost on account of accident to machinery.

[52] In factories and workshops during vacation and outside school hours during school term, and in stores outside school hours during school term, the minimum age is 14, except that child may obtain permit to work on account of poverty. Apparently no provision for employment in stores during school vacation.

[53] A proviso permits employment until 10 p. m. on Saturdays and for 10 days before Christmas.

[54] A later law prohibits employment under 14 "about" mines (among other employments) except on permit granted on account of poverty.

[55] Hours for women vary from 9 to 11 per day and 54 to 60 per week, according to occupations, with exemptions, and with provisions for extra pay for overtime work in certain occupations.

[56] No "regular" employment certificate required, but a permit may be granted on account of poverty to child between 12 and 15, and for this permit a sworn statement of the child or his parent or guardian that he can read and write English and is physically able to perform intended work is required.

[57] Certain dangerous or injurious manufacturing processes are prohibited under 16.

[58] Commission of industries, with approval of governor, may suspend provisions for not more than two months per year in case of manufacturing establishment or business handling perishable products.

[59] Canneries are omitted from the penalty clause.

[60] Not clear whether these provisions apply to children employed in running errands and delivering parcels. Employment in establishment owned or operated by parent is not to be "prevented."

[61] Labor law provides for several permits or certificates, for which there are no educational requirements. Continuation school law demands for employment certificate of child between 14 and 15 that he must have graduated from eighth grade or present proof that he "can not profitably pursue further regular school work"; no requirement for child 15 or over.

[62] Except that (1) boys 14 or over may be employed in or about the surface workings of coal mines; (2) act does not affect employment of children for clerical or messenger duty about such surface workings subject to the provisions of the school law.

[63] Certain dangerous or injurious manufacturing processes are prohibited under 14.

[64] Ten hours per day, 52 per week, in factories, stores, etc., with proviso permitting 60 hours per week for persons working seven days per week.

[65] The constitution prohibits employment of boys under 14 in or about coal, iron, or other dangerous mines, or in underground works, exempting employment in office or in clerical work.

Mr. WADSWORTH. Mr. President, in addition, I desire to have printed in the RECORD a letter addressed to me by Mr. Gray Silver, the Washington representative of the American Farm Bureau Federation, under date of May 26, in which Mr. Silver very briefly refers to this so-called child-labor amendment; and, together with his letter, a small table showing the laws in each State relative to the employment of children in factories, as contrasted with other types of gainful occupations.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., May 26, 1924.

To Members of Senate.

DEAR SENATOR: The inclosed list will indicate to you that all of the States have passed laws relative to the employment of children in factories, and these States consider this subject within their jurisdiction and have endeavored to prohibit the employment of children under 14 to 16 years of age. Of course, in the case of Mississippi the age runs lower, but that is a matter which the State can take care of.

As I have repeatedly pointed out, the farmers feel that the proposed amendment to the Constitution is an effort to erect a bureaucracy in Washington which will create idleness on the part of children on the farm, and that the bureau will try to take the place of the parents in telling their children what they should or should not do and what kind of work they should perform. Child labor in factories and the giving of boys and girls on the farm something to do in the line of light tasks which cheats the devil of unemployment and which builds sturdy frames and muscles are two distinctly different things.

Very truly yours,

AMERICAN FARM BUREAU FEDERATION,
GRAY SILVER, *Washington Representative.*

STATE LAWS RELATIVE TO EMPLOYMENT OF CHILDREN IN FACTORIES

Alabama: Prohibited under 14.
Arizona: Prohibited under 14. (Exception—Boy 10 to 14 may, upon license, outside school hours, work at labor not harmful.)
Arkansas: Prohibited under 14.
California: Prohibited under 15. (Exception—Child 12 during school vacation.)
Colorado: Prohibited under 14. (Exception—Child 12 during summer vacation.)
Connecticut: Prohibited under 14.
Delaware: Prohibited under 14. (Exception—Child 12 outside school term on special permit.)
Florida: Prohibited under 14.
Georgia: Prohibited under 14. (Exception—Child 12 on permit if orphan or has widowed dependent mother. One hundred and twenty-seven such permits issued during 1923.)
Idaho: Prohibited under 14.
Illinois: Prohibited under 14.
Indiana: Prohibited under 14.
Iowa: Prohibited under 14.
Kansas: Prohibited under 14.
Kentucky: Prohibited under 14.
Louisiana: Prohibited under 14.
Maine: Prohibited under 15.
Maryland: Prohibited under 14.
Massachusetts: Prohibited under 14.
Michigan: Prohibited under 15.
Minnesota: Prohibited under 14.
Mississippi: Boy prohibited under 12; girl, 14.
Missouri: Prohibited under 14.
Montana: Prohibited under 16.
Nebraska: Prohibited under 14.
Nevada: Prohibited under 14.
New Hampshire: Prohibited under 14.
New Jersey: Prohibited under 14.
New Mexico: Prohibited under 14.
New York: Prohibited under 14.
North Carolina: Prohibited under 14. (Exception—Boy 12 on special permit outside school hours. Only 66 so employed during 1923.)
North Dakota: Prohibited under 14.
Ohio: Prohibited under 16. (Exception—Child 14 outside school term.)
Oklahoma: Prohibited under 14.
Oregon: Prohibited under 14. (Exception—Child 12 outside of school term.)
Pennsylvania: Prohibited under 14.
Rhode Island: Prohibited under 14.
South Carolina: Prohibited under 14.
South Dakota: Prohibited under 15.
Tennessee: Prohibited under 14.
Texas: Prohibited under 15.
Utah: Prohibited under 14.
Vermont: Prohibited under 14.
Virginia: Prohibited under 14.
Washington: Prohibited under 14. (Exception—Child 12 on permit of superior court judge in case of poverty.)
West Virginia: Prohibited under 14.
Wisconsin: Prohibited under 14. (Exception—Child 12 during school vacation.)
Wyoming: Prohibited under 14.

Mr. WADSWORTH. May I take this opportunity to say just one sentence? I beg Senators to examine these tables. They are illuminating, and they are, from the standpoint of the humanitarian and the person interested in preventing the exploitation of little children in exhausting labor, the most encouraging thing I have ever encountered, and they are somewhat of a commentary as to the necessity of the Federal Government superseding all the powers of the States in this regard.

Mr. OVERMAN. Mr. President, I want to say that I am very much interested in this child-labor legislation. I am compelled to leave here to-night to attend a funeral. I give notice that on Saturday morning I shall address the Senate on that subject.

PEEDEE RIVER BRIDGE, SOUTH CAROLINA

Mr. SHEPPARD. From the Committee on Commerce, I report back favorably, without amendment, Senate bill 3355, granting the consent of Congress to the counties of Marion and Florence, in the State of South Carolina, to construct a bridge across the Peedee River at or near Savage Landing, S. C., and I submit a report (No. 644) thereon. I direct the attention of the Senator from South Carolina to the bill.

The PRESIDING OFFICER. Without objection, the report will be received.

Mr. SMITH. Mr. President, I ask unanimous consent for the immediate consideration of the bill. It is a local matter, and the bill is favorably reported upon by the department.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the counties of Marion and Florence, in the State of South Carolina, or their assigns, to construct, maintain, and operate a bridge and approaches thereto across the Peedee River at a point suitable to the interests of navigation, at or near a point known as Savage Landing, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MONONGAHELA RIVER BRIDGE

The PRESIDING OFFICER (Mr. LADD). The present occupant of the chair, as from the floor, reports favorably from the Committee on Commerce Senate bill 3395, granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River near Masontown, Fayette County, Pa., and submits a report (No. 645) thereon. The Chair calls the attention of the Senator from Pennsylvania to the bill.

Mr. PEPPER. Mr. President, I ask unanimous consent for the immediate consideration of that measure.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the commissioners of the counties of Fayette and Greene, in the State of Pennsylvania, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River, at a point suitable to the interests of navigation, at or near Masontown, in the county of Fayette, in the State of Pennsylvania, in accordance with the provisions of the act entitled

"An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. PEPPER. I ask that the bill be put upon its passage. It is favorably reported from the committee. It has the approval of the department, and relates merely to the construction of a bridge across a navigable stream within the limits of the State.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INLAND WATERWAYS CORPORATION

Mr. RANSDELL. Mr. President, I desire to call up a bill which passed the House several days ago. I do not think it will lead to any debate. It is House bill 8209, Order of Business 596, to create the inland waterways corporation.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8209) to create the inland waterways corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. RANSDELL. I ask unanimous consent that Senate bill 3161, a Senate bill on the same subject, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it will be so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. PHIPPS. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside for the purpose of taking up and completing House bill 8839, the appropriation bill for the District of Columbia.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes.

Mr. PHIPPS. Mr. President, I understand that the Senator from New York [Mr. COPELAND] has an amendment which he desires to offer.

Mr. COPELAND. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 59, in line 14, after the word "hospital," it is proposed to strike out "$40,000" and to insert:

and including $10,000 for the prevention of diphtheria and making provision for the use of the Schick test in the schools of Washington, $50,000.

Mr. PHIPPS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. COPELAND. I do.

Mr. PHIPPS. The Senator from New York has submitted that amendment to me for consideration. It appeals to me as being a proper item to be included in the bill, and, so far as I have authority, I am willing to accept it and take it to conference.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. PHIPPS. Now, Mr. President, I ask that we return to the first amendment in the bill, which was passed over yesterday.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The READING CLERK. On page 1, line 5, the committee proposes to strike out "$8,000,000" and to insert:

Fourteen million dollars, or in lieu thereof 40 per cent of each of the following sums, except those herein directed to be paid otherwise.

Mr. OVERMAN. Mr. President, the Senator knows how I stand on this matter. Probably we ought to have a quorum.

Mr. McKELLAR. Mr. President, I suggest the absence of a quorum.

Mr. PHIPPS. That is just what I was about to do.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Adams	Dill	Kendrick	Shipstead
Ball	Edwards	King	Smoot
Bayard	Ernst	Ladd	Spencer
Borah	Ferris	Lodge	Stanfield
Brandegee	Fess	McKellar	Stanley
Brookhart	Fletcher	McKinley	Sterling
Broussard	George	McNary	Swanson
Bursum	Glass	Moses	Trammell
Cameron	Gooding	Oddie	Underwood
Capper	Hale	Overman	Wadsworth
Caraway	Harris	Pepper	Walsh, Mass.
Colt	Harrison	Phipps	Warren
Copeland	Heflin	Ransdell	Watson
Couzens	Johnson, Calif.	Reed, Mo.	Wheeler
Cummins	Johnson, Minn.	Robinson	Willis
Curtis	Jones, N. Mex.	Sheppard	
Dial	Jones, Wash.	Shields	

The PRESIDENT pro tempore. Sixty-six Senators have answered to their names. There is a quorum present.

Mr. PHIPPS. Mr. President, yesterday I made some statements with reference to the contribution on the part of the Federal Government toward the expenses of the District of Columbia. I want to call the attention of Senators to the law approved June 29, 1922, after lengthy discussion and weeks of conference between the representatives of the two Houses. It reads:

That, annually, from and after July 1, 1922, 60 per cent of such expenses of the District of Columbia as Congress may appropriate for shall be paid out of the revenues of the District of Columbia derived from taxation and privileges, and the remaining 40 per cent by the United States, excepting such items of expense as Congress may direct shall be paid on another basis; and that in order that the District of Columbia may be able annually to comply with the provisions hereof, and also in order that the said District may be put upon a cash basis as to payment of expenses, there hereby is levied for each of the fiscal years ending June 30, 1923, 1924, 1925, 1926, and 1927, a tax at such rate on the full value, and no less, of all real estate and tangible personal property subject to taxation in the District of Columbia as will, when added to the revenues derived from privileges and from the tax on franchises, corporations, and public utilities, as fixed by law, and also from the tax, which hereby is levied, on such intangible personal property as is subject to taxation in the District of Columbia, at the rate of five-tenths of 1 per cent on the full market value thereof, produce money enough to pay such annual expenses as may be imposed on the District of Columbia by Congress, and in addition to such annual expenses a surplus fund sufficient to enable the District of Columbia to get upon a cash-paying basis by the end of the fiscal year 1927.

Mr. McKELLAR. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. PHIPPS. I was attempting to make a statement that would be concise——

Mr. McKELLAR. I just wanted to ask the Senator from what act he was reading.

Mr. PHIPPS. From the appropriation act for the fiscal year 1923, approved June 29, 1922, as I stated.

Mr. FLETCHER. Mr. President——

Mr. PHIPPS. I yield.

Mr. FLETCHER. Yesterday I heard some statements made on the floor to the effect that the tax rate in the District of Columbia was only about six-tenths of 1 per cent, or something of that sort, less than 1 per cent. I thought that must have been an error——

Mr. CARAWAY. If the Senator will pardon me, he heard the Senator from Tennessee talking about what would be the cost of an election. Nobody said anything on the floor yesterday about the tax rate being one-sixth of 1 per cent. It is $1.20 a hundred, figured on the assessment. The Senator from Tennessee was talking about the cost of elections in the States.

Mr. FLETCHER. I had reference to remarks made by the junior Senator from Nebraska [Mr. HOWELL]. He said he had investigated certain property, and he stated that the rate was less than six-tenths of 1 per cent.

Mr. CARAWAY. As a matter of fact, on the full assessment, it is less than 1 per cent. It is less than one-half of 1 per cent in the District of Columbia.

Mr. FLETCHER. I only know that the rate is $1.20.

Mr. CARAWAY. Everybody knows that.

Mr. PHIPPS. Mr. President, I do not contend that the law from which I quoted definitely fixed the contribution on the

part of the Federal Government for a term of five years, but my contention is that after years of dispute between the two Houses, it was the belief of everyone interested that the enactment of this law, which was a change in the basic law under which the District government had operated since the year 1878, or at least 1884, fixed the matter so that it could not again be changed on any appropriation bill; that any change in the basis of contribution on the part of the Federal Government must come as a result of definite legislative action, taken in the regular course of procedure, being considered by the Committees on the District of Columbia in both Houses, and enacted by both Houses of the Congress.

Mr. CARAWAY. And the Senator changes it right here in his own amendment, and makes it 50-50.

Mr. PHIPPS. Mr. President, the Senator makes that statement, and I can see his basis for it, but the Senator can not charge the members of the committee with any intention of making the change. The House has opened the door, and the Senate must take cognizance of that, and follow with such action as it may think warranted by the action of the House.

Mr. CARAWAY. In other words, if it is an open door then everybody has a right to express his opinion. How can the Senator from Colorado insist that everybody is bound but himself? In other words, if we can not lower the taxes so we can get justice, we must raise them and lay the burden still heavier on those who ought not to bear it.

Mr. PHIPPS. I do not believe anything I have said would justify any such interpretation of my remarks.

Mr. CARAWAY. Was not the Senator contending that it was fixed and could not be changed on an appropriation bill until 1927? Was not that the Senator's contention?

Mr. PHIPPS. No; I did not say until 1927. I said it could not be changed on an appropriation bill under the rules of both Houses.

Mr. CARAWAY. And at the same time the Senator comes along with an amendment that does change it. It is so beautifully consistent that the Senator can not do it and then does do it.

Mr. PHIPPS. I think I have made my position clear. I do not believe the Senator is justified in making that assertion.

It seems to me that the proper method of procedure has been open to the Members of the House and to the Senate ever since the enactment of the law of June 29, 1922. The legislative committees have not seen proper to function during that period of time. The committee of the House preparing the bill wrote into it a 60–40 proportionate contribution plan. On the floor of the House the Holman rule, so-called, was resorted to as a means of overriding the generally established rule of the House, and an amendment was offered fixing a definite amount as the contribution of the Federal Government for the coming fiscal year. That was accepted by the Committee of the Whole with less than 40 Members present on the floor of the House. The bill was reported to the House with the amendment in it and that report of the Committee of the Whole was accepted without any record vote whatever.

The Senate has for years contended for the 50–50 proportion. The Senate yielded after long discussion and under the pressure of the House to the 60–40 plan, for which the House had been contending. I feel, under the terms of the agreement which was reached in the act from which I have quoted, that the House should not have resorted to the method it adopted in attempting to fix a definite sum as the contribution of the Federal Government for the coming fiscal year.

Mr. President, the item has had careful consideration on the part of the subcommittee and the Committee on Appropriations, at which there was a full attendance. I can not say that every member was present, but there was no objection to the plan suggested and now written in the bill in amendment No. 1, which would permit the representatives of the Senate to take up with the Members of the House in conference a method of arriving at a settlement of the question in the pending bill. I earnestly hope that the Senate will confirm the action of the committee in presenting the amendment.

Mr. McKELLAR. Mr. President, I can not see how it is possible for the Senate to adopt the committee amendment, because it provides two things as a substitute for the $8,000,000 appropriation item contained in the House text. It is impossible for the Senate, on any theory of conduct that could be suggested, to adopt the Senate committee amendment for the reason that it provides that the $8,000,000 provision in the House text shall be stricken out and $14,000,000 inserted, or in lieu thereof $11,200,000. It is idle to talk about adopting both of those figures. It would be meaningless. There would be no sense in it. One is to appropriate $14,000,000 and the other is to appropriate $11,200,000 for the benefit of the District. Who is to pass on it? There is no one to pass on it as provided in the bill. It simply can not be done, and I know the Senate will not adopt any such amendment as that.

On the general question I merely want to suggest some figures, and for the purpose of illustrating to Senators I have taken only three States and three cities. I have tried to be fair about it by taking the State of the Senator from Delaware [Mr. BALL], the State of the Senator from Colorado [Mr. PHIPPS], and my own State, and also taking the cities in our respective States. I have the figures. The bill proposes to appropriate upon the part of the National Government more money for the conduct of the affairs of the city of Washington than is required for the whole State of Colorado, or about that amount. I will give the figures, as follows:

Colorado in 1922 spent $16,269,101; Delaware spent $5,683,129; Tennessee spent $15,130,292. The population of the State of Tennessee is 2,378,000, and the entire State government costs just about as much as what it is now proposed the Federal Government shall appropriate for its share of the conduct of the affairs of the city of Washington.

Mr. BALL. Mr. President, will the Senator yield?

Mr. McKELLAR. I will yield in just a moment.

Mr. BALL. I only want to make a correction. I do not know where the Senator got his figures, because in Wilmington alone we spent $4,000,000.

Mr. McKELLAR. They must have spent a very much smaller sum, for the reason that I obtained these figures from the Library of Congress, and they were taken from the Department of Commerce statistics and the bankers' economic service, and unquestionably the figures I am giving are correct.

I want to state that the State of Delaware, for all of its State government and activities in government, spent just a little more than one-third of what the chairman of the Committee on the District of Columbia [Mr. BALL] proposes shall be the Government's share for the expenditures in the city of Washington for the next fiscal year. Colorado spent a little more, in the proportion of 16 to 15, than the Senator proposes for the District. I also call attention to the fact that the city of Denver, Colo., spent $13,372,632.

Mr. PHIPPS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. PHIPPS. There seems to be some discrepancy between the Senator's figures for the State and those for the city of Denver. Did I understand the Senator to say that the expenses of the State were $16,000,000?

Mr. McKELLAR. Yes; $16,269,101.

Mr. PHIPPS. And that the city of Denver spent $13,000,000 in addition thereto?

Mr. McKELLAR. Oh, of course, that is the city government.

Mr. PHIPPS. In addition to the State government?

Mr. McKELLAR. Why, of course.

Mr. PHIPPS. What becomes of the other municipalities where we have populations varying from 12,000 to 75,000? The total population of the State is, in round numbers, 1,000,000. The District of Columbia is actually comparable to what we would have in the entire State plus the city and the county administrations. Therefore any comparison as between the cost of a State government on the one hand and a city government on the other hand would be merely futile. The population of Colorado is about 1,000,000.

Mr. McKELLAR. The Senator made his speech a while ago, and I hope he will not undertake to make one in my time.

Mr. PHIPPS. I beg the Senator's pardon.

Mr. McKELLAR. I merely wish to say in reply to what the Senator said that the National Government takes the place of the city and county governments in so far as the District of Columbia is concerned.

The District of Columbia is not taxed directly for its own national government. The comparison is true. The city of Denver spent $13,372,632, and yet the Senator from Colorado brings a bill before the Senate in which he saddles or undertakes to saddle upon the people of the United States more than $14,000,000 as the Government's part of the expense of the upkeep of the city of Washington.

The city of Memphis, Tenn., in 1922 spent $8,814,434. It is proposed here to nearly double that sum as the Government's part of the administration of the affairs of the city of Washington. The city of Wilmington, Del., spent $4,810,721. I do not recall the population of the city of Wilmington.

Mr. BALL. One hundred and twenty thousand.

Mr. McKELLAR. The sum is nearly four times as much as the Senator from Delaware proposes in this bill that the Gov-

ernment should contribute to the conduct of the affairs of the city of Washington by the Federal Government as is spent in his own State.

I call attention to the fact that while the city of Washington has a tax rate of $1.20, the home city of the Senator from Delaware [Mr. BALL] has a tax rate of $1.93. The tax rate is $1.93 in Wilmington and $1.20 in Washington. In my own city of Memphis we have a tax rate of $2.10, or nearly double the tax rate in the city of Washington. Besides that, in the Senator's city of Wilmington they pay a county tax and State tax in addition. I have not the figures, but the county and State tax would probably amount to more than $1 on the hundred. In other words, the taxpayers of the city of Wilmington pay more than $3 per hundred, whereas the taxpayers in the city of Washington, under the provisions of the bill now pending, if enacted into law as reported by the committee, would only pay $1.20, or not much more than one-third what they are paying in the Senator's own city.

The Senator from Colorado is in a little better condition. The city of Denver tax is $1.14, and the State and county tax just about the same, making it nearly double, all told, that the taxpayers pay in Denver over what they pay in the city of Washington. Yet the Senator from Colorado and the Senator from Delaware, notwithstanding these figures, have reported out a bill that makes the Government pay one-half of all the costs of government in the city of Washington, provided the first horn of their dilemma is enacted into law.

These figures apply to the cities and counties and States of every Senator in this body. When we stand here and let bills like this pass we are simply reducing taxation to the lowest limit upon the citizens of Washington and disregarding the rate of taxation or what the amount of taxation is upon our own people in our own States and in our own counties and in our own cities. I have nothing against the people of Washington. I feel that they ought to be treated absolutely fair; but they ought not to ask for a lower rate of taxation than is paid in any other city in the United States. We ought to be fair alike to all taxpayers. We ought to adjust our rates of taxation so as to be absolutely fair not only to the people of Washington but to the people of all the United States. We ought not to take out of the Treasury of the United States the money taken from all the people by taxation and use it to lift the load or the burden from the people of any one city, even the city of Washington, which we always like to favor in every possible way.

Mr. President, I ask that the figures furnished me by the Library of Congress may be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

Governmental-cost payments and tax rates for specified States

State	Total governmental-cost payments, 1922	Tax rate per $1,000, 1922
Colorado	[1] $16,269,101	[2] $4.43
Delaware	[1] 5,683,129	[2] 2.50
Tennessee	[1] 15,130,292	[2] 3.60

[1] United States Department of Commerce, Bureau of the Census, special release on "Financial Statistics of State Governments: 1922."
[2] Bankers' Economic Service, Special Bulletin, State Finances, Dec. 31, 1923, section 4, Vol. XII, No. 14.

Governmental-cost payments and tax rates for specified cities

City	Total governmental-cost payments, 1922	Tax rate per $1,000 of assessed valuation, 1923. City rate alone
Denver, Colo.	[1] $13,372,632	[2] 8.35
Memphis, Tenn.	[1] 8,814,434	(4)
Wilmington, Del.	[1] 4,810,721	[2] 16.00

[1] United States Department of Commerce, Bureau of the Census, special release on "Financial statistics of cities of 30,000 population and over: 1922," p. 5.
[2] Compilation of "Comparative tax rates for 177 cities over 30,000 for 1923," by Detroit Bureau of Government Research (Inc.), in National Municipal Review, December, 1923, pp. 719-723.
[3] Ibid. p. 7.
[4] The Bureau of the Census from a tabulation as yet unpublished gives a tax rate for Memphis of $2.10 per hundred dollars for 1922 for city purposes only. Its corresponding figures for the other cities are: Denver, $1.14, and Wilmington, $1.93.

Mr. BALL. I should like to state to the Senator, if he will yield to me——

Mr. CARAWAY. The Senator from Tennessee yielded to me, but I will yield to the Senator from Delaware.

Mr. BALL. I wish to say just a word.

Mr. CARAWAY. Very well.

Mr. BALL. In figuring the tax under the gasoline tax bill, which has now been placed on Washington, it amounts to about $3 upon every inhabitant of Washington.

Mr. McKELLAR. Oh, Mr. President, the tax——

Mr. BALL. Just one second——

Mr. McKELLAR. The Senator from Delaware refers to the gasoline tax bill. We have the same tax imposed in my city in Tennessee and in almost every other city in the United States.

Mr. BALL. I was trying to explain, if the Senator will permit me, that when a 2-cent tax was placed upon gasoline in the Senator's State and in my State and in 14 other States, they relieved the citizens of those States of the tax on their automobiles.

Mr. McKELLAR. Oh, no, Mr. President.

Mr. BALL. Oh, yes. I was just like the Senator, and I made that statement on the floor of the Senate, but I had to retract it, and so will the Senator if he will investigate the matter.

Mr. McKELLAR. I have just recently investigated it.

Mr. BALL. In 14 States that is the case.

Mr. McKELLAR. Just one moment. I have recently investigated the matter, and I desire to say that the people of Washington pay a very small tax, I believe $1 each on their cars. They also pay 2 cents a gallon on gasoline and they pay a property tax on about one-half of the value of their automobiles.

Mr. BALL. They pay on the full value of their automobiles.

Mr. McKELLAR. In the State of Tennessee we pay a 2-cent tax on gasoline. I pay—I can only account for a little Reo coupe, a very small car—I pay a privilege tax of $18.75, and I pay a property tax on about 70 per cent of the value of the car. That is the overwhelming difference in the rate of taxation on automobiles in my city and in the city of Washington. We ought to be fair about these matters; we ought not to take the people's money and apply it to reduce the taxes in any one of the cities of our country, not even, as I say, in the city of Washington. I think we ought to have a more equitable arrangement about taxes in the city of Washington. I think it would be wiser to assess a fair tax against all property, including the Government property, except, perhaps, that which is used for parks and graveyards. The Government property ought to be taxed just like everybody else's property. Then there would not be any charge of unfairness or impropriety in it. Then the city of Washington could do just as any other city does, pay its own way from taxes that come from its own property, whether belonging to the Government or to anyone else.

Mr. President, in conclusion I want to say that I believe $8,000,000 is decidedly more than the Government's proportion of a just tax that should be applied in the city. For a long time the plan of taxation was 50–50, but recently, as a compromise, it was made 60–40, and now it is proposed to make a lump-sum contribution from the Federal Government. None of these plans form a proper basis of taxation. The fiscal system ought to be put upon a right principle, and that principle is that all property, whether belonging to the Government or to anyone else, ought to be assessed, and the Government should then pay its taxes to the city of Washington just like any other resident of the city.

Mr. PHIPPS. Mr. President, will the Senator from Tennessee yield to me?

Mr. McKELLAR. I yield.

Mr. PHIPPS. I should like to say to the Senator that if he will introduce a bill for that purpose I shall be very glad to give it my hearty support and endeavor to secure its enactment.

Mr. McKELLAR. I think that is the only fair and just way to settle the matter. It is too late in the session, however, to do it now.

Mr. CARAWAY. Mr. President, I realize that it is hardly worth while to rehash what we discussed in the Senate on yesterday with reference to the matter of the assessment of taxes in the District of Columbia. In the first place, the Senators who are to vote upon the question are not present; in the second place, life is too short to convince either the Senator from Delaware [Mr. BALL] or the Senator from Colorado [Mr. PHIPPS] that the people of the District of Columbia ought to pay as much taxes as people pay in other places.

Mr. McKELLAR. Even in Delaware or Colorado.

Mr. CARAWAY. The Senator from Delaware on yesterday was entirely frank; he admitted that the tax rate here was lower than in other places; but he said it ought to be lower because the people here did not have certain governmental functions to perform for themselves; that the Congress and the President performed that duty for them, and it ought to be done at the expense of the people outside of the city, of course.

Mr. BALL. Mr. President, I should like to make a statement so as not to be misquoted.

Mr. CARAWAY. When the Senator from Delaware shall have made his statement, I will read the statement which he previously made. I do not expect to rely upon memory. He may proceed and make his statement, and I will then read what he said on yesterday.

Mr. BALL. I said that if the people of Washington should pay all of the expense, the expense of the Government here would not be as great as it would be in the States.

Mr. CARAWAY. And the Senator was opposed to making these people bear that expense, and therefore he was not in favor of making them pay as much taxes as the people pay in the States. That is the conclusion, is it not?

Mr. BALL. No.

Mr. CARAWAY. Does the Senator want the people here to pay as much taxes as the people pay in Delaware?

Mr. BALL. All I want the people of the District of Columbia to do is pay taxes in accordance with a law to be properly prepared and reported by a legislative committee of Congress. I differ somewhat from the Senator from Tennessee [Mr. McKELLAR]. I believe there is only one fair basis of taxation for the District of Columbia, and we must come to that in the end; and that is that a fair rate be fixed by equalizing the taxes on property by assessment and the other taxes which the people pay with the taxes which are paid by the States; and then let the Government appropriate freely, more or less, as may be necessary to make this the greatest and most beautiful city in the world.

Mr. CARAWAY. Of course, the Senator does not answer the question, and I do not care to yield for a speech that deals with the beauty of Washington.

Mr. BALL. What is the question?

Mr. CARAWAY. The question was, Does the Senator believe the people of Washington ought to pay as high taxes proportionately as the people of Delaware pay—just yes or no?

Mr. BALL. Well——

Mr. CARAWAY. Oh, well, I knew the Senator did not, and therefore there is no use to talk further about that. Of course, I realize——

Mr. BALL. Mr. President, I think they should.

Mr. CARAWAY. Actually?

Mr. BALL. Actually.

Mr. CARAWAY. Then, how, in the name of common sense, can the Senator vote for his own amendment which is intended to make them pay only about 50 cents on the hundred dollars when people in Delaware pay $3 on the $100?

Mr. BALL. Mr. President, I own property in Delaware and own property in the District of Columbia.

Mr. CARAWAY. I did not know the Senator owned any in Delaware.

Mr. BALL. According to the valuation of the property in the two places, I pay 1½ per cent more taxes in the District of Columbia than I do in Delaware.

Mr. CARAWAY. On the same valuation?

Mr. BALL. On the valuation that I would place on the property.

Mr. CARAWAY. I am curious to know how that comes about. The Senator has either been mulcted in the District of Columbia or he is dodging his taxes in Delaware, because the rate in Delaware is $3 and the rate in Washington is $1.20, yet he pays 1½ per cent more with a rate of $1.20 than he does with a rate of $3. That is a peculiar way of figuring that nobody except a member of the District of Columbia Committee, perhaps, could comprehend. It is so absolutely absurd that if it happened anywhere else—and I desire to observe the requirements of parliamentary procedure—it would make everybody smile, but of course happening here, we must be serious about it.

Mr. BALL. I should like to state in explanation——

Mr. CARAWAY. It needs an explanation.

Mr. BALL. That the property in Delaware is outside of the city limits, of course, while in Washington I pay the city taxes.

Mr. CARAWAY. I do not think the tax assessor ever found the Senator, else he would not be able to make that statement.

Mr. McKELLAR. The Senator said the property in Delaware was outside of the city entirely.

Mr. CARAWAY. Oh, yes; but the State rate is higher than that. I do not know anything about how one may talk to the tax assessor of Delaware and avoid paying taxes, but I live in a little city of 14,000 people—of course for advertisement purposes we say we have fifteen and a half thousand—and I own a house there; that is, I have an equity in it, and I can get for it less than one-third of that which I can get for the place I own in the District of Columbia—at least I own an equity in it—and yet I actually pay twice as much on that house in Jonesboro, Ark., as I do on the property in the District of Columbia, for which I can get more than three times as much. That is my experience.

The Senator talks about an automobile tax. We pay a 4-cent gasoline tax in Arkansas, while 2 cents is paid here. In addition to that we pay one-half of 1 per cent income tax for State purposes on gross income; in addition to that we pay a poll tax, in addition to that we pay a water, light, and sewer tax, and in addition to that we pay a highway tax. Yet the Senator from Delaware wants me to join him in laying on that little town down in Arkansas a tax that will be equivalent to $3,500 in order that the people in the District of Columbia should pay 50 cents on $100.

Another thing, Senators who come from the West have been talking about the tremendous hardships through which agriculture is going now in the West, and yet some of them are asking more for the District of Columbia out of the funds of the people of the West than they are willing to give them in order to rehabilitate the crushed industry of agriculture in all the Western and Northwestern States. I would have a contempt for the man who wanted to lay taxation on the District of Columbia that was excessive; it would be a cowardly thing to do because they are without a voice in its levy; but I say they ought to pay a fair tax, and they ought not to have anything more. They have many advantages that the people in ordinary cities do not possess; they have the magnificent parks, and the Senator from Delaware has just put through a bill designed to increase their number. I am not complaining about that; but the parks and the libraries and the museums and art galleries and intellectual and amusement centers make Washington an exceedingly delightful place in which to live.

I have seen some live here so long that they forgot they did not get their commissions from the District of Columbia and absolutely ignored their States, except when they went to them to get their names put on the ballot in order to be reelected. Of course, I am naming no names and looking at nobody when I say it.

I pay taxes here, and I have had no favors shown me, I am sure. I never went to the officers who assess the taxes and those who collect them—I have accepted whatever they said—and nobody can accuse me of being a sycophant to the people of the District of Columbia. I have tried to be just to them; but certainly I have not wanted, as some people I have known—again naming no names—to give them everything and lay all the burdens elsewhere.

Now, therefore, no honest man in the District of Columbia or out of it, after he takes time to find out what the facts are, can afford to say that he wants anybody else to bear his burdens. It is not honest to do it; it is not honest for us to require some people to bear the burden and other people to be excused from their proportionate part of the burden of government. It does not make for good citizenship to do it. People who have such things done for them are in some way injured by it.

I do not care anything about arguing particular cases, because some people have made up their minds that all their affairs are regulated from the District and that the people back home have nothing to do; but if the amendment of the Senator from Delaware should prevail, on a per capita basis, he would lay a burden on Wilmington, a city of 120,000 people, of over $18,000 in order to relieve the people of the District from paying their fair share. Of course, Wilmington is a beautiful city; I have been in it. Its streets are somewhat narrower than those of Washington, and many of them are not well paved. They have a good deal of trouble in trying to pay their municipal activities; but, according to the Senator from Delaware, let us lay our hand on them and mulct them for $18,000 more every year so that the people in the District of Columbia shall pay only 50 cents on the hundred dollars, while the people in Delaware shall pay $3.

Mr. McKELLAR. Mr. President, how much will it cost the people of Denver?

Mr. CARAWAY. The Senator from Colorado disputes every figure that is given, and I do not care about making any guess at that. All I do know is that it will cost the city of Denver a great deal more than they will get out of it.

The Senator from Delaware [Mr. BALL] repeated an argument that these people made to me the first day I came here, and I know where he got it; that is, that this should be the most beautiful city in the world. Well, of course, while the people in some of the States are tottering to ruin, while banks are failing and farmers are being driven off of their land, ruined, without ability to clothe themselves decently or feed themselves properly or send their children to school at all, their Senator wants to strip off even that which is left them, in order to make this the most beautiful city in the world and the city of refuge for every man who does not want to pay his taxes.

The Senator from Colorado referred a minute ago to the act of 1922, and I am going back to discuss his reading in the RECORD of that act. If he had read it before—which I take it for granted he never did, although he was a conferee—he would have known that the tax provisions for the years 1924, 1925, 1926, and 1927 were provisions that the authorities here must assess the property at a certain rate in order to create a surplus, so that they could go on a cash basis, and had nothing on earth to do with the 40-60 provision. Of course, the Senator never found that out, and it is no use now to tell him, because it will not impress him.

Mr. PHIPPS. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. PHIPPS. I call the attention of the Senator to my remarks, in which I said that I did not contend that the 60-40 basis was established for a period of five years by that law, and I repeated that statement on the floor to-day.

Mr. CARAWAY. I know; the Senator said it was, and then he said it was not, as I understood the Senator.

Mr. PHIPPS. I beg the Senator's pardon. The RECORD will show.

Mr. CARAWAY. I hope it does show, because I used to be able to remember what was said, and I should hate to think I had gotten so now that I could not at all comprehend the English language; but I want to be entirely courteous to the Senator from Colorado. That is not material. I know his viewpoint just as well as I know the way to the door out there. I know where his heart lies.

If the Senator from Colorado did not intend to say that this act bound us, that we were bound by it, I can not understand why he was complaining about the House changing it, or why he said then that we had a right to change it now because the House had done so. Of course I know what the Senator said, and everybody else does who heard it; and I know another thing: I have heard, ever since I have been here, all this talk, "If you will just wait and propose a measure we will vote for it." We voted for a measure here in 1921, and it was killed somewhere between here and the other House. I refer to the Jones bill. The tax bill was written here, and the conferees surrendered it.

The amendment we are discussing undertakes to say that this amount shall be $14,000,000. There are other provisions in the acts so that when it is all through it will cost about $18,000,000 or $19,000,000 with the four and a half million dollars that is sought to be covered in those other acts. I do not want the District to pay a cent more than is fair. I would not vote to have it pay a cent more than is fair. I am not seeking to lay excessive taxes on myself. I have paid taxes until it seems to me that is about all I have been able to do; but I do not want to make this a place where people may pay no taxes, or comparatively none, and the people somewhere else must make up the deficit.

The amendment offered in the committee proposes to strike out $8,000,000 and insert $14,000,000, and then, as the Senator from Tennessee [Mr. MCKELLAR] says, with a contradictory statement—

> Or in lieu thereof, 40 per cent of each of the following sums, except those herein directed to be paid otherwise.

Mr. McKELLAR. That is about $11,200,000.

Mr. CARAWAY. Nobody knows what it would mean if it were enacted. The only thing that is perfectly apparent is that they want to make somebody else pay the tax. Whichever way will get the most out of them is the correct measure, and whatever will let the District pay the least meets their entire indorsement.

Ordinarily, it is unwise to legislate on appropriation bills. I was a member of the Committee on the District of Columbia for a while in the House, and we tried to legislate, and every measure that we put through, that would have been somewhat remedial, died. The only legislation that has been at all effective, or certainly the only legislation dealing with taxes, had to be put upon appropriation bills. It has to be there now, or it will not become law. I should be perfectly willing to write into this bill what is fair, and then agree that before another District bill shall come up there shall be a perfectly fair tax bill passed. I do not know; it may be entirely proper, but I do not know why there should be an estate tax or an inheritance tax in the States and none here. I know people who have had fictitious residences in the District of Columbia, made their money in some State, and when they died it was discovered for the first time that they were not citizens there, but were citizens here, and they thus avoided paying estate taxes.

Mr. McKELLAR. Mr. President,——

Mr. CARAWAY. I yield to the Senator from Tennessee.

Mr. McKELLAR. I desire to propound a parliamentary inquiry both to the Chair and to the Senator from Arkansas. Inasmuch as this is a double-barreled amendment, providing both for the 50-50 plan and for the 60-40 plan, can we not have the amendment divided and each part voted on separately—first the $14,000,000, and second the 40 per cent of the $29,000,000?

Mr. JONES of Washington. Mr. President, I want to say just a word, if the Senator is through.

Mr. CARAWAY. I was practically through. I had not quite completed what I had expected to say, but I will yield the floor at this time.

Mr. JONES of Washington. No; I thought the Senator was through.

Mr. CARAWAY. That is all right. I hope the Senator will proceed.

Mr. JONES of Washington. Mr. President, I want to say just a word with reference to this amendment. I think I ought to say it in fairness to the Senator in charge of the bill, because I suppose I was more responsible for the adoption of the amendment in the form it is in than any other Senator, and I am willing to take the responsibility.

The amendment is perfectly plain to me. It is really to meet the parliamentary situation which confronts the Senate that that amendment was put in the form that it is in. Of course, no one expects the proposition to be adopted in the form it is in as proposed by the committee, and no one expects the bill to pass without going to conference; and so, from my standpoint, the amendment was framed as it is to meet the parliamentary situation that confronts the Senate and the House upon any measure that goes to conference.

Mr. McKELLAR. Mr. President, what would happen if the House agreed to the Senate amendments instead of sending the bill to conference? Would not this appropriation then be in a very peculiar situation?

Mr. JONES of Washington. That is such a remote contingency that I do not care to take the time of the Senate to discuss it.

Mr. McKELLAR. It frequently happens, however, that the House does accept the amendments of the Senate.

Mr. JONES of Washington. It never has happened, in my years of experience here, that the House has accepted an appropriation bill with all the amendments of the Senate put on it; so there can be no question but that this bill is going to go to conference.

This is the situation: The House adopted in its bill a provision that does away with the law that we passed a couple of years ago that we thought would be permanent, or at least would be in force for some years, determining the basis of taxation in the District on the basis of 60-40.

Mr. KING. Mr. President, will the Senator yield?

Mr. JONES of Washington. I yield.

Mr. KING. I beg the Senator's pardon for interrupting him. The Senator said, as I understood him, "which we thought would be permanent, or at least for some time, as fixing the basis of taxation." I did not believe it. I thought it was a very unjust and a very capricious and arbitrary manner of determining the relative amounts to be paid by the District and by the Government. I have opposed that plan, as I have opposed the 50-50 plan, and have continued and shall continue to do so until we have a rational system which imposes a fair rate of taxation upon the property in the District of Columbia.

Mr. JONES of Washington. Probably I had better say, then, that some of us thought it would be a little bit permanent.

Mr. KING. Yes; that is better.

Mr. JONES of Washington. I am not sure but that I have a good deal of sympathy for the position of the Senator from Utah; but we have been having a controversy every year for several years with reference to this matter of the contribution of the District, and I know that a couple of years ago we adopted a provision—I think we passed a bill through the Senate, and then we put it onto the appropriation bill—and we worked for many days in the conference trying to get a

proposition that we could agree upon, and finally we did agree upon the proposition relating to 60–40, with the various provisions contained in it.

I will say frankly that I had no understanding that this legislation was to continue in force for any definite or fixed period; but I think it was the general hope, at any rate, of everybody that it did fix the basis of our dealings with the District for some years.

Mr. McKELLAR. Mr. President, if the Senator will permit me to interrupt him, if that was true why did the Senator in this amendment report the old 50–50 plan?

Mr. JONES of Washington. Oh, that has nothing to do with what I have just been talking about.

Mr. McKELLAR. Yes; that is the pending amendment. If the Senator was so much in favor of letting the 60–40 plan continue as he says he was, why did he propose an amendment, and have it adopted by the committee, which first put back the 50–50 plan which had been discarded?

Mr. JONES of Washington. Mr. President, I did not say that I was in favor of this plan continuing. I said that some of us hoped that it would, and we did hope so.

Mr. McKELLAR. Then why uproot it by proposing to restore the 50–50 basis?

Mr. JONES of Washington. I want to say to the Senator that so far as I am personally concerned I was pretty strongly in favor of the 50–50 basis, and I am frank to say so, and I stated to the people of my State that I was, and I want to say that I got no more applause for anything I said than I did for that. They have not complained and they are not complaining about the development of the Capital of their country, in which they feel that they are just as much interested as any citizen of the District of Columbia. After several years of controversy, however, as a matter of compromise we finally agreed upon a basis of 60–40, and, as I say, some of us hoped that it would continue for a while, but we are confronted now with a controversy, and I want to refer briefly to what we are confronted with in a legislative way and what we are attempting to meet.

The House, as Senators know, has adopted a provision carrying a lump sum of $8,000,000. In other words, so far as their bill went and so far as they could go they did away with the 60–40 plan and put in their bill a proposal to appropriate a lump sum. So far as the terms of their bill are concerned the 60–40 plan is not in it at all, and could not be considered in conference if we took no other course than to change the amount of $8,000,000.

Mr. McKELLAR. Mr. President——

Mr. JONES of Washington. I yield.

Mr. McKELLAR. I am very much interested in the Senator's explanation about having the 50–50 proposal in his amendment, and, at the same time, the 60–40 proposal. I can not think that the Senator had any idea of trading with the House when he put that amendment in.

Mr. JONES of Washington. I am going to tell the Senate frankly what I had in mind when I offered this amendment.

Mr. McKELLAR. I hope the Senator will.

Mr. JONES of Washington. That is exactly what I am going to do. As the bill came to us from the House, it provided for a contribution of $8,000,000 upon the part of the Federal Government toward carrying on the public business of the District of Columbia. That was the only matter in the bill in that regard. There was no 60–40 plan in it at all.

If we strike out the $8,000,000 and put in the $14,000,000 and nothing else, that means the abandonment of the other, and the conferees could not consider the 60–40 proposition. In other words, it would leave only the straight proposition as to the amount of the contribution by the Federal Government toward the expenses of the District of Columbia. If we strike out the $8,000,000 and put in the appropriation upon the basis of the 60–40, then we will leave in issue the proposition of the 60–40. But if we should find that the House conferees would not accept the 60–40 proposition at all, it seemed to the parliamentarians with whom we consulted that all we could have would be the $8,000,000 contribution toward the expenses of the District of Columbia, or any amount less than that.

In other words, if we did nothing except change the $8,000,000 and put in another sum it would mean the absolute abandonment of the principle of the 60–40 ratio. If we cut out the $8,000,000 and put in the 60–40, then that would leave us the 60–40 in issue, with a possibility or probability or likelihood of our losing the 60–40 and not being able to get anything more than the $8,000,000.

I thought we had better word it so that we would have the whole matter in issue. Some of us think that $8,000,000 is not a sufficient contribution on the part of the Federal Government toward the expenses of the District of Columbia, and I wanted to be in a position in conference where we would have some chance, at any rate, of getting a little bit nearer, if we had to take the lump-sum contribution, toward what we thought the National Government ought to contribute than we would be if we simply had the $8,000,000 in issue.

For that reason on that proposition we struck out the $8,000,000 and put in the $14,000,000, so that we would have a leeway between $8,000,000 and $14,000,000, but we also wanted to have an opportunity to consider the retention of the 60–40 proposition, and the only way we could have that under consideration by the conferees was to put it in. So we inserted it in order to have both propositions before the conference committee, so that the Senate conferees would not be limited to just one thing.

Of course, if the Senate desires to take a definite stand for the abolishment of the 60–40 ratio established by what was supposed to be general or permanent legislation until changed in the regular parliamentary way it will strike out that feature of the amendment; but if the Senate does not desire to take that position, and desires to express its desire that the 60–40 ratio may stand, and still leave the Senate conferees with an opportunity, if they find the House conferees adamant against that, to get a little bit more contribution than $8,000,000 for the support of the District it will leave in the bill the $14,000,000 provision and also the 60–40 proposition.

Personally, I do not believe that $8,000,000 is the just proportion the National Government should contribute toward the maintenance of the District of Columbia. So I suggested this proposition and urged it before the committee in order that both of the propositions might be considered by the conferees. I believed it was wise from a legislative point. I believed it was wise from the standpoint of the people of the District of Columbia.

With many of the suggestions made with reference to the fixing of the really proper basis of taxation between the District of Columbia and the National Government I am in sympathy, and yet I believe that the people of the country want us to pursue even a liberal policy toward the District of Columbia and toward the people here.

I am not going into that phase of it. I have no doubt every Senator has made up his mind with reference to it. I simply wanted to take whatever responsibility there may be for having this amendment in this form. I think it is perfectly plain. It at least is perfectly plain to me. It simply proposes, first, that there shall be in conference the question of the lump sum, as to whether it shall be $8,000,000 or something more than that, up to $14,000,000.

It is also desired that the conferees have an opportunity to consider whether or not we want to do away entirely with the 60–40 proposition. Of course, as I said awhile ago, if the Senate desires to say that we want that done away with the proposal will be voted out and nothing will be left at issue in the conference except the question of the contribution that shall be made.

Mr. BROOKHART. Mr. President, could not that sum have been reduced to $6,000,000 just as well as raised to $14,000,000?

Mr. JONES of Washington. Certainly. Then, of course, there could have been an issue between $6,000,000 and $8,000,000. I think the committee was not in favor of that. Of course, if the Senate is in favor of a smaller amount of contribution, four or five million, whatever it may be, the Senate will vote such a provision in, and then we will have that at issue between the House and the Senate in conference.

The PRESIDENT pro tempore. The Chair has had no opportunity to answer the parliamentary inquiry propounded by the Senator from Tennessee.

Mr. McKELLAR. I would like very much to have an answer.

The PRESIDENT pro tempore. This is a motion to strike out and insert. Undoubtedly the part to be inserted presents two questions, but the rule of the Senate provides that if the question in debate contains several propositions any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided. So the Chair is compelled to answer the question of the Senator from Tennessee in the negative, that it can not be divided; but the proposal of the committee can be amended if the Senate shall desire to amend it.

Mr. McKELLAR. Mr. President, in order that we may have it before us I move to strike out of the proposed committee amendment, in line 5, "$14,000,000 or in lieu thereof." That would divide the question. In other words, that would leave the amendment this way: It would strike out the "$8,000,000"

and insert "40 per cent of each of the following sums, except those herein directed to be paid otherwise." In other words, the striking out of the "$14,000,000, or in lieu thereof" would properly divide the amendment.

The PRESIDENT pro tempore. The question is upon agreeing to the motion of the Senator from Tennessee.

Mr. KING. Mr. President, I am not quite sure that I apprehend the meaning of the Senator from Tennessee. I invite his attention to the fact that, if his motion shall prevail, as I understand it it would call for a 40 per cent contribution from the Treasury of the United States for each of the items carried by this bill except those herein directed to be paid otherwise.

Mr. McKELLAR. I am in favor of the House provision, but the Senator will see that there are two propositions there. The first is the $14,000,000, and the second is the 40-60 per cent proposition.

Mr. KING. The Senator moves to strike out the words "in lieu thereof 40 per centum"?

Mr. McKELLAR. No; just "$14,000,000, or in lieu thereof." If my amendment were adopted, then the question would arise on the motion to strike out the "$8,000,000" and insert the words "40 per centum of each of the following sums"; in other words, establishing the present system.

Mr. KING. Mr. President, I do not think I can agree to the amendment offered by the Senator. Personally, I prefer to strike out the "$14,000,000." Then, if it is necessary to segregate the amendment offered, we can strike out the following words, "or in lieu thereof 40 per centum of each of the following sums, except those herein directed to be paid otherwise," and then, of course, restore the $8,000,000. In that way it would give us the same provision contained in the bill as it passed the House.

Mr. McKELLAR. If the Senator will permit, then the words "or in lieu thereof" would have no meaning in the act. Let us suppose the 40 per cent proposition were adopted, so as to make it read, "That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1925, 40 per centum of each of the following sums, except those herein directed to be paid otherwise, is appropriated." That is a complete amendment. In order to complete that amendment so as to make it read in that way, we would have to strike out "$14,000,000, or in lieu thereof." That would be the way to divide it.

Mr. KING. As I understand what the Senator is seeking, it is to strike out the $14,000,000?

Mr. McKELLAR. Yes.

Mr. KING. And the $8,000,000?

Mr. McKELLAR. No; I am just moving to strike out the $14,000,000 now and divide the question.

Mr. KING. May I inquire of the Senator if he wants to strike out the $14,000,000, and then wants to adhere to the recommendation of the Senate committee to strike out the $8,000,000, and then commit us to a policy of 40 per cent?

Mr. McKELLAR. Oh, no. I regret that apparently I am utterly unable to make my meaning clear. I am in favor of amending the amendment by striking out the $14,000,000. Then I am going to join the Senator from Utah, I believe, in voting down the committee amendment, after I have amended it by striking out the $14,000,000. I do not see how I can express it any more clearly.

Mr. KING. That is all right, if the Senator succeeds in accomplishing both results; but it seems to me, if the Senator will pardon me, that the wiser way would be to disagree to the entire amendment, which would then leave us the House provision appropriating $8,000,000, which we could add to or subtract from, as our judgment might determine.

Mr. McKELLAR. If the Senator would rather have it that way, I have no objection. I am opposed to all of them.

Mr. KING. The Senator and I seek the same objective but by different routes.

Mr. PHIPPS. Before the Senators propose any further amendments or modifications of the pending amendment, I merely want to call their attention to the fact that the Senate has already added four and a half million dollars to the amount appropriated under the bill as it came from the House. If the $8,000,000 is in the minds of Senators as a proper amount to contribute, they should carry with that the thought that the bill, as approved by the Senate up to date, carries in round figures $30,000,000, as against $26,000,000, as it came from the House.

Mr. KING. Let me say to the Senator that, in my judgment, a contribution of 25 or 30 per cent from the Treasury of the United States would be a fair amount to be paid by the Federal Government under the present circumstances. That is my judgment. I think a payment by the Federal Government of $8,000,000 would be sufficient to meet the demands of justice, notwithstanding the large increases which have been made by the Senate. Of course, we will bear in mind the fact that the Senator has an amendment which, if he has not offered it, I understand he intends offering, which will take $4,000,000 or more, which is a sort of floating fund, anchored neither in the heavens nor on the earth, something like Mahomet's coffin, supposed to be taken out of the Treasury of the United States and turned over to the District. I make no comment upon the justice or propriety of that proposition; but if I am in error in assuming that is the purpose of the Senator I shall be glad to be corrected.

Mr. PHIPPS. The amendment to which the Senator refers was offered by me. It has not as yet been acted upon. It makes disposition of and fixes the status of the amount of accumulation which now rests in the Treasury of the United States. No one can dispute its existence. The money is found to be there, but it can not be used for any purpose until the Congress takes action. The Senate has already taken action——

Mr. KING. I am familiar with that fact.

Mr. PHIPPS. By declaring that it belongs to the general fund of the District of Columbia.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. KING. Certainly.

Mr. McKELLAR. In view of the opinion just expressed by the Senator from Utah and the opinion of other Senators about me, I withdraw the amendment which I offered.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Tennessee is withdrawn.

Mr. KING. I was about to observe that I am not satisfied with stating in the bill the precise amount in dollars and cents to be contributed by the Federal Government. I attempted yesterday to make my position clear when I stated that I thought the property of the District should have imposed upon it a fair and reasonable tax. If that shall raise only $20,000,000 or $15,000,000, then my position is that the Federal Government should pay the balance, whether it be $10,000,000 or $15,000,000.

I share with the able Senator from Washington [Mr. JONES] in the pride which he said his constituents away off on the Pacific coast have in this magnificent Capital. We are all proud of our Capital. But our pride in the Capital ought not to close our minds to legislation which would be just and fair. The people of the District of Columbia ought to be proud of the District and they ought to be willing to make their fair contribution to the maintenance of the municipality from which they derive benefits greater than derived from any municipality in the United States.

Mr. CARAWAY. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Arkansas?

Mr. KING. I yield.

Mr. CARAWAY. I merely wish to suggest that the Senator's pride in the Capital ought not also to blind him to the fact that other people have a right to keep something that they worked for and earned, and they should have a little chance to raise their families and educate their children and put a roof over their heads. They ought not to be stripped absolutely naked in order to uphold the pride one might have in the magnificent city called the Capital.

Mr. KING. I agree with the Senator.

Mr. CARAWAY. That seems to have been overlooked altogether.

Mr. KING. We all have, of course, a just pride in the Capital of the United States. But, as I was observing, our pride in the Capital should not manifest itself in unjust legislation from which the masses of the people of the United States have to suffer. The people of the District of Columbia, I assert, have the best governed city in the United States. The District Committees of both the House and the Senate give as much, if not more, attention to the interests of the city of Washington than is given by the city councils and commissions of most of the municipalities of the United States. As chairman of the District Committee, the Senator from Delaware [Mr. BALL] has given days and weeks and months of his service to the affairs of the District. Other Senators upon the Senate District Committee give very much of their time. I shall not speak of myself, but I know that other Senators sacrifice of their time, sacrifice perhaps their duties upon other committees, in order to perform the work that is assigned to them as members of the District Committee. So that the people of the District of Columbia are getting, I repeat, the best municipal government of any city in the United States.

The people of the District have greater advantages in many ways than the people of other cities in the United States.

Why should the people of Arkansas and the people of Delaware be assessed to pay deficits arising from the failure of the people of the District to pay a fair and just tax?

I repeat, Mr. President, that we must have a fair system of taxation here. The bill unfortunately does not provide that, and we may be compelled to vote upon the alternative, the 40 per cent or a fixed amount, $8,000,000 or $6,000,000 or any other sum. Rather than vote for the 40 per cent plan I shall vote for the $8,000,000. I believe that if the people of the District paid a fair tax the Federal Government would not be compelled to contribute even $8,000,000 in an appropriation bill that carries less than $30,000,000. In other words, I believe that a fair tax paid by the people of the District of Columbia to-day would raise more than $30,000,000.

The Government will soon be spending millions of dollars here for the erection of new buildings. A bill is pending now and is being pressed by a number of Senators, one of them the Senator from Maine [Mr. FERNALD], carrying $50,000,000 for new public buildings in the District of Columbia. Whom do they immediately benefit? The inhabitants of the District of Columbia, the property owners of the District. In anticipation of the expenditure of $50,000,000 already there has been an accretion to the property value of real estate within the District. That is being urged as one of the reasons for the extortionate rents which are being charged by the landlords of the District of Columbia. "We are going to have more people here. We are going to have $50,000,000 spent by the Government soon and it will bring more people. It will give employment to more individuals. It will put more money into circulation. Therefore the property becomes more valuable, and our rents must be that much higher." It is a logical argument. Spending $50,000,000 more in the District undoubtedly will enhance the value of real estate. So the people of the District of Columbia ought to be compelled, if they are unwilling, to pay a fair tax for the maintenance of the city.

I wish we had a bill before us that required the assessment of the property at the fair cash value and the imposition of a reasonable tax levy, perhaps 2 or 2.5 or 3 per cent upon the fair cash value of the property of the District, not only the personal property and the real estate, but the intangible assets, which I believe aggregate millions and millions of dollars and which are hidden by the tax dodgers who take refuge in the District of Columbia.

Mr. McNARY. Mr. President, will the Senator from Utah yield for a question?

Mr. KING. Certainly.

Mr. McNARY. I have been interested for a good many years in this problem, which affects the interests of every property owner and taxpayer in the country. The Senator is a member of the District Committee and conversant with the problem. Is it not the theory of the 60–40 plan that the Government and the property owners pay upon the basis of the area owned by the Government and the private-property owners?

Mr. KING. May I say to the Senator that I have heard that suggested, but I can not state what is the reason. The Senator will recall that we superseded the 50–50 basis. I do not think the acquisitions of the Government during the transition from 50–50 to 60–40 would justify the assumption that it was based upon the acreage, and yet I can not answer the Senator one way or the other.

Mr. McNARY. I have never been able to satisfy myself as to what is the proper basis. The thought occurred to me that out through the West, in the 13 Western States known as the public-land States, an accurate calculation shows that 62 per cent of the area is owned by the Government and 38 per cent is owned by private ownership. The Government's property is untaxed and untaxable. The Government does not contribute one cent toward the upkeep and maintenance of those State governments. More than that, most of the roads that are built on Government-owned lands are made at the expense of the taxpayers of the State.

Mr. KING. Yes; and the States pay to police them, too.

Mr. McNARY. That is the fact in that part of the great public domain known as the States of Washington and Colorado. Now, we find in the Senators from those States the champions of this iniquitous system in the District of Columbia. I am wondering if it is not just as fair for the Government to contribute to the upkeep of the administration of the affairs of the State of Colorado and the State of Washington and the other 11 public-land States as it is to help to pay the upkeep of privately owned lands in the District of Columbia.

Mr. KING. The Senator has made a very fine argument.

Mr. McNARY. I propounded a question. Furthermore, to carry out the analogy and show the unfairness to the western people I undertake to say that if the Government's activities were not bound up in the District of Columbia it would be a mere pasture, and the only thing that imparts value to the privately owned land in the District is the expenditure of public money and the salaries that flow from Government activities.

Mr. KING. I think the Senator is right.

Mr. McNARY. That does not give any value to the publicly owned land at all in the West, because it is idle land. That is all the more reason why the Government should contribute its proper proportion to the upkeep of the governments in those States.

If the Senator from Utah is not familiar with that situation, I would like to ask the distinguished Senator who has the bill in charge, and who comes from Colorado, if he does not believe that the taxpayers of Colorado are entitled to the same consideration that is given the owners of private property in the District of Columbia?

Mr. KING. I shall be glad to surrender the floor and have my friend from Colorado answer the question of the Senator from Oregon.

Mr. PHIPPS. Mr. President, it seems strange to me that the debate on an appropriation bill should take a personal turn, as though the Senator from Washington or the Senator from Colorado or the Senator from Delaware were responsible or accountable for the action the Congress has taken in the past and now in the present and were solely responsible with reference to the distribution of the expenses necessary to maintain the Government.

I have contended on the floor of the Senate as long as three years ago for some basis upon which a fair distribution of the burden might be fixed. I suggested the very thought that has now been brought forward by the Senator from Tennessee [Mr. MCKELLAR], that there should be a valuation of the usable Government property within the District limits, and that compared to the private property, and the rates or proportions fixed according to that finding. I state frankly that I did not at that time even find one supporter. I remember that the Senator from Wisconsin [Mr. LENROOT] was very prompt in saying that that was a proposal which could not have consideration for one minute, that no one in the House would at all consider such a proposition.

We are in this situation. The Senator from Oregon may not have been in the Chamber at the time, but, as I stated before, the law which was enacted in 1922 was enacted in as nearly a definite form to settle a disputed question for a period of time as it was possible to do. It was understood by the citizens of the District as represented by their associations that no change in the proportionate rate of contribution of 60–40 could be made without legislative action; that such a provision could not under the rules of either House be attached to an appropriation bill. That law has been in force and effect for two years, and no legislative action has been had. Suddenly, without warning, comes a motion on the floor of the House of Representatives to change the proportionate contribution as written into the bill by the committee which prepared the bill, and to substitute a lump sum for the established 60–40 basis.

Mr. McNARY. Mr. President, that does not touch my inquiry. More than three years ago I made complaint against unjust discrimination favorable to the property owners in the District, much along the same line as I have briefly stated to-day. I have never observed any effort to enact corrective legislation in these three years. If the Senator from Colorado admits that the people here are favorably treated as compared with those who privately own property in his own State, which he must admit, then it is high time, and it has been for a number of years, for us to get together and enact some legislation that will protect the people living out in his State and other western States that have a great area of untaxed property so that they may be put on the same favorable footing as are the people in the District of Columbia. I should like to have a promise that something of that kind will be done.

Mr. PHIPPS. I have contended that it is not the province of the Appropriations Committee to deal with this question. I have said on the floor here that I was quite willing and anxious to support the Senator from Tennessee [Mr. MCKELLAR] or any other Senator who will devise some workable plan that will deal exact justice or as nearly as may be in the matter, but the Appropriations Committee have attempted to deal with this point, which has been brought up by the other House through action on the floor without a record vote. If it be the sense of the Senate to approve the action of the Committee on Appropriations and allow this disputed question

to go to conference, I shall do my best to see that the 60–40 basis is maintained until legislative action can be had, but I should be quite willing to be and should like to be relieved of the responsibility and the work of attempting to deal with this question in conference if that were possible.

Mr. McNARY. I should like to ask the Senator from Colorado a question. Does he think the basis of 60–40 is fair to the taxpayers of the country generally outside of the District of Columbia?

Mr. PHIPPS. I believe it to be fair in view of the fact that the majority of the residents of the District of Columbia are Government employees who are either living in apartment houses, boarding houses, or hotels, who have no taxable property, and yet are the ones who derive the benefit from the public improvements for which some one has to pay. Their children use the public schools.

Mr. McNARY. I assumed that the majority of the taxpayers owning private property were not in the employ of the Government; but, at any rate, I want to propound a further question to the Senator. If he contends that 60 per cent is a proper proportion for the taxpayers to pay in comparison with the public generally, does he think the people out in his State, where more than half the property is publicly owned, should have any contribution from the Government?

Mr. PHIPPS. The people in the District are paying their Federal taxes in addition to their property taxes in the District of Columbia. The people who live here or who have their homes here or their business here, pay into the Federal Treasury very much more than the people of many of the States pay by way of revenue to the Government.

Mr. McNARY. I appreciate that; but that is hardly an answer to the question. I want to know if the basis which the committee used in arriving at the allocation of 60–40 is entirely upon the theory of acreage controlled, respectively, by the Federal Government and private citizens?

Mr. PHIPPS. No; not so far as I am aware. When I came here I found the proportion 50–50. Assuming that in 1919 the proportion of land ownership was 50–50; the relation between private property and Federal property has changed to the extent that the private investment has gone ahead by leaps and bounds, whereas that of the Government has remained almost stationary.

Mr. McNARY. That is true.

Mr. PHIPPS. That was one argument for the 60–40 basis.

Mr. McNARY. Is it not true, though, that the area is one of the factors taken into consideration in arriving at the basis of taxation?

Mr. PHIPPS. I can not say it is; I am not informed as to that. I wish to say to the Senator that had I been a member of the legislative committee having to do with the District of Columbia, and this had been a problem for the committee, I think I should have addressed myself to the study of the subject. I am not, however, a member of that committee. I have only had to deal with the District of Columbia appropriation bill, and I have not made a definite study of this subject. I have not sent out to other cities in order to find how their taxation compares with the tax payments which are made here. Some other Senators, who are members of the committee, have done that.

Mr. McNARY. I have heard it repeated here on the floor, and I think by the very able Senator from Colorado, that the Government makes its contributions because of the large ownership of Government property within the confines of the District.

Mr. PHIPPS. That is one of the elements.

Mr. McNARY. Very well.

Mr. PHIPPS. There is another element, namely, the fact that the children of the employees of the Government must be provided with schools. There are also other elements.

Mr. McNARY. Then may I ask the Senator from Colorado another question? In his State more than 50 per cent of the domain lying within the confines of the State is owned by the Government. Is it not fair, then, that the Government should contribute its proportion to the maintenance of that State government the same as it does in the District of Columbia?

Mr. PHIPPS. That is a very broad question.

Mr. McNARY. It is a very simple question.

Mr. PHIPPS. The question involves so much that I can not answer it offhand. As the Senator perhaps knows, I contended that it was unfair that the taxable property of the State should be called upon to bear the burden of building public roads on the public domain and succeeded in having an amendment adopted so as to cover that situation. The people of Colorado, while they contend that the State should have been allowed to own and dispose of its own property, have never to my knowledge made any complaint as to the proportionate contribution to the expenses of the upkeep of the National Capital. I have the first complaint to receive from a resident of Colorado to that effect.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Tennessee?

Mr. McNARY. I yield the floor.

Mr. McKELLAR. Mr. President, I merely wish to ask the Senator from Colorado a question. A hasty calculation shows that the people in the Senator's State, Colorado, will be called upon to pay about $120,000 of taxes to make up this sum for the District of Columbia. Does the Senator from Colorado think that he ought to impose an additional burden upon the people of his own State, in view of the fact that the rate of taxation now in the city of Washington is just about one-half of what it is in the Senator's own State?

Mr. PHIPPS. Mr. President, the Senator, of course, says "an additional burden," assuming that there is some other burden to which this is added. That is one statement. The other is the flat assertion that taxation here is about 50 per cent of what it is in my home city, the city of Denver.

Mr. McKELLAR. No; I said the State of Colorado.

Mr. PHIPPS. Very well, the State of Colorado. As I remarked on the floor yesterday, it is almost impossible to obtain proper comparative figures when questions affecting real estate and property valuation are under consideration. The Senator from Delaware on the floor yesterday gave two instances where property in the District had been mortgaged for enormous amounts, and yet when it came to a sale the cash price—the actual value at which the two properties exchanged hands—was less than 10 per cent above the amount of the assessed valuation of those properties.

Mr. President, the attempt is made, in the consideration of an appropriation bill, to legislate on taxation. I contend that this is not the proper time nor the proper place to take such action. There is not sufficient opportunity to study the question. Senators can not get down to an intelligent discussion and consideration of the problem of taxation in this manner. I contend that that should be done after the consideration and action of a legislative committee, for the question is within the province of such a committee.

At this point I should like to inquire of the Senator from Tennessee if those who are opposed to the action of the Committee on Appropriations in having written the first amendment into the bill desire to continue the discussion for any length of time, or are they ready to vote?

Mr. McKELLAR. No; we are ready to vote, and I have no doubt will vote immediately. I merely wish to say a word further: The Senator has said he had no proper figures from his own State. I have presented to the Senate this afternoon figures showing the tax rate. It is just about double what it is here in the District. My question was very pertinent, for it seems to me that the Senator is imposing an additional burden of about $120,000——

Mr. PHIPPS. What is the original burden on which the additional burden is added?

Mr. McKELLAR. That is Colorado's proportion of the $14,000,000 which the Senator is seeking to impose upon the people of the United States.

Mr. PHIPPS. What is the proper burden if that is an additional burden?

Mr. McKELLAR. If it is a proper burden, that is for the Senator to say.

Mr. PHIPPS. What should be the entire burden?

Mr. McKELLAR. The Senator can take his own course about that. My judgment is that, in view of the fact that the tax rate in the city of Washington is only $1.20, which is about one-half of what it is in the city of Denver, including State, county, and city taxation, the Senator ought not to seek to impose this additional burden upon the people of his own State.

Mr. PHIPPS. I am ready to vote, Mr. President.

Mr. McKELLAR. We are ready to vote, Mr. President.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McNARY. Mr. President, I rise to a parliamentary inquiry. I am not advised as to the form which the amendment has taken and ask that it be stated.

The PRESIDENT pro tempore. The Secretary will state the amendment now pending and about to be voted upon.

The READING CLERK. On page 1, line 5, after the date "June 30, 1925," the committee propose to strike out "$8,000,000" and to insert in lieu thereof, "$14,000,000, or in lieu thereof 40 per

cent of each of the following sums, except those herein directed to be paid otherwise."

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Alabama [Mr. UNDERWOOD]. I transfer that pair to the Senator from Vermont [Mr. GREENE] and will vote. I vote "yea."

Mr. TRAMMELL (when his name was called). I transfer my pair with the senior Senator from Rhode Island [Mr. COLT] to the junior Senator from West Virginia [Mr. NEELY] and will vote. I vote "nay."

The roll call was concluded.

Mr. JONES of New Mexico. I transfer my pair with the Senator from Maine [Mr. FERNALD] to the Senator from Nevada [Mr. PITTMAN] and will vote. I vote "nay."

Mr. FESS. I have a pair with the junior Senator from Mississippi [Mr. STEPHENS]. I transfer that pair to the senior Senator from New Jersey [Mr. EDGE] and will vote. I vote "yea."

Mr. HARRELD. Has the senior Senator from North Carolina [Mr. SIMMONS] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. HARRELD. I have a pair with the senior Senator from North Carolina, which I transfer to the senior Senator from Illinois [Mr. MCCORMICK], and will vote. I vote "yea."

Mr. SPENCER. I have been requested to announce that the Senator from North Dakota [Mr. LADD], the Senator from Nevada [Mr. PITTMAN], the Senator from Oregon [Mr. STANFIELD], the Senator from Washington [Mr. DILL], and the Senator from Colorado [Mr. ADAMS] are engaged on business of the Senate in the Committee on Public Lands and Surveys.

Mr. ERNST (after having voted in the affirmative). I transfer my pair with the senior Senator from Kentucky [Mr. STANLEY] to the senior Senator from Maryland [Mr. WELLER] and will allow my vote to stand.

Mr. JONES of Washington (after having voted in the affirmative). Has the senior Senator from Virginia [Mr. SWANSON] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. JONES of Washington. He is necessarily absent, and I have promised to take care of him for the day. I find that I can transfer my pair with him to the Senator from Utah [Mr. SMOOT]. I do so and will allow my vote to stand.

Mr. GLASS. I am paired with the junior Senator from Connecticut [Mr. MCLEAN] and therefore withhold my vote.

The result was announced—yeas 31, nays 24, as follows:

YEAS—31

Ball	Dale	Keyes	Reed, Pa.
Bayard	Ernst	Lodge	Sheppard
Brandegee	Fess	McKinley	Spencer
Bursum	Fletcher	Moses	Sterling
Cameron	Hale	Oddie	Warren
Capper	Harreld	Pepper	Watson
Cummins	Harrison	Phipps	Willis
Curtis	Jones, Wash.	Reed, Mo.	

NAYS—24

Borah	George	King	Shipstead
Brookhart	Harris	McKellar	Smith
Caraway	Heflin	McNary	Trammell
Copeland	Johnson, Minn.	Norbeck	Walsh, Mass.
Dial	Jones, N. Mex.	Robinson	Walsh, Mont.
Ferris	Kendrick	Shields	Wheeler

NOT VOTING—41

Adams	Frazier	McLean	Smoot
Ashurst	Gerry	Mayfield	Stanfield
Broussard	Glass	Neely	Stanley
Bruce	Gooding	Norris	Stephens
Colt	Greene	Overman	Swanson
Couzens	Howell	Owen	Underwood
Dill	Johnson, Calif.	Pittman	Wadsworth
Edge	Ladd	Ralston	Weller
Edwards	La Follette	Ransdell	
Elkins	Lenroot	Shortridge	
Fernald	McCormick	Simmons	

So the amendment of the committee was agreed to.

The PRESIDENT pro tempore. The Secretary will state the next amendment passed over.

The READING CLERK. On page 7, lines 5, 6, and 7, the committee proposes to strike out the following words:

of which not more than $1,000 shall be available for enforcement of the act entitled "An act for the relief of street-car motormen," approved March 3, 1905.

Mr. KING. Mr. President, I should like to know the reason for that amendment. The House provided $1,000, as I understand, and it is increased to $5,000.

Mr. PHIPPS. Mr. President, this provision was offered as an amendment on the floor of the House presumably to take care of the requirement of the law that street cars must have inclosed fronts for the protection of the motormen. Why it should be necessary to set aside $1,000 out of the $5,000 allotted to that office for that special purpose was beyond the understanding of our committee. There was no hearing on the question. There was no evidence submitted. The amendment was merely offered on the floor of the House. Striking this out takes it into conference, and we will then have time to see what the real reason was for inserting it on the floor of the House.

Mr. McKELLAR. Mr. President, the trouble about that is this——

The PRESIDENT pro tempore. The Senator from Utah has the floor.

Mr. KING. May I inquire of the Senator from Colorado whether there is any reason for any appropriation at all? Why did the Senate committee increase it to $5,000?

Mr. PHIPPS. I beg the Senator's pardon; the Senate committee did not increase it. The $5,000 item was not changed. The Senate committee has simply stricken out the words that are crossed through in the print, which relate to the $1,000 and were meant for a designation of that amount out of the $5,000. We have not changed the figure.

Mr. McKELLAR. Mr. President, if the Senator will yield, as a matter of fact the law requiring the street-car companies to put doors on their trains was passed several years ago. One of the companies has paid no attention to that law. The other company has. The commissioners claim that they have no money with which to make the investigation and enforce this law. In view of those facts, the House has simply set aside $1,000 for that purpose. It is a very worthy purpose. It ought to be done in behalf of the motormen, and I hope the Senator will not insist on that amendment.

Mr. PHIPPS. Mr. President, I tried to make clear the attitude of the committee, which was that we wanted to carry this matter to conference to find out the reason which the House had for adopting the amendment on the floor.

Mr. McKELLAR. That is precisely the reason. It is in order to conform to a law that the Congress has passed for the protection of street-car motormen. Of course, both companies ought to have complied with it. My understanding is that one company has complied with it and that the other company has not; and the commissioners give as the reason why the other company has not compiled with it that they have no money with which to enforce the law. This provision merely says that $1,000 of that sum shall be so used. That was the explanation that a House Member gave to me this morning.

Mr. PHIPPS. Mr. President, I am quite willing to accept the verdict of the Senators present. I will not ask for a yea and nay vote on it, but I should not like to recede from the action of the committee without a vote.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. There is one further amendment which was passed over, which the Secretary will report.

The READING CLERK. On page 34, line 6, the committee proposes to strike out "$151,270" and to insert the following:

$158,570; of which $144,270 shall be paid wholly out of the revenues of the District of Columbia and $14,300, or so much thereof as may be expended, for the purchase of land for playground purposes, shall be paid 40 per cent out of the Treasury of the United States and 60 per cent out of the revenues of the District of Columbia.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I offer the following amendment.

The PRESIDENT pro tempore. The Secretary will report the amendment.

The READING CLERK. On page 7, line 3, after the figures "$36,120," the Senator proposes to insert a colon and the following proviso:

Provided, That this appropriation shall not become available until the Public Utilities Commission of the District of Columbia shall fix rates of fare for the street-railway companies in the District of Columbia at rates not in excess of the rates of fare fixed in existing charters or contracts heretofore entered into between said companies and the Congress; and from and after the passage and approval of this act the said street-railway companies shall receive 5 cents per passenger as a cash fare, but they shall issue and sell six tickets for 25 cents, as provided in existing charters.

Mr. CURTIS. Mr. President, I understand the Senator from Tennessee would like to discuss his amendment at some length. I wondered if we could not by unanimous consent vote on the surplus amendment, which I understand is the only one left, and then enter into a unanimous-consent agreement that the Senate recess until 11 o'clock to-morrow and that after 12 o'clock to-morrow debate shall be limited to 10 minutes on all amendments and on the bill.

Mr. McKELLAR. I understand that the Chair has recognized me to speak on my amendment, and with that understanding that agreement will be entirely satisfactory to me.

Mr. CURTIS. Would the Senator object to voting on the surplus amendment to-night?

Mr. McKELLAR. Not at all, with the understanding that I am to have the floor to-morrow.

Mr. KING. I would like to state to the Senator from Colorado that with respect to the tubercular-school item, which was covered in an amendment, I want to move to reconsider the vote by which it was agreed to; but I can say what I care to say in 5 or 10 minutes.

Mr. McKELLAR. That can be done after the bill reaches the Senate.

Mr. PHIPPS. Yes; it can be done in the Senate.

Mr. KING. I do not want to delay the progress of the committee.

The PRESIDENT pro tempore. The Chair will ask the Senator from Kansas to repeat his unanimous-consent request.

Mr. CURTIS. I ask unanimous consent that we take an immediate vote upon the surplus amendment, and after that is done I will submit the further unanimous-consent request.

Mr. PHIPPS. The surplus amendment is the one that was sent to the desk and was passed over.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent that the Senator from Colorado may offer an amendment at this time.

Mr. CURTIS. That is correct.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. I would like to inquire whether the unanimous-consent agreement would preclude raising a point of order against the amendment?

Mr. CURTIS. It would not.

Mr. KING. Nor, if the point of order should be overruled, would it preclude a two or three minute statement.

The PRESIDENT pro tempore. The way the Chair understands it, the unanimous-consent agreement simply goes to the offering of the amendment. Is there objection? The Chair hears none, and the Secretary will report the amendment offered by the Senator from Colorado.

The READING CLERK. On page 99, after line 11, the Senator proposes to insert the following:

To carry out the provisions of Senate bill No. 703, Sixty-eighth Congress, first session, entitled "An act making an adjustment of certain accounts between the United States and the District of Columbia," as passed the Senate May 5, 1924, there shall be credited to the general account of the District of Columbia the net balance of $4,438,154.92, as set forth in said Senate bill No. 703, and said credit shall be subject to the provisions and limitations contained in said Senate bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. BROOKHART. I would like to inquire of the Senator from Colorado if that item refers to surplus revenues that have come back to the Treasury, paid by the Government and appropriated by the Government?

Mr. PHIPPS. The fund consists of the difference between the amount of taxation paid into the Federal Treasury by the residents and property owners of the District of Columbia over the period of years from about 1916 to 1922, and half of which was expended. On account of war conditions, the money was not expended for the upkeep of schools and streets and other things. In other words, the District's proportion of money expended in the upkeep was less than the amount of the taxation received. That surplus is in the Treasury of the United States.

A joint committee of the House and Senate found, upon investigation, and by using expert accountants, the exact figure, which balance has been confirmed by the general accounting officer. That amount belongs to the general fund, and would be available for the purpose of paying the expenses of the District of Columbia.

Mr. BROOKHART. Were there Government appropriations in these items where these savings occurred?

Mr. PHIPPS. I am trying very hard to make it as simple as possible, so that the Senator will get a correct understanding. To illustrate, in one certain year the tax receipts in the District of Columbia were, say, $22,000,000. The District's proportion of the total expenses for the upkeep of the District was $20,000,000. The Senator will see that there are $2,000,000 left over unexpended. This merely states that any balances left over and covered into the general fund may be available for expenditure in future years.

Mr. BROOKHART. Was all the Government's proportion expended in those years? I can not quite understand that.

Mr. PHIPPS. We were operating under the 50-50 ratio. When the cost of running the District for one year was $20,000,000, the District's share would be $10,000,000, and the share of the Federal Government would be $10,000,000. The receipts from taxation in the District amounted to $11,000,000, so that their proportion would be overpaid by $1,000,000, which balance would be left in the general fund, and this finding merely confirms what the general accounting officer states, and what was ascertained by the examination of expert accountants.

Mr. BROOKHART. No part of these surpluses was furnished by the Government in any way?

Mr. PHIPPS. No part of this amount we are dealing with in this bill was ever furnished by the Federal Government. This is all money derived from taxation or other receipts from the District of Columbia. It has been passed by the Senate, and reported favorably by the Committee on the District of Columbia of the House.

Mr. KING. Mr. President, a bill passed the Senate a few days ago providing for this item. It has gone to the House in a legislative way. It is pending before the House committee, I am advised, and I doubt the propriety of attaching it to this bill. We ought to give the House an opportunity in a legislative capacity to pass on an item that is of so much importance. We had the advantage of discussion here and of full consideration of the subject, and of the able presentation which was made by the Senator from Colorado when the bill was before the Senate legislatively. If we attach it to this bill it will go to conference, the conferees will deal with this important matter, and the House will have no opportunity whatever to inquire into it or to examine it, except as the conferees, when they report back to the House, shall make revelations to the House.

It does seem to me that it is not quite fair to the House—it is not a fair method of disposing of a matter so important as this—conceding that it is a measure of merit and of justice. I am inclined to think, from the limited opportunity which I have had to investigate, that the proposition which has been submitted by the Senator from Colorado is a fair proposition. I listened to a portion of his statement when the bill was before us some weeks ago, and I was inclined to support his proposition; and, as I remember, I did vote for it. Nevertheless, I believe in fair play and in fair dealing with both branches of Congress, and it does occur to me that we are not dealing quite fairly with the House when we have sent them this important bill, now to attach it as a rider to this bill, thus denying the House full opportunity for examination.

I do not like to be put in the attitude of objecting to a measure which I supported, and which superficially, at least, appears to me to be just. I do feel, however, that the Senator should not press it. We ought to give the House a chance to consider it.

Mr. McKELLAR. Mr. President——

Mr. KING. I yield.

Mr. McKELLAR. As I understand it, the House has reported the bill, or perhaps there have been a majority and a minority report filed. May I ask the Chair if the amendment is subject to a point of order?

The PRESIDENT pro tempore. It is subject to a point of order, the Chair understands.

Mr. McKELLAR. It does seem to me that the House ought to pass on this matter. We should not undertake to pass it without giving them any opportunity to act upon the matter in the regular way. It seems to me that that should not be done, and if the Senator from Utah will permit me, I will make a point of order against the amendment.

Mr. PHIPPS. Mr. President, I want to say that my information is to the effect that the Committee on the District of Columbia in the House have favorably reported the bill, and that there was only one dissenting vote in the committee. The bill is going to conference. In case the House conferees are willing to accept the proposition of the Senate they would undoubtedly feel impelled to refer it back to the House for consideration first before definitely agreeing. That would give the House an opportunity to consider the measure. It should be considered. It is entitled to consideration. We should know how much money is going to be available for expenditures for the needs of the District.

On yesterday I called attention to the important matter of the water plan. If we do not follow that course—and I am frank to say it was my purpose in offering it as an amendment to this bill—there is danger that in the congested condition of affairs in the closing days of the session the House may not act upon the bill. As Senators know, they are only accorded one day a week in the House for District legislation and very often they are deprived even of that, particularly in the closing days of a session.

I therefore trust that the Senators will withdraw the objection and permit the amendment to be agreed to. I will say to the Senator from Tennessee that I am confident the amendment is not subject to a point of order, or I would not have offered it.

Mr. McKELLAR. Mr. President, I make the point of order against the amendment that it is general legislation on an appropriation bill. I think it is unquestionably that, and I think it is a matter which ought to have the consideration of the House. I do not think it ought to be passed on by the Senate and the conferees of the two Houses, but it ought to be passed on by both Houses. The city of Washington can not lose a thing by it. The money is in the Treasury. Not a penny of it is coming out. Delay should be had in the matter so that both Houses may give it proper consideration. I do not think either House should be deprived of an ample opportunity to consider the matter. Therefore I insist upon the point of order.

The PRESIDENT pro tempore. The Senator will state the point of order.

Mr. McKELLAR. It is that the amendment is general legislation upon an appropriation bill and contrary to the rule.

Mr. PHIPPS. I desire to call the attention of the Chair to the fact that the measure passed the Senate during the present session.

The PRESIDENT pro tempore. The fact that it passed the Senate only goes to show that it is general legislation.

Mr. CURTIS. Rule XVI provides:

> Or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session.

This bill passed at this session.

The PRESIDENT pro tempore. Passed the House?

Mr. CURTIS. No; passed the Senate. It does not have to pass the House to come within the rule. It passed the Senate.

The PRESIDENT pro tempore. To what part of the rule does the Senator from Kansas refer?

Mr. CURTIS. Rule XVI, paragraph 1, the latter part of the paragraph.

Mr. JONES of Washington. There is no question about the rule.

Mr. McKELLAR. It does not apply to this case at all. It says, "An act passed."

Mr. CURTIS. Or resolution.

Mr. McKELLAR. It can not be an act until both Houses have acted on it.

Mr. CURTIS. Just as soon as a bill passes the House it is called an act. Any measure that comes from the other body is called an act.

Mr. McKELLAR. It has not passed the other body.

Mr. CURTIS. It has passed the Senate and therefore becomes an act.

Mr. McKELLAR. Oh, no; there would be no such thing as general legislation in such a case. Of course it is general legislation.

Mr. WARREN. That rule has been in force for a great many years, and many times it has been ruled upon.

The PRESIDENT pro tempore. It is the opinion of the Chair that the rule stated by the Senator from Kansas does not apply. It states in the first paragraph:

> And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law.

Mr. CURTIS. The amendment is to carry out the provisions of an act that passed the Senate at this session of Congress.

The PRESIDENT pro tempore. It may be so, but the provision of the rule is in the first paragraph:

> And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made—

And so forth.

Mr. CURTIS. It is made to carry out the provisions of an act previously passed by the Senate.

The PRESIDENT pro tempore. Paragraph 3 of Rule XVI provides that—

> No amendment which proposes general legislation shall be received to any general appropriation bill.

The Chair is of the opinion that the point of order is well taken, and it is sustained.

Mr. CURTIS. Mr. President, I ask unanimous consent that after 12 o'clock to-morrow debate be limited on the pending bill and amendments to 10 minutes. If this agreement is entered into I shall move that the Senate take a recess until 11 o'clock to-morrow.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kansas?

Mr. McKELLAR. Reserving the right to object, inasmuch as it is an amendment which I have proposed, may we have the request amended so that I may have the floor at the beginning of the session to-morrow to explain the amendment?

Mr. CURTIS. I have no objection to the Senator being recognized now and let him have the floor when we meet to-morrow.

Mr. McKELLAR. That will be entirely satisfactory to me. Let my amendment be stated.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Tennessee will be stated.

The READING CLERK. On page 7, line 3, after the figures "$36,120," insert a colon and the following proviso:

> *Provided*, That this appropriation shall not become available until the Public Utilities Commission of the District of Columbia shall fix rates of fare for the street-railway companies in the District of Columbia at rates not in excess of the rates of fare in existing charters or contracts heretofore entered into between said companies and the Congress; and from and after the passage and approval of this act the said street-railway companies shall receive 5 cents per passenger as a cash fare, but they shall issue and sell six tickets for 25 cents, as provided in existing charters.

The PRESIDENT pro tempore. The Senator from Tennessee is recognized upon the amendment offered by him. Is there objection to the unanimous-consent request of the Senator from Kansas? The Chair hears none and the agreement is entered into.

The agreement was reduced to writing as follows:

UNANIMOUS-CONSENT AGREEMENT

> *Ordered* (by unanimous consent), That after the hour of 12 o'clock m., on Thursday, May 29, 1924, no Senator shall speak more than once or longer than 10 minutes upon the bill (H. R. 8839) making appropriations for the government of the District of Columbia, etc., or more than once or longer than 10 minutes upon any amendment offered thereto.

RECESS

Mr. CURTIS. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate took a recess until to-morrow, Thursday, May 29, 1924, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, *May 28, 1924*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we thank Thee for the manifestation of Thyself through the dawn of another day. Surely Thou art abundant and rich and gracious in Thy mercy. Continue to enlarge our conception of Thee, of life, and its obligations. May we again take the pledge of service and may we feel the high honor which is ours in serving our country and our fellow men. Let the intelligence of our people work toward purity, honor, and righteous strength. May the shades of ignorance, injustice, and of prejudice continue to dissolve into good will, cooperation, and the golden rule. Thus our land shall be blest and the gladness of the world's morning shall reach everywhere. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE CONSTITUTION

Mr. COOK. Mr. Speaker, on the 25th day of May, 1787, a sufficient number of delegates to the Constitutional Convention had assembled in the city of Philadelphia and the convention was organized by electing Gen. George Washington——

The SPEAKER. The Chair recognized the gentleman, as he understood, for a unanimous-consent request.

Mr. COOK. Yes; I have it right here.

The SPEAKER. But the gentleman can not debate it.

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry. What is the request?

Mr. COOK. I desire to ask unanimous consent of the House to extend my remarks in the RECORD in reference to the work of that convention.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD on the work of the Constitutional Convention.

Mr. SNELL. The gentleman's own remarks?

Mr. COOK. My own remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. COOK. Mr. Speaker, on the 25th day of May, 1787, a sufficient number of the delegates to the Constitutional Convention had assembled in the city of Philadelphia, and the convention was organized by electing Gen. George Washington as president thereof.

We have just passed the one hundred and thirty-seventh anniversary of that event, which was so important in our history and the history of the whole world. I desire to ask the unanimous consent of the House to extend my remarks in the RECORD on the work of that convention.

Mr. Speaker, the story of the American Constitution should never grow old. It had enemies when adopted, and it has them to-day. There are those enjoying its protection who would strike down such parts of it as they do not like. It has been assaulted many times from many sources, and often the storm has been so great that it seemed as though it would be swept away, but the sober second thought of the American people came to its rescue and saved it. It is to them we must look to preserve it in the future. It rests upon public opinion. Whoever can change that can change the Constitution. In addition to safeguarding the fundamental rights and liberties of the citizens, it also provides for a form of government and the control of it is placed in the hands of the people. It also wisely provides that the people shall have the power to change and add to its provisions by way of amendment. There were persons in the days of its adoption who believed in monarchy and who denied that the people were competent to create constitutions and governments and to govern themselves, and I regret to say that there are such persons in our land to-day. Mr. Lincoln in his day said:

> Monarchy itself is sometimes hinted at as a possible refuge from the power of the people.

There is an impression existing that the Constitution of our country is something beyond the reach and understanding of the people; that it is a dry subject to be studied only by lawyers, courts, and scholars. That is a wrong impression and should be corrected as soon as possible. It is so plain and simple in its terms and provisions that it can be understood by the common people. It would be very unfortunate if they could not. The people must study it in order to better discharge their duties as citizens and to defend it when assailed. We must not lose interest in it or deny its rightful authority. There can be no neutrals. A mere passive and grudging obedience is not sufficient. We must love and respect our Constitution, and do works showing we believe in it and want to perpetuate it. It will not operate itself. The brain and purpose of men and women are required. I am glad to note a movement in favor of studying the Constitution. Last year many meetings were held among the people for that purpose, and our schools are doing much to encourage a more careful study and better understanding. Some of the great newspapers of the country have aroused a new interest by offering prizes to students for compositions and orations. This interest should not be allowed to die down. We must not break faith with those who died for it.

Every young man and woman about to leave our schools and institutions of learning to step out into the world should have a firm grasp on the fundamental principles of our Constitution and the Government under which they must live. These young men and women will soon become the heads of homes and families and take our places in the great task of operating and perpetuating the best Constitution and Government on earth. They should be fully prepared for that great task.

In order to fully understand our Constitution it is necessary to briefly review some of the conditions of the time in which it was adopted. Prior to that time the monarchial idea ruled the world. That idea was based on the theory that the power of government should be vested in the hands of the few, and that the people were incompetent to be entrusted with the power of governing themselves. Our fathers challenged that doctrine and engaged in the Revolutionary War to establish the fact that the people were competent to create their own constitution and govern themselves. They rejected the monarchial idea when they proclaimed to the world in the Declaration of Independence:

> We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

That language means that the only powers which any government can rightfully exercise are such as are given by the consent of the people. That consent was given when our present Constitution was ratified by the thirteen original States, and when the amendments added since were ratified by three-fourths of the States. It is still given when the people vote for President, Senators, and the Members of the House of Representatives. These officers are not acting for themselves but as representatives or agents of the people who send them here.

The thirteen Colonies were subjects of Great Britain. She had expended large sums of money in the colonial wars which had resulted in adding to our territory all that beyond the Allegheny Mountains to the Mississippi River. The colonists did not dispute but that they should pay part of this expense, but contended that the colonial assemblies should levy the tax. It was claimed in England that the colonists did not escape the jurisdiction of Parliament by emigrating to America; that the colonists were represented therein, and it had the right to make the laws for them. On the other hand, the colonists conceded that Parliament had the right to regulate the commerce of the Colonies; that it might tax them indirectly by levying duties on goods brought into the country, on the ground that they did not have to buy them; but denied that they had any representation in Parliament, because they had no voice in electing its members, and hence it had no right to levy taxes within the Colonies or legislate on local affairs therein. This idea was early expressed in the maxim, "Taxation without representation is tyranny." The only alternative was either to lose their liberties and right of local self-government or resort to war. They preferred war to the loss of their rights. It was a war of self-defense.

This is what Patrick Henry had in mind when he said in the Virginia Assembly:

> Sir, we have done everything that could be done to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned with contempt from the foot of the throne! In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained—we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us! * * * I know not what course others may take; but for me, give me liberty or give me death!

These words sounded the keynote and the battle cry of the Revolution.

The histories of our country must be kept straight on this question. We must not permit the facts to be garbled or misrepresented. The rights for which the colonists contended were guaranteed to them in the British constitution and recognized in their charters. Great Britain tried to take them away, and when the colonists protested it sent armies here to stamp out the spirit of liberty and force them into submission. The resulting war united the Colonies. The title of the Declaration of Independence establishes that fact. It reads:

> A Declaration by the Representatives of the United States

It also declared that the Colonies were free and independent States. This was the birth of a nation under the name of "The United States of America."

In the haste of war the Articles of Confederation were adopted, which proclaimed a perpetual union of the Colonies. The articles created nothing more than a league of the States. It answered the purpose during the war, but was soon found inadequate to properly regulate the national affairs of the States. The confederation lacked power. It did not operate on the persons in the several States as individuals, but on each State as a body. There were no citizens of the United States, but only citizens of the several States. It had the power to make the demands on the States for money or other measures, but had no power to enforce them. The conflicting interests of the several States were a source of much irritation. Each was jealous of its rights and powers, and was reluctant to surrender enough of them to form a general government. This was a critical time. The winning of the war established our independence, but we could not stop there. The existing confederation and government were not sufficient to insure our growth as a great country. We had to take some affirmative step in the direction of forming a constitution and government. If a mistake had been made, it would have changed the whole course of our history and retarded the growth of constitutional liberty throughout the world. Some suggested that Washington should be elected King, but he refused. It was the greatest act of his life. He soon became a leading spirit in favor of a constitutional convention. His State led in calling a convention at Annapolis. But few of the States sent delegates. However, this meeting recommended that Congress call a convention to be held at Philadelphia on May 14, 1787. This call was issued. Each State, except Rhode Island, sent delegates. They were late in arriving and did not organize until the 25th of May. Washington was elected president of the convention. It was found that many of the delegates had been instructed by their States to merely amend the Articles of Confederation. It soon became apparent that it would be impossible to do that, and that it would be necessary to prepare an entirely new constitution.

There were three principal forms presented to the convention. One was to entirely wipe out the State governments and form a strong centralized government with a President for life, with power to veto all laws passed by Congress, and with power to appoint the governors of each State, the latter having the power to veto all laws passed by the State legislatures. This plan would have amounted to a monarchy instead of a republic. Another plan would have permitted the States to retain their sovereignty and provided for the amendment of the Articles of Confederation so that the General Government would have been the agency of the States. Still another plan provided for a mixed form of government, in which there would be a system of checks and balances on the powers of the different parts, a dual form wherein the States and the people surrender enough power to form a general government and retain all of the other powers not surrendered. It is apparent that the convention rejected both extreme plans and adopted the principles of the last one.

The convention sat behind closed doors and labored for four months. There was a great conflict of opinions, and at times it seemed as though it could never reach an agreement. Many of the delegates refused to remain and returned to their homes. It seems to me that no wiser body of men ever met. They held the destiny of this and other nations in their hands. Had they faltered, there is no one who can estimate the loss it would have been to humanity. When the body of the present Constitution was agreed upon, 13 of the delegates were absent and did not sign it. Mason, Randolph, and Gerry, though present, refused to sign it. It was signed by only 39 of the 55 delegates.

What are some of the provisions of the document finally agreed upon? The small States were afraid of the power of the larger ones and that they would be swallowed up by them. This objection was overcome by giving each State two Senators and thus equal representation in the upper branch of the lawmaking body. It is provided that no State without its consent can be deprived of this representation in the Senate. We still have the States of Arizona, Delaware, Nevada, New Mexico, and Wyoming with two Members in the Senate and but one Member in the lower House. That gives each of these States as much power in the Senate as New York, with her great population and her 43 Members in the House. The representation in the House is based on population, thus giving the larger States the most power. The equal representation in the Senate is a check against it. The Members of the House are elected for short terms. This gives the people frequent opportunity to express their will through their Representatives.

All bills to tax the people must originate in the House. When it or any other law passes in the House it goes to the Senate, where each State has an equal voice. When it passes both it goes to the President, and here is another check. He as representing all the people has the power to veto it. Then it can not become a law unless two-thirds of both Houses pass it over his veto. The President can negotiate a treaty, but it has no force until consented to by two-thirds of the Senators. He also nominates ambassadors and the officers of the United States, but the Senate must confirm them.

Like the restrictions on the other departments of the Government, the Constitution also wisely limits the powers of Congress to legislate within certain bounds. These powers are named in the instrument. If Congress should go outside of that which is necessary to carry into execution these powers and others vested in the Government and undertake to take away or impair the rights of the people not surrendered to it, such acts would be void and would be held so by the Supreme Court. If the Supreme Court holds an act of Congress void on the ground that the people have not given power to Congress to enact such a law and the people think that the court is wrong, then they can overrule it by amending the Constitution, and expressly give the power in question to Congress. That was done in the sixteenth amendment. Congress had passed an income tax law which the Supreme Court held void. Then the people amended the Constitution and gave Congress power to levy an income tax without apportioning it to the States. If Congress should pass laws on subjects upon which the people had never given their consent, then it would be exercising powers without the consent of the people. The Declaration of Independence says that all of the powers of government are derived from the consent of the governed. Our Constitution and Government are based on that theory. It inevitably follows from this that there is no power in the Constitution or in Congress or in any other department of the Government except such as has been granted by the people of the United States in the manner provided in the Constitution. Some are trying to detract from the amendments to the Constitution by saying the ratification instead of being submitted to the legislatures should be referred to a popular vote. The people have the power to amend the Constitution in that respect and provide for a referendum if they deem it best to do so. Those who desire it done in that way should start a movement to instruct their Representatives to propose such an amendment. While I do not desire to detract from the other wonderful provisions of our Constitution, it seems to me that the article providing an orderly method of amendment or addition makes it a living instrument and insures its perpetuity.

After the Constitutional Convention had agreed upon the form of a constitution, it passed a resolution providing it should be transmitted to the legislatures of the several States, and that they submit it to a convention of delegates chosen by the people. In that way the people gave their voices either in favor of ratification or against it. It will be noted that the opening sentence of the Constitution is—

> We the people of the United States, in order to form a more perfect union, * * * do ordain and establish this Constitution for the United States of America.

The proposed constitution was to be in full force and effect as to the States ratifying it when ratified by nine of them.

It will be observed that the instrument did not contain what is termed a bill of rights. It was urged that this was not necessary. The conventions in Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut ratified without much delay. There was strong opposition in Massachusetts when it was proposed to ratify with a recommendation that the bill of rights be added. There was similar opposition in Virginia, North Carolina, South Carolina, Rhode Island, and New York. In the midst of this contest Maryland and South Carolina ratified. Then New Hampshire made the ninth. Virginia ratified it without knowing the action of the latter. New York followed. The new Government went into operation April 30, 1789, and North Carolina did not enter until November of that year, and Rhode Island not until June, 1790.

What is this Constitution? It is a system of fundamental laws defining the powers of the Government and safeguarding the rights of the people. It is the supreme law of the land, created and ratified by the people. It deals only with the great principles upon which our Government rests and the general rights and privileges of the people. It is intended to be permanent until modified or amended by the people. While the people retain their rights as sovereigns, with the power in their hands to change it at their will, yet they, like every other part

of the Government, are bound by it until it is changed. It recognizes the dual form of our Government as composed of States and a General Government. As already indicated, it defines and limits the powers which the people have delegated to the legislature and other departments of it. It is also a restriction on the powers of the States, and prohibits them from doing certain things.

While our Constitution is a law, yet it is more than a law enacted by Congress or a State legislature. It is the direct act and voice of the people and can not be changed without their consent, while an act of Congress or of a State legislature can be repealed or changed at the session at which it is passed or at a subsequent session.

It is plain to be seen that the people in creating this Constitution and adding the amendments thereto must have considered that there are certain questions which are of a national nature and should be regulated by a General Government, while there are others of a State or local nature which should not be regulated by the General Government but should remain within the States. While the line of demarcation is often difficult to determine and becomes the subject of honest differences of opinion, yet the people can be relied upon to find the proper line.

There has been quite a difference of opinion as to where our fathers obtained the material out of which the Constitution was constructed. From whence did they obtain the plan? Some contend that it was copied from foreign sources. I reject that theory and contend that it is principally of American origin. Of course the fundamental rights of the people were not new. They came down through the ages, but our fathers applied and combined the science of government in a plan different from the old models and brought forth a new plan. This is what Mr. Lincoln had in mind in his Gettysburg speech when he said:

> Fourscore and seven years ago our fathers brought forth upon this continent a new nation conceived in liberty and dedicated to the proposition that all men are created equal.

Their experience in governing themselves in the colonial assemblies had prepared them for the great task of building our Constitution. Many of the public men of that day were students of the science of government. Virginia early had a single executive and legislature composed of two bodies and had largely governed itself for 150 years prior to this convention. As early as 1683 the people of New York elected an assembly. It adopted a declaration of rights and declared that taxes could not be levied without the consent of its representatives, and had governed itself for 100 years. Likewise the settlers of New Jersey asserted the right to govern themselves, make their own laws, and levy their own taxes, and had governed themselves for 100 years. The Pilgrims on the Mayflower, before landing, had signed an agreement and asserted the right to make their own laws and govern themselves. The Puritans, coming later, declared the King could not tax them without their consent and that government derived its powers from the consent of the governed. This colony established public schools and governed itself for 150 years. In New Hampshire the people elected representatives and governed themselves for 100 years. In Connecticut the inhabitants of the towns met, prepared and adopted the first written constitution and form of government in America.

It developed the idea found in our Constitution of giving the States equal representation in the Senate and the representation according to population as found in the House. It formed a union with Massachusetts and had a written constitution. Roger Williams did not like the attempt to regulate religious worship and left Massachusetts and founded Rhode Island. This was the beginning of the separation of church and State in America. In Maryland the right to worship according to the dictates of conscience was declared. In Delaware the people had their own legislative assembly. In Pennsylvania the people elected an assembly and formed a constitution and granted religious freedom to all. In North and South Carolina and Georgia people governed themselves. As a general thing the colonists had left Europe because they were dissatisfied with the governments there. They soon lost their attachment for the countries from which they came. They were in a new country far removed from the influences of others. They breathed the air of freedom. They learned to rely on themselves and to solve their own problems, and it is easy to see how this developed the feeling of independence. Their rights and liberties had become a part of their very lives, and is it any wonder they resisted the efforts to take them away?

As already indicated, the first 10 amendments are our Bill of Rights. They were proposed by the First Congress and promptly ratified by the States. These are generally considered as part of the original instrument. This Bill of Rights guarantees freedom of religion, of speech, of the press, and of the right of the people to peaceably assemble and petition their Government for a redress of grievances; that the right of the States to have a militia and bear arms can not be infringed; that soldiers in time of peace can not be quartered in any house without the consent of the owner; that persons and houses can not be searched without proper search warrants; that persons shall not be tried unless properly indicted, nor twice put in jeopardy of life or limb, nor compelled to testify against himself, nor deprived of life, liberty, or property without due process of law, nor private property taken without just compensation; that the accused shall have a speedy trial by an impartial jury in the district where it is claimed the offense was committed, informed of the charge against him, confronted with the witnesses against him, and have process to compel attendance of witnesses in his favor, and have assistance of counsel for his defense; that the right of trial by jury in civil cases shall be preserved; that excessive bail shall not be required, nor excessive fines be imposed, nor cruel or inhuman punishments inflicted; that the enumeration of certain rights in the Constitution shall not be construed to deny others retained by the people, and finally that the powers not delegated to the United States are reserved to the States respectively or to the people.

The Revolution was not won without a great struggle and the sacrifice of much blood and treasure. Likewise the Constitution was not formed and ratified without a great struggle. It would be misleading, however, to assume that when these were accomplished the struggle ended. It did not, but continued in different forms for some seventy-five years until the close of the Civil War, when the Supreme Court finally declared that we are:

> An indestructible Union, composed of indestructible States.

In looking back over the long contest, we must not forget the fact that the thirteen States ratifying the Constitution had been separate governments for from 50 to 150 years; that this had developed a strong State pride; that time would be required to fully develop the national spirit; and that there would necessarily be disputes arise over the authority of the Constitution and Government which would have to be settled.

This Constitution and Government can not long endure without the love and support of the American people. They must study, respect, and obey it. They must never forget it.

It must not be forgotten that the people—made in the image of God—who created this Constitution and are now its support, are greater than that which they created; that it was created to protect their rights, and that this must ever be kept in mind in shaping legislation under it.

Our fathers recognized that legislation is necessary to give life to the Constitution and vested that power in the Congress—the representatives of the people. Let us beware of the false doctrine of those who are asserting that legislation can do no good and that our Government is a failure. True, we now have influences operating and seeking to control the Government, oppress the people, and deprive them of their rights of which our fathers never dreamed, but we must meet the situation and restrain these influences by legislation. Mr. Jefferson must have had this in mind when in his first inaugural address he said:

> Still one thing more, fellow citizens—a wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned.

This important duty rests upon Congress and it must fearlessly perform it.

If new questions arise which properly belong to the General Government let us amend it. Our fathers realized that it was impossible for them to lay down all of the rules for the government of their descendants, and expected us to make some improvement over the day in which they lived. They improved on the age in which they lived, and it is to their credit to believe that they expected their descendants would do likewise. We would not reflect the glory of the generation in which they lived, or be worthy of the one in which we live, if we did not add to that which they gave us.

Consider the lofty position of the American people, as the creators of constitutions and of governments, and as selecting their servants to execute their collected will. Of this poets have sung, the oppressed have dreamed, and for it men have died, and above all they have retained in their own hands the power to change or add to any part of the Constitution whenever they desire to do so.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested.

Senate Concurrent Resolution 11

Whereas the citizens of Tallahassee, Fla., the State capital, joined by the citizens of the entire State of Florida, are planning an appropriate celebration in November, 1924, of the centennial of the first meeting of the Legislative Council of the Territory of Florida, said celebration to be held at Tallahassee; and

Whereas it is desirable and fitting that the United States Government should be represented on the occasion of the said celebration: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President be, and he is hereby, authorized and directed to name and appoint a representative of the United States Government to attend and participate in the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida, said celebration to be held at Tallahassee, Fla., the State capital, during the month of November, 1924.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 1018. An act authorizing the Secretary of the Navy in his discretion to deliver to the custody of the Albany Institute and Historical and Art Society of the city of Albany, N. Y., the silver service which was presented to the U. S. cruiser *Albany* by citizens of Albany, N. Y.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 773. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Harry Simpson; and

S. 1898. An act to readjust the compensation of postmasters and reclassify and readjust the salaries and compensation of employees in the Postal Service.

The message also announced that the Senate had insisted upon its amendments to the joint resolution H. J. Res. 237, entitled "Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes," disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. LADD, Mr. CAMERON, and Mr. WALSH of Montana as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3852) providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 1869. An act for the incorporation of the Grand Army of the Republic;

H. R. 3009. An act for the relief of Robert J. Kirk;

H. R. 4820. An act to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922;

S. 2169. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

S. 2450. An act to amend section 2 of the legislative, executive, and judicial appropriation act approved July 31, 1894; and

S. 3272. An act granting the consent of Congress to the Panola-Quitman drainage district to construct, maintain, and operate a dam in Tallahatchie River.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

Under Clause 2, Rule XXIV, Senate bill and concurrent resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 773. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Harry Simpson; to the Committee on Claims.

Senate Concurrent Resolution 11

Whereas the citizens of Tallahassee, Fla., the State capital, joined by the citizens of the entire State of Florida, are planning an appropriate celebration in November, 1924, of the centennial of the first meeting of the Legislative Council of the Territory of Florida, said celebration to be held at Tallahassee; and

Whereas it is desirable and fitting that the United States Government should be represented on the occasion of the said celebration: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President be, and he is hereby, authorized and directed to name and appoint a representative of the United States Government to attend and participate in the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida, said celebration to be held at Tallahassee, Fla., the State Capital, during the month of November, 1924.

To the Committee on Industrial Arts and Expositions.

CONFEDERATE MEMORIAL DAY ADDRESS

Mr. NEWTON of Minnesota. Mr. Speaker, I ask unanimous consent to proceed for one-half a minute.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to proceed for 30 seconds. Is there objection? [After a pause.] The Chair hears none.

Mr. NEWTON of Minnesota. Mr. Speaker, last Sunday, which was Confederate Memorial Day, the President of the United States delivered a memorial address at Arlington. The sentiments are comparable with the sentiments uttered by Lincoln in his second inaugural. It seems to me that those remarks should appear in the CONGRESSIONAL RECORD, so that they may be read throughout the Nation, and I ask leave that they may appear in the RECORD.

Mr. SNELL. If the gentleman will yield for a question, did not someone get unanimous consent to insert those remarks in the RECORD the other day?

Mr. NEWTON of Minnesota. If they did I overlooked it, and I have not seen them in the RECORD.

Mr. CHINDBLOM. What the gentleman asked at that time was to insert such excerpts as appeared in the newspapers.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The address is as follows:

ADDRESS OF PRESIDENT COOLIDGE AT THE CONFEDERATE MEMORIAL, ARLINGTON NATIONAL CEMETERY, VIRGINIA, SUNDAY, MAY 25, 1924, AT 3 O'CLOCK P. M.

My fellow countrymen, if I am correctly informed by history, it is fitting that the Sabbath should be your Memorial Day. This follows from the belief that except for the forces of Oliver Cromwell no army was ever more thoroughly religious than that which followed General Lee. Moreover, these ceremonies necessarily are expressive of a hope and a belief that rise above the things of this life. It was Lincoln who pointed out that both sides prayed to the same God. When that is the case, it is only a matter of time when each will seek a common end. We can now see clearly what that end is. It is the maintenance of our American form of government, of our American institutions, of our American ideals, beneath a common flag, under the blessings of Almighty God.

It was for this purpose that our Nation was brought forth. Our whole course of history has been proceeding in that direction. Out of a common experience, made more enduring by a common sacrifice, we have reached a common conviction. On this day we pause in memory of those who made their sacrifice in one way. In a few days we shall pause again in memory of those who made their sacrifice in another way. They were all Americans, all contending for what they believed were their rights. On many a battle field they sleep side by side. Here, in a place set aside for the resting place of those who have performed military duty, both make a final bivouac. But their country lives.

The bitterness of conflict is passed. Time has softened; discretion has changed it. Your country respects you for cherishing the memory of those who wore the gray. You respect others who cherish the memory of those who wore the blue. In that mutual respect may there be a firmer friendship, a stronger and more glorious Union.

When I delivered the address dedicating the great monument to General Grant in the city of Washington, General Carr was present, with others of his comrades, and responded for the Confederacy with a most appropriate tribute. He has lately passed away, one of the last of a talented and gallant corps of officers and soldiers. To the memory of him whom I had seen and heard and knew as the representative of that now silent throng, whom I did not know, I offer my tribute. We know that Providence would have it so. We see and we obey. A mightier force than ever followed Grant or Lee has leveled both their hosts, raised up a united Nation, and made us all partakers of a new

glory. It is not for us to forget the past but to remember it, that we may profit by it. But it is gone; we can not change it. We must put our emphasis on the present and put into effect the lessons the past has taught us. All about us sleep those of many different beliefs and many divergent actions. But America claims them all. Her flag floats over them all. Her Government protects them all. They all rest in the same divine peace.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for a quarter of a minute.

The SPEAKER. The gentleman from Texas asks unanimous consent to proceed for 15 seconds. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Speaker, I want to call attention to the fact that the House of Representatives is honored by having one of the big men of the United States sitting in the gallery. I refer to Mr. Will Rogers, who is up there now looking on. [Applause.]

EXTENSION OF REMARKS

Mr. OLIVER of New York. Mr. Speaker, I ask unanimous consent to print in the RECORD the party platform of the Republican Party written by Claude G. Bowers, editor of the New York Evening World, which provides planks for the Congressmen and Senators of the Republican Party to run on and also planks for the President to run on, and it will be of great aid to the Republican Party in writing their platform at Cleveland.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, I object.

ADDRESS OF HON. JOHN PHILIP HILL

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech I made last night on State prohibition.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD by inserting a speech which he made yesterday? Is there objection? [After a pause.] The Chair hears none.

Mr. HILL of Maryland. Mr. Speaker, under leave granted to extend my remarks, I insert an address delivered by me in Boston, Mass., May 27, 1924, before the Constitutional League of Massachusetts, which is as follows:

ADDRESS OF REPRESENTATIVE JOHN PHILIP HILL OF MARYLAND BEFORE THE CONSTITUTIONAL LIBERTY LEAGUE OF MASSACHUSETTS IN BOSTON TUESDAY EVENING, MAY 27, 1924, ENTITLED "HAVE BACKBONE IN MASSACHUSETTS. REFERENDUM NO. 3. VOTE 'NO!'"

Have backbone in Massachusetts. Referendum No. 3. Vote "no!" The time has come when the political spine of this great old Commonwealth must resemble the steel ramrod of Bunker Hill. Although at the election in 1922 the Anti-Saloon League met a stinging rebuke in Massachusetts when the proposed State Volstead Act was defeated by a majority of over 103,000, that same Anti-Saloon League is attempting now to have passed in the coming November elections another State Volstead Act which will fasten upon this Commonwealth a type of legislation which has been abhorred by the people of Massachusetts since its foundation.

If you do not defeat the proposed Anti-Saloon League law you will subject the people of Massachusetts to double jeopardy. A man or a woman of your State will be liable to prosecution under the Federal Volstead Act, and he or she will also be liable to prosecution under the State Volstead Act for the same one offense. The Supreme Court of the United States can give no relief, because it has decided that the Government of the United States and the government of Massachusetts, each being supreme in its own separate sphere, may mete out their respective punishments regardless of whether these punishments arise from the commission of one and the same offense.

The most evil tendency of the day, politically, is the attempt on the part of certain political uplifters to do away with the powers and responsibilities of the States specifically reserved to them by the Constitution. The result of this is that the very constitutional principles for which the people of Massachusetts fought in the Revolution are to-day in danger of ultimate extinction. No principle has been clearer than that principle enunciated in October, 1692, by the governor, council, and representatives of their Majesty's Province of the Massachusetts Bay in New England, in general court assembled, that "no man shall be twice sentenced for one and the same crime, offense, or trespass."

That is the great common-law principle against "double jeopardy." That principle is to-day being directly attacked by the Anti-Saloon League. If you approve chapter 370 of the acts of 1923, upon which you are to hold a referendum in November, you not only adopt the false standards of the Volstead Act but you repudiate a fundamental principle which has existed in your State from its foundation.

Prohibition has been heralded as a newly discovered panacea for all ills, newly discovered by those who claim to enjoy exclusively the prerogative of morality. Back in 1692 there were no uplifters in Massachusetts; the ungodly were promptly driven out, and all who remained were essentially needless of uplift. I am proud to recall that one of those representatives who passed the above act in 1692 was my great-great-great-grandfather, Deacon Hill, representative from Billerica, who not only feared God but fought Indians. It is also interesting to note that the same general court in 1692 passed extremely sensible laws on the subject of the regulation of alcoholic beverages, although at the same time they did pass a law by which "if any man or woman be a witch—that is, hath or consulted with a familiar spirit—they shall be put to death."

I do not think you can find in the history of civilization a more religious or liberty-loving body of men than those who composed the great and general court of 1692. They would never, had they been sitting to-day as the lawmakers of Massachusetts, have proposed to you chapter 370 of the acts of 1923.

Chapter 370 of the acts of 1923, upon which you will vote next November, would have become a law without your having had a chance to vote upon it had it not been for the vigilance of the Constitutional Liberty League of Massachusetts, which numbers among its members many descendants from colleagues of Deacon Hill who served in the legislature of 1692 and who are as alert to-day for the liberties of Massachusetts as were their predecessors.

Your general laws provide, in chapter 138, section 1, that "beverages containing not less than one-half of 1 per cent and not more than 2½ per cent of alcohol by weight at 60° F.," are to be "deemed not to be intoxicating liquor."

The standard is in accordance with fact. The Anti-Saloon League failed to repeal this wise and sensible law in 1922. Now, again, they make the attack. If you beat them this time and beat them soundly, you will drive out these would-be superuplifters from Massachusetts, just as your forefathers drove out Mrs. Hutchinson and Roger Williams and other would-be superuplifters of those days. The Anti-Saloon League is being banged about in every State of the Union to-day. In Maryland we have practically put them out of business. In the legislature of 1922 they attempted to foist on the State of Maryland a replica of the dishonest and untruthful Volstead Act. We beat them because we placed upon their law a referendum. They feared the votes of the people and killed their own bill in the legislature.

In the past Maryland Legislature of 1924, with their "win-at-any-price" policy, they came back to the Maryland Legislature, having discarded the Volstead Act, and actually dared to offer to the people of Maryland a bill which specifically permitted the "manufacture and possession of any liquor obtained from the juices of fruits and of berries in and to which no other substance or material whatsoever has been placed or added." I said at the hearings in the chamber of the Maryland House of Representatives that this was a dishonest attempt to buy the farmer vote by holding out the dazzling picture of unlimited apple brandy, cider, and other such beverages. We beat that attempt, and Maryland remains and will remain without a State Volstead Act.

In the November elections the following question will be proposed to you: "Referendum 3—Shall a law (chap. 370 of the acts of 1923) which provides that no person shall manufacture, transport by aircraft, watercraft or vehicles, import or export spirituous or intoxicating liquor, as defined by section 3 of chapter 138 of the general laws, or certain nonintoxicating beverages, as defined by section 1 of said chapter 138, unless in each instance he shall have obtained the permit or other authority required therefor by the laws of the United States and the regulations made thereunder, which law was approved by both branches of the general court by votes not recorded, and was approved by his excellency the governor, be approved?"

To-night the Constitutional Liberty League begins the campaign to make sure that from Cape Cod to the Berkshires there shall come back in answer to this question a ringing no!

REFERENDUM NO. 3, VOTE NO!

This proposed law knocks out your definition that 2½ per cent of alcohol by weight is not intoxicating and substitutes for it that legislative lie contained in section 1 of the Volstead Act that one-half of 1 per cent is intoxicating; but it does more than this. It strikes a blow at the sovereignty of the State of Massachusetts in that it substitutes for a local law of Massachusetts definitely and distinctly a law of the United States itself.

Every person in Massachusetts is amenable and subject to the laws of the United States, but we should render to the United States the things which belong to the Federal Government, and we should render to Massachusetts the things which are Massachusetts's. If you desire to change your general laws, change them as Massachusetts laws, but do not make your Massachusetts laws an inferior substitution of legislation which may be passed by the whim of the Federal Congress.

The laws of the United States are binding upon you. It is the business of the Federal Government to enforce them; but you are asked to make Massachusetts become the handmaid of Volsteadism, and to attempt to place in Massachusetts a law which the Federal Government can not itself enforce anywhere, and which we hope will soon be modified. [Applause.]

CALENDAR WEDNESDAY

The SPEAKER. To-day is Calendar Wednesday and the Clerk will call the committees.

Mr. BUTLER (when the Committee on Naval Affairs was called). Mr. Speaker, I desire to call up the bill (H. R. 8687) to authorize alterations to certain naval vessels and to provide for the construction of additional vessels.

Mr. BLANTON. Mr. Speaker, to consider this important bill, we should have a quorum, and I make the point of order that there is no quorum present.

Mr. BUTLER. Will the gentleman please wait until I get the time arranged?

Mr. BLANTON. I will withhold the point of no quorum for a moment.

Mr. BUTLER. May I ask my colleague on the other side about the arrangement of the time? I know of no one belonging to the Naval Affairs Committee of the House who is opposed to this bill.

Mr. BLACK of Texas. I expect to oppose the bill, and we who do oppose it will want to claim the one hour allotted to the opposition.

Mr. HOWARD of Nebraska. I apprehend everybody will oppose it.

Mr. BUTLER. Will the Speaker indicate who is to control the time in opposition to the bill?

The SPEAKER. That will be for the Chairman of the Committee of the Whole to determine. The gentleman from Pennsylvania calls up H. R. 8687, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar——

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. It is clear there is no quorum present.

Mr. BUTLER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Abernethy	Drane	Little	Spearing
Anderson	Eagan	Logan	Stalker
Bacharach	Edmonds	McFadden	Sullivan
Beck	Fairchild	McSwain	Sweet
Beedy	Fenn	Michaelson	Swoope
Bell	Fleetwood	Miller, Ill.	Taber
Boies	Gibson	Mills	Taylor, Colo.
Bowling	Graham, Pa.	Morin	Temple
Browne, N. J.	Griffin	Mudd	Tucker
Byrnes, S. C.	Haugen	Nolan	Underhill
Carew	Howard, Okla.	O'Brien	Vare
Casey	Hull, Tenn.	O'Connor, La.	Vincent, Mich.
Clark, Fla.	Kahn	Park, Ga.	Vinson, Ky.
Clarke, N. Y.	Kindred	Parker	Ward, N. Y.
Collins	Kunz	Patterson	Watkins
Corning	Kvale	Peavey	Weller
Crisp	Langley	Porter	Wertz
Curry	Larsen, Ga.	Reed, Ark.	White, Me.
Davey	Larson, Minn.	Reed, W. Va.	Wilson, Miss.
Deal	Lee, Ga.	Rogers, N. H.	Wood
Dempsey	Lehlbach	Rosenbloom	Wright
Dominick	Lilly	Schneider	Zihlman
Doyle	Linthicum	Sinclair	

The SPEAKER. Three hundred and forty-one Members have answered to their names; a quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. That has already been agreed to.

Mr. BUTLER. Mr. Speaker, I understand the RECORD shows the bill we propose to call up for consideration by the House?

The SPEAKER. Yes. The gentleman from Pennsylvania calls up H. R. 8687. This being Calendar Wednesday, the House automatically resolves itself into Committe of the Whole House on the state of the Union. The gentleman from Illinois [Mr. GRAHAM] will please take the chair. [Applause.]

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of H. R. 8687, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That alterations are hereby authorized for the United States ships *New York*, *Texas*, *Florida*, *Utah*, *Arkansas*, and *Wyoming*, to consist of the installation of additional protection against submarine attack, of the installation of antiair attack deck protection, of the conversion of such vessels to oil burning, and, in addition, for the *New York* and *Texas*, the purchase, manufacture, and installation of new fire-control systems, at a total cost not to exceed $18,360,000 in all.

SEC. 2. That the President of the United States is hereby authorized to undertake prior to July 1, 1927, the construction of the vessels enumerated below: Eight scout cruisers, carrying protection and armament suited to their size and type, to have the highest practicable speed and the greatest desirable radius of action, and to cost, exclusive of armor and armament, not to exceed $11,100,000 each; six river gunboats, to cost, exclusive of armament, not to exceed $700,000 each.

SEC. 3. That the alterations to capital ships and the construction of new vessels under the authorization contained in this act shall be subject to the limitations prescribed by the treaty limiting naval armament, ratified August 17, 1923.

Mr. BUTLER. Mr. Chairman, there is an hour of general debate on each side under the rule. Does the gentleman from Texas [Mr. BLACK] claim time on the bill?

Mr. McCLINTIC. Mr. Chairman, I wish to say that I am opposed to this bill and I am a member of the committee. Therefore I ask to control the time in opposition to the bill.

The CHAIRMAN. The gentleman will be recognized.

Mr. BUTLER. Mr. Chairman, inasmuch as I am in favor of the bill, I would like to yield some time to some of my colleagues. I yield 15 minutes to my colleague from Illinois [Mr. BRITTEN].

The CHAIRMAN. The gentleman from Illinois is recognized for 15 minutes.

Mr. BRITTEN. Mr. Chairman, in the time I have allotted to me I will try to give the House the substance of this very short bill, which very largely explains itself. I will say to the committee, with all the confidence it is possible for a man to have, that if this bill could be enacted into law to-day and made effective on the high seas by to-morrow we would have the first navy in the world and not the second, as we have to-day, and the figures, instead of being 5–4–3, with the United States in second place, would be 5–4–3, with Great Britain in second place.

I do not think it will require much time to convince the committee that there can be no objection to this bill. It meets with the financial policy of the President; it has been approved by the Director of the Budget and, incidentally, it does not carry a dollar; it merely authorizes certain improvements to the existing Navy and provides for some new scout cruisers, of which we have none, appropriations for which will be made later.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. CHINDBLOM. While the gentleman said the ratio would be 5–4–3, with the United States holding first place, I assume we would still be within the rules of the Conference for the Limitation of Armament?

Mr. BRITTEN. Yes; I will say to my colleague from Illinois that there is nothing in this bill which in any way conflicts with the Washington armament treaty. That is in accord with the best legal judgment that the Committee on Naval Affairs has been able to obtain from the Navy Department.

Mr. CELLER. Will the gentleman yield for a brief question?

Mr. BRITTEN. Yes.

Mr. CELLER. Why were not these ships included in the naval appropriation bill?

Mr. BRITTEN. Because under the rules of the House the Committee on Naval Affairs authorizes and the Appropriations Committee appropriates, and that has been very unfortunate. I will say to the gentleman that this is the reason why particular alterations have not been made before the present time. It is no fault of any committee and it is no fault of any combination in the House itself, but merely because of the rules of the House.

Mr. Chairman, the first step in the modernization of the Navy will occur in the House to-day when this question of installation of additional protection against submarine and air attack and the conversion into oil burning for the battleships *New York*, *Texas*, *Florida*, *Utah*, *Arkansas*, and *Wyoming* at a cost of $18,360,000 comes up for final action.

This amount will also care for the installation of new fire-control systems on the *New York* and *Texas*.

These ships were completed in 1911 to 1914 before the submarine, the torpedo, and the aircraft-bomb development of the World War which would now make them easy prey in time of actual battle.

The Washington Arms Conference specifically authorizes this additional protection against submarine and air attack, but it does not particularize in the direction of conversion of such vessels from coal burning to oil burning, so it may be necessary for our State Department to make its own interpretations of the treaty just as Ramsay MacDonald gives his interpretation

of the treaty in favor of Great Britain whenever the opportunity presents itself.

The large blister protection against submarine attack below the water line will be in compartment form and may be used for reserve oil storage while the present coal bunker space will contain current oil storage, thus adding another feature of comfort for the crew as well as protection to the ship.

Mr. Chairman, if Congress appropriates immediately, this work can not be completed for some six years, because of the danger in placing out of commission too many of these vessels at one time.

The present peaceful international outlook is an opportune time for the rehabilitation of our battleships, many of which would certainly remain out of the Nation's first line of defense, if war came upon us suddenly.

The conversion to oil burning will increase the effective steaming radius of these vessels very considerably and will place them on a parity with other units of the Battle Fleet in this respect; it will increase the comfort of the personnel manning the ships; it will increase the economy of operation; it will increase mobility of the entire Battle Fleet by decreasing the time consumed in refueling, and it will make the Battle Fleet homogeneous in the kind of fuel used.

I certainly consider these major alterations as important for the defense of the Nation as the building of new ships of a smaller type.

I might add that all of these authorizations have been submitted to the President and that they are not in conflict with his financial program.

Mr. SEARS of Florida. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. SEARS of Florida. In 1916 and 1917, the gentleman from Illinois will recall, I made a fight for fast battle cruisers and was opposed to superdreadnoughts, but the House disagreed and I was severely criticized for my position. As I understand it, you are now coming back to the proposition I advocated at that time.

Mr. BRITTEN. No; we can not go back to that position. I would like to go back to it, but we can not.

Mr. SEARS of Florida. But you are in part coming back to fast battle cruisers.

Mr. BRITTEN. No; we can not do that. If the gentleman will let me proceed, I am sure I will answer the question he has in mind. I agree thoroughly with him in his desires for a first-class Navy.

The Washington Limitation of Armament Conference fixed not only the number of big ships, but it fixed the tonnage and it fixed the ships by name that might be employed on the high seas by the three or four principal governments of the world. It gave us 18 first-line ships. It gave Great Britain 22 and Japan 10. We can not do any further building of battleships until 1934 or 1935, when we may proceed to discard some of the old ones and build new ones. In the meantime it is up to this Government to keep the ships we have in the very highest state of efficiency. [Applause.] We have not been able to do that up to the present time, and the bill now before the House of only a page and a half speaks for itself and contemplates that very thing.

It provides for blisters, so called, or protection to the hull below the water line along here [indicating]. This ship model cut in two shows on the right-hand side the armor plate and the coal bunkers. On the opposite side it shows these blisters which will be put on and which will protect the ship below water from attack by torpedo or submarine.

This bill also provides that the ship shall be changed from coal burning to oil burning, so that all this space here [pointing] now used for coal bunkers will be used for oil storage and will also provide a lot more room for the men and will increase their comfort, make a happier ship, make a better ship, and a faster ship. It will make all of our ships homogeneous, at least in so far as their fuel is concerned, because we now have 6 ships out of 18 burning coal. They require colliers and a lot of other incidental attention which an oil burner does not require. They also reqire greater personnel.

Mr. O'SULLIVAN. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. O'SULLIVAN. The gentleman suggests this would make a faster ship. Is it possible that these blisters will make the ship faster?

Mr. BRITTEN. No; the change to oil burning will increase the speed slightly, while the blisters will diminish it slightly. All in all the combination will greatly improve the ship.

Mr. ALMON. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. ALMON. I understand in the beginning of your statement that this bill would not call for any appropriation. Will you explain how all these alterations can be made without an additional appropriation?

Mr. BRITTEN. My good friend knows that under the rules of the House we are simply authorizing to-day, and the appropriations will be made effective later on.

Mr. ALMON. The bill carries an authorization of approximately $18,000,000.

Mr. BRITTEN. Yes.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. MOORE of Virginia. The gentleman very correctly states that this is a mere authorization and the gentleman has quoted a good many officials who are in favor of the bill. Any authorization means, of course, that the Committee on Appropriations will have to provide the appropriations if the legislation is passed.

Mr. BRITTEN. Yes.

Mr. MOORE of Virginia. Does the gentleman know how the distinguished chairman of the Committee on Appropriations feels about it?

Mr. BRITTEN. I will say to the gentleman that the distinguished chairman of the Committee on Appropriations has never failed to appropriate where an authorization was made by Congress, and I am sure that will be his position on this bill.

Mr. MOORE of Virginia. So then this really amounts to an appropriation?

Mr. BRITTEN. Within the next two years; yes.

Mr. MOORE of Virginia. So then it really is an appropriation if that is the proper construction?

Mr. BRITTEN. No; it is not an appropriation, it is merely an authorization, and I will say to my good friend from Virginia that all of these repairs contemplated in the bill under consideration right now will be made effective within the next six or seven years, so that the appropriation of $18,360,000 spread over a period of six years is unimportant; particularly so when compared with the increased efficiency that will be developed by these ships through these improvements.

Mr. LAZARO. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. LAZARO. The gentleman has been a member of the Committee on Naval Affairs for years and is quite a student of the Navy. Does not the gentleman believe that before we go into another conference for a further limitation of armament it ought to be known by the American people that we got the little end of it in the last conference?

Mr. BRITTEN. Yes; I think that is entirely correct.

Mr. LAZARO. Did we not appropriate $6,500,000 to raise the gun elevation and increase the range of the guns on some of our battleships?

Mr. BRITTEN. That was repealed, however.

Mr. LAZARO. Why?

Mr. BRITTEN. I will come to that in just a moment.

Mr. BUTLER. Will my good friend yield?

Mr. BRITTEN. Yes.

Mr. BUTLER. The gentleman from Louisiana asked a question and I would like to have heard both the question and the answer, but we can not hear anything.

Mr. BRITTEN. I will answer the question so the gentleman can hear.

I will say to the gentleman that we did get the worst of the armament treaty. I am satisfied of that. But that is no reason why we should not take the ships we have to-day and put them in the very highest state of efficiency.

Mr. LAZARO. I hope the gentleman will understand me; I am for an efficient Navy, but I want to know why the money we appropriated to raise the gun range was returned to the Treasury?

Mr. BRITTEN. That was one of the greatest mistakes any government ever made.

Mr. JONES. Will the gentleman yield?

Mr. BRITTEN. I will.

Mr. JONES. Will not the rebuilding of the ships be under the same department that conducted the Conference on the Limitation of Armaments?

Mr. BRITTEN. No, sir; the conference was conducted under the direction of the President of the United States and actually by the Secretary of State, and was a diplomatic conference.

Mr. JONES. Was not the information furnished by the experts to the President and Secretary of State?

Mr. BRITTEN. Yes. The United States made greater sacrifices than any; they made greater sacrifice than all the other nations combined. We did that for the sole purpose of promoting peace and economy in the limitation of armaments, and we have saved from $250,000,000 to $350,000,000 every year since making the treaty.

Mr. JONES. I think the gentleman is correct in reference to one phase of the proposition, but why did not the experts make a recommendation so that the conference would have covered this proposition?

Mr. BRITTEN. The conference did cover that very thing. The treaty provided that blisters might be put on these ships. It provided for several major alterations. It provided further for the deck protection that I have not yet explained, protection against aircraft attack.

Mr. JONES. I am not interested in the Washington treaty; but I am talking about new ships.

Mr. BRITTEN. Oh, the new ships provided for in this bill are eight scout cruisers, of which we have none. That is not a serious matter and should be agreed to.

Mr. JONES. It requires quite an appropriation.

Mr. HUDDLESTON. Will the gentleman from Illinois yield upon that exact point? What is the proposed cost of a scout cruiser?

Mr. BRITTEN. About $14,000,000.

Mr. HUDDLESTON. Eleven million dollars without the armament?

Mr. BRITTEN. Yes; we have none of those now. Now, the war itself promoted tremendous progress in submarine warfare and warfare above the surface, meaning aviation. Our experts, in conference with the experts representing other foreign powers in that conference, knew that these ships in order to be efficient must be blistered and have the upper-deck protection against any air attack. So they provided in the treaty that that work might be done, and we are now going ahead with it. I will say that it will take some six years to do the work, because it would not be wise to lay up six ships at one time, and so we will lay up two at a time to make the major alterations called for in the bill. That will cost $18,360,000. It is my purpose to offer an amendment to reenact the legislation in reference to the elevation of the guns on 13 of the 18 first-line ships.

This excellent model will give you some idea as to what those changes in construction will mean. This elevation here [pointing] is the elevation of our guns now—practically 15 per cent—and this here is the elevation of the British guns and the Japanese guns. They can shoot 2 miles farther than we can.

Mr. LAZARO. The gentleman promised to answer my question, and I would like to know who brought pressure on the Government of the United States to return the money that we appropriated to raise the elevation of the guns?

Mr. BRITTEN. When the Navy Department came before the Committee on Naval Affairs and the Committee on Appropriations they suggested that the guns of 13 ships be elevated to 30 degrees, because Great Britain was then doing that very thing. It afterwards developed that Great Britain was not doing it, because they did not have to do it, as their guns outranged ours by 2 to 3 miles. That was misinformation, and the appropriation was therefore repealed. The Committee on Naval Affairs and the Committee on Appropriations had acted upon it, and the President of the United States acted upon it and the Director of the Budget acted upon it when the appropriation was made.

Ramsay MacDonald took the floor in the British Parliament and said from his point of view the further elevation of our guns was in conflict with the armament treaty—just the same as any important man might get up here and address you gentlemen of the House. The matter was called to the attention of the Committee on Appropriations and to the Navy Department, and Secretary Denby being fair, as he always was, and honest as he always was, told the Congress that he would not go ahead and contract for this expenditure of six and a half million dollars for elevating the guns on our ships until Congress had reasserted itself or had given some approval for that expenditure. The Committee on Appropriations immediately had the entire authorization and appropriation repealed. Now, to-day, I am going to offer an amendment to include in this bill that six and one-half million dollars, the expenditure of which will also be spread over a period of years.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. GREEN of Iowa. I did not quite understand what the gentleman said was the elevation of the British guns.

Mr. BRITTEN. They are 20 degrees and over, while ours are 15.

Mr. GREEN of Iowa. The gentleman understands, of course, that Senator HALE recently put into the RECORD a table prepared by the Navy Department showing that on only one ship had the British guns an elevation of 20 degrees.

Mr. BRITTEN. Oh, no.

Mr. GREEN of Iowa. I have the table right here.

Mr. BRITTEN. So have I, and I prepared my remarks on that table.

Mr. GREEN of Iowa. The gentleman can not dispute the figures. They are right here.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BRITTEN. May I have five minutes more?

Mr. BUTLER. I have an hour, and I do not propose to use any part of it myself.

Mr. BRITTEN. Let me have five minutes in order to explain this range question.

Mr. BUTLER. Very well; take the five minutes.

Mr. BRITTEN. Mr. Chairman, 8 of the British ships have a range of 23,800 yards, and 13 of their ships have ranges of 24,300 yards, which is practically 2 miles greater than all but 5 of ours. I know those figures are accurate. Let me give you a sort of concrete example. Suppose that Jack Dempsey had agreed to fight the British champion—and I want you to follow me in this, because I am going to give you a good parallel. Dempsey had agreed to fight the British champion, who was bigger than he was; he could hit just as hard, and he had a reach 2 yards long. He could hit Dempsey whenever he wanted to, and, added to that, he had greater speed. All but 7 of the entire 22 British ships have a speed greater than 21 knots an hour, some of them 30, and we have nothing that goes faster than 21 knots. The British champion is bigger, he is stronger, he can hit just as hard, and he has a reach 6 feet long. Besides that, he has speed enough to get away from Dempsey any time he gets tired. He can retire to his corner, rest up, and come back. Under those circumstances you would not bet a nickel on Dempsey's chances, because he would not have a snowball's chance to win. That is the situation that we are in with our Navy. Without the elevation of these guns our ships can not hit the British unless the British decide to come within our range. The British could do the same to us as they did to the Germans off the coast of South America. They had greater speed and greater range and they selected their range and used their speed to its best advantage and blew the Germans out of the sea. And they could do that with us with our Navy in its present form.

This amendment which I propose to offer is not in conflict with the President's financial policy. It was approved by the Director of the Budget; it was approved unanimously by the Committee on Naval Affairs; it was approved unanimously by the Committee on Appropriations; and it was approved by the House. I am hoping that you gentlemen will conclude to vote for the amendment irrespective of what Ramsay MacDonald might say on the floor of the British Parliament. His interpretation is no better than ours. I think we are capable of interpreting our own treaty.

Mr. LAZARO. Does not the gentleman think that we have come to a fine pass when we in this country are influenced by Great Britain instead of by the direction of Congress in a matter of this kind?

Mr. BRITTEN. I do not think we were influenced by Great Britain or by what Ramsay MacDonald said on the floor of Parliament nearly so much as we were by the fact that the Committee on Naval Affairs and the Committee on Appropriations had acted under misinformation. We were told definitely that the British were elevating their guns. They were not, because they did not have to. They already outranged us by from 2 to 4 miles. It should make no difference to Congress what Ramsay MacDonald thinks or says.

Mr. SABATH. Did not our Navy Department know these facts?

Mr. BRITTEN. The naval officers who came before the committees were under the impression that Great Britain was then making those alterations. I will say to the gentleman that they are making alterations to their present ships just as we hope to, and I will say to the gentleman that Japan in 1923 appropriated 50,000,000 yen for major alterations to their 10 ships, and they will probably do what we are doing. Unfortunately, when they proceed they proceed in secret, while everything that we do here is known to the world five minutes after we start doing it.

Mr. JACOBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. JACOBSTEIN. Did I understand the gentleman to say that this would give us a larger Navy than Great Britain?

Mr. BRITTEN. No; it will not; but I said that if all of these alterations could be made effective overnight, the relative ratio of our navies would be 5-4-3, with Great Britain in the second place. That is how important I regard these repairs.

Mr. JACOBSTEIN. Does the gentleman mean that Great Britain is going to sleep? Is not she going to do the same thing?

Mr. BRITTEN. She may.

Mr. JACOBSTEIN. Are we preparing for wars?

Mr. BRITTEN. No; we are not; she is probably our greatest friend on earth.

Mr. JACOBSTEIN. Why should you fear her?

Mr. BRITTEN. I am not fearing Great Britain; but the treaty which we signed gives us 18 ships of this character and no more. They are designated by name and number, and we ought to keep them up to the highest standard of efficiency; otherwise we are not playing square with the country. [Applause.]

I shall send my proposed amendment now to the Clerk's desk, to have it read later on. It does not in any way change the existing first section, except in that it provides for these gun elevations.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. McCLINTIC. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK of Texas. Mr. Chairman, this bill which we are now considering authorizes the Navy to start upon a new building program to cost ultimately about $150,000,000. The naval appropriation bill for 1916 carried $149,000,000, in round numbers. In 1922 the naval appropriation bill carried $396,000,000, and in 1923 it was considerably more than $300,000,000. We have appropriated at this session of Congress about $300,000,000 for the support of the Navy for the next fiscal year. Thus it will be seen that six years after the close of the World War we are spending twice as much in naval expenditures as we did in 1916.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. BLACK of Texas. I am sorry, I have only 10 minutes, and I can not yield. If we have a Navy as inefficient and ineffective as the gentleman from Illinois [Mr. BRITTEN] says we have, then the inquiry that I make is, What have these naval officers been doing with all of these enormous sums of money we have annually appropriated? [Applause.] My genial and able friend from Illinois says that if we will make these additions to our Navy, if they could be made overnight, the American Navy would leap at once into the place of 5, and that Great Britain would go into the place of 4, and Japan would be left in the position of 3, thus making the ratio 5-4-3 in our favor.

Do you recognize, gentlemen, such a result as that will simply start us out on another mad race of competition in armaments?

Mr. BRITTEN. Will the gentleman yield?

Mr. BLACK of Texas. I can not yield, because I have only a few minutes. I wish I had more time and I would gladly yield to my friend. One of the most impressive meetings that I ever attended was the Limitation of Armaments Conference held in Washington, which began its session on the 12th of November, 1921. Outside the peace conference at Versailles there has probably not been a gathering of as many notable men in this generation as were gathered there around the conference table in Continental Hall on that occasion. It was, indeed, a noteworthy opportunity to sit as a spectator and watch the representatives of the great powers, including our own, as they came in and took their places at the conference table.

There was Aristide Briand, the Premier of France, rugged of countenance, strong and stockily built, every lineament of his countenance showing the strength of great capacity. Mr. Balfour referred to him as one of the great parliamentary orators of the world.

There was Admiral Kato, head of the Japanese delegation, a man very unlike Mr. Briand in all outward appearances, frail of body, immobile of countenance, but plainly a man of keen and alert intelligence and of long and valuable experience in dealing with important public affairs.

Representatives of the far-flung British Empire were there, headed by Mr. Arthur Balfour, of England, one-time Prime Minister, and one of the strongest and most accomplished men of the English-speaking race. It was truly a great occasion.

The first speaker was President Harding, and I quite well remember that the greatest ovation of the meeting was given him when he said:

> We want less of armament and none of war.

And yet we are coming here to-day, it seems to me, and are about to violate the very spirit of that noble utterance. At the conclusion of the President's address Mr. Balfour in a few well-chosen words nominated Mr. Hughes as chairman of the conference, and he was elected without opposition. Mr. Hughes then began his notable address by referring to the two conventions which had been held in 1899 and 1907 at The Hague, called together by the Emperor of Russia to bring about limitations of armaments, but which concluded in each instance without anything being done, except the adoption of mere resolutions recommending the wisdom of limitation of armament. He said this conference must not be allowed to adjourn without accomplishing better results than mere gestures and resolutions, but must achieve something definite and concrete. And then Mr. Hughes said:

> The time has come and this conference has been called, not for general resolutions or mutual advice but for action, and in order to get real action each country must be willing to make sacrifices.

And then he followed up this declaration by outlining a clear-cut, definite proposition for limitation of armaments, which became the basis for subsequent negotiations and was adopted in principal part. He closed his speech with this utterance:

> Naval armaments are of primary importance. The core of difficulty is competition in naval programs. If competition continues, its regulation is impracticable. There is only one adequate way out, and that is to end it now.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. BLACK of Texas. I can not yield. I have only about three minutes more. Gentlemen, the time has come to end it. I believe it was Victor Hugo who said, "There is one thing which is stronger than armies and navies, and that is an idea when its hour has come." I say to you, gentlemen, that the hour has come in the history of the world when the people are determined that they will be delivered from these crushing burdens of military and naval armaments. [Applause.] And if the parliaments of the world now in power will not give it to them, then the people will elect other parliaments that will.

Mr. FROTHINGHAM. Will the gentleman yield?

Mr. BLACK of Texas. I have not the time, though I would like to yield. I would like to speak for an hour on this subject if I had the time. It is not the first time that the forces of destiny have bestowed upon us the power of a great opportunity. Our Revolutionary fathers of 1776 when they declared by the pen of Thomas Jefferson that all men are created equal and endowed with certain inalienable rights among which are life, liberty, and the pursuit of happiness, and that governments derive their just powers from the consent of the governed, set in motion forces which have crumbled thrones and empires and have overthrown despots and tyrants and have scattered their attributes of awe and majesty like as a sand storm scatters before it the dust of the desert. [Applause.] Those of you who have visited Washington's home at Mount Vernon will remember that hanging on the walls in one of the halls in the home is the key to the Bastille, which was sent by Lafayette to Washington by the hands of Thomas Paine. In the glass case where the key rests is the note which Paine wrote to Washington upon delivery of the key. It reads thus:

> Our very good friend, the Marquis De Lafayette, has intrusted to my care the key of the Bastille and a drawing handsomely framed representing the demolition of that detestable prison as a present to your Excellency, of which his letter will more particularly inform. I feel myself happy in being the person through whom the marquis has conveyed the only trophy of the spoils of despotism, and the first ripe fruits of American principles translated into Europe to his great master and patron. When he mentioned to me the present, he intended you, my heart leaped with joy. That the principles of America opened the Bastille is not to be doubted, and therefore the key comes to the right place.
>
> THOMAS PAINE.

Yes; the force that opened the door of the Bastille and released the French patriots who had languished in its dungeons was the example of the American patriots who by blood and sacrifice established a Republic founded upon the consent of the governed.

It was an idea set in motion stronger than armies, more powerful than the scepters of the kings, and more enduring than

granite or marble. When the news reached England of the fall of the Bastille the great statesmen Fox, perceiving its significance for liberty, exclaimed:

> How much is this the greatest event that ever happened in the world, and how much the best.

And as our forefathers by their unselfish sacrifices in the days of the Revolution unlocked the doors of the Bastille and released the prisoners of tyranny, not only in that generation but in generations to follow, so may we in this present day unlock the doors of crushing military and naval armaments and release humanity from some of their intolerable burdens. Let us therefore stand firm against starting upon a new building program at this time when conditions are so favorable for further limitation of armaments throughout the world. [Applause.]

Mr. BRITTEN. Mr. Chairman, I request permission to extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McCLINTIC. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GREEN]. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I hope my genial and brilliant friend from Illinois [Mr. BRITTEN] will not think I have any reference to him when I say that the country is now undergoing its annual scare that arises from irresponsible articles in newspapers and to a considerable extent from irresponsible information from the Navy Department. [Applause.] As far back as 1920 this kind of proceeding began, and I remember quite well that back in 1920, on the authority of the Navy Department, it was stated in this House that England and France were both building battleships at that particular time. I stated then that there was nothing in that statement, it was not so, but I was cried down, and everybody wanted to know if I disputed the experts. I said I did, because I knew it was not so and everybody admits now that it was not so. A year or two later a statement was made that England was building battleships for Japan. I again attempted to contradict that statement, and again I was howled down. Now everybody admits that statement was not correct, although it was made on the authority of the Navy Department. Then about a year ago, on the authority of the Assistant Secretary of the Navy, it was stated on this floor that England was elevating the guns on its battleships. I rose and stated that that could not be correct, because there was nothing in the British estimate that carried any appropriation for any such purpose. Well, they said that the Navy Department gave the information, therefore it must be correct. About three months later everybody admitted it was not. They were compelled to do so. Just recently some so-called expert filled the newspapers with articles depicting how weak our ships are because we have not these antitorpedo blisters or bulges to which the gentleman from Illinois referred, and I want to say I indorse everything that the gentleman from Illinois said with reference to the value of this protection and the result of such alterations proposed on our battleships. The gentleman was correct, that it would make our Navy far superior to that of Great Britain if it was done, although I doubt the necessity of it. This so-called expert I was talking about stated that to put on these bulges actually increased the speed of the ships. I see my friend from Illinois smiles at that statement, as no real expert would have made it. The fact of the matter is we have just been building 10 new cruisers.

The gentleman from Illinois [Mr. BRITTEN], I think, said that we did not have any cruisers of a certain type, which is correct; but we have 10 cruisers of their class which are the finest, speediest, and best in the world.

Mr. BRITTEN. But there are only eight finished.

Mr. GREEN of Iowa. The gentleman corrects me by saying there are only eight finished, and I accept that correction.

Mr. BRITTEN. And they are smaller in tonnage than those contemplated to-day, and less in armament. They are smaller in every way.

Mr. GREEN of Iowa. Oh, yes; they are of a different type entirely and are used for a different purpose. The gentleman is quite correct. He is an expert on these matters and I accept corrections from him. But when we put bulges on those cruisers we found that they lessened their speed something over 1 knot from the original speed contemplated.

Mr. BRITTEN. The gentleman is not quite correct. We do not put bulges on the cruisers.

Mr. GREEN of Iowa. On the authority of a scientific publication I state that such a change was made in the construction plans.

Mr. BRITTEN. No; they have no blisters; the blisters go only on our first-line battleships.

Mr. GREEN of Iowa. The gentleman is in error there, and I will have to differ with him. But that does not matter at all.

Mr. MILLER of Washington. Will the gentleman give any authority he has read showing the construction of blisters on cruisers?

Mr. GREEN of Iowa. Jane's Fighting Ships, one of the best authorities in the world.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. OLIVER of Alabama. The gentleman will find that the authority he cites refers to battle cruisers and not to scout cruisers.

Mr. GREEN of Iowa. No; it refers to our own cruisers. I have not so much opposition to the provisions of this bill with reference to alterations on our battleships. The gentleman from Illinois stated they are quite within the provisions of the treaty, and, if so, England, and no other nation, can raise any objection thereto, although I do not see the necessity, and it seems to me to be a waste of money to put this money on these old battleships.

Mr. BUTLER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BUTLER. As I understand, then, the gentleman agrees it is necessary to do what we propose as to these ships, and the gentleman concedes these things are within the terms of the treaty?

Mr. GREEN of Iowa. I am not willing to agree to the alterations in gun elevation.

Mr. BUTLER. But, outside of that, does the gentleman know what the Navy Department proposes to do, and is the gentleman prepared to say he is satisfied that those things are within the terms of the treaty?

Mr. GREEN of Iowa. I am talking about what I understood the gentleman from Illinois to say.

Mr. BRITTEN. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BRITTEN. The gentleman will, of course, agree with me that these major alterations will greatly improve the efficiency of those six battleships?

Mr. GREEN of Iowa. Certainly.

Mr. BRITTEN. As applied to the blisters and deck protection and what we propose as to the elevation of guns—the gentleman will agree that those three major alterations will greatly improve the efficiency of the fleet?

Mr. GREEN of Iowa. I have some doubt as to the gun elevation proposition. Otherwise I agree.

Mr. BRITTEN. The gentleman does not agree that long range is necessary on battleships?

Mr. GREEN of Iowa. I want to state to the gentleman that if he will look up the record as to the battles at Jutland and Falkland Islands he will find that the ships were not able, in battle practice, to make any hits at a range of over 20,000 yards.

Mr. BRITTEN. But the Battle of Jutland was fought in a fog.

Mr. GREEN of Iowa. No; not a fog. It was hazy. However, the battle off the Falkland Islands was not. They could not have had a clearer or better day than they did have, and they had 15-inch guns, which they used.

Mr. BLACK of New York. Will the gentleman yield?

Mr. GREEN of Iowa. My 10 minutes will soon be gone, so I regret I can not yield. Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has used eight minutes.

Mr. GREEN of Iowa. Well, my time is about gone before I have gotten to the point upon which I wanted to speak, so I decline to yield further for any purpose.

My friend from Illinois was talking about the elevation of British guns. If the gentleman will refer to page 9471 of the RECORD of May 23 he will find the table which Senator HALE put in the RECORD, and Senator HALE in his remarks said the table was furnished by the Navy Department. By referring to that table the gentleman will find that only one English ship of the battle line, namely, the *Hood*, had an elevation of its guns of over 20 degrees, but even then it is outranged by some of our ships. There are five of our ships which very much outrange anything in the English Navy, in fact, by between 5 and 6 miles.

Mr. BRITTEN. Will the gentleman permit a suggestion?

Mr. GREEN of Iowa. Yes.

Mr. BRITTEN. Our first five have a 30,000-yard range and so has the *Hood*.

Mr. GREEN of Iowa. Our first five, according to another table on the same page, furnished by the Navy Department, have a range of 34,500 yards, and the *Hood* has a range of

30,500 yards. They outrange even the *Hood* by over 2 miles. The fact of the matter is that we have nine ships, in addition to the five we have spoken of, the range of which is 23,500 yards, while England has none above 24,300 yards except the *Hood*. Five of our battleships which have the greatest range have a range of from 34,500 yards to 35,000 yards.

Mr. ANDREW. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. ANDREW. Are there not eight American ships that are outranged to the extent of several thousand yards by all of the British ships?

Mr. GREEN of Iowa. The gentleman is substantially correct, though the difference is slight in so far as the most of them are concerned. As we go down the scale, and as you take them ship by ship, the average range of our ships will be very much greater.

Mr. ANDREW. But there are eight that are outranged.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. At the bottom of the line we have some ships that are outranged, but we have an advantage that more than compensates in our five ships that so far outrange the British ships. [Applause.]

Mr. BUTLER. Mr. Chairman, I yield now 20 minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON of Georgia. Mr. Chairman, I do not find myself in much disagreement with the gentleman from Texas. The gentleman from Texas [Mr. BLACK] is endeavoring to accomplish further limitation of large navies. I, too, am endeavoring to accomplish that. The gentleman from Texas takes one road to reach the object. I take the other road; but we both are endeavoring to accomplish the same thing. In my judgment the position that I take will accomplish it a great deal sooner than the method that the gentleman from Texas is pursuing.

Mr. Chairman, I ask the careful consideration of members of the committee while I endeavor to show why, in my opinion, this bill should be favorably acted upon.

Mr. Chairman, no government which fails to provide for its own preservation against the assaults of every possible foe is entitled to the support of its people. A primary duty of government is self-preservation, and no sophistry of logic can justify it in stripping itself of its means of defense and relying for its preservation upon the mercy, the pity, or the love of other nations.

The amount of money which we appropriate and the legislation which we enact for the benefit of the Navy should be governed by the needs of the Nation, having regard for our position among the States of the world, the location of our possessions, the extent and the routes of our trade, the policies we may adopt in our international relations, and the dangers which may confront us in the future.

In making appropriations for the Navy we should be guided and controlled by our ability to successfully defend our insular possessions, to maintain for our commerce the freedom of the seas, to defend the greatest engineering enterprise and commerce carrier of the century, the Panama Canal; to maintain America's open-door policy in the Orient, to enforce our policy of noninterference by monarchial governments in the affairs of Central and South American Republics, to defend our Nation's honor and protect and redress American citizens wherever wronged, to maintain the ratio agreed upon at the Washington conference, and by all means to keep the Navy up to the highest point of efficiency.

Being guided by these principles and fully aware of the needs of the Navy to enable it to properly function as the first line of national defense, I unhesitatingly indorse this bill.

I am conscious of the fact that the House has by amendment to the naval appropriation bill expressed its views and requested the President to call another conference for further limitation of armaments.

In a recent speech in New York the President intimated that in the event of the successful settlement of the reparation problem and the restoration of a composed state of mind in Europe he would favor the calling of an international conference to bring about further limitation of competitive building. Bear in mind that the President's statement should not be taken to mean that he is about to call an international conference. He qualifies the calling of the conference and bases it upon, first, the settlement of the reparation problem and, second, the restoration of a composed state of mind in Europe.

In my judgment, basing the future upon the past, there is little likelihood for a conference in the near future or for any time soon, for, as we all know, the reparation problem is far from an adjustment; and what historian has ever in all the annals of time chronicled a composed state of mind in Europe?

The most that can be said about the calling of this proposed conference is that it is indeed remote and speculative.

But, Mr. Chairman, assuming for the sake of argument that a conference is to be called in the near future, let me ask you, pending the arrival of this auspicious occasion for the assembling of this international conference, what should be this Government's policy with reference to our Navy? Shall we adopt the policy of sitting quietly by and refusing to legislate to take proper care of this arm of our national defense by the refusal to enact the necessary legislation to make changes and authorizations to keep our fleet up to the highest state of efficiency, when it is a well-known fact that some of our capital ships are far behind their foreign counterparts? Shall we permit our Navy to fall below the ratio agreed upon at the Washington conference? If we hope to achieve the desired aim of prohibiting competitive building among the maritime nations, it is absolutely imperative and necessary to enter the conference with a strong and powerful Navy.

If, upon the calling of an international conference in the near future, the United States enters the same below the ratio fixed by the powers at the Washington conference, it is very probable that other nations would readily take the position, and with considerable weight to their argument, that, as we had not maintained the ratio of 5-5-3 but had permitted our Navy to fall below it, therefore the ratio fixed at the conference was more than this country needed or required for its adequate defense and was a larger ratio than Congress required that it should be.

Why was it possible at the Washington conference for this Nation to take the leading rôle and bring about the agreement with reference to capital ships, battle cruisers, and airplane carriers? It was solely because at that time we were carrying out the 1916 building program and had on the ways 15 of the finest ships ever devised. They would have been absolutely perfect in every detail. They would have been ships of the latest design and the latest improved methods and were equaled by no ships in the world. It was a well-known fact that by 1925 we would have possessed about twice as large and effective a tonnage as that of any other Nation. The shadows of the rising Navy of the United States were already robbing some other nations of the tinsel of former centuries.

We were able to reach a successful agreement to reduce naval armament because we had a large naval armament ourselves. Our opinion commanded respect. If we had possessed a smaller Navy, if we had abandoned our building program before the conference was called, in all probability the other countries would not have listened to our opinion.

What would this Nation have been able to accomplish if we had entered the Washington conference with a second-rate Navy? It would have been a foregone conclusion that we could not have played as important a part as we did, and that we were able to lead in that conference because we had the most to give up.

The United States made the greatest sacrifice in her agreement to scrap her battleships, built and building, and other nations merely followed her example.

Mr. Chairman, to show you what sacrifice we made to bring about the limitation of armament and prohibit the competitive building of capital ships among the nations, I desire to call attention to the facts that we had on the ways seven battleships and six battle cruisers, upon which there had been already expended approximately $450,000,000, and which ships were anywhere from 30 per cent to 45 per cent complete. The total tonnage of the 11 ships under construction was 520,000 tons. In addition to scrapping these 11 ships in process of being built, we agreed to scrap 17 other battleships, each of which was in active commission, except the *Maine* and the *Missouri*, of a total tonnage of 267,740 tons.

We agreed to sacrifice 787,940 tons to bring about the elimination of competitive building and to create a better relationship between the great maritime nations.

Great Britain also was willing to join this country in its undertaking; however, the sacrifice she and Japan made in scrapping their various ships was not so large as that of the United States. Great Britain agreed to scrap two "paper" ships, battle cruisers, the keel of neither of which had been laid down when the conference assembled in Washington. In addition to agreeing not to construct the two ships that had been authorized, she consented to scrap 24 old ships. However, of these 24 old ships that Great Britain agreed to scrap only 4 were in the line, under commission, and able to fight. The other 20 had been long ago discarded by the British Admiralty as inefficient. We took out of our line 15 ships that were in actual commission and able to fight and of a total tonnage of 267,740 tons, while England took out of her line only 4 ships

that were in actual commission and able to fight, and of a total tonnage of 92,000 tons.

Japan readily consented, as did the other nations at the conference, and agreed not to construct four battleships and four battle cruisers, the keels of which had not been laid down by November 11, 1921. She agreed to scrap two of the new battleships and two of the battle cruisers. She agreed to scrap 11 of her old battleships, making in all 17 capital ships with a total tonnage of 419,132 tons.

It can be readily seen from the brief analysis I have made of the tonnage scrapped by the various nations that we scrapped more than the other nations. That was because we would have had the largest navy afloat by 1925, and this Nation was willing to make the greatest sacrifice to convince the other nations that competitive building of naval armament should be prohibited; that the taxpayers of the various nations should be relieved of this constant burden.

It may be contended by some that the other nations got the best of the agreement at the conference, but, Mr. Chairman, when you take into consideration the fact that we eliminated by the treaty the policy of competitive building of battleships, battle cruisers, and airplane carriers among the three great maritime nations of the earth, when you take into consideration the friendship and confidence created where once suspicion and hatred dominated the thought of people, the mist of misunderstanding having been dispelled, when you take into consideration the present opinion as to peace in the East, with the view that was widely held and constantly expressed before the conference was called, in my judgment we did not fare so badly at the conference.

Mr. Chairman, now let us briefly examine the three great navies from a strictly material standpoint. Assuming that the allowed 5-5-3 ratio in capital ships and airplane carriers represents an equitable distribution of strength, you will find that in capital ships both the United States and Japan are at present deficient in offensive and defensive strength of old capital ships as compared with the British Empire. But with the steps now being taken, as authorized in this measure, the modernization of our old ships by the conversion of the *Utah*, *Florida*, *Wyoming*, and the *Arizona* from coal burners to oil burners, and the installation of antiair-attack deck protection and additional protection against submarine attack, the 5-5-3 ratio in capital ships, so far as this country is concerned, will be converted from a theory into a practical reality.

To reach our allowed strength of 135,000 tons in aircraft carriers we will have to build, in addition to battle cruisers we are converting, three carriers of 23,000 tons each. Japan is proceeding to fill her quota by converting two capital ships and building additional tonnage. The British have four carriers and are building two more, but naval aviation in that country is in a more or less chaotic state and they have not as yet attempted to build the large carriers comparable to our own battle cruiser carriers.

In modern cruisers we are far below England and Japan. At this time the United States has only 10 modern light cruisers. They are 7,500-tonners with 6-inch guns, and of those 10, 7 are now in commission; one additional is having her trials at this moment. She is the *Trenton*. One has been launched, and the third is about to be, so that those 10 will be in commission this year. They give us a total of only 10 light cruisers of 7,500 tons each, armed with 6-inch guns.

A comparison as of April 1, 1924, of the modern cruiser tonnage of England and Japan shows the following figures for vessels less than 12 years old on that date, including those built, building, and projected:

British Empire, 55 of a total tonnage of	298,370
Japan, 28 of a total tonnage of	170,980

If the eight cruisers herein proposed be added, the figures for the United States become 18 of a total tonnage of 155,000 tons.

In flotilla leaders the British Empire possesses 18 built and building while neither the United States nor Japan has a single one of this valuable type.

In destroyers we have nearly 90 more than the British Empire and nearly 200 more than Japan. Japan, however, is building 31 new ones, while ours are mostly of hasty war construction and two-thirds of them are out of commission. Our boats have less gun power but more torpedo tubes than either the British or the Japanese.

The question of submarines is a very involved one. We have large numbers, but they do not compare with the 25 modern long-radius, high-speed submarines that Japan has built or is building. We have none of the mine-laying type. If we had these last, we would be superior in submarines to the British Empire but decidedly inferior to Japan.

The foregoing covers the strictly combatant types of a Navy that can not be improvised in time of war.

It is interesting to note the revision of the Japanese building program as a result of the Washington conference. Baron Kato, a man of remarkable ability and vision, both as a statesman and a strategist, immediately after the conference proceeded to make a new estimate of the situation in the light of changed conditions due to limitations of capital ship strength. Japan at the time had 87,730 tons of light cruisers, built and building, all less than four years old. Baron Kato's post-treaty plan is to complete that 87,730 tons and lay down additional tons in light cruisers, which will make an aggregate of 28 modern cruisers of 170,980 tons.

To balance this we have our program of 10 light cruisers, which were laid down in 1918, a part of the 1916 building program, aggregating 75,000 tons.

This measure calls for the construction of eight additional light cruisers in accordance with the naval treaty; that is, not over 10,000 tons with 8-inch guns. The length of the cruisers will be approximately 620 feet, their beam 66½ feet, draft 17½ feet, cruising radius approximately 12,000 miles, and minimum speed of 33 knots. The cost of each cruiser, exclusive of arms and armament, is not to exceed $11,100,000.

The Japanese program increased the tonnage of their proposed 5,500-ton cruisers to 7,500 tons and the 7,500-ton cruisers to 10,000 tons. They discontinued the construction of 15 second-class destroyers and started 24 first-class destroyers. They discontinued 46 coast defense submarines and substituted 22 submarines of long-cruising radius and high speed.

It must be noted that all these changes were in the direction of increased size and efficiency. This action of the Japanese Government can not be considered in any way as a violation of the letter or the spirit of the treaty. The conference limited the number and size of capital ships and aircraft carriers and failed to make any provision for limiting cruisers, destroyers, and submarines.

Mr. Chairman, in regard to the alterations of the six capital ships provided for in this bill, under the treaty we will be permitted to replace the *Wyoming*, *Florida*, and *Utah* in 1934 and the *New York*, *Texas*, and *Arkansas* in 1935.

It is estimated by the Navy Department that these alterations will be completed by 1926 and 1927. When the alterations are completed, the remaining life of these vessels would be eight years. However, the contemplated total life of a capital ship under the treaty is but 20 years.

The alterations are to consist of, first, the installation of additional deck protection against submarine attacks; second, the installation of antiaircraft deck protection; third, the conversion from coal burners to oil burners; and, fourth, the installation of new fire control on the *Texas* and *New York* only.

These six vessels were designed and built long before the great development in submarine and aircraft attacks. In their present conditions they would be vulnerable to such attacks.

The Navy Department had under contemplation protection against submarine and aircraft attack when the Washington conference was held, and in the drafting of the treaty special authority was provided for undertaking work of this character.

The present boiler condition of the *Florida*, *Utah*, *Arkansas*, and *Wyoming* is due largely to war service.

Let me impress this fact upon the committee: That the Navy Department has on hand oil burners from scrapped vessels which are suitable for installation on these vessels. The conversion from coal burners to oil burners would result in an improvement in the protection against submarine attack, as it would increase the speed of the ships and also give a larger cruising radius. This conversion and other alterations does not contemplate an increase in the weight of the vessels, but at the same time it will bring up the fighting efficiency of each one of the vessels, which in turn will strengthen the entire fleet, for it is a well-known fact that a chain can not be any stronger than its weakest link.

These alterations are justified by the value and remaining life of each one of these vessels. Not only would they bring the Navy up to its ratio, but it would be a saving in the cost of upkeep and operation of these vessels, for in their present condition they are constantly forced to go to navy yards for repair.

Mr. CELLER and Mr. LAZARO rose.

Mr. VINSON of Georgia. I yield first to the gentleman from New York.

Mr. CELLER. Has the gentleman any assurance or has the committee any assurance or the administration that Great Britain is not going to rival us by building 10 more scout cruisers or cruisers of any character?

Mr. VINSON of Georgia. If we sought to go on a 5-5 ratio in reference to scout cruisers, we would have to build 19 scout cruisers.

Mr. CELLER. I take it then we can not hope to be on a level with Great Britain in any event?

Mr. VINSON of Georgia. Of course not.

Mr. LAZARO. Will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. LAZARO. I agree with the gentleman that we ought to have a 5-5-3 Navy, but the gentleman makes the statement, and he is a member of the Committee on Naval Affairs, we have to have cruisers in order to go into a second conference. I want to remind the gentleman that we had battleships when we went into the first conference and we scrapped battleships that were 80 per cent completed. Does not the gentleman think the American people ought to know before they go into another conference for the limitation of armament that we got the little end of it in the first conference?

Mr. VINSON of Georgia. There can be no dispute that this country got the worst of it, as far as scrapping of ships was concerned. But what did we accomplish? We reduced the naval budget from $815,788,286 in 1921 to $294,991,000 in 1924. We dispelled the hatred and suspicion that was in the minds of other countries and we adopted the policy that our Government was in favor of the reduction of naval armament.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. BLACK of Texas. If this bill passes we will increase the naval budget from $294,000,000, which the gentleman mentioned, by $111,000,000 within two years.

Mr. VINSON of Georgia. We are in this position: This House in the naval appropriation bill has requested the President to call another conference to accomplish what the last conference failed to achieve—a reduction in the auxiliary class. Bear in mind, that we can not have competition in three types—capital ships, airplane carriers, and battle cruisers. We can build as many scout cruisers, submarines, and airplanes, and that type of auxiliary craft, as we see fit. If we to-day authorize the construction of these cruisers, when the next conference is called it will give to the American representatives something to bring about that which they failed to accomplish at the last conference.

Mr. JONES. That will not get rid of the fact of our being buncoed in the other conference, and permitting our battleships to be destroyed without their destroying a like amount.

Mr. VINSON of Georgia. By 1925 we would have had the largest Navy in the world. We had to reduce our Navy to bring it down to theirs. We scrapped, as I have already said, 784,000 tons, and Great Britain scrapped 92,000 tons. Japan scrapped four hundred and some odd thousand tons. We brought our Navy down to their navy.

Mr. JONES. Is not the recommendation made by the same experts that made the recommendation when we got buncoed the first time?

Mr. VINSON of Georgia. Of course they made a great sacrifice, but is that any reason why we should not have as good a Navy as we are entitled to have under the treaty?

Mr. JONES. How many battleships did we scrap?

Mr. VINSON of Georgia. We scrapped seven battleships and six battle cruisers that were being built, and also we took out of the line 17 ships that were in active commission.

Mr. McKEOWN. Will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. McKEOWN. I want to ask the gentleman who had charge of the scrapping of the battleships?

Mr. VINSON of Georgia. The conference was called by the President of the United States.

Mr. McKEOWN. But who had the direct charge of the manner in which these battleships were scrapped?

Mr. VINSON of Georgia. The gentleman knows as well as I do.

Mr. McKEOWN. What assurance have we that the Navy Department can spend this $110,000,000 with any more discretion——

Mr. VINSON of Georgia. I do not think the Navy Department should be criticized in that way. I think it is an organization which measures up to the efficiency of any naval organization in the world.

Mr. BLANTON. Will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. BLANTON. Considering our geographical situation from a defensive standpoint does not the gentleman think that we would have a large enough Navy, one equal to England, if we had only half as many ships?

Mr. VINSON of Georgia. No.

Mr. BLANTON. Considering the fact that we are 3,000 miles away across the ocean is it not a fact that we do not need as many ships as she does?

Mr. VINSON of Georgia. Of course we do. What is the naval policy—to defend the coast line of the country, to maintain the routes of trade of our merchant vessels, to defend the Panama Canal, to guarantee the open-door policy in the Orient, to defend our insular possessions, to defend our national honor, and it is the first line of our national defense.

Mr. BLANTON. I do not agree with the gentleman.

Mr. VINSON of Georgia. The gentleman is willing for England to have the greatest navy in the world and have us rely upon the pity and sympathy of other nations for our defense, but I as one Member of Congress want this Government to be able to defend itself with an efficient navy at any and all times, so that we will not be dependent on any other government in the world for our defense. [Applause.]

Mr. BLANTON. Then let us quit all of this disarmament business.

Mr. VINSON of Georgia. We did accomplish good work at the conference, for we agreed to have a Navy as large as that of England.

Mr. BLANTON. Then we have been buncoed.

Mr. VINSON of Georgia. We might have been buncoed, but is that any justification for not taking care of the Navy to-day?

In conclusion, Mr. Chairman, the original American proposal submitted by Secretary Hughes at the international conference contemplated a limitation of auxiliary craft in a ratio similar to that recognized by the treaty as to capital ships. It was proposed that the tonnage of auxiliary surface, combatant craft, including light cruisers, flotilla leaders, and destroyers, should be as follows: For the United States, 450,000 tons; for the British Empire, 450,000 tons; for Japan, 270,000 tons. Unfortunately, this limit was not obtained, and therefore competitive building among the nations of auxiliary craft may proceed as if no conference had ever been called.

In my judgment this House took a step in the right direction when it requested the Chief Executive to call another international conference to secure limitation of auxiliary craft. The accomplishment of such a task not only means a further reduction of the naval expenditures by the great maritime nations, but it means a more permanent and lasting peace and good will among all nations. This Government should exert every effort to bring about further limitation; but if, on the other hand, the same can not be accomplished, and the other nations are not willing to agree to a ratio for auxiliary craft, then, Mr. Chairman, we should let the world know that we will have and maintain at all times a Navy second to none. [Applause.]

Mr. McCLINTIC. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Chairman, I think no one has ever charged me with being a pacifist. For 23 years I have voted in this House for the biggest Navy I could get. Under President Roosevelt I voted for his proposal of four battleships and finally got two. Many of my party were against any battleship construction at all at that time. But, Mr. Chairman, I can not bring myself to support this proposal to appropriate $111,000,000 for the increase in our Navy at this time. We are just out of a disarmament conference. In pursuance of our agreement in that conference we have scrapped 787,940 tons of our Naval Establishment. During the current year we have appropriated approximately $300,000,000 for the maintenance and building of the Navy, and now it is proposed to add $111,000,000 to that $300,000,000, making a total for the year of $411,000,000. We are told that this bill is necessary in order to be ready for the next conference. My God! if we must appropriate $111,000,000 more to get ready for the next disarmament conference the conference is doomed to failure and defeat before it is called together. [Applause.]

I would rather go in that conference not having appropriated this immense sum of money; I would rather to go into such conference conscious that we are living up to our profession that we, at least, are not adding to the great Navy we already have. If we could say we stand for peace—we have scrapped 787,000 tons and we have not replaced a ton—I think we would stand a better chance of success.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. POU. I would rather not, I will say to my friend. I only know this question in a general way. Anybody can prove that we have got to have a very great Navy at any time. For 23 years it has been proven annually on this floor that we were actually approaching war. [Applause.] We have an annual war scare here every time a great naval appropriation bill comes up for considertion. Talk about a 5-5-3 Navy! Why 5-5-3? Do

you want to sail out on the Atlantic or Pacific Oceans and engage in a drawn battle? That is what 5-5 means. If we are going to enter into the race of naval construction, why let us have an unconquerable Navy. That is the logic of the situation. If we are going to enter into such race, it is not only our duty to have a Navy as great as that of Great Britain but a Navy even greater than that of Great Britain. Why stop at the 5-5 ratio?

Mr. BRITTEN. Will the gentleman yield?

Mr. POU. I would rather not. Now, get away from this proposition, if you can, gentlemen. Five-five means either side may win. There is certainly no assurance of success if war comes with a 5-5 ratio. As to this appropriation, I say to take $111,000,000 out of the Treasury at this time is a crime against the American people. [Applause.] I say this with respect for the opinions of all who honestly differ and without impugning the motive of any man. For one, I can not vote for this bill.

Mr. Chairman, what is the world's situation to-day? The question throughout most of the world outside of the United States is how can the people get something to eat, and yet gentlemen talk seriously about the danger of a naval attack. Who is there, pray, who wants to attack America? Who is there in a position to attack us if they had such desire? Excepting America, almost the entire world is bankrupt. Very few nations can obtain credit, and all currency is depreciated in value by comparison, and yet we are told that unless we now appropriate $111,000,000 in addition to the $300,000,000 we are not doing our duty, and unless we make the appropriation we leave our country exposed to the danger of attack. We are asked to appropriate $111,000,000 additional in order to be ready to meet the attack of some nation which cherishes a desire to engage in war with America.

Mr. Chairman, I would rather go into the coming conference, and I pray God devoutly that another conference may be called, conscious that I was right, that I had not played false, than to have $111,000,000, or $111,000,000,000 appropriated to strengthen the Navy. [Applause.]

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. POU. I can not. I believe America is the one nation which can take any steps deemed necessary for disarmament. I beg my friend's pardon; I would gladly yield, but, as I stated, I only know this subject in a general way.

The CHAIRMAN. The gentleman declines to yield.

Mr. POU. The gentleman can prove, I have no doubt whatever, that war is imminent. With facts and figures I have no doubt that he can prove that there is danger of attack from Japan. Of course, I do not believe there is such danger. I think the world's situation is against such probability, but our experts can prove almost anything. The point I am making now is this: In a bankrupt world with America the only nation that is financially solvent there is every reason why we should go forth following the great moral light of peace rather than continue preparation for war. [Applause.] I do not know, Mr. Chairman, how long in the providence of God I may be spared. The war has wrought many changes. It has caused men to think as they never thought before. It has caused me to think deeply and I hope honestly and sincerely. When the war was over and I surveyed the wreck and ruin, when with my mind's eye I saw vacant places in so many homes throughout America, I said, "God being my helper, so long as I am permitted to represent my people, yes, so long as I live, my voice shall be raised for peace and not for war." [Loud applause.]

And gentlemen of the House of Representatives, you know and I know that it is just as dangerous for nations as it is for men to go forth armed to the teeth. Just as surely as this race for naval supremacy continues, just so surely will the world be again drenched in blood. Almighty God, spare us such calamity. [Prolonged applause.]

Mr. McCLINTIC. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. McKEOWN]. [Applause.]

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, the Disarmament Conference, if this bill goes through, was a mere political subterfuge and a fake. [Applause.]

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. McKEOWN. I will yield to the gentleman.

Mr. VINSON of Georgia. Admitting what the gentleman said for the sake of argument is true, is that any justification why we should not take care of what we have?

Mr. McKEOWN. I will say that there is no justification at this time of spending $110,000,000 of the people's money under circumstances that have just arisen from the exclusion of the Japanese from this country——

Mr. VINSON of Georgia. Does the gentleman think we had better take the Navy away from the naval officials and turn it over to somebody else——

Mr. McKEOWN. I will tell the gentleman they need a guardian when it comes to spending the money of the people——

Mr. VINSON of Georgia. And as my friend from Alabama says, just turn it over to Ford.

Mr. HUDDLESTON. And make flivvers out of it.

Mr. McKEOWN. I will say this to the gentleman: You bring in a report here showing the outrages upon the American citizens in China as a justification for this bill. You gave $8,000,000 to buy peace with the other day. Why not give them some more? Yet you are coming here asking us to spend $110,000,000 to build battleships. Here is a report which shows the Chinese committed these great injustices to American citizens, and yet you voted $8,000,000 to them the other day. Why not give them more——

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. VINSON of Georgia. Do I understand the gentleman claims to be opposed to this Government defending the missionaries in China when they are trying to teach the doctrine of the lowly Nazarene?

Mr. McKEOWN. No, sir. The gentleman from Oklahoma takes the position against giving them money to buy peace. The gentleman from Oklahoma wants China and the American people to understand that we are not buying peace. But the Members of this House voted $8,000,000 to buy peace with China, contrary to the position taken by the gentleman from Oklahoma. The gentleman from Oklahoma is consistent in this: He has always been for peace and anything that takes care of the peace of the world.

We all know that a man must be able to take care of himself, and so with a nation, but when you come in here and sandbag the American people by telling them you are holding a conference to have peace in the world in order to reduce the tax burdens caused by enormous armaments, and then come in asking for $100,000,000 to buy more ships, it is absolutely outrageous and preposterous. [Applause.]

Mr. BRITTEN. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BRITTEN. I take it from what my friend says that he is opposed to the building of new ships; but is he opposed to these major alterations on the ships we already have.

Mr. McKEOWN. Well, I will say to the gentleman that if you have scrapped as many vessels as the report says you have scrapped, vessels that were on the ways and as valuable as they were, and if the Navy Department had no better sense in scrapping them, then what sense will they have in spending $110,000,000 in remodeling another lot of vessels?

Mr. BRITTEN. They are not spending $110,000,000 to remodel ships, but they ask for authorization to spend $18,000,000 on these ships, not $110,000,000. I am sure the gentleman will be for those alterations.

Mr. McKEOWN. I will say to the gentleman that now is a fine time to come in here with a bill to increase the American Navy in violation of your conference, when you have just excluded Japanese citizens by a bill in this House and when friction is liable to develop. It is fine business. The world will not believe you are sincere, and I say that the civilized world will not enter into a conference with a nation which will not keep faith and keep good faith with the world. [Applause.]

Mr. BRITTEN. Will the gentleman yield further?

Mr. McKEOWN. Yes.

Mr. BRITTEN. I agree with what the gentleman has just said about international conditions, political, diplomatic, and otherwise, but is not that the very reason why we ought to put these ships in first-class shape?

Mr. McKEOWN. I will ask the gentleman whether he believes in having peace, and whether when he says to a man, "I want to have a conference with you and talk peace" he should go to the meeting with a double-barreled shotgun? [Applause.] Is that the gentleman's idea in having peace?

Mr. BRITTEN. I will say to the gentleman that when I go to talk peace with a man I want to have a good right-hand wallop and then I will get peace.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKEOWN. May I have another half minute?

Mr. McCLINTIC. Mr. Chairman, I yield the gentleman one-half minute more.

The CHAIRMAN. The gentleman from Oklahoma is recognized for an additional half minute.

Mr. McKEOWN. I just want to say to the distinguished gentleman that we ought to keep faith with the American people. We said to the American people and we said to the world that we believed in disarming the countries of the world in order to have peace in the world, and we said so to the American people. And I say to you now that if Mr. Harding—and God bless his memory—were here to-day, this bill would not be in this House, and you know it. [Applause.]

Mr. BUTLER. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. GALLIVAN]. [Applause.]

Mr. GALLIVAN. I am one of the Members of Congress who is all the way consistent on this proposition. I have the honor to say that I was one of five Congressmen who voted against the Borah resolution inviting the nations of the world to a disarmament conference, and I voted that way because I thought America would be buncoed, and you all agree now that she was buncoed. I am proud of that vote, as proud as I am of any vote I ever cast in the Congress of the United States.

I do not know of any Member of Congress who is looking for war, despite the insinuations of some of the previous speakers. I listened with interest to the gentleman from Texas [Mr. BLACK] and the distinguished and able Representative from North Carolina [Mr. POU]. Neither one of them believe we should be unprepared, but both of them in almost their entire speeches preached nothing but peace, and, I fear, must admit that they are genuinely pacifistic.

Why, Mr. Chairman, I was a member of the Subcommittee on Appropriations that in the last Congress appropriated over $6,000,000 for the elevation of guns on our ships in accordance with the recommendation of the Navy Department. That money was never used by the department, because somebody erred seriously. We were told that Great Britain, after all, had not entered upon any program of elevation, and, as the gentleman from Illinois [Mr. BRITTEN] has told you, that statement was true in a degree. England had, as a matter of fact, completed her gun elevation before our alleged wise men woke up to the fact. However, because of the misinformation Congress canceled its action, and the money was turned back into the Treasury.

I have one regret about this bill, and that is, instead of its being an authorization it is not an appropriation. [Applause.] I would vote for it then more eagerly, and, instead of taking six years to complete the program authorized by this bill, I would like to see it done overnight. I stand where I stood in those early days when you all went down and looked from the gallery and the boxes at the representatives of the other powers at the Disarmament Conference. I still stand an unbeliever in the faith of certain powers who then broke bread with us and bumped knees with us under the peace table. I could not be persuaded that they were on the level.

Every citizen of our country that is worthy of the name of citizen, every American with a drop of red blood in his veins likes to think of America as the greatest nation in the world. Every schoolboy believes America the most powerful nation in the world. He would be willing to sacrifice anything rather than give up the ideal. He believes that no nation or combination of nations could whip America, and there is no doubt that he is willing to sacrifice his blood in support of this belief. This faith is undoubtedly one of the greatest factors in our potential military strength, and it was on this intangible asset our enemies failed to reckon in 1917.

But there are other factors. We must be trained how to fight and we must have good weapons or our bravery may not avail to save us in spite of our sacrifices. We are a peaceful people, but there has been no generation in our history that has not seen war. We will always be willing to fight for our just rights, but we do not want our boys in every generation to pour out their blood in torrents because they are untrained and compelled to face skilled men. We do not want to give them clubs and send them out to fight trained men with guns. We have always set out to win the victory, and we always will, but history shows the terrible sacrifices we have made in blood and treasure to win the victory.

If we are to avoid a repetition of these sacrifices we should consider carefully now the direction from which our safety may be threatened and the resources of those great powers that are in a position, if they chose, to challenge our insistence upon a just peace.

Situated as we are, the only foes that we need consider must come by way of the sea. If we are to exert our strength against any great power that might seek to injure us we must do it by way of the sea.

Do not forget, my colleagues, that pacifism tends to destroy the national plan of defense. It carries on a well-defined propaganda to reduce continually the Army and Navy of the United States and to prevent military education in our schools, colleges, and training camps.

Pacifism tends to cause war. A weak nation, especially if rich, invites attack. Robbed of its means of defense, the United States would become the natural target of the great imperialistic powers who are envious of our wealth or who desire to encroach on the Western Hemisphere.

The military doctrine that preparedness tends to prevent war is confirmed by the example of Switzerland in the Great War. Switzerland mobilized from her citizen army, ready for defense, several hundred thousands of soldiers whom she placed at strategic points upon her frontiers. Though her territory offered advantageous routes into France, it was not violated by the German Army during the whole course of the war. On the other hand, Belgium was ravaged and destroyed. She enjoyed no military preparedness, depending for defense instead upon treaties of neutrality, which had been made by the great powers. Her defense proved to be only a scrap of paper.

The influence of the United States, which was the means of bringing the war to an end November 11, 1918, was in reality a triumph of military preparedness. It is the best opinion that the war ended when it did, because of the breaking down of the German morale. Both the civilian population and the army of Germany at last came to realize the uselessness of prolonging the contest.

They saw that the United States was ready to throw into the war her full military strength of eight or ten million of men. The Germans sued for an armistice. It was this military preparedness on a tremendous scale rather than even the superb fighting of our American soldiers which proved to be the determining factor in the ending of the Great War.

Pacifism would greatly increase the cost of war when once declared. Our Nation would be compelled to prepare hurriedly and wastefully, as always in its past wars. In the Great War the United States spent $600,000,000 upon the manufacture of airplanes and produced only 216 fighting machines which were actually used in France. Some of this money was used in haphazard experimentation. This example of waste is but one illustration out of very many. It is an interesting fact that a large part of the huge cost of war to which the pacifists object is directly due to our pacifistic policy of unpreparedness in the past. Mr. Libby, the pacifist leader of the Council for the Prevention of War, complains that 85 per cent out of every dollar of the national taxes goes for war, past, present, and future. According to his own statements most of this expense is due to the last war. Let Mr. Libby answer whether preparedness in the manufacture of airplanes would not alone have resulted in the saving of hundreds of millions of dollars of the national debt. The military experts declare that 50 per cent of the cost of the last war—not in men and in money—was due to the waste of hurried preparation. Pacifism probably doubles the cost of war. At any rate, it greatly increases the expense of it.

The teachings of Mahan, that are founded on history from the earliest times, show that the nation that controls the sea can control what happens in any part of the world. The trident of Neptune is the scepter of the world. While we might live without exports and imports by way of the sea, it would be a bare existence that would preclude any thought of greatness or prosperity. Our strength, our security, and our prosperity, in the final analysis, rest on sea power. Let us never forget it.

Mr. McCLINTIC. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, this measure is a definite step in competition in naval armaments.

War is a crime against humanity and civilization. Permanent peace was never achieved through force. Those who build armaments are preparing not for peace but for war. Those who enter upon competition in armament are driving straight for war. There can be but one end and one result of such a policy, and that is conflict.

As sure as America enters into a policy of competition in matters of armament with the other nations of the world we will sow the seeds which will inevitably ripen in the bloody harvest of war. History gives this answer. Those who have not understood it have read in vain.

Each year from 1916 until the present we have spent many, many millions upon our Navy. We started with $150,000,000 in 1916. We spent billions to make the Navy an effective fighting machine during the war, and since that time we have spent from $700,000,000 in 1919 down to the present year, when the appropriation is reduced to $300,000,000. Yet we are told by the propaganda issued from the Navy Department that our Navy is inefficient; that it is deteriorating; that it is unworthy; that it is inadequate to our protection. What have they done with

the millions that we have poured out? To what purpose has it been spent?

The Navy Department by issuing this propaganda convicts itself of utter incapacity and of unfitness to be charged with the spending of further sums for the national defense. Yet it is mere propaganda. I do not believe it. Our Navy is not a mere lot of rusting junk as it has been represented. The propagandists stultify themselves.

In previous administrations officers of the Army and the Navy have been expected to confine their talents to the performance of their duties, but under the present administration these officers appear to be paying more attention to the dissemination of propaganda in behalf of armaments than to the performance of their duties as prescribed by law. They are become publicists instead of military men.

During previous administrations it was forbidden to the officers of the Army and Navy that they should set themselves up to mold public sentiment so as to control legislation or to dictate to Congress through our constituencies. Any such restraint previously imposed upon them has been removed by the present administration.

Not being a tactical expert, I am, of course, incapable of passing judgment upon their qualifications as military men, but I will say that undoubtedly within the last four years our officers have become wonders in the fields of propaganda. They have become the most skilled orators and the most adroit writers to be found in any calling.

I have been sending young men to Annapolis thinking they would be taught something of naval strategy and other matters that would fit them to serve in the national defense. It must be that instead of conducting a naval academy there we are conducting a school of oratory and authorship. [Applause.] Woe to our enemies if they meet us upon the lecture platform or the printing press.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BUTLER. Mr. Chairman, will the committee give me permission to speak for 30 seconds? When we reach the five-minute rule, I do not propose to pull the string on gentlemen who wish to speak on this bill. Therefore, I think you will all have ample time. I propose to ask the committee to give my friend, the gentleman from Alabama [Mr. OLIVER] at least 10 minutes. There are other gentlemen who ought to be heard; and if the gentleman from Oklahoma will use some more of his time, I will then yield to my colleague on the committee.

Mr. McCLINTIC. Mr. Chairman, I yield four minutes to the gentleman from Nebraska [Mr. MOREHEAD].

Mr. MOREHEAD. Mr. Chairman, it was not my intention to enter into a discussion of this bill.

I have tried to become modernized, but, living in an agricultural State, where the strictest of economy in administration of State and private affairs is necessary, it is difficult to accustom myself to the spending of money as recklessly as it appears to me we are doing in this session of Congress. If building ships and then sinking and giving them away is modern, then I do not desire to become modernized.

It now appears to me the most thoroughly promised economy of any Congress will be the most extravagant ever held under similar circumstances.

If the statement of the gentleman from Illinois [Mr. BRITTEN] that if H. R. 8687 should pass we would have the greatest Navy of any country in the world is correct, we violate our agreement with other countries, which would justify the defeat of this bill.

It has been estimated this appropriation will amount to $120,000,000, which, added to the $550,000,000 appropriated for the Army and Navy, makes a total of $675,000,000, or $405,057,000 more than was appropriated in 1916, when this country was preparing to go into the World War. It has been stated that the world is bankrupt. If so, this is traceable to large armies, navies, and wars. Large armies and navies mean wars, as no great generals are made except by great wars.

There is a well-defined sentiment among the people that in the next war property as well as men will be conscripted, and if such a law is passed there will not be so many desirous of wars who place the dollar above human life.

More effort to get a friendly feeling between the nations and a mutual understanding for disarmament appeals to me more than large armies and navies, and I shall vote against this bill.

Mr. BUTLER. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from Pennsylvania has 16 minutes.

Mr. BUTLER. I yield to the gentleman from Arkansas [Mr. WINGO] five minutes.

Mr. WINGO. Mr. Chairman, I stand to-day where I have stood ever since I have been a Member of Congress. But I find that I have to part company with some gentlemen who have been with me ever since I have been a Member of Congress, because they have abandoned the fundamental and philosophic basis of our arguments heretofore against every big naval program. What has been the argument of those of us who have been denounced as "small Navy" men. We have contended that instead of spending so much money for large battleships that we should have a more evenly balanced Navy and that we should spend more money for scout cruisers and auxiliary craft. Has not that been the plea of most of those who have been denounced as "small Navy" men? Certainly it is; and I have not changed my mind. But these gentlemen who come here to-day and denounce this bill, if you follow their arguments to a logical conclusion, you would take out on the high seas every battleship and cruiser we have and sink them, and then say to the nations of the earth, "We are a peace-loving people; come on and agree with us and do what we have done."

Gentlemen, I want peace. Some of you have heard me on the floor and in public addresses pleading for practical cooperation of the peoples of the earth to bring about peace. The war left a vivid impression on my mind, as it did on the dearly beloved gentleman from North Carolina who has addressed you. Ever since the war I have always kept before me the picture of my own boy and other boys. I want every insurance for peace and every insurance policy against the time that may come when he shall be called upon to discharge the supreme duty of citizenship and go down to the battle field to defend his country.

But, gentlemen, there is a practical way to bring about peace, and I decline to get my head beclouded; I decline to overlook the practical situation. I believe the best way to bring about international cooperation is for this Nation to keep carefully its obligations, but at the same time be sure that it does not get foolish and throw away all its defenses. [Applause.]

Does any man object to the first part of this bill—battleships we already have? You want to modernize them and make them effective. Surely no man can object to that. What is the objection? It is the objection to the new program for scout cruisers and gunboats.

I am no naval expert, but there is not a man in this House who has studied the question but that knows that our Navy is hopelessly and helplessly unbalanced at this hour on account of its situation with reference to scout cruisers. Ah, what a different tale would have been told of the Battle of Jutland if the British battle fleet had not been composed of battleships; if Beatty had been sent battle cruisers to come to his support, there would have been another story to the Battle of Jutland.

I am not willing to take the responsibility of refusing to keep a balanced Naval Establishment under the terms of the Limitation of Armament Conference. We have not our standard at this hour, and no intelligent man can contend that we have. My friend from North Carolina [Mr. POU] says that 5-5-3 is useless, that it would be a stalemate, a draw. If we were situated like England, I should be in favor of a different ratio [applause], but——

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. McCLINTIC. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Chairman, figures have been given and the period has been mentioned which the expenditures are to cover, but there is at least no escape from just this simple proposition: That if this bill is passed the Sixty-eighth Congress up to this time will have pledged the credit of the country on account of the Navy for something like $450,000,000, running close to a total of nearly half a billion dollars. Is there any good reason for that? It is said that in comparison with other nations we have an unbalanced Navy. Experts are cited, and I am not disparaging experts. Some of the experts tell us that the need is for a larger number of cruisers. Some of the experts insist that the greatest need is a larger number of submarines, and some of them insist that primary consideration ought to be given to increasing aircraft equipment. Are we to be governed altogether by the opinion of experts? I never think of that question with respect to Army and Navy expenditures without recalling the remark of Lord Salisbury when he was British Prime Minister. He said that sometimes it occurred to him that if he should place implicit reliance on his military experts he would be compelled to try to establish a garrison in the planet Mars in order to protect

the people living in the sun. [Applause.] Then, outside of the range of expert opinion, there are actually members of the Committee on Naval Affairs so hard pressed that they justify this expenditure in order to get in shape for proper participation in any future arms limitation conference, which is just about as absurd as if a man seeking a better life should prepare to attend a revival meeting by arming himself to the teeth before entering the church.

Mr. VINSON of Georgia. With a Bible.

Mr. MOORE of Virginia. No; with a shotgun or a pistol, believing thus he could create an influence that might enable him to accomplish the desired result. God forbid that any man here fears that there is any prospect of a war between the United States and Great Britain in the day of any of us who are assembled here. If that were to occur civilization would be shocked as never before, and it would probably be shattered. The experts are not even looking for war in the Atlantic.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. They are not thinking about the possibility of war with Great Britain or with Italy or with France.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. Can the gentleman from Oklahoma grant me any more time?

Mr. McCLINTIC. I yield half a minute.

Mr. MOORE of Virginia. There is one point in connection with this matter which I shall take the liberty of discussing when we reach debate under the five-minute rule. [Applause.]

Mr. BUTLER. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. DREWRY].

Mr. DREWRY. Mr. Chairman, when I heard the eloquent, almost tearful remarks of the gentleman from North Carolina [Mr. POU] I saw how easy it is for us to be carried away with our desire for peace, and when I heard the remarks of the gentleman from Alabama that his study of history had convinced him that wars were not brought on by lack of arms, I felt constrained to make some remarks that would indicate that history does not carry out the conviction that was stated by the gentleman from Alabama.

NOT A PARTISAN QUESTION

First, the defense problems of the country should never be partisan nor sectional. No party should attempt to deal with the Army or Navy in a partisan or sectional way. Unfortunately there gets abroad the idea that this party or that party is for or against a large Navy or a small Navy. This impression is probably due to the espousal of certain views by prominent individuals of the party, for I find nothing in the platforms of either party that does more than pledge them to "proper maintenance." This is as far as any party pronunciamento should go.

The Navy protects the commerce of the country, and from the commerce comes the possession of wealth and strength. The whole economic life of the entire Nation is dependent upon its Navy. There should be no North, no South, nor East, nor West when the Navy is under consideration; one section needs a Navy as much as the other. No political party should try to make capital out of its policy toward the Navy.

The Executive calls attention very properly to the needs of the armed forces of the country. Backed by public sentiment, fixed after hearing and considering the report of the Executive, Congress then undertakes to consider the needs and to provide the means for proper maintenance of our military and naval forces.

HISTORICAL PRECEDENTS

From the earliest times the nations of antiquity who rose to prominence were those who built up great naval power, and when their sea power declined their influence and prestige waned. From the time of Crete, in 2400 B. C., then Phœnicia and Assyria and the Persian Empire, all rose to power with their navy, and when they allowed their navy to decline they met the beginning of their own downfall. "The glory that was Greece and the grandeur that was Rome" was the glory and the grandeur of their navies. With the destruction of their naval power, they gave way to destruction. Portugal, Spain, France, Holland, and England all rose in power and then declined, except England, who has had a definite naval policy from the beginning and still has it. England prides herself on her navy, and there is no dispute concerning the necessity of its maintenance, regardless of what party may be in power. The English are united in the view that their navy must not be neglected, even though a spirit of economy in all other things tends even to parsimony in other governmental expenditures. The result has justified this policy; England to-day holds one of the proudest positions among the nations of the world. Where would she have been without her navy?

On the other hand, study Holland. Like the United States, Holland was a commercial nation, not a warlike one. Again, like the United States, Holland was influenced by commercial princes. Again, it was a confederation of States, and it was hard to get all to unite on a common policy of development and maintenance of their naval power. At one time their great sailor, Von Tromp, challenged the fleets of England, but with a false sense of economy, the Dutch failed to provide for a navy to protect their commerce and they declined in power and their commerce suffered. Let their own great statesman, DeWitt, tell the story:

> Never in time of peace and from fear of a rupture will they take resolutions strong enough to lead them to pecuniary sacrifices beforehand. The character of the Dutch is such that, unless danger stares them in the face, they are indisposed to lay out money for their own defense. I have to do with a people who, liberal to profusion where they ought to economize, are often sparing to avarice where they ought to spend. The government was a loosely knit confederacy, administered by what may accurately be called a commercial aristocracy, with all the political timidity of that class, which has so much to risk on war. The effect of those two factors, sectional jealousy and commercial spirit, upon the military navy was disastrous. It was not kept up properly in peace, there were necessarily rivalries in a fleet which was rather a maritime coalition than a united navy, and there was too little of a true military spirit among the officers.

But why go to Holland for our illustration. See what our negligence in our own country brought us to.

When peace was declared with Great Britain in 1783 we totally disarmed and gave our last-built ship to France, and the very year we disarmed Algeria attacked our merchant ships and drove our trade out of the Mediterranean. France then seized our merchant ships and we could do nothing to prevent it. Take the War of 1812. It is generally admitted that if we had kept up our Navy that war would never have been waged. Washington was burned. If Congress had appropriated money for a Navy that could not have happened.

Even now in these years of peace with the battle flags all furled and the brotherhood of man accomplished (if you believe the pacifist) our little Japanese brother threatened "grave consequences" if we expressed publicly our view as to the persons we would permit in our country.

Suppose we had no Navy? Do you for one instant think that the matter would stop with a threat of grave consequences?

Suppose China with her 400,000,000 people had a navy equal to Japan, do you for an instant suppose that the nations would parcel her out and "open her door" without her consent?

Suppose we had no Navy, do you for one instant suppose that our trade with South American countries would continue through the numerous revolutions in those unsettled countries?

We must read our lessons of to-day in the light of the past. The nations of the world are in competition for the world's commerce, for it is fully recognized that the nation which can supply its own people and then sell its surplus is the nation which is wealthy and strong and prosperous. This commerce must be protected. It can be protected only by a Navy sufficiently strong and adequately maintained. The amount paid out for this protection and security is but a small proportionate part of the total amount received.

The cost of the Navy is about 8 per cent of the National Budget. Eight per cent for security, 8 per cent for safety. Is there any business man who would not spend 8 per cent for the stability of his business? Yet there are some who complain that 8 per cent of the taxpayers' money is spent to secure them the stability and safety and security that enables them to carry on their business.

We spend on our Navy, as has been strikingly pointed out by others, about the amount we spend on chewing gum, and about one-third of what we spend on candy and soda water.

The total sum expended by the United States is about $40 per capita annually. The amount to be expended for the Navy is about $3 per capita.

We export annually about $8,000,000,000 worth of material. It would not seem unreasonable that to protect this great commerce of our country that a 6 per cent interest charge for security be granted in good spirit.

It is inconceivable that any people will be so blind to their own interests as to refuse to provide for their own national safety and security.

I think it was Mahan who said, "He who controls the sea controls the world." There is no desire on my part to control the world on the sea, but the sea is free to the United States, and we should never again be put in such a position that we can hear the shrieks of our murdered women and children arising from the dark and cold waters that hold the *Lusitania*.

History should teach us something. The glories of Venice dimmed when her galleys failed to stand as the defense of Europe; Spain and Portugal declined with the decline of their sea power; Holland was at her height when Von Tromp proudly swept the English Channel with a broom at his masthead; England attained her supremacy coincident with the supremacy of her navy.

There would be no question of the proper maintenance of the Navy, and probably very little divided opinion on the subject, if it were not for the propaganda which is being directed in great volume from many sources. An examination of these sources seem to disclose a division into two branches—the first, propaganda from those who are enemies of the Nation, and, second, from those who are influenced by timidity or ignorance honestly to propose measures which if carried out would result exactly the opposite from what they intended.

For the first class there should be short shrift. Those enemies of our country, who come here as paid agents to create discord in our country and injure irremediably for their own advantage, should be ferreted out by our secret service and sent where they belong. We should make it so hot for them that a change of climate would not necessarily cause them much inconvenience.

This propaganda is most insidious. It comes from many sources and is so subtle in its workings that sometimes it is hard to trace it.

We can take care of our enemies where they fight in the open, but it is hard to reach the subtle workings of the underground attempts to influence our own people against their own interest—misguided men and women susceptible to influences that they themselves do not recognize as hostile to their country. The appeal to these is made along two lines: Economy and idealism.

Some time ago I read a short paragraph of three sentences—I do not know the author, but I believe it directly diagnoses the situation. It is short, terse, forcible, and true. Here it is—

> There has been, after each of the wars in which we have engaged and coincident with the relaxing of the war tension, a waning interest in the Navy. In recent years this has been furthered by an organized pacifist propaganda working both upon the country's inherent idealism and upon the desire for economy and having as its object disarmament by example. In the conditions now confronting us this weakening of our first line of defense is a menace to the country's security.

I am not warlike. I believe in peace, but I believe peace is best had by being prepared to avenge an insult or a wrong. Our greatest danger to-day is from within—not without. The United States is so situated geographically that it need not fear any subjugation from the most formidable foe so long as it maintains its superior advantages and resources within its own borders.

In my opinion, the next 10 years will be the most serious time in the history of our country. The next decade will settle whether we are to go ahead along the highroads our forefathers marked out for us, or whether we will wander off in the dark forests of communism and radicalism. I saw a statement sometime ago that there were 105 radical publications in New York City alone with over 5,000,000 readers. Radicalism stands for the abolition of the Army and Navy. It also stands for pacifism and the abolition of private property. The pacifists would wipe out our national defense, and the greatest obstacle to their progress would be removed—for private property would be at the mercy of every striker and rioter, and the country would be at the mercy of every ambitious nation attacking it. Not yet have the nations of the world clasped hands and sung "Peace on earth good will to all men."

If we had not bound ourselves to scrap three hundred and fifteen millions in our proposed ships, we would have had peace—just as surely as the champion pugilist is going to have peace so far as I am concerned. No nation would have attacked us—it would have been suicidal. Now we have scrapped our vessels and it will cost three hundred millions to keep up the 5–5–3 treaty to which we have pledged ourselves. Guam remains unfortified and our relative preponderance over Japan shrinks until we are told that our ratio is 1 to their 3.

LIMITATION OF ARMAMENT

I am not one of those who believe in the beneficent results of the Limitation of Armament Conference. I wish it had never been held. I think we are worse off now than we were when that conference was called, and I think the possibility of peace is far more remote under the treaty, so far as limitations of armament is concerned, than it would have been without the treaty. This country got the worst of it all around. England secured an equality in the strongest weapon of the Navy—the battleship—where she was weaker than we were; Japan secured the favorable position of not allowing the United States a fortified base nearer than Hawaii; and the Republican Party led the country to believe that they had secured naval disarmament, that there could be no more war, and that the taxpayers' money would be expended in internal improvements instead of a fighting fleet. Our former President, peacefully sleeping his last sleep in his quiet home, has attained peace—peace from the turbulence of partisan politics, and rest from the cares and worries of safeguarding this great country. We can well give him the credit for believing that he was doing a great thing for his country and his party when he called the conference. It was a mistake not of his kindly heart but of his head. The results speak for themselves. Our Navy is inferior, Guam unfortified, and millions needed to be spent in guaranteeing us security and safety.

Britain won a victory at the Washington conference, greater than any naval victory she ever won. Balfour's Washington is greater than Nelson's Trafalgar. America had, or would have, the superiority in capital ships. Britain had the greater cruiser strength. Obviously if Britain could eliminate our new capital ships and hold their cruiser strength she would remain the mistress of the seas. This was accomplished. Our capital ships were sunk with well-directed diplomatic shots. Japan won even a greater victory. We need a naval base in the Far East. Obviously, if we are not allowed to build any fortifications there, in the time of war we must stay on our side of the Pacific or else be at a tremendous disadvantage. This was what Japan obtained—the western Pacific.

The great purpose of the United States in its proposal for the conference was to abolish competition among the nations of the world. This was not accomplished, except partially. Only the building of capital ships and aircraft carriers was restricted. There was no restriction in the building of cruisers, flotilla leaders, destroyers, and submarines except as to size and caliber of guns. Competition is not restricted by the treaty as to these classes of ships any more than if the conference had not been held. The refusal of the conference to consider the idea of competition as to these ships militated against the United States under the program of the United States as proposed by Congress in 1916. This country would have had the greatest Navy of the world, and peace, as far as we were concerned, would have been an established fact. We had in process of construction, upon which $336,000,000 had been expended, 11 ships, all new and up to date. Great Britain had none of this class under construction, but intended to build two. Japan proposed to build eight ships, but the keel was not even laid for a single one of them. The conference resulted in the following:

United States agreed to scrap 11 ships, 30 to 45 per cent completed, and 17 old ships, at a cost of $336,000,000.

Great Britain agreed to scrap 2 ships, which only existed on paper, and 24 old ships, 20 of which were already out of commission.

Japan agreed to scrap 2 ships, only existing on paper, and 4 new ships and 11 old ships.

I quote from an address of Rear Admiral H. S. Knapp, United States Navy, delivered April 27, 1922, before the American Society of International Law:

> It is interesting to note the relative tonnages proposed to be scrapped by the American program. In the following comparisons the American tonnage scrapped will be used as the basis, reckoned as 100 per cent, and the order of mention will be United States, Great Britain, and Japan in each instance. Considering total capital-ship tonnage scrapped, the percentages are, respectively, 100, 69, and 53. This is the comparison usually stressed in nontechnical comment, but it is very misleading because it includes for all three nations a number of superannuated ships due already or about to become due for scrapping, conference or no conference. The fairest comparison is based upon new tonnage laid down plus that about to be laid down and for which expense had been incurred in the preparation of material; on this basis the respective percentages are 100, 28, and 46. The offered sacrifice of the United States was not only the greatest absolutely; it was great out of proportion to the relative ratio of strength proposed to

be retained. There is no gainsaying the generosity of the American offer. No further concession was needed to make manifest the sincere attitude of the United States, nor should the United States have been expected or asked to make further concessions, certainly not unless the result would affect all equally and not involve an additional relative sacrifice by the United States.

In addition to this and far more important to us, we yielded our sovereign right to fortify our own possessions as we in our judgment thought best for the interests of our country. Generous? Yes; but generosity carried to excess does not bring prosperity to nations any more than to individuals.

Who was responsible? Surely our naval advisers were not so ignorant of conditions as to agree to such a compact. If so, then our Navy is in worse shape than the recent reports concerning the condition of our ships would indicate. The intelligence of our personnel is a greater factor than the condition of our ships. I can not believe that our naval advisers were at fault. I know from acquaintance with them that they are a highly trained, efficient, intelligent, and patriotic body of men. No, they were helpless, under the urging of the administration. I hate to pluck from the brow of the administration the wreath of what they consider their greatest achievement—what they call "naval disarmament." But the facts should be known. There has been no disarmament. There has only been a partial limitation of arms in a manner which was very helpful to the other parties to the agreement and very hurtful to us. The flowers of that great achievement wither and fall when we examine them more closely, and their fragrance has long ago disappeared.

But what are we going to do about it? There is only one answer—we must stand by the agreement we made. There is such a thing as honor among nations—just as in individuals. The idealism of America was shocked at the selfish, dishonorable view that a treaty was only a "scrap of paper" when enunciated by Germany. Thank God for America's idealism. We are going a long way from the faith of our fathers in many things, but when America gives up her national sense of honor, then there will be no more America. This very idealism, however, puts us at the mercy of every misguided pacifist, who through ignorance or intent is really an enemy. This is no time to listen to anyone not acquainted with conditions as they really exist. The responsibility is on the legislative branch of this Government as well as upon the Executive to see that the Navy of the United States is "maintained in sufficient strength to support its policies and its commerce and to guard its continental and overseas possessions."

We are going to stand by the treaty, but we must keep our Navy up to the limit allowed by the treaty. This treaty has allowed us to fix definitely our naval policy with regards to Great Britain and Japan. The ratio established if not kept up will find us in the third class, instead of the first, greatly to our disadvantage in our national prestige and in our diplomatic services.

A statement was made recently by Mr. Shearer which gained wide circulation. This statement declared that "the Navy was out of date," "outclassed," "ships not modernized," "ships deficient in speed," "personnel not sufficient to properly man our ships," "far below treaty strength," "without operating bases," "virtually no oil reserve," "and the fleet in poor condition."

This charge of Mr. Shearer was made to the President of the United States and given much publicity. The country has awakened to its seriousness. From all quarters comes the demand that the facts be given frankly so that the blame, if any, can be put where it belongs. Large sums of money have been appropriated yearly. Where and how has it been spent? The country has been told that the Limitation of Armament Conference was the answer to the refusal of this country to go into the League of Nations, and that naval competition has been eliminated. "Why then," the country asks, "is it necessary to spend more money in keeping up our Navy to a greater expansion?"

The last question has been answered. The so-called Peace Conference did not abolish naval competition. It was hoped that a spirit had been aroused in the nations which would in the future have good results. This hope at the present time seems very dim and far away. Therefore, we must not continue to let our country remain in a weakened naval condition.

PRESENT CONDITION OF NAVY

The Acting Secretary of the Navy attempted to answer Mr. Shearer's criticisms. His reply was honest and direct. He did the best he could to make a good showing, but he had to admit that many of Mr. Shearer's criticisms were borne out by the facts. When analyzed it will be seen that it is a virtual admission of the present bad shape of our Navy. Attention must be called to this: Mr. Roosevelt's partial denial of Mr. Shearer's criticism is based on what is proposed to be done to remedy present conditions, while Shearer's statement was based on conditions as they actually exist. Mr. Roosevelt says: "Plans have been prepared for the complete modernization of our battleships. Authority for modernization of the six coal-burning battleships has been requested of the present Congress. The department asked authority of the present Congress to build eight 10,000-ton light cruisers, also asked funds to build three mine-laying submarines."

These statements of Mr. Roosevelt are true, but they do not answer the criticism of bad present conditions by saying that the department has asked authority to remedy the evil. His statement does show, however, that the Executive, through his department, has asked for appropriations to enable our Navy to keep up with Great Britain and Japan in the ratio laid down by the treaty. The matter is just squarely up to the legislative branch of the Government in these bills. They have been closely studied by the Naval Committee and unanimously reported favorably by action. They are now before you, and the action to be taken is yours. Upon your action depends very largely the future of our country, the security of our commerce, and our prestige in the eyes of the world.

I conclude with the view I expressed when I began—there should be no partisan consideration of this question. We should vote as Representatives of our great country, voting as in our individual opinion we think is for our country's good.

Mr. McCLINTIC. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman and gentlemen, at the present time and under existing conditions I do not see how any Member of this House can, after reflection, vote for this measure. I yield to no man in loyalty and devotion to my country, and I would leave nothing undone that is reasonably necessary for our national defense; but this bill, authorizing the expenditure of approximately $143,000,000, can not, in my opinion, be justified on any logical grounds or reasonable hypothesis. It is an unnecessary tax at the present time on the resources of the Nation, now burdened almost to the breaking point.

The President has said much about reduction of taxation and economy in governmental expenditures. The people of the United States are not lacking in patriotism and will complain of no expenditure of public funds that is reasonably necessary to maintain our institutions and promote the general welfare or provide for the common defense; but there is no national emergency which calls for this extravagant appropriation of public funds. War is not threatened nor probable, and if we are ever to have a naval building program it can be deferred until economic conditions have materially improved.

By this bill it is proposed to reach into the Treasury of the United States and to extract therefrom $143,000,000. The Government can not obtain these funds except by the exercise of its taxing power. And for what purpose are these millions to be expended? It is contended that extensive alterations must be made in six of our great battleships to maintain their efficiency as fighting units. For this purpose an appropriation of $18,360,000 is authorized. In addition, this bill authorizes the construction of eight scout cruisers, their cost, exclusive of armor and armament, not exceeding $11,000,000 each. It is admitted that the armament of each of these cruisers will cost approximately $4,000,000. Thus it will be seen that these eight cruisers, including their armament, will cost approximately $120,000,000.

Then, again, the bill authorizes the construction of six river gunboats, to cost, exclusive of armament, $700,000 each, or for these six gunboats $4,200,000, to which should be added several million dollars for the cost of armament. So at least calculation this bill adopts a building program and authorizes an appropriation of between $140,000,000 and $150,000,000, as expenditures generally exceed estimates.

The distinguished and beloved chairman of the committee informs us that as soon as the alterations are made in the six battleships mentioned in this bill, alterations of a similar nature will be made in other battleships at an additional expense of $12,000,000, making a total expenditure of approximately $160,000,000 for new battleships and repairs on battleships now in service.

The disarmament treaty between the United States, Great Britain, France, and Japan, signed February 6, 1922, fixed the 5–5–3 ratio for the naval strength of Great Britain, the United States, and Japan. This means that we may maintain our naval strength on a parity with that of Great Britain while Japan may not exceed three-fifths the naval strength of the United States or Great Britain. This, however, was limited to battleships and placed no limitations on swift cruisers, airplanes, or submarines. It has been frankly admitted on the

floor of this House, both by Republicans and Democrats, that the United States was "buncoed" by England and Japan in that conference.

We had a superiority of battleships but the treaty required us to scrap a large number of these powerful fighting units, and this was done, though those ships cost us approximately $150,000,000.

But as soon as Great Britain and Japan had induced Harding, Hughes, Root, Lodge, and Underwood to scrap many of our great fighting units, England and Japan began building swift cruisers, airplanes, and submarines, which was not prohibited by the Washington disarmament treaty, and now those nations are far ahead of the United States in cruisers, airplanes, and submarines. No well-informed person, Democrat or Republican, will now deny that the United States "got the worst of the deal" at the Washington conference.

Moreover, after scrapping large numbers of our newest and best battleships, we have managed to spend practically $700,000,000 on our Navy since the so-called disarmament treaty was signed, and the total appropriation for the fiscal year of 1925, if this bill passes, will be approximately $450,000,000, although all of this money for new construction may not be expended in any one year.

How are we to reduce taxes and adopt a policy of economy in the administration of our national affairs if the Public Treasury is to be raided and raped in this manner? But the proponents of this bill say that we must keep our Navy on a parity with the navy of Great Britain. There is such a diversity of opinion between the experts that no one can with assurance state that the British Navy excels ours in fighting efficiency. Some of our heavy battleships are far superior to any ships of that class in the British Navy. Some of our battleships have a longer range than any of the English battleships.

In this connection may I say that since the curtain first went up on human history comparatively few battles have been determined by the superiority of numbers or armament, and in many naval contests victory has not always favored the side with the largest number of ships or guns. The battle of Salamis, the defeat of the Spanish armada, the battle of Trafalgar, and the victories of our own John Paul Jones forcefully illustrate the correctness of the statement that naval supremacy does not always depend upon superiority in number of ships or armament, but the personal element is, after all, the determining factor in naval and military contests.

Tact, courage, genius, and initiative have won practically every great naval contest, regardless of the preponderance of ships and guns. To illustrate: At the naval battle of Copenhagen, the English fleet was under the command of Sir Hyde Parker, Lord Nelson being second in command. During this battle, when Nelson's attention was called to the fact that his superior officer had signaled that firing cease, Lord Nelson, placing a telescope to his blind eye, said, "I really can not see the signal." He then intensified the broadsides, closed in on the enemy, destroyed the Danish fleet, and silenced the shore batteries. Not superiority in ships and guns, but a blind eye, genius, and disobedience of orders won this contest that hastened and materially aided in the final defeat of Napoleon.

Ships and guns did not win the battle of Lake Erie, but the bold initiative and dauntless courage of Oliver Hazard Perry and his heroic seamen brought this imperishable glory to the American Navy.

The evidence is far from convincing that our Navy has deteriorated to such an extent as to imperil our national defense. I think propaganda has much to do with this agitation. Undoubtedly Mr. Gary, president of the United States Steel Trust, looks with favor on this measure. Those who would cheerfully spend billions of dollars for battleships will no doubt condemn every Representative that votes against this bill.

By enacting this legislation we commit the United States to a naval building program which will stimulate competitive building of similar vessels by other nations and we will then be involved in a mad race in competitive building of battleships. Battleships are built not for peace but for war.

Great armies and navies are not a protection for our institutions, but a very serious menace. I challenge you to mention any great nation or empire that has been destroyed where the army and navy did not materially contribute to its destruction.

History teaches us that armies and navies have destroyed more liberties than they ever preserved.

Mr. BRITTEN. Will the gentleman yield?

Mr. LOZIER. This is my time, sir; the gentleman knows it; he has had his time, and I refuse to yield, as I have only five minutes at my command. I repeat that in the history of the world armies and navies have contributed to the destruction of more governments than they ever preserved. They have destroyed more liberties than they ever established.

Shall we accept the advice of the Steel Trust, the manufacturers of armor plate and armament, and the dictum of swivel-chair naval officers who are trying to frighten us into the enactment of this legislation? Two years from now these same persons will be here with the same old story, and will tell us that these very same battleships have become obsolete. And this reminds me that the greater weight of opinion among naval experts is that the great, pondersome, slow-moving battleship has outlived its usefulness and is even now an obsolete fighting machine. And within a year or two these same naval experts will tell us that these six battleships have deteriorated at least 50 per cent as fighting units. I call attention to the appropriations made for the Navy Department since the World War closed:

1919	$2,609,272,389
1920	629,893,116
1921	644,278,809
1922	456,338,787
1923	322,532,908
1924	294,967,200

For the fiscal year of 1925 the general naval appropriation bill recently passed by this House carried approximately $271,942,867 when introduced. Thus it will be seen that since the World War closed Congress has appropriated for our Navy and Navy Department the enormous sum of $4,629,226,076. I assert that this amount is out of all reason and represents a profligate and extravagant misuse of public funds. And this bill proposes to add at least $145,000,000 more to this stupendous sum.

We must call a halt on appropriations for naval and military purposes. If President Coolidge is sincere when he talks about reduction of taxation and economy in public expenditures, he will veto this measure if it is sent to him [applause], and in that veto he will have the approval of the people of the United States, and I do not think that any one of you will dare to vote to pass the bill over his veto. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOZIER. I ask that I may extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McCLINTIC. Mr. Chairman, I yield the remainder of my time to myself. [Applause.]

Mr. Chairman and gentlemen of the committee, it may seem strange to the Members of this House that I am the only member of the Naval Affairs Committee who is opposing this legislation. My position is consistent. I opposed the completion of the 1916 building program at the conclusion of the war with Germany, notwithstanding that the representatives of the Navy and the members of the Naval Affairs Committee voted to finish all of the ships which have since been scrapped. When the Disarmament Conference was proposed, I left my party long enough to vote for this authorization, feeling that the time had come when civilized nations should stop their mad race to see who could build the strongest navy.

The United States in the Disarmament Conference was ably represented by splendid citizens whose honor has never been questioned, and if those who say that the 5-5-3 treaty basis is not fair to our Nation, and that we were "gold-bricked" into agreeing to something that has injured the standing of our country, it must be imputed that Secretary Hughes, Admiral Coontz, Senator UNDERWOOD, Elihu Root, and others who took the lead in arriving at a basis for the agreement were not qualified to act in the capacity which they served on that occasion.

Mr. Chairman, the tonnage of the ships scrapped by the terms of the conference amounts to 784,000. Many of these ships were 80 per cent completed, and the net loss to this Government amounts to over $1,000,000,000, yet there are those who apparently have no confidence in the results of the Disarmament Conference, and they are here to-day with legislation calling for the construction of ships that will cost over $100,000,000. Who knows but in the next conference between nations some of these same ships, if authorized, may be ordered to the scrap heap. Why do I say this? Everyone knows that in the Senate at this time there is pending a plan for the bringing about or the creating of a "world's court."

If this World Court becomes a reality, then it will have or should have jurisdiction over all questions of this kind. If our Nation is to take the leading part, as it has in the past, surely we want to go into the same with clean hands, so that it can not be said that we were quietly building all of the various kinds of ships that were not covered in the last disarmament conference.

Mr. Chairman, all of this talk about our Navy being so weak recalls to my memory what occurred prior to the war with Germany. I remember that some of our leading periodicals published in this country devoted entire issues for the purpose of criticizing our Navy, stating that the same was not in any way fit to protect this country. Yet, when the supreme moment came, we were able to put forth a Navy that was the pride of every citizen of this land, and the record it made will go down in history as one of the great accomplishments of the war. I am not in favor of going on record at this time in favor of a law that will cause the nations who participated in the conference to feel that the United States is trying to obtain an advantage in its Navy. This propaganda about our ratio in comparison with the other countries does not appeal to me. I have confidence in the integrity and honor of those who represented us in the disarmament conference, and until they publicly admit that they were not able to cope with the representatives of the other countries and that we got the worst of the bargain, I can not change my position.

Mr. WAINWRIGHT. Will the gentleman give way for a brief question?

Mr. McCLINTIC. I will.

Mr. WAINWRIGHT. Is the gentleman in favor or is he not in favor of our maintaining the 5-5-3 ratio?

Mr. McCLINTIC. I will ask the gentleman this question: Do you have any confidence in Senator UNDERWOOD, Secretary Hughes, and Elihu Root? They were among our representatives in the disarmament conference, and we had Admiral Coontz there, who is supposed to be wonderfully well qualified on all questions relating to the various strength of the navies of the world. Does the gentleman think for a minute that any of these would advocate or favor a policy that would give some other country an advantage over the United States?

Mr. WAINWRIGHT. I will say that it is not what the disarmament conference left us with but the condition of the Navy to-day, and the Secretary of the Navy and the naval authorities tell us we are not maintaining the 5-5-3 ratio.

Mr. McCLINTIC. I have heard that old story so often. There are those in our Navy who would spend every dollar in the Treasury if they could get their hands on the same. They have no more idea of the value of a dollar than they have about the solar system. They do not realize the critical conditions that exist in nearly every country in the world. They have no conception of the suffering and the hardships that have to be borne by the agricultural class, and care less. For me, I do not propose to increase the burden of taxation on the people when they are clamoring for the kind of relief that will enable them to provide food and clothing for their families. I have faith in the men that represented us in the great disarmament conference. Their honesty and ability has never been questioned, and I do not propose by my vote to help start the machinery which may again cause the nations of the world to vie with each other to see who can build the largest navy. [Applause.]

Mr. BUTLER. Mr. Chairman, may we have a section read?

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That alterations are hereby authorized for the United States ships *New York, Texas, Florida, Utah, Arkansas,* and *Wyoming,* to consist of the installation of additional protection against submarine attack, of the installation of antiair attack deck protection, of the conversion of such vessels to oil burning, and, in addition, for the *New York* and *Texas,* the purchase, manufacture, and installation of new fire-control systems, at a total cost not to exceed $18,360,000 in all.

Mr. BUTLER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word and is recognized for five minutes. [Applause.]

Mr. BUTLER. Mr. Chairman, I confess it will not be very agreeable to you to hear from me and I further confess that I have not a great deal to say to you. I make the further confession that what I have within me many of you are not likely to accept because it will not very greatly instruct you. But I have a duty to perform, and in my own way and according to the light that is given to me I propose to perform it.

War, too, has been hard upon me and my family, but I recall the fact that I am an American and I care more for my own country than for any other relationship—excepting the family, of course—I have in it, and I am willing to endeavor to control my real feelings in order that I may say to you that I believe it is our duty always to preserve our own national defense without complicating assistance from others. I have never believed in taking help from any nation in order to preserve our own identity and preserve our own place which we have elected to keep. I am always willing to do what may be necessary to that end.

This is not, as I have said to you, an agreeable duty to perform. The Constitution provides that we shall provide for a Navy and that we shall maintain it after it is provided. The question is, How much shall we both provide and maintain?

May I give you a bit of history? In 1916 I initiated the 1916 program. Do you call me a pacifist? I asked this House to vote for 154 ships of war, and we came within 3 votes of passing it. That 1916 program has never been repealed and it still stands upon the statute books. Where is the man in this House who ever offered to repeal it? Where is the man who is willing to stand up and say he wants Congress to repeal the program which provided for the greatest armada that was ever found upon the high seas? And yet they say I am opposed to the preparations which nations should make in the way of procuring firearms and munitions of war in order to provide their own defense.

This Navy of ours has run down. My colleagues and I had agreed at the beginning of this session that we would not report a bill in favor of ships; that we were for economy; but when the facts were laid before us we discovered that it was our duty to do it.

I ask no man to vote for this bill. I shall vote for it because I believe it to be my duty. I am not begging any man to stultify himself by taking my view of what may be necessary in the way of defense. That is for himself to reason out as a man of sense and an American citizen.

My judgment is—and it is a mature one, gotten not only from what I have heard but from reflection—that our Navy has gone down in what is commonly known as its efficiency.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. BUTLER. I shall be glad to yield directly. Shall we allow it to continue to go down? I recall—I do not know whether it was my friend from Texas or some other gentleman who made the speech, maybe it was my friend from Iowa [Mr. GREEN]—but some Member said that this was the annual scare that was given to Congress. My friends, I have gone through it for 28 years. This is what we call our annual confession. I have been in it and I know the game, if you will permit me to say it. Therefore the great noise, the beating of drums and the clamor that is raised on the street does not cause me a particle of trouble. I helped to make the noise myself when we were endeavoring to build a Navy. But when the facts are given to us, at least satisfactory to me, that our ships need repair and that there is one part of our public service which needs to be not only reconditioned but needs to be added to, I am willing to listen and be convinced.

In 1920 Mr. Harding was elected President of the United States. He had pledged his word to the American people that he would ask for a conference and that in that conference he would endeavor to have a limitation made upon the size and numbers of great ships.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania may proceed for five minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the gentleman from Pennsylvania may proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. I am obliged to the gentleman. He kept his word. I want to say to my friend from Virginia that I at the time knew something of what was coming. I was told by high authority that a conference had been determined upon by Mr. Harding for the purpose of naval limitation. Furthermore, I want to say to my friend that I voted, before he came to Congress, at the request of President Wilson, for 10 ships of war which he never intended to build and which would have cost this Government more than $400,000,000. He was then in a conference at Versailles.

I was one of two men who kept the Naval Affairs Committee—and I think I am the only one living—at bay for two weeks, until President Wilson sent a telegram which was shown me, after which I said to the House I could not take the responsibility of holding up what the President of the United States desired to have in the way of bringing about an understanding among the nations that had been in conflict. The authority to build was given President Wilson and it cost the Government nothing, because an agreement was reached and the ships were

never even contracted for. I was perfectly willing to do it when I knew that a program was before the Chief Executive which he proposed to employ in working out a result.

I know that gentlemen have spoken idly here about any attempt which may be made by the President to secure a further conference. I am not better informed than other men, but you men know, as well as I know, that another conference will be held likely before next year. To do what? The very thing this last conference failed to do and which the nations declined to do for the very reason that we had nothing to give them in return. We asked them to agree with us to limit these smaller boats. They declined, because, they said, "You have none." England said, "We have in contemplation built something like 300,000 tons of these boats," and Japan replied she had also such boats built and in contemplation. What did we have to say? Nothing, except that we have none built, building, or authorized.

Now, my friends, what can we do? Are you going to let your ships go? I want to be on record as strongly as possible that I do not propose to endanger the life of a human being by declining to take rotten boilers out of battleships. Are you going to vote against it? They had to lower the speed of these ships to 12 knots, and the statement was made to us that it is necessary to take out these dangerous boilers and make other necessary repairs. If we can take them out we can put other boilers in which we have taken out of the ships which we were required to break up.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. VINSON of Georgia. The boilers do not cost the Government anything?

Mr. BUTLER. Not a dollar.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. BLACK of Texas. I want to say to the gentleman that the opposition I have heard expressed on the floor to-day is not to section 1 of the bill but to section 2, which seeks to initiate a new building program.

Mr. BUTLER. I am obliged to my friend for jogging me up about that.

Mr. OLIVER of Alabama. Will the gentleman yield a moment?

Mr. BUTLER. Yes.

Mr. OLIVER of Alabama. I will support the bill. I think it is important that we should authorize these alterations, but I am at a loss to understand why the committee did not include in section 1, seven of our battleships which are far better than those named and which need the protection that you are seeking to give the ones mentioned.

Mr. BUTLER. I will be glad to answer my friend. The same query was in my mind that he finds in his and it was made plain to me. I asked the question and this was the answer I got. We intend to expend with the authority given us by Congress $30,000,000 to put our ships into the condition in which they should be. It is so stated in the Secretary's report, but we are only requesting $18,500,000 at this time so that we may repair these six ships. It is not thought good for the service that we should take more ships out of the line, as it is called, or out of active duty—and we ask for sufficient money to repair these six ships at this time. That is the reason given and no other. They will come back again, I will say to my friend, for the $12,000,000 to repair three or four other ships. And we should have the money——

Mr. VINSON of Georgia. Will the gentleman yield there?

Mr. BUTLER. They will come back in good time and I, for one, did not care about asking them to increase the amount in this bill.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional minutes.

Mr. MOORE of Virgina. I ask, Mr. Chairman, that the gentleman may be allowed to occupy such time as he may deem proper.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the gentleman may proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CELLER. Will the gentleman yield.

Mr. BUTLER. Yes.

Mr. CELLER. I am in favor of the bill, but I am a little disquieted at what I read in the hearings. Mr. LOGAN questioned Admiral Jackson as follows:

Mr. LOGAN. Are you acquainted with the fleet as a whole?

Admiral JACKSON. Yes.

Mr. LOGAN. Are the destroyers the only units of our fleet in which we are superior to the fleet of another nation?

Admiral JACKSON. Yes. We also have a greater tonnage in submarines.

Mr. LOGAN. Do you think we have the finest fleet in the world?

Admiral JACKSON. I think ship for ship, as far as we go, we are quite the equal of any nation.

Mr. LOGAN. Then we do not need these other vessels.

Admiral JACKSON. I said, "Ship for ship."

How can the gentleman reconcile that with his advocacy of this bill?

Mr. BUTLER. Oh, I can do that all right. When you are in this business you can do anything. [Laughter.] My friend, I want to say to you this: You come and sit with the committee and you will hear a number of diverse opinions given there, and after you have heard them all you can use your own common sense, and that is what I want you to do now.

We have 18 ships of war, as has been told you. There can not be any dispute here about that, because we had to break up and destroy 34 ships. Some good came out of the conference even though it amounted to destruction only. Other gentlemen have testified and said that the condition of our fleet is not good. The Secretary of the Navy has asked you to do what I ask you to do here, and I brought along his note, and it is the only one I did bring. It is stated by him in the event that we make these repairs and allow these boats, our fleet will be in first-class condition. Of course, it will be; and I will tell you why it is now and will be in good condition. It is because of the personnel. It is because young Americans are on these ships, and so far as the personnel of this great service is concerned, I want to say to you that the American Congress owes it to them to give them comfortable ships in which they can sail and without rotten boilers. The sailors wish these cruisers. In my judgment, they are not ships with very much defensive power, nevertheless they are useful to the military service in the way of obtaining information of an enemy.

I am not a military man, but I do know that these ships will be safe and comfortable for the human beings placed upon them, and for that reason, if for no other, I would be for them rather than the little crowded destroyer that can only make a short distance as against these ships that can make almost twice the distance.

Mr. BRITTEN. Will my colleague yield in order that I may make a suggestion in line with the question that has been propounded?

Mr. BUTLER. Yes.

Mr. BRITTEN. When Admiral Jackson said that ship for ship our ships compared favorably with the best in the world he was talking about the first five ships, which are not included in the bill to-day for these major alterations. Ship for ship, of course, they are superior probably to anything in the world, and these ships will be equal to any in the world when they have been altered according to the resolution now before Congress.

Mr. CELLER. I do not think he said that, if you will take the hearings.

Mr. BRITTEN. That is what he was talking about, however.

Mr. CELLER. I am in favor of the bill, but I think that ought to be cleared up.

Mr. BUTLER. I want to say to both of the gentlemen that you can read what you please and take your choice. [Laughter.]

Mr. BLACK of New York. Will the gentleman yield?

Mr. BUTLER. Of course I will, because I am only speaking upon the kind permission of you gentlemen.

Mr. BLACK of New York. I was wondering if you would inform the gentlemen on the left—the Democratic side—as to how Josephus Daniels feels about these improvements.

Mr. BUTLER. Maybe it will surprise my friend when I say to him that there has been no man in public life in my day for whom I have a higher regard than Josephus Daniels. [Applause.] He may have been slow perhaps in preparing for a defense but that was according to his own view, but when he saw that we were approaching the conflict no man worked harder or steadier than Mr. Daniels, for whom I have the very, very highest regard. [Applause.] On many things we differed, but for his integrity and for his good American spirit I do not allow any man to stand before me and criticize him without having my rebuke.

Mr. OLIVER of Alabama. If the gentleman will permit, I appreciate what the gentleman has said in reference to Secretary Daniels. I think that was the sentiment of the entire committee, irrespective of party affiliation.

Mr. BUTLER. It was, indeed. He was not only greatly beloved but was greatly respected, and we all had high regard for the man. It is a pleasure to have served at the time he served as Secretary of the Navy, and I have not a particle of doubt that if he were Secretary of the Navy now he would ask to have these improvements made.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. VINSON of Georgia. Mr. Chairman, I understood from the unanimous-consent agreement that the gentleman from Pennsylvania was to have such time as he wished.

Mr. BUTLER. I would like to tell the committee what we propose to do here.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania have five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from Pennsylvania may have five minutes more. Is there objection?

There was no objection.

Mr. BUTLER. When we made the treaty we agreed that we would do two things to these ships to protect them from submarines and attack from the air. That privilege was provided in the treaty. I offered an amendment, which went through, authorizing us to elevate the guns. They were never elevated. I do not say that I have any judgment as to whether or not we can change these boilers. An outcry was made against it that such alteration increases the fighting power of these ships. I do not know whether it can be done or not. Therefore we were careful to have it written in the bill that no repairs are to be made unless they are entirely consistent with the treaty.

Mr. WEFALD. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. WEFALD. Will these alterations be made in private yards or in Government yards?

Mr. BUTLER. I do not care anything about that. I am not for any class of men. I do not vote for class legislation; I vote for the welfare of all the people, and I do not care where the repairs are made.

Mr. WEFALD. There is no class legislation about that.

Mr. BLANTON. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. BLANTON. The gentleman will admit that of this $18,000,000, $6,500,000 of it is designed for the purpose of raising the turrets of these guns.

Mr. BUTLER. No; I thought the gentleman from Texas would ask some hard questions, so I brought the answers with me. [Laughter.]

Mr. BLANTON. That is what I have understood.

Mr. BUTLER. No; that is not so. I have great confidence in my friend. It is not proposed that we shall raise the turrets. I will tell him what we propose to do. It is the conversion of the oil burners, additional underwater protection, additional deck protection—three things to each of these ships—and that is all the bill authorizes.

Mr. JONES. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. JONES. In the gentleman's judgment, who was responsible for our getting the worst end of the conference agreement? Was it due to those who managed the conference or to those who furnished the expert information?

Mr. BUTLER. I do not agree that we did get the worst end of it. I do not agree with the statement of the gentleman from Georgia [Mr. VINSON] or the gentleman from Illinois [Mr. BRITTEN]. We got the best of it; we brought about peace in the way of great ship limitation.

Mr. JONES. We seemed to have scrapped more battleships than did Great Britain. Why did not those in charge insist on their scrapping the same as we did?

Mr. BUTLER. They scrapped them by tonnage. The purpose of the conference was to give each power about the same fighting units.

Mr. HOWARD of Nebraska. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. Is the gentleman from Nebraska a member of the committee?

Mr. HOWARD of Nebraska. No; I am a plain Member of the House. [Laughter.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, I want to read you from the treaty between the United States and the British Empire, France, Italy, and Japan signed at Washington February 6, 1922. From page 19, subdivision (d), of that treaty I read as follows:

> No alteration in side armor, in caliber, number or general type of mounting of main armament shall be permitted—

And so forth.

In the last Congress this committee brought before us a bill to spend $6,500,000 in raising the turrets of the guns on certain ships. They reported to us that our naval officers advised us England had violated her treaty by raising the elevation of her guns and that we would have to do this in self-protection, and the bill passed. I made a point of order against that sum in the appropriation bill on the ground that it violated the provision in this treaty which I have read to you. But it was passed by the House appropriating $6,500,000 for that purpose.

What happened? Congress adjourned. We went home. Then Secretary Hughes reported against it, holding that it did violate our treaty, and the distinguished chairman of the great Appropriations Committee, Mr. MADDEN, told these naval officers that they should not use that money, that he had found out they had overreached us, that they misrepresented the facts, and that neither England nor anyone else had violated the treaty I have mentioned, and that the Navy must not spend the money. They did not spend it, and you passed a bill just a few weeks ago turning this $6,500,000 back into the Treasury. And Mr. MADDEN again told us that these naval officers had misrepresented the facts to get this $6,500,000 appropriation.

I do not care what this report says. I will tell you what is in the minds of these selfsame naval officers. If you give them this $18,360,000 for repairs, they are intending to elevate the guns on these battleships. It is not right. I believe in keeping the treaties of the United States when we have put our signature to it. [Applause.] No one on the committee has told you the numerous ships that were scrapped by the United States under this treaty. I want to tell you the names of the ships that we have just recently scrapped. Here they are—and these particular ones were brand-new: The *Washington*, the *South Dakota*, the *Indiana*, the *Montana*, the *North Carolina*, the *Iowa*, and the *Massachusetts*. They were brand-new, had never been used, and had cost the tax-paying people of the United States millions of dollars.

We have also just recently scrapped the *Virginia*, the *Nebraska*, the *Georgia*, the *New Jersey*, the *Rhode Island*, the *Connecticut*, the *Louisiana*, the *Vermont*, the *Kansas*, the *Minnesota*, the *New Hampshire*, the *South Carolina*, and the *Michigan*, which had cost us millions and millions of dollars. And then we have also recently scrapped the *Lexington*, the *Constitution*, the *Constellation*, the *Saratoga*, and the *Ranger*. Last, but not least, we scrapped the *United States* under the terms of that treaty.

I want to say now that it is the naval officers who are behind this bill. I wish you would go back for the last five years and look at the bills that the naval and Army officers have influenced on this floor, to give them spending money—not the kind of spending money that you and I have, but millions of the people's money to spend. It is not merely the appropriation bills for the Navy Department or the Army Department that takes the money. You would be surprised if you would investigate and find out the outside bills that the Army and the Navy have influenced to be brought into this Congress to give them millions of dollars of the people's money for spending money.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BRITTEN. Mr. Chairman, I have an amendment pending which was sent to the Clerk's desk during general debate. I would like to know that that is pending.

Mr. HOWARD of Nebraska. Mr. Chairman, I have an amendment that I desire to offer.

The CHAIRMAN. Is the amendment of the gentleman from Illinois a committee amendment?

Mr. BRITTEN. No; it is a personal amendment.

The CHAIRMAN. Without objection, the amendment will be reported for information at this time.

Mr. BRITTEN. Mr. Chairman, I do not desire to have it reported now.

Mr. MONTAGUE. I have an amendment which I desire to have read at the appropriate time for the information of the House.

Mr. McCLINTIC. Mr. Chairman, the gentleman from Nebraska has been seeking opportunity to send an amendment to the desk.

The CHAIRMAN. The gentleman from Nebraska will be recognized at the proper time. The Chair now recognizes the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, there are two questions involved in this bill. One is keeping the Navy in good order, which is proper and perhaps timely, and the second is whether or not to-day we are going to start a new international race in naval armament. The latter I submit as highly improper, and certainly untimely. If the sole purpose of this bill is to keep the Navy in fighting trim, to have as good a naval defense as the disarmament treaty permits, then I desire to point out to the committee that you may spend your $18,000,000 and change the elevation of your guns, and you may put your new armament on the sides of your battleships, but any battleships so remodeled can be blown out of the water in 15 minutes by a fleet of airplanes. [Applause.] Let us be perfectly frank about this. By the time you will have spent your $18,000,000, and by the time these alterations are made, your capital ship will be 50 per cent more obsolete than it is to-day. I can not understand the reason for the appropriations sought in section 1 of the bill.

Mr. VINSON of Georgia. Under the treaty we are entitled to a certain number of tons in airplane carriers. We are entitled to two with a tonnage of 22,000 each. Is the gentleman in favor of another airplane carrier so that we can destroy battleships with bombs?

Mr. LAGUARDIA. Absolutely.

Mr. VINSON of Georgia. The gentleman will have an opportunity to vote for it.

Mr. LAGUARDIA. But there is nothing in this bill about airplane carriers. There is nothing in the bill for bombers.

Mr. VINSON of Georgia. I shall offer an amendment at the proper time.

Mr. LAGUARDIA. Mr. Chairman, the difference in the ranges caused by the difference in elevation is of no importance. Methods of warfare, naval as well as aerial, are changing so rapidly that it would be wise and prudent to defer action on this bill for at least a year. I have repeated on this floor many times, if the Army and the Navy would permit us to legislate and create a united air service, we could spend less than 10 per cent of what this program contemplates, and we would be assured of proper protection to the entire coast of this continent. But we get nowhere by simply spending money on obsolete battleships.

There is a suggestion made about the comparative strength of the British and American Navies. I am hopeful that we will not be faced with an emergency for at least the next two years. I refuse to believe, notwithstanding what foreign chancellors may do, that the English and the American people will ever go to war, at least during the present century. [Applause.] That being so, why all this unnecessary and unwarranted apprehension and fear? Why the start of an armament race such as led to the destruction of the happiness of the world but a few years ago?

Mr. GREEN of Iowa. We have gone for over a hundred years without war with England now.

Mr. LAGUARDIA. That augurs pretty well for the future, does it not? I believed that we fought a war against war, and I do believe that the alliance of friendship formed on the battle field—not the diplomatic alliance—the alliance on the battle field between the boys who did the fighting is a lasting alliance that will assure tranquillity and peace on earth for at least a hundred years to come. The preparation for this bill started some three months ago with a propaganda on the lack of preparedness in the condition of our Navy.

The country has been given all sorts of alarming information preparatory to the consideration of this bill. The gentleman from Idaho [Mr. FRENCH] and the great chairman of the Naval Committee, Mr. BUTLER, fully answered these wild statements a few days ago on the floor of the House. The assurances given by both these gentlemen satisfied the thinking people of the country. I am sure that there is no justification for any feeling of unsafety now or for many years to come.

How can gentlemen urging disarmament and peace be heard to talk about peace in the same breath that they ask for more cannon, more ships, more implements of war?

The disarmament conference held in this city, which was called by our late President Harding, was the greatest contribution to peace in the history of the world. The foundation was laid for real and lasting peace. Let us not destroy the good which was accomplished by starting a new race for armaments.

The CHAIRMAN. The time of the gentleman from New York has expired.

Several Members rose.

Mr. BUTLER. Mr. Chairman, some of my colleagues are quite anxious that I should make an attempt to see whether or not we can determine on a time for debate. How many amendments are pending?

The CHAIRMAN. The Chair is unofficially advised of three amendments: That of the gentleman from Nebraska [Mr. HOWARD], the gentleman from Virginia [Mr. MONTAGUE], the gentleman from Illinois [Mr. BRITTEN], and the gentleman from New York [Mr. JACOBSTEIN].

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent that all of these amendments may be reported so that we may know what they are.

Mr. BUTLER. I am somewhat embarrassed because of the generosity shown to me by the committee when I had something to say. It is not my desire to cut off these gentlemen, who may know better what to say than I. There will be other sections of the bill.

Mr. CARTER. But I suggest to my friend from Pennsylvania that it would take just as much time to use five minutes on some other paragraph of the bill as on this one.

Mr. MONTAGUE. Mr. Chairman, I send to the desk an amendment which I would like to have read for the information of the committee, which relates to the general policy of the bill. It will not take half a minute to read it.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia that the amendment be read for the information of the committee? [After a pause.] The Chair hears none.

Mr. MONTAGUE. I am simply asking that it be read for the information of the committee.

Mr. BUTLER. I will ask unanimous consent——

The CHAIRMAN. Let the amendment be reported.

Mr. BUTLER. That debate may close in one hour.

The CHAIRMAN. Will the gentleman withhold his request until this amendment be reported for the information of the committee?

Mr. BUTLER. Certainly.

The Clerk read as follows:

Amendment offered by Mr. MONTAGUE: Section 4. That in the event of an international conference for the limitation of naval armament the President is hereby empowered, in his discretion, to suspend in whole or in part any or all construction authorized in this bill.

Mr. BUTLER. I will accept that.

Mr. BLAND. I reserve points of order on the amendment.

Mr. BUTLER. Will we be able to agree upon an hour of debate on this one section, one-half the time to be controlled by the gentleman from Oklahoma [Mr. MCCLINTIC]——

Mr. BLANTON. That can not be done in committee.

Mr. BUTLER. Let us do it anyhow.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that all debate on this section and all amendments thereto close in one hour. Is there objection?

Mr. BRITTEN. Mr. Chairman, reserving the right to object, as a matter of seeking information, will gentlemen who have bona fide amendments be recognized first by the Chair?

The CHAIRMAN. The Chair will recognize alternately those in favor of and those opposed, and will recognize first those who have bona fide amendments.

Mr. HOWARD of Nebraska. A question for information. I understood a moment ago unanimous consent was asked that all proposed amendments be read for the information of the committee.

SEVERAL MEMBERS. No.

The CHAIRMAN. Is there objection?

Mr. MCCLINTIC. Reserving the right to object——

Mr. BUTLER. Will the Chair submit my request and take the responsibility of dividing the hour?

Mr. STEAGALL. Mr. Chairman, I object.

Mr. SHALLENBERGER. I demand the regular order.

The CHAIRMAN. Is there objection?

Mr. MCCLINTIC. I would like to ask the distinguished chairman——

Mr. SHALLENBERGER. I object.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HOWARD of Nebraska: Page 1, line 10, strike out the period after the word "all," insert a semicolon, and add the following: *Provided*, That no part of the money authorized to be appropriated by this bill shall be used for the purchase or installation of any oil-burning engine constructed outside of the United States, or under any pattern owned by citizens of any foreign government.

Mr. BUTLER. I reserve a point of order on that. Mr. Chairman, I move that all debate on this section and all amendments thereto close in one hour.

The CHAIRMAN. Does the gentleman from Nebraska yield for that purpose?

Mr. HOWARD of Nebraska. Oh, yes; I yield for most any purpose.

The CHAIRMAN. The gentleman from Pennsylvania moves that all debate on this section and all amendments thereto close in one hour.

Mr. McCLINTIC. Mr. Chairman, I was on my feet and I desire to offer a substitute motion.

The CHAIRMAN. The Chair did not hear the gentleman.

Mr. McCLINTIC. I wish to be recognized for the purpose of offering a substitute motion.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. McCLINTIC. I want to amend the motion by adding that one-half the time be given to those in favor and one-half to those opposed.

The CHAIRMAN. That is not in order.

Mr. BUTLER. That is done by agreement.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The point of order is reserved on the amendment offered by the gentleman from Nebraska. Does the gentleman from Nebraska care to be heard?

Mr. HOWARD of Nebraska. I do not want to discuss the point of order if the point is raised.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to make the point of order?

Mr. WOODRUFF. I make the point of order. I will reserve the point of order.

Mr. BUTLER. Mr. Chairman, inasmuch as I made the statement these boilers were all constructed and on hand, I desire to say I do not see I would be justified in making the point of order.

The CHAIRMAN. The reservation is withdrawn, and the gentleman from Nebraska is recognized for five minutes.

Mr. HOWARD of Nebraska. Mr. Chairman, I simply want to say that it is the purpose of this legislation, as it seems to me, utterly to set aside both the letter and the spirit of the disarmament conference and to begin seriously preparing for a war with a nation over the sea, a war so clearly propagandized to us a few days ago in the message of our President when he approved the immigration bill. If that be the purpose, it is my desire in introducing this amendment to know certainly that if we are going to build a bigger and better Navy than anybody else in the world that it shall be, strictly speaking, an American Navy. That is the purpose and the sole purpose for which I have introduced this amendment. I am quite aware that our naval officials do not seem bounden always by the direction of the Congress, but still I would like to have this amendment adopted as notice to them that in the building they may not inadvertently espouse the cause of some particular owners of a particular pattern for an oil-burning engine, which, I understand, and I believe, is the largest part of the scientific propaganda which has been organized in behalf of this bill. That is all the statement I desire to make, and I yield the balance of my time to anybody who wants it.

Mr. WOODRUFF. Mr. Chairman, I now make a point of order against the amendment.

Mr. RAMSEYER. It is too late.

Mr. WOODRUFF. No; it is not. I reserved a point of order against the amendment.

The CHAIRMAN. The gentleman from Michigan reserved a point of order against the amendment offered by the gentleman from Nebraska, and he now makes it. Does the gentleman desire to discuss the point of order?

Mr. WOODRUFF. I do not care to discuss the point of order, because I think the amendment is clearly not germane to the bill.

Mr. BLACK of Texas. Mr. Chairman, it looks to me as though this is a limitation upon the appropriation and would not be subject to a point of order. It limits the appropriation to the purchase of engines manufactured in the United States under patents owned by citizens of the United States, a clear limitation.

Mr. NEWTON of Minnesota rose.

The CHAIRMAN. Does the gentleman from Minnesota desire to discuss the point of order?

Mr. NEWTON of Minnesota. Yes; I desire to discuss the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. NEWTON of Minnesota. Mr. Chairman, if I correctly understand the amendment, it seeks to limit the appropriation authorization just as though this were an appropriation bill. This is not an appropriation bill; this is a legislative bill conferring an authorization for an appropriation. Now, it seems to me that the amendment offered by the gentleman from Nebraska [Mr. HOWARD] is not in any sense germane to the bill. There is nothing in the bill as it is now drawn warranting any assumption that the ships are to be changed in the particulars set forth in the proviso. It has to do with the installation of additional protection against submarine attack. There is nothing there to which the proviso would apply. Take the next provision. The installation of antiair attack deck protection. The same thing is true there. The conversion of such vessels to oil-burning. That likewise would in no wise apply. I submit it is in no sense germane to the bill that is now before us.

Mr. JONES. Does not the gentleman think the last expression would refer to practically the same thing, "the conversion of such vessels to oil-burning"? That would require a change of boilers, would it not, in place of the present arrangement?

Mr. NEWTON of Minnesota. It does not necessarily apply at all, if I understand the amendment correctly.

The CHAIRMAN. The Chair is ready to rule. The only question in this matter, it seems to the Chair, is whether the amendment is germane. If it is germane, it would be as proper as a limitation to a bill of this kind as it would to an appropriation bill. This section provides that alterations are authorized for certain ships, naming them, and that these alterations shall consist of the installation of additional protection against submarine attack, the installation of antiair attack deck protection, and the conversion of such vessels to oil burning. Now, the conversion of these vessels to oil-burning vessels means the buying or obtaining in some way of oil-burning engines; and, of course, if you can buy an oil-burning engine, it is proper for the House or the committee to say that you can not spend your money on foreign engines or that you can not buy a certain type. Then it becomes a germane limitation.

Mr. MONTAGUE. May I ask one question of the Chair by way of suggestion?

The CHAIRMAN. Yes.

Mr. MONTAGUE. Suppose, for the sake of argument, that this material could be purchased abroad much cheaper than here in America. Would that be a limitation?

Mr. BEGG. Mr. Chairman, I have another suggestion along the same line, if the Chair will permit. This bill is being passed for the sole purpose of furnishing added protection. Now suppose, for the sake of the argument, that there was no engine manufactured in the United States that would give added protection. The gentleman's amendment, if passed, and if that premise were at all true, would defeat the purpose of the bill, and I submit that such an amendment is not allowable.

Mr. JONES. The gentleman's remarks apply to the merits of the proposition.

The CHAIRMAN. That is a matter of legislative determination entirely, and is a matter which might properly be taken account of on the question of whether the amendment ought to be adopted, but it does not raise a question of parliamentary law.

Mr. BEGG. But if the Chair will permit one thing more on that, this bill is offered for the improvement and the protection of the ships. It does not confine the availability of that material to any locality, and whenever you do that you are handicapping the very purpose of the bill.

Mr. CHINDBLOM. If the Chair please, I want to suggest, however much we may be opposed to the amendment—and I think it is a very undesirable amendment—that the fact is that if the purpose of the amendment is to change the effectiveness of the language already in the bill, and if the amendment would defeat the purpose of the language of the bill it would still be germane to the bill.

Mr. BLANTON. May I make this suggestion? The point made by the gentleman from Ohio is absolutely sound. The purpose of this paragraph is to make these ships proof against submarines. Now, that is the purpose of the bill. Suppose an engine we can buy in the United States would defeat that very purpose, and suppose the only engine that would make these ships proof against submarines would be an engine that would be bought somewhere else; then you destroy absolutely the purposes of the bill by confining the purchase to the United States. The amendment is clearly not germane to the bill.

Mr. JONES. We have a right to do that if we want to, Mr. Chairman.

The CHAIRMAN. The Chair is ready to rule. The Chair may be wrong about this, but in the opinion of the Chair it is simply a question whether this is a germane limitation and the Chair thinks it is. The wisdom of the provision is for the com-

mittee to settle and not for the Chair. The point of order is overruled.

Mr. BEGG. Mr. Chairman, I would like to be heard in opposition to the amendment. I will not consume five minutes, because I simply want to call the attention of the House to the fact that I think that the policy of the United States would be narrow-minded and restricted if it would exclude a better engine simply because it did not happen to be made in the United States. If we are going to spend $150,000,000 to make our ships as good or better than any in the world, then I want to buy the best engine there is on the market anywhere, and I do not care where it is made.

Mr. SHALLENBERGER. Will the gentleman yield for a question?

Mr. BEGG. I yield for a question.

Mr. SHALLENBERGER. Why would not the same rule you apply to the engine apply to the warship itself, and why do you not make the warship in other countries rather than in the United States?

Mr. BEGG. That is not germane at all.

Mr. BUTLER. Mr. Chairman, just one minute, if you please. If this authority is given to convert these ships into oil burners, the machinery which we have cast aside, which is brand-new machinery taken from the ships that we had to break up, will be used here, and do not cut that out by voting for this amendment. I do not know what the effect of this amendment would be, but we propose to use the machinery we have already bought and paid for, and it does not make any difference what country it came from.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The amendment was rejected.

Mr. BRITTEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BRITTEN: Amend section 1 of the bill by adding the following:

"That alterations are hereby authorized for increasing the elevation and range of turret guns of U. S. S. *Florida, Utah, Arkansas, Wyoming, Pennsylvania, Oregon, Oklahoma, Nevada, New York, Texas, Mississippi, Idaho,* and *New Mexico* at a total cost not to exceed $6,500,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment that it is not germane to the purposes of this bill and that it is in violation of the terms of a solemn treaty which the United States entered into on February 6, 1922, with the British Empire, France, Italy, and Japan, and I call attention to that part of the treaty on page 19, which reads as follows:

No alteration in side armor, in caliber, number, or general type of mounting of main armament shall be permitted—

And so forth."

First, it is not germane to the purpose of this bill, Mr. Chairman. There is no syllable of this bill which speaks of raising the turret of our guns, and from the first word of the first section to the last word of the last section there is nothing said about raising the turret of the guns. This amendment provides for the raising of the turrets of 13 different battleships.

Mr. BRITTEN. This amendment does not provide for the raising of any turrets at all.

Mr. BLANTON. Well, for the carriage of the guns and the elevation of the guns, which means the same thing. It is raising the elevation of the guns, which is in fact a change of the turrets of those guns, and that is done in order that they may shoot twice as far as they shoot now, and that was the very point that was decided in this treaty which the United States in 1922 signed with these four other powers. It is a treaty we ought to keep absolutely inviolate, and I submit, Mr. Chairman, in all earnestness and sincerity that this amendment is subject to a point of order for those various reasons.

Mr. BRITTEN. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BRITTEN. In the first place, this section particularly refers to alterations on ships. It has nothing to do with anything but alterations on ships and on ships now in existence, irrespective of what any treaty might say. In interpreting the treaty the gentleman from Texas is putting his opinion against the best legal minds in the United States, especially those in the employ of the United States Government. The Committee on Naval Affairs on two occasions has been told by the best legal experts in the Navy that this particular alteration is not in violation of nor in conflict with the treaty. Let me suggest, Mr. Chairman, that the raising of the elevation of these guns is an alteration, pure and simple, and nothing else. It does not strengthen nor materially alter turrets. On the contrary, under the treaty we could take the entire turret off of the battleship, so that it would permit the guns to have a 90-degree elevation if need be; but, of course, that would weaken the fighting value of the ship.

There is nothing in the treaty that says we can not remove the turrets. They are kept on the ship as protection to the men who are manning the guns under the turret. This alteration provides for merely cutting the hole through which the gun now projects so that it may be elevated to a higher degree—from 15° to 30°. That is certainly an alteration, and this entire paragraph deals with alterations and nothing else, and these alterations will be made while the other alterations carried in this bill are being made. Let me suggest to you, gentlemen, and to my good friend from Texas that the other alterations—the putting of blisters on the ships and the installation of deck protection against antiaircraft attack—are particularly and specifically set out in the treaty which we signed with the other countries.

Mr. BLANTON. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. BLANTON. I want our friend from Illinois to tell us right now why that $6,500,000 that we appropriated in the last Congress was turned back into the Treasury.

Mr. BRITTEN. I do not care to take up the time of the committee with that matter. I have already done that.

Mr. RAMSEYER. Mr. Chairman, I submit that the gentleman is not speaking on the point of order.

Mr. BLANTON. It was against the treaty; that is the reason.

The CHAIRMAN. The gentleman will confine himself to the point of order. Does the gentleman from Illinois care to be heard further?

Mr. BRITTEN. I aver, Mr. Chairman, that the amendment is not subject to the point of order and is distinctly in line with the balance of the section.

Mr. NEWTON of Minnesota. Mr. Chairman, the gentleman from Texas, in making his point of order, stressed first that this was in violation of the treaty. I want to submit that even if it is a violation of the treaty the legislative branch of the Government has the right to take action if they desire. If it is in violation of the treaty it does not make the amendment in order or out of order. The purpose of the bill is to alter the ships and better protect the vessels from submarine attack or air attack. The purpose of the amendment of the gentleman from Illinois is to so change the elevation of the guns as to better protect the ships from attacks and give the guns a higher elevation. What better protection can there be to a vessel than to change its range so that it can meet the enemy, submarine or aircraft or battleship, two or three thousand more yards away? I submit that this is in order and in keeping with the section before the committee.

The CHAIRMAN. The Chair is ready to rule. This amendment provides for the alteration in the elevation and range of turret guns on certain ships, naming them, there being six ships named in the bill itself and six that are not named in the bill. Then in the closing language of the amendment it provides for the same installation of additional protection as is provided in the bill. The bill itself provides that alterations are authorized for certain ships. "Alteration" is a very broad and general term, and, of course, would include elevation of the range of turret guns. The question arose in the Chair's mind as to whether the amendment for additional ships, other than those named in the bill, would be in conformity with the rules of the House, but it has been decided in a familiar decision that where there are several public buildings provided for in a bill other buildings in the same class are properly added as an amendment to the bill.

The question whether it is in violation of a treaty or any law of the United States is one the Chair thinks is unimportant. I will read briefly a syllabus from the House Manual, page 271:

He (the Chair) does not decide on the legislative effect of propositions or on the consistency of proposed action with other acts of the House or on the constitutional powers of the House or on the propriety or expediency of a proposed course of action.

That seems to be the rule. This is a legislative matter. The question whether it is wise or not or whether it is in violation of a law or of a treaty is not for the Chair but for the committee to decide. The point of order is overruled.

Mr. BRITTEN. Mr. Chairman, I am not going to take up the time of the House, for I have already addressed the House on this matter. But let me suggest that the gentleman from Iowa [Mr. GREEN], who followed me, called attention to certain figures that were inserted in the RECORD by Senator HALE. Let me suggest to you that I have since checked up the figures with the gentleman from Iowa [Mr. GREEN] from his own chart and I find this condition prevails, that 21 ships of Great Britain outrange every one of our ships but 5. This simple elevation of guns will remedy that serious defect in these ships.

Mr. CARTER. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. CARTER. Did that condition prevail in 1921 when the arms conference adjourned?

Mr. BRITTEN. There has been some doubt about that. We have not altered our elevation. I am not quite sure whether they have altered theirs or not. They say they have not. In any event they outrange us to-day.

Mr. CARTER. After we have had the peace conference we permitted ourselves to be buncoed, as some gentlemen have said.

Mr. BRITTEN. Let me again say to the House that three years ago we authorized an appropriation to elevate the guns and one year later an appropriation was made, and the year following it was repealed, so you see we have lost three years.

Mr. CARTER. Why was not the money used?

Mr. BRITTEN. I explained that some little time ago.

Mr. CARTER. Unfortunately I was unable to be here.

Mr. BRITTEN. An appropriation of $6,500,000 was made by the last Congress for the purpose of increasing the elevation of the turret guns of 13 of our battleships, but this appropriation was repealed in the present Congress upon the suggestion of Secretary Denby that the matter would at a later date again be brought to the attention of Congress, because quite unintentionally the impression given to Congress by the Navy Department was that the disparity between the ranges of these 13 ships of the American Navy and the 22 ships of the British Navy was overwhelmingly in favor of the British. As a matter of fact, there is a serious difference in the ranges at which the two fleets can engage, but not as great as the impression given to Congress, nor was it a fact that the British and Japanese were altering the elevation of their big guns, the most of which already outrange ours.

Secretary Denby very properly felt that Congress was not fully and correctly informed when appropriating for the increased elevation of these turret guns and therefore decided not to use the money so appropriated until Congress had an opportunity to reexpress its will in the matter. The funds so appropriated might have been used at any time, but the Navy Department, as usual, was exceedingly fair about it.

Now that the six and a half million dollars appropriation has been returned to the credit of the Treasury, I believe it will be necessary for Congress to reauthorize this highly important improvement, when I am sure that appropriations will follow without delay.

It is quite obvious that in a fleet action all the vessels of a fleet can not be firing upon the enemy until the enemy is under fire by the ship of shortest range. In such a fleet action we would have seven ships that could fire slightly over 20,000 yards, whereas the ships of shortest range in the British fleet could fire 23,800 yards, giving them an advantage of practically 2 miles. In other words, if the British remained at a range just equal to their shortest-ranged ships, the fire of over a third of our ships could not reach them and this would automatically reduce the size of our fleet by one-third.

Expressed in the terms of elevation of guns, the 13 ships of the United States Navy have a designed elevation of 15 and 18 degrees, whereas none of the 22 ships of the British Navy has less than 20 degrees, thus leaving the American ships much inferior in this regard to those of Great Britain.

The Navy Department has on more than one occasion declared that the change in elevation of our guns will not in any way contravene the spirit or letter of the treaty for the limitation of naval armaments, and the new Secretary of the Navy, who is a very learned lawyer and jurist, recently told the committee that he agreed with his predecessor in this regard.

At the time the Congress was unintentionally misinformed by our Navy Department and the appropriation of $6,500,000 made it did not take long for the British Government to inform our Government that elevation of the guns of the British fleet was not being increased, and we immediately and unhesitatingly accepted the British statement. They so outranged us that this was not necessary. The question of the legality of the action contemplated by our appropriation has never been questioned by the British.

When one realizes that 13 of our 18 battleships are outranged by every big gun on each of the 22 British first-line ships he is, of course, amazed and startled, but when he further comprehends that none of our ships have a speed greater than 21 knots an hour and 14 of the British ships have speed ranging from 22 to 30 knots, he begins to wonder what would happen to us in so uneven a conflict as here presents itself.

And this situation will get worse for us rather than better as time goes by, for the British now have authorized and building the battleships *Rodney* and *Nelson*, each of 35,000 tons, which are authorized under the Washington treaty to take the place of the four oldest battleships now on the British Register, beginning with the *Thunderer*, completed in 1912. When these two first-line fighters are commissioned the British will have 20 first-line ships against our 18, and all but 3 of the 20 will have a much greater speed than any of our ships.

This means that with longer-ranged guns and ships of greater speed the British could do to us just what they did to Germany off the coast of South America when they selected their distances at which the Germans could not fire back, and they literally blew them out of the water without a single British casualty.

Mr. McCLINTIC. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. McCLINTIC. I wish to ask the gentleman about the range of our 5 ships. The gentleman said that 21 British ships had a larger range than our ships and our first 5 have a range of 34,500 yards, greater than any of theirs.

Mr. BRITTEN. Yes; that is correct.

Mr. BLACK of New York. Will the gentleman yield?

Mr. BRITTEN. I will yield.

Mr. BLACK of New York. Was it not a fact that at the conference the American plan for limitation was adopted and based on tonnage, and in view of that we have had our troubles. In construing the section of the treaty such as the gentleman from Texas has referred to, we must look and see whether any amendment violates anything in the nature of tonnage, and it has nothing to do with the range. We can do anything except increase the tonnage.

Mr. BRITTEN. No; we could not take a 14-inch gun off a ship and install a 16-inch gun. We could not do that. But we can cut a hole in the turret and raise the elevation under the treaty, and that is all there is to this. Under the treaty we could take the entire turret off, if we wanted to.

Mr. VINSON of Georgia. The only addition to the modification provided for in the bill, in the gentleman's amendment, is the elevation of the guns?

Mr. BRITTEN. I merely take the language of the act of last year and add it to this bill.

Mr. VINSON of Georgia. What additional ships does the gentleman include?

Mr. BRITTEN. I take the seven that are not included in the bill. The bill provides for 6, and I have added the other 7, the 13 that are outranged by the British Navy.

Mr. VINSON of Georgia. Will the gentleman state the amount of money to be expended?

Mr. BRITTEN. I merely added six and a half million dollars for the elevation of the guns, as was provided last year, $500,000 per ship for 13 ships.

Mr. CELLER. Have any of our representatives of the Navy at the Disarmament Conference been consulted?

Mr. BRITTEN. Yes.

Mr. CELLER. As to whether it would be proper to do this?

Mr. BRITTEN. Yes. The Committee on Naval Affairs has had before it the Secretary of the Navy, the Assistant Secretary of the Navy, the Judge Advocate General of the Navy, and they are all of opinion that this amendment is not in conflict with the treaty.

Mr. BUTLER. Mr. Chairman, I am very sorry to oppose my friend's amendment, but if it goes on the bill I say for one Member of the House that I do not vote for the bill.

Mr. JACOBSTEIN. Why not?

Mr. BUTLER. Because, in my judgment, this is a violation of our compact with the nations of the world, and I will not vote for anything that looks like that.

Mr. JACOBSTEIN. In what respect?

Mr. BUTLER. Let me give you a bit of history. I was in this for two and a half years during which this appropriation stood for doing this thing. This increases the fighting force of our ships, and it is protested against, and our State Department did not ever ask to have it done.

Mr. BRITTEN. When was it protested against?

Mr. BUTLER. The money has been turned back into the Treasury.

Mr. BRITTEN. The gentleman knows as well as I do and better, perhaps, that the Secretary of the Navy and the Assistant Secretary of the Navy and the Judge Advocate General of the Navy appeared before the committee and they said that this is not in conflict with the treaty.

Mr. BUTLER. That may be.

Mr. BRITTEN. The gentleman also knows that I have repeatedly told him that I was going to present this amendment, and until this minute he never said that he was opposed to it.

Mr. BUTLER. Hold on; I know what I am talking about.

Mr. BRITTEN. So do I.

Mr. BUTLER. The gentleman never told me that he was going to do it.

Mr. BRITTEN. I am going to do it if I can, and the gentleman may vote against it.

Mr. BUTLER. Yes; and I shall vote against it.

Mr. BRITTEN. Very well.

Mr. BUTLER. And I will vote against the bill, too, if this amendment is agreed to. And I want to say that neither the Secretary of the Navy or the Assistant Secretary of the Navy or the Judge Advocate General for two years did anything of this kind. Why did they not do it? The appropriation was made, the authority was given to them. My friend is wrong, I fear. We have not the authority to do this. I have not agreed to report to this committee with my colleagues any more than what the department has asked, and the department did not ask for this.

Mr. BRITTEN. The department repeatedly asked for it, and the gentleman has heretofore voted for it.

Mr. BUTLER. I never did.

Mr. BRITTEN. Yes; the gentleman did.

Mr. BUTLER. I voted for it when I thought that was in order, but I am not going to be led even by threats of those who are stronger than I.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. GREEN of Iowa. I entirely agree with the gentleman from Pennsylvania, if this is the matter that he was inquiring about when I had the floor. If it is not a violation of the letter of the treaty, I think it is a violation of the spirit of the treaty.

Mr. BUTLER. I know that they would not do it when we gave them the $6,500,000, and they have not done it yet.

Mr. OLIVER of Alabama. Mr. Chairman, the House is fond of the gentleman from Pennsylvania [Mr. BUTLER] and has great faith and confidence in his statements. I was much impressed with the statement he made to the House during the course of general debate. You will recall that he very frankly said he had included in the pending bill for the consideration of the House only what he felt his duty compelled him at this time to ask your careful consideration of, and he emphasized the fact that the Navy Department was urging it. With his usual modesty he said, "I am not, however, here to urge anyone to vote for this bill unless the facts submitted convince the good judgment of the House that the bill is sound and wise." I think the gentleman from Pennsylvania is eminently correct in opposing the amendment offered by the gentleman from Illinois [Mr. BRITTEN]. The amendment of the gentleman from Illinois presents a question which the State Department should be consulted about, because it involves an interpretation of the peace treaty, as to which the State Department has expressed its opinion. This House appropriated some months ago an amount sufficient to elevate the guns on our battleships, and you will recall that the President, under advice from the State Department, refused to allow the Secretary of the Navy to spend the money for that purpose, because there was serious question as to whether these changes were within the terms of the treaty, and the money has since been paid back into the Treasury.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. BRITTEN. Does the gentleman know—and perhaps he does—that the Navy Department has not consulted with the Secretary of State in the matter of changing the fuel and the boilers in these ships?

Mr. OLIVER of Alabama. I am not informed as to whether the State Department has been consulted about this change or not, but under no circumstances will this Congress, I think, appropriate money to change any of our capital ships from coal to oil burners until they have consulted the President and the Secretary of State.

Mr. BRITTEN. There is no objection to it.

Mr. SABATH. We should have information before we vote on this bill.

Mr. OLIVER of Alabama. This bill, you must remember, is only an authorization and does not carry an appropriation, and since the matter to which the gentleman now refers has never been passed on by either the Secretary of State or the President I see no good reason why we should not now authorize the change that the committee in the pending bill recommends.

When Congress comes to appropriate the money for this authorization it is but proper that you should require the Committee on Appropriations, before recommending any appropriation, to ascertain whether the President and Secretary of State feel it would be in violation of the treaty to change some of our ships from coal to oil burning. I think the House can be assured that the Appropriations Committee will take no action until they are prepared to lay before the House full information on this subject. The State Department has unquestionably expressed itself against the elevation of guns, and I understand the action of the State Department in this regard has had the full approval of the President. It would be unwise to again authorize the guns to be elevated and might seriously embarrass both the President and the State Department should the President decide to invite the nations to another conference for the purpose of placing a limitation on naval vessels not limited by the existing treaty. The House will recognize at once that by making the authorization asked for in the amendment we might seriously embarrass the President and the State Department.

Mr. BRITTEN. Will the gentleman yield right there?

Mr. SABATH. Does not the gentleman feel it is much safer if the House were given all this information before it votes even to authorize the expenditure of this money?

Mr. OLIVER of Alabama. I do not think it important, so long as we confine the authorization to those matters about which the State Department has not expressed a contrary view.

Mr. SABATH. Would it not be safer legislation?

Mr. OLIVER of Alabama. I think not. This authorization is ineffective without an appropriation.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. OLIVER of Alabama. In just a minute. Permit me to say that after a careful examination of the treaty I am in full agreement with the gentleman from Pennsylvania that it would be in violation of the treaty if we elevated the guns on our battleships so as to give them a largely increased range. I will give you the reasons for my conclusion.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. OLIVER of Alabama. Not just at this time, please. Now, if you will examine the very informing and interesting tables inserted in last Friday's RECORD by Senator HALE—these tables were prepared by the Navy Department and are reliable—you will find that 5 of our ships at the time the treaty was signed had an elevation of 30°; the remaining 13 ships had an elevation of only 15°. None of the British ships had an elevation of less than 20°. These tables further disclose that our 5 ships with 30° elevation outranged any of the British ships by at least 4,000 yards. Most of our other ships, at an elevation of 15°, equaled or approximated the range of a majority of the British capital ships.

Now, if you elevate the guns on our ships to 30°, all of our ships will outrange every capital ship authorized by the treaty to be retained by Great Britain for from 1 to 2,000 yards. This would be true if the elevation of the guns on the British ships were elevated to 30°, the maximum. You see, the fighting efficiency of the ships will be thereby largely enhanced, and it is my belief that this would violate the spirit, if not the letter, of the treaty.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent the gentleman from Alabama may have one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BRITTEN. As a matter of information, will the gentleman be kind enough to tell the House when, where, and to whom the State Department conveyed this information that the elevation of these guns would be in violation of the treaty?

Mr. OLIVER of Alabama. We should never either expressly or impliedly say or do anything that could possibly mislead the House. I hope the gentleman in asking that question does not wish to lead the House to conclude that because I am not able to tell when, where, and to whom the State Department conveyed such information, that the State Department has not, in fact, reached the conclusion which I have announced. Certainly, Members of this Congress know that the last Congress

appropriated money for the express purpose of elevating the guns on some of our capital ships, and the Navy Department had full authority to expend the amount so appropriated for that purpose. The House was afterwards informed that the President, under advice of the State Department, refused to allow the money to be expended for that purpose, and the money was afterwards paid back into the Treasury. No Member of this House has ever heard that either the President or the Secretary of State denies that the information which the House had as to their attitude on this subject was incorrect. I think then I am authorized to assert that it was the opinion of the State Department, approved by the President, that to elevate the guns on these ships might be in violation of the treaty. [Applause.]

Mr. NEWTON of Minnesota rose.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on this amendment?

Mr. NEWTON of Minnesota. I do. Mr. Chairman, I share with the gentleman from Alabama the thought that we ought not to do anything ourselves which may reasonably and sensibly be taken as a violation of the treaty which we voluntarily entered into. Now these facts I think are undisputed. After the Washington conference it was ascertained that 13 of our 18 capital ships were outranged by the British because of the fact that the elevation of their guns was such that they could elevate at a higher degree than we could with 13 of ours. The report was made to the Congress that that had been done by Great Britain changing its elevation following the conference. We then took action and appropriated $6,500,000 upon that understanding. Then the Navy Department ascertained that as a matter of fact those changes had been made but they were made prior to the conference. The Navy Department, seeking to act in good faith with Congress, reported those facts and did not use the $6,500,000.

Mr. SABATH. Will the gentleman yield for a question?

Mr. NEWTON of Minnesota. I can not yield until I complete my statement. Then that money was turned back into the Treasury, and you gentlemen will recall the debate at that time wherein it was stated that the fact it was covered back into the Treasury indicated no understanding on our part that we did not have the right to do so, but merely that it had not been used, and as a matter of good bookkeeping it should be covered back. Now, the whole matter resolved itself into an interpretation of the treaty provisions. The only provision that is applicable is this language:

> No alterations in side armor, in caliber, number, or general type of mounting of main armament shall be permitted.

It is admitted that that is the only provision that is in anywise applicable. The first provision is "no alterations in side armor." That does not apply. That is armor upon the side of the ship. The second provision is "no alterations in caliber." That does not apply because there is no intention of changing the caliber of the guns. The next provides for "no change in the number of guns." This certainly does not apply. The next limitation is that the "general type of mounting of main armament" shall not be changed. Main armament means the 14, 15, or 16 inch guns in the turret and the turrets which protect them.

Mr. WAINWRIGHT. Will the gentleman give way for a brief question? Would it not be possible to raise the elevation without in any way changing the mount?

Mr. NEWTON of Minnesota. Why, certainly. No one of these changes involves any change in the general type of mounting.

Now, what do you have to do? The first thing is to increase the port opening, which exposes more of the crew and more of the gun to the shell fire of an enemy That does not apply. The next step is lengthening the elevating screw so that the breech of the gun may be lowered and raised through a greater distance. Merely the shortening of the jackscrew upon which the elevation of the gun is made. The third point is cutting away some of the plates and framing under the breech of the gun so that the breech may be lowered farther. Merely lowering the floor under the breech. Fourth, changing the position of the ammunition hoists slightly. The ammunition hoists bring big bags of powder up and, of course, they bring them up to the same level as the breech of the gun, so that if you lower the breech you must change slightly the ammunition hoists. Fifth, making a more powerful counter-recoil system. The gun being elevated more, it requires a little change in the recoil system and there is a change there. Those are the only five changes that will be required. They in no sense change the mounting in any particular whatever.

Now, this is just simply a plain, straight statement by men who know what "gun mounting and main armament" means in naval language, and what it is necessary to do in order to change the elevation.

Mr. McKEOWN. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. McKEOWN. What was the purpose of this armament conference in Washington?

Mr. NEWTON of Minnesota. I can not go into that, and I can not yield further.

Mr. BRITTEN. Will not the gentleman yield, and during the balance of his time will he please read to the House a statement made by the greatest English naval expert to-day, Mr. Bywater, which statement was issued only a few days ago.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for one minute more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Minnesota may proceed for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BRITTEN. This statement is from one of the greatest British naval experts.

Mr. NEWTON of Minnesota. This is a statement by Mr. Hector C. Bywater, published May 14, 1924, in the Baltimore Sun, and, as the gentleman from Illinois has well said, he is one of the leading, if not the leading, naval writer of Great Britain:

> Speaking as one who has studied the Washington naval treaty as closely, perhaps, as anyone, I have no hesitation in saying that the United States could increase the elevation of the guns in its older battleships without infringing either the letter or the spirit of the treaty, and I am equally sure that the conversion of the six coal-burning battleships, *Utah*, *Florida*, *Arkansas*, *Wyoming*, *Texas*, and *New York*, to oil burners would in no sense contravene the rules, written or unwritten, of that same compact. Discussion on this point is really superfluous in view of the well-known fact that both France and Japan have reconstructed their capital ships along these lines during the past two years.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota have one-half minute more.

The CHAIRMAN. Without objection the gentleman from Minnesota may proceed for an additional one-half minute.

There was no objection.

Mr. OLIVER of Alabama. Does the gentleman know, as bearing on, perhaps, the decision of those who signed the treaty, that if we do change the elevation of these guns to 30° that every ship in our Navy will outshoot every ship in the British Navy, even though they change theirs to the maximum?

Mr. NEWTON of Minnesota. Oh, no.

Mr. OLIVER of Alabama. Absolutely.

Mr. NEWTON of Minnesota. No; I think the gentleman is wrong.

Mr. OLIVER of Alabama. That is true, and it is due to this fact: The condition of their ships is such that the initial velocity of the missiles which our guns shoot will not permit the British to increase the initial velocity of theirs, and they had that in mind when they signed the treaty.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. STEAGALL rose.

The CHAIRMAN. Does the gentleman from Alabama desire to discuss the pending amendment?

Mr. STEAGALL. Yes.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. STEAGALL. Mr. Chairman, when the bill providing for the elevation of guns on American ships was before us in the last Congress, the question of violation of our treaty obligations was raised and debated. It was insisted by numbers of gentlemen who are now earnest in advocating the present bill that no violation of our treaty obligations was involved in that bill. But some Members of the House voted against the bill because of the impression that it did violate our treaty obligations. The measure was passed, and, according to my recollection, the gentleman from Illinois [Mr. MADDEN], the distinguished chairman of the Appropriations Committee of the House, upon investigation concluded that the House had been misled and protested the expenditure of the funds pro-

vided. The Navy Department afterwards declined to expend the money, and Congress later repealed the law.

The gentleman from Alabama [Mr. OLIVER], my colleague, of whom I am fond and of whose service in this House I am proud, makes an argument which, it seems to me, should force him to oppose the bill now under consideration. As I understand, from statements made by the gentleman from Alabama [Mr. OLIVER] and the gentleman from Illinois [Mr. BRITTEN], there has been no information furnished by the State Department touching the question of whether or not this bill involves a violation of our treaty. These gentlemen say that no such information has been furnished nor has the committee sought such information. The gentleman from Alabama says the legislative committee of the House, the Committee on Military Affairs having jurisdiction of the legislation, may properly report the bill and that the House should pass it carrying the authorization for changes in our ships and the building of additional vessels and leave the question of the violation of our treaty obligation to be passed on by the Committee on Appropriations when the time comes to appropriate the necessary funds to carry out the authorization. I can not agree to the logic of my colleague. The Committee on Military Affairs—the legislative committee of the House on this legislation—is peculiarly the committee whose duty it is to develop and furnish the House full information and the views of the Secretary of State on the question of whether or not this bill involves the violation of our treaty. [Applause.] How do we know, if we pass this bill, that we shall not be confronted a little later on with the same situation that developed after we passed the bill authorizing the elevation of guns on American ships? [Applause.]

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. STEAGALL. Not for the moment. The bill specifically provides in section 3 that the work authorized and the construction program provided for shall be carried out within the limitations of our treaty obligations as construed by the Secretary of State. This provision recognizes and attempts to anticipate this defect. But the proper thing, the fair thing, the thing that should have been done in justice to the Members of this House, was for the Committee on Military Affairs to have sent for the Secretary of State and inquired fully into the question of our treaty obligations in this connection and then to have given the House the benefit of all the facts. It was the peculiar duty of the legislative committee having jurisdiction of legislation touching the Military Establishment to secure that information and pass on it instead of having the matter involved in uncertainty and leaving to the Appropriations Committee to secure the necessary information and to decide whether the legislation is proper or not. [Applause.]

But I am against this bill for other reasons, which to me are more fundamental and more important. In the first place, I do not subscribe to the proposition that the United States shall subordinate its judgment and its conscience in a matter affecting the peace of the world or have its course determined by any other nation or any community of nations. I think the United States ought to lead the nations of the earth, both by teaching and by example. I think the United States should—and I venture to say some time it will—resume its place as the leader of the moral forces throughout the world. [Applause.] The disarmament conference was not called to commit the United States to any particular program of military preparedness. The thing for which the conference was called—and for which it was commended—was the attempt to place a limit on other nations and to check, if possible, the orgy of waste and competition in which nations were engaged in the mad rush for military ascendancy. We committed the United States to a limitation, not to a pledge. It was never contemplated that we should lose a billion dollars in scrapping vessels to bring our Navy inside the limit of the treaty provisions and then turn around and begin at once a construction program expending $150,000,000, as provided in the bill before us. Such a course discredits before the world our entire disarmament conference and its work. Gentlemen tell us this is necessary in order that we may have a "balanced Navy." My answer to that is that if our Navy is now unbalanced the fact is due to our having followed the same experts whose advise we are asked to take now, because they have guided our action all along.

We are spending now nearly three-quarters of a billion dollars annually on our Military Establishment. This is more than three times the amount spent on our Army and Navy annually prior to 1916. This vast sum of nearly three-quarters of a billion dollars is being assessed against the American people in addition to the stupendous debt resting on the Government as the result of the Great War, which was fought to end wars. [Applause.] I have never voted to place these unnecessary and indefensible burdens on the American people in time of peace and I will not do so now. [Applause.] In this connection I want to ask what has become of the cry for economy that has been ringing throughout the land in recent months? Where are the champions of the taxpayers? Where are the defenders of the Treasury who have been so loud-mouthed in their effort to arouse the resentment of the taxpayers of the country in the recent past?

Mr. McKEOWN. Will the gentleman yield, so that I may call his attention to the fact that Great Britain, according to this afternoon's paper, denies that she has ever elevated her guns?

Mr. STEAGALL. Oh, yes; and, for all we know, we may be confronted a little later on with the contention that the bill before us authorizing other changes in our ships and a construction of new vessels violates our treaty obligations; but Members tell us we should let that matter be passed on by the State Department or leave it to another committee of this House to decide when the time comes to appropriate the money. Everybody knows that once this authorization is passed by Congress the Navy Department will find a way to get the appropriation of necessary funds. But back to the fundamental principles of this bill.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. STEAGALL. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. OLIVER of Alabama. May I ask the gentleman just one question?

Mr. STEAGALL. Please excuse me a moment. My time is limited.

I have heard this cry of preparedness and listened to ghost stories about war from the War and Navy Departments and those who speak for them ever since I first set foot inside the limits of the city of Washington as a Member of Congress. I would have been afraid to go to sleep at night half the time since I came here if I had listened to what was said or what I read in the papers. I have never lost any sleep about it and I am not in the least disturbed now on that score. If I accepted the views and the theories of some of the men who sponsored this bill, and others like it, I would not leave this Chamber to-day until I sent to town and purchased a gun with which to defend myself. Of course, no individual holds or would practice such a foolish notion. It is only when we are dealing with affairs of government that we seem to lose our common sense and depart from the lessons of everyday life. But if I shared the fear of war and felt the scare that some Members of this House seem to feel, if I lived in constant dread of armed conflict, if I treated war as the normal condition of mankind and lost hope of better things, there are still reasons why I should not favor the useless expenditure that will follow the passage of this bill in the condition our Government is in at this time.

If the recent war taught us anything, it taught us that any great conflict that may come in the future between any great nations is bound to be a conflict of resources and finances. Any government that goes into a great war with its credit crippled will have real cause for alarm. Any government that enters a great war with taxation problems engendering strife and ill will and class hatreds and controversies, with a divided and dissatisfied people, will be handicapped, if not whipped to start with. [Applause.]

This Government has a burden of nearly $20,000,000,000 hanging over it. Such a sum of indebtedness is enough to jeopardize the existence of any other government ever established on this earth, and the sooner this debt is discharged and the strife and ill will growing out of it are ended the better it will be for us. If we want really to prepare for war, let us pay our debts, set our house in order, and reestablish the faith of the citizen in the Government and his devotion to our institutions. [Applause.] No nation has ever declared war against us, and none is likely to do so for many years to come. We hold the purse strings of the world, and this gives us a power that will take care of the situation in the immediate future, even should serious disputes arise. Solomon said: "The borrower is slave to the lender." We are doing many unusual things in our international affairs and in international finances, but I hardly think there can be any danger that the American people would furnish any foreign power the money and resources with which to make war on us. We are not in danger at the hands of any foreign power. Our real problems are internal. The evils inherent in our national life and the danger-

ous tendency to depart from the fundamental principles of government which have guided us so happily in the years that are gone offer the real test of American statesmanship. Solomon said: "He that ruleth his spirit is mightier than he that taketh a city." This is our task. If we can overcome the dangers within, as I hope and pray we shall, and adhere to the ideals of simplicity and economy that have guided us in the past and resist the temptations to militarism, which is fast destroying the nations of the Old World, our future will be safe. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. BRITTEN].

The question was taken; and on a division (demanded by Mr. BRITTEN) there were—ayes 54, noes 74.

So the amendment was rejected.

The CHAIRMAN. Let the Chair state for the information of the committee that there is not a great deal of time left, and the Chair would like to recognize such gentlemen as have bona fide amendments to offer. I think that is the right thing to do in view of the shortness of time.

Mr. CELLER. Does that refer to all sections or just section 1?

The CHAIRMAN. Section 1.

Mr. JACOBSTEIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JACOBSTEIN: Page 1, line 10, after the word "all," insert a semicolon and add: "*Provided, however,* That no money authorized to be appropriated by this section and the following section shall be expended until the President has made an earnest effort to secure a further limitation in naval armament among the great powers on a naval ratio basis acceptable to the United States."

Mr. CHINDBLOM. Mr. Chairman, I reserve a point of order on the part of the amendment in relation to the following section.

Mr. FISH. Mr. Chairman, I make the point of order that it applies to the next section.

Mr. JACOBSTEIN. It seems to me, Mr. Chairman, it applies to both sections.

Mr. GREEN of Iowa. Mr. Chairman, I desire to call the attention of the Chair to the fact that the first section does not relate to additional construction. The amendment, as I understand it, pertains to additional construction of cruisers, and therefore applies to the next section, if it has any application at all.

Mr. JACOBSTEIN. Mr. Chairman, if you will permit me to explain the amendment, it is simply this: No money hereby authorized, either in section 1 or in section 2, shall be expended until the President has made an effort to bring about this conference.

Mr. GREEN of Iowa. I am not sure I understand the gentleman's amendment.

Mr. JACOBSTEIN. If you will let me explain it——

The CHAIRMAN. The gentleman from New York [Mr. FISH] made a point of order against the amendment.

Mr. JACOBSTEIN. If the gentleman will let me explain the amendment, it will only take a minute, and then I am through.

Mr. FISH. I will reserve the point of order for a moment, Mr. Chairman, in order to give the gentleman an opportunity to explain it.

Mr. JACOBSTEIN. Mr. Chairman, I am glad that the gentleman from Illinois has introduced his amendment, because it demonstrates to me that what the proponents of the bill have in mind is not merely to repair certain ships and to bring the naval ratio back to where it belongs but really to build a bigger and a better Navy and make our Navy even bigger than that of Great Britain. The gentleman from Illinois [Mr. BRITTEN], who has made the principal argument in favor of the bill, admitted that the carrying out of this naval program would make our Navy stronger than Great Britain's navy.

I want to picture to you a little scene that I saw in Germany back in 1908–9, when I happened to be traveling in Germany and listened to a debate in the German Reichstag, which reminded me of the debate that has taken place here this afternoon. The proponents of a big German Navy made the same arguments that have been used here. I saw German placards saying, "We want battleships to protect the German Empire." This is always the cry of the militarist. The bigger navy people in Germany used the same strategy that you did this afternoon in defense of your naval program.

I am not opposed to repairing these ships if necessary, and to modernize our cruisers, but it has not been demonstrated that it is urgently necessary. Let us assume that it is necessary to spend the money authorized by sections 1 and 2 of this bill amounting to nearly $140,000,000. Is it not a fact that if the President succeeds in bringing the nations together to agree on a further reduction of armament we might be spending money to-day on ships which to-morrow may be sunk in the ocean by agreement? So my amendment reads that we shall not expend any of this money, although authorized to do so, until the President has made an earnest effort in good faith to secure a further limitation in naval armament.

Mr. TABER. Will the gentleman yield?

Mr. JACOBSTEIN. Yes.

Mr. TABER. Is it not a fact that this bill does not call for an appropriation but authorizes an appropriation? Is it not a fact that an appropriation is contemplated in another bill?

Mr. JACOBSTEIN. Well, the authorization to expend ought to have this limitation imposed on it, namely, that no money shall be spent until the President has made an earnest effort to get the powers to agree to a further reduction of armament.

The point I wish to make is this—nothing is gained by going into a conference with a gun. The gentlemen who advocate this bill stated that all they wanted, or one of the reasons that they wanted the bill passed, was so that they could go into the conference and say to Japan and England, "If you do not reduce your navies we will go on with the repairs and add to our Navy." I say we gain nothing by going into a conference with a gun and telling the world in advance that we do not intend to use the gun. We have practically given away our hand in this debate.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. JACOBSTEIN. Yes.

Mr. NEWTON of Minnesota. The gentleman says that no part of the money shall be used until the President has in good faith tried to bring about this conference. The gentleman's language would put the Comptroller General in the position of passing judgment on the good faith and effort of the President of the United States. Does the gentleman think that ought to be done?

Mr. JACOBSTEIN. The gentleman does not think that if the President should go through the motions in good faith and call a conference and fail to get an agreement that the Comptroller General would refuse the authorization to spend the money necessary to put our Navy in fighting condition?

Mr. NEWTON of Minnesota. I do not know; but I know that he places in the power of the Comptroller General the right to pass on the good faith of the President.

Mr. JACOBSTEIN. I do not think so. All my amendment does is to provide that he shall not permit the spending of another penny until an effort has been made to further reduce naval armaments.

The naval alarmists throw a scare into us annually. As a result we have this bill before us to-day seeking an authorization to expend about $140,000,000 as a special appropriation over and above the $225,000,000 provided in the regular naval appropriation bill, which this House passed a few weeks ago.

The reason assigned for this special naval appropriation is that the naval experts have just discovered that our Navy is inferior even to Japan's, to say nothing of England's. The money would be spent, primarily, in adding strength to our cruisers, by way of repairs, substituting oil boilers for coal boilers, adding additional protection devices against submarine attacks, and especially in modernizing our scout cruisers.

If this bill passes, we shall be spending about $400,000,000 on our Navy in 1924. What becomes of the economy promised us as a result of the naval disarmament conference called by President Harding in 1921? Prior to the war our annual naval appropriation was about $150,000,000. Quite a difference, even after making allowances for the increased cost of construction and repair.

I believe in preparedness, but I refuse to be stampeded into a naval program which is the beginning of another mad race between the great powers for supremacy. It was just such a race which drove this world into a terrible war in 1914.

I therefore propose my amendment, which provides that none of the money authorized by this bill shall be spent until, and only until, President Coolidge has made every effort to get the world powers to agree on a further reduction of naval armaments. It is time, after such a conference has failed, to proceed with our larger naval program.

How foolish it would be to go ahead and spend money now on ships which later we may be called upon to scrap, to actually sink in the ocean by agreement with the great powers, just as we did after the conference of 1921. Let us not spend a penny more than is necessary until we have tried by peaceful

methods in conference to meet the naval situation which the naval experts say confronts us.

While I believe in preparedness, I believe the old methods have failed. Armies and navies, fear and force have utterly failed to preserve the peace of the world. Let us try the new way—conference, conciliation, conscience.

Mr. CHINDBLOM. Mr. Chairman, I make the point of order that the amendment is not germane. It relates to appropriations and provides that no part of the money shall be expended. This is not an appropriation; it is a legislative bill carrying an authorization.

Mr. FISH. Mr. Chairman, I make that point of order, and I also add that it takes it out of the hands of the Navy Department and puts it in the hands of the President. I make the point of order that it is not germane to this section.

The CHAIRMAN. The Chair may say in the first place that, of course, if this amendment is in order at all it is obviously as much in order here as at any place. It provides "That no money authorized to be appropriated by this section and the following section shall be expended until the President has made an earnest effort to secure a further limitation in naval armament among the great powers on a naval-rate basis acceptable to the United States."

The gentleman who offered this amendment doubtless had in mind the idea that it is a limitation. The rule of limitation does not apply to a legislative bill. The limitation rule is for use on appropriation bills and authorizes certain legislation by way of limitation, which might not otherwise be in order.

Two recent decisions have been made along similar lines which, I think, are in point. For instance, on the 24th of March last to a bill for the relief of starving women and children in Germany an amendment which was offered provided that the act should not take effect until the soldiers' compensation legislation had become a law. The amendment was held not germane.

Also, on April 12, Chairman SANDERS ruled that to an immigration bill an amendment dealing with foreign relations was not germane; to a bill regulating immigration an amendment restricting the operation of the act from conflict with the so-called gentleman's agreement with Japan was held not germane.

What does this amendment do? It seeks to authorize and direct the President to make an earnest effort to get the powers to agree to a limitation of armament. That is not germane. There is no mention of an armament conference in this bill. This bill is to authorize certain expenditures for the repair and building of certain ships and does not deal with the question of disarmament or of any arbitration. Therefore it is not germane, and the Chair sustains the point of order.

Mr. CARTER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CARTER. Mr. Chairman, there ought to be no politics in the consideration of a matter pertaining to the defense of our country. I am a good strong partisan, and always follow my party when I think it is right, and in case of doubt I always resolve that doubt in favor of my party. I have found it necessary at times, however, to use a western expression, to get off my party reservation. I am not very proud of the fact that I felt impelled to desert my party, of course, but I believe it is the duty of a Member of the House, while preserving his political integrity in political matters, to as nearly as possible vote for those measures which will promote the public interest, whether his party be in power or not.

One of the measures on which I felt obliged to break the party lines and vote with the majority in this House was the so-called peace resolution. It did not appear to me at the time that the resolution meant very much, and subsequent developments seem to have fully verified that assumption. I supported the so-called peace resolution because I felt sure the country wanted a formal declaration of peace. I realized that my party had been defeated, that your party was in power, and that a declaration of peace must conform to foreign policies as you might develop. Moreover, I assumed at that time that your administration had some definite foreign policy, as the Democrats had in previous years, and I had expected to continue my support of any reasonable foreign policy you might offer and develop. For almost four years I have waited patiently but vainly to see the development of any foreign policy by your party. If any man on that side of the aisle can tell us what the foreign policy of the Republican Party is he will very much elucidate this discussion, enlighten Congress, and perhaps satisfy the simplicity and curiosity of a disappointed public.

I further realize the force of the statement that our Navy is our first and most important line of defense. Our party has supported all reasonable and economical measures, authorizations, and appropriations for the adequacy of this first line of defense, but we of the minority find ourselves somewhat perplexed and embarrassed with reference to supporting the bill you now present, and this is the reason why.

On November 12, 1921, there met in this city the much-heralded World's Reduction of Armament Conference. On February 6 it concluded its labors and the agreement was duly ratified. Upon that occasion our friends announced their far-flung propaganda that a great step had been made toward world peace, because the three great naval powers of the world—the United States, England, and Japan—would in the future be confined in the building of their navies to the ratio of 5–5–3—that is to say, at the ratio of 5 for the United States, 5 for Great Britain, and 3 for Japan. I have not the accurate figures at hand, but since that time there must have been spent for our Navy to maintain it at this restricted ratio in the neighborhood of $700,000,000. The appropriations for the years 1923 and 1924 were almost $600,000,000, and there was probably spent $100,000,000 prior to the time the bill of 1923 went into effect.

Almost three-fourths of a billion dollars spent within a little more than two years to keep our Navy at this restricted ratio of 5–5–3. During all of this time the Republican Party has had absolute, complete, and overwhelming control of this Government in all its branches. You had the President, you had an overwhelming majority in both the House and Senate in the last Congress, and you have in this Congress a sufficient majority to make a good working majority. You also had the courts, and all of this taking place in times of profound peace, when our expenditures for the Navy were restricted by the treaty to a ratio of 5–5–3, the first limitation ever placed upon such of our expenditures.

While the Democrats had control of Congress since my service here during peace times, as I recall, the Navy expenditures never exceeded $150,000,000.

In the year 1915, when the war began in the Eastern Hemisphere, during a Democratic administration, our naval expenditures were $148,743,600, and this during a time when there were no restrictions upon the navies of other nations.

Five–five–three was the ratio set by the reduction of arms conference in 1922, and you told us the ratio would be maintained at 5–5–3 for these and future years. Your Navy Department and your President and your Budget Bureau have made their recommendations, and the Democrats sitting on the Appropriations Committee and in this House have assisted in passing appropriations to maintain that ratio. After a little more than two years of this restriction provided by the treaty, after the expenditure of all these vast sums of money, it is now claimed that you and your party in power in all the branches of this Government have permitted our Navy to deteriorate to a point where the ratio is now 5–2–3, thereby bringing our Navy to a smaller caliber and less efficiency than the third power—Japan. Just what truth there is in this charge I do not know, and I doubt if anybody else in this House knows, but we do know the Navy Department itself admits that our Navy has degenerated until the ratio reaches 5–4–3.

So you come in here now with this bill authorizing the expenditure of $150,000,000 of the people's money and tell us its passage is necessary to restore our Navy to the ratio of 5–5–3. In the language of the southern negro, that causes some of us on the minority side to say "How come?"

What has become of all this boasted Republican efficiency? Some of you fellows over on that side of the House make such constant use of those words, "Republican efficiency," until you think they are synonymous and interchangeable. Some of you may think the phrase is all one word, but from your record in this matter it would seem that it is about the worst distorted and most misused phrase in the American language.

You can not escape responsibility. Your administration made the treaty restricting armament at the ratio of 5–5–3, and we are willing to grant you all the credit on that account. Your administration has been in full possession of all branches of this Government since that time. You have spent almost three-fourths of a billion dollars of the people's money to maintain that ratio. Now, in the short space of a little more than two years, you come and tell us that by your "Republican efficiency" you have permitted our American Navy to degenerate far below the 5–5–3 ratio and that it will take $150,000,000 additional to build it back up to that point.

Mr. BUTLER. Mr. Chairman, I am going to ask my friend to vote for this bill; and he will do it, will he not?

Mr. CARTER. Mr. Chairman, my faith and confidence in my good Quaker friend from Pennsylvania is so great that I hardly know what I should do if he should tell me a thing is all right and insist upon my voting for it. If it were a personal matter, my action would probably be at his command; but I tell him now, after this administration has squandered all of these vast sums of money to keep up a Navy on the restricted plan, when he asks me to vote for $150,000,000 additional the burden of proof is upon him to convince me of the advisability, of the good, sound judgment in further trusting those who have already so ignominiously failed in the discharge of a sacred public trust.

The proponents of this measure also tell us that we must not vote against this bill because the Secretary of the Navy says it is necessary to maintain our 5-5-3 ratio under the treaty. That reminds us that we have been having recommendations recently from other Cabinet officials. We had one, as I recall, from the Secretary of the Treasury, telling us if we adopted the revenue bill recently passed by both branches of Congress that, even without the bonus, we would have a deficit of $160,000,000; but we passed the bill, and now comes the mandate from this same department that the bill will create $138,000,000 surplus without the bonus and will even pay the bonus and leave a working surplus.

Mr. LONGWORTH. Did I understand the gentleman to say that the Secretary of the Treasury said that we could have the bonus bill——

Mr. CARTER. Oh, the gentleman misunderstood me.

Mr. LONGWORTH. And tax reduction?

Mr. CARTER. Oh, no. I do not think there is any difference between the gentleman from Ohio and myself as to what the Secretary of the Treasury said. What I understand he said was that we could not have this present bill without a deficit.

Mr. LONGWORTH. What was the gentleman's second statement?

Mr. CARTER. I understand officials of the Treasury Department now say that we can have the bill.

Mr. LONGWORTH. And tax reduction?

Mr. CARTER. Yes; and tax reduction with the bonus.

Mr. LONGWORTH. Yes; that is quite right.

Mr. CARTER. And perhaps have a surplus at that.

Mr. CHINDBLOM. Of $2,000,000.

Mr. CARTER. Well, a $2,000,000 surplus is something and it is quite different from the deficit which he first advised us would be the result, even without a bonus. Until you and your administration have shown more regard for the serious responsibilities imposed upon you, until you have shown more capabilities for discharging that trust, you can not expect our further confidence in connection with this matter, and I for one can not support this bill.

Mr. McCLINTIC. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Add to the end of section 1 the following: "*Provided*, That no part of the money hereby authorized shall be expended in changing the elevation of guns on any ship until it has been determined whether or not such expenditure would violate the spirit or the terms of the treaties made by the Disarmament Conference."

Mr. LONGWORTH. Mr. Chairman, I make the point of order against the amendment on the ground stated by the Chair in his last decision. This is not an appropriation bill. It is a bill to authorize an appropriation, and the Chair has just ruled that a limitation does not apply to an authorization.

The CHAIRMAN. The point of order is sustained.

Mr. BLACK of New York. Mr. Chairman, the uncertainties of human nature are intensified in the uncertainties of national natures. Professions of peace parade easily from the tongues of diplomats, in whose hearts is red war and whose minds are maniacal revolvings of the Four Horsemen.

The world has subscribed to the bitter record of 13 years of war to one year of peace. Practically, the world has not been without war. Nations to-day, under the form of peace, are warring, are drawing their lines for a physical clash that may be as imminent as the fall of the coming night—yes, weak human beings, making sums of their weaknesses in nations, can not, in the scheme of creation, rest from mutual destruction.

National units discuss international harmony, hoping either for its nonachievement or its consummation to their separate advantages.

A man was given the world lately—a man with a vision that seemed a decade in its advance outlook. America was the rock from which he spoke; his intellect, magnificent in its fineness, coordinating with a heart warm enough to cheer a universe of distress, carried to the pitiable and struggling depths the thought of a peace incomprehensible to the inconsequential rulers of this earth on whose earthly power it was to be built. Oh, he thought America was with him; that there could be no undercurrent of Toryism, thriving on blood and waste, running from his homeland to the chambers abroad of power, wherein he sought cooperation.

But in his unselfishness he wrongly thought unselfishness prevailed about him. The old Japanese proverb here will obtain, "There is darkness at the foot of the lighthouse." So human nature, in its jealously, in its greed, and in its terror, was able to eat away the rock under America's white light; and human nature triumphed, peace was prostrated, and the world shed a tear when wires shot as nerves to every noble and ignoble tissue of its being the poignant but still blessed news that a peace beyond the clutches of the harpies of humanity had come to its outstanding human expounder and most logical formulator—Woodrow Wilson—the man America gave back to God.

There have been attempts—pitiable enough—since Wilson to accomplish a peace. Lacking idealism, and professedly practical, the Disarmament Conference of Washington in the year 1921 became itself a measure of war. In that war play America lost. Had America come through the diplomatic fray with a fair chance in the physical encounter, it was but to diagram, there would be no just complaint. But America went in strong and came out weak. England went in the man and came out the master. Japan went in subdued and came out belligerent. Before the Great War, with Germany's navy on the high seas, the threat of the English Navy to our shore was neutralized by English exposure to the German fleet. That danger is no more to England, so England's released fleet is more menacing to us. Equality would have required England after the war to give us the German fleet to maintain our balance of defense against the British squadron.

We were powerful, for we had the resources and strong ships, and strong ships in the making. We acquiesced to a ratio equality with England and a superiority to Japan that required concessions only as to ships in which they were handicapped.

Our diplomats, politicians first, though well meaning enough patriots, having called the conference, felt obliged to accomplish something, even the destruction of America. In pure mathematics they were vanquished, for while they acquired a ratio standing as an absolute proposition fair as to ship units, where speed, gun range, and power are calculated, we do not approach the index 5. Then if you consider the purposes of our fleet, purely defensive for our tremendous and exposed coast line, as against the needs of navies by small island empires, we are far from conforming to the ratio. Then if you believe as experts do, the statement of the gentleman from Idaho, who doles out the appropriations for the fleet, that navies must be considered as relative propositions in their aggregate of units and not in separate classes, we are hopelessly outclassed.

It was a fatal day for America when foreigners left our shores after the conference, leaving us with a paper ratio and bearing with them the dominance of the seas.

The Executive having failed, for the conference insures war not peace, it became our imperative obligation to provide for making up the deficiency in our naval strength worked by this unwise conference. We can not but prepare or sit idly by while others build the instruments of our destruction.

We need not engage in a naval armament race if we summon our resources into play behind a program that means protection for this the wealthiest Nation though without naval defenses it is only poorer because of its wealth. Let the world know by our earnestness we mean to undo the wrong done us in conference, wherein we gave and got not, and the world will take its greedy eyes off and settle down to the work of peace instead of furiously building for the day that can never come, if we build against it, the day of the fall of America. It is brave to say that America can not fall—but sea war to-day is a mathematical problem that is solved by speedy ships and efficient gunnery plying efficient guns.

We want peace, but until the Wilson thought is the world theme our safety lies in the idea behind the pending bill. Do not fear that ships and guns mean war—they are metallic, soulless things. War comes from man assembling man by man in nations that seek in a temporal world all they can get by virtue of physical prowess. True, he who lived by the sword

perished by the sword—but while he lived, he lived on those who died, their swords not matching his, as will his conqueror live.

Having flaunted Wilson, we needs must take counsel of Napoleon and learn that "God fights on the side of the heaviest artillery."

True, Napoleon was beaten down, but by what—by heavier artillery.

America's ideal is peace, but her security is in arming and borrowing from Wilson—"God helping her she can do no other." [Applause.]

The CHAIRMAN. All time is exhausted, and the Clerk will read.

The Clerk read as follows:

SEC. 2. That the President of the United States is hereby authorized to undertake prior to July 1, 1927, the construction of the vessels enumerated below: Eight scout cruisers, carrying protection and armament suited to their size and type, to have the highest practicable speed and the greatest desirable radius of action, and to cost, exclusive of armor and armament, not to exceed $11,100,000 each; six river gunboats, to cost, exclusive of armament, not to exceed $700,000 each.

Mr. LONGWORTH. Mr. Chairman, may I have the attention of the chairman of the committee for a moment? Mr. Chairman, I think everybody agrees that it would be wise if possible to have a vote upon this bill this afternoon, and, of course, gentlemen realize there is a night session to-night and unless a vote can be reached by half past 6 o'clock it would be quite impossible to pass this bill or act upon it.

Mr. BEGG. If the gentleman will yield, if the gentleman will let me get my amendment adopted, striking out section 2, it can be done in five minutes.

Mr. LONGWORTH. Let me ask unanimous consent that all debate on this and the concluding paragraph and all amendments thereto close at 6 o'clock.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that all debate on sections 2 and 3 and all amendments thereto close at 6 o'clock. Is there objection?

Mr. QUIN. I object.

Mr. BEGG. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Chair recognizes a member of the committee, Mr. MCCLINTIC.

Mr. MCCLINTIC. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MCCLINTIC: Page 2, lines 1 to 9, inclusive, strike out all of section 2.

Mr. SWING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Oklahoma. While there is not necessarily wisdom in numbers, yet I respectfully submit that on a committee of 21 members, which has been holding almost daily hearings from the opening of Congress down to date, considering the condition and needs of the Navy, it is worthy of more than passing notice to weigh the statement made by the gentleman from Oklahoma himself that after all these weeks and months of investigation and deliberation he alone of the entire committee feels compelled to oppose this bill. I mean to cast no reflection on the good judgment of the gentleman from Oklahoma. He is a distinguished member of the Naval Affairs Committee and ably and fearlessly represents a great district. I know that he is conscientiously doing what he believes to be for the best interest of not only the people of his district but of the Nation as well. However, the fact remains that the other 20 members of the committee believe that the passage of this bill is vitally necessary to make our Navy what we want it to be under the Limitation of Armament Conference—a 5-5-3 Navy.

The statement that the possession of a navy incites war can not appeal to the mind of a reasonable person, because, if you please, we then should abolish the Navy entirely. To say that the influence of the United States in world affairs should or could be exercised solely and wholly in a spiritual and moral way, in a world which we must recognize is dominated to-day by materialistic ideas, is to ignore completely the facts with which we are confronted.

But even here within our own country who of you are prepared to abolish the office of sheriff, the office of constable, or the office of marshal? When you are willing to do away with those officials I will vote to do away with the Navy. When there is a disturbance of the peace in your neighborhood, or a burglar breaks into your home, you telephone to the police station for an officer and you want him to come quick and you want him to come armed. We call such officers peace officers.

So, too, I say to you a navy is the best guaranty of peace for our country, provided it is adequate to meet any situation which can arise, because our country is never going to use its Navy except in defense of our country. That eloquent Democrat from New York who has now passed into the great beyond left behind a statement that is worthy of being repeated. The late Bourke Cockran stated, in debate on the naval appropriation bill in the last Congress, that a second-best navy was like the second-best hand in poker; it was worse than none because it got you nowhere except into trouble.

The question is simply this: Whether this House and the country are willing to support a treaty navy, such as was provided for by the Limitation of Armaments Conference, and whether we desire to maintain the rights which were won for us by our representatives in that treaty conference. If so we must pass this bill. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. VINSON of Georgia. Mr. Chairman——

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. VINSON of Georgia. Mr. Chairman, there is nothing inserted in the treaty which dealt with cruisers. It is absolutely essential that the Navy be well equipped with scout cruisers.

THE FUNCTIONS OF CRUISERS IN NAVAL WARFARE

The cruiser has two other important functions—(a) that of gaining information while denying information to the enemy, and (b) to give tactical support to destroyer attacks.

The rôle of cruisers in gaining information is similar to that of cavalry on shore. Fleets without cruisers would be analogous to the situation in which both the Federal and Confederate Armies were placed during the Gettysburg campaign, where the cavalry was not used for information gathering. Hence the main contact between the two armies was accidental and of such a nature as to leave to chance the question of which side should gain an initial advantage. Had cavalry been available to either side before the Battle of Gettysburg, that side would have been able to strike its dispersed opponent at a tremendous advantage, knowing in advance the positions of various hostile detachments and being able to deny similar information to the enemy.

The great excess of British cruisers in the long maneuvers before the Battle of Jutland kept the Germans in the dark as to the location and formations of the Grand Fleet until the last moment. The Grand Fleet, on the other hand, was able to know the precise German dispositions and movements. The failure of the British to properly transmit and utilize this information, which was long known to a part of their cruiser force, was a cardinal element in the failure of the Grand Fleet to annihilate the Germans.

With reference to the function of giving tactical support to destroyer attacks, the function of cruisers is equally as important as the two previously mentioned functions of exercising control of the seas and of gathering information.

The offensive power contained in any large destroyer force is second in value only to the power of capital ships themselves. The ability to bring this great destroyer power to bear against the enemy's battle line is tremendously important and ordinarily can not be accomplished except through the support of cruisers by carrying the attacking destroyers through the hostile screen of light vessels also comprising cruisers as the main line of resistance. This phase of the action therefore depends very largely upon the relative strength between the cruiser forces of the two fleets. That side which possesses the stronger cruiser force has the ability to utilize the tremendous power of its destroyers and to deny the enemy a corresponding advantage.

Even a few battleships operating in conjunction with a large number of destroyers supported by an adequate cruiser force may easily defeat more numerous and powerful battleships which may have a deficiency of such supporting auxiliaries.

At the Battle of Jutland both sides made destroyer attacks on several occasions. The British attacks obtained no material result, because they were not supported by cruisers. On the other hand, in several cases the Germans supported their destroyer attacks with cruisers, and it was such an attack at the crisis of the battle which saved the German fleet. This attack caused Admiral Jellicoe to turn his battleships away, and a turn by the Germans in the opposite direction enabled them to escape. Had the British utilized their surplus cruisers to advantage the German destroyer attack must have failed, and the escape of the German battleships would have been almost

impossible. It was the German cruisers operating in conjunction with their destroyers which gave them a virtual victory, notwithstanding a great inferiority of battleships. It was the failure of the British to utilize their cruisers which enabled the Germans to accomplish that result. A modern fleet must have a sufficiency of cruisers if it is to defend itself against the enemy destroyer attacks or to carry through its own destroyer attacks to the hostile battle line.

We are nineteen 10,000-ton cruisers short of our 5 in the 5–5–3 ratio.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. FRENCH. Mr. Chairman——

The CHAIRMAN. The gentleman from Idaho is recognized.

Mr. FRENCH. Mr. Chairman and gentlemen, I shall try to boil down into short space a few observations on the pending bill. I am for the bill, and I shall tell you why. And I am opposed to the amendment offered by the gentleman from Illinois [Mr. BRITTEN] for the elevation of guns, and I shall give you my reasons for my opposition.

To bring myself to the support of this measure I have been compelled to sort out that which I believe should be sustained from a mass of propositions that have been advocated for the increase of military and naval establishments of our country and for the support of which the wildest kind of propaganda has been disseminated. The total of the program urged would aggregate possibly more than a billion dollars, and for the most part no sound reasons can be found for sustaining the same.

The propaganda for larger naval and military establishments in the United States is similar to propaganda that is being carried on in Great Britain, France, and Japan, and other nations by those who see the question from the standpoint of the respective countries.

During the last 90 days, in defending the naval appropriation bill and trying to keep expenditures down to the lowest reasonable levels, I have had occasion to point out the fallacies of arguments for increasing appropriations and to say to those who criticize the United States on the theory that we are not maintaining our ratio of 5 in the limitation of armaments agreement that similar criticisms are made by critics in Great Britain and in Japan along the same line, touching, however, not the alleged inferiority of the American Navy but the alleged inferiority of the navies of Great Britain and Japan in comparison with our own.

Let me cite you a few statements. I quote from Army, Navy, and Air Force Gazette, London, May 3, 1924—editorial comments, under "Service notes":

NAVY PROPAGANDA

While the American Congress is engaged in examining naval appropriation bills, or, as we should say, in discussing Navy estimates, various interested persons are active in getting their views into the newspapers, and a common plan is to represent the United States Navy as hopelessly outclassed by others. Figures are quoted which are not above suspicion. This is not altogether surprising, because the same thing has constantly happened in this country.

Again Archibald Hurd, eminent British naval critic, in the Fortnightly Review, April, 1924, says on "The decline of British naval power":

The navy has fallen on evil days. Its strength is still decreasing, for in 1929 it will possess only 20 capital ships, including reserves, and 28 efficient light cruisers, the protectors of ocean-borne commerce. * * * How it will serve the people of London if they can sleep quietly in their beds free from anxiety as to air raids, unless they can obtain the food with which to live and raw materials on which to work, passes the bounds of human understanding. London, more markedly than any other city in this country, lives on and by the sea, as its experience during the Great War revealed. If the entire sum devoted at present to the maintenance of the fleet were spent in converting London into a citadel absolutely bomb-proof, what would it profit its five or six million inhabitants if the ships carrying food and raw materials failed to make their regular appearance in the Thames? * * *

* * * Land power can give no guarantee to our ocean-borne trade, nor can air power, and, for that reason, if for no other, the British Fleet remains the first line of defense of this insular nation, on which the younger nations of the British Dominions still pivot much as the planets revolve around the sun.

In face of these obvious truths the British Fleet is still shrinking, and the new navy estimates, with a reduction of £2,200,000 expenditure, give no promise that the movement will be checked.

* * * At the Washington conference not only was the two-power standard abandoned, but the British peoples agreed that they would in association, be satisfied with a one-power standard battle fleet no greater than that of the United States. Of all the maritime peoples represented at Washington, those who compose the British Empire made the most considerable sacrifices of prestige and of power. They entered into an agreement which represented the full and complete abandonment of the traditional policy pursued for many centuries.

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Mr. D. A. E. Veal, writing in the Empire Review, for April, 1922, on the subject, "The loss of British naval supremacy," had this to say:

What America seems to fear is that Japan will seek to acquire fresh territory at her expense; but it is far more likely to be at the expense of Australia, which is nearer, and whose vast untenanted spaces offer an easy target, her scanty population providing her with few defenders. The defense of Australia is but one of the many responsibilities of the British fleet. Therefore the same reason which justifies a large American Navy, the yellow peril, the strongest argument of advocates of America's big navy policy, justifies a larger British Navy, since parts of our Empire are more exposed to attack than the United States.

If, then, the navy which the Washington conference allocates to America is only barely adequate for her needs, it must fall far short of what Britain requires, and we are taking grave risks in contenting ourselves with no more.

And again:

It has never been denied that the decisions of the Washington conference do away with British superiority at sea. By allowing us no bigger ratio of naval strength than the United States, it virtually reduces this country to a position of inferiority to America. For since the British Navy with no greater force has to do an incomparably greater work than the American Navy, it is subjected to a much severer strain, and is therefore rendered less effective. So it is impossible to exaggerate the sacrifice Britain has made in the cause of peace; for she has parted with nothing less than the immediate jewel of her soul; but this fact is far from being properly appreciated.

An editorial in the New Statesman, a British weekly review of politics and literature, March 22, 1924, in commenting on the subject says:

The comparative figures of the cruiser strength of various countries do not help us very much. It is true that Great Britain has already a considerable preponderance of light cruisers, but that is not the question. The question of relative strength is relevant only in connection with battle fleets considered as combatant units. We may have 50 per cent more light cruisers than Japan or America, but it does not follow from that fact that we are as adequately equipped as they are, for we have a more widely scattered Empire and far longer trade routes to defend. * * *

MANY FACTORS IN THE 5–5–3 RATIOS

Those who say that the United States is not maintaining her proper parity in the 5–5–3 ratio seem unable to take a comprehensive view of the whole situation, and they make their deductions upon the basis of a limited number of factors and some of the critics have not been accurate as to the factors which they have discussed.

Heretofore during the consideration of the naval appropriation bill and the conference reports upon the same, I discussed certain of the factors that must be considered—battleships, cruisers, submarines, destroyers—and as to these factors the recent statement prepared by the Secretary of the Navy to the chairman of the Naval Legislative Committee, Mr. BUTLER, bears out the soundness of my deductions.

NAVAL BASES AND OIL STORAGE

One of the criticisms that has been made against our Navy and which has had wide publicity refers to naval bases and oil-storage capacity.

Now, what are the facts?

I shall not refer to current storage capacity.

For reserve storage we have a capacity at Pearl Harbor for 1,500,000 barrels completed and filled, and in addition a project that is 70 per cent complete for 2,700,000 barrels. On the Atlantic coast we have completed a storage reservoir for 1,500,000 barrels.

I realize that this amount of storage is not great and that gradually we shall need to add to the same, quite as much, however, as a matter of convenience as for the national security, and I will tell you why.

The British Isles and Japan have practically no fuel-oil resources. Were either one of these nations to become involved in war, you can realize the disastrous effect of a failure to have adequate fuel storage. Great Britain's storage would need to be in the British Isles. She has considerable oil supplies in India and British Borneo, and lesser natural oil resources in Canada, Egypt, and Trinidad, and greater available resources

through her control in Persia, but the sources of her supply are not at home.

In 1921 she produced less than 3,000 barrels of fuel oil at home and in 1922 only 1,000 barrels. Were the lanes of the sea to be cut off from Great Britain for even a short time, you must realize the disasters that would fall upon the British Empire at that moment.

The same is true of Japan, whose oil output in 1922 was little more than 2,000,000 barrels.

These two great nations are absolutely dependent upon their storage capacity at home for the maintenance of any degree of efficiency as naval world powers.

Not so the United States. In 1921 the United States produced more than 472,000,000 barrels of crude oil; in 1922 more than 550,000,000 barrels; and in 1923 it is estimated she produced approximately 735,000,000 barrels. Remember I am not speaking of our imports; I am speaking only of that which we produced within our homeland. And then when it comes to storage our producers and refiners have storage capacity aggregating more than 328,299,000 barrels in crude oil and additional storage capacity of more than 33,000,000 barrels of fuel oil exclusive of naval storage and exclusive of oil storage capacity provided for oil that is imported from foreign countries. This storage capacity in event of war would be available for our country.

Those who criticize should take these elements into consideration as they urge their program.

Turning to coal, the United States last year produced 494,772,000 metric tons, and Great Britain produced 228,971,000, and Japan 28,000,000. The figures I have given for 1923 are estimates from the Geological Survey, but are nearly identical with the definite figures for 1922.

Much has been said touching the importance of elaborate naval bases for the United States, and it has been asserted that the United States is woefully deficient on this score. Here again those who criticize refuse to look at the facts.

We need naval bases, but we are so well equipped that we do not need in these times that demand the greatest national economies to expend unreasonable amounts in their development. We need establishments that we may keep our ships in repair and that we may carry forward whatever building program we shall have under way. We need storage capacity for a reasonable amount of supplies, but we are in such adequate condition that all future development may happily proceed with moderation.

Here again, so far as Great Britain is concerned, a different situation presents itself. The United States is compact. The possessions of Great Britain are far flung. That the people of the British Empire may be able to keep contact with themselves Great Britain must have free use of the seas and must have naval bases, including naval supplies in vast quantities in widely separated parts of the Empire.

In this connection and having in mind especially the thought that nations must be fed and otherwise sustained, that navies and armies must be provisioned, let me call your attention to a few outstanding factors that ought not escape our consideration.

The United States leads the world in essential food products, in coal, in petroleum, in iron ore, in pig iron, and steel, produces an abundant supply of copper and lead and lumber and wool and cotton; and in fact, would be abundantly self-sustaining were she to be cut off forever from every other nation.

This can not be said of the British Isles, nor can it be said of Japan.

More than that, in working out our program we ought to have regard to the likelihood of war. We may make mistakes. War may come that we do not anticipate. We should not proceed upon the basis that war is expected but rather with regard to that which is reasonably possible and with regard to our obligations that we assumed under the Limitation of Armament compact.

Turn to the world armies: Last year, France carried a total of 670,000 men in her service, including 220,000 Colonials; Italy, 250,000; Japan, 300,000; Great Britain, 182,000, while the United States had reduced to 125,000.

Turn to a comparison of nations from the standpoint of national indebtedness. In figures that were prepared some two years after the close of the World War, France had a per capita indebtedness of $730; Belgium, $426; Great Britain, $744; Italy, $228; United States, $215, and in the latter there is included more than $10,000,000,000, representing nearly half of our per capita indebtedness, that is owing to us from foreign countries, but which for the present purpose I am counting as a liability. Japan in this regard is more fortunate even than the United States with a per capita indebtedness of approximately $33.

And, then, when it comes to taxation France for her national Government asks from each of her citizens, approximately, $52 annually; Belgium, $56; Great Britain, $100; and United States, $35, approximately.

Measured by these various economic factors, can you not see the strategic position of the United States, how powerful she is, and especially the magnitude of her strength when compared with other nations of the world?

For these reasons I have been opposed to most of the program that has been urged upon our country looking to the increase of Military and Naval Establishments.

THE PENDING BILL

I am in favor of the pending bill, which provides for three things:

First. The building of new gunboats for the Yangtse patrol;

Second. The overhauling and modernization of six of our battleships; and

Third. The authorization for eight fleet cruisers.

As regards the gunboats, the work proposed is largely replacement and to attain economy in operation. This service is of tremendous importance commercially and for the maintenance of good order and peace.

The modification of the battleship program is to serve two purposes—efficiency of the ships for the purposes for which they were designed and to attain economy. This latter proposition appeals to me as of high importance, for it has to do with annual expenditures.

I told you during the consideration of the naval appropriation bill that the cost of engineering upkeep on four of the battleships that are here referred to was slightly in excess of $200,000 each for 1923, and approximately the same for the current year in comparison with engineering costs of approximately half as much for each one of the other battleships of our Navy. The total cost for new oil burners on four ships is estimated to be $3,400,000. Assuming that the engineering costs would be $100,000 annually, if these changes were made, instead of $200,000, as they are to-day, there would be an annual saving on the costs for that purpose of $400,000, or, in other words, a saving of more than 10 per cent on the investment. I believe it is good business that these repairs be made.

As for the fleet cruisers, again, we are not asking an appropriation, merely an authorization.

I am not in accord at all with the statement of Mr. BRITTEN at the opening of the debate that to-day our Navy is 4 in comparison with 5 for Great Britain and 3 for Japan. I am thinking of this question from the standpoint of where we will be in the ratio in another three or four years if we do not provide for a reasonable number of fleet cruisers. Mr. BRITTEN said that if this program could be carried through by to-morrow the strength of the Navy of the United States would be such as to put us 5 in the ratio, with Great Britain 4 and Japan 3.

Gentlemen, I would oppose any bill that would put us into the ratio with a larger figure than that to which we are entitled, but this program can not be carried forward by to-morrow. It will probably not be completed short of six or eight years, and we must remember that within the last 60 days Great Britain has voted authorization and money for five additional fleet cruisers and that Japan is carrying forward a rather comprehensive cruiser program.

Following the conference the nations signing the treaty destroyed approximately $1,000,000,000 worth of different types of ships in order to reduce their armaments. The United States not only did its part there, but by reason of its entering into that compact has saved annually and will save during the life of the pact approximately $250,000,000. Other nations will be spared corresponding burdens.

Nor again do I rest my support upon the theory that we were buncoed at the time the conference was held and the armament agreement was arranged. I believe we had a splendid group of men around the conference table, and I believe that the result attained means substantial justice and equality to the several nations of the world. Whatever else may be said of the result of that conference this Nation was the gainer, Great Britain was the gainer, Japan was the gainer, all nations, civilization itself gained thereby. In my judgment, one-half of what we are saving this year will be more than sufficient to carry forward the program recommended in this bill, and its completion will be extended over a period of 6 or 8 or 10 years, assuming it will be carried through to completion.

Mr. SABATH. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. SABATH. Can the gentleman explain how this Government is saving $250,000,000 annually when, instead of appropriating the money for battleships, we are asked to appropriate the same amount of money, or perhaps a great deal more, for cruisers? In what way are we saving money?

Mr. FRENCH. But we are not appropriating more; we are authorizing but a fraction of as much, to be expended over a period of years. Had we carried through the 1916 building program and not destroyed the battleships but completed them, and had we maintained our Navy on the basis of a peace navy under that program, in the absence of the limitation agreement, it would cost us annually some $250,000,000 more than it does to-day.

Let me make this further statement: I am for this bill not because at the present time there is a divergence in the 5-5-3 ratio, but because I do not want a divergence to occur in another three years or four years.

Our weakness in cruiser strength is widely recognized. The program in the pending bill will not arouse suspicion; and, in fact, I have no doubt the other nations anticipate that we will do more than we are proposing here during the next 10 years unless there shall be further limitation on the cruiser type of ship.

I hold in my hand a copy of Current History for April, 1924, in which is an article by Mr. Kawakami, the brilliant Washington correspondent of leading Japanese papers and the author of The Real Japanese Question, Japan's Pacific Policy, and many other articles. Mr. Kawakami has indicated in his article, entitled "Japan's reduction in naval armament," the comparative strength of the United States, Great Britain, and Japan in cruisers, destroyers, and submarines.

Proceeding, the author says:

The tables show that the United States Navy is comparatively deficient in cruisers. At the end of 1927, unless the United States builds new ships, the cruiser strength of Great Britain and Japan, as compared with that of the United States, will, respectively, be 3.9 and 2.2. In other words, Great Britain's cruiser tonnage will be almost four times as large as the United States, while Japan will have a cruiser tonnage more than twice that of the United States.

On the other hand, the American Navy is comparatively strong in destroyers and submarines. Thus the ratio of cruisers and destroyers combined at the end of 1927 will be 1 for the United States, 1.27 for Great Britain, and 0.66 for Japan. Add the submarines and the ratio becomes still more favorable to the United States.

It is, however, unthinkable that the United States will rest content with her inferior cruiser strength, and it is taken for granted that she soon will launch a new building program.

This is not the statement of an American, but a Japanese, who is an able and close student of international affairs.

But, Mr. Chairman, I hope that before there shall be an opportunity to complete this program, or even to begin it, there may be another limitation conference, and that we may have an understanding touching cruisers, touching destroyers, touching types of ships not recognized in the present treaty. Until that conference can be attained, I believe it is our duty to look ahead, to anticipate, and to provide a program for the future that will maintain the ratio that now exists.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. BLANTON. Mr. Chairman, I ask that the gentleman may have one minute more in order that I may ask him a question.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from Idaho may proceed for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Is it not a fact that at The Hague conference of 1907 England then took the position that for her navy to be equal to that of the United States it must be double in the number of ships, by reason of her geographical location?

Mr. FRENCH. The old theory of Great Britain was approximately that; and there are those in Great Britain to-day who are contending that she has drawn the small end of the bargain in the armament agreement, because of the fact that her empire is widely scattered throughout the world.

Mr. BLANTON. And have we not the superior situation and position?

Mr. FRENCH. Upon the basis of a 5-5-3 ratio, because of our tremendous resources in compact territory I think we have.

GUN ELEVATION

Mr. Chairman, I am opposed to the Britten amendment providing for gun elevation.

First. I am not sure that it does not violate the terms of the treaty, and there should be no doubt upon this point. I submit that acknowledged good faith upon our part is a factor vastly more powerful in our international relationships than any possible advantage that could come from gun elevation.

Second. Other than Great Britain, no nation in the world has so much as one battleship that will outrange five of our ships, and Japan has but two that will compare with five of ours.

Third. We have five battleships with ranges from 34,500 to 35,700 yards that will outrange all of the British capital ships, not even excluding the new cruiser "Hood," whose range is 30,300 yards.

Fourth. We have three more battleships with ranges of 24,000 yards; six with ranges of 21,000 yards; one of 21,600 yards; one of 22,000 yards; and two of 23,500 yards, as against the capital ships other than the "Hood" of Great Britain, all of whose ranges are from 23,800 to 24,300 yards.

Shall we not assume that all these factors were taken into consideration at the limitation conference—5 of our ships being of greater range than any of Great Britain's ships and all of Great Britain's ships being of greater range than 13 of ours? Is not this a more reasonable arrangement than for us to modify our ships so that not only five but all of them would outrange all of the British ships?

But what of the value of these great ranges? In my judgment, here is a question that is greatly exaggerated. In the Battle of Jutland, as I recall, the hits at 18,000 yards were but 3 or 4 per cent; and let me say that in spite of better fire control the percentage of hits at the difference within which the United States and Great Britain's ships would operate is a factor that is comparatively small.

Finally, war with Great Britain is inconceivable, and it would, in my judgment, be a foolish expenditure of public money even if there were no question touching the interpretation of the treaty to appropriate the amount necessary to modify our gun elevations under present conditions.

Mr. BUTLER. Mr. Chairman, may I ask that all debate upon this section and all amendments thereto close within a certain time?

Mr. HULL of Iowa. Would it not be better to first dispose of this motion to strike out?

Mr. BUTLER. Yes; I thank my friend for that suggestion. I will limit my request and ask that all debate upon the amendment offered by the gentleman from Oklahoma [Mr. McCLINTIC] to strike out the section shall be concluded in 30 minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that all debate on the amendment offered by the gentleman from Oklahoma [Mr. McCLINTIC] be concluded in 30 minutes. Is there objection?

Mr. FISH. Mr. Chairman, reserving the right to object——

Mr. TAGUE. I object.

Mr. OLIVER of New York. Mr. Chairman——

The CHAIRMAN. The gentleman from New York [Mr. OLIVER] is recognized.

Mr. BUTLER. Mr. Chairman, I would like to submit a motion.

Mr. OLIVER of New York. Mr. Chairman, I have been recognized, but I will yield to the gentleman from Pennsylvania to submit a motion.

The CHAIRMAN. The gentleman will state his motion.

Mr. BUTLER. Mr. Chairman, I move that all debate upon the amendment offered by the gentleman from Oklahoma and all amendments thereto shall be concluded in 10 minutes.

Mr. FISH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Let the Chair first state the motion. The gentleman from Pennsylvania moves that all debate on the amendment offered by the gentleman from Oklahoma and all amendments thereto close in 10 minutes.

Mr. FISH. Mr. Chairman, I have a perfecting amendment. That would have to come in before this amendment is voted on.

The CHAIRMAN. Yes; that is true; but the debate can be finished on the McClintic amendment, and then you can offer a perfecting amendment.

Mr. BLANTON. Mr. Chairman, I move as a substitute that the debate close in 15 minutes.

Mr. GOLDSBOROUGH. Reserving the right to object, Mr. Chairman——

The CHAIRMAN. This is a motion and not a unanimous-consent request.

Mr. LONGWORTH. Mr. Chairman, I desire to offer as a substitute, that all debate on this section and the next section and all amendments thereto close at 6 o'clock.

The CHAIRMAN. The gentleman from Texas offered what be termed a substitute, but it may be considered as an amendment to the amendment, and the gentleman from Ohio now

offers a substitute for the motion and its amendment that debate on both sections 2 and 3 close——

Mr. GARRETT of Tennessee. Mr. Chairman, I make a point of order against that.

Mr. LONGWORTH. I think the gentleman is correct. I will make it apply to section 2, because I imagine section 3 amounts to nothing anyway. I offer as a substitute that all debate on section 2 and all amendments thereto close at 6 o'clock.

Mr. McKEOWN. Will the gentleman make it 45 minutes? We might get into a filibuster here.

Mr. LONGWORTH. I will change it and make it 45 minutes instead of 6 o'clock.

The CHAIRMAN. The first question is on the amendment of the gentleman from Texas [Mr. BLANTON] that all debate on the McClintic amendment close in 15 minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—85 ayes and 11 noes.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question recurs on the substitute offered by the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, I will withdraw the substitute.

Mr. BLANTON. The gentleman can not withdraw his motion for a substitute except by unanimous consent. Some Members are in favor of his motion.

Mr. LONGWORTH. I think after the action of the committee which has just been announced it is not necessary to vote on my substitute, and I ask unanimous consent to withdraw it.

The CHAIRMAN. The Chair is advised by the parliamentary clerk that the gentleman can withdraw his motion without consent at this time. The substitute is withdrawn. The question is on the original motion to close debate.

The motion was agreed to.

Mr. McKEOWN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. McKEOWN. I have an amendment that strikes out a part of the language but does not strike out all.

The CHAIRMAN. The gentleman has a perfecting amendment to this section?

Mr. McKEOWN. Yes.

Mr. LONGWORTH. The motion just adopted provides for a definite vote on the McClintic amendment. Are other amendments to be offered?

The CHAIRMAN. The vote on the McClintic amendment would entirely eliminate the section. Some gentlemen on the floor have indicated that they have perfecting amendments which should first be voted upon.

Mr. LONGWORTH. Then we have not got anywhere.

Mr. GARRETT of Tennessee. Yes; you have got a limit of 15 minutes. I make the point of order that debate is now in order and nothing else is in order.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OLIVER].

Mr. OLIVER of New York. Mr. Chairman and gentlemen, I shall support the committee bill, and support it with great pride. I am opposed to the amendment striking out the provision for eight light cruisers and six river gunboats. I think the amendment runs to the heart of the bill—strike out the provision for new cruisers and you might as well abandon the bill. I am in favor of the bill, not for the reason stated by the gentleman from California, who said that we have peace officers and we call them to settle our troubles and therefore we should have a Navy. The trouble about it is that as far as the Navy is concerned it deals with a kind of trouble that we can not settle for ourselves as citizens. We can often band together as individuals and settle troubles by a vigilance committee if a peace officer or sheriff fails us, but now we are asked to vote on our armament for battles at sea, which we have no power whatever to settle except by a Navy. We have got to have a real Navy. Coming from the great city of New York, where we have 6,000,000 of people, and living in a seaport within reach of naval guns, and which has in its environs over 20,000,000 people with untold and incalculable wealth hoarded there; coming from that great city, I say the first line of defense is an adequate Navy. [Applause.] I am proud to vote for this bill. I am proud to vote for it because I believe that after establishing a merchant marine on the high seas by the expenditure of hundreds of millions of dollars we should not abandon that merchant marine and let it be driven from the high seas at the first sound of the tocsin of war. Why, gentlemen, if there comes even a threat of war, and we have no cruisers to follow our merchant marine, we would be compelled to withdraw them from the high seas in an instant and lose hundreds of millions of dollars.

They say this is a penitential bill. It may be. It may be that it acknowledges that the Republican Party has been inefficient and has scuttled the Navy. [Applause.]

The armament treaty gave permission for navies whose strength should be in the following ratio: England, 5; United States, 5; Japan, 3. The Secretary of the Navy says we have fallen to a ratio of 4. Others say we have fallen to 3. It seems to prove the charge against your party. But I shall not glory in your shame. It is of more concern to me that the Navy stands up than that the Republican Party falls down. I do not care who is responsible for the collapse of the Navy. I am for redeeming it. I do not care what political party the President who asks for this bill belongs to. The question if a war threatens will be not so much, "Who is the President" as, "Where is the Navy?" I vote for this bill in no jingo spirit, but in a spirit of love of country and with a design to protect her life and honor and make her more secure to serve humanity. I vote for it to provide an adequate defense for our commerce on the high seas. I vote for it to make more secure the honor and prestige of America, to add strength to the motive back of our flag, and to make more permanent against any danger the liberties and happiness of our people. [Applause.]

Mr. FISH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 9, after the word "each" insert "Provided no contract shall be let before December 31, 1924."

Mr. FISH. Mr. Chairman, the purpose of this amendment——

Mr. BRITTEN. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BLANTON. I ask for the regular order on the point of order.

The CHAIRMAN. Does the gentleman from Tennessee make the point of order?

Mr. GARRETT of Tennessee. No; the gentleman from Georgia [Mr. VINSON] reserved the point of order.

Mr. CELLER. Mr. Chairman, I make the point of order. It is a limitation upon a legislative enactment, something to take effect many years hence.

Mr. GREEN of Iowa. Mr. Chairman, the only question is whether it is germane to the paragraph.

The CHAIRMAN. The Chair thinks that the point of order must be overruled. All there is to the amendment is that no contract shall be let before December 31, 1924. Certainly in a bill making authorization it is germane to make that kind of a provision.

The Chair overrules the point of order.

Mr. CELLER. I understood that it took it until December 31, 1934.

Mr. FISH. Mr. Chairman, the President of the United States recently stated that he intended to call another Limitation of Naval Armaments Conference just as soon as it appeared likely that they could further limit armaments. The Premier of England, Mr. Ramsay MacDonald, with broad vision and in his desire for peace, has constantly repeated that he desired another conference to further limit armaments. The gentleman who is about to be the Premier of France, M. Herriot, has stated the same thing. The purpose of this amendment is simply to give an opportunity to the President or to the Premier of England if he will, to call a conference of the great naval powers to determine whether they can further limit naval armaments, with special reference to the number of cruisers and submarines, and so forth.

Mr. HULL of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. HULL of Iowa. Does the gentleman's amendment apply to section 1 as well as to section 2?

Mr. FISH. It applies simply to section 2.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. BLACK of New York. Does the gentleman know any particular reason why these things were not done at the last conference?

Mr. FISH. Oh, I know very well, and so does every Member in the House know, why they were not done in the last conference. There has been a change of government recently in a number of European nations, and the heads of these new governments have openly stated that they are willing to enter into such conference for the sake of peace in order to reach some satisfactory agreement to save the taxpayers of their respective nations hundreds of millions of dollars. I submit these facts without fear of contradiction, and also that we are better armed to-day, both in the military sense and in

the naval sense, than we have ever been in the history of this country, except in time of war, and there is no one in this House or in this country who will deny that statement. The chairman of the Committee on Naval Affairs in the Senate said a few days ago that we are nearer naval equality and battle strength with England than we have ever been in our history, except in time of war. Everyone admits that we are better prepared to-day, as far as our Military Establishment is concerned, than we have ever been except in war. Therefore, considering our state of national defense, why should we rush in in the last few days of this session and ask Congress to appropriate $130,000,000 additional to build cruisers and make alterations. This sum amounts to approximately 50 per cent of the total appropriation for the Navy this year, which was $297,000,000, and equals the total naval appropriation which was made before 1916. We are now about to pass this bill, authorizing an appropriation of $130,000,000, with very little deliberation, which practically shuts out President Coolidge from saving this enormous expenditure by calling a conference this summer. Is not that common sense? If it is common sense, vote it up.

Mr. RATHBONE. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. RATHBONE. Is it not a fact that just very recently, under the present administration, England started to construct a number of cruisers?

Mr. FISH. And that is the very reason to enter into a conference, because they will be only too glad, in view of their financial condition, to enter into some agreement with us to save that money to their taxpayers.

Mr. LAGUARDIA. If the gentleman's reasons are sound, would it not be better to leave this whole matter in abeyance until the President will have had the opportunity to call this conference?

Mr. FISH. My answer is that this will give the President a weapon, a lever, with which to work in this conference.

Mr. LAGUARDIA. That is no way to go into a peace conference.

Mr. FISH. That is a very effective way, and about the only club that is understood.

Mr. LAGUARDIA. That has ruined the world for centuries.

Mr. FISH. I can not yield any more.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BEGG. Mr. Chairman and gentlemen of the committee, I am in favor of this amendment to strike out section 2. I call attention to the language in line 2, which provides that the President is authorized to undertake prior to July 1, 1927, the construction of the vessels enumerated. What was the purpose of putting that in? It certainly must have been for one of two reasons, either to fool this House and make us think that they were not going to spend this money and build these ships for two and a half years, or if they did not intend to build them until 1926 or possibly 1925, and that is a whole year away, then I submit to this House that if an emergency of any kind arises within the next 12 months the money can be made available overnight, and if the emergency does not arise then it is mighty poor business to waste a hundred million dollars just to be scrapped in order to have a weapon in a conference. [Applause.]

Mr. SWING. Mr. Chairman, will the gentleman yield?

Mr. BEGG. No. I do not believe that anyone here will accuse me of having a noncombative temperament, but I believe in having the cards face up on the table. There is not a scintilla of evidence anywhere that the United States is liable to be attacked in the immediate future, and if she is not liable to be attacked, and if our Navy is below the 5-5-3 ratio, in the face of the economy program of the President of the United States, I submit this is a mighty poor time to add on a hundred and ten million dollars of new shipbuilding program. [Applause.] I hope that this amendment will be agreed to. I shall vote every dollar they want to bring the ships up to the very best equipment. I would vote to make them all oil burners, if necessary; I would have voted and did vote for the amendment offered by the gentleman from Illinois [Mr. BRITTEN] to include the other ships, but I shall not at this hour vote to support a new building program in order to use it as a club to hit Great Britain over the head in any conference that is liable to be called. I do not believe in that kind of diplomacy. It is so idiotic to me that any nation in the world would have the audacity to think of attacking the United States that I am not even a little bit alarmed.

And if the chairman of the committee knew what he was talking about when he said he knew they were not going to ask for a dollar of appropriation until 1926 there is not any excuse for the passage of this bill in this Congress. There will be two sessions of this Congress sitting here over 10 months when we can take this up and pass it if the developments warrant it.

[Mr. CARTER, Mr. SWING, Mr. OLIVER of Alabama, Mr. DICKSTEIN, Mr. MCCLINTIC, and Mr. STEAGALL were granted permission to extend their remarks.]

The CHAIRMAN. The question is on the perfecting amendment offered by the gentleman from New York [Mr. FISH].

Mr. GARRETT of Tennessee. Mr. Chairman, has all time expired?

The CHAIRMAN. All time has expired.

Mr. RAMSEYER. Mr. Chairman, may we have that amendment again reported?

The amendment was again reported.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MCCLINTIC] to strike out the section.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. BEGG) there were—ayes 67, noes 95.

Mr. MCCLINTIC. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. BUTLER and Mr. MCCLINTIC) reported that there were—ayes 84, noes 112.

So the amendment was rejected.

Mr. LONGWORTH. Mr. Chairman, I desire to move that all debate upon this section and all amendments thereto close in 10 minutes.

Mr. GARRETT of Tennessee. Mr. Chairman, I thought it was already closed.

The CHAIRMAN. No.

The question was taken, and the motion was agreed to.

Mr. TAYLOR of West Virginia. Mr. Chairman, I claim recognition as a member of the committee.

The CHAIRMAN. The Chair will recognize the gentleman from West Virginia. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. TAYLOR of West Virginia: Page 2, line 9, after the word "each," add the following: "*Provided*, That in the construction of the vessels herein enumerated the President is authorized to make use of the naval ordnance plant at South Charleston, W. Va., for the manufacture of armor and armament needed by said vessels."

Mr. BUTLER. I am not going to make the point of order.

Mr. BLAND of Virginia. Mr. Chairman, I make the point of order against the amendment that it changes the existing law. The law provides how they shall proceed.

Mr. MCKEOWN. This is not an appropriation bill and we have a right to change the existing law.

The CHAIRMAN. Does the gentleman from West Virginia desire to be heard?

Mr. TAYLOR of West Virginia. I would like to say, Mr. Chairman, that we are making law here in the passage of this bill, and this is simply an authorization with respect to the conditioning of these ships. This is not an appropriation bill, it is legislation.

The CHAIRMAN. The Chair thinks this point of order is not in order, and the point of order is overruled.

Mr. TAYLOR of West Virginia. Mr. Chairman and gentlemen of the committee, it has been just shown by the vote taken that this committee is in the notion of having an adequate Navy, and in order to do that it occurs to me we can have a better Navy by utilizing the Charleston armor-plate plant. This plant, which is in my district, was erected at a cost of $29,000,000, and just about the time it was demonstrated that armor plate and armament could be made at that plant cheaper than at any other plant in the United States then came the naval armament limitation and the plant was summarily closed, and I contend, gentlemen, if we are to maintain that plant, which we are now doing on a closed basis at a cost of $100,000 a year, that the quicker we find out that that plant can not manufacture the armor plate that is to be used in a greater Navy the better it will be for this country, and we can then turn the armor-plate plant into the manufacture of plowshares and such other commodities as will be useful for the country and the United States in general.

Mr. RAMSEYER. Will the gentleman yield?

Mr. TAYLOR of West Virginia. Yes.

Mr. RAMSEYER. Is this a Government plant?

Mr. TAYLOR of West Virginia. It is a Government plant, erected at a cost of $29,000,000. It is now maintained by the Government on a closed basis at $100,000 a year.

Mr. SWING. It is the only Government plant we have, is it not?

Mr. TAYLOR of West Virginia. It is the only Government plant we have for the manufacture of naval armament.

Mr. McDUFFIE. Will the gentleman yield?

Mr. TAYLOR of West Virginia. Yes.

Mr. McDUFFIE. Suppose it should cost more to manufacture it there than elsewhere?

Mr. TAYLOR of West Virginia. Then let us find that out. If it costs more we can then dispose of the plant, and it will not cost us $100,000 a year to maintain it on a closed basis.

Mr. McDUFFIE. But the gentleman does not state that in the language of his amendment.

Mr. TAYLOR of West Virginia. The gentleman is at perfect liberty to offer an amendment to my amendment.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. TAYLOR of West Virginia. Yes.

Mr. LaGUARDIA. Are the eight cruisers provided for in section 2 armored cruisers?

Mr. TAYLOR of West Virginia. That is what the bill provides.

Mr. LaGUARDIA. They are not armored, are they?

Mr. TAYLOR of West Virginia. The language is "carrying protection and armament suited to their size and type."

Mr. LaGUARDIA. I was asking for information.

Mr. TAYLOR of West Virginia. The section provides for armament.

Mr. BUTLER. I do not know why the word "armor" is there, because there is said to be no armor on these ships.

Mr. VAILE. Will the gentleman yield?

Mr. TAYLOR of West Virginia. Yes.

Mr. VAILE. Does the gentleman's amendment merely authorize the work to be done at this plant, or does it direct that the work shall be done there?

Mr. TAYLOR of West Virginia. It authorizes the President to use the armor-plate plant at South Charleston for the making of armor and armament for these scout cruisers and for these gunboats.

Mr. VAILE. Is it obligatory on the President to do that, or does it merely permit him to do it?

Mr. TAYLOR of West Virginia. He is authorized to do it, but he is not commanded at all by the language of the amendment.

Mr. VAILE. Does he need any such authorization?

Mr. TAYLOR of West Virginia. I presume so, since he is authorized to enter into contracts for the construction of these cruisers.

Mr. BUTLER. Let me ask the gentleman a question. Would it not be well to write in there some language which would leave it to the discretion of the President, because it might cost an awful lot of money to start that factory for the purpose of making a little bit of armor? As I understand, there is really no armor on these ships. I think the gentleman here has an amendment which will cover the amendment which the gentleman has offered. This proposed provision would compel the President to use this plant, while, as a matter of fact, it might cost a lot of money to start that plant for the making of a little bit of armor.

Mr. TAYLOR of West Virginia. I will say to the distinguished chairman of the Naval Affairs Committee that we do not know at the present time——

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. TAYLOR of West Virginia. Mr. Chairman, I ask unanimous consent to proceed for five more minutes.

The CHAIRMAN. The time has been fixed by the committee.

Mr. TAYLOR of West Virginia. Not on this amendment, sir.

The CHAIRMAN. Yes; on the section and on all amendments thereto.

Mr. TAYLOR of West Virginia. Then, Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CHINDBLOM. Mr. Chairman, I move to amend the amendment by inserting, after the word "authorized," the words "in his discretion."

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment offered by Mr. CHINDBLOM: After the word "authorized," insert the words "in his discretion."

Mr. CHINDBLOM. Mr. Chairman, just a word. If we are going to adopt this amendment at all it should contain these words.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. CHINDBLOM] to the amendment offered by the gentleman from West Virginia [Mr. TAYLOR].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question is now on the amendment offered by the gentleman from West Virginia [Mr. TAYLOR] as amended.

The question was taken; and on a division (demanded by Mr. TAYLOR of West Virginia) there were—ayes 69, noes 89.

Mr. McCLINTIC. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chairman appointed as tellers Mr. BRITTEN and Mr. McCLINTIC.

The committee again divided; and the tellers reported—ayes 98, noes 93.

So the amendment was agreed to.

Mr. McKEOWN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McKEOWN: Page 2, line 7, after the word "each" strike out "six river gunboats, to cost, exclusive of armament, not to exceed $700,000 each."

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, briefly, you say this——

Mr. BUTLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BUTLER. Did we not vote on the whole section?

The CHAIRMAN. No.

Mr. McKEOWN. Mr. Chairman, the program is for defense and the bill is offered here for defense, yet you have in this bill six river cruisers. Where are you going to use them and what is the purpose of them? Are you going to use them out in the Mississippi Valley?

Mr. O'CONNELL of New York. They are going to use them in Oklahoma.

Mr. McKEOWN. It is an unwarranted proposition. There was a tariff bill here at one time and they said they were going to revise the tariff downward. We have had a peace conference and we are now going to revise that downward by building more ships.

Mr. EDMONDS. I will say to the gentleman that we are going to use these river cruisers in China, where they are very badly needed.

Mr. McKEOWN. The gentleman says we are going to use them in China. We gave them $6,000,000 the other day and it was said that that was given for peace.

Mr. BUTLER. I want to say to my friend that these boats are asked for by the State Department to protect American citizens who are in China. This is one part of the bill that I think should appeal strongly to us all. We have not any boats suitable to perform this service.

Mr. McKEOWN. Will the gentleman explain why we do not pay them some more money. We paid them $6,000,000 the other day to feel good toward us. Why don't we pay them some more money?

Mr. BUTLER. We paid them all we owed them.

Mr. McKEOWN. It was said that that was to buy peace. Why do not we buy some more peace by giving them some more money?

Mr. CELLER. Mr. Chairman and gentlemen of the committee, I am opposed to the amendment to strike out the provision for gunboats, offered by the gentleman from Oklahoma, because these gunboats are sadly needed in China. We have read of numerous instances of piracy there, and by international comity these boats are absolutely necessary, and it is for that reason they are to be sent. They are needed for the purpose of protecting Americans and American interests in China.

It has been the recognized practice of the principal powers for many years to maintain small gunboats for this purpose, principally on the Yangtze River.

The State Department considers the earliest possible construction of additional vessels of this type to be imperative.

Secretary Hughes states that our chief commercial and missionary interests are centered in the valley of the Yangtze River, which drains the whole of central China. Because of the existence of this river, with its branches, it is possible to extend a very considerable degree of naval protection to our interests in that valley, whereas in other parts of that country such protection is necessarily limited almost entirely to the coastal regions. For many years it has been the custom of the powers principally interested in Chinese commerce—the United States, Great Britain, Japan, and France—to maintain a naval patrol upon the Yangtze River.

These vessels, constantly appearing at the various ports of central China, have served to evidence to the Chinese people the ability and purpose of the foreign governments to protect both their missionaries and their traders in the exercise of their legitimate treaty rights. Especially in the upper reaches of the Yangtze, between Ichang and Chungking, foreign merchant ships are constantly being fired upon by bandits and by irregular forces of Chinese provincial troops. Such conditions have resulted in a very considerable diminution of foreign prestige. The necessity, under such conditions, for the maintenance of an adequate naval patrol is obvious.

Addressing myself, however, to the general provisions of this bill, I come from the Empire State of New York. Our State pays 25 per cent of the taxes of this country. In Brooklyn, where I reside at the nether end of Long Island, we have an exposure of many miles of seacoast. We need this protection. We must have this insurance against any sort of foreign foe and it is for that reason that New York wants this bill to pass.

Mr. LAGUARDIA and Mr. McKEOWN rose.

Mr. CELLER. I yield to the gentleman from Oklahoma.

Mr. McKEOWN. Do you expect to use these river boats on the Hudson?

Mr. CELLER. No; I said, addressing myself to the main provisions of the bill with reference to getting a proper ratio of 5-5-3 for capital ships and 5-5-3 for cruisers, we must have this bill passed to give us an adequate Navy. I would not properly represent my district if I would not vote for this bill. My constituents want it and New York wants it. [Applause.]

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All time has expired.

Mr. CELLER. Mr. Chairman, I ask unanmous consent to extend and revise my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. CELLER. If I would be opposed to this bill providing for the alteration of the battleships *New York*, *Texas*, *Arkansas*, *Wyoming*, *Florida*, and *Utah* and for the construction of eight scout cruisers I would be lining myself up with Don Quixote and going out and fighting windmills. We are dealing with facts and not theory.

In answer to the arguments of the gentleman from Virginia [Mr. MOORE] and the gentleman from Texas [Mr. BLACK] I must say we are not dealing in eighteenth century philosophy but nineteenth century actuality. What say they to the fact with reference to cruiser tonnage the British Empire has built and is building 55 cruisers with a total tonnage of 298,370; that Japan is building and has built 28 cruisers with a total tonnage of 170,980. United States has 10 cruisers with a total tonnage of 75,000. With the proposed eight cruisers the United States would have a total tonnage of 155,000, and would still be far under Japan and extremely inferior to the cruiser power of Great Britain.

The disarmament conference provided a general ratio for capital ships of 5-5-3. That is, 5 for Great Britain, 5 for the United States, and 3 for Japan. By this same token there should be the same cruiser ratio. It has been estimated to get the United States up to that ratio it would be necessary to build probably 30 additional cruisers. This bill only asks for eight, and it must be remembered that the provisions of the disarmament treaty does not prohibit the building of auxiliary battleships like cruisers. Naval experts tell us we are long on submarines and destroyers, but woefully short on cruisers. Cruisers, because of their high speed and greater cruising radius, are essential for any sort of attack on the enemies' commerce vessels. Surely we still have in mind the great loss to allied commerce and the havoc caused in the early stages of the World War by the German light cruisers. All allied commerce in the beginning was practically swept from the seas.

It was only when these cruisers were sent forth from Great Britain and the Allies that the German cruisers were hunted down and destroyed.

I hope that another disarmament conference will be held for the limitation of building auxiliary ships like destroyers, cruisers, as well as airplanes; but until then we must have a Navy that will compare favorably, including cruisers, with the navies of Great Britain and Japan.

Furthermore, this bill does not provide for any expenditure of money; it is not an appropriation. It authorizes appropriation. The building of the ships will take years. If, meanwhile, the conference is called and limitation is set, the work can be interrupted and the plan need not be carried into full effect.

The battleships aforesaid, although capital ships, are such in name only. We want them titular in practice. It will cost $18,360,000 for the installation of additional protection against submarine attack, for the installation of antiair-attack deck protection, and for the conversion from coal to oil burning. If this work is not done these ships are practically obsolete, and they would be no match in any combat with similar ships of either Great Britain or Japan.

The cost of the building of the cruisers will be at the rate of probably $14,000,000 for each cruiser, including armament.

The disarmament treaty saved us probably from two hundred and fifty to three hundred million dollars a year. The expenditure authorized by this bill is well worth the price, all other things being considered.

The question was taken; and on a division (demanded by Mr. McKEOWN) there were—ayes 57, noes 119.

So the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 2, line 9, after the word "each," insert: "*Provided*, That the vessels herein authorized shall be constructed in Government-operated navy yards or shipyards."

Mr. HULL of Iowa. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The gentleman from Iowa offers a substitute, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa as a substitute for the amendment offered by Mr. LAGUARDIA: Page 2, line 9, after the word "each," insert a new paragraph, as follows:

"Vessels to be constructed or reconditioned by this act shall be constructed or reconditioned in the Government navy yards of the United States when time and facilities permit and when in the judgment of the Secretary of the Navy such construction or reconditioning would not involve an appreciable increase in the cost to the Government."

Mr. RAKER. A parliamentary inquiry, Mr. Chairman.

Mr. LAGUARDIA. A parliamentary inquiry, Mr. Chairman. I want to submit that the substitute offered by the gentleman from Iowa——

Mr. BLANTON. A point of order comes first.

Mr. LAGUARDIA. I make the point of order, Mr. Chairman, that the gentleman's substitute is not a substitute to my amendment, because the gentleman adds a new paragraph, while my amendment is an amendment to the present paragraph.

Mr. BLANTON. It is subject to a point of order because it interferes with the discretion which is given the Secretary of the Navy and to that extent is subject to a point of order.

Mr. LAGUARDIA. To which amendment is the gentleman addressing his remarks?

Mr. BLANTON. It interferes with the discretion of the Secretary of the Navy.

Mr. HULL of Iowa. Which one do you object to?

Mr. BLANTON. The amendment of the gentleman from Iowa.

Mr. HULL of Iowa. My amendment does not interfere with his discretion, but places the discretion with the Secretary of the Navy. It is absolutely the provision that was put on the naval bill.

The CHAIRMAN. The Chair is of opinion that this is a proper substitute because it relates to the same subject matter and the point of order is overruled.

The question is on the substitute offered by the gentleman from Iowa.

The substitute was agreed to.

The CHAIRMAN. The question is on the amendment as amended by the substitute.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 157, noes 22.

So the amendment as amended by the substitute was agreed to.

The Clerk read as follows:

SEC. 3. That the alterations to capital ships and the construction of new vessels under the authorization contained in this act shall be subject to the limitations prescribed by the treaty limiting naval armament, ratified August 17, 1923.

Mr. MONTAGUE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, after line 13, insert a new section as follows:

"SEC. 4. That in the event of an international conference for the limitation of naval armament the President is hereby empowered in his discretion to suspend in all or in part any or all alterations or construction authorized in this act."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. BUTLER. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8687, to authorize alterations to certain naval vessels and provide for the construction of additional vessels, and had directed him to report the same back with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BUTLER. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BRITTEN. Mr. Speaker, I desire to offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BRITTEN. I am.

Mr. McCLINTIC. Mr. Speaker, the opposition to the bill was from this side from the outset. I was the only member of the Naval Affairs Committee opposed to the bill from the beginning, and I therefore think I should be recognized to offer a motion to recommit.

Mr. BLANTON. I make the point of order that the gentleman from Illinois [Mr. BRITTEN] made an argument in favor of this bill.

The SPEAKER. That is not a point of order. The Chair recognizes the gentleman from Oklahoma to make the motion to recommit.

Mr. McCLINTIC. Mr. Chairman, I offer the following motion to recommit.

The Clerk read as follows:

Mr. McCLINTIC moves to recommit the bill to the Committee on Naval Affairs with instructions to report the same back forthwith with the following amendment: "Strike out section 2."

Mr. LONGWORTH. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. BRITTEN. Mr. Speaker, on what basis did the Speaker select the gentleman from Oklahoma to make the motion to recommit?

The SPEAKER. The Chair does not think he is obliged to answer that. [Laughter.] The Chair thinks that under the practice of the House the gentleman from Oklahoma should be recognized.

The motion for the previous question was agreed to.

The SPEAKER. The question is on the motion to recommit.

Mr. McCLINTIC. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 172, answered "present" 2, not voting 115, as follows:

YEAS—144

Abernethy	Arnold	Berger	Brand, Ohio
Allen	Ayres	Black, Tex.	Browne, Wis.
Allgood	Bankhead	Blanton	Browning
Almon	Beck	Box	Bulwinkle
Anthony	Begg	Boyce	Burtness
Busby	Hastings	McSweeney	Sanders, Tex.
Canfield	Hickey	Major, Ill.	Sandlin
Cannon	Hill, Wash.	Major, Mo.	Schafer
Christopherson	Hoch	Mansfield	Schneider
Clague	Howard, Nebr.	Milligan	Shallenberger
Collier	Huddleston	Moore, Ga.	Sherwood
Collins	Hudson	Moore, Ohio	Simmons
Cook	Hudspeth	Moore, Va.	Sinclair
Cooper, Wis.	Hull, Morton D.	Morehead	Sites
Cramton	Jacobstein	Morris	Speaks
Crosser	Johnson, Tex.	Morrow	Sproul, Kans.
Davis, Minn.	Johnson, W.Va.	Nelson, Wis.	Steagall
Davis, Tenn.	Jones	O'Connor, La.	Strong, Kans.
Dickinson, Iowa	Kearns	Oldfield	Summers, Wash.
Dickinson, Mo.	Keller	Parks, Ark.	Sumners, Tex.
Doughton	Kerr	Peavey	Swank
Dowell	King	Quin	Thomas, Ky.
Driver	Knutson	Rainey	Thomas, Okla.
Elliott	Kopp	Ramseyer	Thompson
Evans, Iowa	Kvale	Rankin	Tillman
Foster	LaGuardia	Rayburn	Underwood
Frear	Lanham	Reed, Ark.	Voigt
Fulbright	Lankford	Reid, Ill.	Ward, N. C.
Fulmer	Larsen, Ga.	Richards	Weaver
Gardner, Ind.	Leatherwood	Roach	Wefald
Garner, Tex.	Lowrey	Robinson, Iowa	White, Kans.
Garrett, Tex.	Lozier	Romjue	Williams, Tex.
Gasque	Lyon	Rouse	Williamson
Green, Iowa	McClintic	Rubey	Wilson, Ind.
Greenwood	McKeown	Sabath	Wolff
Hammer	McReynolds	Salmon	Woodrum

NAYS—172

Ackerman	Fenn	McFadden	Sanders, N. Y.
Aldrich	Fish	McLaughlin, Mich.	Schall
Andrew	Fisher	McLeod	Scott
Aswell	Fitzgerald	MacGregor	Seger
Bacon	Fleetwood	MacLafferty	Shreve
Barbour	Fredericks	Magee, N. Y.	Sinnott
Beedy	Free	Magee, Pa.	Smith
Beers	Freeman	Manlove	Smithwick
Bixler	French	Mapes	Snell
Black, N. Y.	Frothingham	Martin	Snyder
Bland	Fuller	Mead	Sproul, Ill.
Bloom	Gallivan	Merritt	Stengle
Boylan	Garrett, Tenn.	Michener	Stephens
Briggs	Geran	Miller, Wash.	Strong, Pa.
Britten	Gifford	Minahan	Swing
Brumm	Gilbert	Montague	Taber
Buckley	Glatfelter	Mooney	Tague
Burdick	Goldsborough	Moores, Ind.	Taylor, Tenn.
Butler	Graham, Ill.	Morgan	Taylor, W. Va.
Byrns, Tenn.	Graham, Pa.	Murphy	Thatcher
Celler	Griest	Nelson, Me.	Tilson
Chindblom	Hadley	Newton, Minn.	Timberlake
Clancy	Hardy	Newton, Mo.	Tincher
Cleary	Hawes	O'Connell, N. Y.	Tinkham
Cole, Iowa	Hersey	O'Connell, R. I.	Treadway
Colton	Hill, Ala.	O'Connor, N. Y.	Upshaw
Connally, Tex.	Hull, Iowa	O'Sullivan	Vaile
Corning	James	Oliver, Ala.	Vestal
Crisp	Johnson, S. Dak.	Oliver, N. Y.	Vinson, Ga.
Croll	Johnson, Wash.	Paige	Wainwright
Crowther	Jost	Peery	Wason
Cullen	Kent	Perkins	Watkins
Cummings	Ketcham	Perlman	Watres
Dallinger	Kiess	Porter	Watson
Darrow	Kurtz	Purnell	Williams, Ill.
Deal	Lazaro	Quayle	Williams, Mich.
Denison	Lea, Calif.	Raker	Wilson, La.
Dickstein	Leavitt	Ransley	Wingo
Drewry	Lindsay	Rathbone	Wood
Dyer	Lineberger	Reece	Woodruff
Eagan	Longworth	Reed, N.Y.	Wurzbach
Edmonds	Luce	Rogers, Mass.	Yates
Favrot	McDuffie	Sanders, Ind.	Zihlman

ANSWERED "PRESENT"—2

Humphreys	Ragon

NOT VOTING—115

Anderson	Fairchild	Lee, Ga.	Sears, Fla.
Bacharach	Fairfield	Lehlbach	Sears, Nebr.
Barkley	Faust	Lilly	Spearing
Bell	Funk	Linthicum	Stalker
Boies	Garber	Little	Stedman
Bowling	Gibson	Logan	Stevenson
Brand, Ga.	Greene, Mass.	McKenzie	Sullivan
Browne, N. J.	Griffin	McLaughlin, Nebr.	Sweet
Buchanan	Harrison	McNulty	Swoope
Burton	Haugen	McSwain	Taylor, Colo.
Byrnes, S. C.	Hawley	Madden	Temple
Cable	Hayden	Michaelson	Tucker
Campbell	Hill, Md.	Miller, Ill.	Tydings
Carew	Holaday	Mills	Underhill
Carter	Hooker	Moore, Ill.	Vare
Casey	Howard, Okla.	Morin	Vincent, Mich.
Clark, Fla.	Hull, William E.	Mudd	Vinson, Ky.
Clarke, N. Y.	Hull, Tenn.	Nolan	Ward, N.Y.
Cole, Ohio	Jeffers	O'Brien	Weller
Connery	Johnson, Ky.	Park, Ga.	Welsh
Connolly, Pa.	Kahn	Parker	Werts
Cooper, Ohio	Kelly	Patterson	White, Me.
Curry	Kendall	Phillips	Wilson, Miss.
Davey	Kincheloe	Pou	Winslow
Dempsey	Kindred	Prall	Winter
Dominick	Kunz	Reed, W.Va.	Wright
Doyle	Lampert	Robsion, Ky.	Wyant
Drane	Langley	Rogers, N. H.	Young
Evans, Mont.	Larson, Minn.	Rosenbloom	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. Ragon (for) with Mr. Vare (against).
Mr. Hull of Tennessee (for) with Mr. Spearing (against).
Mr. Stevenson (for) with Mr. Faust (against).
Mr. Robsion (for) with Mr. Fairchild (against).
Mr. Wilson of Mississippi (for) with Mr. Humphreys (against).
Mr. Pou (for) with Mr. Buchanan (against).
Mr. Brand of Georgia (for) with Mr. Tydings (against).
Mr. Kunz (for) with Mr. Gibson (against).
Mr. Howard of Oklahoma (for) with Mr. Connery (against).
Mr. Dominick (for) with Mrs. Nolan (against).
Mr. McSwain (for) with Mr. Curry (against).

Until further notice:

Mr. Lampert with Mr. Barkley.
Mr. Tilson with Mr. Taylor of Colorado.
Mr. Ward of New York with Mr. Logan.
Mr. Morin with Mr. Jeffers.
Mr. Swoope with Mr. Bell.
Mr. Fairchild with Mr. Vinson of Kentucky.
Mr. Connolly of Pennsylvania with Mr. Kindred.
Mr. Burton with Mr. Byrnes of South Carolina.
Mr. Little with Mr. Tucker.
Mr. Boies with Mr. Carew.
Mr. Cooper of Ohio with Mr. Linthicum.
Mr. Mills with Mr. Prall.
Mr. Underhill with Mr. Bowling.
Mr. Madden with Mr. O'Brien.
Mr. Patterson with Mr. Johnson of Kentucky.
Mr. Wyant with Mr. Wright.
Mr. Lehlbach with Mr. Doyle.
Mr. Kendall with Mr. Clark of Florida.
Mr. Winslow with Mr. Weller.
Mr. Michaelson with Mr. Rogers of New Hampshire.
Mr. Phillips with Mr. Lilly.
Mr. White of Maine with Mr. Stedman.
Mr. Stalker with Mr. Griffin.
Mr. McLaughlin of Nebraska with Mr. Lee of Georgia.
Mr. Hill of Maryland with Mr. Drane.
Mr. Winter with Mr. Evans of Montana.
Mr. Mudd with Mr. Hayden.
Mr. Sweet with Mr. Carter.
Mr. Welsh with Mr. Kincheloe.
Mr. Funk with Mr. Hooker.
Mr. Greene of Massachusetts with Mr. Casey.
Mr. William E. Hull with Mr. Browne of New Jersey.
Mr. Bacharach with Mr. Harrison.
Mr. Clarke of New York with Mr. Sullivan.
Mr. Campbell with Mr. Park of Georgia.
Mr. Sears of Nebraska with Mr. Sears of Florida.
Mr. Parker with Mr. McNulty.
Mr. Vincent of Michigan with Mr. Davey.

Mr. BUCKLEY. Mr. Speaker, my colleague, Mr. DOYLE, of Illinois, is unavoidably absent. If he were here he would vote "no."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. McCLINTIC. Mr. Speaker, on that I demand the yeas and nays.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Obviously there is a quorum present. The gentleman from Oklahoma demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 168, nays 138, answered "present" 3, not voting 124, as follows:

YEAS—168

Ackerman	Eagan	Leavitt	Porter
Aldrich	Edmonds	Lindsay	Purnell
Andrew	Favrot	Lineberger	Quayle
Aswell	Fenn	Longworth	Raker
Bacon	Fish	Luce	Ransley
Barbour	Fisher	McDuffie	Rathbone
Beedy	Fitzgerald	McFadden	Rayburn
Bixler	Fleetwood	McLaughlin, Mich.	Reece
Black, N. Y.	Foster	McLeod	Reed, N. Y.
Bland	Fredericks	MacGregor	Rogers, Mass.
Bloom	Free	MacLafferty	Sanders, Ind.
Boyce	Freeman	Magee, N. Y.	Sanders, N. Y.
Boylan	French	Magee, Pa.	Schall
Briggs	Frothingham	Manlove	Scott
Brumm	Fuller	Mapes	Sears, Nebr.
Buckley	Garrett, Tenn.	Martin	Seger
Burdick	Geran	Mead	Shreve
Butler	Gifford	Merritt	Smith
Byrns, Tenn.	Gilbert	Michener	Smithwick
Celler	Goldsborough	Miller, Wash.	Snell
Chindblom	Graham, Ill.	Mills	Snyder
Clancy	Graham, Pa.	Minahan	Sproul, Ill.
Cleary	Griest	Montague	Stengle
Cole, Iowa	Hadley	Mooney	Stephens
Collier	Hardy	Moores, Ind.	Strong, Pa.
Colton	Hawes	Murphy	Summers, Wash.
Connally, Tex.	Hersey	Nelson, Me.	Swing
Corning	Hill, Ala.	Newton, Minn.	Taber
Crisp	Hull, Iowa	Newton, Mo.	Tague
Croll	James	O'Connell, N. Y.	Taylor, Tenn.
Crowther	Johnson, S. Dak.	O'Connell, R. I.	Thatcher
Cullen	Johnson, Wash.	O'Connor, N. Y.	Tilson
Cummings	Jost	O'Sullivan	Tinkham
Dallinger	Kent	Oliver, Ala.	Treadway
Darrow	Ketcham	Oliver, N. Y.	Upshaw
Deal	Kiess	Paige	Vaile
Denison	Kurtz	Peery	Vestal
Dickstein	Lazaro	Perkins	Vinson, Ga.
Drewry	Lea, Calif.	Perlman	Wainwright
Wason	Watson	Wilson, La.	Wurzbach
Watkins	Welsh	Wood	Yates
Watres	Williams, Ill.	Woodruff	Zihlman

NAYS—138

Abernethy	Dyer	Lanham	Rubey
Allen	Elliott	Lankford	Salmon
Allgood	Evans, Iowa	Larsen, Ga.	Sanders, Tex.
Almon	Frear	Leatherwood	Sandlin
Anthony	Fulbright	Lowrey	Schafer
Arnold	Fulmer	Lozier	Schneider
Ayres	Gardner, Ind.	Lyon	Shallenberger
Bankhead	Garner, Tex.	McClintic	Simmons
Beck	Garrett, Tex.	McReynolds	Sinclair
Begg	Gasque	McSweeney	Sites
Berger	Glatfelter	Major, Ill.	Speaks
Black, Tex.	Green, Iowa	Major, Mo.	Sproul, Kans.
Blanton	Greenwood	Mansfield	Steagall
Box	Hammer	Milligan	Strong, Kans.
Brand, Ohio	Hastings	Moore, Ga.	Sumners, Tex.
Browne, Wis.	Hickey	Moore, Ohio	Swank
Browning	Hill, Wash.	Moore, Va.	Taylor, W. Va.
Bulwinkle	Hoch	Morehead	Thomas, Ky.
Burtness	Howard, Nebr.	Morgan	Thomas, Okla.
Busby	Huddleston	Morris	Thompson
Canfield	Hudson	Morrow	Tillman
Cannon	Hudspeth	Nelson, Wis.	Tincher
Christopherson	Hull, Morton D.	O'Connor, La.	Underwood
Clague	Jacobstein	Oldfield	Voigt
Collins	Johnson, Tex.	Parks, Ark.	Ward, N. C.
Cook	Johnson, W. Va.	Peavey	Weaver
Cooper, Wis.	Jones	Quin	Wefald
Cramton	Kearns	Rainey	White, Kans.
Crosser	Keller	Rankin	Williams, Tex.
Davis, Minn.	Kerr	Reed, Ark.	Williamson
Davis, Tenn.	King	Reid, Ill.	Wilson, Ind.
Dickinson, Iowa	Knutson	Romich	Wolff
Dickinson, Mo.	Kopp	Robinson, Iowa	Woodrum
Doughton	Kvale	Romjue	
Dowell	LaGuardia	Rouse	

ANSWERED "PRESENT"—3

Britten	Gallivan	Ragon

NOT VOTING—124

Anderson	Fairchild	Lehlbach	Sears, Fla.
Bacharach	Fairfield	Lilly	Sherwood
Barkley	Faust	Linthicum	Sinnott
Beers	Funk	Little	Spearing
Bell	Garber	Logan	Stalker
Boies	Gibson	McKenzie	Stedman
Bowling	Greene, Mass.	McKeown	Stevenson
Brand, Ga.	Griffin	McLaughlin, Nebr.	Sullivan
Browne, N. J.	Harrison	McNulty	Sweet
Buchanan	Haugen	McSwain	Swoope
Burton	Hawley	Madden	Taylor, Colo.
Byrnes, S. C.	Hayden	Michaelson	Temple
Cable	Hill, Md.	Miller, Ill.	Timberlake
Campbell	Holaday	Moore, Ill.	Tucker
Carew	Hooker	Morin	Tydings
Carter	Howard, Okla.	Mudd	Underhill
Casey	Hull, William E.	Nolan	Vare
Clark, Fla.	Hull, Tenn.	O'Brien	Vincent, Mich.
Clarke, N. Y.	Humphreys	Park, Ga.	Vinson, Ky.
Cole, Ohio	Jeffers	Parker	Ward, N. Y.
Connery	Johnson, Ky.	Patterson	Weller
Connolly, Pa.	Kahn	Phillips	Wertz
Cooper, Ohio	Kelly	Pou	White, Me.
Curry	Kendall	Prall	Williams, Mich.
Davey	Kincheloe	Ramseyer	Wilson, Miss.
Dempsey	Kindred	Reed, W. Va.	Wingo
Dominick	Kunz	Richards	Winslow
Doyle	Lampert	Robsion, Ky.	Winter
Drane	Langley	Rogers, N. H.	Wright
Driver	Larson, Minn.	Rosenbloom	Wyant
Evans, Mont.	Lee, Ga.	Sabath	Young

So the bill was passed.

The Clerk announced the following additional pairs:

On the vote:

Mr. Fairchild (for) with Mr. Robsion (against).
Mr. Vare (for) with Mr. Ragon (against).
Mrs. Nolan (for) with Mr. Dominick (against).
Mr. Gibson (for) with Mr. Kunz (against).
Mr. Spearing (for) with Mr. Hull of Tennessee (against).
Mr. Doyle (for) with Mr. McKeown (against).
Mr. Faust (for) with Mr. Stevenson (against).
Mr. Humphreys (for) with Mr. Wilson of Mississippi (against).
Mr. Buchanan (for) with Mr. Pou (against).
Mr. Connery (for) with Mr. Howard of Oklahoma (against).
Mr. Tydings (for) with Mr. Brand of Georgia (against).
Mr. Gallivan (for) with Mr. Sabath (against).
Mr. Curry (for) with Mr. McSwain (against).
Mr. Connolly of Pennsylvania (for) with Mr. Sherwood (against).
Mr. Sinnott (for) with Mr. Ramseyer (against).
Mr. Wingo (for) with Mr. Richards (against).

Mr. GALLIVAN. Mr. Speaker, did the gentleman from Illinois [Mr. SABATH] vote?

The SPEAKER. He did not.

Mr. GALLIVAN. On this roll call I voted "aye." I am paired with the gentleman from Illinois, Mr. SABATH, and if he were present he would vote "no." I withdraw my vote of "no" and answer "present." Also, if the gentleman from Illinois [Mr. DOYLE] were present, he would vote "aye."

Mr. RAGON. Mr. Speaker, I am paired with the gentleman from Pennsylvania [Mr. VARE]. If he were here he would vote "aye." I withdraw my vote of "no" and answer "present."

The result of the vote was announced as above recorded.

On motion of Mr. DARROW, a motion to reconsider the vote by which the bill was passed was laid on the table.

DESIGNATION OF SPEAKER PRO TEMPORE FOR NIGHT SESSION

The SPEAKER. The Chair designates the gentleman from Indiana [Mr. SANDERS] to preside at the session this evening.

COMPENSATION FOR INJURED EMPLOYEES OF UNITED STATES

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I present a conference report on the bill (H. R. 7041) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," for printing under the rules.

REREFERENCE

The SPEAKER. Senate bill 1656, granting the consent and approval of Congress to the La Platte River Compact, was referred by the Chair to the Committee on the Judiciary. The chairman of that committee and the chairman of the Committee on Irrigation and Reclamation agree that it should go to the latter committee, and without objection, the Chair refers it to that committee.

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 5078, the Interior Department appropriation bill, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. CRAMTON, Mr. MURPHY, and Mr. CARTER.

EXTENSIONS OF REMARKS

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, which I made yesterday on the District of Columbia bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAWES. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, by inserting therein an address delivered by me last evening on child labor.

The SPEAKER. Is there objection.

Mr. GARRETT of Tennessee. Is the gentleman still for it?

Mr. FOSTER. For it more than still.

The SPEAKER. Is there objection?

There was no objection.

EXTRAVAGANT APPROPRIATIONS FOR PUBLIC PARKS

Mr. LOZIER. Mr. Speaker, I desire to express my unqualified opposition to section 3 of the bill for the development of the park and playground system of the National Capital. I do not think this appropriation can be justified or defended under present conditions. It authorizes an appropriation, each year hereafter, in the annual District of Columbia appropriation act, of 1 cent for each inhabitant of continental United States, to acquire lands in and adjacent to the District of Columbia for public park purposes. One cent for each inhabitant of continental United States means $1,100,000 per annum. Why is this peculiar language used? Evidently to deceive the people and to minimize the magnitude of the expenditure. Why did not those who wrote the bill have the courage to say frankly that they were providing for an annual expenditure of at least $1,100,000 to acquire parks and playgrounds for the city of Washington? Why was this cowardly and evasive language used? I do not recall any such language in any other appropriation bill considered during the present Congress. This language is to fool the people. Obviously, the purpose in using this language is to leave the impression that the bill only carries a small appropriation, because it says that the amount shall be equivalent to 1 cent for each man, woman, and child in the United States. But an appropriation of 1 cent for each man, woman, and child in the United States means an appropriation of $1,100,000 annually, until the next decennial census, and thereafter by reason of the increase in the population the annual expenditure for this purpose will be very largely increased.

Now, I am not adverse to the creation of public parks, but in this period of nation-wide economic distress, it seems to me that this appropriation can not be defended by any person who desires to reduce taxation and practice economy in governmental matters.

This bill contemplates the expenditure of at least $1,100,000 each year for raw land. Much of the land that will be acquired is rough, hilly land adjacent or near the city of Washington, which land is now unimproved and is not suitable for residential purposes—land that has not heretofore been utilized and which can not be utilized very advantageously for commercial purposes. If this bill becomes a law, large tracts of land that are practically worthless for commercial or other purposes will be sold to the Government at extravagant prices—prices largely in excess of the market or potential value of the land in question. This bill will afford a bunch of real estate speculators an opportunity to unload on the Government numerous tracts of rough, hilly land in the District of Columbia, and in the States of Virginia and Maryland, that is not suitable for commercial or residential purposes, and which can not be made available for park purposes without the expenditure of large sums of money which must ultimately be drawn from the Public Treasury.

Please understand that this $1,100,000 per annum is for the purchase of the "raw land." Millions of dollars additional will be required to construct roads through these lands, beautify the parks, and otherwise transform these unsightly hills into public parks. In my opinion, if this bill becomes a law, it will ultimately result in the expenditure of from twenty to fifty million dollars, and probably more, for parks and playgrounds in and around the city of Washington.

It will be observed that this is to be an annual expenditure—an interminable policy; not for 1 year, 5 years, 10 years, or 20 years, but for all time, under the specific language of this bill. I call to your attention the fact that amendments have been offered to-day to limit the expenditure to 5, 10, or 20 years, and all of these amendments have been voted down. So I am justified in asserting that this bill establishes, as a permanent policy of the Government, the expenditure of at least $1,100,000 annually for land for park purposes, for the city of Washington, for an indefinite term of years, which means, of course, that as much more will be required and appropriated each year to transform these unsightly hills into public parks.

Another pending bill which was reported to the House during the closing days of this session calls for an expenditure for naval purposes of approximately $150,000,000, in addition to approximately $300,000,000 carried by the regular naval appropriation bill. If that naval bill and this public park bill pass the House and Senate and are not vetoed by the President, I am convinced that the two acts will extract from the Treasury, in course of time, approximately $200,000,000. I can not and will not vote for or give my approval to this extravagant and profligate disbursement of public funds at a time when agriculture, the greatest basic industry in our Nation, has been bled white by the operation of economic forces, largely set in motion and now largely controlled by the Federal Government.

It seems that Congress has no money to assist in the rehabilitation of American agriculture, but it has millions to expend on parks and playgrounds in and adjacent to the city of Washington, and can also find hundreds of millions of dollars to expend for battleships, arms, and armament for our Navy.

Is this economy and tax reduction? There is no pressing demand at the present time for these public parks. Business conditions are far from satisfactory. The agricultural classes of this Nation are in dire financial distress. They are unable to sell their commodities at anything like the cost of production. Most of them are living off of the earnings and accumulations of former years, and millions have lost their farms and been compelled to seek employment in the great cities and industrial districts. "Big business" is prosperous, but the "small fellows" are dangerously close to insolvency. Why add to the already unbearable burden of taxation?

The people of Washington and the District of Columbia, in view of the present economic conditions, should not expect Congress at the present time to authorize this tremendous expenditure, the funds for which must be collected in the form of taxes from the people of the United States. This section authorizes this appropriation each and every year. It is extravagance of the most reckless and profligate kind. I do not see how any Representative or Senator can vote for this proposition and then return to his constituents, look them in the face, and defend his vote. If this bill ever reaches the President he should veto it; and he will veto it if he really wants to reduce taxes and promote economy in public affairs. There

will never be any substantial reduction in Federal taxes as long as Congress votes appropriations like those carried by this bill.

AUTHORIZING ALTERATIONS TO CERTAIN NAVAL VESSELS

Mr. HAWES. Mr. Speaker, I am not what is called a "big Navy" man. I am an "efficient Navy" man.

Until there is an international agreement, clearly understood and entered into in good faith, the American Navy, ship for ship, gun for gun, and man for man, ought not to be excelled by any navy in the world.

The danger to an inefficient navy arises from an ill-considered propaganda.

In fact, propaganda by small groups, who usually hear but one side of a discussion, and are manipulated by a few individuals, is endangering not only the Navy but all of our Government agencies.

Some man or woman in New York sends a resolution to be passed by various organizations throughout the country. Then some agreeable lady or some pleasing gentleman introduces the resolution and, without proper consideration or discussion, it is passed and used to frighten the Congressman. He does not hear from the other side, and unthinkingly he commits himself to a program before he has heard discussions or debates on the subject.

The Navy has its uses in peace as well as in war.

If we understand the characteristics of the nations of the earth, we know that it will be many years before they will accept the doctrine of comity and brotherly love.

The influence which a competent Navy has upon our foreign commercial trade is underestimated.

I entered a port in Spain some years ago and was told that it was the first time in over 30 years that an American Government vessel had entered that harbor. Our flag attracted attention; merchants spoke to me about it. That one visit made a trade opening for our country.

And so it is throughout the world.

If we are to have a successful merchant marine to carry the surplus products of our Nation, the dignity of that merchant marine will be enhanced and advanced by an efficient Navy.

The question of a disarmament in good faith is one thing, but there is another side of the question. We must have our sea patrols to ascertain whether it is being done in good faith or whether disarmament is merely a camouflage behind which other nations are preparing for war.

We should know whether disarmament is being honestly brought about. The only way we can know is through the eyes of the Navy. It will not be deceived.

Essentially the Navy to-day is a matter of science.

Scientific naval warfare can not be perfected overnight or by the mustering of men, or by a draft. It takes years to build a battleship and months to build a cannon, and each year changes are coming.

Not only ought the full ingenuity of the American people be applied to this subject, but every improvement made by foreign nations should be examined and where found useful applied to our own sea patrol.

This costs money, but the amount of money for maintenance is comparatively so small, the sense of security is so great, and an increased commerce so essential that we must preserve in the Navy that same efficiency, that same up-to-date equipment, that we expect from other departments of the Government.

An efficient Navy has always been advocated by both of the great parties.

Personally, in my votes in Congress I shall be guided largely by the scientific, intelligent reports made by experienced naval officers. This does not mean that I will favor large investments in a competitive armament program, but that those things which we do shall be of the very best and of the very latest improvement.

We need not fear the personnel of the Navy. Annapolis is probably the greatest university in the world. The officers who come out of Annapolis and serve in the Navy are selected from every congressional district in the United States. They are efficient, patriotic, and well trained.

In matters which apply to the Navy, let us sometimes give consideration to skilled and trained advice and not be carried away by sentiment created by a propaganda which is ill-advised an uninformed.

With the exception of our own Civil War, nearly all of our national struggles came out of the sea.

England's conduct upon the sea in her treatment of her colonies had as much to do with bringing on the Revolution as any other cause, and we must not forget that the American Army, through its heroic struggles, short of ammunition, short of food, short of clothes, found its ultimate success at Yorktown; and that outside of Yorktown floated the French Navy, which had just fought a drawn battle with the great English fleet in the West Indies and cut off the food supplies and hope of assistance for Cornwallis; so that in the ending of that heroic struggle it may be said with truth that it was warships on the sea that brought it to a successful conclusion.

Out of the sea came the War of 1812. It was again the treatment of our citizens upon the high seas that brought on that war.

Across the sea came the trouble—at least, one of the great causes of the Mexican War, by encouragement given to Mexico by oversea potentates.

From an island near our shores—a day's sailing by the sea—is Cuba, and out of Cuba (the sea island) came the cause of the war with Spain.

Out of the sea came at least the immediate and legal causes of the war with Germany and Austria.

While we fought the war that democracy might survive throughout the world, it was the sinking of the *Lusitania* and the German blockade at sea which gave us the right to enter.

God grant that there will never be another war; but if it comes, it will come out of the sea.

We have taken over the guardianship of the Philippines, whose little brown men are our wards, and there are other little brown men on the other side of the Pacific who would like to take our place.

There is the strategic point of Hawaii, halfway between North America and Asia, which may be the scene of the greatest naval battle in the world.

There is Alaska, our new and developing territory, where we are building railroads, opening mines, developing farms, and preparing it for a great civilization. It can only be reached by the sea.

On our Atlantic coast our relations with Cuba are almost those of a sister State.

Porto Rico belongs to us. To-day American marines are keeping the peace and instilling respect for law and order in Haiti.

To the south, the great Panama Canal holds the key to North and South America, and is the short link that ties the Atlantic and the Pacific together.

With the great Atlantic seaboard and the great Pacific seaboard open to attack, the part that the Navy plays in the protection of our Nation can be at once understood.

American's first line of defense will always be its State Department and diplomacy; but the second line and immediately back of the State Department is the Navy.

The Navy carries our diplomatic correspondence abroad; it preserves the dignity and the prestige of our Nation in times of peace. In time of war, it is the first-line defense. No foreign foe can ever hope to reach America without first defeating our Navy upon the sea.

Our friendly neighbor to the north and our friendly neighbor to the south are wholly impotent to even alarm the serenity of our country in case of war. To create a situation which would cause any apprehension, it would be necessary for these neighbors to import large armies from Europe or Asia, and these armies could not come if we maintain the efficiency of our Navy.

The citizen of the great Middle West may say "In the heart of the country we do not need a Navy." Let me say to him: While an invading army would have difficulty crossing the Alleghenies on the east or the Rocky Mountains on the west, the true course of invasion would be up the Mississippi from New Orleans or down the Mississippi from the Great Lakes.

It was up the Mississippi that came the Spaniards, with their sword and their cross, and it was down the Mississippi that came the Jesuit fathers, from the Great Lakes, and if an invading army ever reaches the center of our continent it will be along the lines traveled by the early Spaniard and the early French.

When we invited England and Japan to join with us in a naval holiday for 10 years on a 5-5-3 basis, many people presumed that this meant that Great Britain and Japan, joining with the United States, would reduce the size of their navies upon this agreed ratio.

This agreement did not do this. It merely limited the building of what is called capital ships, the giant monsters of a navy. It does not curtail the building of cruisers, second-class

battleships, submarines, airplanes, and the newer engines of war. It was a limitation solely and exclusively upon the big monsters.

The question whether these capital ships are to-day the most efficient instruments of war is debatable. Necessarily limited in number, they may be destroyed by one bomb from a bombing plane.

Scientific men differ on this subject.

It may be that the fast cruiser, the submarine, and the airplane may make the most effective instruments of war, and there are no limitations under the 5-5-3 agreement upon their building by any of the nations of the earth.

It is well for the American public to understand this matter clearly and to know that the 5-5-3 agreement is only a very small part of the question of efficient naval equipment.

What do we want for our Navy? Not that it shall be the greatest in number of ships or men, but that it shall be for its size, ship for ship, gun for gun, man for man, the most efficient in the world. So efficient, in fact, that if it is necessary to fight our 5 can whip the other. Or, better still, that our 5 can whip the other 8.

This will never be necessary if we let the other 5 and the other 3 know that while we have no disposition to fight, if it comes we have the efficiency that spells victory.

Political history shows that from Washington to Coolidge the long line of Presidents, both Democratic and Republican, the traditional policy of all of our Presidents and both of our great political parties has been for an efficient Navy. And I was much impressed when reading the words of that great chieftain of union labor, Samuel Gompers, speaking for the laboring men of this country in eulogistic terms for an efficient Navy.

In the islands of the Atlantic and Pacific and in the republics to the south of us American trade is growing by leaps and bounds. War conditions in Europe have made new customers for our people and, strange as it may seem to an American with his traditions of peace, the Navy goes with trade in a large number of countries.

The bluejacket on shore breeds respect, respect begets confidence, and confidence brings customers. So that I personally am convinced that much of our peaceful trade is effected in a large degree by the American flag that flies in the ports of our customers.

The immediate subject before the House is not to increase the size of our Navy, but, under the international agreement with England and Japan, the so-called 5-5-3 agreement, we are asked by the trained officers of the Navy, men who have devoted their entire lives to the study of the subject, to make our 5 a perfect and efficient 5. That is all this bill means.

Is there a red-blooded man or woman in all America who wants our 5 to be a 4 or a 3?

The money for this improvement will not be paid out immediately; it will take six years to make our 5 the perfect 5.

We do not want more ships than other nations, but those we have must be the "last minute" in perfection.

I have no apologies for voting for taxpayers to pay to make our 5 the best 5 in the world. Let us save in other directions. We are seeking foreign markets for our surplus products. We expect to carry this surplus production in American bottoms; in ships flying the American flag, and in each port in the world where England flies her flag and where Japan flies hers our merchants, our farmers, our beef growers, and manufacturers want to see the union jack on a cruiser which can travel as fast, shoot as fast and as far as any other nation represented in the disarmament conference.

Too many men crossed the ocean during the World War, too many men wore the Government uniform, to let the mollycoddles control or the pacifists direct a Navy program, which, in its last analysis, now means only equality.

CHILD LABOR

Mr. FOSTER. Mr. Speaker, under leave granted to extend my remarks I insert an address delivered by me on May 27, 1924, at Washington, D. C., before the Twentieth Annual Conference on Child Labor, on the subject "What kind of a child labor law should Congress pass," which is as follows:

WHAT KIND OF A CHILD LABOR LAW SHOULD CONGRESS PASS?

The child labor law which should be enacted, if the amendment passes, ought to make concrete the purposes of the amendment that the Federal law should fix minimum standards and the States should be enabled to (1) cooperate with the Federal Government in the administration and enforcement of the Federal standards, and (2) pass and enforce State laws fixing higher standards and standards along different lines from those of the Federal laws.

We could probably not expect a Federal law to embody the highest standards which any one State has enacted but would attempt to establish such relatively conservative minimum provisions as public opinion throughout the country would generally indorse as an American standard.

1. WHAT ARE THE POSSIBLE NATIONAL MINIMUM STANDARDS?

"What are the minimum standards which public opinion in the United States to-day would incorporate in a Federal statute?" will be the practical question before Congress. In spite of great diversities in the child labor laws of the 48 States, the developing tendencies in the various States are clear. In general, the laws set up standards as to age, education, and physical fitness which a child must attain before he can be employed in certain specified occupations; they regulate the hours during which he may work during the first few years of employment; and they prohibit him from working at certain hazardous occupations. The enforcement of these laws is through a work-permit system, usually administered by the local public-school officials, and through inspection of places of employment by representatives of the departments of labor.

1. AGE STANDARD

With reference to an age standard, public opinion in the majority of the States has resulted in the enactment of laws fixing an age minimum of 14 years or over for work in factories, stores, and numerous other kinds of employment in which the hazards are not regarded as unusually great, and an age minimum of 16, and for some occupations in many States 18 and even 21 years of age in employment in occupations which are recognized as specially dangerous to life or limb or injurious to health or morals.

A considerable number of these States have exemptions of one kind or another permitting children under 14 years of age to work under certain conditions in mills and factories, and it is in part because of these inequalities that we believe that Federal legislation is needed. For example, while 45 of the 48 States have a nominal minimum age of 14 for work in factories only 28 States have a minimum age of 14 in both factories and canneries, without exemptions, which was the standard set by the former Federal laws. The overwhelming tendency as indicated by present-day legislation is undoubtedly in favor of a minimum at least as high as 14 years. The two Federal laws held unconstitutional established a 14-year minimum, without exemptions, for work in factories, mills, canneries, workshops, and manufacturing establishments.

Because of the fact that its authority was based upon the power of Congress to regulate interstate and foreign commerce it was possible to include under the first Federal child labor law only industries the products of which were subject to shipment from State to State, and the provisions of the second Federal law were patterned directly upon the first. Many occupations recognized to be just as much in need of control as these—for example, stores and offices—were thus, of necessity, unaffected by the former Federal laws. To what extent the application of a future Federal law should be extended to cover these other occupations can not be determined in detail at the present time, but here again the law should properly follow the prevailing tendency found in the State laws. Certain occupations, such as farm work and housework in or about the child's own home, to which at the present time few State laws specifically apply, should not be included in any Federal law which would be enacted upon the ratification of the amendment.

With reference to an age limit for especially hazardous occupations, many States have already fixed a minimum age of at least 16 years for employment in specified occupations other than work in mines and quarries, the only occupations to which the 16-year age minimum of the former Federal laws applied. It might be, therefore, that public opinion would require of Congress the extension of this provision to some additional occupations, the extra hazardous nature of which has been proved beyond doubt, but from the dangers of which some States still deny protection to their children. Examples of such occupations are those in which poisonous acids are used, or in which injurious gases or dusts are produced, work in blast furnaces, operating dangerous machinery such as power presses and steam engines.

2. MAXIMUM HOURS OF NIGHT WORK

The principle of the 8-hour day and 6-day week and of the prohibition of night work for minors under 16 employed in mills and factories which were written into the first and second Federal laws would probably form an integral part of a new Federal statute, although it would seem desirable in addition to limit the working week to 44 hours, thereby insuring to the children a Saturday half holiday, as is done by the new child labor law of Virginia. The 44-hour week, in fact, is beginning to be recognized in progressive industries as a desirable minimum, not only for children but adults.

If, as has been suggested, the minimum-age standards are extended to cover a wider range of occupations than was possible under the

former Federal laws, any provisions enacted relating to maximum hours of labor and to night work should likewise apply to a larger group of occupations.

8. EDUCATIONAL AND PHYSICAL STANDARDS

While no educational or physical requirements were incorporated in the first two Federal laws, the tendencies of State legislation along these lines are so clear that there is likely to be a demand for the inclusion of some conservative minima along these lines in a new Federal law. Thirty-eight States have some sort of an educational minimum and 29 either a mandatory or an optional physical minimum.

The need for an educational minimum was especially brought out while the first child labor law was in effect. In the first five States in which Federal certificates of age were issued by the Children's Bureau (four of which are still in 1924 among the States having no educational minimum and one of which has no educational requirements other than a certain amount of school attendance in the preceding year) more than half of the 19,696 children receiving Federal certificates (56.2 per cent) were in or below the fourth grade, 3.2 per cent had not gone beyond the first grade, and 188 children had never been to school at all. On the other hand only 2.9 per cent were in the eighth grade and 1.3 per cent in the ninth or higher grades when they applied for certificates. (Administration of the First Federal Child Labor Law, Children's Bureau Publication No. 78, p. 42, 1921.)

In addition, the record of the United States as to illiteracy compares unfavorably with that of other civilized countries According to a statement published by the National Educationl Association "the latest figures made available by Mrs. Cora Wilson Stewart, chairman of the illiteracy commission, show that the United States ranks tenth among the advanced nations of the world in its percentage of illiteracy."

Country	Percentage
Germany	0.2
Denmark	.2
Switzerland	.5
Netherlands	.6
Norway	1.0
Sweden	1.0
Scotland	1.6
England and Wales	1.8
France	4.9
United States	6.0

It would seem that in a new Federal law an educational standard of completion of perhaps the fourth or fifth or sixth grade ought to be possible as a beginning. Half the States already have a sixth-grade standard or higher.

Enforcement of a physical fitness standard, it is true, presents greater administrative difficulty. Great progress, however, has been made in recent years in the child health fied, and as the need of protecting the health of young people during the adolescent period is so obvious, it is to be hoped that such a standard can be included. Such reports of physical examinations of children going to work as are available indicate that from approximately one-third to two-thirds of the children examined have physical defects which should be corrected before the children go to work.

11. ADMINISTRATIVE PROVISIONS

Finally, I want to speak very briefly about the administrative provisions of the law. These are of fundamental importance, since the method of administration will determine whether the children really get the benefits of any legislation which may be enacted. It is important that the State enforcement machinery be strengthened and developed, not only to cooperate in the enforcement of the Federal law, but also to enforce all State standards which may be higher or lower but are not in direct conflict with the Federal standards. Under the first Federal act, all State officials charged by statute with the administration of a State child labor law were commissioned to assist in the enforcement of the Federal act and much assistance was given by State inspectors in connection with the Federal enforcement program. Effective and sincere cooperation of State officers in enforcing the Federal standards can, it is believed, be secured if the Federal act makes possible acceptance of work certificates issued by State authorities and allows the State officers to initiate prosecution under the Federal law if they desire to take certain cases into the Federal courts. This was possible under the two former acts. The Conference of State Labor Officials, which met last week in Chicago, has again gone on record as to the usefulness of such resources both in increasing respect for existing State standards and in educating the public to the importance of strengthening State machinery.

State experience has demonstrated that only if no child is employed without a work certificate, and if no work certificate is issued except upon reliable evidence that the child is legally qualified to work, will the age, educational, and physical standards of a child labor law be evenly and uniformly enforced. With a good certificating system, inspection serves as little more than a reenforcement of respect for the certificate by both employer and child. To avoid the expense and inconvenience to the child, the employer, and the Government, of a double-certificate system, it is important that the law we are to pass when this amendment is ratified should make possible that the Federal authorities may, wherever possible, accept State certificates for the purposes of the Federal act.

In other words, I see in this amendment the foundation for Federal and State cooperation in the protection of American children. The resources of both will not give to American children more than we owe them.

THE DEMOCRATIC PARTY ALWAYS HAS BEEN THE CHAMPION OF HUMAN RIGHTS AND LIBERTIES

Mr. McCLINTIC. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following speech, which will be delivered by my colleague, the Hon. TOM D. McKEOWN, under the auspices of the Chamber of Commerce at Winfield, Kans., on June 12, 1924:

Mr. Chairman, ladies, and gentlemen, the birth of the Democratic Party in this Republic was a natural result of conditions of those times.

The Democratic Party began its career as the party of the masses. The times and traditions of government of that day were unfavorable to the masses, and it was the task of the Democratic Party to change those laws and traditions so as to give the citizen the possession of his just rights.

Thomas Jefferson said of the party that "the cherishment of the people was its principles."

One of the great outstanding features of the Democratic Party is that it sprang from no particular policy but from the elemental and embracing conception of equal rights to all; that this has uniformly been its unchanging doctrine; that its attitude toward conditions and questions has characteristically been so independent of special class control or favor as to render it a party unattractive to selfish interests, as well as undesirable to people who believe in the old theory that the Government is the heritage of "the rich, the well born, and the able."

Without this party the great Bill of Rights would never have been placed in the Constitution.

It was founded by Jefferson, the great lover of mankind, and through all of its 133 years it has been the champion of human rights and human liberty. For over 40 years it was returned to power by the people of the country at each election by enormous majorities, and only lost its control in American politics when its leaders, like Stephen A. Douglas, failed to champion the great moral question of his day. This lack of moral leadership on his part when he said, "It was immaterial whether you vote the slavery question up or down," that lost the Democratic Party the support and confidence of the people of the United States.

Some of the principles of the party which have become axiomatic are:

> "Equal and exact justice to all and special privileges to none; implicit confidence in the capacity of the people to govern themselves; that the will of the majority shall rule, and that this is the natural law of society and the only sure guidance of the rights of men."

The Democratic Party has championed from the outset of its history—

> "Supremacy of the civil over the military authority; economy in public expense, that labor may be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture and of commerce, its handmaid; the diffusion of information, and the arraignment of all abuses at the bar of public reason; freedom of religion, freedom of the press, freedom of speech, freedom of assembly, and freedom of person under the protection of the habeas corpus; and trial by jury impartially selected."

These are some of the things for which our forefathers died and for which our starved and half-clad soldiers of the Revolution left their bloody footprints upon the snow of Valley Forge. These are some of the heritages handed to us by the founders and the adherents of this great political party that has existed longer than any other political party in the history of the world.

In 1828 the decisive success of Andrew Jackson at the polls was at the hands of the plain, common people, because an aristocracy had arisen in the older States consisting of the aristocratic landowners of the South and the professional aristocrats of New England, both of which smacked of the Old World taste for privilege and for authority; but in the election of the militant and progressive Democrat, Andrew Jackson, the common people returned into power.

Andrew Jackson was the first President at whose inauguration the common people attended en masse and felt welcome to enter the White House with freedom. He won the greatest fight for the American people as against predatory interest in control of the Government that has ever been won in the history of American politics. His victory over the United States Bank has never been paralleled. That institution was taking advantage of the special privileges granted it

by the Government to grind its wealth out of the people. Old Andy put the crooks out of business and restored the people to their rights.

There have been many fights staged since that day for the people against special privilege, but no victory so overwhelming has ever been won for the people in such a contest.

That great Democrat had a stormy career, but won immortal fame as the champion of the people's rights, and may his ashes rest in peace.

The Republican Party had its birth in opposition to human slavery, and commenced its career as a great moral factor, but shortly after its origin it departed from the high ideals that gave it birth and became a party of materialism, and began immediately to degenerate into a party of patronage and special privilege.

The Republican Party after it abandoned the high principles upon which it was established became the recipient of great monetary contributions for its political campaigns, and the contributors following the instinct of all selfish interests made contributions to the Republican Party because it was in power, with full confidence that the contribution would return like "bread cast upon the water," but not many days hence.

The Republican Party surrendered to the control of the selfish and, having adopted a policy of placing property above people and the dollar above the man, this policy led ultimately to corruption and fraud.

Shortly after the election in 1872 there was an outbreak of scandals which were brought to light through investigating committees of the Congress of the United States.

I wish to mention the Credit Mobilier scandal, in which it was shown at the hearings before the committee that shares of stock in a corporation formed to construct the Union Pacific Railroad had been disposed of to Members of both Houses of Congress to secure friendly legislation for the construction of the railroad.

When the Democrats won the House of Representatives a "whisky ring" was discovered, in which, through collusion between distillers and revenue officers, the Government had been defrauded out of millions of dollars, and which ended in the trial of numerous persons, among them the private secretary of President Grant who, however, was acquitted, and this was followed by the impeachment of the Secretary of War for selling a post tradership at Fort Sill, and he escaped conviction by resigning.

This condition in the Government at that time can be compared with conditions of the Government at the present time.

As to those conditions I call your attention to the speech of Senator Hoar, a Republican Senator, made on May 6, 1876, in which he said:

> "My own public life has been a very brief and insignificant one, extending little beyond the duration of a single term of senatorial office. But in that brief period I have seen five judges of a high court of the United States driven from office by threats of impeachment for corruption or maladministration. I have heard the taunt from friendliest lips that when the United States presented herself in the East to take part with the civilized world in generous competition in the arts of life the only product of her institutions in which she surpassed all others beyond question was her corruption. I have seen the chairman of the Committee on Military Affairs in the House, now a distinguished member of this court, rise in his place and demand the expulsion of four of his associates for making sale of their official privilege of selecting the youths to be educated at our great military school. When the greatest railroad of the world, binding together the continent and uniting the two great seas which wash our shores, was finished I have seen our national triumph and exultation turned to bitterness and shame by the unanimous reports of three committees of Congress—two of the House and one here—that every step of that mighty enterprise had been taken in fraud. I have heard in highest places the shameless doctrines avowed by men grown old in public office that the true way by which power should be gained in the Republic is to bribe the people with the offices created for their service and the true end for which it should be used when gained is the promotion of selfish ambition and the gratification of personal revenge. I have heard that suspicion haunts the footsteps of the trusted companions of the President."

No Democrat has ever been compelled in the history of the party to draw such a picture of a Democratic administration.

The control of the Government is a secondary matter as compared with the basis of government, because the basis of government rests upon the spirit and course of political parties in their declarations of public policy. It is not a conclusive reason to place a party in power simply because it may be competent, but the policy of the party must also be for the best interests of the masses of the people. One of the greatest tests of a party is its ability to react from defeat and to maintain its integrity and opposition.

Although the Democratic Party went to successive defeat from the day of James Buchanan to that of Grover Cleveland, yet it was able to keep its party organization intact and to disclose the corruption of the Republican Party in power.

Grover Cleveland was maligned and abused for the panic which occurred in his second administration, but for which his administration was not responsible. He was discredited because his administration failed to grasp the needs of the masses and to check the greed of the money power. The present situation in the United States is very similar to those days.

After 16 long years of Republican misrule, through a split in the Republican Party, the Democrats returned into power nationally through the election of that greatest exponent of democracy, Woodrow Wilson.

Under his leadership the Democratic Party wrote its greatest history, and under his leadership many humanitarian laws were enacted protecting labor in her rights, the farmer in his pursuits, and industry in its progress. No law for the benefit of the masses of the people during all of the 40 years the Republican Party controlled the Government was written upon the statute books of the Nation.

In all of their unjust criticism leveled at the Democratic Party the Republican Party upon assuming full control of the Government never dared to repeal a single one of these beneficent laws.

On the outbreak of the war President Wilson became the Commander in Chief of the Armies and Navy of the United States. He successfully conducted the greatest war this country ever engaged in, and under him the soldiers of the United States never lost a battle and never suffered defeat.

After the conflict was over and the armistice was signed he undertook the gigantic problem of trying to safeguard the peace of Europe and the world, and through his masterful efforts and great mind there was written a treaty at Versailles which will challenge the thought and admiration of men yet unborn.

He gave his life for the liberty of the world and the preservation of its peace. His traducers can rail, but no words from tongue or pen can ever detract from the effulgent halo that will hang over the name Woodrow Wilson among all people of the earth throughout all of the ages.

Certain protected manufacturers have contributed enormous sums to the Republican campaign fund, and the amounts have grown from campaign to campaign until it has become an enormous amount.

In return the Republican Party has espoused the cause of high protective tariff as one of its fundamental principles of government, a policy which grants special privileges to these contributing industries of the country, and thus gave them the opportunity to levy tribute on the masses of their fellow citizens. It is a policy of injustice, a thing which destroys all self-reliance, one of our fundamental purposes of government, and when carried to its ultimate conclusion means the prohibition of all imports from foreign countries.

Immediately after coming into power in 1920 the Republican Party, in order to help the campaign contributors, passed the most infamous robber tariff bill, known as the Fordney-McCumber bill, that has ever been fostered upon a free people. It robs the cradle and the grave. It takes tribute to the amount of over $3,000,000,000 a year from American citizens and only puts $500,000,000 in the United States Treasury; thus it requires our "poor relations" in the Old World to pay a goodly portion of our own taxes.

Quoting from Mr. H. E. Miles, chairman of the Fair Tariff League:

> "The present tariff hits women and farmers harder than any; it crucifies these two groups, farmers and women—farmers, by reducing the purchasing power of their products until 'the farmer's dollar is a 75-cent dollar,' and by severely restricting their foreign markets; women, by declaring everything they wear a luxury and taxing it as if its purchase were a sin. It would compel women to dress as severely as men, ignoring the requirement of all the ages that women adorn themselves with things of modest beauty for the joy of the world and as an outward token of their inner loveliness. It is brutal to tax their things from 60 to 90 per cent, leaving only the rich to use beautiful things from abroad of slight initial cost, and to make American retail prices sometimes five times the foreign costs.
>
> "As an illustration of this infamous bill, I call attention to an example:
>
> "Two gowns purchased in Paris for $52.50 each were brought to Chicago by an importer, and it cost him a tariff of $58.50 per gown, in addition to a transportation charge of $4. The gowns were offered at retail in Chicago for $150 each, so that the manufacturer in this country received $58.50 protection on each gown, or $6 more than the original cost of the gown in Paris.
>
> "The present tariff is a betrayal of the principle of honest protection. It adds $216,000,000 to our annual sugar bill and $300,000,000 to our wool clothing.
>
> "It doubles the previous adequate duty on many common ginghams used for aprons, shirts, and dresses. It adds $4 to $5 each, or $120,000,000, to women's tweed coats and suits, of which 30,000,000 are bought annually. All told, it adds annually $2,500,000,000 to the prices of the general merchandise that fills our stores.

"This tariff is a principal reason why, as Prof. Irvin Fisher says, a $20-a-week salary goes no further now than $12 before the war.

"It has about as much relation to fair protection as robbery to honest work."

The Democratic Party has always stood for revenue for support of the Government, and it believes in tariff for revenue purposes, but it is unutterably opposed to giving special privileges to special interests of the country by granting them an unreasonable protective tariff rate.

Through political parties is the only way a citizen can render service to one's country. This is the readiest and most effective means. The people do their political work through the agency of political parties; then it follows that political parties are the potent factors in developing political career.

Men as a rule inherit to a large measure their politics from their father or grandfather, but not so with the women of to-day. The voting job was suddenly awarded her, and the first thing that women desire to know when permitted to enter the political arena is "how to vote right."

Therefore the women of the Nation should affiliate with the party of their choice and exercise their political activity in and through some political party. An understanding of what the differences are between the political parties should determine which one to be aligned with and supported.

The Democratic Party should appeal to the women of the country on account of its unwavering stand for the rights of humanity. Every great humanitarian law written upon the statute books of the United States has been first championed by the Democratic Party and in nearly every instance written into the law by the hands of its lawmakers.

The great task of the Democratic Party is to develop and maintain a high quality of citizenship, and in this task it appeals to the women of America, who have always been strenuous and constant champions of good morals and good government.

Women who are broad and unselfish in their love for the human race are more susceptible to the attractions of the principles of the Democratic Party.

The Democratic Party appeals to the women of America, because it stands for those things in public life which require unselfishness, courage, vision, and cleanness on the part of its public officers. It is opposed to special privileges; it is opposed to extravagant expenditures of money; it favors all those beneficent laws for the uplift and the betterment of unfortunate human beings and for the education and well-being of the whole of the American people.

Of course, Adam blamed all his troubles on Eve, but it is some consolation to the women of the world that Eve did not eat the apple because it was good to look upon and pleasant to the eye, but because it would make her wise. It evidently did make her wise, and she has transmitted that wisdom on down to her daughters through the ages, because ever since that time Adam has performed with great docility and uncomplainingly whatever task she has set him at, and no doubt this was one of the reasons that man postponed so long the granting of political rights to the women of the country.

One of the characteristics of the woman in politics is that she believes that political officeholders and political parties ought to stand for what they say they stand for, and for that reason woman should require that the political party of her choice should show a history of unchanging principles and faithful discharge of public duties.

Therefore the women of our country who are moved by unselfishness and who have contributed so much to the world and whose vision is not circumscribed by a little ward or precinct, but looking to the general welfare of the great masses of 110,000,000 people, must be moved and induced to affiliate and support enthusiastically the party that stands for such principles.

The entire leadership of the present Republican Party has demonstrated its inability to meet the emergencies now upon them or to carry on a fixed program of constructive legislation. They have not been able to pass any legislation for the relief of the very depressing conditions now encountered by the American farmer, and although the President in his message to the Congress the first day it was organized urged upon it the necessity of some legislation regulating the transportation rates throughout the Nation, yet the Senate of the United States wrangled for weeks trying to elect a chairman of the Committee on Interstate Commerce.

This reminds me of an incident that occurred in Oklahoma a few days after its admission into the Union.

When Oklahoma was admitted into the Union nearly every male citizen over the age of 21 was running for office; any man that could receive the total vote of the office seekers could count on being elected. At the first term of the court held in Coal County it was my pleasure to attend and assist in the trial of the first case. The judge was new, the officers were all new, and it was a new experience to the jury; and so after a delay the jury was empaneled, the case was tried, the court instructed the jury, and they retired. The jury, after being out several hours, were recalled by the judge, who inquired to know what the trouble was that they had not agreed upon a verdict and said that "If it is a matter of law, I will be glad to give you assistance by further instructions." One of the jurors spoke up and said, "Your honor, we have been unable so far to elect a foreman."

The recent disclosures in Washington are calculated to shock the confidence of the American people in the Government itself; but the American people will discriminate between the great principles of the American Government and the shortcomings of those who are intrusted temporarily in power.

No wonder the Republican press is raising the cry that the Senate is wasting its time because day after day reveals some new and unheard-of scandal—some breach of trust of the American people. Unfortunately the investigation is paved with falsehood upon falsehood. It is the failure to be able to obtain all the truth that is so shocking to the American people.

In one instance we have the owner of two of the great daily papers of the country trying to deliberately mislead the committee and put them on a false trail, who boldly admits his infamy and says he did it for a friend.

We have another officeholder whom it is proven attempted to frame a story through which to permit a guilty man to escape.

Another "whisky-ring" scandal is being uncovered and unearthed. The Shipping Board under investigation and testimony before the Appropriations Committee disclose that auctioneers under the War Department were paid as high as $4,000 a day when the results of their efforts only brought the Government 12 per cent of the original cost of the property sold. On every hand are to be found survivors of the great World War who are needing hospitalization, medicine, and treatment who are denied any relief by the Veterans' Bureau, while on the other hand the testimony discloses that there has been wasted through corruption and fraud millions of dollars of the taxpayers' money that had been set aside for building of hospitals for these unfortunate ones. Thank God, the finger of suspicion or accusation during these investigations has never been pointed to any Democratic official.

We find a Republican House of Representatives passing a soldiers' bonus bill with only 40 minutes' debate, without a right to amend it under a suspension of the rules; while they will waste an hour of debate to determine whether some officer's salary should be raised.

Ladies and gentlemen, the disclosures at Washington have convinced the American people that if the Democratic Party desires to succeed at the coming election it must select as its standard bearer some man who is progressive in his ideas, clean in his life, and upon whose character and integrity there is not a spot or a blemish.

Like Diogenes of old, the American people will cry for an "honest man," and it is the duty of the men and women of America to see to it that everything possible may be done to put into office honest men and women, God-fearing men and women, those who have vision, men and women of affairs and of ability, to the end that the great masses of the people of this great Nation may break the fetters that have heretofore bound them and redeem the Republic from the "rule of materialism" and make it "the rule of the people."

The Democratic defeat of 1920 was a reaction from the Great War. It is just as dangerous to stop a war suddenly as to start one. When the war came to a close many of our citizens were excited to a high degree; they were working under tense conditions; they were nervous, excited, and extravagant.

We have scarcely yet, six years since it closed, reached normal conditions. One thing that came out of that war has been overlooked by the Republican Party and that is a new era in the world on account of the great inventions that have conquered transit and communication, which have so closely associated the people of the world until it is one great neighborhood, and the interests of one country is the interests of another, and the danger to one is the danger to all.

The policy of isolation followed by the Republican Party is as sane as to say that the hands will have nothing to do with the feet. It will destroy the foreign trade of this great Nation and bring us at last the hatred of the world.

The present Republican Congress has been reactionary to the extreme. It has been the rule of Massachusetts.

Senator LODGE, the leader in the Senate; Mr. GILLETT, Speaker of the House; and Mr. Coolidge in the White House.

That has been a total failure of sympathy for the great basic industry—agriculture.

The Army and Navy had to have their usual share of the taxpayers' money. But the worst thing that happened, in my opinion, was the repudiation of the Disarmament Conference held at the solicitation of President Harding by the passage of a bill in the House of Representatives authorizing appropriations for more than a hundred million dollars to build more warships when the Government, under the peace conference, had scrapped over $700,000,000 of ships on the ways.

This breach of faith with the world will lead us back into competitive armaments, which is the breeding place of wars. The gun makers are still busy with their business. They say the United States was misled in the conference, but this is just an excuse to lay another burden of taxation on the taxpayers for the benefit of the war machine.

The bill was passed in the House of Representatives on the day before the McNary-Haugen bill was to be voted on.

The war bill was all right, but the farmers' measure was too socialistic.

The Secretary of the Treasury, a very rich man, wrote a certain tax bill before the Congress met. It was heralded as a great tax-reducing measure, and the people could not understand why Congress refused to pass the bill the day the House was organized for business, just as soon as the morning prayer was over. Go study the Mellon bill as introduced and the tax bill as passed. Under the Mellon bill the majority of taxpayers of the Nation would have received a reduction of at least 25 per cent, while the millionaires would receive a reduction of 50 per cent, but under the bill as it passed the majority of taxpayers received 50 per cent reduction and the millionaires 25 per cent reduction.

The Rules Committee is an all-powerful committee. The conservatives held control of this committee. On numerous occasions they refused rules for legislation beneficial to the farmer and laborer, but reported out measures for the special-interest crowd. On one occasion they denied a farm relief measure rule, but on the same day granted a rule to consider a bill to buy Cape Cod Canal in Massachusetts for $11,500,000, which was $5,000,000 more than was invested in the ditch, and nearly $9,000,000 more than the estimate of the Army engineer.

There is a constant rumor in Washington that business men are going to beat the Congressmen who voted for the bonus and against the President. Well, I would advise the business men to see who they are training with before they turn down the men who stood by the soldiers. The great cry had its origin with the grafters, profiteers, and slackers who can be found all the way from Penobscot to Puget Sound.

I prefer to take the side of soldiers who defended their country rather than the side of some who cheated their country in her hour of peril.

Instead of economy the party in power has given us extravagance. Instead of peace we are arming for war.

Ladies and gentlemen, in conclusion let me say that it is the duty of the Democratic Party to espouse and offer to the country honest men and women, and fair measures for their support, and to put country above party and humanity above the dollar, and preserve forever freedom and equal opportunity to all, the principles so admirably expressed by Jefferson, exemplified by Jackson, and immortalized by Woodrow Wilson.

LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PRALL, for three days, on account of business closing an estate.

To Mr. GIBSON, at the request of Mr. FLEETWOOD, for four days, on account of a speaking engagement.

To Mr. DOUGHTON, for five days, on account of important business.

RECESS

Mr. LONGWORTH. Mr. Speaker, I move that the House stand in recess until 8 o'clock p. m.

The motion was agreed to; accordingly (at 7 o'clock and 4 minutes p. m.) the House stood in recess until 8 o'clock p. m.

AFTER RECESS

The recess having expired, the House was called to order at 8 p. m. by the Speaker pro tempore [Mr. SANDERS of Indiana].

Mr. EDMONDS. Mr. Speaker, I believe that to-night is set aside for the consideration of bills on the Private Calendar unobjected to. I ask unanimous consent that the bills be considered in the House as in Committee of the Whole House.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that the bills be considered in the House as in Committee of the Whole House. Is there objection? [After a pause.] The Chair hears none.

Mr. EDMONDS. I believe we start with No. 119 on the calendar.

The SPEAKER pro tempore. The Clerk will report the first bill.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 4460. An act authorizing payment to certain Red Lake Indians, out of the tribal trust funds, for garden plats surrendered for school-farm use;

H. R. 5169. An act authorizing the Secretary of the Interior to grant a patent to certain lands to Johann Jacob Lutsch;

H. R. 7109. An act to authorize acquisition of unreserved public lands in the Columbia or Moses Reservation, State of Washington, under acts of March 28, 1912, and March 3, 1877, and for other purposes;

H. R. 714. An act to amend section 101 of the Judicial Code;

H. R. 4445. An act to amend section 115 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary";

H. R. 6857. An act to provide for the addition of the names of Chester Calf and Crooked Nose Woman to the final roll of the Cheyenne and Arapaho Indians, Seger jurisdiction, Oklahoma;

H. R. 2879. An act to provide for the disposal of homestead allotments of deceased allottees within the Blackfeet Indian Reservation, Mont.;

H. R. 4437. An act to quiet title to land in the municipality of Flomaton, State of Alabama;

H. R. 5218. An act granting the consent of Congress to the Pittsburgh Coal, Land & Railroad Co. to construct a bridge across the Tug Fork of Big Sandy River at or near Nolan, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.;

H. R. 3236. An act to regulate the practice of optometry in the District of Columbia;

H. R. 8070. An act authorizing preliminary examinations and surveys of sundry streams with a view to the control of their floods;

H. R. 7500. An act to authorize the sale of certain lands at or near Adger, Ada County, Idaho, for railroad purposes;

H. R. 4481. An act authorizing the Secretary of Commerce to exchange land formerly used as a site for the Point of Woods Range Lights, Mich., for other lands in the vicinity; and

H. R. 5136. An act for the relief of Eva B. Sharon.

RELIEF OF SPECIAL DISBURSING AGENTS, ALASKAN ENGINEERING COMMISSION

The first business on the Private Calendar was the joint resolution (H. J. Res. 226) for the relief of special disbursing agents of the Alaskan Engineering Commission, authorizing the payment of certain claims, and for other purposes, affecting the management of the Alaska Railroad.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I have been endeavoring to get certain further information as to some features of this joint resolution and have not yet secured it. For the present I am obliged to object.

PERMISSION TO ACCEPT A STATUETTE

The next business on the Private Calendar was the bill (H. R. 5661) granting permission to Col. Harry F. Rethers, Quartermaster Corps, United States Army, to accept the gift of a Sevres statuette entitled "Le Courage Militaire," tendered by the President of the French Republic.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That Col. Harry F. Rethers, Quartermaster Corps, United States Army, be authorized to accept a gift of a Sevres statuette entitled "Le Courage Militaire," tendered by His Excellency the President of the French Republic, and that the Department of State be permitted to deliver said statuette to the said Colonel Rethers.

Mr. GARNER of Texas. Mr. Speaker, one word. I served on the Committee on Foreign Affairs for six years, and it was the policy of that committee and has been the policy of the country for the last quarter of a century not to accept this kind of gift from foreign nations to our citizenship. But I did not object to it and I will not object now. But that has been the custom and it is a good custom. It is for very good reasons. A very distinguished citizen made an argument before our committee 20 years ago that never has been answered and can not be answered.

Mr. WAINWRIGHT. If the gentleman will permit, of course, during the war an interchange of decorations was very frequent, and this is practically a carry over from the war. Colonel Rethers was Chief of the Graves Registration Service,

who directed the whole operation of bringing back the whole 42,000 dead and——

Mr. GARNER of Texas. This is simply a precedent, and probably you will pass 100 bills giving permission to various gentlemen to receive gifts from foreign governments, which is a mistaken policy.

Mr. BULWINKLE. Will the gentleman yield?

Mr. GARNER of Texas. Yes.

Mr. BULWINKLE. In the last Congress we passed two of these bills, and the gentleman from Iowa [Mr. COLE] went into this matter very carefully and he had all the precedents. Of course, the Constitution provides that they shall not be received unless by act of Congress.

Mr. GARNER of Texas. It is a question of the policy of the Government.

Mr. BULWINKLE. There has been quite a number since this Government was created.

Mr. GARNER of Texas. You will find from 1904 to 1914 they did not accept any gifts from foreign governments.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

HAROLD KERNAN

The next business on the Private Calendar was the bill (S. 1213) for the relief of Harold Kernan.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this measure? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the account of Harold Kernan, now serving as captain, Twelfth Field Artillery, United States Army, in the sum of $3,426, with which said officer was charged for money stolen from an enlisted man serving under him, for which said officer was held responsible, while stationed at the city of Brest, France, in October, 1919.

The bill was ordered to be read the third time, was read the third time, and passed.

ELY N. SONNENSTRAHL, DECEASED

The next business on the Private Calendar was the bill (S. 1330), for the relief of the estate of Ely N. Sonnenstrahl, deceased.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the claim of Nina L. Sonnenstrahl, as executrix of the estate of Ely N. Sonnenstrahl, deceased, late of Brooklyn, N. Y., for such further sum as the said estate may be entitled to recover as added to the amount the said Ely N. Sonnenstrahl has already received for certain beans commandeered by the Navy Department at San Francisco, Calif., on or about February, 1918, may be sued for and submitted to the United States District Court in and for the Eastern District of New York, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for such amount and costs, if any, as shall be found to be due against the United States in favor of said estate of Ely N. Sonnenstrahl, deceased, upon the same principles and measures of liability as in like cases under section 10 of the Lever Act and with the same rights of appeal: *Provided*, That suit shall be brought and commenced within four months from the date of the passage of this act.

The bill was ordered to be read the third time, was read the third time, and passed.

E. J. M'ALLISTER

The next business on the Private Calendar was the bill (H. R. 6241) for the relief of Lieut. E. J. McAllister.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieut. E. J. McAllister, Tenth Regiment United States Infantry, the sum of $116.88, in full compensation for damages to automobile, resulting from collision with truck belonging to the United States Army, which occurred at Camp Sherman, Ohio, August 1, 1921.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

RELIEF OF CAPT. FRANK GEERE

The next business on the Private Calendar was the bill (H. R. 8258) for the relief of Capt. Frank Geere.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to allow and credit in the accounts of Capt. Frank Geere, Quartermaster Corps (now major, Coast Artillery Corps), the sum of $127.86 now standing as a disallowance in his accounts on the books of the General Accounting Office.

SEC. 2. That the Comptroller General of the United States is hereby authorized and directed to allow and credit in the accounts of Capt. Frank Geere, Quartermaster Corps (now major, Coast Artillery Corps), the sum of $29, being the amount found by him to be deficient in a shipment of $116,000 received on or about August 26, 1916, from the subtreasury at New Orleans, La., for which the said Captain Geere was accountable, and which amount of $29 he has refunded to the United States to make good the shortage in these public funds.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

STEAMSHIP "LEXINGTON"

The next business on the Private Calendar was the bill (S. 81) for the relief of the owners of the steamship *Lexington*.

The Clerk read the title of the bill.

Mr. BLANTON. Mr. Speaker, I ask that the bill be reported.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of Colonial Navigation Co., owner of the American steamship *Lexington*, against the United States for damages alleged to have been caused by collision between said vessel and the United States submarine *O-7* on the 6th day of October, 1919, in the East River, N. Y., near Horns Hook, may be sued for by the owner of the said American steamship *Lexington* in the United States District Court for the Eastern District of New York, sitting as a court of admiralty, and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter judgment or decree for the amount of such damages, including interest, and costs, if any, as shall be found to be due against the United States in favor of the owner of the said American steamship *Lexington*, or against the owner of the said American steamship *Lexington* in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

UNITED DREDGING CO.

The next business on the Private Calendar was the bill (S. 593) for the relief of the United Dredging Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, who is interested in this bill?

Mr. BRIGGS. This is a Senate bill, introduced by Senator SHEPPARD. Is there any question which the gentleman from Ohio would like to ask?

Mr. BLANTON. It is identically the same as the bill that was just passed.

Mr. BRIGGS. It is a bill which refers the question at issue to the United States district court for determination.

Mr. BEGG. It is not the same as the bill just passed?

Mr. BLANTON. It merely allows them to sue in the United States district court.

Mr. BEGG. In this case the court of review found that the Government was not at fault. If the Government is not at fault why send them to the Court of Claims?

Mr. BRIGGS. This is the situation as to that claim, as I understand it: The original board of review found that the

Government was liable, and on appeal the department held the other way, but the Navy Department, when the bill was introduced, stated they had no objection to the matter being tried out in the United States district court.

Mr. BEGG. Is it not a fact that the dredging company did not have any signals or buoys out showing they were working there; that the Government ship came along, and, so far as anybody could tell, had a clear channel?

Mr. BRIGGS. It is stated, as I understand, that while there was not a signal there within the technical period, that did not have anything to do with the collision, and they so held.

Mr. BEGG. But there was no collision.

Mr. BRIGGS. Well, there was this fact: The destroyer, which had a tow behind it, came along and their anchor or cable caught the submarine cable of the dredge, which was working under contract with the United States Engineer Department in that harbor, and that threw the scows and tugs against the dredging boat. It is a clear case, it seems to me, and is one that the court should pass upon. The Navy Department has indicated it would have no objection to that being done.

Mr. EDMONDS. It appeared to the committee that as long as there was a controversy between the two reviewing bodies that this company should have the opportunity to go to court with the case and see who was really guilty.

Mr. BLANTON. Will the gentleman from Ohio yield?

Mr. BEGG. Yes.

Mr. BLANTON. I want to call his attention to what Admiral Coontz, Acting Secretary of the Navy, said about this bill. On page 4 of the report the gentleman will find that he says:

> It is believed that the dredging company is entitled to have its claim considered and determined by the Court of Claims. In view of the foregoing, it is recommended that the bill S. 3570 receive favorable consideration.
>
> Sincerely yours, R. E. COONTZ,
> *Acting Secretary of the Navy.*

That was the reason I passed this bill; it was because Admiral Coontz recommended that it go to the Court of Claims; otherwise I would have objected to it myself.

Mr. BEGG. Admiral Coontz also says that he finds the department is not liable.

Mr. BLANTON. He also said that as to the preceding bill. He said the Government was not liable, but he wanted it to go to the Court of Claims, have it tried out and determined there. He recommended the passage of the bill, and therefore I made no objection to it. I am always willing for a party to have a hearing in court, and I never object to a bill of that kind.

Mr. BEGG. I will not object to the bill this time.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the United Dredging Co., a corporation organized and existing under and by virtue of the laws of the State of Delaware, with its principal place of business in the city and State of New York, for damages caused to its plant in the harbor of San Diego, Calif., by the U. S. S. *Brant*, on April 21, 1920, may be sued for and submitted to the United States District Court in and for the Southern District of California, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owners of said dredging plant, or against the owners of said dredging plant in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court; and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read the third time, was read the third time, and passed.

FRED W. STICKNEY AND H. A. REYNOLDS

The next business on the Private Calendar was the bill (H. R. 8305) for the relief of Fred W. Stickney and H. A. Reynolds.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Fred W. Stickney and H. A. Reynolds the sum of of $191.50, out of any money in the Treasury not otherwise appropriated, as compensation for the construction of 214 rods of fence on the division line between the lands of said Fred W. Stickney and H. A. Reynolds and lands owned by the United States and occupied by the Indians in Sherwood Valley, Calif., the said amount being one-half of the cost of said fence.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

EDWARD S. SCHEIBE

The next business on the Private Calendar was the bill (H. R. 4318) for the relief of Edward S. Scheibe.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object to this bill. It embraced $20,004.50.

Mr. EDMONDS. Will the gentleman from Texas reserve his objection? These stamps were destroyed by fire.

Mr. BLANTON. How does the gentleman know that?

Mr. EDMONDS. It says so here, and the Post Office Department acknowledges that.

Mr. BLANTON. There are so many of these claims of five and ten and fifteen and twenty and twenty-five thousand dollars, and we have even passed one as high as $70,000.

Mr. EDMONDS. But the gentleman remembers that those under $10,000 we do not see at all. They pay those in the Post Office Department.

Mr. BLANTON. There are too many of them.

Mr. EDMONDS. I agree with the gentleman fully, and we have a bill a little further along where we take notice of that fact.

Mr. BLANTON. Let the party make a proper showing on these matters in court.

Mr. EDMONDS. These stamps were destroyed by a forest fire.

Mr. BLANTON. Yes; I know there was a forest fire.

Mr. LARSON of Minnesota. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. EDMONDS. In the other cases they were stolen and they went out into the market and people could buy them, but in this case they were wiped out entirely.

Mr. BLANTON. Does the gentleman from Pennsylvania feel entirely satisfied about all these post-office claims that have passed through his committee?

Mr. EDMONDS. I am very much dissatisfied about a number of the cases growing out of robberies of post offices, but I do not see what we are going to do except to meet them or arrange in some way by legislation to take care of them.

Mr. BLANTON. Let him go into a court and establish his case in court according to the law and the evidence, and let the bill be changed so he can establish his case in that way.

Mr. EDMONDS. You would only create more expense in a case of that kind.

Mr. BLANTON. When there is as much as $20,000 involved they ought to do that.

Mr. EDMONDS. Let me ask the gentleman a question. If it was agreed by the Post Office Department that the postmaster has followed all the rules and regulations of the Post Office Department and the post office has been robbed and these stamps are missing, what good does it do to go into court? You can either give him relief or not give him relief.

Mr. BLANTON. It lets him submit the matter to a jury of his peers on the evidence that he has to offer as to whether his claim is bona fide and just.

Mr. EDMONDS. When the Government is going in and is going to acknowledge the facts before the case starts, your case is lost before you begin.

Mr. BLANTON. The Government acknowledges the fact in these cases here on five-minute consideration, but in courthouses the Federal judges make them produce evidence. I would lots rather for a case of this kind to go before a Federal judge.

Mr. LARSON of Minnesota. Will the gentleman yield just a moment?

Mr. BLANTON. Certainly. I reserve the right to object.

Mr. LARSON of Minnesota. This claim arose out of a conflagration that swept over the entire northern part of Minnesota on the 12th of October, 1918. Nearly the entire city of Cloquet was wiped out, including this post office. Everything was gone, and there was not anything left at all. Therefore this bill is merely for the purpose of allowing the Postmaster General to credit the account of the postmaster with $20,004.50 for postage stamps, war-savings stamps, and revenue stamps that were lost as a result of the destruction of the post office.

Mr. KENT. Will the gentleman yield? Do I understand the postal authorities made the usual inspection?

Mr. LARSON of Minnesota. My understanding is the Post Office Department has investigated fully and has recommended this.

Mr. BLANTON. Under the reservation, I would like to ask my colleague from Tennessee, Mr. McREYNOLDS, who is the one who reported this bill, if the evidence conclusively showed him that there was this much loss, $20,004.50, or was it conjectural evidence?

Mr. McREYNOLDS. I do not remember especially the facts, but I am sure it did, otherwise I would not have reported the bill. I have just been trying to familiarize myself with the facts. It has been some little time since I reported this bill.

Mr. BLANTON. Mr. Chairman, I will state as to why I objected that the chairman of this committee has found a number of these bills that have not met with his approval, where fictitious claims have been made following so-called burglaries or robberies or fires and other kinds of losses, such as cyclone losses, and so forth. They have come up repeatedly where claims were not satisfactory. But my colleague, Major BULWINKLE, says that this is a meritorious claim and he has investigated it, and I withdraw my objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of Edward S. Schelbe, postmaster at Cloquet, Minn., in the sum of $20,241.10, due to the United States on account of postage stamps, war-savings funds, and revenue stamps which were lost as the result of the destruction of the post office at Cloquet by forest fires on October 12, 1918.

With the following committee amendment:

Line 5, strike out the figures "$20,241.10" and insert in lieu thereof $20,004.50."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

JOHN A. BINGHAM

The next business on the Private Calendar was the bill (H. R. 5803) for the relief of John A. Bingham.

The SPEAKER pro tempore. Is there objection?

Mr. BEGG. Reserving the right to object, I do that for two purposes. I think I ought to make a statement to-night to the House. About two weeks ago we had a claim that had been up several times amounting to fifteen hundred and sixty-odd dollars.

Under a reservation of objection pathetic appeals were made for the passage of the bill, and apparently the House was in sympathy with the appeal and the reservation was withdrawn. Since that time I have received a reply to my inquiry from the department as to what the Government owed, and they said that it owed $500 in round numbers. So in compliance with the plea of one Member we passed the bill appropriating fifteen hundred and sixty-odd dollars. In other words, we donated $1,000. I want to make that statement to-night as a vindication of those of us who held the bill up a time or two and insisted on getting the facts. I want to ask whoever is interested in this bill why do you not take it to the Post Office Department if it is a meritorious bill?

Mr. ARNOLD. The matter was investigated, and there was no question as to the burglary. There was some question at first as to whether or not the postmaster had complied with the rules in keeping the safe locked, but later on after further investigation the Post Office Department reached the conclusion that there was no negligence on the part of the postmaster, and the Postmaster General recommends that the amount should be allowed. I am satisfied that it is a meritorious claim.

Mr. BEGG. I am going to object.

Mr. BOX. I do not understand that the gentleman objects, but I want to ask about the case that he referred to. What case was it?

Mr. BEGG. It was the Fallen case. We acquiesced in the pleas of my friend from Pennsylvania and let Congress give away $1,000 in this bill, according to the statement of the department.

Mr. BOX. Was not there an original report from the department?

Mr. BEGG. I think not. I have a letter just received today and intended to bring it with me, but it was so late that I did not.

Mr. MONTAGUE. Will the gentleman permit me to ask him a question?

Mr. BEGG. Yes.

Mr. MONTAGUE. I wish to ask, not in the sense of criticism of the committee, is it proper that we should take up the time discussing a bill that was disposed of two weeks ago?

Mr. BEGG. I think so absolutely. Everybody present rather sympathized with the movement and criticized some of us who were performing an unpleasant duty.

Mr. ARNOLD. I want to remind the gentleman that there is only $500 involved here.

Mr. BEGG. Why does not the Post Office Department pay it? They are authorized to pay it.

Mr. ARNOLD. I can not tell you; it is quite an old claim.

Mr. BEGG. They are authorized to pay up to $10,000.

Mr. ARNOLD. But they recommend that the bill be passed.

Mr. BEGG. It is not a very strong recommendation. I object.

ALBERT E. LAXTON

The next business on the Private Calendar was the bill (H. R. 7420) for the relief of Albert E. Laxton.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Albert E. Laxton the sum of $177.81, said amount being compensation for certain extra services rendered by said Albert E. Laxton at the Federal Building, Sparta, Wis., between July 1, 1919, and October 20, 1919, both dates inclusive.

With the following committee amendment:

Page 1, line 6, strike out the figures "$177.81" and insert in lieu thereof "$132.90."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MRS. JOHN P. HOPKINS

The next business on the Private Calendar was the bill H. R. 3411, for the relief of Mrs. John P. Hopkins.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. John P. Hopkins the sum of $10,000 for damages suffered by the death of her husband, John P. Hopkins, who was struck and fatally injured by a beef bone negligently thrown from the kitchen of a troop train by a United States soldier, who was then and there in the service of the United States and who was then and there regularly enlisted as a soldier of the United States Army and officially performing duty on such train.

With the following committee amendment:

In line 6, strike out "$10,000" and insert in lieu thereof "$5,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. BEGG. Mr. Speaker, there is another committee amendment which involves the correct spelling of the word "United" in line 9.

The SPEAKER pro tempore. Without objection the spelling will be corrected.

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

DANIEL A. SPAIGHT

The next business on the Private Calendar was the bill H. R. 3071, for the relief of Daniel A. Spaight.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, I object.

Mr. O'CONNELL of Rhode Island. Mr. Speaker, will the gentleman withhold his objection?

Mr. CRAMTON. Mr. Speaker, I think it is a waste of time, because the amounts are so unreasonably high, and I have found by experience that to agree to a lesser amount leaves the objector worse off than to object outright.

Mr. O'CONNELL of Rhode Island. Perhaps the gentleman will agree to this if I can make an explanation:

Mr. CRAMTON. The gentleman can not explain why we should give this man $6,700 for some injuries, particularly in the light of the itemization of the report, when we were giving only $1,500 to $5,000 for cases of death. The calendar is so long that in justice to other bills I think that I ought to make my objection at once.

Mr. O'CONNELL of Rhode Island. Will not the gentleman extend the courtesy to me of permitting a statement about the bill?

Mr. CRAMTON. I withhold the objection for the present.

Mr. O'CONNELL of Rhode Island. Mr. Speaker, the Senate has already passed a bill concerning the same case in which the amounts are considerably larger. In view of the fact that the House committee has recommended a smaller amount it was my intention to ask unanimous consent to substitute the Senate bill for the House bill and to accept the smaller amounts, although they are in my opinion totally inadequate, based upon the measure of damages usually accorded in a court of law. One of the claimants in this bill was very seriously injured. His medical expenses alone were $1,539. He was laid up for a period of 80 weeks, and unless the gentleman from Michigan [Mr. CRAMTON] is prepared to object in every case where death does not ensue and say the maximum is to be $5,000 I do not believe he ought to object in this case.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. O'CONNELL of Rhode Island. Yes.

Mr. BLANTON. I will tell my colleague what it is that frightened the gentleman from Michigan. It was the $75,000.

Mr. O'CONNELL of Rhode Island. The amounts were large, but, without any question in a court of law, the damage being established, the liability being very clear, no question of contributory negligence entering into the matter, the man would probably have been entitled to $15,000. If the gentleman from Michigan is going to establish a policy and can assure us that in every case where a party is not killed he is going to say that $5,000 is the maximum, all right; but I think the House ought to have an opportunity to determine what is a fair amount in these cases. The committee is anxious to have this matter determined by the House, and some rule or policy established. I think it is the wish of the committee. The gentleman from Massachusetts [Mr. UNDERHILL] has done a good deal of work on this case. The figures given by the Employees' Compensation Commission, which they say are sometimes used as the measure of damages, were over $11,000 in this particular case, but we are not asking for that nor getting anywhere near that amount. In addition, the man lost his machine, but that is not figured in this amount. Nothing is figured for pain or suffering, only the actual loss of earning power for a period of 80 weeks. His leg is three-quarters of an inch short, and he will be lame for the rest of his life. I think the House ought to be permitted to pass on this case.

Mr. EDMONDS. Mr. Speaker, if the gentleman will permit, there has been no allowance made here for damages done to the machine. He lost 80 weeks at $50, which makes up $4,000. His medical bills amounted to $1,530.80 and his nursing bill to $700, making $6,239. We did not allow him a cent for his suffering. In the case of Mary Spaight we allowed $2,812.70, and in the case of Thomas F. Sutton we only paid him for the loss of his services, $30 a week, and medical expenses, $162. In the case of Elizabeth Tabele we allowed $10 a week and $800. She was employed as a housekeeper. The medical expenses were $340. They were all figured out on the basis of the actual losses incurred. There was nothing paid to these people for any damages done in the future, whether they have one leg shorter than the other or not.

Mr. O'CONNELL of Rhode Island. And no future loss of earning power.

Mr. BLANTON. The rule of this committee has been, under such circumstances, to allow a year's salary.

Mr. EDMONDS. Oh, this is an outside party. This is not an employee of the Government.

Mr. O'CONNELL of Rhode Island. These people were riding in an automobile and were struck by a Government truck. The truck plowed right through the machine, and nothing is included for the loss of the machine.

Mr. CRAMTON. Mr. Speaker, I do not think it is fair to other bills on the calendar as long as I intend to object, to prolong this indefinitely.

There is one observation or suggestion the gentleman made on which I wish to comment. The gentleman says he and the committee want the House to adopt a rule covering this class of cases. As far as my position on this was concerned, it is not necessary to pass on any such rule as the gentleman has propounded. My study of the report does not satisfy me that the damages are as great as are claimed. As to an expression of the House, I have no objection to that, very glad if it could be done, but the trouble is that the House gathered here this evening, about 100 to 125 Members, of whom about 115 or 120 are here for the simple reason that they have some bills about to be reached on this Private Calendar, and they are in a mood to be very generous with money in the Treasury, and inclined to vote in favor of a very liberal rule, and I presume out of the 125 there are not over a half dozen who have studied all of these cases outside of the committee.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. CRAMTON. In just a moment. There are a few of us who at the request of the House organization and otherwise have taken the labor of going through these matters and are trying to maintain some kind of a fair deal with the Treasury. The Committees on Claims and War Claims, I want to compliment them for the very careful work they are doing. They are holding things down. At the same time even mighty Jove has been known to nod, and it has a very helpful influence if a few Members of the House are backed up in their contentions with the Senate, because the Senate will pass anything they are asked to pass at any amount of money, and a few of us can exert a helpful restraining influence, but we are not prepared to say as to a proper rule to be adopted to be committed to this particularly select audience made up of gentlemen awaiting here for their own particular bills to be reached. Now, some time when the House can take up the Private Calendar and induce a quorum of the House to come here with some assurance that half of those present have not an ax to grind, that will be a good time to adopt a rule such as the gentleman suggests. I am very sorry, but I am obliged to object.

Mr. JOHNSON of Washington. Will the gentleman withhold for a moment?

The SPEAKER pro tempore. The gentleman from Michigan objects. The Clerk will report the next bill.

WILLIAM J. OLIVER

The next business on the Private Calendar was the bill (H. R. 3132) for the relief of the William J. Oliver Manufacturing Co., and William J. Oliver, of Knoxville, Tenn.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, this bill involves an amount of $170,000 and ought not to pass here in five minutes, and I object.

Mr. JOHNSON of Washington. Will the gentleman withhold that?

Mr. BLANTON. I intend to object, but if the House is willing for me to reserve it, I am willing. I reserve the right to object.

Mr. JOHNSON of Washington. Mr. Speaker, I take this opportunity to resent on behalf of those Members who are here to-night in the performance of their duty as Members of this Congress, each sworn to do his duty, the statements just made by the gentleman at the desk on that side against the integrity of the Members present, and, in fact, against the work of the various committees—Committee on Claims, Committee on Military Affairs, Committee on Naval Affairs, and other committees of the House—who in the faithful performance of their duties have made reports on these bills on the calendar. [Applause.] No man should be permitted to stand on this floor and say that Members of the House of Representatives, because they are interested in one or more bills, come here prepared not to do their duty, and if the man who said that, owing to the incompetence or the self-interest of those who are here, there should be a quorum here of Members who are not interested in the calendar, then, Mr. Speaker, it should be his first business to call for a quorum. In my experience in the House of Representatives, covering quite a number of years, I have not heard a charge such as the blanket charge made against the membership of the House. [Applause.]

Mr. BLANTON. If the gentleman will yield, I want to ask the distinguished gentleman from Washington this, and I have as much regard for him as I have for any man in the House: If he had a bill on this calendar involving $100,000 that he was interested in for his constituents and there was a bill here ahead of this that you thought ought to be objected to, would you get up and object?

Mr. JOHNSON of Washington. I certainly would, and I am making these remarks at this moment in advance of a bill I have on the calendar, which is about to be reached.

Mr. BLANTON. I doubt whether——

Mr. JOHNSON of Washington. And I will say I know the character of the gentleman from Texas so well—I know his independence and fearlessness so well—that I know that he himself would object to a bill, even if the heavens should fall, that he thought was not proper, no matter if he had the next call on the calendar.

Mr. BLANTON. I am backing up what the gentleman from Washington says.

Mr. JOHNSON of Washington. I realize it is not a pleasant duty for these gentlemen appointed or selected or self-selected to criticize these bills.

Mr. BEGG. If we are to have a lecture——

Mr. JOHNSON of Washington. I do not yield. I realize it is not a pleasant duty for gentlemen——

Mr. BEGG. I may make the point of order that there is no quorum.

The SPEAKER pro tempore. The question is, Is there objection?

Mr. BLANTON. I object.

Mr. BYRNS of Tennessee. Mr. Speaker, did I understand that the regular order has been demanded?

The SPEAKER pro tempore. Yes; the regular order was demanded by the gentleman from Ohio [Mr. BEGG].

Mr. BLANTON. If the gentleman from Ohio will withdraw his demand for the regular order I will reserve my objection.

Mr. BEGG. Mr. Speaker, I will withdraw the demand for the regular order if there is to be discussion on this bill, but there are to be no more free lectures pulled off here.

Mr. BLANTON. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. Without objection the gentleman from Texas reserves the right to object.

There was no objection.

Mr. TINCHER. Mr. Speaker, I have not any bills on this calendar, and by the sheerest accident I happen to be familiar with the facts connected with this bill, and it came about purely accidentally. It is clear out of my territory, and I do not know anyone connected with it. I am not finding fault with the gentleman from Texas [Mr. BLANTON] for making his objection, but it does look strange when we meet over here, 100 or 150 of us, that we do not take the trouble to become familiar with the facts concerning the cases presented, and particularly this case.

Now, I am impressed with the injustice that sometimes our Government works upon a good citizen. No man in the world can read the testimony concerning this claim without being impressed with the claim of Mr. Oliver and without being impressed with the justice of it to some extent. It is on this calendar and it is so large that perhaps it will never be considered by unanimous consent, so I am just wondering how many good citizens like Mr. Oliver we have in the country who will never get their rights.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. TINCHER. Yes.

Mr. BYRNS of Tennessee. I want to say that Mr. Oliver comes from the eastern part of the State from which I come. Mr. Oliver has been damaged at least $1,000,000, from the information I have gotten, as the result of the action set forth in this report. The amount carried in the bill is an almost infinitesimal amount compared with the actual damages he has suffered in finances, in health, and in everything else. If it is not to be permitted to pass here and if gentlemen insist upon his going to court, they will have to pay it to his estate. That is all.

Mr. TINCHER. That is absolutely true.

Mr. BLANTON. Under my reservation I want to say this: I happen to know that my party leader wants this bill to pass. It would give me the greatest pleasure in the world, if I could do so conscientiously, to withdraw my objection to this bill. It would favor my party leader. But I have seen individuals fight for months and years in courthouses over $170,000. You have heard the Oliver side of this matter but you have not heard the Government side. The Government may have a side here which you have not heard. I am willing for it to go to court, where it ought to be tried. A claim of this size, $170,000, ought to be tried in court before a judge, with witnesses and evidence and a jury to pass upon the case. I object.

Mr. TAYLOR of Tennessee. Will not the gentleman from Texas do me the courtesy of hearing me on that point?

Mr. BLANTON. I withhold my objection.

Mr. TAYLOR of Tennessee. On that point alone.

APPROPRIATION BILL—DEPARTMENT OF AGRICULTURE

Mr. MADDEN, from the committee of conference, presented a conference report on H. R. 7220, making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes, for printing under the rule.

The conference report is as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7220) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 17, 18, 19, 21, 26, 28, 30, 33, 36, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 8, 9, 14, 20, 23, 24, 29, 35, 38, 39, and 43; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$573,000: *Provided*, That of this sum $30,000 may be used for the purchase and distribution of blackleg vaccine at cost"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$91,115"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$185,450"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,602"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,098,004"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,687,924"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,280,606"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,781,489"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$231,920"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,111,305"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,065,848"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$780,150"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$892,490"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "and for investigation of the economic costs of retail marketing of meat and meat products, $549,628"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,288,001"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,325,864"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$800,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "$452,540: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer, under such rules and regulations as he may prescribe, to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provision of said act, he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$58,575,274"; and the Senate agree to the same.

MARTIN B. MADDEN,
WALTER W. MAGEE,
EDWARD H. WASON,
J. P. BUCHANAN,
GORDON LEE,
Managers on the part of the House.
CHAS. L. MCNARY,
W. L. JONES,
ARTHUR CAPPER,
E. D. SMITH,
WM. J. HARRIS,
Managers on the part of the Senate.

WILLIAM J. OLIVER

Mr. TAYLOR of Tennessee. Does the gentleman from Texas understand that this Oliver claim is not a proper subject for consideration by the Court of Claims?

Mr. BLANTON. I understand this was a claim of originally over $1,000,000.

Mr. TAYLOR of Tennessee. But the act creating the Court of Claims specifically provides that it can not entertain questions that "sound in tort," and this is an action that "sounds in tort," and for that reason the Court of Claims has no jurisdiction.

Mr. BLANTON. I will say I do not like to object, but I am doing it conscientiously as a matter of duty. This is a proposition to take a large sum of money out of the Treasury and it is proposed to pass the bill in five minutes without any consideration.

Mr. TAYLOR of Tennessee. But I understand the gentleman objects because he thinks it is a matter that ought to be heard by the Court of Claims, but I am telling the gentleman that this is a matter which can not be entertained by the Court of Claims on account of the character of the claim, and, furthermore, because the action is barred so far as the Court of Claims is concerned, due to the fact that Mr. Oliver suffered an injury, which so incapacitated him, both mentally and physically, that he was unable to give his claim attention until it was barred under the Dent Act.

Mr. BLANTON. I will vote for a bill to reinstate the matter, notwithstanding the limitation, and let him be heard in the Court of Claims. I do not want to see a bill of this size passed here with about two minutes' consideration.

Mr. STEPHENS. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. STEPHENS. I am pretty familiar with Mr. Oliver.

Mr. BLANTON. Do you live in Tennessee?

Mr. STEPHENS. No, sir.

Mr. BLANTON. This happened in Tennessee.

Mr. STEPHENS. I live in Ohio, and Mr. Oliver was one of the biggest railroad constructors in this country. Mr. Oliver made a proposition to the Government to build the Panama Canal. He is one of the biggest contractors and constructors in this country.

Mr. BLANTON. I have read the report carefully.

Mr. STEPHENS. I do not know whether that is in the report. I know this myself, and I know the circumstances concerning Mr. Oliver's work during the war. I know how they took possession of his great institution. I know that he lost over $1,000,000, and I think that he has a rightful claim on this Government now of $1,000,000 damages.

Mr. BLANTON. Have you investigated it?

Mr. STEPHENS. I have investigated it.

Mr. BLANTON. Are you a member of this committee?

Mr. STEPHENS. I am not; no, sir.

Mr. BLANTON. How did you come to investigate it?

Mr. STEPHENS. Because I am acquainted with the workings of Mr. Oliver. I know Mr. Oliver's life for the last 40 years. I know what he has done, and I knew the work he was doing there. I knew the work he was doing for the Government. I knew that through German influence or something they grabbed his great, big manufacturing institution, and he was under suspicion, and they were going to arrest him.

Mr. BLANTON. Mr. Speaker, in view of the fact that a member of the President's party talks so eloquently in favor of this bill and in view of the fact that the President's direct representatives for economy are on this floor in the presence of the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Ohio [Mr. BEGG], if they are going to let this bill go by, all right. I withdraw my objection.

Mr. STEPHENS. I thank the gentleman very much.

Mr. HOWARD of Nebraska. Reserving the right to object, Mr. Speaker, what is it all about?

Mr. BOX. I object.

JOHN SOLEN

The next business on the Private Calendar was the bill (H. R. 7389) for the relief of John Solen.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, John Solen, who served with Company B, First Regiment Massachusetts Volunteer Cavalry, Civil War, shall hereafter be held and considered to have been mustered in on August 14, 1862, and discharged honorably from the military service of the United States as a private of said company and regiment on June 30, 1864: *Provided*, That no bounty, pay, or allowances shall be held as accrued prior to the passage of this act.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

TO CHANGE THE RETIRED STATUS OF CHIEF PAY CLERK R. E. AMES, UNITED STATES NAVY

The next business on the Private Calendar was the bill (H. R. 1445) to change the retired status of Chief Pay Clerk R. E. Ames, United States Navy, retired.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, in the report upon this bill from the Secretary of the Navy I find this statement:

> The enactment of this proposed law would furnish an undesirable precedent, and as the department regards the case as not meritorious, it being legislation for the benefit of an individual and not for the naval service, it is recommended, in accordance with the department's consistent practice, that the bill (H. R. 1445) be not enacted.

I do not see, under a report of that kind from a responsible branch of the administration, how I could let the bill go by. It is a matter of special regret to me. I read the report, and in accordance with my custom I do not pay any attention to who introduces the bill or who writes the report, and I had this case marked up in accordance with that policy. It is a special regret to me now to note that my friend, the gentleman from Washington, is interested in the bill, but, nevertheless, I know he would be the first one to expect me to do my duty.

Mr. JOHNSON of Washington. Oh, let it go to the graveyard. Will the gentleman yield a minute?

Mr. CRAMTON. I yield.

Mr. JOHNSON of Washington. Here is a case to restore to a certain status a certain retired officer of the Navy. The bill has been introduced in previous Congresses, has gone to committee in a previous Congress, and was reported. The same procedure has happened in this Congress. So far as I remember, I have not appeared before any committee in behalf of it. On its merits, in this Congress and in the preceding Congress, it has been reported. In each case the then Secretary of the Navy has made a mild objection. That seems to be the Navy policy. If Congress is always going to act in exact accord with departmental chiefs, why waste white paper with these bills? It is not of great moment what happens to the record of Robert E. Ames. He performed 20 years of service for the United States; but this bill is nothing but white paper, because a jury sits up here, reads one line from a departmental report, and wipes the whole thing out. Why waste time? Why put in on the calendar at all?

Mr. BOX. Will the gentleman yield?

Mr. JOHNSON of Washington. With pleasure.

Mr. BOX. If the gentleman will permit, I want to say in this connection that as a member of the committee the manner in which such claims as these are considered is a travesty. The gentleman from Texas hated very much to make the objection to this last claim, because he knew there were things in it that ought to be considered; but the Government, under conditions such as we have here to-night, notwithstanding the protest made a moment ago, does not get fair consideration. That is my best judgment. The committee does its best to do what is fair, and the gentlemen of the House have a right to their views. I think that Members who are in leading position in this House, like the gentleman, ought to cooperate in getting consideration for these contested claims.

The gentleman from Texas, I guess, files minority reports as often as any member of the committee, but hesitates to do it every time, because he thinks it will deprive the claimant of a hearing, and yet he can not pass them up conscientiously without giving his reasons. I think the House ought to provide some machinery by which the claims such as the gentleman is interested in can be considered here in the open.

Mr. JOHNSON of Washington. But this is not a claim. This case is entirely different. Here is a case to change the retired status of a chief pay clerk of the United States Navy. It is not a claim for money. I do not know what the proposition is, but I do have faith in the Committee on Naval Affairs and the subcommittee headed by the gentleman from Michigan [Mr. WOODBUFF], who reported the bill favorably. See the situation you are getting into. Did I not know; did I not tell you a few moments ago that I had a bill on this calendar that would probably get the ax? It seems I was right. [Laughter.]

Mr. STEPHENS. Will the gentleman from Ohio withhold his objection? The gentleman states that the report of the Secretary of the Navy is that the enactment of this proposition would furnish an undesirable precedent, and that the department regarded the case as not meritorious, as it is for the benefit of an individual and not for the service. If the objection is going to come because the bill is not recommended by the department, we might as well shut down on private bills, so far as the Naval Affairs Committee is concerned, and not report any and do away with the waste of energy involved.

Mr. BLANTON. Will the gentleman yield? I wanted to ask the distinguished gentleman if he thinks we ought to pass a bill when the department recommends adversely to it?

Mr. STEPHENS. I will answer by saying that almost every bill that comes to the Naval Affairs Subcommittee is not recommended by the department, because they do not want to set what they call a precedent. If it was not for that, it would not be necessary for these bills to come before the subcommittee. You will find a large majority of them are not recommended by the Navy Department.

Mr. CRAMTON. The gentleman knows that not one bill in twenty comes to the Private Calendar with a positive adverse report such as this bill has. I object.

GARNET A. SYLVESTER

The next business on the Private Calendar was the bill (H. R. 4732) to correct the naval record of Garnet A. Sylvester.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

There was no objection.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That in the administration of the laws of the United States Garnet A. Sylvester, formerly an enlisted man in the United States Navy, shall be regarded as having been honorably discharged from the United States Navy from January 7, 1921.

With the following committee amendment:

> Page 1, line 7, after the figures "1921" insert "*Provided*, That no back pay, allowances, or other emoluments shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

PACIFIC COMMISSARY CO.

The next business on the Private Calendar was the bill (S. 2357) for the relief of the Pacific Commissary Co.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. BEGG. Reserving the right to object, why does not the department send in some sort of a recommendation?

Mr. WILLIAMS of Michigan. This is a case before the Board of Contract Adjustment and the report of all the officers and witnesses was to the effect that Mr. Sullivan had solved the problem by shouldering cheerfully the burden of subsistence of officers, and that for this patriotic service his only reward is insolvency. If they had submitted the claim to be settled, it would not have been here.

Mr. BEGG. Why not?

Mr. WILLIAMS of Michigan. Because the law was not broad enough to handle a case of that kind.

Mr. CHINDBLOM. There is such a wide discrepancy between the bill as it passed the Senate and as reported here. The Senate passed the bill to pay $31,700 and the House has reduced it to $8,931. Upon what theory does that discrepancy exist?

Mr. WILLIAMS of Michigan. Perhaps I had better make a short statement.

Mr. BEGG. I think I must object.

Mr. MILLER of Washington. I hope the gentleman will not object until we hear all the facts.

Mr. WILLIAMS of Michigan. This is a meritorious claim. It has been gone into thoroughly by the committee and the committee knows all the facts. I have no interest in this claim.

Mr. BLANTON. Will the gentleman yield?

Mr. WILLIAMS of Michigan. Yes.

Mr. BLANTON. The Senate passed the bill for $31,700 and the House committee recommends $8,000. If we pass this bill with $8,000 it will go to conference and the Senate will put in $31,000.

Mr. BEGG. We will have it come back here with about $25,000.

Mr. CRAMTON. If the gentleman will yield, I say to the gentleman from Texas that that has been attempted in two bills and they are still waiting an opportunity to go to conference. If the gentleman from Texas will assist us a little with an objection, we will see that none of these private bills go to conference.

Mr. BLANTON. I will help you, if you just do your duty over there.

Mr. WILLIAMS of Michigan. I will say that if this bill does go to conference, so far as the committee is concerned, the Senate proposal will not be agreed to. We have threshed this claim out in our committee very thoroughly, and we feel that we were justified in cutting it down as we did.

Mr. BEGG. Will the gentleman give this House his word that he will bring back the bill and that the Senate amendment will not be agreed to, if he has to go above the House figure?

Mr. STRONG of Kansas. As chairman of the committee, I assure the gentleman that that will be agreed to.

Mr. BEGG. I have no objection.

Mr. BLANTON. Mr. Speaker, I object.

Mr. MILLER of Washington. Mr. Speaker, will the gentleman withold the objection?

Mr. BLANTON. No. We are taking up too much time.

F. J. BELCHER

The next business on the Private Calendar was the bill H. R. 2336, for the relief of F. J. Belcher, jr., trustee for Ed Fletcher.

The Clerk reported the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, this bill embraces $21,838, and I object.

The SPEAKER pro tempore. The gentleman from Texas objects.

Mr. SWING. Mr. Speaker, will the gentleman reserve his objection?

Mr. BLANTON. Yes.

Mr. SWING. May I make this observation. It is not the amount that is carried in the bill that counts, but it is the amount of damage that the Government did to this man's property.

Mr. BLANTON. I understand. I read the gentleman's report.

Mr. SWING. It is not my report. It is the report of the committee.

Mr. BLANTON. I mean on the bill. I am going to have to object. If the gentleman would like to make a statement, I shall withhold the objection.

Mr. SWING. I certainly would, because I feel the merits of the case are so clear.

Mr. BLANTON. If the House is willing to take the time, I have no objection.

The SPEAKER pro tempore. The gentleman from Texas reserves the right to object.

Mr. SWING. Mr. Speaker, I know the gentleman from Texas wants to be fair.

The justice of the amount carried in any of these bills depends upon the amount of damage and injury sustained by the citizen. I am sure the gentleman from Texas would not want to see the Government do $21,000 to $25,000 worth of damage to a man's property and not reimburse him a dollar.

The facts, briefly, are these: The claimant in this case, Mr. Fletcher, happened to own a piece of property consisting of over 3,000 acres, which was adjoining a tract upon which the Government had established Camp Kearney, near San Diego, Calif. Mr. Fletcher was in New York at the time when a committee of citizens who were trying to help the Government in every way to carry on the war successfully headed by Mr. Belcher wired Mr. Fletcher that the War Department desired additional lands for the purpose of field artillery and for stimulating trench warfare. He wired back that he was very glad to put his property—over 3,000 acres—at the disposal of the Government free of charge. It was thereupon turned over to the Government under a lease whereby the Government paid $1 for five years. The Government went on it and dug 6 or 7 miles of trenches and put in concrete artillery emplacements and occupied and used the land for the full period of the war.

Mr. BLANTON. Does the gentleman remember the argument that we had about this bill in the last Congress?

Mr. SWING. Yes; and the gentleman at that time stated that he had not had sufficient opportunity to go into the matter.

Mr. BLANTON. I have gone into it since then.

Mr. SWING. I have been over every foot of this land. I know the damage the Government did to the land—left it cut up with trenches 8 and 12 feet deep. A man can not even use it for a pasture, because the trenches are a menace to sheep and cattle, which fall in and can not get out. The Government paid the munificent sum of 25 cents a year for the whole 3,000 acres of land, while the owner was paying nearly $1,000 every year in taxes.

Mr. BLANTON. The Government has made one of the finest golf courses in the world for this New Yorker.

Mr. SWING. He is not a New Yorker but a Californian, and the land can not even be used for golf. This is agricultural land, and they have put in waterworks, which will reclaim it all. It is fine land and nearly frostless, but these trenches which the Government dug and which it used in connection with the training of its soldiers will have to be filled up before the land can be used for anything. All the Government has ever given this man was 25 cents a year, or $1 for the occupation of 3,000 acres for a period of five years. It went off and left it covered with trenches, full of unexploded shells, so that it is going to cost much more than the amount named in this bill to put it back into the condition it was before the Government occupied it.

Mr. BLANTON. Yet he did not give as much as one of the 75,000 boys who are now sleeping in France.

Mr. SWING. This man gave as much as anyone. He gave all he had to give, not only this land but his entire time as chairman of the district board of appeal of the draft boards. This House a few weeks ago passed a bill for the man who owned the piece of property adjoining this, damaged by the Government under identically the same circumstances. I am sure the gentleman from Texas does not want the Government to reward this man's unusual patriotism by causing it to do him a gross injustice. This man is not a rich man; he can not afford to stand the loss of this amount of money. He did it for the Government gladly in its hour of need, thinking the Government, after it was through with it, would replace the land in the condition in which it was when they took it; and if this bill is turned down now, you inflict a heavy loss on this man simply because he was patriotic. I ask you to do unto him as you would he should do unto you if your positions were reversed.

Mr. BLANTON. I am sorry to have to object, but I object.

WILLIAM M. PHILLIPSON

The next business on the Private Calendar was the bill H. R. 2016, for the relief of William M. Phillipson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, why should this be brought in at this particular time, to remedy a desertion charge in 1864?

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. BEGG. Yes; let me finish the question. The Secretary of the Navy recommends that this be not passed. Why should we go in the face of the Secretary, under whom the man served theoretically?

Mr. RAKER. This matter was thoroughly investigated in the last Congress, and a unanimous report made to Congress. The committee unanimously passed the bill last year and it was passed by the House. The bill went to the Senate, and in the rush with others it was not passed.

I have here in the report the affidavit of the judge, who has known this man for 40 years, and the statements of other men, an ex-State Senator, is before me. His life's history is written and printed out, written as a sailor would write it.

This man came here as a sailor——

Mr. BEGG. Was that data submitted to the Secretary of the Navy?

Mr. RAKER. No; it was not, this has been written since.

Mr. VINSON of Georgia. If the gentleman from Ohio will yield, it was submitted to the Committee on Naval Affairs.

Mr. MADDEN. Regular order, Mr. Chairman there are a good many bills on this calendar.

Mr. BEGG. I object.

Mr. RAKER. I ask that I may have five minutes.

Mr. VINSON of Georgia. I trust the gentleman from Illinois will withhold his demand.

Mr. MADDEN. I withhold the demand.

The SPEAKER pro tempore. The gentleman from Illinois withholds his demand for the regular order and the gentleman from Ohio reserves the right to object.

Mr. RAKER. In this case the man was born in England; he was a sailor and he went around Cape Horn, and when he got on the east coast of South America he found it was advantageous for him to join the American Navy, and he joined it and fought for our country. He kept on up along the coast and stopped at Panama, and when he got to San Francisco he still had the Panama fever and he was in the hospital, as hundreds of men were, the records show, and I am perfectly familiar with it; that he was shanghaied in the fall of 1864 just after the election. The whole crew left the boat and voted for Lincoln. He was on a Government boat and watching to see——

Mr. BEGG. If the gentleman will just permit. He is going over data which I have read. If the gentleman will tell me why that did not convince the Secretary of the Navy, I may change my mind.

Mr. RAKER. I will.

Mr. BEGG. That is old stuff.

Mr. SABATH. It is an old case. [Laughter.]

Mr. RAKER. He was held up in the Arctic Ocean that winter and all summer. His story would convince anybody of the truth of the facts. When he came back the war was over. After that he lived for over 40 years in Tuolumne County, Calif., an honored citizen, and these people have known him in the country, the judge has known him for 40 years, and others, and he has been an upright, conscientious man, and they believe his statement and story to be true, and clearly if ever there was a case where a man could prove he was shanghied and entitled to relief this case is that one.

Mr. VINSON of Georgia. I will state to the gentleman from Ohio that the committee investigated this case——

Mr. BEGG. Can the gentleman tell me why the Secretary of the Navy says it should not be passed?

Mr. VINSON of Georgia. Simply because it is the policy of the Navy Department that it does not favor any special legislation for the relief of discharges where they show——

Mr. BEGG. Well, I intend to object.

The SPEAKER pro tempore. The gentleman from Ohio objects.

RUSSELL WILMER JOHNSON

The next business on the Private Calendar was the bill (H. R. 5061) for the relief of Russell Wilmer Johnson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object——

Mr. RAKER. Mr. Speaker, there is no use of the House remaining unless we have a quorum; I want five minutes to be heard. [Cries of "Regular order!"]

You will get the regular order. You have to have a quorum here. If men will not even listen to an explanation when there is no question of what the record is, as submitted, if there ever was a man on earth who was shanghaied, and we know that in seaport towns men were drugged and shanghaied; and in this case the man was shanghaied and put aboard this vessel and kept a year, and when he came back the war was over. If a man like that can not get relief, I can not imagine what is the use of presenting a record, and the Committee on Naval Affairs——

Mr. STEPHENS. If the gentleman will permit, the subcommittee of the Committee on Naval Affairs heard this, got all the evidence, and they know the whole story, and it was their opinion that it was very meritorious, and they reported it out. It passed last year, and they reported it again. Five Members of this House went through that whole case. Now I can tell the gentleman from Ohio why the Secretary of the Navy reports as he does; because they have got a $1,200 or $1,500 clerk up there who goes over these things, and it is made out and sent along the line, and I venture to say the Secretary of the Navy does not know anything about the case; and I will say that there were five members of the Committee on Naval Affairs who did. I believe that this is a meritorious case; and if you are going to wait until you get the recommendation from the Secretary of the Navy to pass these measures, why, as I said before, we might as well not report them in, and the statement Mr. RAKER has given is absolutely correct.

Mr. PARKS of Arkansas. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is demanded. Is there objection to the bill H. R. 5061?

Mr. BLANTON. Mr. Speaker, I object for the present.

Mr. RAKER. Will not the gentleman from Ohio withdraw his objection to the Phillipson bill? I would like to at least have an opportunity to ask the gentleman a question.

The SPEAKER pro tempore. The Chair will state to the gentleman from California that when the regular order is demanded there is no discretion in the Chair.

Mr. RAKER. I know there is not. I ask unanimous consent that I have the privilege of asking the gentleman from Ohio a question.

The SPEAKER pro tempore. Does the gentleman who demands the regular order withdraw his demand for the regular order?

Mr. PARKS of Arkansas. I have no objection to his asking a question.

The SPEAKER pro tempore. The demand for the regular order is withdrawn.

Mr. RAKER. Will not the gentleman from Ohio, under the circumstances, withdraw his objection? This man is 85 years of age.

Mr. BEGG. I will agree to pass it without objection for to-night. We shall have another meeting, and I will talk with the gentleman and get a little more information on the question.

Mr. RAKER. I can not give the gentleman any more information than is contained in this book.

Mr. BEGG. I admit it would be hard to get any other information from the gentleman, but I will take it up with the department.

Mr. RAKER. They do not know anything on earth about it. It has been over 50 years.

Mr. BEGG. I will agree to pass it over without objection.

Mr. RAKER. You have got to do that anyhow.

Mr. BEGG. Then I object, Mr. Speaker.

Mr. BLANTON. Mr. Speaker, under my reservation to the bill H. R. 5061, I call attention to the fact that the Secretary of the Navy says this bill is not meritorious and—

> It is recommended, in accordance with the department's consistent practice, that the bill (H. R. 5061) be not enacted.

Therefore I object.

The SPEAKER pro tempore. The gentleman from Texas objects.

LUCY B. KNOX

The next business on the Private Calendar was the bill (H. R. 5456) granting six months' pay to Lucy B. Knox.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, in the report of the department upon this bill there is this paragraph:

> The department considers this class of legislation as meritorious, but invites attention to the fact that it is not general in character. The department, therefore, can not recommend approval of the bill (H. R. 5456), which is for the relief of an individual. However, should Congress see fit to enact legislation to cover the cases of the beneficiaries of all officers and enlisted men who died during the period from October 6, 1917, to June 4, 1920, as the result of wounds or disease contracted in the line of duty, relief would thereby be granted to Mrs. Knox and other deserving cases, and this department would have no objection to the enactment of such general legislation.

Now, the committee which reported this special bill for the relief of one case had full jurisdiction of the whole subject, and it could have enacted general legislation which would have treated everyone alike.

Mr. SWANK. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman from Michigan yield to the gentleman from Oklahoma?

Mr. CRAMTON. I would like to add one more sentence and that will complete my statement. Inasmuch as the committee has jurisdiction to take care of all alike, I feel I must object to one special person being cared for.

Mr. VINSON of Georgia. I will state to the gentleman that the law to-day takes care of cases of this character. If an officer dies to-day, his widow or his beneficiary is entitled to six months' gratuity pay.

Mr. CRAMTON. Why did not the gentleman's committee, instead of reporting this bill to take care of one case, report a general bill which would take care of all cases within the dates named?

Mr. VINSON of Georgia. We think this: That in a matter of this kind we would rather make a special investigation to see whether or not there is a bona fide beneficiary. If there is no bona fide beneficiary, then the Government should not have the policy of making payment of six months' gratuity pay to some person who claims to be a beneficiary.

Mr. CRAMTON. That restriction could be included in the act. But the result of the committee's action is this: That those exceptional cases, where Members of the House come in contact with the cases, will be taken care of and a great many others will not.

Mr. VINSON of Georgia. I want to say to the gentleman that every case of this character which has been before the committee has been favorably reported upon, and Congress has repeatedly passed similar special bills of this character. Now, it is far better to deal with these matters individually.

Mr. CRAMTON. Oh, no. It is far better that the time of Congress should not be taken with hundreds of special cases.

Mr. VINSON of Georgia. Will the gentleman support such general legislation?

Mr. CRAMTON. Certainly.

Mr. VINSON of Georgia. If the gentleman will support general legislation, he certainly can not have the heart to object to special legislation.

Mr. CRAMTON. I object to a few being picked out.

Mr. KURTZ. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is demanded.

Mr. SWANK rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Oklahoma rise?

Mr. SWANK. I rise to say this: That No. 140, just objected to, passed the last Congress, and there is not a more meritorious bill on the calendar. I think there ought to be a quorum here myself to consider these bills, if Members of the House are going to adopt the policy of not letting any bills like this go through, especially when similar bills were allowed to go through at the last session.

Mr. GARRETT of Tennessee. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman from Oklahoma yield to the gentleman from Tennessee?

Mr. SWANK. Yes.

Mr. GARRETT of Tennessee. I do not think there ought to be a quorum asked for.

Mr. SWANK. I would like to find out whether the Members are going to object to every bill of this kind. If they are, there is no use of a committee considering them, there is no use of putting them on the calendar, and there is no use of having a session for the consideration of bills on the Private Calendar.

Mr. MICHENER. Mr. Speaker, I demand the regular order.

Mr. CRAMTON. Now, Mr. Speaker, we are not going to have a special session under a special rule and be lectured at each turn of the wheel. That may as well be understood. I have objected, Mr. Speaker, and I ask for the regular order.

JAMES J. MEEHAN

The next business on the Private Calendar was the bill (H. R. 3736) for the relief of James J. Meehan.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SABATH. Mr. Speaker, reserving the right to object, may I have a little information about this bill?

Mr. CHINDBLOM. Will my colleague yield?

Mr. BLANTON. Mr. Speaker, will the gentleman from Illinois yield?

Mr. SABATH. Yes.

Mr. BLANTON. The Secretary of the Navy recommends the passage of this bill.

Mr. CHINDBLOM. That ought to be enough.

Mr. SABATH. Which one?

Mr. BLANTON. He was the Secretary—Mr. Edwin Denby. The Secretary of the Navy recommended this bill, which is for the relief of James J. Meehan.

Mr. STEPHENS. Here is one bill that the Secretary absolutely recommends without qualification.

Mr. SABATH. All right.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That James J. Meehan, who, while serving as an ensign, United States Naval Reserve Force, was found by a naval retiring board to be permanently incapacitated for active service by reason of physical disability incurred in the line of duty as the result of an incident of the service, but not in time of war, shall be eligible for retirement as if his physical disability was incurred in time of war; and the Secretary of the Navy is hereby authorized to place him upon the retired list with three-fourths pay of the grade held by him at the time such physical disability was incurred.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

WILLIAM H. ARMSTRONG

The next business on the Private Calendar was the bill (H. R. 6442) for the relief of William H. Armstrong.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, I want to ask the gentleman in charge of this bill why we have no report on it from the War Department. I see the gentleman from Massachusetts is here. Can we not get a report on this bill from the War Department?

Mr. DALLINGER. Mr. Speaker, I will explain that the War Department objected to the other two men who were concerned and therefore they objected to this.

Mr. BLANTON. Why was not their report put in this report?

Mr. DALLINGER. I did not write this report.

Mr. BLANTON. It does occur to me, Mr. Speaker, that when there is a report from the department it ought to be put in the committee report.

Mr. HILL of Alabama. Will the gentleman yield?

Mr. BLANTON. yes.

Mr. HILL of Alabama. I prepared this report. This bill was reported favorably by the committee at the last session of Congress.

Mr. BLANTON. But without any report from the War Department except an adverse one.

Mr. HILL of Alabama. I could not tell you what the report was at the last session of Congress. I know there has been no report from the War Department to the committee during this session of Congress.

Mr. BLANTON. But the author of the bill admits it was adversely reported on. The gentleman from Massachusetts [Mr. DALLINGER] is the author of the bill.

Mr. HILL of Alabama. Let me say to the gentleman that the War Department reported adversely on all three of these cases.

Mr. BLANTON. As I am going to object anyway, I will object now.

Mr. HILL of Alabama. I hope the gentleman will reserve his objection.

Mr. BLANTON. I reserve the objection, Mr. Speaker.

Mr. HILL of Alabama. The present Secretary of War, Mr. Weeks, introduced a bill providing for the relief of this man. I have a copy of the bill right here now. The present Secretary of War introduced a bill for the relief of this man, and the War Department objected to these other two cases, and both the House and the Senate and the President of the United States gave them their relief, and the three cases stand on the same footing exactly.

Mr. BLANTON. Notwithstanding the fact that the Secretary of War when he was Senator introduced a bill for his constituents the War Department reported on it adversely.

Mr. HILL of Alabama. This man was not a constituent of the Secretary of War.

Mr. BLANTON. But he introduced the bill for him.

Mr. HILL of Alabama. He does not even vote in the State of the Secretary of War. I hope the gentleman will not object to this bill.

Mr. BLANTON. I will have to object, Mr. Speaker.

NEAR EAST RELIEF (INC.)

The next business on the Private Calendar was the bill (S. 87) for the relief of the Near East Relief (Inc.).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. HOWARD of Nebraska. I object.

BLATTMANN & CO.

The next business on the Private Calendar was the bill (S. 555) for the relief of Blattmann & Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BEGG. Mr. Speaker, I would like to ask the gentleman from Georgia to pass this bill over. I want to look up some things I have marked here and I would like to have a little more time.

Mr. WRIGHT. Will the gentleman permit a short statement?

Mr. BEGG. Certainly; I reserve my objection.

Mr. WRIGHT. Mr. Speaker and gentlemen of the House, this bill was introduced in the House at the last session and reported favorably by the Committee on Claims. It was also introduced in the Senate last year and favorably reported by a committee of the Senate. It was not passed at the last session. At the present session it was reintroduced in the Senate and passed. It was reintroduced in the House and the Committee on Claims of the House considered the Senate bill. The Committee on Claims in reporting the bill struck out all after the enacting clause and submitted an amendment to refer this matter to the Court of Claims. The House will understand that the claim sounds in tort, and therefore the Court of Claims would have no jurisdiction unless jurisdiction was conferred. As to the merits of the claim——

Mr. BEGG. Will the gentleman yield?

Mr. WRIGHT. I will.

Mr. BEGG. The State Department has investigated this claim and they find that $61,839 is the amount that we are owing these people in full, and yet the Senate passed the bill for $124,000.

Mr. WRIGHT. If the gentleman will permit, the Secretary of State favors this legislation, and in a letter to the chairman of the committee states that the true measure of damages——

Mr. BEGG. Is that letter in the hearings?

Mr. WRIGHT. I think so, sir. I think it is in the record. He states that the true measure of damages would be the value of the property at the time it was seized by the United States Alien Property Custodian, and that it should be limited to what the property was worth at the time it was seized.

Now, as a matter of fact there was no earthly excuse for the Alien Property Custodian to seize this gluten, something over a million pounds which these citizens of Switzerland had purchased in the United States and could not ship on account of the lack of transportation growing out of the war. It was put in storage and paid for. Blattmann & Co. were citizens of a neutral country and not trading with the enemy. This gluten was seized by the Alien Property Custodian and sold to Armour & Co. at 6¼ cents per pound when the evidence shows it was worth 20 cents per pound. When Blattmann sought to repurchase it from Armour 20 cents per pound was demanded. Later a part was purchased by Blattmann from Armour at 18 cents per pound.

Mr. BLANTON. Will the gentleman yield?

Mr. WRIGHT. I will.

Mr. BLANTON. This firm is a citizen of Switzerland. Why could not our State Department handle this matter?

Mr. WRIGHT. Because it has no power to make settlement.

Mr. BLANTON. The President has made no recommendation.

Mr. WRIGHT. The State Department has.

Mr. BLANTON. The President can make a recommendation in regard to it.

Mr. WRIGHT. The State Department has made a representation and favors the claim. The property was seized and sold at 6¼ cents per pound. As soon as the owners heard about it they had it taken up by the Swiss Legation. The State Department referred it to the Department of Justice and they determined that the seizure was wrongfully made and the Alien Property Custodian was directed to refund to Blattmann & Co. the amount the United States received.

Mr. BEGG. Is the gentleman insisting on anything for profit?

Mr. WRIGHT. No; just the sum the property was worth when it was seized.

Mr. BEGG. The Committee on Foreign Affairs handles all these bills. Why was it not referred to the Committee on Foreign Affairs?

Mr. CRISP. If the gentleman will allow me, the Committee on Foreign Affairs had no jurisdiction because it is a private claim.

Mr. BEGG. We are having hearings on a similar bill now, or was a week ago, and we are waiting for some more data.

Mr. CRISP. My understanding is that this is purely a private claim and it went to the Committee on Claims.

Mr. BEGG. This can not be a private claim.

Mr. FREDERICKS. If the gentleman will yield, we made an investigation of this in the Committee on Claims and we ran into the same difficulty the gentleman from Ohio encountered, and that is, it is a matter of account. We were thoroughly convinced of the fact that the Government of the United States had wrongfully seized this man's property. We were unable to ascertain, however, the amount of damage that was done, so we changed the bill to give him a day in court. This permission will not give him the right to any lost profits but simply give him the right to obtain the actual damage to his property.

Mr. BEGG. Is there any attorneys mixed up in this? Is not it possible that the State Department can get an amicable agreement in regard to this matter?

Mr. FREDERICKS. The State Department says that they have no authority.

Mr. BEGG. Where do they say that?

Mr. FREDERICKS. It is in the report.

Mr. BEGG. I would like to ask the gentleman to let this go over.

Mr. WRIGHT. I wish the gentleman would withhold that request. It is not a claim of long standing.

Mr. FREDERICKS. This is simply to give the man his day in court.

Mr. WRIGHT. That is all, we want it heard on the merits of the claim.

Mr. EDMONDS. If the gentleman will permit me, I want to say to the gentleman from Ohio that in this reference of the claim to the Court of Claims we are only allowing him the actual damage that he has sustained, without interest. I can not see any particular objection to the bill. The man has a right to go somewhere and have his claim heard.

Mr. FREDERICKS. He will have to prove his case before the court, and that is all the privilege we give him. Everybody ought to have that right.

Mr. WRIGHT. This is simply to refer the entire matter to the Court of Claims—the law and the facts.

Mr. BEGG. I think the gentleman ought to let this go over.

Mr. WRIGHT. I want to say just a word on the merits of the case. As soon as this Swiss citizen ascertained that his property had been seized and sold at 6¼ cents a pound and ascertained that Armour & Co. was the purchaser, they undertook to repurchase it.

Mr. BEGG. We can probably satisfy the gentleman in charge of it if he will agree to an amendment providing that no attorney shall get more than $7,500. The State Department says it is $61,000, and that is over 10 per cent.

Mr. WRIGHT. I do not see what Congress has to do with the attorney's fees. This is a matter of contract between Blatman & Co. and their attorney, and as no attorney's fees could be taxed against the Government under the language of the bill as amended by the Claims Committee, it is difficult to see what Congress has to do with any private contract Blatman & Co. has with some attorney as to fees. The Court of Claims could not include attorney's fees, but only the actual loss sustained by Blatman & Co., not even including interest.

Mr. BEGG. I will make it a 10 per cent fee flat.

Mr. WRIGHT. I could not make any agreement as to an amendment suggested by the gentleman of that kind.

Mr. BEGG. Then I will object.

The SPEAKER pro tempore. The gentleman from Ohio objects.

F. A. MARON

The next business on the Private Calendar was the bill (S. 799) for the relief of F. A. Maron.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. A. Maron the sum of $3,000 for personal injuries sustained when he was struck and seriously injured by an automobile truck of the United States Postal Service in the city of St. Paul, Minn., on December 21, 1920.

With the following committee amendment:

Line 6, strike out "$3,000" and insert in lieu thereof "$1,500."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

ERIE RAILROAD CO.

The next business on the Private Calendar was the bill (S. 935) for the relief of the Erie Railroad Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claims of the Erie Railroad Co. against the United States for damages alleged to have been sustained to its car float, cars, and the contents thereof, in New York Harbor, on July 6, 1922, may be submitted to the United States Court for the Eastern District of New York, under and in compliance with the rules of said court sitting as a court of admiralty: *Provided*, That the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

JOSEPH J. MARTIN

The next business on the Private Calendar was the bill H. R. 1717, authorizing the payment of an amount equal to six months' pay to Joseph J. Martin.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Paymaster General of the Navy shall cause to be paid to Joseph J Martin, father of the late George Russell Martin, gunnery sergeant, United States Marine Corps, an amount equal to six months' pay at the rate received by that officer at the date of his death.

With the following committee amendment:

Line 7, strike out the words "that officer" and insert in lieu thereof the word "Martin."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLES T. NORMAN

The next business on the Private Calendar was the bill (H. R. 1830) for the refund of income tax erroneously collected.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, this is a very dangerous sort of bill. We are having now enough trouble about the settlement of income-tax matters back in 1916–17. There ought to be an end to it finally. This bill will set aside the statute of limitations as to this particular case. Secretary Mellon in his report said:

There appears to be no question as to the illegality of the overassessment in the instant case, and while the department is on record as opposing any extension of the statute of limitations, this case seems to be so unusual and the equity so strongly in favor of the taxpayer that the department feels that an exception should be made in this case and the pending bill approved.

I find it is a very exceptional case. I do not suppose it can be even duplicated that a man makes a mistake in paying his taxes a year in advance, and I am not going to object to the bill, but I want the record clear that it is an exception; that it is not to be taken as a precedent for overruling the statute of limitations as to these tax refunds.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, this is a bill that establishes a policy of opening up a tax rendition that is barred by the statute of limitations, after it has gone through all of the various methods of appeal that are provided for in the Internal Revenue Department.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. MONTAGUE. The gentleman is wholly mistaken. It has not gone through that at all. They never investigated until it was too late, and then it was barred by the statute of limitations when they began to investigate. We would have no trouble in granting millionaires $300,000,000 to refund taxes, but when a poor man comes and asks for $800, you want to object to it.

Mr. BLANTON. Mr. Speaker, the distinguished gentleman from Virginia must not get out of humor too quickly. I have not objected to his bill, and as a matter of fact I did not intend to object to it. But I wanted to make the record clear that this is not to be considered as a precedent for a taxpayer to come in here and open up an appeal case from the Internal Revenue Bureau hereafter. There are too many million of them in the United States, and it would take this Congress all of its time passing on such matters. I am willing to admit to the gentleman from Virginia that this is a distinctive case, that stands on its own bottom, and it probably would not be met with in any other individual in the United States. For that reason I do not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue is hereby authorized and directed to receive, consider, and determine, in accordance with law, but without regard to any statute of limitations, any claim filed not later than six months after the passage of this act, by Charles T. Norman, of Richmond, County of Henrico, Commonwealth of Virginia, for the refund of income tax erroneously collected from said Charles T. Norman in 1916.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to said Charles T. Norman any amount allowed in the determination of any claim filed in accordance with this act.

Mr. EDMONDS. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles T. Norman, of Richmond, Va., the sum of $882.44, the same being a refund of income tax erroneously collected."

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows:

A bill for the relief of Charles T. Norman.

BLATTMANN & CO.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to return to No. 145 of the calendar, S. 555, an act for the relief of Blattman & Co.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, I think that is a bad practice, and I object.

The SPEAKER pro tempore. The gentleman from Michigan objects.

STANDARD OIL CO.

The next business on the Private Calendar was the bill (H. R. 2373) for the relief of the Standard Oil Co., at Savannah, Ga.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $839 to the Standard Oil Co., at Savannah, Ga., being the amount due said company for damages made by the U. S. dredge *Cumberland* on the riverside wharf of the company.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

MRS. E. L. GUESS

The next business on the Private Calendar was the bill (H. R. 2989) for the relief of Mrs. E. L. Guess.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Mrs. E. L. Guess, in full compensation for injuries received by her at Memphis, Tenn., on December 21, 1920, by reason of the negligence of an employee of the United States Government driving a truck owned by the United States Government and operating in the parcel post of the Post Office Department.

The committee amendment was read as follows:

Page 1, line 5, strike out "$500" and insert in lieu thereof "$100."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

W. F. PAYNE

The next business on the Private Calendar was the bill (H. R. 4290) for the relief of W. F. Payne.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, why do they give $250 when it was only recommended that they should give $100?

Mr. HUDSPETH. Mr. Speaker, I want to state to the gentleman from Ohio that the board of officers appointed to look into this accident recommended $450, that he was damaged in that sum.

Mr. BEGG. The chief of finance says that the facts did not justify the allowance of $450, but that $100 would be adequate and sufficient compensation.

Mr. HUDSPETH. He did not make the investigation, but he did say he was not entitled to but $100, but I want to state to the gentleman from Ohio that here is an old man who had a car and a driver of a motor truck drove into him and damaged it. He declares it was worth $750, and he had to sell it for $100. Now, the committee in its wisdom cut the appropriation to $250, and the old gentleman, of course, will take that rather than get nothing, but I will state to my friend from Ohio that the testimony here amply sustains that the value was $600.

Mr. BEGG. Go ahead. I will not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. F. Payne, a citizen of El Paso, Tex., the sum of $450 for damages to an automobile belonging to said W. F. Payne, which was damaged by a collision with a truck belonging to the United States Government, the said sum being the amount awarded to said W. F. Payne by a board of appraisal appointed by the district commander of the United States Army at El Paso, Tex.

The committee amendments were read, as follows:

Page 1, line 6, strike out "$450" and insert "$250."

Page 1, line 9, strike out after the word "Government" the remainder of the paragraph.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

CAPT. D. H. TRIBOU, CHAPLAIN, UNITED STATES NAVY

The next business on the Private Calendar was the bill (H. R. 5819) for the relief of Capt. D. H. Tribou, chaplain, United States Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Capt. D. H. Tribou, chaplain, United States Navy, out of any funds in the Treasury not otherwise appropriated, the sum of $2,667, said sum being the amount of restitution made by the said chaplain out of his private funds on account of Victory loan bonds and other funds stolen from the safe in the said chaplain's quarters at the naval home, Philadelphia, Pa., without collusion on the part of said chaplain, which bonds and other funds had been deposited in said safe by beneficiaries of said home, and others, for safe-keeping.

The committee amendments were read, as follows:

Page 1, line 4, after the second "to," insert "the estate of the late."

Page 1, line 9, after the word "bonds," insert the word "notes."

Page 2, line 1, strike out the word "bonds" and insert the word "notes."

The committee amendments were agreed to.

Mr. EDMONDS. Mr. Speaker, I want to call to the attention of the gentleman in charge of this bill that the Committee on Naval Affairs has no right to appropriate any money, and I do not think it will accomplish the purpose, worthy as I think it is, if they leave the bill in this way. It should authorize the payment of money and not authorize it to be taken out of the Treasury.

Mr. BLANTON. Where no point of order is made there is nothing to keep it from being done.

Mr. EDMONDS. All right, if that is satisfactory.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of the late Capt. D. H. Tribou, chaplain, United States Navy."

JOHN BAUMEN

The next business on the Private Calendar was the bill (H. R. 6506) for the relief of John Baumen.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to John Baumen, of Los Angeles, Calif., which sum was paid by him to the United States as a bail bond for appearance in court, said bail bond being declared forfeited by the court for nonappearance, but subsequently ordered paid back to him through an order of said court vacating the forfeiture of the bail bond, but which amount had been covered into the Treasury of the United States by the clerk of the court.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

CANADIAN PACIFIC RAILWAY CO.

The next business on the Private Calendar was the bill (H. R. 8297) for the relief of the Canadian Pacific Railway Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, I think this is not a desirable precedent to establish and the facts are not sufficiently clear to warrant such an exception. I object.

Mr. KELLER. Will the gentleman withhold his objection for a moment?

Mr. CRAMTON. Yes; I withhold my objection.

Mr. KELLER. We passed a similar bill last year for the same railway company and for the same reasons for which we are now asked to pass this bill. Under the law, on any commodity shipped in here for consumption there should be a tax paid.

This was an export shipment, and therefore we have no right to collect a duty on such commodity. The company has paid the duty, and it seems to me, in justice, it ought to be refunded this money.

Mr. CRAMTON. Of course, if it had been shipped in on the showing that it was not for consumption the situation would have been different. The department's report states the facts, and the report shows that when it was shipped in there was no statement that it was not for consumption, so that the tax was properly collected. The department says:

No formal denial of refund of duties paid on the merchandise has been made by this department. It might be added, however, that many similar requests have been denied by the department for the reason that section 558 of the tariff act of 1922 prohibits refund of duties on the exportation of any merchandise after it is released from the custody or control of the Government.

Those were the facts in this case, and if we meant that section it ought to be enforced. I am obliged to object.

JUANA F. GAMBOA

The next business on the Private Calendar was the bill (H. R. 8893) for the relief of Juana F. Gamboa.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Juana F. Gamboa, of El Paso, Tex., mother and sole surviving parent of Francisco Gamboa, deceased, the sum of $1,593 for the death, hospital and funeral expenses of the said Francisco Gamboa, who was killed by being struck by a Government truck driven by a soldier of the United States Army.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

BEATRICE J. KETTLEWELL

The next business on the Private Calendar was the bill (H. R. 5774) for the relief of Beatrice J. Kettlewell.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, who is interested in this bill?

Mr. MACLAFFERTY. I am interested in it.

Mr. BEGG. Would the gentleman be willing to accept $5,000?

Mr. MACLAFFERTY. I do not know; the gentleman is not here. The vouchers he has sent in are for $7,762.41, and they are for money actually expended. This case is governed by the same set of facts under which the Government paid a death claim. He is a man who has not a dollar in the world except that he has a salary, I presume, of $60 a week. His wife will be suffering from this injury all her life, and that young man has already spent $7,762 and he should have the $7,762. If you ask me whether he will be satisfied with $5,000 I should say I do not think he would be satisfied with $5,000, but he would a great deal rather have $5,000 than nothing.

Mr. BEGG. I feel that $5,000 for a woman who was injured is very fair in comparison with the $1,500 which this committee voted during the last session for the loss of a woman's husband. I tried to get her $5,000 and could not, and I will object unless the gentleman will accept $5,000.

Mr. MACLAFFERTY. I would like to call the gentleman's attention to this fact: That no part of this money is to reimburse her for the injury; this is to pay the bills which he has had to pay and for which he will be in debt for years unless we grant him this money.

Mr. BLANTON. Will the gentleman yield?

Mr. BEGG. Yes.

Mr. BLANTON. The last Congress recommended only $2,500 for the death of a girl who was killed in this same accident.

Mr. MACLAFFERTY. I am well aware of that fact. In this case the woman was not killed but she was very badly injured.

Mr. BEGG. The husband is still able-bodied and working every day; he has a good job, and I think $5,000 is ample and fair.

Mr. BLANTON. And this is larger than is paid as a death claim.

Mr. BEGG. Yes. The $5,000 I suggest is the same amount of money we allow for a death claim.

Mr. MACLAFFERTY. The man would certainly accept $5,000 rather than have it go over.

Mr. VESTAL. Will the gentleman from Ohio yield?

Mr. BEGG. Yes.

Mr. VESTAL. Certainly the amount would be greater for this sort of a claim than for a death claim. Here is a girl who will suffer all her life, and she ought to have the sum of $7,000. There is no question about it, and it seems to me we are quibbling over something that is really just. Here is a woman who is going to suffer all her life and it is a different proposition than a death claim.

Mr. BEGG. I will object unless they accept $5,000.

Mr. MACLAFFERTY. I accept it if it is the best that can be done.

The SPEAKER pro tempore. Is there objection?

Mr. BEGG. Is it definitely understood that it will be $5,000?

The SPEAKER pro tempore. The Chair will state to the gentleman from Ohio that an amendment will have to be offered.

Mr. BEGG. But I will state to the Chair that we are operating under unanimous consent and not under the House rules generally; but if it is generally understood that they will accept $5,000, all right.

Mr. JOHNSON of Washington. It is a matter of bargain and sale.

The SPEAKER pro tempore. Without objection, the amendment is agreed to.

Mr. RAKER. Just a moment, Mr. Speaker; not at all. The bill is up for consideration, is it not?

The SPEAKER pro tempore. Yes; but the bill has not been reported. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $7,762.41, to Beatrice J. Kettlewell, in compensation for injuries sustained on June 29, 1922, as the result of an accident in the Stanislaus National Forest.

Mr. EDMONDS. Mr. Speaker, I move that the sum be reduced to $5,000.

The SPEAKER pro tempore. The gentleman from Pennsylvania offers an amendment, which the clerk will report.

The Clerk read as follows:

Amendment offered by Mr. EDMONDS:

On page 1, line 5, strike out the figures "$7,762.41" and insert in lieu thereof "$5,000."

Mr. RAKER. On that, Mr. Speaker, I desire to be heard.

The SPEAKER pro tempore. The gentleman from Pennsylvania is entitled to recognition.

Mr. EDMONDS. Mr. Speaker, I have very little to say on this bill. We are paying this woman nothing at all for the suffering she will have the balance of her life on account of this accident. They presented to our committee bills showing that this amount of money had been spent, $7,762.41. Even to-day she is still under and needs medical supervision. However, I realize the fact that our committee has established an extreme limit of $5,000, and while we departed in this case on account of the unusual circumstances and on account of the fact that we were not paying one cent for her suffering or for what may happen in the future——

Mr. BULWINKLE. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. BULWINKLE. Or for her loss of time.

Mr. EDMONDS. Or for her loss of time or for her husband's loss of her services. We are simply paying the absolute medical expenses up to date, but as I say, we seem to have established $5,000 as a limit, and under the circumstances I offer the amendment of $5,000 to get the bill through so as to give some relief to these parties.

Mr. SMITH. The $5,000 will not pay the expenses incurred up to date according to the gentleman's own statement.

Mr. EDMONDS. I realize that full well, but $5,000 to a man who has had to raise $7,700 is better than nothing.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. CHINDBLOM. The bill that was submitted in support of the claim includes an item of $2,000 to a bone specialist for a period of seven months, and during the same period there is an item for another physician running over a little longer time amounting to over $1,000.

Mr. EDMONDS. I can imagine that if the gentleman's wife was in this condition and had a number of different troubles——

Mr. CHINDBLOM. I simply wanted to suggest that if this amount is reduced these claimants ought to reduce their claims correspondingly.

Mr. RAKER. Mr. Speaker, I rise in opposition to the amendment.

Mr. MACLAFFERTY. Will the gentleman yield to me a moment?

Mr. RAKER. I want to get recognition before we get into trouble.

Mr. MACLAFFERTY. This being my bill——

Mr. RAKER. I want to say two words before we get into trouble, and then I will yield.

The SPEAKER pro tempore. The gentleman from California is recognized for five minutes.

Mr. BEEDY. Mr. Speaker, who has the floor? Will the gentleman yield? Is this case settled or is it under consideration?

Mr. RAKER. It is under consideration.

Mr. BEEDY. Do I understand any sum is being allowed this woman for having this man the rest of her life? The other woman got rid of her husband.

Mr. RAKER. Mr. Speaker, I hope that will not be taken out of my time. I do not want to criticize anybody, and I am not going to do it. I believe I could say some things that would not do me any good, but I will simply reserve them. I know my friend who objected to the bills that have been passed over, when you do not get a chance to present them at all—I know my friend from Ohio in the matter that came up awhile ago, where the record showed that the judge, the county clerk, and the sheriff for 40 years knew the man involved and knew that he was an honest, upright man——

Mr. BEGG. Will the gentleman yield?

Mr. RAKER. I yield.

Mr. BEGG. I want to say to the gentleman that if he wants to pass this bill at all he had better lay off of it.

Mr. RAKER. That is the attitude you take, is it?

Mr. BEGG. Yes.

Mr. RAKER. That is the attitude you take.

Mr. MACLAFFERTY. Mr. Speaker——

Mr. RAKER. I do not yield, Mr. Speaker.

Mr. MACLAFFERTY. I do not want the gentleman to jeopardize the bill.

Mr. RAKER. Now, I am not going to yield, as a man and as a Representative here, for any bill; don't forget that. If you get up here and make a statement you are threatened that you will not get any bill passed "as long as I am here with one objection." That is the attitude we stand in as a representative body of this country. Because I spoke decently, properly, and gentlemanly to the self-constituted leader over

here, and he did not hear my explanation, I am threatened about getting any bills through because there can be one objection.

Mr. BEGG. Mr. Speaker, I make the point of order that the gentleman is not in order, and I propose to insist on that point of order.

Mr. RAKER. Well, I will discuss this amendment.

The SPEAKER pro tempore. The gentleman from California will proceed in order.

Mr. RAKER. I assure the Chair I will confine myself to the matter under consideration. You know it is peculiar that we have an amendment here, and if you do not reduce this amount—if we do not agree to this amendment, you and I are to be punished from now on during this session. Now, that is in order under this amendment, without any words having been uttered except the kindest that could be uttered to my distinguished friend from Ohio, and I hope that hereafter the gentleman will not just deliberately, on an amendment of this kind now pending, put a man in the attitude——

Mr. BLANTON. Will the gentleman yield?

Mr. RAKER. Let me finish this sentence in as nice a way as I can first. I hope that we will not be put in the attitude that we will be threatened if we do not yield to an amendment cutting this amount from $7,700 to $5,000.

Mr. BEGG. Will the gentleman yield to me?

Mr. RAKER. I yield to my distinguished friend from Ohio.

Mr. BEGG. If the gentleman will yield, I will ask for more time, because I think there is a point involved here that ought to be brought out.

Mr. RAKER. Oh, no; we do not want the gentleman to resign.

Mr. BEGG. We have had to stand a good deal of criticism to-night.

Mr. RAKER. That is not the point.

Mr. BEGG. If the gentleman will permit me to make a statement, I will get him more time. We are operating under unanimous consent, and "the gentleman from Ohio" is not a self-constituted leader.

Mr. RAKER. Did I say that?

Mr. BEGG. Yes.

Mr. RAKER. I would like to have that stricken out. I withdraw the statement.

Mr. BEGG. We come to this bill for damages amounting to $7,000. It fell to my lot to read the bill over, and, using my best judgment, I thought it was too high. I had the choice of saying to the gentleman, under the unanimous-consent agreement to be kept, "I will agree to $5,000," or I could say "I object" and give him nothing. That is not an arbitrary proceeding; that is the rule we are operating under. I submit to the gentleman in all fairness that when a man takes that position he ought not to sit here and be roasted.

Mr. RAKER. May I have two minutes more?

The SPEAKER pro tempore. The gentleman from California asks that his time be extended two minutes. Is there objection?

There was no objection.

Mr. RAKER. I appreciate the gentleman's situation, and I know he appreciates mine. These are small matters. When we get down to it we can settle them in a proper way. Here is an old man 84 years of age who has six daughters and four sons, and in the community in which he lives he has lived there for years, and everybody says that this old man ought to have an opportunity to have his record corrected.

Mr. BLANTON. Will the gentleman yield?

Mr. RAKER. Not just now. The people there think he ought to have an opportunity to be heard. Many of you have cases like this, and I thought I had delivered this book which the old man had printed to all interested, so that they could see the record. I wanted a few moments so that it could be presented. I am not going to take any more time, but I want to see this bill passed.

The SPEAKER pro tempore. Is there objection

There was no objection.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

BERTRAM GARDNER

The next business on the Private Calendar was the bill (H. R. 7194), for the relief of Bertram Gardner, collector of internal revenue for the first district of New York.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit the account of Bertram Gardner, collector of internal revenue for the first district of New York, by reason of shortage of 1,628 distilled spirt export stamps, each stamp valued at 10 cents, a total of $162.80, which stamps were destroyed by fire.

With the following committee amendment:

Page 1, line 5, after the word "Gardner" insert the word "former."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

FRANK GEORGE BAGSHAW

The next business on the Private Calendar was the bill (H. R. 909) to remove the charge of desertion against the name of Frank George Bagshaw.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Reserving the right to object, I note that in another legislative body in this Capitol one Member is objecting to every bill for the relief of any veteran of the Civil War. It does not matter whether the bill is meritorious or not. The gentleman from South Carolina——

The SPEAKER pro tempore. The gentleman must not discuss the proceedings of another body.

Mr. CRAMTON. Very well. The objection is made in the place where all these bills have to go for the relief of veterans of the Civil War. Can anyone on this committee give us any assurance that these veterans of the World War are to receive any better treatment? In other words, are any of these bills relating to veterans to be considered elsewhere upon their merit? If not, we might as well not take the time of the House in passing them here.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to remove the charge of desertion standing against the name of Frank George Bagshaw, late an apprentice, third class, United States Navy, in view of his honorable service during the World War.

With the following committee amendment:

Page 1, line 7, after the word "war" insert "*Provided*, That no back pay, allowances, or emoluments shall become due as a result of the passage of this act.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MILTON M. FENNER

The next business on the Private Calendar was the bill H. R. 2105, for the relief of Milton M. Fenner.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, the Secretary of the Navy says that to enact this proposed law would furnish an undesirable precedent, and he says there is nothing especially meritorious about this case. The department recommends the disapproval of the bill. Under those circumstances I am constrained to object.

Mr. ANDREW. Mr. Speaker, will the gentleman reserve his objection for a moment?

Mr. BLANTON. Yes.

Mr. ANDREW. If the gentleman will read the report, he will find that there are at least seven precedents quoted on the other page of the report. This was the case of a man injured as a midshipman who suffered disability while a midshipman in the Naval Academy. He continued on and became an ensign, and remained for two years in the service after he had left the Academy. He then resigned because of his health.

Mr. BLANTON. Does the gentleman mean to hold that because the President has seen fit to discredit the Secretary of the Navy that we should pay no attention to his reports and recommendations.

Mr. ANDREW. Oh, I quote for the gentleman's benefit the report on the opposite page of Josephus Daniels.

Mr. BLANTON. I am talking about the report of the last Secretary of the Navy.

Mr. CRAMTON. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Michigan objects.

HENRY A. KESSEL CO. (INC.)

The next business on the Private Calendar was the bill (H. R. 1082) for the relief of Henry A. Kessel Co. (Inc.).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of Henry A. Kessel Co. (Inc.), a corporation, as owner of the motor launch *Gled*, against the United States of America, as owner of the Army transport barge *No. 842*, for damages alleged to have been occasioned said Henry A. Kessel Co. (Inc.), as a result of a collision between its launch *Gled* and said Army transport barge *No. 842* at the Army Engineers' Piers, Norfolk, Va., in the Elizabeth River, on April 11, 1919, may be litigated and determined in the District Court of the United States for the Eastern District of Virginia, at Norfolk, sitting as a court of admiralty and acting under the rules governing such a court; and said court shall have jurisdiction to hear and determine said litigation, and to enter a judgment for such damages and costs, if any, as it shall find to be due from the United States of America to Henry A. Kessel Co. (Inc.), or from Henry A. Kessel Co. (Inc.) to the United States of America, ascertained upon the principles and measures of liability applicable in like cases in admiralty between private persons or corporations; and Henry A. Kessel Co. (Inc.) and the United States of America shall have all rights of appeal as in a similar case between private persons or corporations: *Provided*, That notice of any suit brought by Henry A. Kessel Co. (Inc.) by virtue hereof shall be given to the Attorney General of the United States in the manner provided by any order entered by the District Court of the United States for the Eastern District of Virginia, at Norfolk, in said cause, and it shall be the duty of the Attorney General of the United States to cause the United States attorney for the eastern district of Virginia, at Norfolk, to appear on behalf of the United States and protect and defend its interests: *Provided further*, That the proceeding hereby authorized shall be begun within four months from the date of the passage of this act.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

GORDON G. MACDONALD

The next business on the Private Calendar was the bill (H. R. 2342) for the relief of Gordon G. MacDonald.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SWING. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1013) for the relief of Gordon G. MacDonald, granting the same relief as this bill, passed by the Senate on the 14th day of May, and consider the Senate bill in lieu of the House bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, is it an identical bill?

Mr. SWING. It is not identical word for word. It puts him on the retired list; that has been recommended by the Navy Department.

Mr. BLANTON. Mr. Speaker, we have had no opportunity to consider this bill. If it is identical, we have no objection.

Mr. SWING. Both of the bills put him on the retired list under the law which was passed July 12.

Mr. BLANTON. Does the Senate bill give him any greater rights than the House bill?

Mr. SWING. Not a bit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That Gordon G. MacDonald, who, while serving as a lieutenant, United States Naval Reserve Force, was found by a naval retiring board to be permanently incapacitated for active service by reason of physical disability incurred in the line of duty as a result of an incident of the service, in time of war, shall be eligible for retirement; and the President is hereby authorized to place him upon the retired list with the rank and three-quarters of the pay of the grade held by him at the time such physical disability was incurred.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The bill H. R. 2342 was ordered to lie on the table.

RUSSELL H. LINDSAY

The next business on the Private Calendar was the bill (H. R. 2418) for the relief of Russell H. Lindsay.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to appoint Russell H. Lindsay, former lieutenant, junior grade, United States Navy, in which grade he served honorably during the World War, a lieutenant, junior grade, in the United States Navy, and to retire him and place him on the retired list of the Navy as lieutenant, junior grade, with retired pay of that grade.

With the following committee amendments:

Line 4, after the word "former," strike out the words "lieutenant (junior grade)" and insert the word "ensign."

Line 6, after the word "war," strike out the words "a lieutenant (junior grade)" and insert the words "an ensign."

Line 8, after the word "as," strike out the words "lieutenant (junior grade)" and insert the words "an ensign."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

PAYMASTER HERBERT ELLIOTT STEVENS, UNITED STATES NAVY

The next business on the Private Calendar was the bill (H. R. 2921) for the relief of Paymaster Herbert Elliott Stevens, United States Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, why does Congress want to break up the regular procedure of promotion?

Mr. ANDREW. This man was entitled to promotion and would have been promoted in 1918 had he not been in the Philippines at the time when by seniority he came up for promotion, but he was not allowed to be examined. He has been 26 years in the Navy, and it involves no expense whatever, as he now receives the pay of one grade higher.

Mr. BEGG. The Secretary says his record was placed before the board and he was not recommended.

Mr. ANDREW. That is the Board of Selection, but under the law then operative he would have been promoted by seniority during the six months of January to June, 1918.

Mr. BEGG. The Secretary says that there are many in this class, and if you pick out this one you are doing an injustice to the rest of them.

Mr. ANDREW. The committee considered the bill and thinks this case was very unique.

Mr. BEGG. I think I will object.

The SPEAKER pro tempore. The gentleman from Ohio objects.

GEORGE A. BERRY

The next business on the Private Calendar was the bill (H. R. 7167) for the relief of George A. Berry.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the President be, and he hereby is, authorized to order George A. Berry, ex-lieutenant commander United States Naval Reserve Force, to appear before a naval retiring board for the purpose of determining whether or not the disability complained of in his case originated in the line of duty in time of war, as required by the provisions of the act of July 12, 1921 (42 Stat. L. p. 140): *Provided*, That if said naval retiring board finds that Mr. Berry is now suffering from a disability incurred in the line of duty in time of war which renders him unfit to perform all the duties of the grade of

lieutenant commander, United States Naval Reserve Force, in time of war, the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, appoint George A. Berry a lieutenant commander, United States Naval Reserve Force, and to place him upon the retired list with three-fourths of the pay of his grade: *Provided further*, That he shall not be entitled to any back pay or allowances by the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ELIZABETH WALTER BOSTROM

The next business on the Private Calendar was the bill (H. R. 1706) granting six months' pay to Elizabeth Walter Bostrom.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of this bill? [After a pause.] The Chair hears none.

The Clerk began the reading of the bill.

Mr. BEGG. Mr. Speaker, I think the House is entitled to know whether the Clerk is reading the bill or the Chair is calling for objection.

The SPEAKER pro tempore. Is there objection?

Mr. BEGG. Reserving the right to object, I would like to ask whoever is interested in this bill——

Mr. McREYNOLDS. Mr. Speaker, I will say to the gentleman from Ohio I introduced this bill, and it is merely a copy of a bill passed for the relief of another party at the last term of Congress and became a law.

Mr. BEGG. I withdraw my objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized and directed to cause to be paid, from the appropriation for beneficiaries of officers who die while on the active list of the Navy, to Elizabeth Walter Bostrom, widow of Carl Augustus Bostrom, late lieutenant commander, Civil Engineer Corps, United States Navy, an amount equal to six months' pay at the rate the said Carl Augustus Bostrom was receiving at the date of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

DANIEL A. SPAIGHT

Mr. O'CONNELL of Rhode Island. Mr. Speaker, I ask to take from the Speaker's desk the bill S. 588, of the same subject matter as the House bill H. R. 3071.

The SPEAKER pro tempore. Is it identical with the House bill?

Mr. O'CONNELL of Rhode Island. I am going to ask to amend it to correspond to the House bill.

The SPEAKER pro tempore. Is this a similar bill to that to which the gentleman from Michigan objected?

Mr. O'CONNELL of Rhode Island. I am going to propose the House bill as an amendment by striking out all after the enacting clause and substituting the House bill.

The SPEAKER pro tempore. The gentleman from Rhode Island asks unanimous consent to take from the Speaker's table the bill S. 588, which is similar in subject matter to H. R. 3071, which was objected to by the gentleman from Michigan. Is there objection?

Mr. BEGG. What is the amount carried in that?

Mr. O'CONNELL of Rhode Island. I am going to substitute the House bill to make the amounts smaller.

The SPEAKER pro tempore. The Chair hears no objection.

The Clerk began the reading of the bill.

Mr. BLANTON. Mr. Speaker, how does this bill get in here?

Mr. O'CONNELL of Rhode Island. I will explain in just a minute.

Mr. BLANTON. Well, I insist, Mr. Speaker, that this bill is not called regularly on the calendar.

Mr. O'CONNELL of Rhode Island. I make the point of order that the objection comes too late.

The SPEAKER pro tempore. The gentleman from Michigan objected to the House bill a moment ago and the gentleman from Rhode Island then asked unanimous consent to take the Senate bill, which is similar in subject matter, which the Chair put to the committee, and stated as he put the question to the committee that it was similar in subject matter to the bill objected to by the gentleman from Michigan, and there was no objection.

Mr. BLANTON. I think we ought to know about these things. I have been paying close attention here——

The SPEAKER pro tempore. The Chair will state to the gentleman from Texas he was very careful to announce in putting the question for unanimous consent that it was the same subject matter to which objection had previously been made.

The Clerk read as follows:

A bill (S. 588) for the relief of Daniel A. Spaight

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, as follows, to wit: To Daniel A. Spaight, the sum of $8,269.90, $769.90 of which is for medical expenses; to Elizabeth Tabele, the sum of $2,500; to Mary F. Spaight, the sum of $2,900, $400 of which is for medical expenses; to Thomas F. Sutton, the sum of $700, and to Thomas A. Tabele, the sum of $250, in full settlement for injuries received on June 25, 1922, at Westport, Mass., when an automobile in which they were passengers was struck by an auto truck belonging to and negligently operated by the War Department.

Mr. O'CONNELL of Rhode Island. Mr. Speaker, I offer as an amendment to Senate bill 588 the provisions of the bill (H. R. 3071) and move that all after the enacting clause be stricken out and the provisions of (H. R. 3071) be substituted in lieu thereof.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Mr. O'CONNELL of Rhode Island moves to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, as follows, to wit: To Daniel A. Spaight, $6,239.80; to Mary F. Spaight, $2,812.70; to Thomas F. Sutton, $273.42; to Elizabeth Tabele, $1,140.50; to Thomas A. Tabele, $102.96, in full settlement of all damages against the Government for injuries received on June 25, 1922, at North Westport, Mass., when an autotruck belonging to and negligently operated by the War Department: *Provided*, That no part of the amount of any item appropriated in this bill in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney, or attorneys on account of services rendered or advances made in connection with said claim: *Provided*, That it shall be unlawful for any agent or agents, attorney, or attorneys to exact, collect, withhold, or receive any sum which in the aggregate exceeds 10 per cent of the amount of any item appropriated in this bill on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $2,000.

The SPEAKER pro tempore. The Clerk has called the Chair's attention to an inaccuracy in the amendment. The Chair suggests that the gentleman from Rhode Island take the bill and fix the inaccuracy while we consider other bills. The Clerk will report the next bill.

ISIDOR STEGER

The next business on the Private Calendar was the bill (H. R. 6436) for the relief of Isidor Steger.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the date of discharge of Isidor Steger, chief machinist's mate, United States Fleet Naval Reserve, shall be considered as June 25, 1917, instead of June 22, 1917, for the purpose of rectifying an error, and for all purposes connected with continuous service in the Navy of the United States, and that the Secretary of the Navy be, and he is hereby, authorized and directed to cause the records of the said Isidor Steger in the Navy Department to be corrected to conform with this authorization, to the end that the said Isidor Steger shall be entitled to all pay, benefits, and emoluments conferred by law or regulation for continuous service in the Navy of the United States.

With the following committee amendment: Page 1, line 5, strike out the figures "25" and insert in lieu thereof the figures "26."

The SPEAKER pro tempore. Without objection, the committee amendment is agreed to.

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

DANIEL A. SPAIGHT

The SPEAKER pro tempore. The question now recurs on the amendment to the former bill offered by the gentleman from Rhode Island [Mr. O'CONNELL], which the Clerk will report.

The Clerk read as follows:

Strike out all after the enacting clause in the Senate bill and insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, as follows, to wit: To Daniel A. Spaight, $5,000; to Mary F. Spaight, $2,812.70; to Thomas F. Sutton, $273.42; to Elizabeth Tabele, $1,140.50; to Thomas A. Tabele, $102.96, in full settlement of all damages against the Government for injuries received on June 25, 1922, at North Westport, Mass., when struck by an autotruck belonging to and negligently operated by the War Department: *Provided*, That no part of the amount of any item appropriated in this bill in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney, or attorneys on account of services rendered or advances made in connection with said claim: *Provided*, That it shall be unlawful for any agent or agents, attorney, or attorneys to exact, collect, withhold, or receive any sum which in the aggregate exceeds 10 per cent of the amount of any item appropriated in this bill on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $2,000."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Rhode Island.

The amendment was agreed to.

The SPEAKER pro tempore. The question is now on the third reading of the Senate bill.

The Senate bill was ordered read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, a similar House bill will be laid on the table.

There was no objection.

FRANK STINCHCOMB

The next business on the Private Calendar was the bill (H. R. 8961) for the relief of Frank Stinchcomb.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to appoint Chief Gunner Frank Stinchcomb, United States Navy, a lieutenant on the active list of the United States Navy, subject to qualification on physical examination, to take rank next after Lieut. William E. Snyder, United States Navy: *Provided*, That in the event of the failure of said Chief Gunner Frank Stinchcomb to qualify for such appointment and if found incapacitated for active service by a naval retiring board, the President be, and he is hereby, authorized to appoint the said Frank Stinchcomb a lieutenant on the retired list of the Navy with the retired pay of that grade.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

WALTER BAKER

The next business on the Private Calendar was the bill (H. R. 5639) for the relief of Walter Baker.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, I object.

Mr. BLANTON. Will the gentleman from Ohio withhold his objection for a moment?

Mr. BEGG. Yes.

Mr. BLANTON. This is a young man, 18 years of age, who enlisted without his mother's consent.

Mr. BEGG. How long was he in the service?

Mr. BLANTON. A short time.

Mr. BEGG. Eleven days.

Mr. BLANTON. She had him discharged. We now have a bill which permits mothers and fathers to have their sons discharged from the Army or the Navy when they enlist without their consent, and when we are allowing honorable discharges to all it seems unjust to deny it in this case. I have no interest in the bill at all.

Mr. BEGG. If the gentleman will add an amendment that he is not entitled to any compensation or pension, I will not object.

Mr. BLANTON. He is only 18 years old now.

Mr. BEGG. I know, but if you pass this bill he will come in for a pension.

Mr. BLANTON. No; he is only 18 years old now.

Mr. BEGG. That makes no difference. He will be coming in for a pension.

Mr. BOYLAN. If the gentleman from Ohio will be good enough to yield to me, I would like to say something, as this is my bill.

Mr. BEGG. I yield to the gentleman.

Mr. BOYLAN. I will say that this is the case of a boy, Walter Baker, 17 years of age, who enlisted and stated he was 18 years of age. After he had enlisted his parents became aware of the fact of the enlistment and secured his discharge. Now, if the gentleman from Ohio will be good enough to listen to me, as he has objected, I would like him to hear the story.

Mr. BEGG. I have read the report. Why did not the gentleman put the story in the report?

Mr. BOYLAN. This boy is now an inmate of the tubercular camp of the American Legion, in the Adirondacks, in New York, maintained by the Legion for those men who were in the service but have no right to hospitalization by the Government. He is dying in this Adirondack camp; and this simply gives him an honorable discharge in order that in his remaining days he may have the peace of mind—although he is suffering anguish of body—of knowing that he will have been honorably discharged from the ranks of the soldiers of his country.

Mr. BEGG. Will the gentleman yield?

Mr. BOYLAN. Certainly.

Mr. BEGG. Is that all he wants?

Mr. BOYLAN. He wants hospitalization. Is the gentleman going to object to a dying veteran receiving hospitalization?

Mr. BEGG. I am going to object to this bill.

Mr. BOYLAN. The gentleman to-night was willing that a bill should pass for the relief of the Standard Oil Co., for the Erie Railroad Co., and for the Canadian Pacific Railroad Co., and yet he wants to deny hospitalization to a dying veteran.

Mr. VAILE. Mr. Speaker, I demand the regular order.

Mr. BOYLAN. Regular order? Is there anything more regular than this?

The SPEAKER pro tempore. Objection is made. The clerk will report the next bill.

Mr. BOYLAN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to proceed for two minutes. Is there objection?

Mr. CRAMTON. I object.

Mr. BOYLAN. Did the gentleman object?

Mr. CRAMTON. I certainly did.

Mr. BOYLAN. I would like the people of the country to know the type of man you are to object to a bill of this kind.

EAGLE PASS LUMBER CO.

The next business on the Private Calendar was the bill (H. R. 7122) for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Without objection, the Clerk will report the committee amendment.

There was no objection.

The Clerk read the committee amendment, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Eagle Pass Lumber Co., of Eagle Pass, Tex., the sum of $2,459.52, being refund of excess duties on certain shipments of ixtle twine from Mexico to the United States in 1918.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

FRANK VUMBACA

The next business on the Private Calendar was the bill (S. 243) for the relief of Frank Vumbaca.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Vumbaca, of Portland, Me., the sum of $419, to reimburse him for damages to his house, No. 469 Washington Avenue, Portland, Me., caused by concussion from blasts.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

COMMERCIAL PACIFIC CABLE CO.

The next business on the Private Calendar was the bill (S. 709) for the relief of the Commercial Pacific Cable Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I notice this is a bill for the relief of the Commercial Pacific Cable Co. Recently I heard some objection from the gentleman from New York on the ground that these bills for the relief of corporations had not been objected to. I recently got some criticism over here because I objected to one for the relief of the Canadian Pacific Railway.

Mr. OLIVER of New York. Mr. Speaker, I call for the regular order.

Mr. BLANTON. This is a good bill.

The SPEAKER pro tempore. The regular order has been demanded.

Mr. CRAMTON. I want the gentleman from New York to know that this bill is before us for the relief of a corporation.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. I do not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Commercial Pacific Cable Co., out of any money in the Treasury not otherwise appropriated, the sum of $16,109.94 to reimburse said company for the cost of repairing certain damages done by the United States naval authorities to one of said company's cables in the harbor of San Luis d'Apra, island of Guam, on March 21, 1923. The Secretary of the Treasury is also authorized and directed to pay to the Commercial Pacific Cable Co., out of any money in the Treasury not otherwise appropriated, the sum of $30,490.38, to reimburse said company for the cost of repairing certain damages done by the United States naval authorities to one of said company's cables in the harbor of San Luis d'Apra, island of Guam, in September, 1907, as reported to Congress in Senate Document No. 88, Sixty-fourth Congress, first session.

With the following committee amendment:

On page 2, line 1, strike out "$30,490.38" and insert in lieu thereof "$26,490.38."

The SPEAKER pro tempore. Without objection, the committee amendment is agreed to.

There was no objection.

Mr. BLANTON. Mr. Speaker, the gentleman from New York ought to explain the merits of this bill, I think.

The SPEAKER pro tempore. The gentleman from New York has not asked for recognition. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

EZRA S. POND

The next business on the Private Calendar was the bill (S. 1941) for the relief of Ezra S. Pond.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $552.51 to Ezra S. Pond, a resident of 655 Pinewood Avenue, Toledo, Ohio, administrator of the estate of his only child, the late Harry S. Pond, captain Company K, Fifty-eighth Infantry, for loss of equipment sustained by the said Harry S. Pond in the sinking of the United States transport *Moldavia* on May 6, 1918.

The SPEAKER pro tempore. The question is on the second reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

JOSEPH P. RYAN

The next business on the Private Calendar was the bill H. R. 1333, for the relief of Joseph P. Ryan.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph P. Ryan the sum of $1,600 for medical expenses in connection with injuries sustained while in line of duty as searcher in the United States Customs Intelligence Bureau, port of New York.

With the following committee amendment:

Line 6, after the word "for" insert the words "medical expenses in connection with."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHAMBER OF COMMERCE, NORTHAMPTON, MASS.

The next business on the Private Calendar was the bill (H. R. 4280) for the relief of the chamber of commerce of the city of Northampton, Mass.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the chamber of commerce of the city of Northampton, Mass., the sum of $4,500, to reimburse the said chamber of commerce for money advanced by it for the purchase of a certain tract of land now a part of the site of the Veterans' Hospital of the United States in the city of Northampton, Mass., the said tract not having been included in the terms of the offer of the said chamber of commerce to the Director of the United States Veterans' Bureau to provide a site for said hospital, which offer was duly accepted by the said Director of the United States Veterans' Bureau on behalf of the Government of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

J. W. COOK

The next business on the Private Calendar was the bill (H. R. 3046) for the relief of J. W. Cook.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to J. W. Cook in full compensation for injuries sustained and for reimbursement of expenses incurred as a result of being accidentally shot on December 30, 1921, while employed at Billings, Mont., as a contract mail carrier.

With the following committee amendment:

In line 5, strike out the figures "$10,000" and insert in lieu thereof "$3,500."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CALEB ABER

The next business on the Private Calendar was the bill (H. R. 1539) for the relief of Caleb Aber.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Caleb Aber shall hereafter be held and considered to have been honorably discharged from the United States Army as a private of Company A, Seventieth New York Volunteers, on the 29th day of December, 1863, and of Company F, Twelfth Regiment New Jersey Volunteer Infantry, on the 25th day of June, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

J. M. FARRELL

The next business on the Private Calendar was the bill (H. R. 2745) for the relief of J. M. Farrell.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. BLANTON. Reserving the right to object, I note that the auditor makes a report that there is nothing due the claimant.

Mr. EDMONDS. Nothing legally due the claimant, but there is something morally due on account of the inability to get ships at the time on account of the war.

Mr. BLANTON. Is not this a case of liquidated damages?

Mr. BLACK of New York. Let me say that it is true that he made a contract, and he seeks relief owing to the fact that the penalty ought not properly to be charged to him.

Mr. BLANTON. Why did not the department relieve him?

Mr. BLACK of New York. Evidently they did not think they had the power.

Mr. BLANTON. They have the power up to this amount, have they not? We have given them the power.

Mr. BLACK of New York. This is for $2,600. Five hundred dollars is the amount.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. M. Farrell, of Seattle, Wash., the sum of $2,284.03, the same being the amount withheld by the disbursing agent of the Alaska Engineering Commission on account of liquidated damages claimed for delay in delivering lumber in Alaska for said commission under Seattle purchase orders Nos. D2073 and D2074.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

NEAR EAST RELIEF

Mr. FISH. Mr. Speaker, I ask unanimous consent to return to Calendar No. 144 (S. 87), an act for the relief of the Near East Relief.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. BLANTON. Mr. Speaker, I object.

Mr. BEGG. Mr. Speaker, the gentleman who objected is not here.

The SPEAKER pro tempore. Objection is made, and the Clerk will report the next bill.

DANIEL F. HEALY

The next business on the Private Calendar was the bill (H. R. 3595) for the relief of Daniel F. Healy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, the sum of $5,000 to Daniel F. Healy, for injuries sustained as a result of being struck by a Government-owned truck in Manchester, N. H., on May 4, 1922.

With the following committee amendment:

Line 5, strike out the figures "$5,000" and insert "$344.60, in full settlement against the Government."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JIM HENNESSEE

The next business on the Private Calendar was the bill (H. R. 8343) for the relief of Jim Hennessee.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jim Hennessee, of Chattanooga, Tenn., the sum of $55. Such sum is the amount of a money order issued to the said Jim Hennessee at Palmer, Tenn., June 8, 1921, No. 5397, and payable to George Hennessee, at Spokane, Wash., which was unlawfully collected by a person other than the payee. The Secretary of the Treasury is directed to deduct from such sum any payment to the said Jim Hennessee in respect to such money order.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

PENSIONS

The next business on the Private Calendar was the bill H. R. 917, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of the wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

PAUL CRUM

The next business on the Private Calendar was the bill (H. R. 3388) to place the name of Paul Crum on the muster rolls of Company E, First Regiment Nebraska Infantry, United States Volunteers.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Paul Crum, formerly of the city of Fargo, State of North Dakota, shall be held and considered to have served as a private in Company E, First Regiment Nebraska Infantry, United States Volunteers, in the war with Spain, from March 28, 1899, to May 30, 1899, and to have been honorably discharged of said last date.

SEC. 2. That said Paul Crum be, and he is hereby, entitled to all privileges and immunities belonging to a private soldier of said regiment, including all medals, citations, and decorations for remaining in the service after the expiration of the usual term of enlistment during the war with Spain, the same as though he had been regularly enlisted therein.

With the following committee amendment:

Line 7, strike out the words "May 30" and insert in lieu thereof the words "June 20."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ADJOURNMENT

Mr. EDMONDS. Mr. Speaker, the hour of 11 o'clock having arrived, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 11 o'clock p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Thursday, May 29, 1924, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

531. A communication from the President of the United States, transmitting a draft of proposed legislation amending the act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for personal services in the District of Columbia, from not to exceed $50,000 to not to exceed $100,000 (H. Doc. No. 336); to the Committee on Appropriations and ordered to be printed.

532. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year ending June 30, 1925, required to provide for employees of the field service of the probation system, Supreme Court, District of Columbia, and for salaries and expenses, Court of Appeals, District of Columbia, comparable to those provided by the classification act of 1923 for employees within the District of Columbia, amounting in all to $2,560 (H. Doc. No. 337); to the Committee on Appropriations and ordered to be printed.

533. A communication from the President of the United States, transmitting a draft of proposed legislation which will authorize the United States Housing Corporation, Washington, D. C., to expend not exceeding $10,000 of the appropriation for the maintenance, operation, and management of the Government hotel for Government workers, Washington, D. C., for the purchase of additional laundry machines and equipment (H. Doc. No. 338); to the Committee on Appropriations and ordered to be printed.

534. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture for the fiscal year ending June 30, 1924, to remain available until June 30, 1925, for the eradication of foot-and-mouth and other contagious diseases of animals, $3,500,000 (H. Doc. No. 339); to the Committee on Appropriations and ordered to be printed.

535. A letter from the Secretary of War, transmitting a draft of proposed legislation for the relief of Maj. Willard D. Newbill, Quartermaster Corps (now colonel, United States Army, retired); to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FREDERICKS: Committee on the Public Lands. H. R. 166. A bill authorizing the Secretary of the Interior to issue patent to the city of Redlands, Calif., for certain lands, and for other purposes; without amendment (Rept. No. 883). Referred to the Committee of the Whole House on the state of the Union.

Mr. WATSON: Committee on Ways and Means. H. R. 2858. A bill for the relief of certain customs employees at the port of Philadelphia who served as acting customs guards during the war emergency; without amendment (Rept. No. 884). Referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT: Committee on the Public Lands. H. R. 8522. A bill granting to certain claimants the preference right to purchase unappropriated public lands; with an amendment (Rept. No. 885). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. S. 933. An act to provide for the examination and registration of architects and to regulate the practice of architecture in the District of Columbia; without amendment (Rept. No. 886). Referred to the Committee of the Whole House on the state of the Union.

Mr. PARKS of Arkansas: Committee on Interstate and Foreign Commerce. H. R. 9459. A bill granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., and the Fort Smith waterworks district of said city to construct, maintain, and operate a dam across the Poteau River; without amendment (Rept. No. 887). Referred to the House Calendar.

Mr. HULL of Iowa: Committee on Military Affairs. S. 3171. An act for the relief of sufferers from earthquake in Japan; without amendment (Rept. No. 893). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WURZBACH: Committee on Military Affairs. H. R. 3544. A bill for the relief of James Madison Brown; without amendment (Rept. No. 888). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on the Public Lands. H. R. 6335. A bill for the relief of the First International Bank of Sweetgrass, Mont.; without amendment (Rept. No. 889). Referred to the Committee of the Whole House.

Mr. SINNOTT: Committee on the Public Lands. H. R. 7679. A bill for the relief of Lars O. Elstad and his assigns and the exchange of certain lands owned by the Northern Pacific Railway Co.; with amendments (Rept. No. 890). Referred to the Committee of the Whole House.

Mr. WILLIAMS of Michigan: Committee on War Claims. H. R. 8298. A bill for the relief of Byron S. Adams; without amendment (Rept. No. 891). Referred to the Committee of the Whole House.

Mr. THOMAS of Oklahoma: Committee on the Public Lands. H. R. 9027. A bill authorizing the Secretary of the Interior to sell and patent to William G. Johnson certain lands in Louisiana; without amendment (Rept. No. 892). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9237) granting an increase of pension to Susan G. Caplinger, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EVANS of Montana: A bill (H. R. 9513) to amend the tariff act of 1922; to the Committee on Ways and Means.

By Mr. THOMAS of Oklahoma: A bill (H. R. 9514) providing for the development of the Wichita National Forest and Game Preserve; to the Committee on Agriculture.

By Mr. BOYCE: A bill (H. R. 9515) granting the consent of Congress to the Delaware State Highway Department to construct a bridge across the canal near Rehoboth, Del.; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD of Nebraska: A bill (H. R. 9516) to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Texas: A bill (H. R. 9517) granting the consent of Congress to the Texas & Oklahoma Red River Bridge Co. (Inc.), of St. Jo, Tex., a corporation organized under the laws of the State of Texas, to construct a toll bridge across the Red River in the vicinity of Illinois Bend, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. ALLGOOD: A bill (H. R. 9518) to authorize the State of Alabama, through its highway department, to construct and maintain a bridge across the Coosa River at or near Leesburg, Ala., connecting Leesburg and Center, in the State of Alabama, on the primary road system of the State; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCKLEY: A bill (H. R. 9519) supplemental to the national prohibition act; to the Committee on the Judiciary.

By Mr. CARTER: A bill (H. R. 9520) for the relief of the Choctaw and Chickasaw Tribes of Indians of Oklahoma, and for other purposes; to the Committee on Indian Affairs.

By Mr. DEAL: A bill (H. R. 9521) to authorize the city of Norfolk, Va., to construct a dam from the southern and northern banks of Lafayette River to the southern and northern edges of the channel of said river; to the Committee on Rivers and Harbors.

By Mr. LaGUARDIA: Resolution (H. Res. 330) providing for an investigation of the air service of the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 9522) for the relief of A. B. Ewing; to the Committee on Claims.

By Mr. BEGG: A bill (H. R. 9523) granting an increase of pension to Adaline Norton; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 9524) granting an increase of pension to Adam L. Foley; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 9525) granting a pension to Frederick O. Overlock; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 9526) granting an increase of pension to Jennie Titus; to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 9527) granting an increase of pension to Palmer W. Coe; to the Committee on Pensions.

By Mr. PHILLIPS: A bill (H. R. 9528) granting a pension to Clara E. Seaton; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 9529) granting a pension to Lucinda Lunt; to the Committee on Invalid Pensions.

By Mr. STEDMAN: A bill (H. R. 9530) for the relief of John E. Tucker; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 9531) granting an increase of pension to Emogene Warden; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 9532) for the relief of William J. Donaldson; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2927. By Mr. BARBOUR: Petition of the Tulare County (Calif.) Bar Association, indorsing bills now pending having for their purpose the increase of salaries of Federal judges; to the Committee on the Judiciary.

2928. By Mr. FREAR: Petition of sundry citizens of River Falls, Wis., and vicinity, favoring immediate action on game refuge bills; to the Committee on Agriculture.

2929. Also, petition of the Izaak Walton League of Trempealeau County, Wis., favoring the Hawes and McCormick game refuge bills; to the Committee on Agriculture.

2930. By Mr. FULLER: Petitions of the La Salle County (Ill.) Farm Bureau, the Grundy County (Ill.) Farm Bureau, the Winnebago County (Ill.) Farm Bureau, the Boone County (Ill.) Farm Bureau, the Belvidere (Ill.) Chamber of Commerce, the Sycamore (Ill.) Grain & Lumber Co., and sundry citizens of the twelfth congressional district of Illinois, favoring the McNary-Haugen bill; to the Committee on Agriculture.

2931. Also, petition of the Woman's Christian Temperance Union of Kendall County, Ill., opposing any modification of the eighteenth amendment to the Constitution or of the Volstead Act; to the Committee on the Judiciary.

2932. Also, petitions of the American Federation of Railroad Workers; Patterson Lodge, No. 121, the Northwestern Region Shop Crafts Association, Pennsylvania system; the Universal Locomotive Arch Co., of Chicago; and sundry citizens, protesting against the passage of the Howell-Barkley bill; to the Committee on Interstate and Foreign Commerce.

2933. Also, petitions of the Railway Mail Association, sixth division, Chicago, Ill., and sundry railway postal employees, favoring the postal salary bill, H. R. 9035; to the Committee on the Post Office and Post Roads.

2934. Also, petitions of maintenance-of-way employees of the Northwestern Railway and the Santa Fe Railway, favoring the Howell-Barkley bill; to the Committee on Interstate and Foreign Commerce.

2935. Also, petition of the Sycamore (Ill.) Chamber of Commerce and sundry citizens of Sycamore, Ill., favoring the bill H. R. 4088, known as the Isaak Walton or upper Mississippi wild life and fish refuge bill; to the Committee on Agriculture.

2936. By Mr. GALLIVAN: Petition of the Christian Science Board of Directors, Boston, Mass., recommending approval of extension of air mail service, Boston to San Francisco, as provided for in the Dallinger bill; to the Committee on Interstate and Foreign Commerce.

2937. Also, petition of the Brockway-Smith Corporation, Boston, Mass., recommending passage of Senate resolution restoring original name of Mount Tacoma, in the State of Washington; to the Committee on the Public Lands.

2938. By Mr. RAKER: Petitions of J. N. Hutchens, postmaster, Ruth, Calif.; Frank Stephenson, Terra Bella, Calif.; Roy Bucknell, Upper Lake, Calif.; and Fred F. Darcy, postmaster, Montebello, Calif., urging support of H. R. 9035; to the Committee on the Post Office and Post Roads.

2939. Also, petitions of Mr. and Mrs. F. A. Templeton, Roseville, Calif.; Roy S. Busy, traffic manager Chevrolet Motor Co. of California, Oakland, Calif.; and the Little River Redwood Co., Crannell, Humboldt County, Calif., relative to the Howell-Barkley bill; to the Committee on Interstate and Foreign Commerce.

2940. Also, petition of Lynn F. Seiler, secretary Long Beach Bar Association, Long Beach, Calif., indorsing bills providing for general increase in the salaries of Federal judges; to the Committee on the Judiciary.

2941. By Mr. YATES: Petition of Mr. Ross M. Oleson, secretary of the Isaak Walton League of America, of Elgin, Ill., favoring the early passage of H. R. 4088, the upper Mississippi wild life and fish refuge bill; to the Committee on Agriculture.

SENATE

THURSDAY, *May 29, 1924*

(Legislative day of Monday, May 26, 1924)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills of the Senate:

S. 81. An act for the relief of the owners of the steamship *Lexington*;

S. 243. An act for the relief of Frank Yumbaca;

S. 593. An act for the relief of the United Dredging Co.;

S. 935. An act for the relief of the Erie Railroad Co.;

S. 1013. An act for the relief of Gordon G. MacDonald;

S. 1213. An act for the relief of Harold Kernan;

S. 1330. An act for the relief of the estate of Ely N. Sonnenstrahl, deceased; and

S. 1941. An act for the relief of Ezra S. Pond.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 709. An act for the relief of the Commercial Pacific Cable Co.; and

S. 799. An act for the relief of F. A. Maron.

The message further announced that the House further insisted upon its disagreement to the amendment of the Senate to the amendment of the House to the amendment of the Senate No. 47 to the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes; agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CRAMTON, Mr. MURPHY, and Mr. CARTER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed bills of the following titles, in which it requested the concurrence of the Senate:

H. R. 909. An act to remove the charge of desertion against the name of Frank George Bagshaw;

H. R. 1082. An act for the relief of Henry A. Kessel Co. (Inc.);

H. R. 1333. An act for the relief of Joseph P. Ryan;

H. R. 1539. An act for the relief of Caleb Aber;

H. R. 1706. An act granting six months' pay to Elizabeth Walter Bostrom;

H. R. 1717. An act authorizing the payment of an amount equal to six months' pay to Joseph J. Martin;

H. R. 1830. An act for the relief of Charles T. Norman;

H. R. 2373. An act for the relief of the Standard Oil Co. at Savannah, Ga.;

H. R. 2418. An act for the relief of Russell H. Lindsay;

H. R. 2745. An act for the relief of J. M. Farrell;

H. R. 2989. An act for the relief of Mrs. E. L. Guess;

H. R. 3046. An act for the relief of J. W. Cook;

H. R. 3388. An act to place the name of Paul Crum on the muster rolls of Company E, First Regiment Nebraska Infantry, United States Volunteers;

H. R. 3411. An act for the relief of Mrs. John P. Hopkins;

H. R. 3505. An act for the relief of Fred W. Stickney and H. A. Reynolds;

H. R. 3595. An act for the relief of Daniel F. Healy;

H. R. 3736. An act for the relief of James J. Meehan;

H. R. 4280. An act for the relief of the Chamber of Commerce of the city of Northampton, Mass.;

H. R. 4290. An act for the relief of W. F. Payne;

H. R. 4318. An act for the relief of Edward S. Scheibe;

H. R. 4732. An act to correct the naval record of Garnet A. Sylvester;

H. R. 5661. An act granting permission to Col. Harry F. Rethers, Quartermaster Corps, United States Army, to accept the gift of a Sevres statuette entitled "Le Courage Militaire," tendered by the President of the French Republic;

H. R. 5774. An act for the relief of Beatrice J. Kettlewell;

H. R. 5819. An act for the relief of the estate of the late Capt. D. H. Tribou, chaplain, United States Navy;

H. R. 6241. An act for the relief of Lieut. E. J. McAllister;

H. R. 6436. An act for the relief of Isidor Steger;

H. R. 6506. An act for the relief of John Baumen;

H. R. 7122. An act for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex.

H. R. 7167. An act for the relief of George A. Berry;

H. R. 7194. An act for the relief of Bertram Gardner, former collector of internal revenue for the first district of New York;

H. R. 7389. An act for the relief of John Solen;

H. R. 7420. An act for the relief of Albert E. Laxton;

H. R. 8258. An act for the relief of Capt. Frank Geere;

H. R. 8343. An act for the relief of Jim Hennessee;

H. R. 8687. An act to authorize alterations to certain naval vessels and to provide for the construction of additional vessels;

H. R. 8893. An act for the relief of Juana F. Gambon; and

H. R. 8961. An act for the relief of Frank Stinchcomb.

TARIFF ON BUTTER

The PRESIDENT pro tempore laid before the Senate a communication from the chairman of the United States Tariff Commission, which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES TARIFF COMMISSION,
Washington, May 28, 1924.

Hon. ALBERT B. CUMMINS,
The President pro tempore of the Senate, Washington.

SIR: The United States Tariff Commission has received and taken under consideration the resolution (S. Res. 226) adopted by the United States Senate on May 19, 1924, requesting the Tariff Commission to conduct an investigation for the purposes of section 315 of the tariff act of 1922 in respect of the cost of production of butter.

I am directed by the Tariff Commission to inform the Senate that the commission has taken steps to institute the investigation requested in that resolution, but that funds are not available to the commission for a prompt and effective prosecution of such investigation, and that the commission's needs in this respect will be more fully reported in response to the resolution (S. Res. 221) of May 12, 1924.

Very truly yours, THOMAS O. MARVIN, *Chairman.*

PETITIONS

Mr. WILLIS presented petitions of sundry citizens of New Philadelphia, Ohio, praying for the passage of the bill (H. R. 4038) to establish the upper Mississippi River wild-life and fish refuge, which were referred to the Committee on Commerce.

Mr. PHIPPS presented resolutions adopted by the Fort Collins (Colo.) Chamber of Commerce, favoring a fair and impartial trial of the present policies and operations of the railroads under existing legislation, which were referred to the Committee on Interstate Commerce.

Mr. CAPPER presented the petition of Topeka Lodge, No. 751, Brotherhood of Railway Carmen of America, of Topeka, Kans., praying an amendment to the Constitution relative to the regulation of child labor, which was ordered to lie on the table.

He also presented a resolution of Local Union No. 3015, United Mine Workers of America, of Cherokee, Kans., favoring an amendment to the Constitution relative to the regulation of child labor, which was ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. SHORTRIDGE, from the Committee on Naval Affairs, to which was referred the bill (S. 3073) for the relief of George A. Berry, reported it without amendment and submitted a report (No. 657) thereon.

Mr. COPELAND, from the Committee on Naval Affairs, to which was referred the bill (S. 1828) to supplement the military record of Lieut. Commander Charles O. Maas, reported it with an amendment and submitted a report (No. 659) thereon.

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the bill (S. 3188) for the abandonment of a portion of the present channel of the south branch of the Chicago River, reported it without amendment and submitted a report (No. 660) thereon.

He also, from the same committee to which was referred the bill (S. 2085) to authorize the Broadwater Irrigation District, a Montana organization, to construct a dam across the Missouri River, reported it with amendments and submitted a report (No. 661) thereon.

Mr. McNARY, from the Committee on Irrigation and Reclamation, to which were referred the following amendments intended to be proposed to the general deficiency appropriation bill, reported them severally without amendment and moved that they be referred to the Committee on Appropriations, which was agreed to:

Strawberry Valley project, Utah: For continued investigations, continuation of construction, and incidental operations, $1,500,000;

Yakima irrigation project, Washington: For continued investigations, commencement of construction of Kittitas unit, and incidental operations, $1,500,000.

RECLAMATION FUND, SPECIAL FUND

Spanish Springs irrigation project, Nevada: For continued investigations, commencement of construction, and incidental operations, $800,000;

Warm Springs (Vale) irrigation project, Oregon: For continued investigations and for first payment toward purchase of an interest in the Warm Springs Reservoir, $250,000; and

Owyhee irrigation project, Oregon: For continued investigations, commencement of construction, and incidental operations, $1,250,000.

ENROLLED BILLS PRESENTED

Mr. Watson, from the Committee on Enrolled Bills, reported that on the 28th instant that committee presented to the President of the United States enrolled bills of the following titles:

S. 2450. An act to amend section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894; and

S. 3272. An act granting the consent of Congress to the Panola-Quitman Drainage District to construct, maintain, and operate a dam in the Tallahatchie River.

MONROE INTERNATIONAL CENTENNIAL CELEBRATION

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 242), which was considered by unanimous consent and agreed to:

Resolved, That the proceedings of the International Centennial Celebration of the Promulgation of the Monroe Doctrine, held at Richmond, Va., December 2 to 4, 1923, be printed as a Senate document.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 3412) further to assure title to lands granted the several States, in place, in aid of public schools, and to quiet titles; to the Committee on Public Lands and Surveys.

By Mr. HALE:

A bill (S. 3413) for the relief of the State of Maine (with accompanying papers); to the Committee on Claims.

By Mr. ELKINS:

A bill (S. 3414) granting a pension to Elizabeth Brown; to the Committee on Pensions.

By Mr. DILL:

A bill (S. 3415) granting a pension to Francis M. Cory; to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 3416) to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army; to the Committee on Military Affairs.

By Mr. PEPPER:

A bill (S. 3417) for the relief of Moore L. Henry; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 3418) for the relief of the Stearns Wharf Co., of Santa Barbara, Calif.; to the Committee on Claims.

By Mr. JOHNSON of California:

A bill (S. 3419) authorizing the Secretary of the Interior to issue patent to the city of Redlands, Calif., for certain lands, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. PHIPPS:

A bill (S. 3420) granting the consent of Congress to the construction, maintenance, and operation by the Denver & Rio Grande Western Railroad Co., its successors and assigns, of a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado (with accompanying papers); to the Committee on Military Affairs.

By Mr. LENROOT:

A bill (S. 3421) granting an increase of pension to Sarah Lancaster; to the Committee on Pensions.

By Mr. NORBECK:

A joint resolution (S. J. Res. 133) authorizing and requesting the Postmaster General to design and issue a special postage stamp to commemorate the arrival in New York on October 9, 1825, of the sloop *Restaurationen*, bearing the first shipload of immigrants to the United States from Norway; and in recognition of the Norse-American Centennial celebration in 1925; to the Committee on Post Offices and Post Roads.

REGULATION OF CHILD LABOR

Mr. WADSWORTH submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States, which was ordered to lie on the table and to be printed.

REGULATION OF SALE OF MILK AND CREAM IN DISTRICT

Mr. GLASS submitted an amendment intended to be proposed by him to the bill (S. 2803) to regulate within the District of Columbia the sale of milk, cream, and certain milk products, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENTS TO LEGISLATIVE APPROPRIATION BILL

Mr. COPELAND submitted three amendments intended to be proposed by him to House bill 9429, the legislative appropriation bill, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper places in the bill insert:

Senate Press Gallery—Superintendent, $3,600; assistant superintendent, $2,400; messenger for service to press correspondents, $1,500.

Clerks to all Senate committees, $3,600; 32 assistant clerks at $2,400 each; 32 assistant clerks at $2,000 each; and 32 additional clerks at $1,800 each; unless otherwise provided.

Seventy clerks to Senators at $3,600 each; 70 assistant clerks to Senators at $2,400 each; 70 assistant clerks to Senators at $2,000 each; and 71 additional clerks at $1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 1539. An act for the relief of Caleb Aber;

H. R. 3388. An act to place the name of Paul Crum on the muster rolls of Company E, First Regiment Nebraska Infantry, United States Volunteers;

H. R. 5661. An act granting permission to Col. Harry F. Rethers, Quartermaster Corps, United States Army, to accept the gift of a Sevres statuette entitled "Le Courage Militaire," tendered by the President of the French Republic; and

H. R. 7389. An act for the relief of John Solen; to the Committee on Military Affairs.

H. R. 909. An act to remove the charge of desertion against the name of Frank George Bagshaw;

H. R. 1706. An act granting six months' pay to Elizabeth Walter Bostrom;

H. R. 1717. An act authorizing the payment of an amount equal to six months' pay to Joseph J. Martin;

H. R. 2418. An act for the relief of Russell H. Lindsay;

H. R. 3736. An act for the relief of James J. Meehan;

H. R. 4732. An act to correct the naval record of Garnet A. Sylvester;

H. R. 6436. An act for the relief of Isidor Steger;

H. R. 7167. An act for the relief of George A. Berry;

H. R. 8687. An act to authorize alterations to certain naval vessels and to provide for the construction of additional vessels;

H. R. 8961. An act for the relief of Frank Stinchcomb; to the Committee on Naval Affairs;

H. R. 1082. An act for the relief of Henry A. Kessel Co. (Inc.);

H. R. 1333. An act for the relief of Joseph P. Ryan;

H. R. 1830. An act for the relief of Charles T. Norman;

H. R. 2373. An act for the relief of the Standard Oil Co. at Savannah, Ga.;

H. R. 2745. An act for the relief of J. M. Farrell;

H. R. 2989. An act for the relief of Mrs. E. L. Guess;

H. R. 3046. An act for the relief of J. W. Cook;

H. R. 3411. An act for the relief of Mrs. John P. Hopkins;

H. R. 3505. An act for the relief of Fred W. Stickney and H. A. Reynolds;

H. R. 3595. An act for the relief of Daniel F. Healy;

H. R. 4280. An act for the relief of the Chamber of Commerce of the city of Northampton, Mass.;

H. R. 4290. An act for the relief of W. F. Payne;

H. R. 4318. An act for the relief of Edward S. Scheibe;

H. R. 5774. An act for the relief of Beatrice J. Kettlewell;

H. R. 5819. An act for the relief of the estate of the late Capt. D. H. Tribou, chaplain, United States Navy;

H. R. 6241. An act for the relief of Lieut. E. J. McAllister;

H. R. 6506. An act for the relief of John Baumen;

H. R. 7194. An act for the relief of Bertram Gardner, former collector of internal revenue for the first district of New York;

H. R. 7420. An act for the relief of Albert E. Laxton;

H. R. 8258. An act for the relief of Capt. Frank Geere;

H. R. 8343. An act for the relief of Jim Hennessee; and

H. R. 8893. An act for the relief of Juana F. Gamboa; to the Committee on Claims.

DISTRICT OF COLUMBIA APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes, the pending question being on the amendment submitted by Mr. McKELLAR, on page 7, line 3, after the figures "$36,120," to insert a colon and the following proviso: "*Provided*, That this appropriation shall not become available until the Public Utilities Commission of the District of Columbia shall fix rates of fare for the street-railway companies in the District of Columbia at rates not in excess of the rates of fare in existing charters or contracts heretofore entered into between said companies and the Congress; and from and after the passage and approval of this act the said street-railway companies shall receive 5 cents per passenger as a cash fare, but they shall issue and sell six tickets for 25 cents, as provided in existing charters."

The PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. CURTIS. Mr. President, will the Senator yield to allow me to suggest the absence of a quorum?

Mr. McKELLAR. I yield, with the understanding that it will not take me off the floor.

Mr. CURTIS. Certainly, it will not. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Fernald	Ladd	Sheppard
Ball	Ferris	Lenroot	Shipstead
Bayard	Fess	Lodge	Smith
Brookhart	Fletcher	McCormick	Smoot
Broussard	Frazier	McKellar	Spencer
Bursum	George	McKinley	Stanfield
Cameron	Gerry	McLean	Stanley
Capper	Gooding	McNary	Swanson
Colt	Hale	Neely	Trammell
Copeland	Harreld	Norbeck	Wadsworth
Couzens	Harris	Oddie	Walsh, Mont.
Cummins	Howell	Pepper	Warren
Curtis	Johnson, Calif.	Phipps	Weller
Dial	Johnson, Minn.	Pittman	Willis
Dill	Jones, Wash.	Ralston	
Edwards	Kendrick	Ransdell	
Ernst	King	Robinson	

Mr. CURTIS. I was requested to announce that the Senator from Nebraska [Mr. NORRIS], the Senator from Alabama [Mr. HEFLIN], and the Senator from Mississippi [Mr. HARRISON] are atending a meeting of the Committee on Agriculture and Forestry.

I was also requested to announce that the Senator from New Hampshire [Mr. MOSES], the Senator from Arizona [Mr. ASHURST], and the Senator from Montana [Mr. WHEELER] are engaged in a hearing before a special investigating committee of the Senate.

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present.

Mr. McKELLAR. Mr. President, for a period of about five months hearings have been had before the Senate Committee on the District of Columbia in reference to a 5-cent street-car fare in the District. Only a very small number of witnesses have been examined. The heads of the two street-railway companies; the attorney of one of the companies, Mr. Conrad Syme, former corporation counsel; two representatives of the Public Utilities Commission; and myself were the only witnesses, as I now recall. The result of the investigation shows a difference in the affairs of the two street-railway companies. I shall take up first the Capital Traction Co.

I will give as the reason why its fares should be reduced that at the very outset it has been making an average during the last five years of about 11 per cent upon its capital, and at least $5,150,000 of the $12,000,000 capital is due to watered bonds and stock. I am going into a very short history of the Capital Traction Co. It is the oldest street-railway company in the District.

The parent company was organized originally in 1862. Various changes were made, and I believe in 1898 it was reorganized under its present name. Under previous names the company had been particularly prosperous. Apparently it has always been well managed. About 1898—I do not remember that that is the exact date—under the name of the Washington & Georgetown Railroad it had issued $500,000 of stock and $4,000,000 of bonds. It had a provision in its charter that the bonds could be exchanged for stock if it obtained the consent of Congress. It was unable to get the consent of Congress. Mind you, now, there were $500,000 of the stock only, at that time worth about seven and one-half for one, and only $4,000,000 of bonds. Not being able to get the consent of Congress to exchange the bonds for stock, but, having the privilege in its charter, a small company worth less than a million dollars, as I recall it, or about a million dollars, called the Rock Creek Railway Co., bought the big company. It was a paper transaction. No real money passed.

Of course, the little company was in bad condition. It had no money with which to buy the big company. But this remarkable financial arrangement was entered into between the little company and the big company. The big company, which was the predecessor of the present company, sold to the little company that had no money all of its property for about $10,000,000 and it was paid for in the marvelous way that they

issued securities to the owners of the big company on the basis of seven and one-half for one for its stock and two for one for its bonds. In other words, it issued its securities of $8,000,000 for the $4,000,000 of bonds. Many of us have heard of watered stock, but I fancy that this is one of the few instances in all of the financial history of the country where bonds were watered to the extent of $4,000,000, or two for one. They issued securities at seven and one-half for one for its stock and two for one for its bonds. Mr. Hamilton, the president of the Capital Traction Co., said that in all the history of finance, so far as he knew, he had never before heard of bonds selling for exceeding 118, and that was under peculiar circumstances, and yet this company was financed so as to bring to the old company its bonds at two for one. The remarkable part about it was that the bonds could have been taken up in less than three years at par, because they were due within the three years.

The result of that financing, the most remarkable financing scheme of any railroad or any other corporation that ever took place in this or any other country, was that when the $12,000,000 of stock was issued $5,150,000 of it was pure water.

Since that time what has been done? Since that time the result has been that the company has been very prosperous. Almost from the beginning it paid a dividend of 6 per cent and never less than 5 per cent. For the past five years the Capital Traction Co. has usually paid 7 per cent; only one time, I believe, it paid 6½ per cent. It has added to capital account on an average more than $500,000 a year. It is now drawing a fair return not only upon the money invested but on the profits accumulated from earnings year by year.

Mr. President, in the first place, I say that this company is not entitled to a return of as much as 11 per cent. The facts I have stated are undisputed; they can not be disputed. If any of the Senators who heard the evidence can dispute them I shall be glad to have them do so. The Senator from Delaware is now present. I am sure I make no mistake about the matter. An earning of 11 per cent for this company is more than a fair return, and Congress ought not to tolerate so large a percentage; they ought not to tolerate a fare that will bring so large a return.

Mr. President, I wish to say further that this company operated on a 5-cent fare, selling six tickets for a quarter, until 1919 or the latter part of 1918. It made very much more than a fair return on a 5-cent fare. It credited to capital account large sums every year during the World War on a 5-cent fare. While other street car companies in other cities were going into the hands of receivers, the Capital Traction Co. was paying more than a fair return not only upon the money actually invested but it paid more than a fair return upon all of the watered stock that had been put into it, amounting to $5,150,000. The Public Utilities acted entirely arbitrarily, and without the semblance of excuse in raising the fares of this company.

Mr. President, I desire now to call attention to the Public Utilities Commission, which was created in 1912 or 1913. Immediately after the creation of that commission it was ordered by Congress to investigate and to report to Congress what the fair valuation of the Capital Traction Co. was. I am still talking about that company. The commission reported that the fair value of the Capital Traction Co. was $13,255,000.

Mr. KING. Did that include their franchise?

Mr. McKELLAR. No; but all of its other properties. The Public Utilities Commission in 1919 fixed the fair value of the property of that company as being $13,255,000. At the same time the commission was required under the law to report what the reproduction value of the property was. They reported the reproduction value as being about $10,000,000. With due regard to depreciation, its reproduction value was even less than that; and yet the Public Utilities Commission reported that the fair valuation on which the company should be allowed to reap a return was $13,255,000. Since that time the Capital Traction Co. has not only earned a return on the $13,255,000; it has not only paid 6 and oftentimes 7 per cent on its $12,000,000 of stock, but it has also added about $3,000,000 to its capital account; so that its fair value is now given by it as being in the neighborhood of $17,000,000. More than $3,000,000 have been added, so that the people of the District of Columbia are now required to pay fares that will bring a fair return not only upon the $13,255,000 of fair value as fixed by the Public Utilities Commission but upon the earnings that have been added to capital account since that time. If this thing continues, a simple calculation in arithmetic will demonstrate that the people of the District will soon be required to pay a "reasonable return" on tremendous earnings passed up to capital accounts. As a matter of fact, they are now paying on an amount about 50 per cent in excess of what a fair value should be; in other words, the real fair value of this property is less than half of the fair value as fixed by the commission.

Mr. President, I do not see how the Senate or House of Representatives, with the knowledge of these facts, which are undisputed, which are testified to by Mr. Hanna, can permit this condition to continue. Mr. Hanna is one of the most capable men I have heard testify in a long time; he is a fair witness. Of course he looks at the matter from the standpoint of the street-car companies, but Mr. Hanna tried to tell the truth all along in his examination. I want to bear testimony to the fact that he was frank and fair all during the examination and gave most valuable testimony.

Mr. President, it is incomprehensible to me that the Congress of the United States should allow the people of Washington to be mulcted by any such fare as is now paid to this company, and I do not believe they will longer permit it.

Now, Mr. President, what about the 5-cent fare? One hundred and thirty-eight street railway corporations in New Jersey having a 10-cent fare recently appeared before the Public Utilities Commission of New Jersey and themselves asked that the fare be reduced to 5 cents. It has been reduced to 5 cents, and the head of those corporations has reported to the utilities commission that they are making more money under a 5-cent fare than they formerly did under a 10-cent fare. It is true they have a zone system there, but the principle is the same, and I say that the Capital Traction Co. will probably make more money if it returns to a 5-cent fare than if it holds on to the 8-cent fare. Why do I say that? That statement is based on the experience of the New Jersey corporations, 138 in number, and, in addition, to the fact that, while Washington has steadily grown for a number of years, its population having increased yearly, as a matter of fact, the number of passengers carried by the street-car companies has steadily decreased since 1919. In 1919 they carried 83,000,000 passengers; in 1923 they carried only 69,000,000 passengers, and it is estimated that in 1924 they will carry not over 65,000,000, according to Mr. Hanna. If that is the case this company will carry 18,000,000 passengers less in 1924 than they carried in 1919. It is perfectly simple. A fare of 5 cents for 18,000,000 would amount to $800,000, which would be ample of itself to enable this company to pay a dividend. The 5-cent fare ought to be restored. In addition to all of that, Senators, is the further fact that this company got its franchise on the promise of the 5-cent fare, six tickets for a quarter. It ought to be required to go back to that rate.

Now, about the Public Utilities Commission. I violate no confidence in saying that the Public Utilities Commission is absolutely without any regulatory force upon these companies. It has performed no service since 1919, except to do those things which the street-car companies wanted them to do. I do not mean to reflect on the gentlemen personally, but as a commission we might as well not have one, because, even in the accounting, as is shown in the testimony, the commission has not interfered at all with the operations of this company. The commission should be abolished. I believe they did in one case suggest that they take a certain item out of the cash drawer and put it on the ledger, but, as I understand, that is the sole change they have ever made in the system of accounting of this company.

Mr. President, I take it that there can not be any doubt, so far as the Capital Traction Co. is concerned, that it is earning at least twice as much as a reasonable return upon the money invested, even including the watered stock.

What about the other company? We have not examined the other company with that degree of care that the Capital Traction Co. has been examined by, but we have the testimony of Mr. Ham; we have the facts. I wish to call attention to the way this company was first organized. About 1898 or in the latter part of the nineties several gentlemen, five in number, brokers, got together and bought up 22 street car and electric light companies. They bought up those companies for, in round numbers, $10,600,000. They paid cash for the stock of all the various companies by drawing on the United States Mortgage & Trust Co., of New York, which furnished the money. They bought all the stock and paid an excellent price for it, and, in some cases, an exorbitant price. I repeat that between 1898 and 1900—because it took some little time to consummate the transaction—it cost $10,600,000, in round numbers. They drew on the United States Mortgage & Trust Co., of New York, and immediately they formed what was known as the Washington Traction & Electric Co. The first thing that company did after its organization was to give to the United States Mortgage & Trust Co., of New York, $12,000,000 of bonds for the $10,600,000 of cash money, and in addition $2,500,000 of the $10,000,000 of

watered stock which was at once issued, the other $7,500,000 of stock being divided among the incorporators or promoters.

Now let us see if we get that. I am referring now to the Washington Railway & Electric Co., the second company. It cost in cash at that time $10,600,000. That money was paid for by the issuance of $12,000,000 of bonds and $2,500,000 of stock, and $7,500,000 more of watered stock was issued and divided among the stockholders.

That, however, was just the first step in this street car financing. It was just a short time after the Washington Railway & Electric Co. was established, and it took up those securities and issued $8,500,000 of preferred stock and $6,500,000 of common stock, making in all $12,000,000 of bonds and $15,000,000 of stock, and since that time the stock issues have been increased somewhat. I think the amount is now about $30,000,000, and the people of Washington are required to pay a fair return not only upon the $10,600,000 of cash that these carriers paid in but upon the $8,500,000 of preferred stock and $6,500,000 of common stock, every dollar of which, both common and preferred, was watered stock.

I say no such scheme of financial exploitation of a people has ever been entered into as these two schemes by which the people of Washington have been exploited by these two companies.

Mr. DILL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Washington?

Mr. McKELLAR. I yield.

Mr. DILL. The Senator has told us that this property cost $10,000,000 and is now capitalized at $30,000,000. Does the Senator know what valuation is placed on the property for taxation purposes?

Mr. McKELLAR. They pay a tax on their gross receipts in lieu of other taxation.

Mr. DILL. That is by law in this District?

Mr. McKELLAR. By law in this District.

Mr. DILL. That is true of both companies?

Mr. McKELLAR. It is true of both companies.

Mr. DILL. Does the Senator know, on the gross receipts, about what valuation that would measure up to?

Mr. McKELLAR. I have not gone into that. I do not want to do an injustice, and I should not like to make a statement about that without examination, but I will undertake to look into the matter.

Mr. DILL. No; I just thought perhaps the Senator had the information in hand.

Mr. McKELLAR. I want to call the attention of the Senate to the further fact that this Public Utilities Commission—which was a very different commission in those days from what it is now, as anybody can see by an examination of its books—was required to report not only upon the fair value of this company's property but upon its cost, upon its reproduction value, and upon its reproduction value with depreciation. I am just giving round figures. In the case of this concern that cost $10,600,000, the reproduction value as of July 1, 1914, was, as I recall the figures, about $8,500,000, and with the depreciation was less than $8,000,000. So it seems that upon this actual value of $10,600,000, a reproduction value of about $8,500,000, and a reproduction value with depreciation of less than that sum, the actual fact is that now the people of Washington are being called upon to pay a fair return on more than double that sum. It is incomprehensible to me how Congress, legislating for all the people—not legislating for the interest of these companies alone but for all the people—can stand for this further exploitation at an 8-cent fare.

I want to call attention to another thing. This company I am talking about—the Washington Railway & Electric Co.—is not entitled to anything more than fair consideration for another reason, and that is that it undertook to cover up these transactions.

I read from the report of the commission, and I hope the Senators will listen to this:

> The early negotiations between Stevens, Crosby, and Lieb, and the United States Mortgage & Trust Co. for the advancement of money to enable them to acquire the securities of these various companies were carried on, apparently, in the nature of personal transaction with the trust company. The amounts advanced from time to time by the trust company were charged to a number of loan accounts, some in the names of individuals, others to varying groups of these same individuals. * * *
>
> A formal proposal that the securities of these several companies be transferred to a holding company upon the issuance by the latter of its stocks and bonds in payment therefor was made by Stevens, Crosby, and Lieb * * * on April 29, 1899. By the terms of this offer, which was accepted by the trust company, the latter was to receive $12,000,000 of 4½ per cent bonds of the new company and $2,500,000 of its $10,000,000 of capital stock for the total amount advanced by the trust company, viz, $10,695,000 in cash. The proposal states that if the offer of Stevens, Crosby, and Lieb is accepted—
>
> Another thing will be done.
>
> It will thus be seen that $22,000,000 of new securities were issued for certain stocks, bonds, notes, and cash, the face value of which aggregated $8,377,500.

And since that time it has been increased by $5,000,000 of further watered stock. In other words, for an actual investment of $8,377,500 they have outstanding securities, all of which are water, except the $8,377,500, of more than $27,000,000 upon which it is demanded of this Public Utilities Commission that they allow a reasonable return!

Now, Mr. President, I want to call attention to this remarkable statement about the failure to disclose the facts:

> The history of the transactions involved in securing the control of these several companies and the records of the holding company (the Washington Traction & Electric Co.) were withheld from the commission's accountants during the progress of their investigations into the historical cost of the property of the respondents.
>
> Withheld!
>
> The existence of these records was not disclosed until the cross-examination of Witness Nelson, accountant for the company, on February 26, 1919, nearly four years after the commission began its investigations looking to the valuation of this company's property and practically at the close of this case.

Here is this company, now, asking the Congress to be permitted to charge exorbitant fare, almost twice what it agreed to accept when it got these franchises, coming in with unclean hands, failing to disclose the facts in the case to the commission that investigated it. I do not believe that under those circumstances we ought longer to continue this enormous fare upon the people of the city of Washington.

Mr. KING. Mr. President, will the Senator permit an inquiry?

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Utah?

Mr. McKELLAR. Yes.

Mr. KING. I am advised that extensive hearings have been conducted before a subcommittee of the Committee on the District of Columbia. Whether they have been concluded or not I do not know.

Mr. McKELLAR. They have been concluded.

Mr. KING. May I inquire of the Senator whether or not the subcommittee has made any recommendation?

Mr. McKELLAR. None whatsoever. The hearings have been continued from last January. I think they started on the 14th of January, and they have been continued until last Monday. They have just been continued from day to day. Along in March I told these gentlemen that unless they were continued more speedily I should be compelled to offer this amendment as an amendment to the appropriation bill. They have had full knowledge of it all the time. There has been no concealment of purpose. Every matter in connection with it has been disclosed, and the evidence that I am talking about now is the evidence that has been given by Mr. Hanna and Mr. Hamilton, of the Capital Traction Co., and Mr. Ham of the Washington Railway & Electric Co.

Mr. BALL. Mr. President——

Mr. KING. Before the Senator yields to the Senator from Delaware, may I ask whether the Senator thinks, in view of the fact that hearings have been had, the subcommittee has reported to the full committee and the full committee has not yet taken action, that it is wise to precipitate this matter now, and to ask the Senate to pass upon the merits of the case upon a proposition which involves the fixing of rates? In other words, does not the Senator believe—and I am expressing no opinion; I want to get the Senator's view—that a committee having gone into the matter fully and having the matter under consideration would probably be better prepared to deal with the situation than the Senate would when we are asked to amend an appropriation bill in the manner proposed by the Senator's amendment?

Mr. McKELLAR. No, Mr. President; and I will tell the Senator the reason. The reason is that with the exception of the Senator from Delaware [Mr. BALL], who has been exceedingly agreeable in the matter of keeping the hearings going and has been present at every meeting, I believe, and myself, there has been no member of the committee there, with the exception of the Senator from New York [Mr. COPELAND], who was present

on quite a number of occasions. We have made this investigation virtually by ourselves. The committee has not heard it, and the matter is a matter on the record.

Mr. BALL. Mr. President, will the Senator yield?

Mr. McKELLAR. I will yield in just a minute. I do not believe there is a Senator who does not know the questions involved. These hearings have been printed every day, every time.

Mr. BALL. Mr. President, they have not been printed at all. That is what I wanted to explain.

Mr. McKELLAR. I mean printed in the newspapers. I have been trying to get the testimony printed by the Public Printer for months, and I have the entire matter pinned together here, still in typewritten form, and they tell me at the Printing Office that they have not had time to do it.

Mr. BALL. Mr. President, now will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BALL. As the Senate well knows, we are only allowed to have one official transcript of the hearing.

Mr. McKELLAR. Mr. President, I am not complaining——

Mr. BALL. Wait one moment. We ordered the hearings printed, thinking we could have them by to-day. They were sent to the printer; and I understand from my clerk that the Senator sent down to the Printing Office and got the only copy we had, and therefore there are no printed copies to-day.

Mr. McKELLAR. Of course, there could not have been. The man brought them here of his own volition. I sent down to the Printing Office yesterday morning and the day before and the day before that. We have had many telephone messages. I sent my clerk down; and yesterday morning, while the Senate was in session, as I recall, a man representing himself as being the agent of the Public Printer brought this body of papers here and told me that there was not any chance to print it until after the Congress adjourned. Why it is I do not know. I am taking his word for it. I am making no charges against him, of course; but it is perfectly remarkable that virtually every other hearing taken before Senate committees is printed promptly and this can not be.

Mr. BALL. Now I should like to make my statement in defense of the committee.

These hearings have been continuing from week to week, almost every week, eight hours a week. We have devoted a very great deal of the Senator's time and my own to the matter; but the delay has been caused entirely, I should say—and I think the Senator will admit it—by cross-questioning the representatives of the different companies to get a thorough explanation.

The hearing, I think, is the most complete hearing of its character that I have ever seen, and I think the Senator will admit it. We completed the hearings on Monday.

Mr. McKELLAR. Mr. President, I have only a small amount of time. I hope the Senator will wait.

Mr. BALL. I only wish to state that the committee is not responsible for the hearings not being printed. If anybody is responsible, it is the Senator who took them from the Public Printer.

Mr. McKELLAR. Oh, Mr. President, such a proposition as that is puerile. There is not a particle of foundation for it. It is ridiculous. After having held these hearings for the last five months, and my urging all the time to have them printed, and my finding them finally down in the printer's office yesterday unprinted, and the printer himself bringing them up here without any request from me, with the assurance by the printer that they could not be printed until after the Congress had adjourned, it is unfair, it is unjust, it is unworthy of the Senator to talk about my being responsible, since yesterday, for not having these hearings printed.

I do not know what reason the Printing Office, or what reason the committee, had for not having them printed. I have been trying to have them printed all the time. It would be very much better for Senators to have them.

The Senator talks about these hearings being full and complete. They are very full and complete. I do not believe there is a Senator in this body who, if he would sit down and read these hearings, could afford, as a matter of conscientious duty, to vote against the amendment which has been offered.

On the statement of the officials of the companies it is impossible, it is outrageous, that the Senate should longer continue to permit these two corporations to exploit the people of Washington in the way they have been doing.

Just to show something about the surplus earnings of the Capital Traction Co. I will refer to the figures appearing in the record covering the last 10 years. After paying dividends of 6 and most frequently 7 per cent, the surplus earnings were as follows, and I just give the round figures:

1914	$37,000
1915	43,000
1916	36,000
1917	46,000
1918	168,000

And I call attention to the fact that in 1918 the fare was 5 cents.

1919	$393,000

And for the greater part of that year the fare was still 5 cents.

1920	$606,000
1921	571,000

These are the figures of surplus earnings over and above the 7 per cent dividends declared upon stock, $5,150,000 of which was watered stock:

1922	$264,000
1923	178,000
Total	3,346,108

I call attention to this evidence found in the record:

Senator McKELLAR. As I understand it, the surplus for the years 1919, 1920, 1921, 1922, and 1923 was available for dividend purposes if the company had seen fit to use it.

Mr. HANNA. Yes, sir.

Senator McKELLAR. And they amounted to $2,014,612 by a simple process of arithmetic. That is about what I said when I said it was a little the rise of $500,000 a year that could have been paid out in dividends.

Mr. HANNA. It is $2,014,612.

More than $500,000 a year, in addition to a 7 per cent dividend.

If the Senate desires to permit these companies to continue to exploit the people of the District of Columbia, to tax all the people for the benefit of these two companies, organized and carried on in the way I have described, and which the record shows, that is a matter for the Senate; but it seems to me it is very unfair and unjust to the working and business people here who have to use the street cars to make them pay an 8-cent fare in the face of these enormous profits.

Mr. President, an earning of 11 per cent by a street-car company, and especially in these times, is about double what a reasonable return is upon the valuation as fixed by the commission, and in the case of both of these companies the valuation as fixed, when you sift it down, when you look into it, is nearly double what the real valuation is.

Mr. President, they included in that valuation old bolts, old crossties, old cars, every species of property, whether used or not used, and the companies boldly demanded that they should include also all the losses that had been made by these companies since they were founded. In other words, according to the construction placed upon the public utilities law by the companies' officials, and that construction is now the construction of the commission, there has been an effort to make good every loss and to make the people of the District now pay for all the mistakes that have been made.

It was urged, for instance, that the old cable system in the city of Washington 30 or 40 years ago was a mistake, that the company using that system lost money by it, and that therefore it ought to be allowed to put that loss in a valuation of to-day. That was one of the contentions made in this record. It was not allowed, but they were allowed to put in every conceivable piece of property the companies owned.

I want to say further that among other things the cost of promoting these companies away back 25 years ago was included in fair value, on which the people of Washington to-day are required to pay an 8-cent fare in order to give the enormous return of 11 per cent, so far as one company is concerned, and all of the profits so far as the other is concerned, because the other company—the Washington Railway & Electric Co.—never spent in actual money upon their company as much as the bonded indebtedness, much less the $15,000,000 of stock. It is a system of financial buccaneering which should not be tolerated in any free country, and much less in the Capital of the Nation, and it is incomprehensible to me how any Senator could vote to sustain a fare that bears so heavily upon the citizens of this city.

Mr. President, when you come to figure it out, the difference amounts to at least $1.50 a month for every clerk, for every schoolboy and every schoolgirl, or a tax of $18 a year to pay a return on watered stock and on watered bonds, something never heard of before.

The idea of allowing a lot of financial buccaneers to require the people of Washington of to-day to make good bonds at the rate of 200 for 100, or of 2 for 1. A financial exploitation of this sort is indeed incomprehensible, and I want to say to the

credit of at least one of the witnesses, an officer of the Capital Traction Co.—I refer to Mr. Hanna—that he never claimed at any time that the returns made by his company were not unreasonable. He said that, generally speaking, 8 per cent was regarded as a fair return, as I recall his testimony, and nowhere did he defend the 11 per cent, except that he said the other company was in bad condition, and that his company ought to be allowed to continue exploiting the people because it would be unfair to the other company to reduce the fare.

Unfair to the other company, Senators? How could it be said that it was unfair to the other company when every dollar of their stock, both preferred and common, is watered stock, for which the original promoters of the company paid absolutely nothing?

I want to call attention now to Mr. Hanna's testimony, as follows:

Senator McKELLAR. Your figures show that the number of passengers in 1914 was 50,000,000; in 1915, 49,000,000; in 1916, 61,000,000; in 1917, 63,000,000; in 1918, 77,000,000; in 1919, 83,000,000. Then you put your high fares on, and what happened? In 1920 you carried only 74,000,000; in 1921, only 72,000,000; in 1922, 69,000,000; in 1923, 67,000,000; and this year you say you will probably have not more than 65,000,000. While the city has been growing the number of your passengers has been decreasing, and the reason, of course, is your high fare.

Mr. HANNA. The highest increase for two years was at the time of the increased fare, in 1918, 1919, and 1920.

Senator McKELLAR. But you had a 5-cent fare.

Mr. President, it will be seen from these figures that in 1919 the company carried 83,000,000 passengers at a 5-cent fare for the greater part of the time; it was changed that year. In 1924 it has dropped to 65,000,000, a difference of 18,000,000 passengers. Companies in other cities have been carrying more passengers each year, even though there are automobiles, even though there are busses, but the high rate of fare charged in this city naturally tends to increase the number of those who walk, the number of those who ride in automobiles, and the number of those who ride in busses. I say it is a short-sighted policy upon the part of these companies to raise their fares in any such way. If they would lower them, in my humble judgment they would make more money and give better service.

They say that these high fares are necessary in order to enable them to give service. There has been but one change in the companies' service since 1912 or 1913, and that was the purchase of 60 cars in 1919. They are running no more cars to-day than they did in 1914.

Mr. SMOOT. Will the Senator yield?

Mr. McKELLAR. I yield.

Mr. SMOOT. I think the Senator has not taken into consideration the fact that in 1919 we had 128,000 Government employees in the District of Columbia, many of whom had their families with them. To-day we have only 64,000 Government employees in the District of Columbia, and of course the Senator knows that the population of the District of Columbia——

Mr. McKELLAR. I understand those figures, but the population of Washington has increased each year. I have the figures before me. The population of Washington is greater to-day than it was in 1919, according to the figures of the city authorities. The city is growing. Some people have gone back home, and the families of some have gone back home, but others are coming in, and the city is growing all the time. There is no reason for this abnormal decrease from 83,000,000 passengers in 1919 to 65,000,000 in 1924 except that millions of men and women and children are walking where they formerly rode on street cars.

I said a while ago that the only change in rolling stock was the purchase of 60 cars in 1919. There were just as many cars operating in 1914 as there are to-day. There are some single-truck cars that are no longer used except to be put in a claim of fair valuation. Of course, every car of every kind, nature, and description is used in a fair valuation process under this commission. They allowed that. I said under this commission; the commission has had nothing to do with it.

One of the officers of the commission said that so far as the Capital Traction Co. was concerned they had never done what was recommended by the commission; that there should be a certain amount set up for depreciation; that the company disregarded even that recommendation, and the only change that ever had been made was a little item of change from the cash drawer to the ledger or from the ledger to the cash drawer—I forget which, but an absolutely immaterial matter. Whatever report the street-car company makes the commission accepts. I suppose they have not time to do anything else.

The commissioners did not honor the committee by coming before it. They made no statement themselves. They sent two young men—very nice young men—and the young men probably did the best they could; but there was no reason why the commissioners themselves should not have come and defended themselves when it was shown that they were absolutely doing nothing to protect the interests of the great body of the people here but were simply doing what the two corporations asked them to do. That is the fact. I am telling the plain truth about it.

Mr. PHIPPS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. McKELLAR. I yield.

Mr. PHIPPS. I merely desire at this time to call attention to the unanimous-consent agreement under which the debate is limited to 10 minutes.

The PRESIDENT pro tempore. The Chair has the agreement in mind, and the Senator from Tennessee is in order.

Mr. McKELLAR. Mr. President, a parliamentary inquiry. I have now spoken until 12 o'clock. Will I at a later time have a right to speak 10 minutes on the amendment?

The PRESIDENT pro tempore. The Senator, under the unanimous-consent agreement, may speak 10 minutes more upon the pending amendment.

Mr. McKELLAR. Very well; I yield the floor at this time.

Mr. BALL. Mr. President, I do not wish to take any of the time of the Senate in a discussion of this amendment. It is purely a legislative matter. The Committee on the District of Columbia has had it under consideration and has been holding hearings during the entire session and completed them only on last Monday. We have been unable to have the hearings printed in order that Senators might have copies and thus become familiar with existing conditions.

There were certain statements made by the Senator from Tennessee, however, to which I think I should briefly refer inasmuch as he has seen fit to offer the matter as a rider on the District appropriation bill. In the first place, as to the decrease in travel on the trolley lines. In 1919, aside from the change in population and character of population as compared with the present time, we had about 35,000 automobiles in Washington. Last year we had 105,000 automobiles in Washington. We had no bus lines in 1919, while now we have several competing bus lines. So that in itself would, in my judgment, answer the proposition as to the decrease in total number of passengers carried.

The matter as it presents itself involves but one proposition, and that is the reduction of fares to 5 cents or six tickets for a quarter. I am not prepared, and I believe that no member of the committee is prepared to say, whether the companies could not to some slight degree properly reduce their fares, but I am convinced that neither the Capital Traction Co. nor the Washington Railway & Electric Co. could live one year on a 5-cent fare and six tickets for a quarter. In substantiation of that statement I desire to place in the RECORD just a few figures showing the cost of carrying each passenger, including now only the labor expense and taxes. I will give first the cost of carrying each passenger by the Capital Traction Co., which has been the most prosperous of the two companies. In 1910 it only cost the company 2.38 cents to carry a passenger. In 1911 it cost 2.41 cents; in 1912, 2.34; in 1913, 2.46; in 1914, 2.49; in 1915, 2.55; in 1916, 2.63; in 1917, 2.69. Then in 1918 it jumped to 3.02 and in 1919 to 3.73. In 1920 it went to 5.06; 1921, 5.16; 1922, 5.08; 1923, 5.15.

In other words, if the proposition of the Senator from Tennessee were adopted, the Capital Traction Co., on a basis of the traffic of 1923, would lose $567,463 in one year. That would be the amount of their deficit at the end of the year. The deficit incurred by the Washington Railway & Electric Co. under similar conditions would be $1,106,621.89 if they were required to put into effect a 5-cent fare and six tickets for a quarter.

The adoption of the amendment on the District appropriation bill, which would mean absolute ruin to the two street railway companies of Washington, it seems to me would be beyond the conception of the duty of any Senator.

I do not say, and I am not at this time prepared to argue, that it might not be possible to make some slight reduction in fares. That is a matter into which the committee will probably make a most thorough investigation. We have here but one proposition, and that is whether we shall adopt the proposed plan of the Senator from Tennessee to install a 5-cent

fare, which means ruin to the two companies, or permit the committee to go on and finish its investigation.

I do not think it necessary to discuss the matter further, and I now make the point of order that the amendment is general legislation on an appropriation bill.

Mr. PHIPPS. Mr. President, in this connection I desire to direct the attention of the Chair to the concluding paragraph of the amendment, beginning on line 7, which reads:

> And from and after the passage and approval of this act the said street railway companies shall receive 5 cents per passenger as a cash fare, but they shall sell six tickets for 25 cents, as provided in existing charters.

The language clearly is legislation pure and simple.

Mr. McKELLAR. That it is a limitation upon the appropriation it seems to me is perfectly clear. However, if it will suit my friends on the other side of the Chamber to strike out all after the word "Congress," in line 7, I have no objection. If the Senator will accept the amendment with that language stricken out, I am perfectly willing to agree to it.

Mr. PHIPPS. I regret to say that I would not feel justified in accepting even the first part of the amendment. I believe it falls within the limitation of the rule and that I would not be justified in so acting.

Mr. McKELLAR. I call attention to the fact that the matter has been passed upon by several Presiding Officers in the last two or three years and has uniformly been held to be in order. I read first from the RECORD of March 7, 1922. The senior Senator from Arkansas [Mr. ROBINSON] was in the chair and said:

> It is true that any limitation may have the practical effect of accomplishing legislation in advance. Under the rules of the Senate the present occupant of the chair thinks that it is competent for the Senate, in providing an appropriation, to limit its use, and that that limitation is accomplished by the specification of a condition under which the appropriation may be used just as well as otherwise.
>
> Under the form in which the amendment is presented the Chair thinks that it is not general legislation in the sense of Rule XVI of the Senate and that it is not obnoxious to the rule, and therefore the Chair overrules the point of order. The question is on the amendment offered by the Senator from Mississippi.

The Senator from Mississippi [Mr. HARRISON] had offered the amendment at that time. In each year since that time the identical amendment or substantially the same amendment has been offered and declared in order by succeeding occupants of the chair.

The PRESIDENT pro tempore. The Chair is quite familiar with the record upon this amendment or one substantially like it. In 1922 an amendment substantially like the present one was offered to the District appropriation bill and a point of order sustained against it, as now made, and the Presiding Officer of the Senate, the senior Senator from Arkansas [Mr. ROBINSON] being in the chair, overruled the point of order. In 1923 the same amendment, or the same in substance, was offered to the District appropriation bill, and a point of order was made against it on the ground that it contained general legislation. The Vice President overruled the point of order, and from that decision the Senator from New York [Mr. WADSWORTH] took an appeal. Upon the appeal the decision of the Chair was overruled and it was held that the point of order was well taken.

The present occupant of the chair feels constrained to follow the interpretation of the rule as determined by the action of the Senate, and therefore sustains the point of order.

Mr. McKELLAR. Mr. President, from the ruling of the Chair I take an appeal and ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate? The Secretary will call the roll.

Mr. McKELLAR. Before that is done I think we ought to have a quorum. I suggest the absence of a quorum so that all Senators may have an opportunity to be present.

The PRESIDENT pro tempore. The Clerk will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	George	Jones, N. Mex.
Ball	Cummins	Gerry	Jones, Wash.
Bayard	Curtis	Glass	Kendrick
Borah	Dial	Hale	King
Brookhart	Dill	Harreld	Ladd
Broussard	Ernst	Harris	Lenroot
Bursum	Fernald	Harrison	Lodge
Cameron	Ferris	Heflin	McKellar
Capper	Fess	Howell	McKinley
Caraway	Fletcher	Johnson, Calif.	McLean
Colt	Frazier	Johnson, Minn.	McNary
Neely	Ransdell	Spencer	Walsh, Mass.
Norbeck	Reed, Mo.	Stanfield	Warren
Oddie	Robinson	Stanley	Watson
Pepper	Sheppard	Sterling	Willis
Phipps	Shields	Swanson	
Pittman	Shipstead	Trammell	
Ralston	Smoot	Wadsworth	

The PRESIDENT pro tempore. Sixty-nine Senators have answered to their names. There is a quorum present. The Chair has sustained the point of order made against the amendment offered by the Senator from Tennessee [Mr. McKELLAR]. The Senator from Tennessee has appealed from that ruling of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate? The Secretary will call the roll.

Mr. HEFLIN. Mr. President, I desire the Senators to know that the Senator from Tennessee has offered an amendment to the pending bill providing for a 5-cent fare on street cars in the District of Columbia, and that the Chair has ruled that that amendment was not in order.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FESS (when his name was called). I have a pair with the junior Senator from Mississippi [Mr. STEPHENS]. I transfer that pair to the senior Senator from New Jersey [Mr. EDGE] and will vote. I vote "yea."

Mr. LODGE (when his name was called). I transfer my pair with the Senator from Alabama [Mr. UNDERWOOD] to the Senator from Vermont [Mr. GREENE] and will vote. I vote "yea."

Mr. BAYARD (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. REED]. When I voted I thought he would be present. I transfer that pair to the junior Senator from Maryland [Mr. BRUCE] and let my vote stand.

Mr. RANSDELL. I desire to announce that the Senator from Nebraska [Mr. NORRIS] is absent on official business.

Mr. HARRELD (after having voted in the negative). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. He is not present. I do not know how he would vote. I therefore withdraw my vote.

Mr. STERLING (after having voted in the affirmative). I have a general pair with the Senator from South Carolina [Mr. SMITH], which I transfer to the Senator from New Hampshire [Mr. KEYES] and let my vote stand.

The result was announced—yeas 44, nays 21, as follows:

YEAS—44

Adams	Fernald	McKinley	Spencer
Ball	Fess	McLean	Stanfield
Bayard	Fletcher	McNary	Stanley
Borah	Glass	Oddie	Sterling
Broussard	Hale	Pepper	Swanson
Bursum	Jones, N. Mex.	Phipps	Trammell
Cameron	Jones, Wash.	Ralston	Wadsworth
Capper	Kendrick	Ransdell	Walsh, Mass.
Colt	King	Reed, Mo.	Warren
Curtis	Lenroot	Robinson	Watson
Ernst	Lodge	Smoot	Willis

NAYS—21

Brookhart	George	Johnson, Minn.	Sheppard
Couzens	Harris	Ladd	Shields
Dial	Harrison	McKellar	Shipstead
Dill	Heflin	Neely	
Ferris	Howell	Norbeck	
Frazier	Johnson, Calif.	Pittman	

NOT VOTING—31

Ashurst	Edwards	McCormick	Simmons
Brandegee	Elkins	Mayfield	Smith
Bruce	Gerry	Moses	Stephens
Caraway	Gooding	Norris	Underwood
Copeland	Greene	Overman	Walsh, Mont.
Cummins	Harreld	Owen	Weller
Dale	Keyes	Reed, Pa.	Wheeler
Edge	La Follette	Shortridge	

So the decision of the Chair was sustained.

Mr. PHIPPS. Mr. President, I believe that concludes the pending amendments, as far as I have been informed.

The Senator from Utah [Mr. KING] stated last evening that he desired to call up one item, and that is with reference to the location of the hospital for tubercular children, regarding which I ask him to bear in mind the fact that this matter has been under discussion for the past four or five years, that the item was put in the bill by the committee of the House, went out in the House, and has been restored by the Senate committee. It went out in the House on a point of order, as I am informed. It seems to me it would be advisable to carry this item to conference. However, I am willing to have a vote on it if Senators desire to ask it.

The PRESIDENT pro tempore. The Chair suggests that the Senator from Colorado can reach the end he desires by reserving that amendment for a separate vote in the Senate.

Mr. PHIPPS. I am quite willing to have the Senator from Utah consider it in the Committee of the Whole if he desires to have reconsideration of the amendment.

Mr. KING. Mr. President, I understand we are operating under the 10-minute rule.

The PRESIDENT pro tempore. The 10-minute rule is now in operation.

Mr. KING. May I inquire whether that rule applies to the Senate as well as to the Committee of the Whole on this item?

The PRESIDENT pro tempore. Undoubtedly.

Mr. KING. Mr. President, I was not in the Chamber, being detained in the Mayfield hearing, when this item was reached a day or two ago.

The item provides:

That the Commissioners of the District of Columbia are hereby authorized and directed—

It is not merely an authorization, but they are directed—

to erect the school building for the care of tubercular children on such part of the site now occupied by the tuberculosis hospital as in their judgment may be best suited for such purpose—

And so forth. Since the item was passed a day or two ago a number of the teachers who are now teaching in the high school in close proximity to the place where this tubercular school is to be erected have appealed to me to oppose this amendment; likewise a large number of citizens residing in that part of the city, as well as other parts of the city, have asked opposition to this measure, and hope that the Senate will disagree to the amendment offered by the committee.

Mr. President, I have been handed a memorandum which I think presents the facts as clearly as they can be stated, submitted by the Piney Branch Citizens' Association. I shall take the liberty of reading it, and I hope the Senator will give attention to it.

Speaking of this school, they say:

It should not be located at Upshaw and Fourteenth Streets, in the midst of one of Washington's most select and populous sections, and where the Macfarland Junior High School, with capacity for 1,200 of our healthy children, has just been erected.

This million-dollar property should be held for present and future school purposes for the northwest part of Washington.

May I say that a number of teachers and citizens interested in educational matters have stated that this is a proper site for an additional junior high school, which we shall be compelled to erect in the near future; and if we do not avail ourselves of this particular site, the District will be compelled to purchase ground elsewhere at considerable cost.

Mr. ROBINSON. Mr. President——

Mr KING. I yield.

Mr. ROBINSON. I understand that this site has a value of approximately $1,000,000.

Mr. KING. That is so stated to me by a number of citizens.

Mr. ROBINSON. The city has grown up since the Government purchased the site, so that it is now a residential district?

Mr. KING. The Senator is correct.

Mr. ROBINSON. There is now a tuberculosis hospital on that site?

Mr. KING. Yes.

Mr. ROBINSON. And it is contemplated that a public-school building shall be erected in the immediate vicinity?

Mr. KING. Yes; where there is now a high school with 1,200 students; and let me say to the Senator that a number of parents have been to me and have stated that they were apprehensive of the results of the erection of this tubercular school, and that they would feel constrained to withdraw their children from the high school if it should be erected.

Mr. ROBINSON. The people who reside in that vicinity believe that the tuberculosis hospital that is now on this site should be removed to another point?

Mr. KING. Yes.

Mr. ROBINSON. And that the large and valuable tract of land should be used for other purposes, including public-school purposes?

Mr. KING. The Senator is correct.

Mr. ROBINSON. I should like to know from the chairman of the committee why that viewpoint is not accepted. We all desire to make adequate provision for the care of tubercular patients; but why in the world should it be insisted that institutions for that purpose should be located in residential sections and upon sites that have great value for other purposes, to the terror of citizens of the District of Columbia? Why should not the proposition of the Senator from Utah be recognized?

No one would refuse to support a provision for the selection of a proper site for a tuberculosis hospital or a tubercular school; but why does the committee insist upon a provision which will retain the present Tuberculosis Hospital and create a tubercular school in the midst of a residential section?

Mr. PHIPPS. Mr. President, if the Senator from Utah is willing to have me answer in his time I will do so, otherwise I prefer to answer in my own time.

Mr. ROBINSON. Of course, I do not desire to take the Senator from Utah off the floor; but the proposition seems to me to be so clear and the Senator's attitude so forceful that I think the burden of proof is on the committee.

Mr. PHIPPS. Just a word. It was covered in the explanation when the item was up and considered.

The PRESIDENT pro tempore. The Chair will state for the comfort of the Senator from Utah that he is now speaking upon the bill and not upon any amendment. There is no amendment pending.

Mr. KING. All right. Then I shall have 20 minutes.

Mr. President, let me proceed with the summary from which I was reading:

(1) The Upshur Street-Fourteenth Street tract of 26 acres is situated in the midst of an almost completely built up fine residential section, with homes ranging from ten to fifty thousand dollars in value.

(2) The upbuilding of this section of the city has resulted since the purchase by Congress of the Upshur Street tract in 1900, when this part of the city was practically a wilderness.

(3) A portion of the Upshur Street tract has already been dedicated to and is occupied by a large junior high school, at present occupied by 800 healthy children, and soon to have a capacity of 1,200.

(4) The tuberculosis hospital occupying the approximate center of this tract should be removed; as a hospital for indigent tuberculosis patients in advanced stages it is most objectionable to a large and populous residential community, and as affording any relief for tuberculosis patients in the earlier stages of the disease it is impossible.

(5) The proposal to erect a tubercular school near the tuberculosis hospital and the Macfarland Junior High School would be an absolute menace to the community and a crime against the children attending the junior high school.

(6) The proximity of the proposed tubercular school, occupied by children in the early stages of the disease to the tuberculosis hospital, occupied by persons in the most advanced stages of the disease, would be most deplorable from the standpoint of the affected children.

(7) The close proximity of the Macfarland Junior High School to the tuberculosis hospital is in itself a menace.

(8) The Upshur Street tract may now be considered in the center of the northwest part of the city. It comprises an area of 26 acres and is suitable for the construction of a group of schools and high schools which would draw from a population of at least 100,000 people. By the construction of the Macfarland Junior High School it has already been dedicated to school purposes.

(9) A portion of the tract has already been planned for by the Board of Education for the erection of a large business high school, in addition to the Macfarland Junior High School.

(10) The value of the Upshur Street tract, based on surrounding values, is at least $1,000,000. It is easily worth that much for school purposes, but it would be a most uneconomical Government proposition to allow such a value to remain as a tuberculosis center.

By an act of Congress approved June 6, 1900 (31 Stat. 576), $100,000 was appropriated for the purchase of a site for a municipal hospital. The money was used for the purchase of the tract of 26 acres now commonly known as the Upshur Street tract, which was far beyond the built-up section of the city, except the then developing plats of Petworth to the east and Brightwood to the north.

By the act of June 27, 1906 (34 Stat. 511), an item of $100,000 was provided for the construction of a hospital for the treatment of indigent tuberculosis patients to be located on the site purchased for a municipal hospital.

By the act of July 21, 1914 (38 Stat. 545), an appropriation of $15,000 was made for the preparation of plans for the construction of buildings for a municipal hospital on the tract at Fourteenth and Upshur Streets.

In 1916 an item was submitted to Congress in the estimates for the District to provide an appropriation of $150,000 to begin the construction of buildings for the Gallinger Municipal Hospital on the Fourteenth and Upshur Streets tract. The Piney Branch, Petworth, Park View, Brightwood, and Brightwood Park citizens' associations protested against the location of the hospital on that tract because of the fact that the surrounding territory had been built up with a large number of homes, the property had greatly increased in value, and the situation had been so changed as not to justify the construction of such an institution in that neighborhood. The matter was carried to the floor of Congress, the draft of legislation amended to provide that the hospital should be erected on reservation No. 13, on Capitol Hill, where the old plant had been located for 75 years,

and was enacted, and the item in the previous appropriation act providing for its construction at Fourteenth and Upshur Streets was repealed.

I might pause to remark that that reflected the views of Congress. Apparently they did not want to invade this magnificent site, dedicated for school purposes.

The PRESIDENT pro tempore. The time of the Senator from Utah has expired.

Mr. KING. I move to reconsider the vote by which the Senate adopted this amendment, and then I shall move to disagree to it.

The PRESIDENT pro tempore. The Senator from Utah moves to reconsider the vote by which the amendment following line 25 on page 49 was agreed to.

Mr. KING. Is that motion debatable? I would as soon use my remaining 10 minutes upon the debatable motion as upon the amendment.

The PRESIDENT pro tempore. The unanimous-consent agreement provides that no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 10 minutes upon any amendment offered thereto. No provision is made for the case that has now arisen, namely, a motion to reconsider. The motion is, of course, debatable; and the Chair holds that the Senator may debate this motion ad libitum.

Mr. KING. I shall trespass for only a moment upon the attention of the Senate:

By the act of June 16, 1921, an appropriation was made for $100,000 for the erection of a junior high school on this tract east of Thirteenth Street, and that building has been constructed. This school, when enlarged in accordance with the plans, will accommodate 1,200 children. Its present capacity is 800. The same appropriation act carried an item of $150,000 for the construction of a school for tubercular children, but no site was specifically provided. The Piney Branch and surrounding associations inquired into the plans of the District authorities relative to the location of the tubercular school, and it was ascertained that the health officer of the District had requested that it be located at Fourteenth and Upshur Streets, immediately north of and about 400 feet from the tuberculosis hospital. It was believed by the officers of the citizens' association that under the language of the appropriation act under which the tract had been purchased the commissioners were without authority, in the absence of a special grant of power by Congress, to locate the school on that site. A protest was made to the District authorities against the use of the site for that purpose; but it was necessary, in order to prevent the construction of the building there, to sue out an injunction in the Supreme Court of the District. A temporary restraining order was issued by the court, followed by a permanent injunction; but an appeal was then taken by the District commissioners to the Court of Appeals of the District, which affirmed the action of the supreme court in issuing the injunction. This decision was appealed to the Supreme Court of the United States and dismissed by that tribunal.

Of course, that would leave the permanent injunction in force, which interdicted the use of this particular tract of land for the erection of this tubercular school.

In the meantime, bills were introduced in Congress with the object of obtaining authority to use the tract for the construction of the tubercular school. The objections of the citizens' associations were heard by the Senate Committee on the District of Columbia, which failed to make a favorable report, resulting in no legislation on that item in the Sixty-seventh Congress.

An item has now been included in the estimates for the coming year, intended to authorize the construction of the school for tubercular children on the Upshur Street site, and the Piney Branch, Petworth, and neighboring associations are protesting against such legislation. The grounds for objection are: That the territory has been so completely built up that this tract is unsuitable for such a purpose as either a school for tubercular children or for a tuberculosis hospital, and that the proximity of the Macfarland Junior High School, not more than 400 or 500 feet away, occupied by 800 children, and necessitating both healthy and tubercular children traveling to and from the two schools using the same streets or the same car lines, and resulting in actual contact of the two classes of children, would be a most serious matter. The associations do not attempt to pass upon the question of the communicability of the disease. The regulations of the health department of the District of Columbia already provide that no children suffering from tuberculosis will be admitted to the regular public schools.

Therefore the question has been officially determined in the existing regulations—that is, that it is unsafe for tubercular children to attend the same schools as are attended by healthy children. The mothers of the 800 children that are or will be attending the junior high schools would never be satisfied by any subsequent statement of experts on the question of the noncommunicability of the disease. Even if the experts were to agree that it is only slightly communicable, parents would continue to feel that their children, by attending that school, would be in jeopardy.

Senators will recall that in the debate a few days ago—and I only know of it from reading it in the RECORD—the Senator from New York [Mr. COPELAND], an experienced physician, called attention to the psychology of the situation, and, to use his own expression, the mothers would be worried by the knowledge of the fact that a tubercular school was within a few hundred feet of the school their children were attending. Of course, with the children so close together, it would be almost impossible to prevent them from intermingling, and obviously in going to and from the high schools and the other schools, such as the tubercular school, located on the same general site, the children would be bound to commingle and to mix on the street cars and buses, both going and coming.

It seems to me that the position of the Senator from New York was justified, namely, that the parents would be worried by the knowledge that their children were bound to come into contact with tubercular children either on the school ground or going to and from the schools.

I read further:

Looking at the matter from a financial standpoint, the land on which it is proposed to erect the tubercular school is worth 80 cents to $1 a square foot, based on the sales of land in the vicinity. The 700-foot frontage on Fourteenth Street would largely exceed that value. Therefore, the tract is entirely too valuable for any such purpose, when it is considered that the registration in the tubercular school of the District has never reached 40 children and in the ordinary growth of the city would not reach 50, if the new plant were erected there.

It is the stated purpose of the school board to ask for funds for the construction of a new business high school on this same tract immediately east of Thirteenth Street within 250 feet of the site of the proposed tubercular school, which is an additional incontrovertible argument against having such an institution so near another school for healthy children. The site is ideally adapted for athletic and playground purposes for such schools, and should be utilized for school buildings for healthy children, to meet the urgent requirements of this section of the city in the immediate future. The population in the territory from which the children will be drawn for the present junior high school and for a senior high school will approximate 100,000. The territory immediately surrounding the site has a population to-day of about 30,000, and this protest represents the point of view of not less than 40,000 people living in the vicinity.

On the other hand, the site is unsuitable for a school for tubercular children because its proximity to the tubercular hospital would have an extremely depressing effect on the minds of the children attending the tubercular school. Deaths are occurring almost daily at the hospital. Some of the patients who are able to walk wander around the grounds outside the building and the coughing can be heard at a considerable distance; therefore the location of a number of young children only slightly affected by the disease near an institution housing patients in the advanced stages of the same disease would have a most discouraging effect upon the children. It has been suggested that it would be of great value to have the school located so near the hospital because the advantages of the diet kitchens and medical attendance at the hospital could be given to the children in the school. This argument, it must be seen, falls of its own weight. If children afflicted by tuberculosis have advanced so far in its development as to necessitate each individual being given a special dietary, it is apparent that the disease has reached such a state that the children should not be in a school but rather should have hospital treatment. No children attending the present tubercular school live in the section of the Upshur Street tract, therefore so far as location is concerned, taking into consideration the question of transportation, it is not a suitable site for such a school, the school itself will be served by teachers and attendants presumably expert in dealing with children affected by the early stages of tuberculosis, and it will have its own facilities for furnishing noonday lunches to the children; therefore, the element of convenience to the kitchens of the tuberculosis hospital is not believed to be worthy of consideration from that standpoint alone.

With reference to the idea of constructing a business high school on this site, it may be said in passing that the location of the tract with reference to population is probably ideal; it is farther from Central High School than is the tract on which it is now planned to construct a building for the new McKinley High School.

Aside and apart from the question of erecting a tubercular school on this site already partially appropriated for regular school purposes, the tuberculosis hospital, located in the approximate center of the tract, should be removed. It is inadequate to meet the needs of the indigent sufferers from tuberculosis who require hospital treatment. Worse yet, it is not adapted, and its construction does not contemplate the care of persons who are not in an advanced stage of the disease. If the District is to care for these hopeful cases of tuberculosis, it will be necessary to provide other facilities than this hospital. Provision should unquestionably be more in the immediate future for caring for those in the early stages of the disease so that they may be restored to usefulness instead of confining the services of the District to those who have passed beyond the hopeful state. This can only be done through the establishment of a sanatorium, such as is maintained in the various States, on a large tract of land at some point outside the District, and on as high an elevation as is possible. The State of Maryland has a very fine institution of this character at Blue Ridge Summit, and all the States to the north and to the west have such institutions located in the most healthful and salubrious surroundings that can be obtained with large plants and numerous buildings. (From Guy Elliott Mitchell, chairman school committee, Piney Branch Citizens' Association.)

Mr. President, there is already a tubercular school, located on the Bladensburg Road; I think it is called the Hamilton School. I am not advised as to its capacity, but I am told that it is sufficiently large to accommodate the 30 or 40 tubercular children now attending the public schools. Even if it is not sufficient in size, even if it is not located at a suitable place, the District ought to select some other place and erect a suitable structure. My understanding is that the sum of $150,000 is now available for such a building.

Mr. PHIPPS. I believe that is correct. It has been available for at least three years.

Mr. KING. It seems to me not only uneconomical to take ground of such value as the Upshur Street tract and use it for the purposes indicated by this amendment, but it is unwise, and it will be harmful, in the long run, to the educational system of the District.

I do not see how the Senators who favor this proposition can ignore the protests of parents and teachers. I understand that the school board and the commissioners have not contemplated the utilization of this tract for a tubercular school.

Mr. PHIPPS. Mr. President——

Mr. KING. But even if they did, I would think their judgment in that respect was not sound. I yield to the Senator.

Mr. PHIPPS. Mr. President, my information is to the contrary.

Mr. KING. Even if the school board and the commissioners did contemplate using this tract for a tubercular school, I would deem it most unsound.

It seems to me the proper thing to do is to reject this amendment. The Senator says let it go to conference. If it goes to conference, the conferees may report back the same provision; we can not tell. Obviously the Senator would feel constrained, if it went to conference, to contend for the measure as it passed the Senate. The whole question is, Shall we devote a part of that fine site for a tubercular school? Is it wise, is it just, is it fair? If it is, of course I have no argument, but from all the information I have received from parents, from teachers, from business men, from those who are familiar with the situation, I have made up my mind that this amendment is improper, and I hope that a motion to reconsider will prevail and that the amendment will be rejected.

Mr. PHIPPS. Mr. President, in the Senator's statement he referred to the fact that this tract consisted of about 26 acres of land. There is no such tract anywhere within the District limits of which I am aware that could be as readily accessible from all sections of the city, nor is there any school building site as readily accessible to the students who have to be sent there. The law requires that they shall all go to one place. There is no land suitable that could be acquired at a lesser cost per square foot than the present value of the Upshur Street tract.

As I stated in answer to an inquiry from the Senator from New York two days ago on the floor, the section of this 26 acres on which is located the tuberculosis hospital is separated from the main portion by a street, or alley, I believe Thirteenth Street. The proposal is to use a part of the tract lying on the same side of Thirteenth Street as does the tuberculosis hospital for the erection of the proposed school, to care for tubercular children.

On the other side of the avenue we have the high school just referred to. There is in contemplation the erection of a graded school, and perhaps a business high school, but at least a junior high school, so that eventually, if present plans are carried out, there would be four school buildings on the tract of the land which is across the avenue from the site on which the tuberculosis hospital has been erected, and where it is proposed to build the new school for tubercular children. I do not know whether the Senator from Utah has visited this particular tract and had pointed out to him the locations for the proposed buildings. The members of the Senate committee have done so.

Mr. KING. I visited it two years ago.

Mr. PHIPPS. The members of the committee feel that something should be done at this time to locate definitely the proposed school, and to furnish the children who are suffering from tuberculosis the opportunity for education which they should have. In so doing the committee is of opinion that no risk whatever would be involved either to those children by reason of the proximity of the tubercular hospital or to the children and students who would attend the junior high school and the grade school on the other side of the avenue and which is a separate and distinct part of the 26 acres.

I hope the motion to reconsider will not prevail.

Mr. HEFLIN. Mr. President, I send to the desk an article which I have marked and which I wish to have read in my time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Clerk will read as requested.

The reading clerk proceeded to read the article, and was interrupted by,

Mr. PHIPPS. Mr. President, may I interrupt the reading to inquire if the time of the Senator from Alabama during the reading is being kept by some one? I understand the unanimous-consent agreement entered into last night was reached for the purpose of expediting the conclusion of the District appropriation bill so that it might go to conference and that the unfinished business might be laid before the Senate. For that reason the time was limited to 10 minutes on the part of each Senator. I would like to know if the terms of the agreement are being observed.

Mr. HEFLIN. I wish to observe that I do not want the time now being taken by the Senator from Colorado to be counted in my time. It has only taken about three and one-half or four minutes so far, I believe, for the reading of a part of the article.

Mr. PHIPPS. I was going to follow that inquiry with another one.

The PRESIDENT pro tempore. The Chair has no authority to direct the course of any Senator's address, and the Senate has given unanimous consent for the reading of the article.

Mr. PHIPPS. My inquiry is, Whether or not the reading is under the unanimous-consent agreement as to time limit?

The PRESIDENT pro tempore. The Chair will hold eventually when the question arises that all speeches must be limited to 10 minutes.

Mr. HEFLIN. I stated in the outset that I wanted it read in my time. The Senator from Colorado did not hear it.

Mr. PHIPPS. That is all right.

The PRESIDENT pro tempore. The observation of the Senator from Alabama is correct.

Mr. HEFLIN. I do not want the Chair to get the time of the Senator from Colorado mixed up with my time.

The PRESIDENT pro tempore. The Clerk will continue to read.

The reading clerk resumed and concluded the reading of the article, which is entire, as follows:

[From The Dearborn (Mich.) Independent, May 31, 1924]

WHAT MUSCLE SHOALS REALLY MEANS

The Muscle Shoals controversy means more than water power and fertilizer, more than the opening of the South's new era; it means that two systems of business are colliding, head on. The contest is production versus profits. Service and spoils confront each other.

If nothing else comes of this controversy, this at least has been achieved—the system of exploitation has been drawn out from its cover into public view. All its American and foreign tentacles have been disclosed. Its pressure methods have been studied in all sections of the country and in all lines of business. For the first time in our economic history the interests which commonly sharpen their teeth on each other have ceased their private fights and have joined in single pack for a combined terrific assault on one lone offer for Muscle Shoals. Never before has such concentrated opposition been piled up against a single object.

Is it because the interests themselves want Muscle Shoals so badly? No. When the war stopped and the Government found unfinished Muscle Shoals on its hands, the Government sent out men and mes-

sages to these very interests asking bids for the completion and operation of the works. One after another all possible users of Muscle Shoals were approached. And with one accord they declared that Muscle Shoals wasn't worth a nickle—that, as for themselves, they would never invest a penny in it.

Whether this was a concerted movement to destroy any idea that Muscle Shoals had value is not for us to say. Whether its purpose was to enable some member of the trust to get it for nothing is not here alleged. But the fact is that the interests, when approached, joined with one voice in depreciating the value of this Government property.

By some chance, and last of all, Henry Ford was proposed as a possible user, and the Government requested him to examine the proposition. In response, he made the first and only businesslike offer the Government has received, an offer backed by millions of his own funds, an offer involving the completion of the great works to high productive capacity, an offer involving a limited income fixed by law, and, last of all, an offer involving the return of the entire developed property to the Government at the expiration of the contract period or at any time it might be needed for war purposes.

What this meant, although it can not all be stated in the cold language of contracts, is that a demonstration was to be made of how cheaply power could be produced for employment and productive purposes. The ratio developed by the Ford Motor Co. is one workman per horsepower—a job for every unit of power developed. If a million horsepower is developed at the shoals, it means a million jobs. It meant also the liberation of the farmer from the present heavy burdens of the Fertilizer Trust. More than that, it meant a great source of munitions, a military resource American controlled and of the first importance.

This is the proposition which the concentrated forces of the exploiting interests are opposing. This is the offer which many newspapers and magazines are now attacking after having indorsed it. The pressure came late upon the newspapers; apparently it was applied in other quarters first; but within three months there have been concerted and wholesale desertions of their former position by the press.

Why? Is there a better or more promising offer in sight? No. With the Ford offer refused, there will never be any other offer heard of. Why, then? Is it personal opposition to Mr. Henry Ford? As to that, strangely enough, the real opposition is not against Mr. Ford personally. It is against his system of service in business. If he were less likely to make Muscle Shoals a demonstration of how cheaply the necessaries of life could be made, there would be less opposition to his offer. The great fear is that he will actually accomplish what his offer proposes.

If Henry Ford had agreed to do business along the old lines, charging the power users all the traffic would bear, charging farmers all they could pay, squeezing out every cent of personal profits that could be had—if he had agreed to do business along the lines his opponents follow, boosting prices and profits, Muscle Shoals would have been handed to him long ago with the blessing of every exploiter in the land. But the Power Trust knew that he would demonstrate that power costs little to produce and less to transmit. The Fertilizer Trust knew that he would demonstrate what a wholesale system of robbery has been practiced against the American farmer. In fact, the Ford system of doing business would be the judgment day for the old system, and the old system has gathered itself in bristling alliance to save its life.

Mr. HEFLIN. I have no desire to prevent any action on the District appropriation bill now pending, and I will wait until another bill is taken up to discuss the matter to which the article has reference.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from Utah [Mr. KING] to reconsider the vote by which the amendment, on page 49, after line 25, was agreed to.

Mr. KING. I think perhaps we ought to have a quorum present. I dislike to suggest the absence of a quorum, but I do so.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Edwards	Keyes	Ransdell
Ball	Ferris	King	Reed, Mo.
Bayard	Fess	Ladd	Robinson
Borah	Fletcher	Lodge	Sheppard
Brandegee	Frazier	McCormick	Shields
Brookhart	George	McKellar	Shipstead
Broussard	Glass	McKinley	Shortridge
Bursum	Gooding	McLean	Smoot
Cameron	Hale	McNary	Spencer
Capper	Harris	Mayfield	Stanley
Caraway	Heflin	Moses	Swanson
Copeland	Howell	Neely	Trammell
Cummins	Johnson, Calif.	Oddie	Wadsworth
Curtis	Johnson, Minn.	Pepper	Walsh, Mass.
Dale	Jones, N. Mex.	Phipps	Walsh, Mont.
Dial	Jones, Wash.	Pittman	Warren
Dill	Kendrick	Ralston	Willis

Mr. CURTIS. I was requested to announce that the Senator from Nebraska [Mr. NORRIS] is absent on official business.

The PRESIDENT pro tempore. Sixty-eight Senators have answered to the roll call. There is a quorum present. The question is upon the motion of the Senator from Utah [Mr. KING] to reconsider the vote by which the amendment on page 49, after line 25, was agreed to.

The motion to reconsider was not agreed to.

The PRESIDENT pro tempore. If there be no further amendment to be proposed to the bill as in Committee of the Whole it will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 731) authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3852) providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina.

The message further announced that the House disagreed to the amendment of the Senate to the bill (H. R. 4835) to pay tuition of Indian children in public schools; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SNYDER, Mr. DALLINGER, and Mr. HAYDEN were appointed managers on the part of the House at the conference.

INDEPENDENT OFFICES APPROPRIATIONS—CONFERENCE REPORT

Mr. WARREN obtained the floor.

Mr. PHIPPS. Mr. President, will the Senator from Wyoming yield to me for a moment?

Mr. WARREN. I desire to call up the conference report on House bill 8233, and then I will yield to the Senator from Colorado.

The PRESIDENT pro tempore. The Chair lays before the Senate the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes.

Mr. WARREN. I yield to the Senator from Colorado for a moment.

SILVER PURCHASES UNDER PITTMAN ACT

Mr. PHIPPS. Mr. President, from the Committee on Banking and Currency I report back favorably without amendment the bill (S. 2917) directing the Secretary of the Treasury to complete purchases of silver under the act of April 25, 1918, commonly known as the Pittman Act, and I submit a report (No. 658) thereon. I desire to say that the report is unanimous. The bill deals solely with the interpretation of a statute. Were it not for the fact that there is no objection on the part of any member of the committee to the bill as now reported, I would not ask for its present consideration; but as the report from the committee is unanimous, I do ask unanimous consent for the present consideration of the bill.

Mr. PITTMAN. Mr. President, I merely wish to say that I hope the request of the Senator from Colorado will be granted. I am perfectly familiar with the whole matter. I know that the committee considered the bill carefully, and I know the report is unanimous. I also know that the distinguished Senator from Pennsylvania [Mr. PEPPER] has written a very able opinion in support of the bill. I therefore join in the request of the Senator from Colorado for its immediate consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado?

Mr. ODDIE. Mr. President, if the Senator from Colorado will yield for just a moment, I desire to state to the Senate that the Commission on Gold and Silver Inquiry has had this matter under careful consideration and has indorsed the proposed legislation very whole-heartedly.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Colorado, and lays the bill before the Senate. The Secretary will state the title of the bill.

The READING CLERK. A bill (S. 2917) directing the Secretary of the Treasury to complete purchases of silver under the act of April 25, 1918, commonly known as the Pittman Act.

Mr. WARREN. The report having been made by the Senator from Colorado, I now ask that the conference report may be proceeded with.

The PRESIDENT pro tempore. Unanimous consent has been granted for the present consideration of the bill which has been reported by the Senator from Colorado.

Mr. WARREN. I did not consent to that. I object to the consideration of the bill at the present time.

The PRESIDENT pro tempore. The Senator from Wyoming did not object when the request for unanimous consent was made by the Senator from Colorado.

Mr. WARREN. I understood that the Senator merely asked unanimous consent to report the bill.

Mr. PITTMAN. The consideration of the bill will take only a few moments, Mr. President.

The PRESIDENT pro tempore. The Senator from Wyoming objects to the present consideration of the bill.

INDEPENDENT OFFICES APPROPRIATIONS—CONFERENCE REPORT

Mr. WARREN. I now ask that the conference report may be adopted.

The PRESIDENT pro tempore. The Secretary will read the conference report.

The reading clerk read the report as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 12, 13, and 14, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "No part of the moneys appropriated or made available by this act for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall, unless the President shall otherwise direct, be used or expended for the repair or reconditioning of any vessel owned or controlled by the Government, if the expense of such repair or reconditioning is in excess of $100,000, until a reasonable opportunity has been given to the available Government navy yards to estimate upon the cost of such repair or reconditioning if performed by such navy yards within the limit of time within which the work is to be done: *Provided*, That this limitation shall only apply to vessels while in the harbors of the United States, and all expenditures in connection with such work are to be considered in estimating the cost"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 4 and 10.

F. E. WARREN,
W. L. JONES,
LEE S. OVERMAN,
Managers on the part of the Senate.
WILL R. WOOD,
JOHN W. SUMMERS,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is upon agreeing to the conference report.

Mr. ODDIE obtained the floor.

Mr. PITTMAN. Mr. President, will the Senator from Nevada yield to me?

Mr. ODDIE. I yield to the Senator from Nevada.

Mr. PITTMAN. I should like to make a parliamentary inquiry. I first desire to ask has the conference report been agreed to?

The PRESIDENT pro tempore. The conference report has not been agreed to. The conference report is now before the Senate, and the Senator from Nevada is about to address the Senate upon the report.

ADMINISTRATION OF VETERANS' BUREAU

Mr. ODDIE. Mr. President, on May 5 I addressed the Senate on the Veterans' Bureau and charged maladministration, neglect, and improper treatment of the disabled veterans and a violation of the trust imposed on it by the American people. I stated that the President desires that the bureau function properly, but that information that comes to him regarding the bureau comes from the ring which controls its policies. The President has stated very wisely and properly that he desires the specific evidence on which I base my statements. As this is a matter affecting the whole country and as it is of such vast importance, I am taking this opportunity of meeting his wishes in this matter.

This question affects all the people and should be treated with great frankness, in a broad, nonpartisan, and nonsectarian manner, in spite of efforts made to the contrary.

The President in his message of May 15 gave his opinion of the disabled veterans' question in these words:

> I am not unmindful that this bill also embraces within its provisions the disabled of our veterans and the dependents of those who fell. To state that the disabled veterans and these dependents are entitled to this additional gratuity is to state that the Nation is not meeting its obligation to them. Such a statement can not be truthfully made. The Nation has spent more than $2,000,000,000 in behalf of disabled veterans and dependents of those who died. It is now spending for compensation, training, insurance, and hospitalization more than $400,000,000 annually. Solicitude for the disabled veterans and the dependents of those who lost their lives is the Nation's solicitude. To minister to their every need is a sacred obligation, which will be generously and gratefully met. The Nation stands ready to expend any amount needed for their proper care.

He and a vast number of the people in our country believe that the Veterans' Bureau is being administered properly, because they have not had the opportunity of knowing how it has been and is being administered.

The necessary house cleaning and reorganization that are needed will be difficult, because those who should be removed from the service have indorsements of various influential persons and organizations who are not familiar with the reason for the highly unsatisfactory functioning of the bureau. The director can not properly discharge his great responsibilities while the present conditions exist. He is powerless to act, if he desires to, for the best interests of the bureau, the disabled veterans, and their dependents while this ring, which he inherited from his predecessor and which his predecessor inherited from the old War Risk Insurance Bureau, is in control as it is to-day. These men and the policy of hostility toward the beneficiaries of the bureau which they inaugurated and have continued, are responsible for the miserable, inefficient, and inhuman treatment which the disabled and their dependents throughout the country have received.

This is the problem of all others that the American people are deeply interested in, as it affects the welfare of the disabled of the World War and their dependents.

The American people will declare themselves most emphatically when they realize that this bureau, which is intended to carry out their ideals and desires, and to which they have delegated this sacred and human trust, has failed in this great work.

Within the last few days the adjusted compensation law has been passed. This will place an enormously increased load on the bureau, whose foundations have been shown to be dangerously unsafe and weak. Before this new load is placed upon the bureau these foundations must be rebuilt and strengthened. This can only be done by a reorganization of the bureau itself and a change of all personnel, from the highest to the lowest, who have been guilty of hostility to the disabled men and out of sympathy with the purpose for which the bureau was created.

I have received large numbers of letters both before and since my remarks in the Senate on May 5. These letters show—

Great delay in handling claims.

Refusal to consider competent evidence, both lay and medical.

Discipline of employees, by transfer or dismissal, who have made reports to improve conditions.

Punishing claimants who complain by declaring them insane and locking them in cells, cutting off their compensation, dehospitalizing them, and acting adversely on their claims.

Discouragement of competent employees within the bureau at succeeding, under present conditions, in satisfactorily caring for the interests of the disabled and their dependents.

I shall read extracts from these letters and shall also present memoranda and comment on cases which bear the file number of the Veterans' Bureau. The letters will show the adverse outside effect of the bureau's nonfunctioning, while the memoranda and comment will show the inside handling of cases which causes the adverse outside criticism.

In connection with these letters I desire to invite especial attention to the fact that the writers are from all sections of our country, and all express the most lively dissatisfaction and disgust with the manner in which the bureau is functioning with respect to their own cases or the cases of others in which they are trying to assist relatives or friends. The wide geographical distribution of these letters is significant as showing that the complaints of mistreatment and maladministration are spread over the length and breadth of the land and are not confined to any one section or community. Furthermore, these letters were voluntarily written and are not the result of any organized movement or propaganda.

If claimants whose entire letters I use are in any way disturbed by the Veterans' Bureau because of such use, it is my intention to see that no harm comes to them. If, however, anything of the kind happens, it will serve as an added illustration to support my charges.

I will first quote from a memorandum submitted by the Disabled American Veterans of the World War, which represents and summarizes all complaints received by the principal disabled veterans' organization. It is written by those who, as representatives of the organization, have had close contact with the bureau and was presented to our committee after the hearings had closed. I have had permission from the officials of the organization to use this memorandum:

We feel, and have publicly stated this sentiment, that while the United States Veterans' Bureau prior to March 1 was not run as efficiently or as honestly as it should have been run, that also the United States Veterans' Bureau as it exists to-day still possesses many of the evil traits that have contributed to maladministration heretofore.

* * * * * * *

Thousands of men have been declared rehabilitated theoretically and, of course, taken off the training pay roll and for whom no positions have been found and who have been unable to find positions for themselves. This is one problem that still exists to-day. Two outstanding reasons for this condition of unemployment might be cited: Either, first, the employers of this country, including the Government itself through its Civil Service Commission, have no confidence in the training which has been given under the jurisdiction of the United States Veterans' Bureau and consequently do not care to employ these men who have been declared rehabilitated. Or, secondly, the fact that these men have been taken off the pay roll suddenly without any visible means of support and thrust upon the streets to look for positions has resulted in a personal economic situation which has forced these men to take the first job that has been offered, many times not suitable for the man due to his disability and has prevented him from finding a position in line with his training, which means, of course that the entire training given him has been a waste of public funds.

Supplemental to the second reason there might be a third, which is probably equally important, and that is, that although the man has been declared rehabilitated and to have received sufficient training, the fact of the matter is he has not been properly trained and consequently can not demand employment. This unemployment situation, as you can readily realize, is an acute one, and as time progresses it will become more alarming due to greater numbers being declared rehabilitated.

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One of the cross sections, and, as an example of this category of men, are those who are to be graduated from law schools, but who must wait until a bar examination has been held several months subsequent before they can be considered lawyers.

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Another thing that should be accomplished immediately is a complete survey of the different trainees throughout the country, not with the idea, as apparently was the practice a few months ago, of surveying the man's case with the end in view of taking him off the pay roll, but with the intention of deciding what a man was fitted for and adjusting his case in such a manner that the proper job objective could be found for him.

* * * * * * *

A very important item to be considered is the crying need for prevocational training for the patients who are in hospitals, sanitariums, etc.

On the question of compensation they say:

Regarding compensation, we feel that the bureau should decide, and which I think was the intent of Congress and of the American people, how much the law will allow instead of how little it will allow. It seems to us in our experience that so-called rating boards as now exist—and let us point out that these boards are using practically the same system to-day as they did under the administration of Colonel Forbes—should be eliminated.

* * * * * * *

There is a group of men in the country to-day, approximately 29,000, who are considered NP cases and not feasible for training. It is our contention that if these men are not feasible for training they most certainly are not feasible for employment. These men are getting anywhere from less than 10 per cent to 100 per cent disability rating. We suggest that all men declared eligible but not feasible for training be considered as a total disability. It is safe to assume that many of these under-compensated mental cases have been the nucleus of the so-called crime wave of ex-service men.

HOSPITALIZATION

It has been publicly announced that there are available approximately 9,500 vacant beds wherein ex-service men could be put who are in need of hospitalization. This statement is particularly misleading, and we feel that an immediate survey should be made to determine the truth of such a statement. This number, 9,500, includes beds which are not suitable for disabled ex-service men, many of them being in fire-trap sections, others in hospitals that have been erected by the bureau or purchased by it in localities that are not conducive to the improvement of the sick men. It also includes beds in various hospitals which, although they are not occupied by the disabled ex-service men, are occupied at the present time by members of the personnel of these hospitals.

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But the real horror of the situation is brought out by the fact that the Veterans' Bureau is compelled to list as available nearly 5,000 beds that are unsuitable. In many cases these structures are real hazards, amounting to actual fire traps. Furthermore, among these nearly 10,000 unoccupied beds they are so geographically located as to make them virtually useless, so far as expecting a man to remain there during a long siege of illness, while hundreds of others are so located as to make them climatically undesirable for certain diseases.

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Our organization prides itself modestly on being experts on problems facing the disabled veteran. Our contact with the United States Veterans' Bureau has resulted in the bringing to light of rather startling and alarming situations. Starting from the basis of this whole thing, namely, the investigation of the United States Veterans' Bureau, it is our sincere belief that many conditions exist to-day which were found out to have existed under the previous administration. The general attitude of some of the personnel toward the disabled man remains unchanged. It is our experience that disabled veterans, who after all are the direct cause for the employment of the personnel in the United States Veterans' Bureau, have been and are still being treated with rank discourtesy. The attitude seems to prevail in certain parts of the bureau that the disabled veteran is not entitled to every possible consideration, but rather, on the other hand, is treated as if he were somebody or something beneath the dignity of these employees who have had the opportunity of performing the most wonderful service to humanity this country has ever had occasion to give.

In prosecuting a man's claim it has been our experience that a very evident attempt is most always used to disprove the case rather than to assist in putting it through. This is particularly true in the rating section and in the central board of appeals. Many times it has been impossible for a disabled man to get medical evidence testifying to the fact that he was suffering from a disability. He has collected, however, plenty of affidavits from laymen, many of them influential men of different communities, stating that they had observed the difference in the physical condition of the claimant between the time he entered service and after he was discharged. The rating section apparently pays absolutely no attention to these affidavits, but merely continues to state that sufficient evidence has not been presented and the man's claim can not be connected. This condition of affairs is just as true to-day as it was under the former administration.

Central board of appeals has been noted for its unsympathetic and absolutely absurd decisions in the past. Many of these decisions are absolutely contrary to common, ordinary, good sense. There, too, the very evident intention has been to spend their time in trying to convince a man that he was not entitled to the benefits of the act rather than to assist him to obtain these benefits. While a new system, which we think is much better than the old, has been established regarding appeal cases, it is not working out in practice as we hoped it would. The reason for this is very obvious when you realize that many of the same personnel which composed the old board are still functioning in reviewing cases. This personnel has proven in the past that it was not fair in its decisions, and it surely can not be fair now, even though the system has been changed.

We recommend, as we have in the past, that those men who composed the central office board of appeals heretofore should not be allowed to function in the same capacity now, even though the system has been changed.

Another situation we believe to be detrimental to a man's case is the fact that members of the medical profession have to answer a question which is purely a vocational one; that is, they must state whether or not the man has a vocational handicap. It has been our experience that the ordinary doctor does not know enough about different vocations and their requisites for him to intelligently decide this primarily important question regarding vocational training.

We suggest this should be taken out of the hands of the medical division. The investigation brought out facts proving maladministration by the former director. Our contention is that unless a complete investigation and subsequent cleaning out of those persons who held key positions under him and who still hold key positions; that the mere changing of a director can not solve the problem of inefficient handling by the United States Veterans' Bureau of the disabled veteran's problem. It is logical to assume that these men in the key positions, or at least some of them, must have contributed toward the maladministration of the bureau; and to expect the new director to adequately and competently handle the situation with this same personnel is absolutely unfair both to him and the disabled men. If upon investigation it is found that these men included in the category of key-position men are not competent to hold their positions and, either intentionally or otherwise, helped to prevent the bureau from putting over the proper job, then they should be dismissed from the service absolutely. It is utter fallacy and wholly unfair if after finding that such a man is unfitted to hold his position to merely transfer him to another part of the service. Due to his demotion, he becomes a disgruntled employee and can not give the best service possible. If such men are dismissed, it is our general conviction that there are plenty of men in the employ of the bureau who could competently fill these positions.

Dissatisfaction with the personnel of the bureau has been chronic, and from the meager information we have been allowed to obtain we fail to see that the investigation will improve this situation. The suggestion contained in an excerpt of the general counsel's tentative report is far from new so far as the higher ranking officers of the bureau are concerned. It has been repeatedly suggested that men should be obtained for these positions by offering bountiful salaries, but each time the students of the situation have gone forward with the warning that by the creation of such alluring salaries these posts would soon degenerate into political plums in which a man's politics rather than his ability would be the deciding factor. The assertion that playing politics with such positions would arouse en masse former service memories is mere sophistry, as is shown by the fact that the horrors of the Veterans' Bureau continued from month to month and year to year until the disabled American veterans obtained in numerical strength enough numbers to make their voice heard.

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To-day, in the Veterans' Bureau, it is not a matter of numerical strength but rather a quality of workers, the background of which must be an esprit de corps of the whole force.

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From daily and almost hourly contact, we are thoroughly convinced that there exists on the floors of the bureau an abundant supply of persons qualified to perform to the satisfaction of the one vitally concerned—the disabled man. The problem is to find these people and put them in the positions where they can work most effectively, rather than allowing the atmosphere to be permeated with the impression there are to be wholesale raises in salaries with the resultant depression when these raises fail to materialize. In the Veterans' Bureau, as in every other human institution, the incentive to the workers should be possibility of reasonable promotion. This is axiomatic, and we are deeply regretful that each successive move in reorganization went with it the induction into office of some outsider, while the faithful worker plods along in the face of these repeated discouragements.

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If there exists around the director a so-called "ring" that is impenetrable from within or without, that "ring" should not be transferred, demoted, or switched; it should be broken and utterly eliminated, for attempting to improve with an assailable situation at the top would be as childish as attempting to build on a foundation of sand.

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One of the not only discouraging but utterly stupid policies that has been consistently followed through successive administrations of the bureau is the transfer of personnel unfit in a given place. While we are ready to concede that occasionally a man's work may be improved by a change of environment, we are not ready to agree and, in fact, are quite rebellious over the policy of transferring proven unreliable, inefficient, or disloyal workers from one post to another in the futile hope that this will bring improvement. In a vast number of these cases, to be perfectly frank with the committee, we have felt that this action was more evasion than a sincere effort to improve when proof positive of the necessity for improvement was self-evident. It is beyond our ken to follow the attempted reasoning that would try to prove that a man of proven inefficiency on the Pacific coast would prove satisfactory with transfer at expense of the disabled funds or otherwise to a position on the Atlantic coast, or that a man removed from the vicinity of the Canadian border would give proper service in an office on the edge of the Gulf.

If the committee does nothing more on the matter of personnel than to impress those in authority that Congress will no longer accept transfers as cures for proven inefficiency or indifference, it will, indeed, have brought about a marked improvement in almost pathetic conditions constantly brought to our attention.

The two outstanding impediments in a stimulation of the proper morale in the Veterans' Bureau are the invasion of outsiders into the worth-while jobs and the transfer system as a punishment for unfit performance. Fortunately, we know that experience of the Members themselves make it unnecessary for us to stress what we might describe as discourtesy in the treatment of the employees of the bureau to the honorably disabled man.

The claims division should enlighten the man as to just what kind of evidence is needed to have his claim properly adjusted. Another item—after a man has submitted numerous affidavits and has neglected to have a copy of them, it is impossible for him to find out what he has submitted in order to build up his case. It is also impossible, or nearly so, for the man to find out what the diagnosis of his case might have been. He may be laboring under the delusion that he must get evidence to support a claim for arthritis in the knee when the diagnosis in his case is a floating cartilege or an injured kneecap. He continues to get evidence to support his claim, but, of course, this evidence will not be accepted. The claims jacket itself is not practical. It is too easy for papers to become lost when the claim has become large physically and it is also very difficult for a claim examiner to examine thoroughly every paper in the case which, of course, should be done. At the present time the papers are more or less mixed up and not in chronological order, making it very probable that pertinent information is overlooked when an examiner has to hurry through a claim.

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It is not uncommon for a man to have his rating changed and wait as long as three months for an adjustment check to be mailed to him. In the meantime he is without compensation and considerable hardship ensues.

Overpayments have been made on too many occasions, said overpayment not being recognized as such by the claimant, but nevertheless he is notified very suddenly that he has been overpaid for a specific amount and his compensation is then either stopped entirely or a considerable portion of it deducted in order to repay the overpayment.

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The persons who are responsible for compiling the statistics that were given to the director regarding rehabilitation and employment should be dismissed either for gross carelessness or for a malicious intent to deceive and mislead. We refer to the statement that 99 per cent of the men who have been declared rehabilitated are in employment. The committee knows, I am sure, that this statement is absolutely wrong, and I think we conclusively proved it on the stand. Those who are responsible for approving contracts with mushroom schools should not be allowed to continue in the service. Too much stress is laid on the fact that a man has failed to profit by his training without ever investigating and finding out what has caused this failure. In many cases it is because of the man's disability and also that he has been started in the wrong vocation.

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Lastly, the medical division as it is to-day; it is probably the least efficient of any division of the bureau. It is composed of many medical men who are unsympathetic, and in many cases who actually do not know the duties of the position they are attempting to fill. It is not uncommon for a claimant to submit evidence from recognized physicians on the outside testifying as to their condition, and then be examined by a United States Veterans' Bureau doctor who tells him there is nothing the matter with him. Many of these doctors have had no actual experience with war disabilities before they became affiliated with the bureau.

A common practice in vogue at the present time when a claimant is examined by a board of physicians is for all the doctors to merely approve what one doctor has decided. It is almost impossible to get a dissenting opinion from one doctor in the bureau after another has examined the claimant. * * * They do not do that to-day, however. Before a doctor makes his diagnosis he invariably gets the folder, investigates what the previous doctor has stated, and then generally merely approves them.

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Our solution for getting proper personnel is to offer better inducements to a better type of doctor and we also feel that some agreement should be reached whereby the personnel of the medical division would

be composed of commissioned Public Health doctors. These men have had experience in war disability, and we think would be most proficient in adjudicating claims.

Our conclusions, therefore, on the betterments of the personnel of the bureau, in brief, are as follows:

Get rid of the "ring," if there is such a thing; dismiss these men from the service rather than transfer them.

Stimulate morale by promotions and better inducements by dismissing those who are responsible for carelessness, incompetency, and downright disloyalty.

The above applies not only to the central office but to district offices as well.

Our reaction on the investigation by the Senate committee:

We have felt, as has been testified, that the disabled men were not getting the benefit we expected they would get through this investigation.

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We hope and pray that this investigation will be the last, but unless charges are proven conclusively and remedial suggestions have the proper basis of justification, we are fearful lest the dissatisfaction should crystallize in a powerful propaganda and would develop into an irresistible demand for still another probe.

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Statement by General Hines that 99 per cent of men declared rehabilitated are in employment. (This is absolutely misleading and, although it was conclusively shown that these figures were not correct, nevertheless the director's annual report includes a statement indicating that the employment situation has been handled successfully.)

Statement that 9,500 vacant beds were available for disabled men. (This figure is also misleading, and we suggest to the committee the true state of affairs be explained to the Senate, namely, that many of these beds are occupied by members of the hospital personnel, and many of them are not fit for any disabled man to occupy.)

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While the committee has explained to us that their functioning was merely to investigate conditions up to March 1, 1923, we feel that the bureau, as it is to-day, nevertheless can be greatly improved.

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Our cooperation with the committee has been sincere, and after offering to give the counsel for the committee on many occasions the benefit of our experience in these things, we have been very much disappointed in not being allowed to confer with you, for we feel that many beneficial changes could have been made before this.

Mr. SHIPSTEAD. Mr. President, may I ask the Senator who made that report?

Mr. ODDIE. It was made by the national organization of the Disabled American Veterans of the World War.

Mr. SHIPSTEAD. Are these charges brought against the nation-wide organization of the Veterans' Bureau or against a certain division or branch?

Mr. ODDIE. They are brought principally against the main office, the central office of the bureau, and they reflect conditions throughout the country but mainly dealing with the main office.

Mr. CARAWAY. Mr. President, would it interrupt the Senator if I should call attention to certain cases that have come to my attention?

Mr. ODDIE. I will ask the Senator if he will allow me to finish first, because the time is very short, and then he can take up his matter.

Mr. President, I have here a number of letters and extracts from letters which I have picked out at random, which are most illuminating as showing the conditions that exist in the bureau. As the time is very short, I will ask that they be placed in the RECORD.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

FEBRUARY 21, 1924.

Hon. TASKER L. ODDIE,
United States Senate.

DEAR SENATOR ODDIE: Your statement in the press of several days ago, in which you voiced your disapproval of the procedure now in force in the Veterans' Bureau, which permits of wholesale disallowance of claims, was noted with interest by the writer, and I am wondering whether your committee has been fully informed as to the manner of disallowing claims; also whether recommendations amending a procedure so manifestly unfair will be made.

I should like to present to your committee this phase of the Veterans' Bureau work as observed by an examiner in the central office: There are, as you know, three divisions of disallowance, i. e., disallowance of compensation to the veteran himself, or, in case of his death, to his surviving dependents, and the disallowance of insurance. As the disallowance of insurance, while in many instances working a hardship, results from the insured's negligence, since his relationship with the Government as regards insurance is contractual, except in the case of automatic insurance, it would not seem necessary that your committee give much thought to them unless for the purpose of liberalizing the law, thus allowing a greater number of reinstatements. But, as everyone is aware, the veteran's relationship to the Government as regards compensation is in no sense contractual, and yet the claims are adjudicated as if they were.

Upon his appointment as an examiner several years ago the writer was given to understand that claims were not to be disallowed until every effort had been made to the end that the claimant might establish his right to compensation. But he soon found that was only the theory under which everyone thought the bureau should operate. As a matter of fact it was not practical then and is not practical now, and perhaps it never will be humanly possible to handle each case with the care, thought, and attention it deserves until the burden on the shoulders of the examiners is lightened.

Claims examiners are supposed to be professional men, but the manner in which they are forced to proceed in the adjudication of claims is a sorry travesty on the word. Every man has from two to three times as many claims assigned to him daily as he can possibly handle in justice to the claimant and the bureau. The very atmosphere seems to be charged with an urge for speed and still more speed in handling the cases until the men, becoming discouraged under the burden, find it necessary to take all manner of short cuts which, unfortunately, are often at variance with the facts in the files. This is merely mentioned because it is the examiners who disallow the claims.

There are thousands and thousands of disallowed claims, hundreds of which were undoubtedly worthy cases, and many of the veterans died from disease recorded in the bureau as not due to service, but they were convinced of the contrary and so they died, perhaps in poverty, chagrined at the absence of appreciation shown by a Nation for whose high ideals they fought and died.

The war risk insurance act is humanitarian legislation of the very highest order, and it does seem a shame to sacrifice to a very considerable extent such beneficent legislation on the altar of speed, which has occurred. Of course, the necessity of some definite procedure being established and followed must be recognized, even though the bureau was created in order that our Nation might display in a measure its sympathy for its fallen and wrecked defenders. But was it ever contemplated that decisions regarding claims of sick and disabled humans would be—I will not say adjudicated—ground out, so many to the hour, so many per day? Why, the manner and method of adjudicating claims has been so circumscribed by rules, regulations, and decisions that they are handled with as much mechanical precision as will be found in the manipulation of an automobile.

The examiner reminds one of a lather in a machine shop. The only difference is found in the fact that the lather works his material from blue prints, whereas the examiner works from regulations and decisions. This metaphor is not so far-fetched, because there is just as much human interest in the work of one as the other. I don't believe this thought occurs to any examiner once a day: "I must proceed with care, caution, and sympathy in the adjudication of the case before me, as it involves the wreck of a human life." He doesn't have the time to indulge in such thought of human sympathy, he must—machine-like—have a thought to the 25 or 50 cases stacked around his desk which, if not disposed of in a given period, reflects on his competency.

Senator, the biggest problem facing the Veterans' Bureau is not how to eliminate waste, graft, and fraud but is how to engender and sustain a touch of sympathy and human interest in the claims division, which division is, after all, the very bedrock upon which the bureau is founded. Until the work of the examiner is so regulated as to allow sufficient time to handle every case coming over his desk with the utmost care, there will be dissatisfaction in the ranks of the disabled.

But, getting back to the disallowed claims, your statement that claims are being disallowed on account of the claimant's failure to prosecute is correct. There are many claims disallowed for the above reason and half a dozen others. For that matter any reason which the examiner may deem appropriate can be used, so long as the disallowance is accomplished.

The disallowance of a claim does not deny the claimant the right to present additional evidence thus resulting in the reopening of the claim. They are only disallowed for record purposes. For instance, several thousand claims may accumulate and because of insufficient evidence of one character or another the claim can not be adjudicated. It is then carried on a pending list and then some one in authority will raise the question, Why are there so many pending claims? which results in the issuance of an order to reduce the pending list by disallowing all possible pending claims. The unfortunate part of it all is that in some cases where the veterans or their dependents received a form letter advising of the disallowance of the claim, although advised that they might present further evi-

dence with a view to reopening the claim, they failed to do so, thinking it useless to make any effort to overcome the disallowance as it would be next to impossible to persuade the office that they had a proper claim. There are thousands of claims disallowed for failure to prosecute, or failure to cooperate; that is, failure to submit evidence which the bureau considers necessary. For example, for the first two years subsequent to demobilization claims were disallowed because of the failure on the part of the claimant to submit medical evidence connecting his disability with the service. This evidence was requested on a form letter and I am sure that many men with good claims abandoned the idea of prosecuting their claims because of their inability to comply with the instruction in that letter regarding the character of evidence needed. It is the writer's impression that the letter frightened them off.

You, of course, appreciate that a large number of illiterate men were in the service and you can imagine how they felt upon receipt of a full page letter advising of the character of evidence the bureau considered acceptable. Why, I am sure that many of the intelligent fellows doubted their ability to properly place the facts of their cases before the bureau; and is it any wonder, then, that hundreds of the illiterate men gave up at the start?

No one knows how many such claims there are sandwiched among the properly disallowed cases, and perhaps it will never be known, because to carefully examine every disallowed claim would involve additional burdens not warranted in view of the policy that so long as the claimant is not complaining why should this bureau worry. On the other hand, should it be decided to go over the disallowed cases they would most probably be assigned to the already overburdened examiners in addition to their regular assignment, hence nothing would be accomplished.

The writer would suggest that if your committee intends making any recommendations regarding claims of veterans which have been disallowed that it incorporate a suggestion providing for a section to be devoted exclusively to reviewing claims disallowed in the past and current disallowances; that is, the claims being disallowed each day. The situation can not be corrected in any manner other than by divorcing the disallowed cases from the main body of claims work.

There is at the present time a disallowance unit. Its functions, however, have to do only with answering inquiries received regarding a specific claim.

And now we come to the subject of disallowing death claims, and in this connection it must be stated that disallowances in these claims reach astounding proportions. Some examiners average 10 or 15 per week, others half that number, and when this number is considered in connection with the number of examiners, the aggregate is startling. The most astounding reasons are given. For instance, no proof of death, or in case a widow or dependent parent communicates with the bureau advising of the death of her husband or son as the case may be, the bureau requests a death certificate. The claimant in a majority of instances does not receive the bureau letter requesting evidence of death until many weeks after the death is reported. In some instances they remove to a new address during the long delay which generally ensues between the period in which they advise of the death and the bureau request for a death certificate, and in other instances the correspondence is incorrectly addressed. In any event, if proof of death is not received within a reasonable time the claim is disallowed. The examiner is privileged to do and very often does disallow the claim, giving as his reason no proof of death or failure to prosecute.

In every case where the widow or a parent of a veteran informs the bureau of his death, the bureau should and could obtain, if unable to make direct contact with the surviving relative through its field organization, the death certificate through the home service section of the American Red Cross. Unfortunately the cooperation of that great organization, which has local representatives in every hamlet and township in the country, is too seldom requested.

A study of the act and the spirit which prompted the law would impress one as though some obligation rested on the bureau to assist (almost a point of insistence) claimants to file and prosecute legitimate claims, but somehow just the reverse impression seems to be prevalent, at least that is true in the central office. The policy seems to be to vigilantly and vigorously prosecute your claim or it will certainly be disallowed. No obligation seems to have been imposed upon us. We sit back smirkly allowing the claimant to do his and half of the bureau's share of the work, much after the fashion of some tight-souled commercial accident company.

References heretofore have been entirely to disallowed claims, both as to the soldier and dependent. Of course, the disallowance of a claim of a widow or parent (no proof of death) presupposes no claim for soldier, because if the veteran has filed claim himself, some action would have been taken prior to the time of his death with a view to establishing service connection, and if service connection had not been established the veteran's claim would be disallowed as not due to service, and so such a claim would not be disallowed "no proof of death or failure to prosecute." The claims which are disallowed for this reason are in most instances claims made by dependents where the records do not disclose a claim filed by the claimant himself.

We come now to another class of disallowance, that is, the claims of dependent parents upon the death of the veteran where service connection is shown and the veteran received or was entitled to compensation during his lifetime.

The law does not specifically set forth what shall constitute dependency, and it is, therefore, a matter of opinion with the examiner whether dependency is shown, and there are sixty-odd views as to dependency in the minds of the sixty-odd examiners who handle such cases. Some doubt that there is such a status as a dependent parent; some think all parents who file claims for compensation as dependent parents are attempting to impose upon the Government; others believe dire distress, if not destitution itself and nothing else, constitutes dependency. You can readily appreciate with that point of view how many legitimate claims for dependency are disallowed.

The law provides that compensation may be paid two years prior to the date of claim if the evidence warrants. The writer within the past week heard an examiner of four years' service make this remark: "This is the first dependency award to which I have ever applied the two-year rule." In other words, of the hundreds of dependency claims which he has handled he only considered that one case merited the maximum benefits of the law, whereas another man may have considered half the total number of claims this same man had handled as meritorious. There is too much latitude, too great an opportunity for the human equation in the allowing and disallowing of dependency compensation. The fact is, it is very difficult to arrive at a schedule whereby parents' rights to compensation in every walk of life may be determined, but certainly a schedule could be worked out by an actuary.

No doubt you have received many and the bureau thousands of letters containing the statement: "Mr. and Mrs. John Brown are receiving compensation on account of the death of their son. Why am I not entitled to the same treatment. I am in greater need." Every such letter indicates a difference of opinion among examiners. The irony is that perhaps the complainant is justified and that her circumstances are such as to entitle her to compensation.

About the same time that so many claims of the veterans themselves were being disallowed the claims of dependent parents were being treated in a like manner. In every case they received a form letter advising them of the disallowance of their claim, and that settled the matter in the minds of many of the old folks. Perhaps they were not then so urgently in need of compensation as now, or as some time within the five-year period. Even if their circumstances became distressing, still because of the disallowance they did not make a second attempt to convince the bureau of their need of compensation. Many such cases are in file. As a matter of fact it has been the writer's experience that very few parents file claim for dependency compensation whose circumstances do not entitle them to such benefits under the act.

All in all I believe your committee would render an invaluable service to the dead and disabled veterans, their widows, children, and dependent parents if you strongly urge upon General Hines the need of closer supervision of disallowance of the claims now in process of adjudication and the creation of a section to review and reopen the claims disallowed in the past where it is indicated the bureau, rather than the claimant, was at fault.

SUISUN, CALIF., *May 6, 1924.*

Hon. TASKER L. ODDIE,
United States Senate, Washington, D. C.

MY DEAR SIR: Your article in the Sacto Bee, under date of May 6, 1924, meets with my hearty approval. I have been working on a case of a disabled man who has been totally disabled from the day he left the Army. This man whom everyone here knows from infancy knows that he is not faking; we have been on the last technicality since 1923. In all we have been working on the case for about two years. The boy is deserving of everything the Government can give. His people are very highly respected. Yet the bureau central board do what is usual, overrule the San Francisco board in their ruling.

I often wonder if our great Nation has any respect for the disabled. From my experience handling claims I find you have to be an able attorney if you want to get anything. The twelfth district, under Louis T. Grant, are indeed very liberal; they do anything they can, but their ruling is reversed when it gets to Washington. Something is rotten in Denmark, and we must see to it that those disabled men will not have to fight to the last ditch for every assistance. This Russell case has been carefully prepared; many of us who are handling the case are legally trained. We have worked through our State and national organizations, have had one of the ablest attorneys in the State assisting us in the case. This man is a personal friend of Mr. Russell; he is not looking for fees. What we want and intend to get, if it is possible, is justice for this boy.

There should be no excuse for having to give the benefit of the doubt against the boy. It is like taking a case to the United States Supreme Court, if you expect to get a ruling in your favor. Again I say there should be no excuse for this kind of work. Our Government can well afford to take care of its disabled. I am inclosing copy of letter received from bureau denying our claim. Perhaps yourself, Senator JOHNSON, and Senator SHORTRIDGE would like to go into the matter. Assuring you our appreciation for any good house cleaning you can do, we are at all times working for the disabled.

Very truly, REAMS POST, No. 182, AMERICAN LEGION,
JOHN J. MCCARRON.

Box 255.

The American Legion contact officer is Louis DeLane, Washington, D. C.

WASHINGTON, D. C., *April 29, 1924.*

Mr. LAWRENCE RUSSELL,
Suisun, Calif.

DEAR SIR: Please be advised that your case has been carefully considered by the central board of appeals, in view of the evidence now contained in your file forwarded to the central office pursuant to recommendation for permanent and total rating; that the evidence on file does not justify granting you service connection for the disabilities upon which you have been previously awarded compensation.

Therefore your compensation award has been ordered discontinued, effective last payment, and will not be resumed, unless new and other evidence is produced to establish service connection. For insurance purposes only the case has been rated permanent, and total on and after November 14, 1922, but since your policy of insurance lapsed for nonpayment of premiums on and after May 1, 1919, there is no insurance payable under this rating.

Your case will remain in the central office, since you are permanently and totally disabled, and all future correspondence pertaining to the same should be addressed to this office and should bear your name, rank, and organization and the C number C-1260299.

For the director:

CHAS. E. MULHEARN,
Assistant Director in Charge Claims and Insurance Service.

[P. S.—Note, the boy being unable after coming out of service disabled to carry insurance, he was cut off cold. This case is one that is simply a shame to let go. The boy is getting worse all the time; is absolutely helpless.]

J. J. MAYO.

POST-OFFICE BOX 54,
Sidney, Iowa, May 15, 1924.

Hon. TASKER L. ODDIE,
United States Senator, State of Nevada,
Washington, D. C.

ESTEEMED SIR: I have been reading an article in the Stars and Stripes of May 10 regarding some of your investigations of conditions in the United States Veterans' Bureau. I have also read the statement in the same publication purporting to be from General Hines saying that he is satisfied with the work of the six assistant directors and their offices, which you wish abolished.

I have been interested in this, as in all the investigations by Congress, service men's organizations, and individuals, and I believe that you are right in your contention that these six offices should be abolished. I have not confined my own thought to the workings of those higher up in the bureau, but I have made some study during the past four years of those parts of the bureau which are in contact, or nearly so, with the veteran. As service officer of our local American Legion post and as home service secretary of the Red Cross, I have handled numerous claims of all kinds. I am a disabled veteran myself and have the best interests of my fellows at heart, and I believe you have the same spirit, for which I thank you in behalf of the disabled men of this country.

In my dealings with the Veterans' Bureau I have found injustice, negligence, lack of courtesy, and inefficiency. I have been interested in all the investigations; but after all the vital thing to me and my fellows is: Do these investigations improve the bureau system so that actual contact between the bureau and the man is made more efficient and more just?

General Hines may or may not be satisfied with his six assistants and their offices; the point to me is, Are the disabled veterans satisfied with them, or would they be satisfied if they knew the truth? Some Congressman or Senator—perhaps it was Senator WALSH—who said, "The trouble with the Veterans' Bureau is that it is all wrong, altogether too much stress is being laid on the medical phase and not enough on the common-sense phase in the adjudication of claims." I am sorry that I have forgotten exactly to whom this remark is credited, for I would like to get in touch with him and tell him that he said more about what was wrong with the bureau, from the average veteran's standpoint, than all the investigations have brought forth.

I was much pleased with this statement, credited to you by the above-mentioned article in the Stars and Stripes: "I do not believe in making criticism without substantial constructive suggestions to take the place of the things of which I complain." This is also my attitude, as will be shown by what follows. I have been a very close follower of the reports of various investigations by committees and individuals, yet I have never noticed anything in any of them regarding one particular part of the workings of the Veterans' Bureau which in my estimation is of vital interest to the disabled veterans of this country in that it is one of the chief factors in improper adjudication of their claims. In order to show clearly what that factor is and how it works we may suppose a case similar to many that have come to my notice:

1. John Doe (the average disabled veteran) applies for compensation.
2. He is given a physical examination by the bureau; and
3. The rating board passes on this and gives him a rating of $25 per month.
4. About a year from that date he is given another physical examination.
5. When this passes the rating board John Doe finds his compensation increased to $40 per month.
6. About a year later he is given another physical examination and after the rating board passes on the claim, John Doe finds himself cut from the compensation list without any reason for such action except the statement of their form letter: "As a result of your recent physical examination."
7. John Doe uses lurid, unprintable language, and agrees mentally with himself (a) that he feels that he deserves compensation, but (b) "if the Government or the bureau don't want to give it to me they can go to h——! I'll not bother them further."
8. Time goes on for a year or two perhaps, when an American Legion service officer or a home-service worker of the Red Cross asks Doe about his claim, and asks him why he does not make some effort at reinstatement if he thinks he has a claim, and Doe replies with the quotation in No. 7b.
9. On further persuasion Doe tells his inquisitor: "If you can do anything to help me get it through, go to it; but I am through bothering with it, for it has cost me more in time, money, and worry than I have been getting out of it." Home-service worker writes the district office asking the status of John Doe's claim. District office replies that, "as a result of this man's examination of (date) his compensation was reduced or discontinued. Since that time we have heard nothing further from the claimant and same has been dropped owing to claimant's failure to prosecute."

Right here is where both the claimant and the home-service worker run up against a brick wall. For the big question is this: What has the claimant got to prosecute on? He knows nothing about the arguments held by the other side, which are those of the examining doctors and the rating board. He has never seen, nor is he permitted to see, a copy of his medical examination, in which a dozen errors might have been made or neglect or lack of thoroughness could be shown. While he was drawing compensation he never knew exactly what he was drawing compensation for, unless he had some obvious disability such as the loss of a leg or arm. Even in these last-mentioned cases have been called repeatedly for unnecessary physical examinations.

John Doe has perhaps kept a record of all his dealings with the bureau; he has kept a copy of every letter he has written to them, a copy of every blank form he has filled out for them, and has all of their communications to him in his file. Probably his private file is just as complete as his file in the bureau office, with this exception: He has neither copies of the results of his many physical examinations for comparison nor the copies of the findings of the rating boards. The lack of possession of these leaves him powerless to prosecute his claim, because he can not know how to prosecute without knowledge of the facts or evidence held by the other side. These medical examinations and rating-board findings are not available to the claimant by ruling of the bureau.

To my mind this condition throws the burden of proof on the claimant, where it should not be placed, and it is working the greatest hardship to large numbers of disabled veterans, and this, I think, is not the intent of the Congress passing the legislation governing the bureau nor the intent of the people of the country, who wish justice given the disabled.

This, my dear Senator, is the part of the functioning of the bureau that I have come in contact with and found it to be one of the crowning shames for which the bureau is responsible. I am a disabled veteran myself and have been through the mill exactly as John Doe. My compensation, never very large, has been stricken from the list and I will not apply for reinstatement until the bureau abolishes the system of useless and unnecessary physical examinations. Although I believe I should have compensation, although I am helping all the veterans get it who can, and although I urge them to fight their own cases, I have passed my own up as hopeless and will not prosecute it until a radical change has been made in the conduct of bureau affairs.

The word goes out from "Washington," so I am told, that the bureau administration must save money—must make a "showing."

From the district offices this is passed along to the subdistrict offices where certain classes of claimants have their compensation either reduced or cut off entirely. This saves a lot of money for that district of the bureau, but who pays the bill? Administration expenses are not cut. Answer: John Doe pays the freight. Now, my dear Senator, for the remedy:

Every man given a physical examination before the bureau's medical boards should receive a verbatim copy of such examination, including results of special tests and X-ray examinations. Knowing that the examinations may be checked up on it will tend to make the examiners more careful and thorough and more exact than some of the perfunctory examinations now being made. Every man should also be given a copy of the rating board's findings in his case with their reasons for their action, complete. As the Government is paying for the examination and rating of this man why should he not be given this information so that he may be informed of his exact physical condition if the findings are correct or be able to prosecute his claim if it can be proved they are in error? The same applies to the rating board. How can this body of men who have never had actual contact with the claimant, be certain of their findings? If the claimant has a copy of their findings and they are in error, they can also be checked up.

It is easily seen that with the system we have now the bureau can materially reduce expenditures with little fear of detection by the cutting or discontinuing of compensation to certain classes of disabled veterans, because those of the bureau know that a large per cent of the men will not fight their claims and a number of others will delay action for several months, but by their action in discontinuing or cutting certain classes of veterans they have made their "showing" and John Doe pays the bill. The which is not the intent of Congress nor the people who want justice done the disabled.

I believe that my suggestions, in re making copies of examinations and ratings available to the claimants, are constructive. These are not available, and I have been given a number of reasons why they can not be made available, but I have not yet been offered one that will satisfy. I do not believe I am unreasonable in this matter, and if there were any good and sufficient reasons why, I have not heard of them. If the question were taken to the higher officials of the bureau, they could, and probably would, give plenty of reasons why they can not be made available to the claimants, yet I doubt seriously if their arguments could outweigh those of the other side.

As a Senator and a prominent figure in our national affairs, you have seen fit to spare much of your valuable time in order to see that justice is given the veteran. Your work and that of your like-minded colleagues is appreciated by those for whom you fight. If you can spare enough time to look into this matter I have mentioned or see that it is done, I am confident that you will find that inefficiency in the medical and ratings boards is not uncommon; that their errors are far too easily covered up; that the claimant has no chance to uncover them; and that it is unjust to the veteran in the prosecution of his claim.

As for my personal claim, I do not care. I have made up my mind that further medical examinations in my case are needless and unnecessary expense to the Government, and will have no more of it, even though I lose the compensation which I think is deserved. But I am interested, and vitally interested, in my buddies who are placed in practicaly the same position (there are thousands of them), and it is wholly in their behalf that this long, tedious, and probably vague and boresome letter is written.

Any service you can render my buddies in this matter will be greatly appreciated by myself and every one of the boys in like circumstances. Again thanking you for your valuable work in our behalf and assuring you of our warm personal regard and best wishes, I beg to remain,

Yours very respectfully,

THOMAS W. IIAMS.

FORT MYERS, FLA., *May 7, 1924.*

Senator ODDIE,

Washington, D. C.

DEAR SIR: I see by the papers that President Coolidge does not believe there is anything radically wrong with the Veterans' Bureau. Since you and I are of the same opinion, it is my purpose to set forth a few facts that will to some extent bear you out in your charges against the bureau.

I have been in contact with the bureau since December 3, 1919, during which time I have had experiences in various hospitals from Florida to New York, including Walter Reed Hospital in Washington. If I went into detail about all that happened, it would not be fair to accuse them, since the Government had made such an effort to correct the old errors. So I will endeavor to describe the situation as I find it since the most of the important changes have been made. And in order that I may convince you that I am not unreasonable, I will start my story from last June, when I had some pretty dear experiences with the "model" Veterans' Bureau at New York City.

I had been with the bureau school of photography for 20 months under the City College of New York, where I made well with my training and was praised so much by the instructors that I was almost spoiled. I finished my training 4 months before the required 12, and as I was anxious to get ahead in the world I made plans to give the bureau the advantage of my success by going to work and getting off their pay roll. I was a nervous wreck and had so little strength that I could hardly do anything at all but I had the grit to try, and asked the bureau if they would see me through if I did my best and failed. They assured me that since my record was excellent all the way through that I would certainly be given every chance. So it was suggested that I find a place and try placement training. I obtained a place on my own ability with the Famous Players-Lasky Co., at Long Island City, where I did my best for about 10 days. I did not have strength to endure the eight hours per day, and sitting at the retouching stand gave me pains through my chest. Washing 35 ferrotype tins left me so exhausted that I was more "all in" than I had been for several years, so I decided that it would be dangerous for me to lay myself liable to another breakdown.

To the Veterans' Bureau I went, disheartened and sick. As much as I hated it, I had to admit that I had failed. I explained to them, and instead of putting me back in institutional training, as they had promised, the whole outfit sat down on me and refused to do anything more. After making an excellent record and being so thankful and decent to the bureau, I was never more surprised when they told me I was kicked off the roll. The Government had transferred me up in that country, and after they had refused all else I thought surely they would not leave me in New York sick and with only one $50 check. So I asked them if they would recognize their moral obligation to pay my way back home, since they transferred me up there. They gave me very little more consideration than if I had been a thug caught in the very act of stealing, and finally gave me to understand that all I could get was hospitalization and that I would get railroad fare home when I got out.

Their heartless attitude had so enraged me that I decided that I would go to their hospital and stay the rest of my life or get a square deal. So on June 30, 1923, I entered Hospital No. 81 at Bronx, New York. During my stay there I made many friends among the personnel and Red Cross workers. It was one of the finest, most Christian-like woman I have ever seen who told me how they locked one Nelson Mallory up with a ward of crazy people and kept him there until he lost all the sense he ever had and can be found to-day probably in Ward E-40. It was William Hughes, a very religious old man of 50, who told me he had a discharge from the State hospital as all right but when he made his appearance in the bureau and asked for his compensation on the ground that they had turned him out of the asylum as competent they told him his discharge was not worth the paper it was written on and that he would have to go to Hospital No. 81 to get cleared up. So to Hospital No. 81 he went several years ago, is there now, and must stay there because he is too old to work and they will not give him his money.

During my stay there I learned it was a practice that every time an ex-service man went to the bureau and offered resentment for the inhuman deals they wanted to put over, he was overpowered, put in an ambulance and rushed to Hospital No. 81 where he was committed as insane until he decided to take just any and everything—good or bad—that they wanted to give him.

During my stay there I was awarded $80 per month compensation. I received all but $100 and I do not know why I never received it. Please note now: At first I was kicked off the roll because I had no disability. Isn't it strange that I was perfectly well when I wanted them to give me a compensation rating and send me home, but when I was willing to lay up in a hospital I automatically became 100 per cent disabled? I endured their abuse for I was really abused to the extent of extreme brutality for about seven months. I was clever enough to handle them in such a way that they never committed me but always allowed me all my money and gave me some of the liberties they usually allow. One day I could see between the lines that they were getting curious about me because I had asked for a pass down town for the purpose of attending church. Rather than take the risk of getting locked up again in a lock ward I left for Florida.

To-day I am connected with a real estate firm with the hope of selling some land. I am not making any money. I have a good record with the local post office and am eligible for $150 per month at my former occupation—clerk in the post office. I gave up my place here in the post office on account of the sickness I received in the Navy and I feel sure the local postmaster would take me back if I was able to work. But I have been through all kinds of hospitalization and treatment and as my case now stands I am a burden on my people, a total wreck physically, and financially. The bureau admits that I have about $80 per month coming to me but they will not give it to me on the ground that I am incompetent. They want me to have a guardian appointed and claim they will consider the matter after that is done. If they should make a direct promise that they would pay up I would be just as helpless for I have tried and failed to get the guardian appointed for the reason that local doctors and the judge say that I am not incompetent and they will not tell any lies for me. In this State

the procedure necessary for the appointment of a guardian is to go before a committee of two doctors and a layman. I can not get a committee to back me and yet I can not get my compensation.

If President Coolidge wants to find out who I am I can get a man who knows us both to tell him that I am O. K.

With best wishes for your success in your efforts in our behalf, I remain.

Yours sincerely,

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OMAHA, NEBR., *May 6, 1924.*

Senator ODDIE,

United States Senate, Washington, D. C.

DEAR SENATOR: I note with interest and concern the fight you are making for efficiency in the Veterans' Bureau and your work in behalf of the disabled American veterans. And in order that you may have another concrete case of inefficiency, I will give you the facts of my case.

I entered training under the Veterans' Bureau in June, 1921, and in October, 1921, I was placed in the University of Omaha night law class. The first semester we attended four nights a week and had two hours a night, or, all told, eight hours a week; the second semester we had 10 hours a week, as we attended five nights a week. Having finished a year of instruction at the school, the Veterans' Bureau placed us in another school in this city, which is a day school and is known as the Creighton College of Law and is rated a Class "A" school. Upon entering Creighton it was found impossible to satisfactorily work in the work that we had had at the night school, because of conflicting schedule, and so upon the advice of my training supervisor, and following out his instructions, I started the course of law over again, and as far as the particular supervisor was concerned, his advice and direction was sound, for it was the only thing that could be done under the circumstances. The night course was a four-year course; the Creighton day course, which I am now taking, is a three-year course; while the Creighton night course is also a four-year course, for the night course consists of two hours, while the day course consists of three hours a day instruction.

Now, under the most favorable circumstances, you can figure that as I have completed two years of a three-year course that two-thirds have been covered, and one-fourth of a four-year course has been covered, that when all reduced in the aggregate amount to eleven-twelfths, which is absolutely all the training toward the completion of the law course that I could have possibly had, but the actual fact is that I was forced to retake everything that I had at the night school, and therefore I have only completed two-thirds of the law course and not a bit more.

Now I am ordered to take the State bar examination, and the fact that I have not had sufficient training is of no consequence, and when I called it to the attention of the officials of the bureau I was informed that that was my hard luck, that their order was final that if I was not satisfied I could do whatever I felt like, but was given to understand that if I failed to take the examination I would be stricken from the rolls of the bureau for failure to cooperate with them.

The following is an excerpt from a letter which has the signature of O. W. Clark to it, and who is the chief of the rehabilitation division.

> "All training must be based upon the rehabilitation needs of the individual for the employment objective agreed upon. The actual prescription and pursuit of training, both as to time involved and subject matter, must be based upon the content of an individual training program in each case that is inclusive of the subjects, operations or units of study that are required to establish the return of a trainee to gainful employment in the occupation or profession for which trained."

The original from which this excerpt is taken is in my possession. The point I wish to make is that such letters as these may sometimes satisfy investigators that things are taken care of, but as my case illustrates they are taken care of merely as a matter of record and not as a matter of practice, they preach but do not practice.

SUBJECTS STUDIED AT THE UNIVERSITY OF OMAHA NIGHT LAW COLLEGE

Contracts, torts, damages, crimes, sales, criminal procedure, elementary law, and argumentation; one-year course.

SUBJECTS STUDIED AT THE CREIGHTON COLLEGE OF LAW, DAY COURSE

Contracts, legal bibliography, torts, crimes, introduction common law pleading, persons, agency, and property 1 and 2; one-year course, first year.

SECOND-YEAR COURSE

Property 3, partnership, equity, mortgages, evidence, code pleading, sales, wills, and trial practice.

SUBJECTS NOT STUDIED AT CREIGHTON COLLEGE OF LAW OR ANYWHERE ELSE

Bills and notes, public carriers, private corporations, municipal corporations, constitutional law, conflicts, suretyship, legal ethics, inferior court practice, trusts, trial work, acting as attorney in the moot court, appealing cases, drawing briefs, making legal argument, and acting as judge of the reviewing court.

This is the last year and the most important year, none of which I have had, and all of which is necessary in order to complete my training; but, in the words of the bureau, it is my hard luck that I have not received it, and the reason that I did not receive it is because they made a blunder in placing me in the wrong school to begin with, something over which the trainee had no control, but in the end is going to work to the detriment of the trainee, as in my case. How do these facts stack up with the excerpt quoted from the letter of O. W. Clark? An infant can see that my case is in conflict with a common-sense interpretation of that paragraph.

I inclose a copy of a letter that was given to me to inclose along with my application for admission to the bar of Nebraska, which will substantiate the fact that this Omaha office of Veterans' Bureau has ordered me to take the bar examination.

OMAHA, NEBR., *April 19, 1924.*

HARRY C. LINDSAY,

Clerk of Supreme Court, State of Nebraska,

Lincoln, Nebr.

DEAR SIR: Mr. William K. Whittaker, who is making application for admittance to the bar in the State of Nebraska, is in training in the law college at Creighton University under the direction of the United States Veterans' Bureau.

This bureau will, therefore, be responsible for payment of the filing fee of $10. Please furnish this office a duplicate bill covering this charge in order that we may voucher it for payment.

Very truly yours,

E. J. WIELAND,
Subdistrict Manager.

These are the actual facts in the case, and at any time that you may want additional facts in regard to the inefficiency of the Veterans' Bureau I will be glad to furnish them.

Although a man knows that an injustice is being done him, there is nothing that he can do about it, for the Veterans' Bureau seems to be a power from whose orders there is no court of appeals. The personnel of the ninth district feels proud of the fact that their district of the Veterans' Bureau was the most economical in the country, and I feel sure that public opinion would be glad to know that the economy is not due to the efficiency of the bureau, but is brought about at the expense of the disabled American veterans themselves.

If these facts will be of any use to you in your work, then I am more than pleased to have submitted them.

Yours very truly,

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ARDMORE TENN., *May 6, 1924.*

Hon. — — ODDIE,

United States Senate, Washington, D. C.

DEAR SIR: I note in to-day's papers your charges against the Veterans' Bureau; first thing I wish to say is that your charges are correct.

Wish I could tell you what I know—not hearsay stuff but experience that I have had in trying to get justice for meritorious ex-soldiers in getting their compensation claims adjusted.

It certainly is a disgrace to our country the way some of these poor boys have and are being treated by the Veterans' Bureau.

I wish I could be of some service to you in seeing that these poor disabled ex-soldiers get justice.

Was a captain in the A. E. F. myself, but for us fellows that came back in good health I ask nothing and want nothing; but these men who were left unable to work should receive fair treatment: neither should they be treated like a hound dog when they go around some office of the Veterans' Bureau.

Yours respectfully,

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To whom it may concern:

This is a chronological statement of a typical case as handled by the Veterans' Bureau. It has been added to as the delay has gradually increased until at the present time, May 14, 1924, almost a year has elapsed in an attempt to get an opinion from the central board of appeals. The statement was started and kept up to date in order to show the delays caused by indifference, inefficiency, and general mismanagement of the bureau that are wrecking the hopes and the ambitions of the disabled soldiers who know that the people of these United States want them cared for and have caused laws to be passed to provide for them.

This record is neither above nor below the average in importance, and the things that are spoken of are occurring every day to men who are not nearly as well able to present their cases as I am. There has been no pull or influence exerted, but, of course, it was necessary to keep the matter before the proper persons of the bureau or the case would have been lost in the maze of files. This has occurred several

times. Unless a case is constantly kept before some one at the bureau, there is absolutely no chance for it to be acted upon. It is simply "shuffled" until it is lost sight of.

In order to give this statement due weight, and for no other reason, the writer thinks it fitting that he should go into some detail as to his right and qualifications to make such a charge and such a recommendation as it appears must be made.

My experience with the old Federal Board for Vocational Education began in 1918 when Uel Lamkin was the chief. Under his administration I took training at the University of Arizona and was unanimously selected by the trainees at the institution as their president. My contact with the authorities was intimate, and I refer those who may be concerned to President Rufus B. von Kleinsmidt, now in Los Angeles; Dean Byron Cummings, of the Liberal Arts College; and Dean G. M. Butler, of the College of Engineering at Tucson, Ariz., for any testimony as to my personal character and judgment.

Under Cholmeley-Jones there was little improvement in the affairs of the bureau. After Forbes came in we all looked for changes but nothing happened. At last General Hines took over the reins and still the entire bureau is a nightmare to every ex-service man who has had dealings with it. In fact, I consider it an insult to be required to deal with the type of people that infest the bureau. I do not refer to every official, for I have many friends in high places, but to the general class who do the real carrying on.

While attending Stanford University I was selected as the president of the trainees, and while not serving in that capacity I was invariably appointed to the executive committee of the group. At this institution I refer to Dean of Men George Culver, Alumni Secretary John E. McDowell, President Wilbur, and all the men of my own department, especially Theodore J. Hoover and Prof. James M. Hyde.

As for my contact with the officials of the Veterans' Bureau, I can refer all inquiries with every feeling of confidence to absolutely every single training supervisor who had my training program under his direct charge. On account of my responsibility with the other trainees it was necessary for me to know intimately all my training officials, and I have never yet come in contact with one who did not gladly grant me the best of his respect. I am sure that my files will show the soundness of this statement.

I trust the above will be considered sufficient to show that the writer knows just exactly what he is talking about. Few men have had the opportunity to see the workings of the bureau as he has.

I most earnestly urge that no one read this statement by picking out a note here and there. Do me the justice of reading it all or none.

EVERETT PRICE HURT.

WASHINGTON, D. C., *April 14, 1924.*

STATEMENT CONCERNING CASE OF EVERETT P. HURT, PRIVATE, UNITED STATES MARINE CORPS (C-6976)

June 20, 1917

On this date I enlisted in the United States Marine Corps at Mare Island, Calif. My physical condition was perfect and I was accepted without question.

December 29, 1917

I was discharged on this date by medical survey by reason of pulmonary tuberculosis incurred in line of duty. Shortly after reaching my home in Chanute, Kans., I broke down completely and was rushed to the Mayo clinic at Rochester, Minn., where I underwent an operation for removal of tuberculous glands in both sides of my neck. As soon as possible thereafter I went to Colorado to recuperate. While there I became of age, and after registering for the draft I was placed in class 5-G, as totally unfit for further service, even as a drafted noncombatant.

Learning of the possibility of receiving compensation, I applied for same and, after having the usual examination, was granted total temporary disability by the Bureau of War Risk Insurance July 25, 1918. The compensation extended to date of discharge, December 29, 1917.

October 1, 1919

I was placed in a course of mining engineering at Stanford University, California, by the Federal Board for Vocational Education. Two weeks later I broke down and was sent to Tucson, Ariz., by the bureau, and was instructed to continue my work in mining engineering at the University of Arizona. I carried on there for two years, and was then sent back to Stanford University, where I was rehabilitated in June.

June 30, 1923

Rehabilitated as a mining engineer at Stanford University. In view of the fact that I supposed my work would be that of mining, as it had been before the war, I desired to take out life insurance and made application to two large companies for a policy. I was refused by both the Equitable and New York Life, two of the most liberal companies in the United States. Copies of their letters are attached hereto.

Shortly before rehabilitation I was instructed to appear before an examining board in San Francisco so that I might be properly rated for compensation after rehabilitation.

July 12, 1923

It was with profound amazement that I was informed on this date that "it has been found that your disability is less than 10 per cent at the present time, and consequently you will not be entitled to compensation after the date of rehabilitation."

July 16, 1923

I answered this letter protesting at the action of the district office. No reply was received, even though I had asked to appeal my case to the district board of appeals.

July 20, 1923

I went to the city from Palo Alto and had an interview with the proper officer, who said he would arrange for me to appeal my case. Nothing came of this effort.

July 26, 1923

On this date I wrote again and repeated my request more insistently and received no reply. It was now a month after rehabilitation, and I had been forced to turn down several positions, since I could do no work of the sort that these jobs required. The physician who examined me warned me to undertake no strenuous work. A copy of his letter is attached.

August 3, 1923

I wrote a third letter stating that I had additional evidence in the form of a letter from my department head at Stanford, Mr. Theodore J. Hoover. A copy of his letter is attached.

August 8, 1923

On this date I received a reply to my letter of July 16, 1923, stating that my case had been "very carefully reviewed by the proper authorities and the former decision found to be correct. Furthermore, if you are not satisfied with this decision you may file a request to have the case reviewed by the board of appeals." It did not seem to matter that I had already asked to have the case sent to the board of appeals in my letter of July 16, 1923.

August 10, 1923

Knowing that no appeal would be effective without a personal interview, I went to San Francisco and attempted to get a date set for an appearance before the board of appeals. I was unsuccessful, of course. I was advised, however, to write out my case and try the district manager.

August 12, 1923

I wrote out my case in full and asked for a statement of the status at that time.

August 15, 1923

I received a letter stating that my case would be reviewed at any time I requested it! No mention was made of a date with the board of appeals. No mention was made of my requests or my former letters.

August 18, 1923

Wondering if the originals of the letters from the two insurance companies and Mr. Hoover would have any effect, I decided to send them to the board of appeals, since they would not see me in person. Nothing ever reached me but evasive replies, such as offers to have my case reviewed again at any time.

August 18, 1923

I sent the originals of the following letters to the board of appeals:

1. Two letters from the New York Life Insurance Co.
2. Two letters from the Equitable Life Assurance Society.
3. One letter from Mr. Theodore J. Hoover.
4. One letter from Dr. M. J. Seid, Veterans' Bureau physician.

The evidence presented in these letters is sufficient to show my true physical condition, and they have been in my files since the above date. Copies of these letters are attached hereto, and attention is directed particularly to that from Dr. Seid, the examining surgeon. In it he says: "Of course it would not do for you to again enter that occupation (mining) or any other work connected with the hard physical phase of the mining industry. It would probably result in causing activity of your disability again."

August 24, 1923

I received a letter stating that the evidence from the above-named parties was still insufficient to show that my disability was greater than 10 per cent. In other words, these letters had not the slightest weight, even though they were vitally pertinent to my condition and one of the most important was written by a Veterans' Bureau doctor.

However, it was decided to give me another examination and I was informed that further action would be held up until that examination was completed.

August 27, 1923

I went to San Francisco for the examination. During the progress of the examination the physician observed that I was a border-line case and warned me never to go underground or to work in mines, as I had done before I enlisted in the Marine Corps.

He further stated that if I wanted any compensation I would first have to enter upon such work and prove that I was not able to stand it by breaking down and having a reoccurrence of tuberculous activity. In such a case he would be glad to give me such an unfavorable report that I would be insured of more than a 10 per cent rating of disability. Under the present circumstances and regulations he could do nothing as long as I did not show conclusively that I was unable to carry on as a mining engineer.

This statement from a sane physician was preposterous, and I was dumbfounded at his indifference. I returned to Stanford, but, needless to say, I have never seen fit to suffer a breakdown for the benefit of any such compensation as I would receive by such action. During the remainder of the summer I refused several other jobs which were available from time to time. My health would have broken down under any one of them, undoubtedly, but I did not feel justified in proving that fact to either my own satisfaction or that of anyone else. However, I would have at least made an attempt to handle one of them had not a Veterans' Bureau physician warned me against it.

September 7, 1923

As I expected, I received a letter stating that the examination did not indicate that my disability was greater than 10 per cent. This time the statement said that it was not greater than 10 per cent, and that contrasts with other edicts that it "was not as great as" 10 per cent. This letter also informed me that in case this decision did not suit me my files would be reviewed by the board of appeals. If I really did care for such action, I would have to request it within four months from date.

September 9, 1923

Without commenting on this jewel of sarcasm, I wrote and asked for an immediate review by the board of appeals.

September 17, 1923

After a great deal of correspondence during the summer I at last got a position in Washington, D. C., under the civil service, which I believed I could hold without any undue strain upon my health. I reported for work upon the above date. Conditions were satisfactory at the office in the Interior Building. However, my section moved to one of the temporary buildings, and two weeks later I was forced to go to the Veterans' Bureau for examination and treatment. My trouble was found to be a "bad cold," and caused me to lose about one week from work. I returned to work still running a temperature, but after sticking it out as long as humanly possible I was forced to resign.

November 5, 1923

A breakdown was impending and I handed in my resignation on this date. A copy of it is attached. Ample warning of my active condition was given by the swelling of glands in my neck, and I again went to the Veterans' Bureau for treatment.

November 5, 1923

On this date I received two letters from San Francisco asking that I come to that office for examination, so that a rating of disability might be arrived at. The presumption is that they wanted to wear me out once more by their perpetual-motion machinery.

November 5, 1923

I was sent to Mount Alto Hospital for observation and treatment. In order to appeal my case here in central office I had previously requested that my files be sent from district 12, where the last word was to the effect that my case had been reviewed by the proper authorities, and I was found to be not greater than 10 per cent disabled.

My files arrived here about October 15 or 20 and were in the central office during the time I was at Mount Alto. At the hospital my case was diagnosed as "acute bronchitis," even though the swelling of the glands in my neck was plainly visible and exceedingly painful. Since my temperature had dropped almost at once after I went to bed I was discharged in one week as improved, November 12, 1923. The active condition of the glands lasted for about three weeks, although I ran no temperature and had no discomfort beyond a general weakness.

November 8, 1923

I was advised by the local district manager that "this office is in receipt of a letter from that district (12) advising that your case is now in central office for consideration of the board of appeals of that office. We are this date requesting central office to forward your case to this district as soon as action has been completed by that office."

November 8, 1923

While I was in the hospital I had written to central office to ask the board to act on my case as soon as possible. On the above date I received a stereotyped printed letter, a copy of which is attached, signed by some clerk for Charles E. Mulhearn. This letter requested me not to write again or press my case, at least unless something desperate was to be brought to the notice of the central office officials.

November 11, 1923

On account of my precarious situation I deemed it my right to ask that my case be given prompt attention, and I wrote again, explaining my predicament.

November 27, 1923

I received another copy of the printed letter, and acting in the best of faith I followed instruction contained in this letter and have not bothered the office with either my letters or presence.

November 21, 1923

I was advised on this date that my case was before the board of appeals. The case has been there to the present date of this statement, April 14, 1924, almost five months, and I have had no word as to the outcome.

March 13, 1924

Senator ODDIE, having become interested in my case, wrote to Director Hines on the above date requesting action on my appeal.

March 15, 1924

Mrs. Dawson, an assistant to the director, called me by phone and made an appointment for March 17, 1924.

March 17, 1924

Upon arriving at the Veterans' Bureau I was shown my past medical reports by Mrs. Dawson. They were interesting in that they showed my disability to be declining steadily from the time I entered training October 1, 1919, to the date of rehabilitation, June 30, 1923. The rating started at 100 per cent and dropped to 0 per cent exactly at the close of day on June 30, 1923.

It was suggested that in order to properly act on my case another examination would have to be undergone, and I proceeded to start out by the following processes:

1. Obtained authority for examination by a board of three from Doctor Shaw.

2. Mrs. Dawson escorted me to the second floor, and I was passed through the hands of three persons for further preliminary matters and authority.

3. Was taken to the admission office.

4. Sent to Doctor Crimmins. I mentioned that my complaint was chiefly with my tuberculous glands, but he did not look at them or examine them. He examined my chest and took sputum. Pulse, weight, height, etc., were recorded.

I was requested to come again in two days.

5. Next sent to Doctor Gunion. Same examination as Doctor Crimmins, except that he asked me, "Do you worry?" I afterwards learned that this doctor was the nerve specialist. He did not inform me of this fact, or I should have been able to give him a satisfactory statement of the condition of my nerves. As an efficient examination of my nerve system it was, of course, a farce.

6. The admission-office clerk asked me to come again March 19, 1924.

March 19, 1924

Examined again by Doctor Crimmins. Took sputum but not temperature. He did not observe glands when I spoke of them again. He asked me to come again March 21, 1924, for observation by a board of three.

Examined by Doctor Jones for eye, nose, and throat. He stated that my nervous system was unbalanced and that was the cause of my improper breathing.

Examined by Doctor Haskell, heart specialist.

Examined by Doctor Sanderson, who was the only doctor to observe the condition of the glands in my neck.

I was next sent to Mount Alto for X ray of chest.

March 21, 1924

Examined again by Doctor Crimmins, who said that the chest specialist was not in and hence I would have to come again March 24, 1924.

March 24, 1924

Superficial examination by Doctor Crimmins and two other doctors, all of whom went over my chest and deliberately neglected to look at my neck, even though I called their attention to the condition of the glands there.

Doctor Crimmins told me that this completed the examination and that he would send the report to the board at once.

March 31, 1924

I called at the office and asked Mrs. Dawson what had become of my case. After considerable unnecessary delay I gained her attention; she promised to look after it at once and inform me as to the results. It usually took three to four days to write up the case, but, notwithstanding the fact that my case had been ready since March 24, 1924, absolutely nothing whatever had been done with it.

April 4, 1924

I phoned to Mrs. Dawson for information on the case. She said she would look into the matter at once and call me. Later in the day she called me and said that the case had been held in "abeyance." I inquired what that meant and received an evasive reply. The facts are that "abeyance" makes a fine-sounding phrase for inaction. Mrs. Dawson's promise of March 31, 1924, to hurry up my case was repeated and I was informed that the case would be written up at once.

April 5, 1924

In an endeavor to get at the cause for continued delay, I called once more to see Mrs. Dawson. She said she had sent the case to the board of appeals. While talking to her, Captain Phelps happened to enter the room, and she addressed him by name. Captain Phelps at that time was one of the attorneys who presented the cases of the claimants to the board of appeals. I introduced myself to him, as Mr. Alden, who is Senator ODDIE'S secretary, told me to look him up if I could not get the attention of the proper parties.

After a long talk with Captain Phelps I became convinced that he would do my case justice and told him to get hold of my case and present it for me.

April 9, 1924

Called up Mrs. Dawson for latest information and she told me that she had given the case to Captain Phelps. How she ever got it out of the hands of the board of appeals, where she said it had been sent, I do not know. I strongly suspect that her first statement as to the status of the case was in error.

April 15, 1924

I was called by Captain Phelps to go over the case with him and arrange to present it to the board of appeals on April 16, 1924.

April 16, 1924

At 11.30 a. m. on this date I appeared before the central board of appeals consisting of the section presided over by Mr. Bailey. In addition to him there were present a representative of the claims division, one physician, one lawyer, the stenographer, Captain Phelps, and myself.

The procedure was as follows:

Captain Phelps introduced me and I was requested to take an oath of the usual sort to testify truthfully. Captain Phelps then read several passages from the letters in my folder that testified to the character of my training and efforts and results, the upright and moral qualities which I possessed, and the general high esteem in which I was held by all the officials of the Veterans' Bureau with whom I came in contact while I was in training in the twelfth district.

I noted with considerable interest that he was very particular to establish the fact that I was not of the "gold-brick" type. My conclusion was that all men who have a claim to press are considered of that character until they are able to prove that they are not. If they lack such proof I would not like to state what their chances would be for a fair and unprejudiced hearing. After this testimony had been given, Captain Phelps said that the best manner to present the case would be for me to make a complete statement of my case and then let the members of the board ask me such questions as they desired.

Taken somewhat by surprise, I nevertheless made as complete and thorough a statement as I could, following the history of my case from date of discharge, December 29, 1917, up to the present. This history with the correct dates has been written in the above paragraphs in chronological order and will continue to be written until the case is thrown out of the Veterans' Bureau.

After my statement I was put through a cross-examination of questions by the legal representative. It was mainly concerning dates, and since the time of the case went back to 1917, I was not able to say with certainty the time of every occurrence within a month or so. In order to stop this scheme to shake my story I appealed to the man who was putting the questions to me to look at my record in my files and ascertain there for himself just what dates he wanted to find. This silenced him.

The physician asked me if Theodore J. Hoover was a doctor. Mr. Hoover, as I had stated in my testimony, was my professor at Stanford and is an internationally known mining engineer. His statement of my physical condition is attached. The point that the physician was evidently trying to bring out was that not being a doctor Mr. Hoover was not a judge of whether or not I was in physical condition that would permit me to follow mining engineering. My reply was that it would seem as though his statement would be much more accurate than a doctor's, as he was familiar with every branch of the profession and work of a mining engineer, while the doctor knew nothing of that profession.

I asked the physician present to feel the tuberculous glands in my neck, but he refused to do so on the grounds that he was not allowed to. I was convinced that only testimony that is desired is ever admitted by the board of appeals. It is the judge and jury and executioner.

Many questions with no connection to the case were brought up and several points were discussed which were not recorded by the stenographer by request on the part of the man who asked them. However, the typed testimony will provide any information as to what took place.

The "trial" lasted about 15 minutes and I was informed that the statements made would be gone over very carefully and I would be notified of the decision in at least 10 days.

April 26, 1924

I inquired of Captain Phelps the status of my case and he informed me that he had been relieved of his duties as adviser to claimants and that Mr. Guffy would henceforth handle my case. My conclusion was that Captain Phelps was entirely too good a representative of the disabled men and his activity and keenness were not acceptable to the board of appeals. I consider the whole method of the Veterans' Bureau in dealing with claims the foulest tyranny. If there is to be a trial, then in the name of liberty and justice let there be a jury of citizens.

April 26, 1924

When I asked Mr. Guffy as to the status of my case on this date he sent me to Mr. Shepard, who seems to have the care of cases under the board of appeals. After some little search he discovered that it was "in abeyance" awaiting a physical report from the Navy Department.

I at once asked Mr. Bailey, of the board of appeals, to permit me to answer any new points that might be brought up any time by a report. He granted my request, and when the report came in he asked me to see him and we cleared up final bits of evidence. The report did not contain anything detrimental to my case, but I chose this opportunity to present to Mr. Bailey new evidence to assist me in my claim. This was in the form of a letter from Elmer L. Shirrell, of the twelfth district, and expressed concern at my recent sickness. Mr. Shirrell is thoroughly familiar with my condition and advised me to return to the Southwest at once before a breakdown overtook me.

I talked the case over with Mr. Bailey, and he seemed very anxious to impress me with the fact that the files would be carefully reviewed, and that a decision would be rendered upon the evidence in the file. I reminded him that the medical evidence in the file was made by doctors of the bureau and I did not think that they had given me an accurate examination—in spite of the fact that they held I was unable to return to my pre-war occupation on account of my lung condition.

He was somewhat confused when I asked him point blank whether or not the board of appeals would consider any of the evidence which I had furnished, in addition to the evidence which the bureau had furnished. I have written this to show how impossible it is to consider each case upon its individual merits under the present system. In fact, the physicians freely admit that they are unable to handle men as individuals and have to treat them in groups.

May 12, 1924

I am beginning to feel somewhat discouraged about ever getting a definite reply to the numerous calls I have made at the bureau in an endeavor to find out when I will be given attention. Ten and one-half months have elapsed since I started to appeal my case and it is not yet decided upon. In a week or so I will probably be called up for another farcical physical examination. As long as the funds of the Treasury hold out to hire men who are only desirous of prolonging their jobs the policy of "wearing 'em out" will be continued by the bureau. I will add to this record from time to time in the future.

SUMMARY OF THE CASE

To-day, May 12, 1924, aften 10½ months of the most nerve-racking activity on my part, I have been unable to get a decision from the central board of appeals. No hint of what I may or may not expect has ever come to me. I can not even learn what the opinion of the two attorneys is, for they frankly admit that they have not been able in all their years of experience with the board of appeals to foretell what conclusions will be reached. This fact is the most profound and solemn proof that decisions of the board of appeals are of a variety arrived at without reason or logic.

I have had approximately 25 physical examinations for the purpose of getting "ready" to be "acted upon" and presenting my case to the bureau. I have written and received more than 100 letters. The time spent on my case alone by various officials of the Veterans' Bureau, including the time of doctors, officials, and clerks would probably amount to more than $1,000.

I am exactly at the point where I was June 30, 1923.

Attention is invited to the fact that in cases of less "prestige," for I am well known by twelfth district officials especially, it is difficult to estimate the actual physical suffering and misery caused by the cruelty and indifference of those in charge of the bureau. It is my belief that the observation is in order that as a functioning branch of the United States Government the Veterans' Bureau is causing more harm than good and should be blotted out of existence as a disgrace to the disabled veterans who fought and died for their country.

Personally, I would like to call attention to the fact that, as a tubercular patient drawing total temporary compensation from the Veterans' Bureau with the advice and consent of the Veterans' Bureau, I was placed in training for the profession of mining engineering, and was advised by the Veterans' Bureau on the completion of such training that I was unfit to discharge the primary and most common duties of a mining engineer, and that if I did I would suffer a break-

down and have renewed activity. Consequently the Veterans' Bureau has rehabilitated me in the profession whose duties they say I am incapable of discharging on account of my physical condition, this condition being due to service injuries for which I received compensation and vocational training, and yet the Veterans' Bureau contends that I am not disabled.

The above statement requires no further comment.

EVERETT P. HURT.

AUGUST 3, 1923.

DISTRICT MANAGER,
Twelfth District, U. S. V. B., 933 Market Street,
San Francisco, Calif.

DEAR SIR: I have been asked to give an opinion regarding the physical condition of Mr. Everett P. Hurt, so far as it concerns his fitness to follow the natural course of work of a mining engineer.

Mr. Hurt will never be able to undertake any of the more strenuous phases of mining work, especially the underground positions. Such work would be unwise in the extreme and might result in a recurrence of his disability. He should not work in any place where he would be subjected to chemical fumes, smelter dust, or any surroundings not suitable for one with an arrested case of tuberculosis.

Mr. Hurt will have to find employment in some special phase of the mining industry which will not be detrimental to his health; he should not follow the hard physical path usually pursued by a young engineer starting out in the profession. Mr. Hurt has a distinct and permanent vocational handicap, in that his opportunities are restricted to certain very limited lines.

Very truly yours, THEODORE J. HOOVER,
Executive Head, Department of Mining and Metallurgy.

SURGICAL SECTION MAYO CLINIC,
Rochester, Minn., March 25, 1924.

Mr. EVERETT P. HURT,
1736 G NW., Y. M. C. A., Washington, D. C.

MY DEAR MR. HURT: I am very glad indeed to hear from you and to know that you have gotten along so well following your operation, but sorry you are again having cause for worry. I can not help but feel that the low altitude and dampness of the Atlantic coast does not agree with you, and believe it would be advisable for you to make the West or Southwest your permanent home, as you yourself know from experience that your health was better there. As you suggest, it might be a good plan for you to come by way of Rochester and have a good examination while here. I shall be very glad to see you if you purpose coming, but I will be away for the next three weeks.

Very truly yours, JAMES C. MASSON.

WASHINGTON, D. C., *November 5, 1923.*

Mr. JOHN ALDEN GRIMES,
Chief Metals Valuation Section, Income Tax Unit,
Washington, D. C.

MY DEAR MR. GRIMES: On account of a change for the worse in the state of my health, I am forced to request that I be released as soon as convenient from my present position as valuation aid in your section.

While the change in working conditions caused by the recent change from the Interior Building to the temporary building is the immediate cause of this request, I feel that the climate in Washington during the coming winter would be absolutely intolerable for me under such conditions as will prevail later in the winter in the present temporary structure. You will no doubt agree with me that it would be unwise for me to take a chance of a recurrence of my war-time disability.

My present plan is to go to a hospital until I am cured of my present illness, and then, unless I am able to find a position where working conditions are ideal, I will return to the Southwest.

I wish to thank you for past consideration and trust that this resignation will cause no inconvenience.

Sincerely, EVERETT P. HURT,
1736 G NW.

NEW YORK LIFE INSURANCE CO., NEW YORK CITY,
San Francisco Clearing Office, Branch Office, August 8, 1923.

Mr. EVERETT P. HURT,
Box 871 Stanford University, Calif.

DEAR SIR: Your application, dated July 23, 1923, for insurance in the New York Life Insurance Co., was duly received, but we regret to inform you that the home office has decided to decline the same.

Any payment that may have been made to the agent on account of premium should, therefore, be reclaimed immediately.

Yours truly,

J. M. CODY, *Cashier.*

THE EQUITABLE LIFE ASSURANCE SOCIETY,
San Francisco, Calif., August 13, 1923.

Mr. EVERETT P. HURT,
Box 871, Stanford University, Palo Alto, Calif.

MY DEAR MR. HURT: It is with sincere regret that I must inform you that our medical directors have declined to issue you any sort of policy at present.

With kindest regards I am,
Sincerely, R. A. CRANSTON, *Special Agent.*

UNITED STATES VETERANS' BUREAU,
Washington, November 23, 1923.

Mr. EVERETT P. HURT,
1736 G Street NW., Y. M. C. A., Washington, D. C.

DEAR SIR: Receipt is acknowledged of your letter of November 11, 1923, making inquiry regarding the claim for compensation as captioned above.

Records of central office disclose that all the papers in connection with this case are now being considered by the central office medical rating section to determine the rating applicable to this case.

Cases pending before the central office medical rating section have been classified in the order of their urgency and merit, and the personnel of the medical rating section have been instructed to take them up in their regular order. It is hoped that the case in which you are interested will be reached in a very short time, and every consideration will be given its merits.

You can assist the bureau greatly by not urging that the case in which you are interested be taken up out of its regular order, unless you have knowledge of facts which justify such action or that conditions have changed since the case was originally classified as to establish a real emergency.

The policy of the bureau will be to give prompt and careful consideration to each case and render an equitable decision as expeditiously as possible.

By direction: CHARLES E. MULHEARN,
Assistant Director Claims Division.

Mr. ODDIE. Six months have passed, yet no answer has been received.

These letters are sent to every query:

UNITED STATES VETERANS' BUREAU,
Washington, November 27, 1923.

Mr. EVERETT P. HURT,
Y. M. C. A., Washington, D. C.

DEAR SIR: Receipt is acknowledged of your letter of November 8, 1923, making inquiry regarding the claim for compensation as captioned above.

Records of central office disclose that all the papers in connection with this case are now being considered by the central office medical rating section to determine the rating applicable to this case.

Cases pending before the central office medical rating section have been classified in the order of their urgency and merit, and the personnel of the medical rating section have been instructed to take them up in their regular order. It is hoped that the case in which you are interested will be reached in a very short time, and every consideration will be given its merits.

You can assist the bureau greatly by not urging that the case in which you are interested be taken up out of its regular order unless you have knowledge of facts which justify such action or that conditions have changed since the case was originally classified as to establish a real emergency.

The policy of the bureau will be to give prompt and careful consideration to each case and render an equitable decision as expeditiously as possible.

By direction: CHARLES E. MULHEARN,
Assistant Director, Claims Division.

Mr. ODDIE. This is the form letter about which Hines professes ignorance.

EXTRACTS FROM LETTERS

EXTRACT NO. 1

Hundreds and hundreds of veterans suffer because of the lax and inefficient methods used in the bureau in the settlement of claims. I can present any number of men who have not received justice from the bureau under the present administration.

The Veterans' Bureau, as you say, does not function as it should. And it never will so long as officials in the bureau resort to camouflage and subterfuge. I have prosecuted hundreds of claims in the bureau, and I am in position to know of conditions there and the inhuman treatment of the beneficiaries.

* * * * * * *

EXTRACT NO. 2

For your information I may state that I am 62 years of age and up to the war was a resident of Montana, Iowa, and South Dakota. I closed my office and spent three and one-half years trying to help win the war. I was for over a year at Oglethorpe, Ga., and afterwards at Oteen, N. C., in the hospital for T. Bs. there. I got closer to the boys and men than any man in the southern division. I won my title "Uncle Jack" from the boys and am prouder of it than any other ever conferred on me, because it was given as a mark of their love and esteem.

I left Oteen in 1919, and the conditions in Oteen were a disgrace to the Nation and to the Army. I am the man that started the ball rolling which resulted in the military investigation of conditions there. I knew beforehand what the result would be. I strove to have it made a civilian investigation instead of a military one. There is no man with more respect and love for the Army than I, but this false esprit de corps of theirs is ruinous when it comes to investigation. They think they are bound to stand by each other. There is no hope of any redress as long as it is left in the hands of the military.

The trouble is that the patients are afraid to testify the truth, as they know that their testimony will be held up against them when they come up for the disability allowance. I was inundated at that time with requests from patients and relatives begging me not to reveal the names of any of my informants. From letters received recently the same conditions seem to prevail. I have piteous letters telling about the absolute cruelty and neglect given the sick and deserving patients.

The fact of the matter is that—as a patient writes me—these men are considered objects of charity, and this is absolutely wrong. The Nation ought to be only too glad and proud to see that these men want for nothing. It is not the fault of Congress or the Senate. The appropriations for the care of these men are ample if properly administered. It is difficult for me to write fully on this matter, but I wish there was some way I could be of service to you in your attempt to get things bettered. I shall never quit fighting not only for the men but also for the sick nurses, who, when I was at Oteen, were treated the worst of any patients. Several of them owe their death to the neglect, and I informed the commanding officer before I left Oteen that I held him guilty of murder of several of the patients while I was there. This is no exaggeration.

EXTRACT NO. 3

I have just read an article in the St. Paul Pioneer Press of Tuesday, May 6, which quotes you as saying: "That men in hospitals that complain of their treatment or in any way criticize the Veterans' Bureau have their compensation reduced or completely cut off."

This article interested me very much, because I happened to be one of the unfortunates who have had their compensation cut because of complaining about the management and affairs of a Government hospital.

I was at United States Veterans' Hospital No. 37, at Waukesha, Wis., from August 17, 1923, to February 16, 1924, at which time I was discharged because of my activities in trying to see that myself and comrades were given a square deal and the bootleggers, who prevailed upon the disabled men, were allowed to remain in the vicinity of the hospital while the boys who tried to clear up this situation were discharged. In my final disposition from the hospital a paragraph was written into the report stating that I had been instrumental in forcing an investigation of the hospital.

Since coming home I have been informed that my compensation has been reduced 50 per cent without even being called for an examination or being called to appear before the board in any way.

One of the boys who was discharged for this same reason from Hospital No. 37 tried to go back and visit a fellow patient, but upon entering the hospital he was told by the commanding officer that he could not come into the hospital to visit any of the patients on account of his activities during the investigation.

EXTRACT NO. 4

I volunteered and was accepted for service in the World War and saw many months of arduous service in France with the United States Army. On my return and discharge from the Army I endeavored to resume my previous occupation but was physically unable to continue it and shortly thereafter suffered a complete breakdown.

After being treated by several physicians in the hope of getting relief, at my own expense, but being unable to do so, I applied to the United States Veterans' Bureau for aid.

The physicians of the United States Veterans' Bureau, after physical examination, immediately ordered me to a hospital for treatment, and the bureau rated me as totally and temporarily disabled.

After being under this status for several months, I was granted vocational training, which was continued for two months, when, after several physical examinations, vocational training was terminated for the reason that "physical condition is such that training is not physically feasible or otherwise practicable."

Subsequent to this time I was again ordered hospitalized and spent a long time in the United States Naval Hospital, Washington, D. C., being finally discharged at my own request. All the physicians who examined me agreed without dissent that I am totally and permanently disabled, also recommended that I be granted compensation on that basis. As I had carried my war-risk insurance, I applied for the benefits allowed for permanent and total disability under the insurance contract, which was granted on October 8, 1923, dating from June 7, 1923, the date of termination of vocational training. Compensation payments had been continued from June, when vocational training was terminated, up to October, 1923.

Under date of October 16, 1923, and while I was still confined in the United States Naval Hospital under treatment, a letter was sent to my home address by the Veterans' Bureau stating that compensation had been discontinued, as it had been determined that my disability was not of service origin.

This decision was made without notice, hearing, or examination, and was, to say the least, capricious, arbitrary, and unjust. I appealed in writing but could not get a satisfactory reply from the Veterans' Bureau. They ignored my request that the case be reviewed by the Central Board of Appeals. I wrote a personal letter to General Hines, the director, which was intercepted, so I wrote a second letter and addressed it so that it must be received by him personally or returned to me unopened. I received a reply to this letter stating, in substance, that my case would be investigated. This was four months ago, and I have not heard from the director. However, recently I received a letter signed by Charles E. Mulhearn, whose name has appeared on all the correspondence in my case. He stated that they had again decided that my disabilities were not of service origin, and intimated that any further correspondence would be annoying and unnecessary.

The position taken by the Veterans' Bureau in my case is unfair, illegal, and unjust. After conceding service connection of my disabilities in every letter, order, and document, and paying compensation for more than a year, the bureau attempts to terminate all benefits without notice or hearing, a procedure that they can not sustain in court. I have been unable to ascertain what caused the bureau to reverse their original determination regarding service connection of my disabilities.

I am submitting these facts to you, hoping thereby to assist in getting the administration of the Veterans' Bureau on a standard of fair treatment of our disabled men. Personally, I feel that I have been treated in a heartless manner and as a foreign-service veteran of the war with Spain and the World War resent it. It is plainly apparent that the Veterans' Bureau is still dominated by the same sinister clique that caused the disgraceful conditions that your senatorial investigating committee exposed.

The American people as well as the World War veterans have come to doubt the efficiency, the competency, if not the honesty, of the Veterans' Bureau, have lost all confidence in the Veterans' Bureau as administered at present as well as in the past.

EXTRACT NO. 5

For a year and a half I have been trying to persuade Gen[illegible]l Hines to take some step to correct the conditions obtaining in training schools operated by the bureau, with which I have become familiar as one of the instructors. General Hines has made many promises but fulfilled none. I took the matter up with him in a letter July, 1923, after the district manager had failed to make any improvement. Replying to this letter General Hines stated that he was causing an investigation into the charges made, and would communicate with me later. In a letter about the last of the year he stated that the charges had been fully covered and found to be untrue, and that if I voiced any more criticisms concerning the bureau school administration my resignation would be requested. This brought me to Washington, and when I placed that letter on General Hines's desk and asked him for the evidence on which he claimed that my charges were false he could not produce it and could not remember about it. When I asked him how he could sign his name to a paper, the contents of which he knew nothing about, he gave as his excuse "that he was forced to depend upon others for a part of the work connected with his office." He then promised to go into the case carefully and thoroughly, after which time he would communicate with me. I waited a reasonable length of time, then went to the bureau and forced them to acknowledge that there had been no investigation of the charges made, and they assumed that the letter to me would end the matter.

Since the 1st of February I have had two or three interviews with General Hines, in which he renewed his promises to take immediate action, but failed each time.

Four letters from men in these schools in the past two weeks inform me that the bureau is combining shell-shock men with tuberculosis cases, and which is one of the things General Hines promised me he would not permit, but his word seems not to mean very much.

EXTRACT NO 6

It is distressing, Senator, that after all these scandals have been aired and so much has been written about, that the director of the bureau after a year of his induction into office still maintains the old cynical and inefficient crew. A disabled veteran has practically no chance of receiving any justice at the bureau. When a claim is filed and appeals are made for some immediate action, the bureau officials hide themselves behind a lot of red tape and bureaucracy, and the poor disabled veteran usually dies as a result of financial worry. I can show you scores of instances where claims have been neglected for over a year and veterans have died in financial distress. Is this the "tender" care that the disabled veterans are receiving?

Just recently General Hines has taken it upon himself to muzzle all criticisms of patients against the bureau. It is evident that General Hines is long on promises but short on constructive action, as they say in Wall Street. He is a great believer in the power of printer's ink. And perhaps he is right. The general public has been lulled into a false security, thinking that the unspeakable scandals under the régime of Forbes have been righted. But you, sir, will agree with me that conditions now are just as bad. The truth, however, will come to the surface sooner or later. So why wait until the storm breaks out and in the meanwhile sacrifice the lives of so many men who have given their best when the country was in need of their services?

The suffering of the tubercular ex-service men is very tragic. It is estimated that about 28,000 of these men broke down a little over the so-called three-year limit. Whenever one of these chaps breaks down even a day over the three-year limit the "gentle" Veterans' Bureau allows him to fall by the wayside.

EXTRACT NO. 7

On April 13, 1917, soon after the United States had entered the World War, I enlisted in the United States Navy as a blacksmith, first class, giving my age as 44 years, although I had passed my sixty-eighth birthday. I passed all examinations, physical, mental, and professional, and was accepted without question. Please note: Blood, heart, liver, kidneys, and urinal tests showed me to be in first-class physical condition. Five months later, September 13, 1917, I was discharged from the service by a board of medical survey, having become disabled and pronounced unfit for any service, at the United States Naval Hospital in Brooklyn Navy Yard, Brooklyn, N. Y.

Now on account of my disability received in service I am not and never will be able to maintain myself again. In 1922, while in the soldiers' home in Roseburg, Oreg., I made an application for compensation. I was called to Portland, Oreg., given an examination, and sent to the hospital for treatment and observation. About two months later I received an allowance of $16 per month for one year back pay, $80 per month for the two months I spent in the hospital, with a grant of $24 per month thereafter. In 1923 I returned to the hospital for treatment. After about five months of incarceration I was asked by the attending physician to fill out an application requesting a board of examiners to ascertain if I was eligible for a permanent total compensation.

The board was appointed by the Seattle office of the Veterans' Bureau, five members on the board, all of whom had been in close touch with my case. I was brought before them, and they gave me a complete examination; and while they did not inform me as to their decision, yet I have evidence through other sources that they recommended me for a permanent total compensation of $100 per month. Remember, Senator, that this board was composed of thoroughly reliable practicing physicians employed by the United States Veterans' Bureau, who had me under close observation for nearly six months. What was the result? Men in the Seattle office—men who had never seen me—decided against the opinion of able physicians and turned down my claim. Do you wonder why I am interested in your speech?

Let me say further that I know of men who are drawing much larger monthly compensation than I am drawing, besides getting the allowance back to date of discharge, who are able and who follow a daily occupation, while I am unable to follow any occupation, not on account of my age but on account of my disability received in service.

Again, some more of the same rotten management. If I go back to the hospital and stay there I will receive $80 per month. But why should I go there? They admit that my case is hopeless. They acknowledge that they can not do anything for me; yet they will keep me there, pay me $80 per month; board me, furnish me with laundry, nice bed, nurses, doctors, orderlies, etc., at great expense to the Government and never say one word. But outside, where I have to take care of myself, with no extra expense to the Government, I can be allowed only $24 per month. It looks like they want to keep a house full to hold their jobs.

Next month I will be 75 years old. Spent the early part of my life in the Dakotas fighting the Indians as a civilian scout to help settle and civilize the country, and then in 1917 joined the colors to help keep it civilized. And, now, for only the Salvation Army who give me some assistance, I must go in want on account of the inability or injustice, favoritism, graft, or some other cause of men employed by our Government to look after their (wrecks) disabled ex-service men.

EXTRACT NO. 8

I became a charter member of the American Legion in the District of Columbia, having aided in its preliminary organization. I served for nearly two years after hostilities ceased in the capacity of legal advisor in the War Department, connected with the adjustment of war claims. I know the views of "industrial America" regarding payment for services and materials delivered to the Government to aid it in the prosecution of the World War.

On America's entrance into the World War, at the age of 40, I volunteered, was accepted, and served more than three years. My services and experiences in Washington gave me an excellent opportunity to study the organization and operations of the various agencies created by Congress to administer relief to veterans of the World War.

It would require pages to record the evils that have already resulted from the corruption and abuse of authority that has existed in the Veterans' Bureau. I suggest that Congress Americanize the Veterans' Bureau; that the findings and the decisions of the bureau be made reviewable by the courts, instead of permitting the rights of our wounded and disabled national defenders and their beneficiaries to be "adjudicated" by a "ring of dictators" who have proven by their acts that they possess neither the intelligence, the knowledge, the integrity, or the desire to dispense justice in accordance with either the law or equity.

Under the War Risk Insurance Bureau seeds were sown from which has sprung and grown to healthy proportions a system controlled by a ring of dictators. I was one of the early advocates of legislation to create a new organization which would take over the veterans relief agencies, and which organization would be directly responsible to the President. I did not suspect that any President would ever dare permit his political advisors to design and create an organization which would attempt to "adjudicate" claims with so little regard to the principles of law as has become the custom and practice of the staff of the Veterans' Bureau.

EXTRACT NO. 9

I was discharged under a temporary total disability, and shortly thereafter I was placed in training for the study of violin under the United States Veterans' Bureau. I should never have been started at violin if the bureau had no authority to see me through it. I was not a musician to begin with; I was a tool-using mechanic. Several times I did voice a questionable doubt to my training officer relative to my becoming a successful violinist, but I was advised and encouraged to remain at my studies.

However, as the result of my being discontinued in training leaves me in the tragic position as though I had never received any training at all. All the time, money, and effort expended to restore me to my former earning capacity is lost if my discontinuance from violin study is sustained by central office board of appeals, United States Veterans' Bureau, Washington, D. C.

EXTRACT NO. 10

Doubtless you have often wondered why more veterans do not write you on such a vital subject, directly involving their personal welfare. A few words will suffice.

All men who have put a long time in Government hospitals know beyond a shadow of doubt that any patient who has the moral backbone to question or oppose any unjust or autocratic act of the hospital personnel is marked as radical or undesirable, after which some slight pretext is easily found to "kick him out."

Strange to say that, although the public is often informed of such gross abuses as these, it is this same public that pays taxes to sustain the institution. Still the people seem to choose the line of least resistance and accept things on their publicity value rather than assume the initiative of inaugurating reforms.

So it is to men who have the courage of their convictions and the nerve to proclaim them at every opportunity that we are now anxiously and confidently looking for the long-sought reforms.

* * * * * * *

Men leaving the hospital but still too weak to earn a livelihood often have their compensation reduced immediately from $80 to $8 per month; we are constantly informed by some zealous advocate of the bureau that this can not be done. But the fact remains that it is done, and we live on facts and not theories.

General Hines also often reminds us that claims are being greatly expedited under his sure guidance. This is absolutely contrary to facts. In the most cases the veteran secured more prompt action under Colonel Forbes than he does under General Hines. Of this I am sure, from personal observation of numbers of cases that never secure action under three months and often six months. It is also almost impossible at times to secure the courtesy of a reply from the bureau.

But not only is this wonderful era of economy enforced by cutting the compensation of disabled men, it is almost as rigorously applied in the hospital itself. * * * This has been done at the expense of the comforts and necessities of the patients themselves.

There has lately been a very inconvenient shortage of towels and bed linen in this hospital. * * *

The two new buildings at Oteen amplify the slightest sound to such a degree that it is almost impossible for a sick man to endure the nervous torture that is involved in inhabiting them. To add to this discomfort the doors are constantly slamming with a terrific report, which is most agonizing to men in a dying condition. * * *

As a result of the terrific impact of these doors the walls are split from floor to ceiling, creating a strange paradox to the scheme of economy.

The system of serving meals here is entirely wrong. Breakfast 8 to 8.30 a. m.; dinner 11 a. m. to 11.30; supper about 4.30 p. m. These meals are so close together that it is almost impossible for a man in bed to eat over two meals a day. To make the matter worse there is a rule that forbids serving a patient any solid food from supper to breakfast. I can not see where this system will tend to build up the T. B. patient.

* * * * * * *

It is generally understood here that unless the Comptroller of the Treasury revokes his order to compel a number of doctors to refund the money paid them for quarters, and so forth, that these doctors will resign.

There was a meeting called here, supposed to represent the patient body, for the purpose of drawing up resolutions to have the comptroller withdraw this order. But the meeting did not represent the patient body at all. It was represented by a group of handshakers chosen because of their favorable attitude toward the hospital administration. There were two men who were able to leave their ward that did not favor the movement. They were sneered at and their amendments ignored. The patient body as a whole had nothing to do with the framing of these resolutions.

There are many patients that can not see any more injustice in making able-bodied doctors pay back what they owe the Government than to make disabled veterans refund overpayments in compensation. This will probably rid us of doctors of the undesirable kind that have formed an impregnable circle in hospitals where arrogance and assumed authority reign supreme.

* * * * * * *

EXTRACT NO. 11

The Veterans' Bureau terminated my compensation without notice, hearing, or examination, when I was confined in a hospital under bureau orders, using the dubious technicality of "service origin" of disabilities, as their excuse for doing so; also, that the bureau have ignored my request that I be allowed to submit further and additional evidence of the "service connection" of my grave disabilities. Thus, after conceding "service connection" of my disabilities in every document and paying compensation for more than a year, the Washington office reverse their original decision, and while admitting that I am permanently and totally disabled, terminate all benefits. If this situation indicates that the Veterans' Bureau is functioning properly, the people will have to be shown, the sooner the better, and no amount of inspired newspaper propaganda issued by the bureau about efficiency and economy will convince them, when they meet and talk with the hundreds of disabled World War veterans who have been shamefully and heartlessly mistreated by the Veterans' Bureau. No lurid statements of vast savings by the bureau will be approved by the people if these savings are to be made at the expense of the disabled.

Mr. ODDIE. On the question of maladministration and money waste, I want to call attention to just a few matters.

In the division of rehabilitation, as at present conducted, there is a wholesale waste of public funds, and this with the full knowledge and approval of the director. I refer to the contracts between the Veterans' Bureau and the New York Institute of Photography and the Lexington Vulcanizing School. The following extracts are taken from the official files of the Veterans' Bureau, with which it is known the director and his staff are familiar. These contracts are still in force, or were a few weeks ago.

The original contract between the Veterans' Bureau and the Lexington Vulcanizing School called for a tuition payment of $40 for a term of eight weeks for each Veterans' Bureau trainee. The cost of training Veterans' Bureau trainees in this school has constantly increased until, under the present contract, the Veterans' Bureau is paying $240 tuition cost per trainee. The records show that this increase is apparently due to collusion and connivance by the owners of the school with employees of the Veterans' Bureau.

The director has in his possession, and I presume has read, the exhaustive report of the committee which he appointed and which made a survey of the work of this school and the opportunities for employment for those trained vulcanizers. This committee found that there were but few exceptional cases where those trained at this school could find employment at the trade of vulcanizing. Their report that no employment opportunity exists or will exist in this trade in New York City is supported by a report of a committee of automotive experts of the Merchants' Association of New York City.

The committee also found that the relations of the owners of this school with certain Veterans' Bureau employees was such that the contract should be canceled at once. They also recommended that criminal prosecution of the owners of the school and certain Veterans' Bureau employees be started, and, further, that certain Veterans' Bureau officials be dismissed. This report was made to the director on the 25th day of last February. No action has been taken other than the director has ordered this school closed on June 30 next. Why he should wait four months to close this school after information of waste and corruption is in his possession is hard to understand. The Veterans' Bureau officials named as being unworthy to continue in the service of the Government are still on the pay roll.

It is important to note in this connection that at the time the Veterans' Bureau originally entered into a contract with this school, the school professed to offer to the public a course in vulcanizing from "A to Z" for the sum of $40.

The findings of the committee that the charge for tuition to the Veterans' Bureau was "flagrantly excessive" is certainly borne out by the facts in the case.

Another case is that of the New York Institute of Photography. This school is advertising to the public that the cost of the complete course, if paid in installments, is $185 and if paid in advance $160, and that a discount is made where two or more students are enrolled at the same time. The original contract of the Veterans' Bureau called for a tuition payment of $175 for a complete course. On June 1, 1921, a contract was entered into calling for a tuition payment of $185 for a complete course. On November 1, 1921, the above contract was abrogated and a new contract made to run until June 30, 1922, calling for a tuition cost of $560 per trainee and an extension of the course from 4 months to 14 months. The contract for 1922-23 called for a tuition payment of $40 per month for 18 months, which means a charge of $720 per trainee. This offer to the public was known to the bureau officials when the contracts were made. On December 21, 1923, in a report from the chief of inspection service to the director it was recommended that the contract with this school be immediately canceled and that trainees who could be successfully trained in photography be transferred to the City College of New York, the other trainees to be immediately readvised in objectives wherein there was reason to believe they could be rehabilitated and employment found for them. Special attention is invited to the date of the recommendation of the inspection division, December 7, 1923, that the contract be canceled. On April 12, 1924, the date this case was examined by me, the contract was still in force.

An attempt may be made to say that these are isolated cases, but the fact remains that the recommendations to eliminate these conditions were originally made more than a year ago. The facts in relation to these two schools not only show an enormous waste of Government money, but, what is more important, the waste of valuable time of the trainees.

In my last address on this matter I called attention to the Perryville case, where great quantities of Veterans' Bureau material—material intended for the disabled in the hospitals throughout the country—was being practically given away for a very few cents on the dollar. I called attention to the fact that in one instance over 70,000 new and unused sheets were sold for 16 cents apiece, and at the same time 25,000 new sheets were bought at a cost of $1.03½ apiece. The same men who knew all about this transaction, with the exception of Colonel Forbes, who is now out of the bureau, are still in the bureau, and they have all been promoted since.

I want to call attention to a matter in regard to another contract—the Goldberg contract—which has not been investigated, as our committee has not had time or opportunity. In this case a large amount of valuable material was sold for a few cents on the dollar and one of the employees of the bureau had the courage, as I have stated before, to send word to President Harding that this matter was going on; and he was dropped, fired out of the bureau by the ring, thrown in the street. The President learned of this deplorable and wretched condition of affairs and twice ordered these shipments stopped.

While our hearings were going on, a situation developed which showed the incompetence of the bureau and how this clique was working, how they were pulling the wool over the

eyes of the director. The construction of a hospital in California was under consideration. An agreement was made with an architect in San Francisco to furnish plans. He secured some plans from the Government, altered them a little bit, and submitted them. They were found to be not satisfactory and were withdrawn; but he put in his bill, and was paid many thousands of dollars. He stated in a letter that a certain amount was due him. The director wrote him that that money was not due him, and showed him conclusively that he owed the Government money on overpayment. The director wrote a letter to the comptroller or sent word to the comptroller not to pay this extra charge, and yet while our hearings were going on the comptroller paid a bill of many thousands of dollars to this architect, because the members of the ring insisted on it; and one of the members was right with our committee all the time and refused to give our committee the information that was needed.

I will insert in the RECORD a portion of our hearings relating to this matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[Hearings, vol. 1, pp. 817–819]

Major General O'RYAN. Before concluding, Mr. Chairman, on the Matthew O'Brien matter, I would like to say that I have now finally and at last secured from Mr. Routsong some more papers, in relation to this matter, that we have been trying to get for a long time, and among them is a letter of June 6, 1923, addressed to Mr. O'Brien and signed by Frank T. Hines, director, which constitutes the directors' disallowance of Mr. O'Brien's claim; his refusal to pay it, and contains a demand that Mr. O'Brien refund $5,451.43, being the part of the $66,000 that was paid him in excess, even upon O'Brien's own statement. The purpose in offering this is to show that the reference of this matter for adjudication by the President was late, because the contract required that if there was a disagreement with the director about the contract, if an appeal were made to the President within 15 days, such appeal could be made. But in the absence of making such appeal within 15 days, the decision of the director would be final. I offer this letter.

(The letter dated June 6, 1923, addressed to Mr. Matthew O'Brien, signed "Frank T. Hines, director," was thereupon marked "Exhibit 179," and is as follows:)

EXHIBIT 179

JUNE 6, 1923.

Mr. MATTHEW O'BRIEN,
Architect, Foxcroft Building, 68 Post Street,
San Francisco, Calif.

DEAR SIR: Investigation of your request for a settlement of your claim for architectural services rendered in connection with the Livermore hospital project as set forth in your letter of April 14, 1923, shows:

1. That on July 21, 1922, you were paid $11,616, or 1 per cent on $1,161,600, which was the sum then allotted for the construction of the hospital.

2. On November 6, 1922, you were paid $33,384, which added to the $11,616 previously paid amounts to 3 per cent of the estimated cost of $1,500,000, as provided under article No. 3 of the contract.

3. On January 23, 1923, you were paid $19,416.24, being approximately 3 per cent of $646,634, the difference between the estimated cost of $1,500,000 and the lowest bid of $2,146,634, which bid was among those opened on December 18, 1922.

4. You were paid in all $64,416.24, which is $17.22 more than 3 per cent of the amount of the lowest bid above mentioned. As you are aware, all bids have been rejected, so that it would appear that prior to your instructions to revise the plans to bring the cost down to $1,500,000 you were entitled to 3 per cent of $1,500,000 or $45,000.

After careful consideration of the contract between yourself and the bureau, it appears that you would have been overpaid in the amount of $19,416.24 had you received no instructions to proceed with revision of plans. Your claim as set forth in your letter of April 14, 1923, amounts to $13,964.81, and by crediting you with this amount against the $19,416.24 paid in error, there remains $5,451.43, which amount it is necessary to call upon you to refund.

Very truly yours,

FRANK T. HINES, *Director.*

Major General O'RYAN. I have here also the original letter from Mr. O'Brien to Director Hines, dated April 14, 1923, from which it appears that at that time he did not claim that the Government owed him an additional $33,000, and only $10,242.

The CHAIRMAN. What is the date of that letter?

Major General O'RYAN. April 14, 1923.

The CHAIRMAN. At that time, how much did O'Brien claim?

Major General O'RYAN. A total of $13,964.81.

The CHAIRMAN. Did you have these papers when the representatives of the Comptroller General's office were examined the other day?

Major General O'RYAN. We got these from Mr. Routsong—what day?

Major ARNOLD. After some days, and knocking we got them.

The CHAIRMAN. Did you ask Mr. Routsong for these papers?

Major ARNOLD. I asked Mr. Routsong and everybody in the bureau for these papers; yes, sir.

The CHAIRMAN. Did you suppose you had them all?

Major ARNOLD. Yes, sir.

The CHAIRMAN. Did Mr. Routsong know this was coming up?

Major ARNOLD. He sat right here when it was up, Mr. Chairman.

The CHAIRMAN. What reason did he give for not giving up the papers?

Major ARNOLD. He didn't give any. I didn't ask him why he didn't.

The CHAIRMAN. What is his explanation?

Major ARNOLD. He doesn't give any.

Major General O'RYAN. You might call him to the witness stand.

The CHAIRMAN. Is he here?

(Thereupon Mr. Routsong was called, but did not respond.)

Major General O'RYAN. I began this investigaiton of the O'Brien matter shortly after the committee organized, and I made a demand for all papers, and that all papers be turned over to me. That was in March, and General Hines promptly turned over the files in the O'Brien matter from the files of the former director. But an examination of those files showed many papers to be missing. Mr. Routsong at that time was indicated by the director as the man who would act as liaison officer between the director and the committee. At that time he knew that I required these papers, and I spoke to him about securing further files of the papers that in any way related to this O'Brien matter. I supposed at least three or four times that we had them all, but by continuous pressure we got other increments of papers, and finally these were located in the possession of Mr. Routsong, as Major Arnold has said, two or three days ago.

The CHAIRMAN. It would have been very important for the committee to know, when we were examining that man from the Comptroller General's office on the $33,000, that the claim was only $13,000.

Major ARNOLD. Not only that, but it was in June, which would interfere with taking the matter to the President.

I would like to read two letters, which will explain this matter.

The CHAIRMAN. Yes.

Major ARNOLD (reading):

UNITED STATES SENATE,
SELECT COMMITTEE ON INVESTIGATION OF VETERANS' BUREAU,
New York City, May 24, 1923.

Memorandum to General Hines:

Will you kindly furnish me in detail the amounts and dates of payments made to Matthew O'Brien on account of his architectural services in connection with the Livermore Hospital?

It has been called to my attention that in the file of the papers of the Livermore Hospital there are a number of very important documents that were not in the records which were turned over to me. Will you kindly advise me if this is so, as I was under the impression that I had everything pertaining to the Livermore Hospital which was in the possession of the bureau.

JOHN F. O'RYAN,
Major General, O. R. C., Counsel.

On this, written in red pencil, is a reference by the director to Mr. Routsong to look up.

On June 6, 1923, this letter was written [reading]:

JUNE 6, 1923.

Maj. Gen. JOHN F. O'RYAN,
Counsel, Senate Investigating Committee,
49 Lafayette Street, New York City.

DEAR GENERAL: In response to your letter of May 24, I am now personally investigating the part of the Livermore project which relates to payments made and due Matthew O'Brien, architect, and will inform you of all action taken in this connection.

Regarding missing papers relative to the Livermore Hospital, I believe that you have fairly complete information on this subject contained in the file which I turned over to you, except that relating to settlement with O'Brien. I have written each division chief, however, asking that they give me any additional papers relative to this project, in order to make sure that no pertinent information is omitted. As soon as received they will be placed at your disposal.

Very truly yours,

FRANK T. HINES, *Director.*

Major ARNOLD. Now, at that time there were in the possession of Mr. Routsong these papers of April 14, 1923, and of May 15, 1923, as is shown by papers attached, signed by Colonel Ijams and others; by Mr. Breining, as well, who is the assistant director in charge of finance.

Senator WALSH of Massachusetts. Will you state again how you know that this file of papers were in the possession of Mr. Routsong?

Major ARNOLD. Mr. Routsong brought them to me himself, and so stated.

Senator WALSH of Massachusetts. So that they were in his possession before he wrote the letter, to which his initials are attached, signed by General Hines?

Major ARNOLD. Yes; as shown by the fact that a communication signed by the general counsel, dated May 5, 1923, signed by William Wolff Smith, and addressed to the director, was in the hands of Mr. Routsong, as the papers show, outlining in detail these communications which are attached, and this is the condition in which the folder was handed to me. They are all well stamped together, with the exception of this one letter, which I obtained elsewhere, dated June 5, which is the letter of General Hines to O'Brien disallowing his claim.

The CHAIRMAN. Major Arnold, have you had other instances of papers being withheld that way?

Major ARNOLD. I would say to the committee that in spite of everything that General Hines could do to render this committee every assistance possible certain employees of the bureau have put every obstacle in the way of your representatives getting information in the bureau.

The CHAIRMAN. What explanation do they give for that?

Major ARNOLD. About the same explanation that Mr. Routsong gave when he went on the stand and asked to answer certain questions. Just that same kind.

The CHAIRMAN. Well, has he admitted withholding papers from you?

Major ARNOLD. He has been forced to admit withholding papers, but in each case it was a mistake, an oversight.

Senator ODDIE. Can you furnish the committee later a list of the men who have prevented you from procuring this information?

Major ARNOLD. Yes, sir.

The CHAIRMAN. Did you have an altercation with him about this?

Major ARNOLD. On the morning when I recovered these papers from Mr. Routsong I talked to him very frankly about this matter of interfering with the committee's attempt to investigate and obtain the truth about all matters that we were investigating, and his reply to me was that the committee had been furnished with everything that he had except those matters which he thought it for the interest of the bureau to retain.

The CHAIRMAN. "Except those matters that he thought it was for the interest of the bureau to retain"?

Major ARNOLD. Yes, sir.

The CHAIRMAN. Did he explain what he meant by that?

Major ARNOLD. No, sir. I needed no explanation, because I knew what he meant.

Senator WALSH of Massachusetts. About what time was this conversation?

Major ARNOLD. You mean the time of day?

Senator WALSH of Massachusetts. The date.

Major ARNOLD. My secretary was present and heard the conversation, as were two or three others, and I would have to refresh my recollection from them.

Senator WALSH of Massachusetts. What month was it?

Major ARNOLD. It was within four or five days when I secured these papers. I think it was the same day that I reported it to you.

Senator ODDIE. In your opinion, Mr. Routsong meant certain employees of the bureau instead of the bureau?

Major ARNOLD. Yes, sir; and certain actions of the bureau under the past administration.

Mr. ODDIE. The ring forced the Comptroller General to overpay this man in the Livermore Hospital case even while the hearings of our investigating committee were going on, thus showing the security they felt in their position after having prepared the bureau's case with the director for use before the committee.

In view of the great interest of the business men of this country in a reduction of taxation, I wish to call their attention to the fact that it is the unanimous opinion of those familiar with the subject that a thorough clean-up of the conditions in the Veterans' Bureau would result in a saving of many million dollars per annum and probably a large amount in addition to this vast sum. If this influential and efficient class of our citizens would turn upon this great problem their full attention and unite in a demand that a thorough reorganization of the bureau be immediately had, this problem of stopping waste of vast sums of money which must be furnished by the taxpayers of the country would be speedily solved. This problem is second only to the most pressing of all problems—the adequate care of our disabled and their dependents.

I should like to insert in the RECORD an article that appeared in a Washington paper of May 15.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Washington Evening Star of May 15, 1924]

UNITED STATES DECLARED CRIMINAL IN NEGLECT OF VETERANS—JUDGE SEVERELY SCORES GOVERNMENT IN DISCHARGING DISABLED SOLDIER FROM LARCENY CHARGE

[Special dispatch to the Star]

BALTIMORE, MD., May 15.—Declaring that the United States Government should be standing before the bar of justice for sentence instead of the disabled war veteran in front of him, Judge James P. Gorter yesterday severely scored governmental penuriousness in its treatment of disabled veterans following the conviction of larceny of Charles E. Dowling, a wounded veteran.

In dismissing the charge against Dowling, Judge Gorter said:

"The United States Government is the real criminal in this case. Here is a man who served his country willingly and fearlessly when his country needed him. He was wounded and gassed in this service and is now unable to work.

"He has a wife and child dependent upon him, and yet for all that he has done for his country his country will not in his extremity give him enough money so that he and his family can live. Thus he is driven to dishonesty.

"It would be far better to cease this talk of a bonus for able-bodied soldiers and give disabled men an allowance that would enable them to live without stealing."

Dowling bought household necessities in two down-town stores, giving worthless checks for his purchases and receiving both merchandise and small sums in change in each case. He pleaded poverty.

Mr. ODDIE. I have asked the bureau as to what its record of this case shows, but, beyond an acknowledgment of my letter, I am without information up to this time.

The article I have just asked to have inserted in the RECORD deals with a man who was arrested in Baltimore, a disabled soldier, and the system employed by the Veterans' Bureau was very severely criticized and condemned by the judge.

Another significant little item is an advertisement that appeared in the Washington Star of May 15, 1924—an advertisement by a Member of Congress for a secretary experienced in soldiers' claims. It shows how necessary it is under present conditions for Members of both Houses of Congress to devote a great deal of their time and to have professional services at their disposal constantly in order to see that justice shall be done to the disabled. It is as follows:

Secretary; experienced in soldiers' claims; must be good stenographer. In answering give age, experience, and salary desired. Address Box 287, House Office Building.

Another matter I want to call attention to that was developed in our hearings, to show the incompetent and inefficient handling of the bureau, is the fact that a member of the Rehabilitation Board in a certain city is drawing permanent disability because of a mental condition—an N. P., as I am informed. A man on the Rehabilitation Board is drawing 100 per cent disability from the Government because of mental defect!

Mr. President, I now desire to offer for the RECORD memoranda and comment on a large number of cases in the bureau, chosen at random. The number in each case is given, thus enabling anyone interested in examining the papers, if permitted, to draw the files for that purpose. This list of cases taken in its entirety furnishes a connected story of inefficient functioning in all divisions of the bureau, both in Washington and the field. It covers a period both before and since the appointment of the present director, for the purpose of showing a continuation of the miserable conditions which have existed prior to and since the coming of the present director.

I wish to warn the ring that if any attempt is made to discredit the information in the material I have submitted which bear file numbers, by camouflage comment, I shall insist that the files be drawn and placed in the hands of an unprejudiced expert outside the bureau for complete analysis and report.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

C-141086: Paid a temporary total from date of separation from active service, December 6, 1918, to date of death, April 17, 1919, and insurance payments to relatives from April 18, 1919, although no rating was in file. Death certificate received in central office May 4, 1919. Case referred by compensation and claims division to central office rating section on June 27, 1923, for final rating. Irregular action and a delay of 4 years 1 month and 23 days after death certificate was received in central office.

C-382545: Claimant died of pulmonary tuberculosis August 4, 1921. Death certificate received in central office on August 15, 1921. Case referred by compensation and claims division to central office rating section for final rating on June 25, 1923, or a delay of over 22 months after the death certificate was received in central office.

C-270252: Died November 28, 1921. Death certificate received in St. Louis office of the Veterans' Bureau on June 6, 1922. Case referred to board of review of central office February, 1923, and final rating was made February 13, 1923. On June 12, 1923, case was again referred by compensation and claims division for final rating and with the statement that no death certificate was in file, thus two errors by the compensation and claims division and unwarranted delay on the part of the district authorities as well.

C-1024443: Died of pulmonary tuberculosis December 20, 1921. Death certificate was promptly furnished. Jacket was not referred to central office rating section until June 7, 1923, or a delay of about one and one-half years.

C-517752: Discharged from the Army February 10, 1919. Service origin disability of right arm. Reenlisted October 15, 1919. Deserted October 21, 1919. Surrendered December 15, 1919. Again deserted June 15, 1920, and was afterwards carried on the Army rolls as a "deserter at large." Bureau paid excess compensation to the man of $2,278.07, and claimant also received section 2 vocational training and bureau did not wake up until September, 1923.

C-363693: Died November 18, 1920, of service connected pulmonary tuberculosis. Death certificate received in central office on January 10, 1921, but case was not referred to medical division until July 23, 1923, or a delay of 2 years, 6 months, and 13 days after death certificate was received in central office.

C-373509: Referred to central office rating section by compensation and claims division on June 18, 1923, inviting attention to death certificate in file. Claimant died November 17, 1920 of pulmonary tuberculosis and death certificate was properly forwarded and was in file on February 1, 1921, at the time final rating was made. Compensation, insurance, and dependency brief face in jacket showed that payments had been made under the rating of February 1, 1921, but compensation and claims division forwarded the case apparently without consulting any documents in file.

C-262469: Referred to central office rating section on May 23, 1923, with a request that a final rating be made. Such rating was made on April 12, 1923 and was approved by board of appeals on April 14, 1923 and said rating was in the jacket well to the front at the time the case was referred by the compensation and claims division.

C-371774: Rated as permanent and total on and after July 31, 1919, because of certain service connected disabilities. Claimant died on January 16, 1921 of lobar pneumonia. Compensation and claims division awarded and paid dependency compensation without a rating to justify such action and case was not referred again to medical until June 4, 1923.

C-632133: Referred to medical by compensation and claims on May 11, 1923. Claimant dead. Jacket referred as a special rush case. Claimant enlisted on September 30, 1922. Discharged February 7, 1923. No war risk insurance applied for and because of the date of claimant's enlistment, he was not properly a beneficiary of the Veterans' Bureau. Compensation and claims should have known this and advised relatives to communicate with Pension Bureau.

C-17035: Referred to central office rating section on May 5, 1923, by compensation and claims, requesting final rating. Final (death) rating dated April 26, 1923, and approved by board of appeals on April 28, 1923, was in file at the time case was referred, and said final rating was the eighteenth paper from the front of the jacket.

C-689296: Referred to central office rating section on May 23, 1923, by compensation and claims division. There was a letter in the file that carried the statement that claimant was killed in September, 1922, but no death certificate was in the file. Bureau was notified in December, 1922, of the death of claimant, but failed to take any measures to get the death certificate. They did not even refer the case to the medical division until the day as above given.

C-337617: Rated on February 3, 1922, permanent and total under B on and after November 20, 1920, pulmonary tuberculosis of service origin, and entitled to the attendant's allowance of $20 per month from December 22, 1920, but the compensation and claims division failed to make payments under the authorization for attendant's allowance until after the case was rated for the third time; the last rating being made July 18, 1923.

C-1289172: Died July 11, 1922. Death certificate received in compensation and claims division on July 25, 1922. Case referred to central office rating section July 17, 1923, or a delay of approximately one year.

C-217622: Died February 5, 1921. Death certificate received by compensation and claims division of central office on October 28, 1922. Referred to central office rating section June 18, 1923. Unwarranted delay on the part of both district authorities and compensation and claims division of central office.

C-18551: Died May 9, 1919. Final rating was made June 24, 1919, and payment of compensation had been made. On June 11, 1923, compensation and claims division referred this case requesting final rating, the reason for the reference apparently being that the death certificate of the father of claimant, who died on February 3, 1923, had just been received. An insurance award had also been made from date of death.

C-836129: Discharged from the Army June 12, 1918. No disability noted from time of discharge and no medical record. Claimant died June 18, 1918, of pneumonia, and the bureau paid widow an allowance in the amount of $1,468.50, after claimant was discharged and after his death. It is, of course, understood that allotment and allowance is only properly payable to the claimant's relatives for the period that such claimant is in active service.

C-188172: Claimant had a general medical disability, service connected under section 300 of the war risk insurance act and under comptroller's decision of September 29, 1923. Claimant's disability was also aggravated by the service. Claimant received payment of temporary total from date of separation from active service to July 1, 1920. Payments for insurance were also made from February 20, 1919, to December 19, 1922, and permanent partial 10 per cent, from December, 1922. No such ratings were in the file early in 1922, other than a temporary total over part of period and permanent partial for the balance—compensation and claims division thus paying excess compensation without a medical rating to cover a large part of the period.

C-342931: Compensation and claims division awarded $90 per month and paid same from date of claimant's first separation from active service to date of second entry into service. The disability was an injury to claimant's great toe, which Army authorities stated caused no disability at the time of claimant's discharge. Claimant was rated temporary partial, 10 per cent, from date of his first separation from active service, such rating bearing date of April 8, 1920, but the award of temporary total ($90 per month) was made on April 23, 1920.

C-1123754: Discharged from draft July 10, 1918, because of flat feet and synovitis in his right knee. Died January 23, 1923, of la grippe. Examination of January 13, 1923, gives, among other things, a diagnosis of pulmonary tuberculosis, chronic. On June 21, 1923, case was referred to central office rating section by compensation and claims division, asking that case be reviewed and rerated under the provisions of public act 542 of the Sixty-seventh Congress. Compensation and claims division should have known that claimant could not be considered for anything other than a disability incurred or aggravated by service in draft, and it goes without saying that flat feet and synovitis in July, 1918, have nothing whatever to do with pulmonary tuberculosis, as shown in January, 1923.

C-273622: Died September 4, 1922. Death certificate received in central office September 29, 1922. Case referred to central office rating section June 7, 1923, or a total delay of about nine months.

C-395506: Died April 18, 1921. Death certificate forwarded to central office June 20, 1921, and apparently received the same month. Case referred to central office rating section June 6, 1923, or a delay of two years.

C-632174: Died October 12, 1922. Headquarters office of district No. 3 notified of death of claimant on October 14, 1922. Man died in Philadelphia General Hospital. Death certificate received in central office compensation and claims division on April 20, 1923, but it is desired to direct attention to the fact that no claim is made for this soldier, although he was examined on September 16, 1922, by a bureau physician in Philadelphia, and there was nothing in the file early in 1923 to show that the district office made any particular effort to secure medical evidence which might serve to connect the man's disability with the service.

C-830460: Died February 15, 1922. Death certificate received in San Francisco office on July 5, 1922. Case file transmitted to central office from twelfth district office on April 3, 1923, or practically nine months delay in forwarding case. Death cases can not be acted upon in the district offices. Insurance feature and dependency pension being exclusively the function of the central office.

C-1065100: Referred to central office rating section on June 7, 1923, for consideration of death certificate. Final rating dated April 12, 1923, and approved by the board of appeals on April 14, 1923, was already in file and covered the period from date of separation from the service to date of death, February 27, 1923, and two death certificates were in the file at the time above-mentioned rating was made. Compensation and claims division could easily have discovered the facts had they taken the trouble to even casually glance at the file.

C-134046: Died February 17, 1921, of pulmonary tuberculosis. Death certificate received in central office March 2, 1921. Case referred to the central office rating section on July 3, 1923, for rating. Case had never before been rated for pulmonary tuberculosis. Thus a delay of two years and four months before case was referred for medical action.

C-1293975: Died of service-connected pulmonary tuberculosis on August 17, 1922. Physician in Oklahoma endeavored from April 5, 1922, to secure hospitalization for this man, but to no avail, and citi-

zens of Hominy, Okla., stated that the authority for hospitalization of the claimant came too late and that claimant was practically a pauper at the time he died. He was buried at the expense of the county and local parties.

C–447246: Received a long course of vocational training. No compensable disability shown and no compensable rating made. The Adjutant General's Office report shows no disability other than dental and Army authorities stated (no disability). This is but one of a large number of instances where a claimant received vocational training where no vocational handicap existed, and it is a matter of every-day observation of old-time employees of the Veterans' Bureau that many claimants with service-origin disabilities that were properly compensable were denied compensation and training.

C–395840: Referred to central office rating section by compensation and claims division on May 22, 1923, with a request for final rating. A final rating dated April 26, 1923, and approved by the board of appeals on April 28, 1923, was in the file well in the front of the jacket.

C–165754: Claimant died on or about November 15, 1921. Case was referred to the medical division on September 9, 1921, and again on July 17, 1923, but no death certificate was in the file. Rating can not be made without such vital document, and it was the exclusive function of the compensation and claims division to secure the death certificate. Their action of July, 1923, was but lost motion and only served to further delay the case, which had been hanging fire for about one and one-half years.

C–609291: Died of pulmonary tuberculosis on June 2, 1922. Death certificate received in director's office June 23, 1922. Case referred to central office rating section for final rating on June 16, 1923, or practically one year after the death certificate had been received in the office of the director, and it is believed that these documents were supposed to be handled by some sort of special-service section.

C–466769: Died July 12, 1922, of pulmonary tuberculosis. Death certificate received in the director's office on December 14, 1922. Case referred to central office rating section on June 15, 1923, or a delay of six months and one day on the part of the special-service section.

C–186855: Date of separation from Army March 28, 1919. Gassed in service. Filed claim March 28, 1919. Committed suicide by shooting May 9, 1919. Death certificate received in central office on or about June 10, 1919. Case referred to medical division August 26, 1920, but action on case was again deferred until June 30, 1923, or a further delay of approximately three years. Compensation and claims division referred case on June 30, 1923, without first securing a proper and complete A. G. O. report and further delay was thus occasioned, it being then necessary for the medical division to request the compensation and claims division to secure the vital A. G. O. report, and in this connection will state that the duty of securing A. G. O. reports has been the exclusive function of the compensation and claims divisions for the past several years.

C–234912: Died June 4, 1919. Death certificate received by compensation and insurance division of the central office on September 10, 1919. Case never rated prior to June 28, 1923. Case was not referred to central office rating section until June 26, 1923; thus a delay of nearly four years after death certificate was received in central office before case was referred for rating so that the necessary and proper adjustment might be made.

C–455017: Referred by compensation and claims division to medical division on April 27, 1923, inviting attention to a letter from the fourteenth district manager dated April 27, 1923, and stating the examination report of August 4, 1922, should not have been forwarded, as it belonged to a colored man, C–1285794. Compensation and claims division asked that said examination referred to be considered in the case C–455017, a white man. The jacket was filled with misfiled mail and no action could be taken until such mail was removed. This case will illustrate the carelessness and inefficiency, as is so many times observed, as regards the compensation and claims division, district authorities, and the central office files section.

C–628503: Service connected pulmonary tuberculosis. Requested hospitalization in October, 1921. Finally received it February 24, 1922. Died in hospital June 13, 1922. No claim filed, although claimant was examined by bureau examiner February 23, 1922, and March 1, 1922. Case was referred to central office rating section on February 21, 1923, or nearly nine months after the date of his death. This case well illustrates the care, interest, and diligence as is many times exercised by certain bureau employees.

C–377184: Claimant had three enlistments. Claimant was paid compensation over all the period of the third enlistment. This error has been one that has been rather common on the part of certain divisions in the bureau.

C–283302: Drafted July 25, 1918. Discharged August 1, 1918. Paid $80 per month for aggravation of tuberculosis from date of discharge from draft to August 1, 1921, or $2,880. This case is listed only as a contrast to the ratings and payments as made in many instances where a claimant had long Army service and discharge with battle-field disabilities.

C–660638: Quit work July 12, 1920. Died December 10, 1921, of service-connected pulmonary tuberculosis, having filed claim on May 16, 1921. This claimant was married and had a small child. He received his first bureau check the day before he died, being ill and unable to work from July 12, 1920, to date of his death, December 10, 1921.

C–380093: Died of pulmonary tuberculosis on September 27, 1920. On January 12, 1921, final rating was made and such rating approved by board of appeals on January 22, 1921, but on June 21, 1923, compensation and claims division referred case to central office rating section, inviting attention to the fact that there was no recent rating in file, but they apparently failed to note there was nothing new in the file that would tend to change the former and final opinion dated January 12, 1921.

C–525226: Furlough to the Regular Army Reserve on July 25, 1919, this being the date of claimant's separation from active service. But claimant was not discharged until June 4, 1920, when compensation and claims division made up the award. They only paid claimant from date of his discharge or an error of approximately one year in the payment of compensation to which claimant was legally entitled. Many of these cases have been observed by men who had much bureau service.

C–348899: Referred to medical division by compensation and claims division on May 23, 1923, for an opinion as to attendant's allowance. Said allowance had been approved by board of appeals on February 7, 1923, and covered a period from October 1, 1921. Such opinion and rating was in file when case was referred by compensation and claims division on May 23, 1923.

C–1032599: Referred to central office rating section on May 4, 1923, by compensation and claims division, said division requesting final rating and inviting attention to the death certificate in file. Said death certificate failed to carry name of person deceased and thus no action could be taken by medical division.

C–490466: Referred to medical division on May 1, 1923, inviting attention to report of physical examination dated April 6, 1923. Claimant died on September 6, 1921, and it is useless to state that it is plainly impossible for an examination report of the date of April 6, 1923, to be in file when the claimant died on September 6, 1921, and at the time the case was referred there were two pulmonary tuberculosis ratings in the file; said ratings covering period from date of separation from the service to date of claimant's death. Disabilities were held as not of service origin.

C–435266: Referred to central office rating section by the special service on May 29, 1923, requesting that a final death rating be given. Such final rating was made on February 2, 1923, and approved by the board of appeals on February 20, 1923. Said rating was in file, well in front of the jacket, at the time case was referred to special service section on May 29, 1923.

C–512211: Claimant was rated in the third district office on January 11, 1923, as temporary partial 10 per cent for feeble-mindedness—service connected, under section 18 of Public No. 47.

Mr. ODDIE. The cases as above listed well exemplify the lack of efficiency, carelessness, and indifference in handling of claims. It is believed that such indifference and inefficiency sustains the charge that the bureau has not functioned properly in the premises and that it can not until a radical change is made in method and personnel, promoting worthy and efficient employees who in many instances are compelled to serve under those responsible for the inefficiencies complained of.

Regarding the excuses offered for the errors made by the central board of appeals, to the effect that the board was so overloaded with work and rushed for time that they could not give the cases proper consideration: In this connection I wish to say that experienced bureau employees state that the central office board of appeals was no more pressed for time than were other bureau agencies and employees, who found time to correct errors and injustices as approved by the board.

A number of unjust ratings as made by bureau authorities are now cited:

C–472438: On February 2, 1923, central office board of appeals approved a rating of temporary total from August 25, 1920, to December 4, 1922, and permanent total thereafter. On August 25, 1920, claimant was plainly permanent total because of pulmonary tuberculosis, tuberculosis of spine, tuberculosis of left hip, and fistula in ano. The board of appeals approved what presumably appears to be an unjust rating and under such rating claimant would be required to pay for his war risk insurance over all the period up to December 4, 1922, when, as a matter of fact, he was hopelessly disabled from August 25, 1920.

This same board has approved permanent total ratings over a period of several months when there was grave doubt as to whether or not disability of a ratable degree was really existent.

C-45257: Spondilitis deformans and empyema, service origin, 11 operations. Rated in one of the districts as temporary partial 15 per cent, which, in the case of a single man, would mean $12 per month compensation to a man with a very serious disability.

Claimant M. A., resident of Georgia. Rated in central office as less than 10 per cent. Fistula in ano and pulmonary tuberculosis, and will state that the minimum rating for fistula in ano is temporary partial 25 per cent, without mentioning claimant's pulmonary tuberculosis. Claimant died in hospital 48 days after compensation was discontinued and was permanent total under Regulation 20 at the time he was rated at less than 10 per cent. Proper adjustment was finally made in this case, but claimant was then dead and had been for a long time.

C-446602: Compensation discontinued July 19, 1921, rating being less than 10 per cent. Claimant died on November 19, 1921, of tuberculosis of lungs, meninges, kidneys, spine, and testicles, and just before death raving continuously because his compensation had been cut off unjustly.

In speaking of these ratings it is proper to state that most of the employees responsible for such ratings are still on duty with the bureau.

C-1213061: Accepted for service August 4, 1917, no defects noted. Surgeon's certificate of disability discharge on November 22, 1917, pes planus, third degree. District refused to allow claimant anything, holding that his disability had not been aggravated by service. This was a plain case where section 300, war risk insurance act, applies, as well as a comptroller's decision of September 29, 1923, and service aggravation of claimant's disability was also plainly shown.

C-1208039: The central office board of appeals approved a rating to the effect that claimant's disability of active pulmonary tuberculosis was not service connected. Claimant was discharged January 28, 1919, active pulmonary tuberculosis shown on May 19, 1919, and he died May 17, 1922. Case was again rated according to the law and facts on April 6, 1923, as service connected, but claimant had been dead nearly a year.

C-272921: Declared unfit for duty by the Army authorities from April 2, 1919, because of valvular heart disease, chronic, rheumatism. Claimant never worked a day after and died June 15, 1921. The original ratings were as follows: Temporary partial, 33⅓ per cent, 66⅔ per cent, 50 per cent, and temporary total. Claimant was plainly a permanent total from April 2, 1919, and was later so rated, but claimant had been dead for nearly a year at the time the proper rating was made, and had the proper adjustment been made in claimant's lifetime, it might have added much to his physical comfort and peace of mind.

C-186600: Examination report of October 8, 1921, gave a diagnosis of pulmonary tuberculosis, chronic, active, pale, nutrition prognosis poor, hospital care advised, not able to resume pre-war occupation and vocational training not advisable. Rated as temporary partial 20 per cent from October 8, 1921, to March 24, 1922. Claimant died April 26, 1923, and proper adjustment of case was not made in his lifetime. Very, very large number of similar cases can be found in the bureau files.

C-776394: Enlisted in the Navy August 28, 1917. Placed in naval hospital, Fort Lyon, Colo., April 3, 1921. Discharged from service August 9, 1921. Pulmonary tuberculosis upper two-thirds right lung; upper lobe, left lung. Died February 14, 1923. Rated in district February 20, 1923, as temporary total from date of discharge and the statement made "not permanent total at this time." Notice of claimant's death was received at the district office on February 17, 1923. They thus had knowledge of claimant's death three days before rating was made. Central office board of review in the spring of 1923 upheld the district opinion and rated man as temporary total from date of discharge to date of death, although the examination report January 19, 1922, shows "infiltration of both upper lobes and upper portions of both lower lobes." Claimant was thus permanent total under regulation 20 prior to the date of his death.

C-409587: Rated in central office on January 21, 1922, as not permanent and total, and rated claimant as temporary total, thus costing the man $20 per month compensation, and if he had war-risk insurance it would be necessary for him to pay his insurance premiums under the temporary total rating. Examination report of November 15, 1921, showed claimant was suffering from pulmonary tuberculosis and tuberculosis right hip joint, confined to the house, and could only get about with the aid of crutches.

C-279209: Gunshot wound in service, osteomyelitis, and later pulmonary tuberculosis developed. Claimant hospitalized September 6, 1921, many letters being written requesting that temporary total be allowed, but such rating was not made until November 9, 1922, or over 14 months after claimant entered hospital for the last time, the date of his death being March 24, 1923.

C-255926: Rating permanent and total under "c" on and after date of separation from active service, pulmonary tuberculosis and tuberculosis of spine. On November 12, 1921, a medical man who served over a long period on the medical board of review and central office board of appeals rated claimant as not permanent and total under "b" and gave a rating of temporary total from September 20, 1921. Claimant was clearly permanent and total under regulation 20-B for pulmonary tuberculosis alone on and after June 8, 1921, and was so rated by three referees on June 18, 1923. Claimant died February 10, 1923; paraplegia (paralysis lower extremities) from June 5, 1922, as well as suffering from pulmonary tuberculosis and tuberculosis of spine. The medical officer making this rating is believed to be still on duty in the central office, and it is not believed that he had any Army or Navy service during the late war.

C-824662: Bedridden practically all of the time since September 5, 1920, although he was not discharged until February 10, 1921—medical-survey discharge from Navy—his first rating being temporary partial 40 per cent from date of separation from active service to April 2, 1921, and temporary total thereafter, and with the statement that future rating would depend upon hospitalization of claimant. Claimant was plainly permanent and total from September 5, 1920, and was so rated by two ex-service referees on May 10, 1923.

C-589199: Died November 29, 1921, of pulmonary tuberculosis. Diagnosis was made by bureau examiner as bronchitis, chronic. Rated on December 28, 1921, but no money received by claimant during his lifetime, relatives, of course, receiving the benefit. Very, very large number of similar cases in the bureau files.

C-1098713: Claimant referred to the bureau December, 1920; examined and diagnosis of existing disabilities made. No further attention paid to case until September, 1922. Again left to slumber until February, 1924, when claimant was finally referred for examination and case rated on March 25, 1924.

C-1085453: Discharged medical survey on either July 23, 1921, or August 1, 1921 (contradictory dates in file because of fracture of leg report). Examination report of August 13, 1921, shows pes planus, bilateral, in addition to other disabilities. Service connection for the pes planus was denied by the district and also later by the central office board of appeals on March 3, 1924, such disallowance being for a surgical disability, which usually takes quite some time for development, and such disability was shown to be existent within three weeks of the date of claimant's discharge.

C-1007945: Rated on December 18, 1923, as temporary partial 15 per cent. Claimant had pes planus severe and osteoarthritis, right foot and ankle. Claimant compelled to use crutches since September 27, 1923, and could not stand on feet. Case was given what a medical man would consider a minimum rating on February 15, 1924, but such rating was protested by the chief of section over the period from date of separation from active service to September 25, 1923, and the rating was changed by the referee back to the old temporary partial 15 per cent under the order of the chief of section, the referee having given temporary partial 25 per cent from date of separation from active service to September 25, 1923.

C-293290 (8): Rated by neuro-psychiatric bureau specialist on March 17, 1920, May 8, 1920, and May 12, 1920, as permanent and total from date of separation from active service to date of death, October 3, 1919. (Insanity.) Claimant discharged from service July 8, 1919. Cause of death, suicide. On November 18, 1921, a nonservice referee rated claimant's disability as nonservice connected, and declared said claimant to be permanent and total from date of death only for insurance purposes. On April 21, 1922, three referees restored the original rating as made in the spring of 1920. The point in cases such as this appears to be that certain officials in the central office are rather prone to hold any element of doubt against the claimant rather than in his favor.

As reverse of the case above referred to, I call attention to C-621867. Claimant carried the basic rating of 10 per cent for the neuro-psychiatric condition. On December 6, 1922, central office board of appeals approved rating of temporary total, while claimant was in hospital, and at the time said rating was made there was on file a letter dated August 24, 1922, to the effect that claimant was discharged from bureau hospital on August 24, 1922, and there was also a Form 612, dated September 7, 1922, giving the same information as to date of claimant's discharge from hospital. Payments of $100 per month were continued until November 1, 1923, when a medical referee brought the case to the attention of compensation and claims division. Because of the error made by the central office board of appeals and the compensation and claims division, there was an overpayment of approximately $1,350.

C-196184: Claimant in hospital from January 9, 1924, to February 13, 1924, for treatment of an irritated amputation stump, left thigh, said amputation being service connected. Last examination report February 11, 1924. On March 8, 1924, central office board of appeals

considered this case, and the report of February 11, 1924, was on file that date. They noted it but failed to give the claimant his temporary total to which he was legally entitled over the period referred to.

C-385502: Acquired pulmonary tuberculosis in service. A certain nonservice referee reduced rating of permanent total "c" to a temporary partial 10 per cent from September 7, 1921, and such rating approved by central office board of appeals. On April 10, 1922, two referees overturned the above-mentioned rating and properly rated claimant as temporary total from September 7, 1921. The point in cases such as this is the spirit shown in rating cases by certain officials and their continuance in employment in the United States Veterans' Bureau; and even granting that their qualities and abilities were such that they were worthy of further employment, it is believed that most people would be inclined to believe that they should be placed in some other service than that of rating serious disabilities.

As a contrast to the above, attention is called to C-357,759. Rated by certain prominent officials in the central office in October, 1922, on approval of the board of appeals, as temporary partial 25 per cent from date of discharge. Arthritis, toes and fingers, that was not particularly noticeable to anyone who came in contact with this claimant, who was a bureau employee, and it is believed that the major portion of the 25 per cent was given for obesity, which most people would hardly believe to be a very serious service-connected disability.

As an example of how many times certain non-World War officials were inclined to put all element of doubt against the claimant, I refer to C-503372. This claimant suffered from pulmonary tuberculosis, chronic, pleurisy—service—positive sputum shown, and with certain other noncompensable disabilities contracted after claimant's discharge. A layman, who had no World War service, referred case back with suggestion that claimant's disability might be all due to the noncompensable disabilities as above refered to.

C-319715. Rating of temporary total by board of appeals on November 22, 1921. On November 27, 1922, same board approved a rating of permanent and total on and after September 1, 1922. On January 23, 1923, same board approved a rating of permanent and total under 20 B on and after July 26, 1921. On March 8, 1923, same board approved a rating of permanent and total under 20 B on and after January 21, 1920. No essential evidence received between periods that would tend to change rating. Thus four different ratings of the board of appeals on essentially the same evidence.

C-276668: A rating of temporary and partial 10 per cent from July 18, 1923, for cardiac disease was protested by compensation and claims division on August 18, 1923. District board of appeals on September 13, 1923, rated claimant as less than 10 per cent. An examination as made on January 23, 1924, led to the giving of the rating of permanent partial 20 per cent for claimant's service-connected heart disease.

C-221727: Never rated until March, 1924, although he was discharged from the service on June 15, 1919, because of the serious N. P. disability. A referee, who is now chief of an important section, handled the case on October 24, 1919, but failed to rate. Statement is in file to the effect that he confirmed an opinion of August 29, 1919, which was not a rating but referred to an examination of the claimant.

C-255231: Claimant was easily a permanent and total under B from date of separation from the service because of a serious N. P. disability of service origin. On December 10, 1921, a certain referee who is still in the central office reduced claimant's rating to temporary partial 75 per cent, and under such rating claimant would have to pay his war-risk insurance premiums and would have an inadequate sum on which to exist.

C-1126174: Bureau employee. Rated by referee now on central office board of appeals for bronchitis, chronic, and the service connection given as section 18, public, 47. Rating and service connection approved by board of appeals on March 21, 1923. The point in this case is that the disability mentioned could not be legally connected under said section 18, public, 47.

Reference is made to a case which fully illustrates how certain bureau examiners fail to discover the real disability of the claimant, and such reports as a rule bring about a marked reduction or a total loss of any compensation that claimant may have previously drawn. C-214034, multiple gunshot wound of service origin, producing a marked disability. Claimant was rated as temporary total from April 29, 1921, by central office board of appeals, their approval bearing date of February 9, 1922. On June 2, 1922, a bureau examiner examined claimant and reported "nonorthopedic at this time." The examination of September 5, 1922, as made by a bureau examiner in New York City, gave decided orthopedic findings, as had the previous reports as made by a bureau examiner prior to June 2, 1922.

C-1026534: Rating of permanent and total under B from April 1, 1919, to date of death, February 8, 1922, was approved by the central office board of appeals on March 31, 1922, for pulmonary tuberculosis, chronic, and a statement made that such disability was not due to service and the rating given for insurance purposes only. Claimant discharged from the Army on February 8, 1919, and was declared permanent and total as of a date 52 days later, but not of service origin or connection. This rating was either a gross error or else a gross injustice.

C-21378: Discharged from the Army on an S. C. D. on April 10, 1918, because of pulmonary tuberculosis. All hospital and other examination reports in file show pulmonary tuberculosis or tuberculosis of the spine and psoas abscess, except an examination as made by the bureau examiners on January 4, 1923, who made a diagnosis that "no pathology shown." An examination was made on Febuary 13, 1923, or about six weeks later, at one of the bureau hospitals, giving a diagnosis of pulmonary tuberculosis, chronic and active, of practically all lobes, both lungs, and cavitation upper lobe right lung; also tuberculosis of spine. This is but a sample of a large number of cases where a claimant is, at times, made to appear as receiving unwarranted assistance from the bureau.

C-272216: Rated on August 14, 1923, as temporary partial 25 per cent from July 17, 1923. Claimant's disability was the result of a compound fracture of both bones of both legs with partial ankylosis of right ankle joint and with considerable atrophy of right thigh and right leg. Claimant walks with a marked limp. Compensation and claims division protested the rating as excessive, and a referee was compelled to reduce the rating to temporary partial 15 per cent.

C-378647: A rating of temporary partial 30 per cent from December 12, 1921, was made on September 11, 1923, although claimant was clearly permanent and total under the rating schedule since August 23, 1923.

C-276963: Rated on July 20, 1921, by a member of the central office board of appeals as "evidence insufficient to connect disability with service pending additional evidence requested this day (pleurisy)." At the time said rating was made there was an A. G. O. report dated April 10, 1921, in file showing the claimant received the C. D. D. on August 8, 1919, because of pleurisy (chronic, fibrous), line of duty, 25 per cent.

C-321249: Rated by central office board in July, 1921, as permanent and total under B. on and after date of separation from active service. On February 13, 1923, an erroneous rating of permanent and total under B. on and after July 19, 1921, was made, and this erroneous rating was approved by board of appeals on March 2, 1923.

C-367422: Rated as permanent and total, C from September 28, 1920. On November 18, 1921, a prominent member of the central office board stated that claimant was not permanent and total under B, but that he was temporary total from October 13, 1921. Claimant died on December 22, 1921, of pulmonary tuberculosis, or 34 days after the physician had declared that claimant was not permanent and total. The examination report of October 13, 1921, showed pulmonary tuberculosis, chronic, advanced, active. This is but one of many instances where claimants were refused a permanent and total rating and who died shortly afterwards.

C-328878: Rated on April 19, 1924, as permanent partial 15 per cent from March 31, 1924. Residuals of empyema, claimant having a damaged lung and thickened pleura, which he will, of necessity, carry to his grave, and, in the minds of most people, is rather a serious disability, but a responsible official protested the rating, stating that, in his opinion, claimant should be rated as less than 10 per cent.

C-774665: Rated on September 23, 1921, as "waiting additional medical evidence to ascertain if disability comes under the provisions of section 18 of public 47." There were two Adjutant General's Office reports in the file at the time the rating was made, and both showed that claimant received an S. C. D. on February 15, 1918, because of pulmonary tuberculosis and that claimant was 25 per cent disabled at the time of his discharge. A very large number of such cases may be found in the bureau files.

C-553702: When file was handled on May 14, 1924, the last rating was one dated April 12, 1923. Claimant entered hospital on August 10, 1923, for a service connected disability and remained there until December 5, 1923, undergoing a reamputation of left leg at a higher level, thus entitling him to a higher rating; also entitling him to a temporary total from August 10, 1923, to December 5, 1923. The examination reports of August 10, 1923, and December 5, 1923, and Forms 612, dated August 20, 1923, and December 14, 1923, were neither referred to medical rating section until May, 1924. This is a sample of the indifferent action and unwarranted delay that is still prevalent within the bureau.

C-200628: Claimant's service origin disability under the rating schedule requires a minimum of permanent partial 20 per cent. Rated by two different referees on different dates, a temporary partial 10 per cent, claimant receiving $8 per month instead of $20, to

which he was legally entitled. The rating of February 21, 1923, was made long after the approval of the official rating schedule.

C-418185: Rated on June 28, 1922, and a certain surgical disability was stated as not due to service, and at the time said rating was made there was an A. G. O. report in the file dated June 17, 1920, which showed that said surgical disability was of service origin and in line of duty.

C-352229: This is a case where a chief of section held that a claimant's service connected right inguinal hernia must be held as of less than 10 per cent degree and not entitled to temporary total for hospital care while undergoing surgical treatment for hernia as mentioned. It was reported in the hearings of the select committee that this chief of section received a rating of 35 per cent permanent and partial, or $35 per month, for the operative result for cure of hernia. Said rating will allow the said officer to retire if the Bursum bill for the relief of emergency officers becomes a law. The case of another bureau employee—C-531336—an ex-officer, carries a rating of permanent partial 30 per cent for certain disabilities that were grouped and a flat rating of 30 per cent given. In the case of another bureau employee this ex-officer, then on the board of appeals, signed an opinion to the effect that disabilities could not be grouped and the permanent and partial rating of a compensable degree given.

C-627706: Medical survey discharge from the Navy, March 3, 1922. Pulmonary tuberculosis, chronic, disability stated to be 100 per cent. Was carried as temporary total from date of separation from the service until such time as a prominent official of the bureau ordered rating reduced to temporary partial 50 per cent from December 18, 1922, date of examination report. In said report the examiner stated that claimant was poorly developed and poorly nourished, voice hardly audible, rapid pulse, pulmonary tuberculosis, advanced, and tuberculosis of larynx; statement made that claimant was not able to resume his prewar occupation and vocational training not feasible. Claimant died on February 13, 1923, of his T. B. disability, or less than two months after a prominent official had ordered cut which was made in a rating dated February 2, 1923.

There were quite a large number of these cases where claimants were almost moribund and whose ratings were reduced to a point ranging from temporary partial 10 per cent to a temporary partial 50 per cent on the recommendation or order of said prominent official, who is still in the bureau, and it is believed that several of these claimants were in fact dead at the time the reduced rating was made in the central office.

A number of these cases were brought out in the hearings of the Senate committee investigating the Veterans' Bureau, and at least one of the cases, C-653732, was brought to the attention of the director, who referred it to the official giving the order for the cut, this officer defending his action in a written memorandum, which was a recommendation or order that claimant be rated temporary partial, 25 per cent. Although claimant was in fact dead, because of pulmonary tuberculosis and diabetis, mellitus, at the time the officer defended his order of rating. It is reported that the officer responsible for the unjust ratings as referred to is still on duty with the bureau at a very large salary.

C-363312: Reduced to less than 10 per cent from November 20, 1920. All kinds of pathology in chest, and claimant should have continued to receive rating as originally made—temporary partial, 55 per cent.

C-523982: Bronchitis, chronic, severe, due to chlorine gas in service. Rated as less than 10 per cent. The referee making this rating may have believed, as is sometimes announced by certain parties, that gas causes no disability of consequence but possibly it might be considered as beneficial; and were this view to be accepted or followed, many of these men who were gassed could reasonably be held as owing the Government money for their rare experience on the battle fields of France. Contrast the last-named case, C-220924. Three days' service in draft where claimant received a payment of $1,920.

C-295802: Properly rated as permanent and total from March 27, 1919. Said rating being made on May 11, 1922, setting aside a rating made July 14, 1921, by an official now on the central office board of appeals and who having rated the claimant as temporary and partial, 25 per cent, from the date of claimant's discharge from St. Elizabeths.

There is an enormous number of similar cases now in the files, but it is unnecessary to tabulate further cases in order to prove past and present functioning of the bureau along certain lines; and regardless of the fact as to whether or not these ratings, errors, and injustices were later corrected, it is still a fact that practically all of the employees concerned are still on duty in some part of the bureau. Reference is made to a letter received in the fourth district office on April 14, 1924, from the director, stating that said letter was a confirmation of a telegram from the director dated April 11, 1924. If the director in fact sent a telegram to the fourth district manager, it would only have to travel from the tenth floor of the Arlington Building to the second floor of the same building and would thus tend to prove that there has been little improvement, if any, in office procedure and inefficiency since the days of the previous directors.

I now offer certain cases which bring out injustices, inefficiencies, and inconsistencies as applying to certain bureau activities:

C-1126267: This claimant was a bureau employee at one of the bureau hospitals. Rated at the district office as temporary partial, 10 per cent, from date of separation from active service to March 27, 1922; temporary total from March 27, 1922. Pulmonary tuberculosis, chronic. Connected with service with affidavits. Diagnosis of pulmonary tuberculosis was not especially well established in view of certain conditions as existent. An examination report of March 27, 1922, giving a statement clearly typed to the effect that claimant was admitted to hospital under the date as mentioned for examination only, and that he was discharged from hospital on March 29, 1922. It is believed that there is an overpayment of compensation in this case of over $1,000. Attention is especially invited to the fact that claimant was drawing a salary as a bureau employee, and that he was paid a temporary total over a long period, although he was in the hospital for three days for examination only.

Two cases are now cited to show how certain influential claimants received every attention, while others who were possibly not in as good favor of the bureau received but little:

C-1027108: This claimant was at one time an important official of the bureau, being discharged from the Army on February 4, 1919, receiving an adequate rating for his service disability under the circumstances that obtained. Because of the fact that this claimant was thoroughly familiar with the bureau procedure, he should have known that the law requires that claimant be hospitalized at bureau hospitals wherever possible. It appears that he was hospitalized in a private institution and bills covering hospital care, special day and night nurse, X ray, telephone calls, and burial expenses to the amount of about $2,150 were paid, the limitation of bureau regulations being waived by important officials on June 10, 1922, and on February 8, 1923. It is further believed that bills to the amount of $1,600 were submitted, but as to whether or not payment was made on these latter bills is not known.

C-219546: An important ex-official of one of the important ex-service organizations. This claimant suffered from severe gunshot wounds in the service. Cheek, neck, right side, right shoulder, left chest, left upper forearm; foreign body retained with draining sinus in neck on September 19, 1922. Operated upon by private surgeon, X ray, and hospital bills approximating about $400. District would not pay such bills without central-office authority. The first decision made was that authority should be given for the payment of this small bill, but an important official, who is believed to be nonservice, held up the authority and wrote a memorandum to the effect that bill should not be paid. Memorandum bore date of November 23, 1922. On November 24, 1922, a subordinate wrote a letter, as per order, disallowing claim. On December 1, 1922, the then executive officer of the bureau, who was a physician and who is now in command of a hospital in the West, sent a pencil memorandum to the assistant director in charge of the medical division stating, "the director says to authorize this."

It is believed that this claimant at one time criticized the bureau rather severely in regard to certain hospitalization facilities for bureau beneficiaries. It may be possible that this fact may have had some possible influence in first disallowing this claim for reimbursement.

C-374903: This man at one time occupied an important position in the bureau, and was rated and paid under a substantial rating for a foot disability. Connected with the service by affidavits. On one of these affidavits, dated April 9, 1920, it was stated that claimant was unable to participate in certain of the indoor dances that were held in France.

In the hearing of the Select Committee on Investigation of the Veterans' Bureau, United States Senate, volume 1, page 269, the statement is made that the use of certain tags on files had been discontinued, and further statement was made that the director would have no more special action, but that cases should be taken in certain order—emergency cases, and so forth—and in that way he would take on his shoulders responsibility of pressure from political influence.

In this connection, we will refer to C-1096747, referred by the director, "Special," on November 3, 1923. Letter bore the director's signature and case had attached a red and also a blue ticket marked "Congressional" and "Expedite action is requested." Disability in this case could not be connected with service under provisions of the existing law by the ordinary officials of the bureau although it is believed that it might be possible that the director could connect claimant's disability with service as a matter of policy, and if he was convinced of the justice of the case and of the sufficiency of the evidence.

C–1093368: Claimant rated as less than 10 per cent on May 15, 1923. Minor respiratory disability; had been given service connection by affidavits. On November 15, 1923, the director sent a special-delivery letter to the district manager, said letter being received on November 16, 1923, and case was rated by the district board of appeals on November 17, 1923, and thus did not follow the routine as a non-emergency case.

C–236209: Rated on September 22, 1919, as temporary partial, 50 per cent, from date of separation from active service to date claimant entered hospital, and temporary total thereafter. The referee who made the original rating erased the original entry "temporary partial, 50 per cent," and made it "temporary total from date of release from active duty." The rating bears a red-pencil notation: "Special, Assistant Secretary Shouse." There is also a letter from a prominent Senator in file. Claimant was released from active duty on January 14, 1919, and had no respiratory disability in service. Claimant claimed that disability began the latter part of March, 1919, and he was thus rated and paid as a temporary total disability for quite some time before he even claimed that the disability began.

The referee making the rating, as referred to above, has received a substantial promotion during the incumbency of the present director, and now holds a very important position in the bureau, and it is believed that said referee had no military or naval service of any description.

C–1098666: Was plainly shown to be permanent and total on the only examination report in file, said report bearing date of January 31, 1924, said report being made by a single examiner, and, under orders promulgated by the director, such cases could not be referred without an examination as made by a board of three, and such examination was requested, but before same was accomplished claimant was reported dead. While it is true that some way will be found to rate this case, it is also true that claimant, if dead, will not receive the benefit to which he might have been entitled under permanent and total rating; but, such payments, if any, will of necessity go to said claimant's relatives.

Some improvement has been noted in the bureau as regards reduction in the number of examinations as requested by the bureau of beneficiaries; but, even yet, frequent examinations are rather a common occurrence, as in the case of C–254259, claimant being examined on June 19, 1923, July 16, 1923, and September 4, 1923, or three times in less than three months.

The following case illustrates how certain claimants who are considered to have scant influence receive what many would consider rather harsh and unwarranted treatment from bureau officials:

C–373422: This claimant was a colored man who had not received the benefits of extensive education and the proof and evidence as offered by him were not full and satisfactory. In fact, it was hard to determine the exact nature of his pulmonary disability, as evidenced from date of discharge to early in 1922, when the case was rated by the medical board of review and the central office board of appeals. Said rating granted compensation over certain periods from the date of his discharge. The claimant being a temporary resident of the fourth district had his case first rated in the fourth district, and the decision was adverse. He exercised his legal right of appeal to the central office boards where the district decision was set aside and a compensable rating given. As soon as the result became known in the district, four prominent officials of said district protested the rating and three of the officials, as mentioned, came to the acting chairman of the board of review, arguing with said official that compensable rating and service connection should not be given, and, after a few moments of argument, the rating as approved by the central office board of appeals was removed from the jacket, torn up, and thrown into the waste basket; such an action destroying an important official document on which the bureau was legally obligated to pay the claimant the proper amount under the rating.

This case had been sent to the director's office prior to the time that it was returned to the medical division, where the rating was destroyed. Certain parties attached to the director's staff interested themselves in the matter, and the rating as retrieved from the wastebasket was retyped and submitted to the board of review and sustained by a majority opinion of that board. It was also submitted to the board of consultants and the chief consultant of the medical division, and all of these parties upheld the rating, and the actual payment was finally made to the beneficiary in question. The director of the bureau was fully advised as to all the facts in this case in July, 1923, and personally received the mutilated rating, which had been preserved and was turned over to him when he expressed a desire that such a return be made.

It is stated that two of the five officials referred to above as improperly interfering with claimant's right of appeal have resigned from the bureau, but that the other three, including the one who destroyed the rating, are still on the bureau pay roll in important positions.

Reference is again made to certain delinquencies of the compensation and claims division, as regards The Adjutant General's office reports it being an exclusive function of said compensation and claims division to secure such reports, and a rating can not be properly made and no case should be referred to the medical division without first attaching the vital document as received from either The Adjutant General of the Army or from the Navy Department, whichever applies, depending whether or not claimant served in the Army, Navy, or Marine Corps. But it has been a very common practice for the compensation and claims division to refer cases without such reports, causing lost motion, useless waste of time, delays the handling of each and every case as so referred, and slows up other cases in which all documents are on file.

A few of the many, many hundreds referred without the vital Army or Navy records are as follows:

C–632710: Referred on May 31, 1923. No Adjutant General's office report; no examination or formal claim for compensation in file (Form 526). Claimant died on December 3, 1920.

C–632609: Referred on May 12, 1923. Death case.

C–631193: Referred on May 18, 1923. Claimant died January 24, 1922.

C–631692: Referred on April 20, 1923.

C–631305: Referred on April 14, 1923.

C–632997: Referred on June 19, 1923.

C–633359: Referred on July 2, 1923.

C–633431: Referred on July 6, 1923. Claimant died October 14, 1918.

C–632675: Referred on May 8, 1923.

C–632226: Referred on May 14, 1923.

C–632729: Referred on June 14, 1923.

The above mentioned are but a very small percentage of cases referred to the medical division without Adjutant General's office reports.

A brief reference is now made to the inefficient filing system in effect in the bureau. Files of bureau beneficiaries vary from those of a few sheets in size to many that are as large or larger than an unabridged dictionary. These latter-named jackets contain thousands of documents, and there is no pretense of filing papers in sequence. Most of the files have papers placed face up, some face down, and many bottom side up, the latest additions being placed in the rear and center of the jacket and the oldest in the front. This makes the proper handling of the case almost impossible.

A very large number of these papers could be well filed in a dead or inactive file, as in many instances there are from three to six copies of papers, many of which are not vital for handling a case at this time, referring, as many of them do, to a course of training that may have been finished three and four years ago and a large volume of correspondence that has no particular bearing on the questions now brought up for settlement or adjudication.

In addition to the jumbling of the files many of them contain misfiled mail, and it is a very common occurrence, even at this late date, to find the papers pertaining to two or more claimants within the same file. Cases have been observed where papers of 8 and 10 claimants were jumbled together in one mass, and it is obvious that no proper adjudication could be made until the papers were properly separated and refiled. Because of the continued jam and rush and urge for speed in the bureau many times actions have been taken on such misfiled mail, with the result that one claimant might receive excess compensation and another receive little or none at all over a long period, until the papers were separated and reassembled in their proper jackets. The following are illustrative cases:

C–172338: This case was referred to the chief of the filing section three different times for removal of misfiled mail. The jacket contained mail from three different claimants, one of whom is dead; another was discharged from draft on August 26, 1918, mental case; and another was discharged from the Navy on January 12, 1922, this last claimant being alive on the date the file was handled.

Certain vital documents, physicians' statements, death certificates, and certain letters as pertaining to 806133, who died on October 10, 1921, were misfiled in the jacket of another claimant, and the vital papers above referred to were not sent to the central office rating section until June 7, 1923, at which time the proper rating was made. The claimant had been dead for nearly two years.

C–378359: Referred to the board of review on April 7, 1923, by an employee of the special service section for a review of previous ratings. The case jacket contained a large amount of misfiled mail, and no

rating could be made until such misfiled mail was removed. This case exemplifies carelessness and inefficiency not only on the part of the filing section but that of the special service section as well, causing loss of time, lost motion, useless expense, and unnecessary delay in handling the bureau's business.

The following will show how the insurance division functions, or fails to function, in certain cases:

C-130978: Rated on May 28, 1921, as permanent and total (c) on and after date of separation from active service. On November 23, 1921, the board of review and the board of appeals declared that the evidence did not warrant a permanent and total (b), and the comptroller having ruled in July, 1921, (c) ratings illegal, further payments of insurance on permanent and total compensation should not have continued, but in this instance and in spite of the rating of November 23, 1921, full compensation and insurance payments were made and were only stopped in the midsummer of 1923 on a stop-payment notice dated May 7, 1923, because of claimant's failure to cooperate.

C-629456: The claimant died in service September 25, 1922, and had not made the necessary allotments from his pay for his war-risk insurance during the last four months of his life. In spite of this it appears that the insurance division made an award in several payments and now asks for a refund. The claimant was not shown to have been permanent and total under "b" any time prior to the date of his death, he having died of pneumonia and acute dilatation of the stomach.

The case of C-666369 is believed to have been referred to in testimony before the select Senate committee, said case being where a claimant had lapsed or canceled his insurance over a long period and reinstatement of his policy and payment thereunder made after two officers had appended their initials to a slip carrying the information that it might have been possible for claimant to have been permanent and total from the date the policy lapsed or was canceled.

C-133620: Claimant died in service January 18, 1919. The bureau paid war-risk insurance to the amount of $1,576.61, although the man had never applied for any war-risk insurance. The insurance payments were made to the man's mother, whose dependency allowance (from September 3, 1921) was being withheld in an effort to retrieve some of the money paid through error on the part of the bureau. The mother above referred to was 64 years of age in 1921, and was not in the best physical condition to make her own livelihood without the aid furnished by the dependency allowance that was being withheld.

C-348152: Discharged from the first enlistment in the Army June 7, 1919. Claimant reenlisted the next day, but never authorized deductions from his pay during the second enlistment, and his former policy lapsed from nonpayment of premiums on July 1, 1919. The insurance division made an award on a permanent and total rating on November 9, 1919, paid $327.75, and then asked the soldier for a refund. The claimant died May 19, 1920, but the evidence fails to show that he had any disability at the time of his first discharge on June 7, 1919.

C-603076: Rated as permanent and total from September 24, 1921, thus preventing the reinstatement of the claimant's war-risk insurance, the referees making the rating and taking as their authority the penciled notation: "Date of last-mentioned report in jacket is September 24, 1921." The application for reinstatement as made by the claimant November 30, 1921, and another, April 15, 1922, failed to carry sufficient data to declare claimant permanent and total under regulation No. 20, when the claimant was rated by three referees on June 22, 1922, as not permanent and total under regulation No. 20. It may be possible that the claimant reinstated his insurance under the last rating, but his rating such as the one above referred to causes great dissatisfaction on the part of bureau beneficiaries, many appearing to believe that as soon as they apply for reinstatement of their war-risk insurance they are immediately declared permanent and total so as to prevent such reinstatement and others appearing to believe that where they are not applying for reinstatement where they ask for permanent and total compensation insurance, their policy then being in force and they seem to think it is necessary to have one foot in the grave before the bureau authorities will give them a rating to which they believe they are entitled under the law and their contract of insurance with the Government.

One case is cited to show how many times the compensation and claims division has failed to follow ratings as made, and later asked for ratings to cover. Many other cases could be furnished for this purpose.

C-154633: Ratings as approved by the board of appeals are as follows: Permanent and total (c) from date of separation from active service to August 26, 1921; temporary total from August 26, 1921. The claimant received insurance payments from March 4, 1919, to January 3, 1922. At the time the case was handled in the spring of 1923, the pay sheet showed that compensation and claims paid the claimant $100 a month from March 4, 1919, to July 10, 1919; $20 a month from July 11, 1919, to October 31, 1919; $100 a month from November 1, 1919, to December 31, 1921, and $90 a month from January 1, 1922. The compensation and claims division thus failed to follow the rating given by the board of review and is approved by the board of appeals. The division sent the case to the medical division on April 11, 1923, requesting that rating be given to cover the period from July 11, 1919, to October 31, 1919.

I will now give some brief extracts of the committee's counsel in commenting on the vast amount of evidence secured before and during the hearings, which occupied many months of hard work at a cost of many thousand dollars to the Government:

The above comment brings to me the subject of the discipline of the personnel of the bureau. A defect in the Veterans' Bureau has been the failure to maintain an effective system of reward and punishment in relation to the work of the personnel. As in every great organization, so in the Veterans' Bureau, there are many persons, as has been pointed out, whose attention to duty, judgment, and accomplishment are in marked contrast with the indifferent, shiftless, and even dishonorable conduct of others. Certainly a system should be developed whereby the services of the former class may officially be recognized and commended and the derelictions of the latter class appropriately penalized. Very few dismissals of employees for dereliction of duty have occurred in the Veterans' Bureau. The standard disciplinary action has been the transfer of the employee from one place of duty to another. In the case of medical officers, this form of alleged discipline seems to be seriously blameworthy.

Investigations made by counsel disclose much duplication of work in the bureau, particularly at central office.

One of the principal causes of this is the lack of an efficient organization in the information and special service sections of the bureau. At present there are numerous uncoordinated sections and individuals handling complaints and inquiries concerning claims. It has been found on occasions that as many as 12 bureau employees and as many persons outside the bureau were calling for the file and requesting information concerning an individual case at the same time. This would be avoided by the organization of a control system, the function of which would be the checking of all complaints and inquiries and the coordination and collation of information for reply thereto.

Overwhelming evidence is available of the dissatisfaction of those dealing with the bureau because of delay affecting the bureau's correspondence. Similar complaint is made concerning the failure to render authoritative and understandable decisions upon claims.

Another cause of delay is the handling of papers and correspondence by those not authorized to act definitely and with certainty after they have perused the papers under consideration. There are numerous instances where the employee who considers the subject matter of a claimant's letter makes what amounts to a partial response when he should make a complete and understandable statement of all that the bureau requires to be produced by the claimant to justify the claim. The result is that after the claimant has met the requirements outlined in a partial response, with all the attendant delay, the papers and the new communication may come before another employee who discovers other necessities in the way of proof to be furnished by the claimant before the claim can be properly passed upon. In numerous cases, however, it has been the practice for the employee thus examining the claimant's papers and the documents on file in the bureau to curtly inform the claimant by letter that his claim is disallowed for lack of adequate proof, without indicating in intelligent and complete fashion the character of proof required.

The causes of delays in the adjustment of claims may be summarized as follows:

Cumbersome organization which has been only partially remedied and which still permits duplication of work.

Unsympathetic and indifferent attitude of many bureau employees toward beneficiaries.

Submissiveness of some employees to political and other outside influence in support of claims without merit.

Lack of an adequate system of discipline to govern the conduct of employees, whereby efficiency may be made known and rewarded, and indifference and inefficiency penalized.

Insufficiency of statements in many letters sent to claimants by the bureau as to what is required in the way of proof to establish claims, resulting in further and unnecessary correspondence.

Incompleteness of action upon claims by bureau employees whereby claimants, who have been asked to furnish additional proof, are later confronted by still further demands for proof in relation to new points affecting their claims.

Unsympathetic and unnecessarily curt forms of communication which tend to dishearten claimants and delay necessary action on their part.

Lack of a brief or index of the contents of the folder containing claim correspondence, resulting in much time lost in useless handling of papers.

Unnecessary formality and procedure in securing opinion of legal division upon questions affecting claims.

Lack under existing system of a board before which the claimant may appear in the first instance for the purpose of making his claim, taking the physical examination, and having his claim acted upon.

Too much dependence upon paper records and reports and too little upon personal examination of the claimant by competent representatives of the bureau.

Another abuse that exists in the field of instruction consists of the futile attempts being made to give profitable training to men who are so defective or subnormal as to be nonfeasible for training. Here, again, in relation to this problem, the situation is complicated by the pressure constantly brought to bear by outside influence to keep such men in training so they may receive the training allowance. The employees charged with the administration of the vocational training law are apparently not strong enough to resist this pressure, and up to the present time the bureau as an organization has not possessed the courage, initiative, and determination to develop and apply an effective remedy.

It has been clearly established that the waste of public funds by reason of excessive expenditures for supplies and for the rental of buildings or lands to be used as district and subdistrict offices or vocational schools has been enormous.

This has been due to a variety of causes, principal among which was the neglect of responsibility by bureau officials whose duty it was to institute proper safeguards against such abuses and then to administer their offices with ability and fidelity. These derelictions are covered under the heading of "Dishonesty and neglect in management."

DISHONESTY AND NEGLECT IN MANAGEMENT

The above heading opens up a very disagreeable chapter in the history of the Veterans' Bureau. No American can read it without a feeling of disgust for the manner in which the great work of aiding the disabled was prostituted for self-aggrandizement and greed. No soldier familiar with the clean and splendid responsiveness of the American troops in battle can consider it without feelings of rage and shame that the disabled among them should later have been so callously exploited.

There were over 300,000 wounded and disabled men to be cared for at the close of the war. Our unpreparedness for their relief was in keeping with our unpreparedness to train and equip them for battle when we entered the war. All the more reason why we should have made amends! And that we should make amends was the attitude of the people and of Congress. Sympathy, appreciation, voluntary help, and appropriations unparalleled in amount were made available. Haste and improvisation were unfortunate but unavoidable accompaniments of the work. Of course, it was to be expected under such circumstances that the human vultures of the land would quickly discern this great opportunity to claw out and seize every possible chance for profit and graft to be afforded by this great national undertaking. Every large population carries this parasitic element. The recognition of this and the duty of providing effective protection against the plausible and sinister advances certain to come were part of the problem. The situation called for integrity, experience, ability, and determination.

When the Veterans' Bureau was provided for by law very great powers were vested in the director and great sums of money were placed at his disposal for expenditure in the interest of the disabled. The testimony of witnesses, the exhibits, the records of the bureau, all tell a story of almost unparalleled waste, recklessness, and misconduct. There is such an accumulation of evidence supporting this conclusion that it is only necessary here to cite examples which indicate the lack of high purpose and the disregard of official obligation which characterized the conduct of employees in responsible positions. When this lack of character is shown to have marked men in high positions, what followed becomes a logical consequence and was to have been expected.

Let the reader of this report now refer to the record and read the letter written by Mr. Tripp, the bureau's representative in charge of sales at Chillicothe, Ohio, addressed to Chief Clerk Black, of the Veterans' Bureau at Washington, D. C. Black was the man chosen by Director Forbes for special work of great responsibility. Important departments of the bureau, in violation of principles or organization, had been placed under his authority as chief clerk. It was to this official, holding this highly responsible position, that the letter was sent. Parts of the letter are obscene. The intimate language used indicates clearly the sympathetic understanding between the writer and the addressee. "To hell with the central office and the work; the fun is in the field," is an extract which appropriately characterizes the attitude and the conduct of those in the bureau who got their inspiration from the director. The intimate suggestions to the chief clerk as to how the auctioneer should be paid his commission, the writer's interest in the subject, as well as other statements, picture convincingly the ethics and motives actuating these trusted men in their conduct of the bureau's affairs. The fact that this letter came into the possession of counsel to the committee inadvertently and without the knowledge of either sender or addressee does not in any way tend to dim the illuminating ray of light it turns upon the conduct of Director Forbes's trusted subordinates.

That the director, for the good of the service, secure the resignation of most of his assistants at central office whom he found there when he assumed his duties as director, and by the offer of adequate salaries, which he has the power to provide, and as well by the opportunity thus offered to render a real service to the Government and to the disabled, to secure for such positions men of outstanding ability and integrity.

It became clear during the nine months of the investigation that a "ring" exists in the central office which largely determines the policies of the bureau. The bureau's activities are so numerous and widespread that the director is forced to depend upon a staff of assistants to execute his general policies and orders. The members of this staff constitute the group who have access to the director. Circumstances bar the admission of others to the director's councils, except under rare conditions. No matter how personally efficient and well intentioned the director may be, the reforms so much needed will fail to materialize unless their development and application are intrusted to assistants of integrity and capacity who are loyal to the director and his policies and who have no personal interests to serve.

The members of the ring spoken of before by our counsel are still in the bureau, and most of them have been advanced and promoted since.

I offer for the RECORD an article from the New York Herald-Tribune, dated May 16, 1924, relating to a blind veteran, which illustrates the condition that exists to-day in the bureau.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD.

The matter referred to is as follows:

[From the New York Herald-Tribune of May 16, 1924]

BLIND VETERAN MOVES LEGION TO ATTACK HINES—VICTIM OF ARGONNE GAS, HIS STORY PROVED BY GENERAL WINGATE, HEARS COMRADES VOW HE SHALL RECEIVE AWARD

The American Legion yesterday attacked the United States Veterans' Bureau and its director, Gen. Frank T. Hines, members of the rehabilitation committee of the State organizations charging that the Washington headquarters of the bureau was "pussyfooting" in handling cases and was not giving the disabled service men the care to which the law entitles them.

The committee was aroused by the case of Harvey C. Byrd, a blinded soldier, of 2850 Creston Avenue, the Bronx, who for two years has been trying to obtain compensation and who faces destitution as the result of the alleged neglect of the Government and the attitude of General Hines, which the committee insists is one of supreme procrastination.

SOLDIER RECITES GRIEVANCES

According to Maj. William F. Deegan, chairman of the committee and past State commander of the Legion, General Hines telephoned from Washington yesterday, saying that he had decided to award compensation of $80 a month to Byrd, to begin at once. But, according to Major Deegan, this payment will not be retroactive under General Hines's decision, although it is provided for by the law governing compensation. The committee decided to press this case and others, and to get New York Senators to help it.

The blind soldier was led into a room at the Columbia University Club during the committee meeting and sat in a corner until called to speak. Then, leaning against the table for support, he told his story.

Byrd entered the Army in December, 1914, being assigned to the Coast Artillery at Fort Du Pont, Del. He made the highest possible marksmanship record and rapidly went up the line until, in 1917, he was a regimental sergeant major in the Seventy-ninth Division. He fought through all the battles with this division, and on November 3, 1918, in the Meuse-Argonne fighting, he was blinded by mustard gas for several days, but refused to leave his command and took temporary field dressing.

SIGHT RATED "PERFECT"

Byrd was discharged from service at Camp Dix in 1919 and received his physical examination from an enlisted man in the Medical Corps, who, it is said, rated his sight as perfect, although, according to Byrd, he was suffering from the gas. In the following August the sight of his right eye went and in 1922 he became blind.

Under the provisions of the Brundage Act, now out of existence, he got a pittance on which to live and support his wife. The local office of the Veterans' Bureau refused to do anything for him, it is held, finding that his service record did not show any disability at time of his discharge. Thus he was left virtually helpless, dependent on what money his young wife could earn.

Despite nearly 20 affidavits from medical and line officers with the division, showing positively that Byrd had been gassed badly, the Veterans' Bureau is alleged to have turned him down several times. More than 100 different eye doctors have examined the youth since

he went blind, and, to quote the veteran, "All they can find is that I am blind. There is no hope—I will never see again."

As the ex-soldier said this his voice broke. Across the table from him sat Gen. George W. Wingate, of Brooklyn. He had been studying the veteran from the time he came into the room. Suddenly the general jumped to his feet.

"Byrd," he asked, "weren't you with the divisional headquarters when those three shells broke and put the entire staff out with mustard gas?"

The lad's face lighted up at once.

"Why, sir, that is the time I got mine," he said.

Subsequent questioning showed that General Wingate had been at the spot at the time Byrd had been blinded.

Major Deegan in presenting the case said:

"The pussy-footing attitude of General Hines is something which has got to stop. If Charles Forbes, whom I fought against on certain matters, were head of the bureau we could get a decision in 15 minutes. General Hines has gone back on every promise he ever made in this and similar cases and simply has tried to pacify us. When he learned that the facts of this case were to be made public to-day and that a Bronx County political organization was making this a political issue he acted speedily enough. He has power to override the lax decisions of the central board of appeals, but he refuses to do so.

"When Harvey Byrd was called to present his case before this board in Washington but 3 of the 34 members were present, and before the hearing was under way 10 minutes, 2 of those 3 members walked out of the room. That board is detrimental to everything the Government wants to do for the disabled men, and it is holding up the work of all the local offices.

DOCTOR'S BILL REJECTED

"Every time during the last 17 months that this and other cases have been brought to General Hines's attention he has promised a report within 24 hours. We have yet to get anything but excuses. Meanwhile Byrd is not getting a dollar of compensation. When the board directed that Doctor Curtain be employed to treat this man and to make detailed studies they returned his bill for $100 with a check for $10.

"We have had nothing but trouble from the central board of appeals in almost every instance. The Teapot Dome scandal is nothing compared with the conditions in that body of arbitrary men who are giving the Government the benefit of every doubt and the service man nothing at all."

Other representatives presented similar cases, which they reported had been delayed and then discarded by the board and by the director. At the conclusion of the meeting arrangements were made to have Byrd examined again and to fight his case through in Washington.

[From the New York Herald-Tribune, May 18, 1924]

EX-SERVICE MEN PAYING FOR CARE OF THE DISABLED—"DISGUSTED WITH RED TAPE AND NEGLECT BY VETERANS' BUREAU," ORGANIZATIONS ASSUME DUTY THEMSELVES—FIND MANY TECHNICALITIES—MAN BLINDED BY NURSE'S CARELESSNESS HAD TO BUY $39 GLASS EYE HIMSELF

Several service organizations of this city have taken the care of their disabled men into their own hands, providing private funds for this purpose, it became known yesterday. They charge that they have been forced to do this by the alleged procrastination and neglect which the local and central office of the United States Veterans' Bureau show in handling the disabled.

They declare that they are disgusted with the present conditions in the bureau, and to prevent wounded men from becoming mendicants or dying from lack of proper care the members of the various service units insisted in contributing toward the fund.

Following the accounts of the various instances wherein the bureau has failed to fulfill the purpose for which it was created, several prominent officers of local organizations met yesterday to discuss the situation. Many of them cited specific cases of neglect, including the case of a blinded soldier, similar to that of Harvey Byrd, whose story was told in the Herald-Tribune on Friday.

BLINDED BY NURSE

It was not the gas or shell of the enemy that was responsible for the blindness of Joseph Grochowiski, but the carelessness of a Government nurse, who put iodine instead of argyrol into his eye, according to Maj. William F. Deegan, former State commander of the American Legion. Grochowiski was a patient at Veterans' Hospital 81, the Bronx, which has been under fire by investigating committees more than once. He still is at 81, but in a few weeks he will be totally blind, according to the specialists.

A bill of $39 for an artificial eye was paid by the blinded man out of his meager funds, and for months the Government declined to reimburse him for this expenditure, necessitated by the carelessness of those charged with his welfare.

BOUGHT EYE HIMSELF

Applying for some compensation for his disability his claim was held up by the Washington and local offices, Major Deegan said, and, while the case was being tightly wound around with Government red tape, the soldier had to buy himself the artificial eye.

The local Veterans' Bureau office would not allow him anything for the eye, and only yesterday did Grochowiski get a check for $39 from the bureau at Washington. His present compensation, according to Legion officers, is about $40 a month.

The Seventy-seventh Division Association, made up of officers and enlisted men who served with New York's division overseas, have had to provide funds to care for their own disabled, according to James M. Blackwell, member of the board of directors, and one of the Legion's rehabilitation representatives. This organization now is caring for its own unfortunate members who have been lost in the maze of governmental procedure.

Mr. ODDIE. If the ring attempts to show that the evidence I am offering represents only isolated cases, I answer that I am offering but a very few of the number of letters and other material I have because of a lack of opportunity to properly discuss and place the remainder in the RECORD. The number who have written me from every section of the country effectually disposes of the "isolated-case" theory.

Practically every person who has even a slight knowledge of Veterans' Bureau affairs, with the exception of the director and a very few others, not only admit the existence of a ring-controlled bureau but comment on the fact of a ring even before the question is mentioned in the discussion.

Repeated assertions have been made by the director—one recently before the House Veterans' Affairs Committee—that the morale of the bureau is being seriously affected by the continued investigation of the bureau. It is a matter of common knowledge among those who are informed and is repeatedly stated to be the fact that conditions were never so bad in the bureau as they have been during the incumbency of the present director, and that as for morale it has ceased to exist. I can testify to the fact that many employees of the bureau have come to me with important and confidential information to help me in the effort I am making to right the unprecedented conditions now existing. These calls are in themselves evidence of low morale. Employees of properly managed organizations do not have to seek such outlets to get wrongs redressed and mistakes corrected.

If the morale is so low and the inefficiency so great because of my efforts to improve conditions in this regard, it is time for a change. A properly and efficiently functioning organization could not be injured in such a manner. The accusing charge makes only the guilty quake.

Innocent men do not wither under the scornful finger of suspicion and accusation, as has been the case with the cringing members of the ring.

An illustration of the methods pursued by the ring in attaining their ends is well shown in connection with the procedure set up by the bureau to govern the activities of the committee's investigators, as set forth in the following instructions.

These letters I will ask to have inserted in the RECORD with the statement following.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be inserted in the RECORD, as follows:

MARCH 3, 1923.

Memorandum for Mr. Routsong.

Subject: Contact officer for the Senate Investigation Committee.

Confirming the direction which General Hines gave you informally this morning, you are named as contact officer for the purpose of representing the United States Veterans' Bureau in connection with the general investigation which the Senate committee has decided upon.

As you will appreciate, General Hines's disposition is to furnish promptly and concisely such information as the committee may desire, and in every way and by every means at the bureau's disposal to facilitate the important work of this committee. You will note by the attached copy of a circular communication addressed to division chiefs that all offices of the bureau are directed to comply promptly with such requests for information or assistance as you may make.

You will note also that the director has emphasized that you shall be the sole contact between the bureau and the committee, and all information going to the committee will channel through your office. I am notifying all division chiefs of this arrangement and will instruct them to forward all information for the committee through you.

You will, of course, keep the director fully advised of all information given the committee.

GEORGE E. IJAMS.

UNITED STATES VETERANS' BUREAU,
Washington, March 3, 1923.

Memorandum for all division heads:

In order to facilitate to the greatest extent the work of the committee appointed to investigate the activities of the United States Veterans' Bureau, which has been determined upon by the Senate, the director has appointed Mr. R. C. Routsong, staff assistant, to act as the bureau's contact officer with that committee.

The director emphasized that Mr. Routsong shall be the sole contact for the bureau with the Senate committee and that all information furnished by the bureau shall be through him, to the end that full, accurate, and authentic information will be furnished the committee.

Mr. Routsong is empowered to call upon you for such records or assistance as, in his judgment, may be necessary. You will please see that his requests are given priority over routine business, and that every facility at your command is made available upon request to meet his needs in furnishing promptly the information called for by the committee.

If by any chance requests for information by the committee should be received in any division of the bureau, they should be forwarded to Mr. Routsong, together with the information requested. Very likely the committee will have personal representatives come into the bureau to secure information first-handed for them. In this event you will be expected to detail your most competent people to assist the committee's representatives, as it is my desire that every facility of the bureau be placed at their disposal and every courtesy extended them.

GEORGE E. IJAMS, *Executive Officer.*

Mr. ODDIE. To the uninitiated this procedure might appear to facilitate the work of the committee's investigators. It had, in fact, the directly opposite effect, if it be assumed that the principal object was to secure information relating to the manner in which the bureau's work was conducted, as a basis for discovering difficulties and making intelligent recommendations for their cure. The effect of the procedure was to make it certain the investigators would obtain no first-hand knowledge and be so placed that they would have little chance to acquire it. All answers to requests for information could come through but one channel. Anyone giving any information otherwise was held to be "disloyal" and thereupon singled out for discipline.

One very serious defect in the administration of the bureau is the failure to make it as certain as possible that valuable documents and papers, often secured after much expense in money and time by the disabled men in connection with their claims, are carefully filed and preserved in their case folders. To one familiar with all that is involved in handling papers of these claimants, it is obvious that from the very beginning a system of receipting for such papers should have been installed by the officials responsible, particularly in view of the high opinion of the director of the ability of those officials. On the contrary, no effective system of this kind is in force; and, as a consequence, valuable papers are lost, which must either be replaced—always at a large time cost and generally at considerable money cost; both of which the claimant is ill able to bear. It seems to me that the rank inefficiency of the director's responsible assistants could hardly have a better illustration than this, because the solution of this problem, while simple, involves a matter of such great importance in the prompt handling of the claims of the disabled and their dependents.

We found instances in our hearings—and I have had evidence since—of papers being destroyed by employees of the bureau if they do not suit the desires or wishes of those employees. These matters have been called to the attention of the director.

Another reason for the failure of the bureau to function properly is that it is not organized like any other Government or commercial establishment. Under the present plan the director, in the absence of practically any first-hand knowledge, is attempting to rely upon six assistant directors and a few other officials of the bureau who are members of the ring for guidance. These officials are often in disagreement among themselves respecting matters of policy and administration. The unsatisfactory condition of the Veterans' Bureau from its creation will show they were without the ability to profit from their experiences in handling the War Risk Bureau. This stamps them as unfit to offer advice and to successfully initiate and execute policies.

In California and in Arizona I found a wretched condition existing regarding tubercular patients after personal inspection. I have called attention to this fact in the report I have made, and I find that some of these matters have been acted on, but many of them have not been. The fact that this deplorable condition has existed for a number of years shows that the organization has not been functioning properly and that it has not had a proper regard for the interests of the disabled men.

In Arizona, at the Prescott hospital, where there are many hundreds of patients, I found that the kitchen is over 1,000 feet from some of the buildings in which men are lying flat on their backs, some of them at the point of death, and the food has to be carried over 1,000 feet, out of doors, from the kitchen; this in an altitude of around 5,000 feet, where the temperature is very low at times in winter. That is not treatment that any man in our country should receive.

In the Tucson Veterans' Bureau Hospital the kitchen is an old saloon and the dining room is an old dance hall. Some improvements and changes have been ordered, but very few compared to what should be done to make conditions right.

The administrative policies governing tuberculosis hospitals all over the country are formulated and carried out by an elderly lady who is employed in the medical section of the Veterans' Bureau. This work, which is the most important medical problem the bureau has, should be placed in charge of an active, experienced, and efficient tuberculosis specialist.

I have several times heard claimants state that members of the central office appeals board tell those claimants who are persistent how much money their persistence is costing the Government, and also tell them that the time taken in considering their cases delays the settling of other claims.

One of the principal causes for complaint by claimants of maladministration on the part of the bureau is the fact that there is great ignorance on the part of many of the employees holding minor positions in connection with the handling of claims to know what constitutes evidence, and in many cases a deliberate refusal on the part of those in the higher key and supervisory positions to permit a consideration of competent evidence because of some act claimant may have committed which may anger the official who has the authority to pass judgment on the merits of the case of such claimant. Numerous instances have come to my attention where claimants or their dependents have been made to suffer on account of "spite work" on the part of those who have the power to allow or disallow the claims of the disabled.

Another constant source of complaint is the failure to acknowledge certain disabilities of claimants as service connected, and this is due to the fact that briefers on appeals board in preparing medical evidence in cases for the consideration of the board generally include only diagnoses. These diagnoses are usually limited to a very few words and are based on the medical history of the case. This history in most cases will mention diseases which are not carried in the diognosis, but which a soldier is claiming as a part of his service disabilities. It is evident, therefore, that when the record goes to the appeals board, with only a bare diagnosis and with no reference to the medical history of the case, the board is not in position to take action on a full report of a man's physical condition. This shows the reason for the many complaints against the bureau, because it will not consider all the service disabilities upon which claims are based.

It is found that many papers of importance are missing from the files, and I will offer in evidence a portion of our hearings relating to this matter. I ask to have it printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD as follows:

[Hearings, vol. 1, p. 265]

In the past it has not been an uncommon thing for the board of appeals to tear ratings out of the files which were sent in from the central office rating section or board of review and replace an opinion which would suit the purpose of the central office board of appeals.

There was an official order gotten out in November, 1922, forbidding the removal of any opinions rendered by the medical board of review from the files; that they would remain a permanent record. But the legal member of the central office board of appeals sent that special order No. 17 up to the legal division to see if that applied to the actions taken on the case in the central office board of appeals, and a legal decision was handed down that the opinion was not final in the central office board of appeals until the rating was approved by them. Therefore they continued to destroy or to remove the opinions which had been handed to them which were based on good, sound medical judgment and by people competent to rate cases.

Mr. DILL. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Washington?

Mr. ODDIE. I yield.

Mr. DILL. I have not been in the Chamber during all the time the Senator has been speaking, and I wondered if the Sena-

tor had discussed the treatment of patients by the use of the spinal puncture.

Mr. ODDIE. No; I have not mentioned that.

Mr. DILL. Is the Senator familiar with the treatment being administered to the boys in these hospitals by means of the spinal puncture?

Mr. ODDIE. I have been informed that such conditions exist.

Mr. DILL. I know something about it in the hospitals of my own State. I think it is the most cruel treatment, and the most unnecessarily cruel, that is used in these hospitals. They use it, I understand, for two purposes. First, when they can not tell whether a man is afflicted with a certain disease, and secondly, for the purpose of treating that disease. The boys are mortally afraid of it. They believe that it brings paralysis, and a good many of the patients who have been treated with it have been paralyzed. The doctors say they would have been paralyzed anyway, but the boys believe the paralysis is caused by this spinal puncture. We protested to the director of the bureau about it, and he has issued certain regulations restricting the use of the spinal puncture, and I hope that it will be restricted to cases where imminent death or terrible conditions would result without it. I think that when a man's condition is such that the physician can not determine whether he is afflicted with a certain disease or not without afflicting him with a spinal puncture, it is nothing less than cruelty to use it. These boys may be wrong in their judgment, but in the hospitals where I have talked with them they are in mortal terror of this thing, and the physicians treat them as though they were a lot of "patients," as they call them, a lot of inanimate beings, almost, in a clinic, seeming to fail to realize that these men are in this condition largely because of the sacrifice they made in going to the war.

Mr. ODDIE. Mr. President, because of the fact that the unfinished business will be laid before the Senate in a few moments, and in order that I may save the time of the Senate as much as possible, I ask to insert a portion of the remainder of my remarks, which I hoped I might have the time to make.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

MEMORANDUM BY MR. ODDIE

I confidently assert, without fear of successful contradiction, that the evidence I have received showing the nonfunctioning of the bureau is sufficient to convince any court, provided the judge and jury take the time to become acquainted with evidence submitted, and provided also that the judge and jury are not determined in advance to render an adverse verdict.

I am unwilling to believe that this evidence will not be equally convincing to all who are charged with any responsibility in correcting conditions in the Veterans' Bureau.

To thoroughly discuss and exhaust the vast amount of material I have would mean an indefinite prolonging of the session. If further evidence is required, I refer Senators to the thousands of cases in their own files which will be found to show the miserable functioning of the bureau, and I also refer to ex-service disabled men everywhere in the United States.

The charge has been made by the director that I am mistaken in regard to the bureau being ring controlled, and that most of my information has come from former disgruntled employees. My answer to that is, first, a denial; and second, that even were such the case, the most important factor is not the source of my information, but its reliability and importance. This mention of former disgruntled employees merely shows the members of the ring, through the director, to be running true to form, in spreading a smoke screen to cover up their inefficiency—a common and well-known practice in Government establishments where similar conditions exist.

Disgruntled employees—this is the term always used in all Government establishments where inside information comes to the surface which discredits their administration. The fact that such a large number of highly efficient men have voluntarily resigned from every branch of the bureau further proves the charge against the bureau—i. e., that because of the impossible conditions good men are leaving. If such employees saw fit to talk, they would be designated by the bureau as "disgruntled employees" along with the rest.

In my conversation with the director he repeatedly emphasized the need for "loyalty." While he has never stated his definition of this word, he has expressed himself as feeling that any employee who made a complaint except "through channels" was disloyal. He must know—he certainly should know—that the present organization of the bureau, which has his approval, is such that no employee can, without great difficulty, reach him directly to make a complaint, but must go through the head of the division or office, who is generally the person responsible for the conditions complained of. This is one of the causes of the low morale of which the director so constantly complains, the responsibility for which he is attempting to lay at the door of our investigating committee, and myself in particular. Whose welfare and feelings are being considered as of the greatest importance, those of the director and the ring or the disabled?

The director of the Veterans' Bureau and the ring did not give any outward sign of being in the least disturbed by what was brought out in our hearings, inasmuch as it had been pretty well determined in advance the general character of the questions to be asked and the kind of answers to be made—a situation which could easily be taken care of by the director and his assistants in splendid shape. This placid condition of affairs was, however, rudely disturbed, when, on the 2d day of February last, I gave an interview to the newspapers charging that the failure of the bureau to function properly was due to the existence of a ring which was inherited from the old War Risk Bureau by Colonel Forbes and the present director. Since that interview there has been more or less constant activity on the part of the director and his immediate assistants to try and disprove the charge which I have made, and also to omit no occasion to express their displeasure at the position which I have taken.

The reason for the comfortable feeling which the director had is easy to see when it is recalled that under date of May 3, 1923, the counsel of our committee addressed a letter to the director, which was printed as a part of my remarks on the Veterans' Bureau on May 5, giving the director five months in which to prepare his answers. As the director had not sufficient first-hand knowledge of the bureau to answer the questions, he was forced to call upon his chief assistants—the ring. An examination of the hearings of our committee will show the undoubted success of the plan.

The director has been to see me, at his own request, a number of times. I have constantly assured him of my wish to help and counsel him in view of my intimate knowledge of the causes of the nonfunctioning of the bureau.

If it should be asked why I do not name the members of the so-called ring and those connected with it, I answer that, in the first place, I have no desire to subject any person to needless publicity and, in the second place, names at this time are not material to this discussion. There are two questions to be decided before we get down to that of names; and these questions are, first, whether, in view of the evidence I have presented, changes in personnel should be made, and, second, whether, in view of this evidence, there should be such a reorganization of the bureau as will enable it to function with at least some semblance of efficiency.

I wish to state, however, that I have a definite plan of reorganization to propose for the bureau, which has been passed upon by those whose experience qualifies them to speak with authority on such matters. I also wish to state that, in addition to the separation of members of the ring and their principal associates from the service of the bureau, my recommendation will include all those employees in and out of Washington who have in any wise been party to the outrageous treatment which has been accorded our disabled and their dependents by the bureau, in misrating cases, delaying pay checks, confusing claimants with needless red tape, threatening to declare and record them insane, and tiring them out—often killing them—by many methods which the bureau knows so well how to apply. I wish to state further that I have the names of most of these employees who are located in Washington and that I have the means of securing the names of those who are in the district and subdistrict offices of the bureau.

It has been the policy of the Government to insist that all of its departments function properly, and the American people have a right to demand a fulfillment of that expectation, particularly with an establishment like the Veterans' Bureau, which was created to deal with the greatest of all problems, the human problem.

No other Government department or establishment has ever functioned so poorly or is functioning so poorly as the Veterans' Bureau, and much of this is not generally known because of the weakened condition and lack of political and official influence on the part of the bureau's beneficiaries.

What constitutes proper functioning? The answer to this is an organization which does not make more than the average number of mistakes and whose activities are productive of but a minimum of complaint. The Veterans' Bureau, measured by this standard, fails utterly, as it is a rare exception to hear of any transaction with the bureau which is looked upon as satisfactory.

I am reliably informed that the Veterans' Bureau is making a feeble effort to hurry cases, but that such cases are only those which are being crowded through by influential organizations. Our concern is with the vast number of cases without influence, and our efforts are being directed to making it possible to get such cases through with a minimum of delay and complaint.

Unfortunately the disabled veterans and their dependents are not permitted by law to take claims for compensation or training to court; but if they were, they would be unable to enforce their rights in this way, because most of them are needy and without funds. While it is true that the courts have jurisdiction over contracts relating to Government insurance, the lack of funds in the great majority of cases

would make enforcement of their rights under such a contract well-nigh impossible. There is, however, a greater contract to be kept which is far more binding, and that is the moral contract which the American people have voluntarily assumed to provide amply for the disabled and their dependents.

We went into the war for a great purpose. The expenditure of man power, the human sacrifice, and the material cost were enormous. The results expected were accomplished, and showed that America could master the most difficult conditions. Have the American people since become inefficient in handling their problems? They have not, but those to whom they delegated the administration of the greatest human problem and business trust ever imposed upon this country have failed miserably.

It is believed that the evidence to follow is sufficient to conclusively prove that the past and present administration of the bureau has been and is far from what the American people and the Congress desire; and it is further believed that anything short of complete reorganization and removal of incompetent, unsympathetic, and hostile employees will fail to bring about the improvement of conditions that are vitally necessary. It also appears to be the consensus of opinion of most well-informed people that changes in the law would aid but little in the matter of proper service to and the care of bureau beneficiaries, in the absence of personnel changes and a thorough reorganization.

Nearly every Senator and Representative is thoroughly familiar with the viewpoint of the average beneficiary as regards the condition of affairs in the bureau, and interviews with long-time bureau employees whose opinions appear to be worthy of credit tend to prove that the bureau beneficiary's attitude is correct, in that it is very difficult to secure a prompt and proper adjustment of claims. The whole atmosphere of the bureau, in fact, can reasonably be held to be one of indifference, lack of sympathy, and hostility toward the claimant who is applying for his just due under the law.

Many employees believe that the present director is not at all in sympathy with their desires and aims and that he has no interest in their working conditions, their general welfare, or their future, it appearing to be a common impression that the director is controlled by a certain few, some of whom are the holdovers of the Bureau of War Risk days. The opinion above mentioned is perhaps more prevalent in the medical division than elsewhere, that division now having at its head a layman without knowledge of the enormous medical problem as presented by the bureau work, which is estimated to be from 80 to 95 per cent medical. It is illogical to place laymen in charge of medical activities. The general opinion of the medical men is that conditions can not but go from bad to worse under the present set-up and management, and in this connection they frequently refer to the fact that the director is about to place the business management of hospitals under the control of certain civil-service laymen who have received their business training in some commercial concern. Many believe that the present system of requiring physicians to estimate the degree of disability and the service connection of such disability and then allow certain young legal personnel to question the ratings is unsound and unscientific. If it is proper for lawyers to determine service connection, as is the practice in the Pension Office, such procedure should be followed in the bureau, and medical men should be allowed to estimate the degree of disability without constant interference by laymen who can not by any possibility have knowledge of the medical questions involved.

Many of the medical men are of the opinion that a physician has practically no standing as such within the bureau, they being crowded into almost any sort of quarters, noisy to the last degree, and their needs usually flouted and treated with contempt by many who have no knowledge whatever of the subjects involved.

They are also compelled to handle badly jumbled files, filled with misfiled papers, and are expected to turn out an excessive amount of work each and every day under impossible conditions.

Many times it is impossible for the physicians to keep up with the incoming load, and they are required to work over hours in an endeavor to accomplish the impossible. This was the case in June, 1923, during the hottest part of the summer, when the medical officers were working an extra hour each day, the chief in charge of the medical division directed that the rating section paste index tabs on all of the important papers in the jackets, this being merely the clerks' work, which should have been done by clerks before being referred to the medical men.

Further reference to the generally unsatisfactory conditions under which physicians are compelled to work should direct attention to the practice which prevents any note of sympathy or particular interest to appear in the bureau correspondence as emanating from the medical division.

It is true that there are certain shortcomings, possibly on the part of the medical personnel themselves, shown best, perhaps, in the complaints as regards the hospitalization of claimants, particularly those suffering from neuro-psychopathic or tuberculosis disabilities, many complaints being received because of the fact that the neuro-psychopathic institutions are not properly equipped to care for beneficiaries who are afflicted with the serious neuro-psychopathic disabilities, and, in addition, suffering from pulmonary tuberculosis. A great deal of dissatisfaction and trouble also arises because those in charge of tuberculosis hospitalization have failed to provide hospitalization facilities for certain claimants seriously ill with pulmonary tuberculosis, and, in addition, for those with certain habits that cause much disturbance at times and interfere with the rest and quiet so vitally essential to the cure of all pulmonary tuberculosis cases.

In explanation of the above, reference is made particularly to those who, because of their physical condition, have become addicted to the use of alcohol and, in some cases, drugs; and who, because of said habits, are many times discharged from hospitals for disciplinary reasons because of having created a disturbance within the wards. It is of rather frequent occurrence for such claimants to be picked up by civil authorities and placed in confinement, thus causing themselves, the civil authorities, and the bureau authorities much trouble that could be obviated were proper facilities provided for the segregation and treatment of this class of unfortunates.

Economy in administration is a very desirable thing, but this has been carried to a dangerous and unsound degree, particularly by denying claimants their legal rights as to compensable ratings and denying certain cases vocational training; and, in addition, the niggardly salary paid many of the medical men is certain to produce a very low grade of service, more particularly in connection with examinations that are of such vital moment to a claimant.

The great mass of evidence adduced by the Select Senate Committee, plus an enormous amount furnished by ex-service organizations, bureau beneficiaries, bureau employees, Senators, and Representatives, should be sufficient to convince all intelligent and right-minded people that a completely new organization and many personnel changes are vitally essential before the bureau can function properly, and thus remove from the public mind and the press of the country what is the commonly accepted idea, that the Vetefans' Bureau is a national scandal and a national disgrace, and presents one of the most flagrant cases ever known of a violation of a sacred trust.

Mr. ODDIE. If, as is customary, this evidence I have submitted is referred to the bureau, it will be given to the ring, from which will come the answer—"disgruntled employees" and "all's well."

Our committee has not taken any action on most of the recommendations in its report relating to organization and personnel. The other members of our investigating committee, however, can not be blamed for their failure to act, because they have not had opportunity to make a special study of the personnel and organization question; their time has been occupied in solving other important problems of the disabled, of which there are many, and on which they have labored faithfully and well.

One of the most important and most discussed and advertised activities of the Government since the war has been the Veterans' Bureau and its predecessor, the Bureau of War Risk Insurance. The nonfunctioning and improper functioning of these two agencies has been a matter of public knowledge throughout the country. The dissatisfaction and wrath of the people with regard to the miserable failure of these establishments culminated in the hearings held by the Senate investigating committee last fall. These hearings, covering over 1,700 pages, cost the Government approximately $50,000, about half of which was for counsel fees.

Many individuals and ex-service organizations also assisted in this work. A vast amount of important and damaging evidence was accumulated, much of which was presented to the committee. The result was the disclosure of incompetent, negligent, dishonest, indifferent, and brutal treatment of thousands of disabled ex-service men by many of the bureau officers and employees. It was also demonstrated that the bureau was functioning in a wretchedly incompetent and inefficient manner.

A new director was appointed over 15 months ago, with full knowledge of this miserable and inefficient functioning of the bureau. The fact has been repeatedly called to his attention that this nonfunctioning and improper functioning has been caused largely by inefficient and incompetent personnel, controlled by a so-called "ring," which has dictated the policies of the bureau from the start, which are detrimental to the welfare of the disabled in the extreme and in opposition to the intentions and desires of the American people and of Congress.

Thousands of ex-service men and large numbers of organizations of the disabled, also strong organizations and individuals in civil life throughout the country, have called this condition to the attention of our committee and to certain of its members.

The director has failed to see wherein lies the trouble in the bureau, as he has encouraged and promoted those who are responsible for these conditions.

If what I have said is not true, then all of the money, time, and effort expended by the Government, the members of our committee, and the tens of thousands of responsible people composing the organizations to which I have referred, to say nothing of the disabled ex-service men themselves, have gone for naught. If the director does not care to stand convicted before the American people of gross incompetence, inefficiency, and neglect of duty he will heed the demand of the American people immediately and rid the bureau from top to bottom of the incompetence that has been proved to exist there. This matter has gone far enough. If he fails to do this after this overwhelming evidence has been brought to his attention he should be removed from office forthwith.

Mr. CARAWAY. Mr. President, may I ask the Senator if these cases have been called to the attention of the director?

Mr. ODDIE. Yes; our hearings covered 1,700 pages, also the report of counsel, which I call to the attention of the Members of the Senate, which go into this matter very fully.

Mr. CARAWAY. The cases of these abuses have been called directly to the attention of the director?

Mr. ODDIE. Many about which I have read to-day have not been directly, but he should know of them, because they are in the official records.

Mr. CARAWAY. Has the Senator also called the President's attention to the condition that exists?

Mr. ODDIE. Yes; and the President has asked me to furnish this evidence, which I am doing to-day, because the President can not be expected to act precipitately in a matter of this grave importance.

Mr. CARAWAY. Mr. President, I wish to call the attention of the Senate to two or three cases that have come to my attention. The first is claim 362.

This claimant died of tuberculosis on the 4th of August, 1921. His death certificate was furnished promptly to the bureau. It was not, however, until June 7, 1923, that the case was referred to the central office, rating section, after a delay of one and one-half years.

The claimant, 627550, died on the 21st day of August, 1921. On May 18, 1923, the claim was disallowed because of claimant's failure to prosecute the claim. Two years after his death the bureau, this intelligently administered bureau, disallowed the claim because he did not follow up his claim.

I have here a list of 100 claims that was furnished by a medical officer of the bureau who quit because, after repeatedly calling the attention of the bureau to the abuses that were practiced in the bureau, he could get no redress. I have his letter which he wrote to the present director, calling attention to these facts and stating that he was resigning for that reason. The director then asked him to furnish specific cases, and I have here 100 of the cases.

I have another case which comes to me from a hospital in Haywood, Ill. A patient in the hospital violated a regulation. He came into the assembly room with a bathrobe on. He is now being confined to his room 30 days without his clothes.

Half the time of the clerks in my office is taken up with trying to get an intelligent disposition of the cases of ex-service men. They get no response from the bureau. If they do, it is a standardized form that answers one letter as well as another. I presume my experience is that of every other Senator on the floor. Here is a bureau that gets every dollar for which it asks. It has every employee that it needs, and yet it is the most inefficient and I think the most heartlessly conducted bureau the Government ever had. It grows no better.

I do not know what General Hines's ideas are. I am thoroughly convinced that the Senator from Nevada is correct that there can be no improvement of conditions there until the crowd that evidently has the ear of the director shall be removed.

Mr. MOSES. Mr. President, the junior Senator from Pennsylvania [Mr. REED], who is necessarily absent from the Chamber to-day, but knowing that this discussion would take place, asked me to state for him that in the Senate on Saturday he would make reply, and in particular he would undertake to deal with the detailed cases which have been presented here.

For myself I wish to add that I have found great inability in following the Senator from Nevada [Mr. ODDIE] as he went on his John Gilpin chase, galloping through a great mass of material, the greater part of which was inserted in the RECORD without reading. I could not fail to notice, however, his conclusion that improvement was being shown in the management of the Veterans' Bureau. Those of us who have had occasion to watch the operations of the Pension Bureau recently and in times of its greatest activity know well that that bureau, dealing with a far smaller number of men and with much more limited activities, was many years in getting shaken into condition so that it could handle the business. Indeed, if I remember correctly, it was not until the early nineties, under General Ainsworth, chief of the Record and Pension Division of the War Department, that the bureau got to a place where it could be called efficient in its functioning. The Veterans' Bureau is undergoing exactly the same condition. As we all know, the investigation of the committee has shown that the bureau has suffered greatly because of abuses, because of waste, because of inefficiency. Those conditions, I believe, are being remedied, and they are being remedied as fast as may be by the present director and by those whom he has called to assist him.

I know that it is always simple to take a few isolated cases out of the millions with which the Veterans' Bureau has dealt, and from them to show a condition of affairs that is nothing short of shocking. The conditions in the cases which the Senator from Arkansas has stated are conditions which can not help rousing the ire of any sympathetic person who listened. No doubt there are many others. The percentage, however, in the millions of cases with which the bureau has dealt, I would think, is very small.

I can not escape the conviction that much of the agitation which is going on publicly regarding the bureau, that the greater part of the agitation with which the Senate has been treated regarding the subject, has arisen from sources which are not, to say the least, wholly reputable. I have never believed that discharged employees of any establishment were the best source from which to secure information.

Mr. CARAWAY. I have not reported a single bit of testimony from a discharged employee.

Mr. MOSES. I was not referring to the Senator from Arkansas, but I know that much of the evidence that has been produced before the committee and here has been from that source. My experience in various investigations that have been going on this winter has led me to look askance, to say the least, regarding evidence coming from such sources. I give the Senator from Nevada [Mr. ODDIE] full credit for sincerity in the attitude he has taken, but I can not regard with the same credulity that he does the information which he brings to us here. He was a member, a diligent member, of the committee of which the present occupant of the chair [Mr. WALSH of Massachusetts] was also a member, and it seems to me somewhat significant at least that the other members of the committee do not share the conclusions which the Senator from Nevada holds. When I look at the committee and know the attitude which its members took, and especially when I hear the vigorous assertions of the Senator from Nevada, I think of the mother who watched the regiment marching by and said, "They are all out of step but my Jimmie."

The Veterans' Bureau is functioning better. That has been admitted. Why not give it a chance? Why keep throwing monkey wrenches into its machinery? Why keep stirring up its personnel with repeated assaults? Why not give it an opportunity to show what can be done with all the millions of files there that could not be scrutinized in a week; that could not be scrutinized in a year? I am confident from my own experience with the cases which I take to the bureau that the bureau is functioning better, more speedily, more efficiently, more sympathetically. I think the bureau should be given a chance; that it should not be constantly interfered with, interrupted, hampered in what the director is attempting to do, because employees come running up to Capitol Hill to find some sympathetic senatorial ear upon which to work.

Mr. CARAWAY rose.

Mr. MOSES. I declare again that I am not talking about the Senator from Arkansas. I have never known a school whose principal managed it to the full satisfaction of every pupil. I have never known a hospital which was managed by its directors to the full satisfaction of every patient. I have never known a Senate even that conducted all of its affairs to the full satisfaction of every Senator. Necessarily there will be employees in every executive department, subordinates, who think they can run the department or bureau much better than the boss can. Necessarily there are pupils who think they can run the school better than the teacher. Necessarily there are patients who think they can run the hospital better than the doctor. Necessarily there will always be Senators and Congressmen who think they can run the whole Government better than anybody else can. But in this case, when improvement has been shown, when improvement is confessed by those who are attacking the institution, why not give the institution a chance?

Mr. CARAWAY. Mr. President, of course I can see with what patience the Senator from New Hampshire, who happens not to be a patient in a hospital, can look upon the abuses. He said that it was not until 1890 that the Pension Bureau operated satisfactorily. That was 25 years after the conclusion of the war. He seems to think we have no right to expect the Veterans' Bureau will function any earlier. We ought to be satisfied, and the patients who are confined in the hospitals ought to be thankful, if they can live through the abuses for 25 years, to know that there may be some hope of intelligent handling of their cases at the end of that time.

Of course, that is an apology for the bureau that I have never thought of offering myself—that a quarter of a century was not too long a time in which to expect it, to attend to the cases of the boys who are dying of neglect. In other words, I take it then that we should say to the patients, "If you can live for a quarter of a century without any intelligent treatment of your case, there is hope that some doctor now unborn will come into charge of the hospital and you will then get treatment for your malady."

I am not concerned as to what the Senator from New Hampshire thinks of Senators who feel inclined to call attention to the abuses that are so apparent. I have never indulged in any free criticism of the director. I have never harassed him with any personal request. I have never wanted any favors from him. I have asked for no employment for constituents. I realize that some Senators have, and have their friends in the bureau, and they may be somewhat sensitive of any criticism of the bureau. I am not. All I want it to do is to discharge its duty. All I ask it to do is to use ordinary intelligence. It is true it may be growing better. I do not know. I have no experiences that lead me to that conclusion. I have experiences with cases coming to the office, of foolish treatment of patients, and lack of intelligent handling of records. I have called attention to some of them. I have plenty more.

There is a case in the office in which the bureau is refusing to pay insurance to the widow and orphans of a former veteran because on a reauditing of the account it decided he lacked 7 cents of paying his insurance premiums in full. It was its own mistake, but it now denies the family of the deceased $5,000 insurance because of this 7-cent mistake.

There is another of a Doctor Baker, who lived in Kentucky. He served during the war and was later killed in an accident. He had a policy for $10,000, I believe, on which every penny the bureau said he owed had been paid, and to that effect he had receipts. However, in readjusting his accounts it was decided he owed $1.80 or $1.92—I am not positive which. The bureau declined to pay. Of course if such treatment meets the hearty approval of the Senator from New Hampshire, if men who offered to die for their country are to receive that treatment from their Government, I see no occasion to refrain from complaint of the Veterans' Bureau. If their just rights as patients shall be ignored, if they shall be neglected until they die, if their claims for compensation that might have enabled them to live shall not be finally adjusted until two or three years after they are dead, and in some cases denied because they are not prosecuted although the claimants have been buried for a couple of years—if that is an intelligent handling of the Veterans' Bureau I am curious to know in what manner the bureau could be conducted that would not meet with the entire approval of the Senator from New Hampshire.

TARIFF REDUCTION ON MANUFACTURES

Mr. STANLEY. Mr. President, I wish to serve notice that at the close of morning business on Saturday next I shall address the Senate on the subject of Senate Resolution 240.

If the President and this Congress are actually concerned about the admitted distress of agricultural interests everywhere, I propose a tariff revision with teeth in it which will infallibly produce beneficent results. I fear, however, it is a remedy which will meet neither the approval of the majority nor of the President, because it is a tariff revision which actually strikes at the root of the evil, which directly affects the profiteer and the favored industries, and which will be opposed by the beneficiaries of the tariff as eagerly as it will be welcomed by the oppressed tillers of the soil. It is not akin to the emergency tariff recently enacted, "a promise made to the ear and broken to the hope" of every farmer in America.

On May 9, 1921, when this same tariff bill was under discussion, I said:

> This act will demonstrate that protectionism—in the hands of trusts and monopolies the most facile instrument of extortion yet devised by the wit of man—is utterly impotent when applied to the cotton and cattle, the corn and grain, of the American producer. It will demonstrate that while it can despoil, it can not defend; while it can plunder, it can not protect him.
>
> The dupes of this doctrine in agricultural States will awaken to-morrow sadder and wiser men, and peradventure they will survey with a broader and keener vision the operations of these same gentlemen when they meet a few months hence to apportion, not for 6 months but for 60 years, if need be, to special interests and pampered monopolies those rewards which their political activities may have deserved or your political obligations may demand.

And subsequent events have demonstrated the absolute truth of that indictment.

Fake duties upon wheat and corn and cotton are understood at their true value to-day. Give the farmer the right to take his cotton, his tobacco, and his grain into the markets of the world, exchange it for the things he needs, and return with the products of such exchange, paying just half the amount of the present duty imposed, and his distress will pass as a shadow in the night, and comfort, prosperity, and hope will again brighten the countryside.

For instance, let the agriculturist who is building a home send abroad his meat or his grain or his tobacco and let him return some of the things produced in this country by indicted profiteers. The window glass, the cement, cast-iron pipe, and drainage trusts have all been indicted by Federal grand juries. Reduce the existing duty 50 per cent and he will get a reduction of 14 per cent on window glass, 10 per cent on cement and cast-iron pipe, 25 per cent on tiles and drainage.

Let the President issue this proclamation and it will authorize the agriculturalist to return to this country with his shirts, sheets, and other fabrications of cotton 27 per cent less than the price justified by the present tariff. Neckties, ribbons, linings, and all other necessary fabrications of silk could be brought in by such an exchange for 29½ per cent less, clothing for 37 per cent less, earthenware and chinaware for 30 per cent less, refined sugar for 34½ per cent less, buttons for 43 per cent less, hardware for 20 per cent less, sewing machines for 15 per cent less, and cutlery for 92 per cent less. If the beneficiaries of these inordinate duties are not utilizing the protection offered to the utmost and these things are being sold as cheap here as they are abroad, they can not be harmed by granting this privilege to the farmers' cooperative associations of the United States.

Let the President issue this proclamation and it will be demonstrated that the distress of the farmer is due not so much to the price he is receiving for his commodities, low as they are, as it is to the fact the purchasing power of that dollar has been destroyed by the wicked manipulation of designing interests, and while the things which the farmer produces are of no greater value upon the farm than upon the high seas, the things he buys are more costly here than anywhere else in the world, and that cost is due to the folly and the wickedness of special legislation enacted for the benefit of special and favored interests.

Mr. President, on Saturday next I shall call more detailed attention to this resolution, which I believe, if adopted and the President should act upon it, would bring instant relief to the agricultural interests of the United States. I hope to have the attention of every Senator who is interested in the farmer from the heart as well as from the lips.

PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on May 29, 1924, the President approved and signed the joint resolution (S. J. Res. 89) authorizing and permitting the State of Arkansas to construct, maintain, and use permanent buildings, rifle ranges, and utilities at Camp Pike, Ark., as are necessary for the use and benefit of the National Guard of the State of Arkansas.

ADJOURNMENT OVER MEMORIAL DAY

Mr. COPELAND obtained the floor.

Mr. CURTIS. Will the Senator from New York yield to me in order that I may submit a request for unanimous consent?

Mr. COPELAND. I will.

Mr. CURTIS. Mr. President, to-morrow will be Memorial Day, and, as a mark of respect to the Nation's dead who sleep in Arlington and elsewhere, I ask unanimous consent that when the Senate concludes its business to-day it adjourn to meet on Saturday next at 12 o'clock.

Mr. ROBINSON. I have no objection to that arrangement if the Senate sees fit to enter into it.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the agreement is entered into.

BUSINESS OF THE SESSION

Mr. DIAL. Mr. President, if we do not make greater progress in passing some much-needed legislation than we have been making, we should hold night sessions. We have done nothing so far to relieve agricultural conditions. Certainly there are a few bills pending here which should be passed and sent to the House in order that that body may act upon them.

I have a measure pending here now to which I do not see how there can be any real sound objection, which I believe will greatly help agriculture. I should like to have a vote on the bills. I am ready to ask for a vote at any time I can get an opportunity to do so, for I do not care to discuss the measure any further. I understand that it is proposed that Congress shall adjourn on a week from Saturday next; certainly we have not much time left; and unless we shall get down to business we shall not accomplish the necessary legislation for the session.

INDEPENDENT OFFICES APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report presented by the Senator from Wyoming [Mr. WARREN]. The Senator from New York [Mr. COPELAND] has the floor.

Mr. COPELAND. Mr. President, I rise to address myself to the pending conference report.

On the 12th of April we had a rather extended discussion regarding the bill the conference report on which is now before us. I offered an amendment at that time which was adopted, but I find that in the report of the conferees the amendment which the Senate adopted has been stricken out and likewise the original language of the House provision, and there has been written into the bill new language practically identical with an amendment which was offered in the other House by Mr. FREAR and rejected by the House. Therefore, the language as written into this report is new language, different entirely from the language of the Senate amendment and different also from the language contained in the bill as passed by the House. Therefore, Mr. President, I am compelled under Rule XXVII, paragraph 2, to ask that the matter be stricken from the report and that portion of the report referred back to the conferees.

The PRESIDING OFFICER. The Chair will inform the Senator that he understands the parliamentary procedure to be that the report in its entirety must be first acted upon; that it must be accepted or rejected. If it shall be rejected, then it will be in order for the Senator to make the motion which he suggests.

Mr. COPELAND. Let me be clear about this matter.

The PRESIDING OFFICER. The conference report must be agreed to or rejected in the first instance. If it shall be rejected, then the Senator's motion will be in order, but he can not make his motion until the Senate passes upon the question of agreeing or disagreeing to the conference report in its entirety.

Mr. COPELAND. Very well. But, Mr. President, if the Senate should agree to the conference report, would I not be taken out of court?

The PRESIDING OFFICER. The Senator should first urge that the conference report be rejected by the Senate, and, if that is done, then make his motion.

Mr. COPELAND. Very well. Let me urge now that the conference report be rejected. However, I should like to inquire, Mr. President, if I have not the right, under Rule XXVII, to raise a point of order against the report because new language has been written in it in violation of that rule?

The PRESIDING OFFICER. The Chair understands that if the conferees have exceeded their authority a motion by the Senator to recommit is in order.

Mr. COPELAND. I am glad to make that motion, Mr. President, but will not the Chair rule, since this is new matter, that the point of order which I am raising is well taken?

Mr. WARREN. I do not know that I understand the Senator's position. The question now before the Senate is merely one of voting "yea" or "nay" upon the adoption of the conference report, of course.

Mr. COPELAND. I am making an inquiry of the Chair.

The PRESIDING OFFICER. The Chair understands the Senator to ask the Chair to rule that new matter has been inserted by the conferees in the appropriation bill which neither the House nor the Senate placed in the bill.

Mr. COPELAND. That is correct; that is my statement.

The PRESIDING OFFICER. The Senator seems to have raised a rather novel question.

Mr. COPELAND. I am sorry if I have raised a difficult question, but it seems perfectly plain to me.

The PRESIDING OFFICER. Will the Senator from Wyoming inform the Chair whether, in his opinion, the subject matter is new?

Mr. WARREN. Mr. President, my opinion is that the language used is entirely in the hands of the committee, because there were two alterations made, striking out certain words. It is simply a matter of reconditioning these ships. The whole matter of reconditioning ships was before the conferees.

Mr. SMOOT. Mr. President, I want to call the attention of the Senate to amendment numbered 11, which is now, as I understand, submitted for the Chair to decide as to whether or not the conferees have exceeded their authority.

The Senate amendment was as follows:

That no part of the moneys appropriated or made available for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall be used or expended for the repair or reconditioning of any ship that at the time of the proposed repair or reconditioning can be repaired or reconditioned, when time and facilities permit, in each or any of the navy yards of the United States at an actual estimated expenditure of a sum less than it can be purchased, repaired, or reconditioned otherwise.

That was stricken out by the conferees, and this was inserted in its place:

No part of the moneys appropriated or made available by this act for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall, unless the President shall otherwise direct, be used or expended for the repair or reconditioning of any vessel owned or controlled by the Government, if the expense of such repair or reconditioning is in excess of $100,000, until a reasonable opportunity has been given to the available Government navy yards to estimate upon the cost of such repair or reconditioning if performed by such navy yards within the limit of time within which the work is to be done: *Provided*, That this limitation shall only apply to vessels while in the harbors of the United States, and all expenditures in connection with such work are to be considered in estimating the cost.

Mr. President, the whole question of the money appropriated or made available for the United States Shipping Board was sent to the conferees by the amendment. The conferees have stricken out certain language that was put in by the Senate as an amendment. That subject, then, is entirely open, because of the Senate having stricken out the House provision, which reads as follows:

That no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase, acquirement, repair, or reconditioning of any ship or article that at the time of the proposed purchase, acquirement, repair, or reconditioning can be manufactured, repaired, or reconditioned when time and facilities permit, in each or any of the navy yards or any Government factory of the United States at an actual expenditure of a sum less than it can be purchased, acquired, repaired, or reconditioned otherwise.

That question was in conference.

Mr. COPELAND. Mr. President, that does not say anything about $100,000, does it?

Mr. SMOOT. No; in the House provision it is unlimited. There is no amount stated. There is neither a one-dollar limitation nor a million-dollar limitation. Therefore the whole question is in conference, and the conferees did make a limitation of $100,000. It is true that the amendment offered in the Senate to the House provision also made a limitation, but the question before the Senate conferees was the House provision and the provision as adopted here in the Senate. I take it that the House provision was unlimited; there was no limit at all, and the Senate conferees have limited the amount to $100,000. I can not see that it is in violation of any rule.

Mr. COPELAND. That is exactly my contention. Neither the House nor the Senate made any restriction as to the amount. There is not a word said about $100,000 either by the House or by the Senate.

Mr. SMOOT. No; there is no limit; but when an unlimited amount is in conference of course the conferees can take charge of the matter and place a limit upon it.

Mr. COPELAND. Mr. President, the Senate determined that before any purchase, repair, or reconditioning of a ship should take place the navy yards should have an opportunity to bid if time and facilities permitted, and if that bid were lower than the bid made by any private yard, the work should be given to the navy yard. In the House there was not any restriction placed upon the amount of money involved. If

we were to adopt the report of the conferees, the navy yards would not have any right to bid at all unless the amount involved were in excess of $100,000. The purpose of this report is to make it impossible for the navy yards to bid at all on these minor repairs, and I say that the conferees have written into the report new language.

Mr. WARREN. Mr. President, will the Senator yield to me?

Mr. COPELAND. Certainly.

Mr. WARREN. That statement is absolutely aside from the facts, because every effort was made on the part of those who had charge of this bill to see that the greatest possible amount of work shall be done in the navy yards. To make an assertion of that kind is to place the men who have had charge of the matter in a position entirely outside of either their acts or their thoughts.

Mr. COPELAND. Mr. President, I would not have the Senator from Wyoming think for a moment that I was imputing any wrong thought to the committee; but I want to make it perfectly clear to the Senate that the conferees, whether from desire or intention or from misapprehension of the situation, have brought in a report entirely at variance with the action of the Senate, and have added language which the House itself rejected when it rejected the Frear amendment. Therefore I am quite clear that under Rule XXVII it is the duty of the Presiding Officer, if I may venture the suggestion, since new matter has been inserted in the report, to sustain the point of order.

Mr. WARREN. Mr. President, I hope the Presiding Officer will rule upon the question.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. DILL. Mr. President, will the Senator from New York yield?

Mr. COPELAND. I yield.

Mr. DILL. I think this matter is of such importance that we ought to have a quorum here. A great many Senators are interested in this subject.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Adams	Dill	Jones, Wash.	Ransdell
Ashurst	Edwards	Kendrick	Robinson
Bayard	Fernald	Ladd	Sheppard
Borah	Ferris	Lenroot	Shipstead
Brookhart	Fess	Lodge	Shortridge
Broussard	Fletcher	McCormick	Smith
Bursum	Frazier	McKellar	Smoot
Cameron	George	McKinley	Sterling
Capper	Gerry	McNary	Swanson
Caraway	Glass	Mayfield	Trammell
Colt	Gooding	Moses	Underwood
Copeland	Hale	Neely	Wadsworth
Couzens	Harris	Oddie	Walsh, Mass.
Cummins	Harrison	Pepper	Walsh, Mont.
Curtis	Heflin	Phipps	Warren
Dale	Howell	Pittman	Wheeler
Dial	Johnson, Minn.	Ralston	Willis

The PRESIDING OFFICER. Sixty-eight Senators have answered to their names. A quorum is present.

Mr. COPELAND. Mr. President, in order that the Senate may have before it the matters which are in controversy, let me read first the action of the House which was stricken out in the Senate.

Speaking of the repairs of the ships, the House said:

> That no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase, acquirement, repair, or reconditioning of any ship or article that at the time of the proposed purchase, acquirement, repair, or reconditioning can be manufactured, repaired, or reconditioned, when time and facilities permit, in each or any of the navy yards or any Government factory of the United States at an actual expenditure of a sum less than it can be purchased, acquired, repaired, or reconditioned otherwise.

It is perfectly apparent from this wording that likewise the navy yard should have the opportunity to bid.

Mr. SMOOT. That reconditioning and repairing may cost $500,000.

Mr. COPELAND. There is no limit at all.

Mr. SMOOT. The Senate modified it by fixing the figure at $100,000.

Mr. COPELAND. That is, the conferees did.

Mr. SMOOT. Yes.

Mr. COPELAND. Let us first find out what the House did. The House provided, first, that any repair must be submitted to a navy yard in order that they might estimate. When it came over to the Senate, after discussion here, it was provided that—

> No part of the moneys appropriated or made available for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall be used or expended for the purchase—

And that was added at the suggestion of the Senator from Utah, and, by the way, it does not appear all through the amendment as printed—

> for the purchase, repair, or reconditioning of any ship that at the time of the proposed purchase, repair, or reconditioning can be purchased, repaired, or reconditioned, when time and facilities permit, in each or any of the navy yards of the United States at an actual estimated expenditure of a sum less than it can be purchased, repaired, or reconditioned otherwise.

The difference between the Senate amendment and the original language is that the House provided that the navy yards should always bid. The Senate provided that if a navy yard did bid, and sent in a lower bid, the contract should be let to the navy yard.

The conferees have brought in this report:

> No part of the moneys appropriated or made available by this act for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall, unless the President shall otherwise direct—

Which is new language, which was not in the language of the House or the language of the Senate—

> unless the President shall otherwise direct, be used or expended for the repair or reconditioning of any vessel owned or controlled by the Government, if the expense of such repair or reconditioning is in excess of $100,000.

That is entirely new. That is not in the action of the House, that is not in the amendment of the Senate, and it never was contemplated by the Senate, certainly, that there should be any restriction placed upon the opportunity of a navy yard to bid.

So I contend that the conferees, in violation of Rule XXVII, have inserted new language which utterly changes the intent of the Senate, and it seems to me that it changes the intent of the House. Anyhow, here is new language providing that the President shall determine whether or not the navy yards shall be given an opportunity to bid, and limiting the degree of work which the navy yards can do to $100,000.

Therefore I raise the point of order against the report, under Rule XXVII.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). Is there anything further to be said on the point of order? The Chair is ready to rule upon it.

The Senator from New York raises the point of order that the conference report should be recommitted because the conferees have inserted new matter contrary to Rule XXVII of the Senate. The Chair is of the opinion that the point of order is not well taken, that the conferees have not exceeded their authority in inserting new matter in the report.

From this decision the Senator from New York is at liberty to take an appeal.

Mr. COPELAND. I have no desire at all to appeal from the decision of the Chair in the matter. Of course, the Senator from New York has not changed his opinion, I will say with all due respect to the Chair.

The PRESIDING OFFICER. The question now is on agreeing to the conference report.

The report was agreed to.

SILVER PURCHASES UNDER PITTMAN ACT

Mr. WADSWORTH obtained the floor.

Mr. PHIPPS. Will the Senator yield to me just a moment? Since calling up this conference report, I submitted for the Committee on Banking and Currency a unanimous report on the Pittman silver bill, which is an interpretation of the statute. It was just upon the point of its passage when objection was made. I want to ask the Senator from Wyoming if he insists upon his objection to the present consideration of the bill?

Mr. WARREN. I have no objection to the consideration of the bill.

Mr. PHIPPS. The bill is Senate bill 2917.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. WADSWORTH. Providing it does not give rise to debate, I have no objection. I yielded for the purpose of permitting the consideration of the bill, with that understanding.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2917) directing the Secretary of the Treasury to complete purchases of silver under the act of April 23, 1918, commonly known as the Pittman Act.

The bill had been reported from the Committee on Banking and Currency with an amendment, on page 2, line 1, to strike out "April 25, 1918," and to insert in lieu thereof "April 23, 1918," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby directed, in compliance with the requirements of the act entitled "An act to conserve the gold supply of the United States; to permit the settlement in silver of trade balances adverse to the United States; to provide silver for subsidiary coinage and for commercial use, to assist foreign governments at war with the enemies of the United States; and for the above purposes to stabilize the price and encourage the production of silver," approved April 23, 1918, and commonly known as the Pittman Act, to instruct the Director of the Mint to purchase in the United States of the product of mines situate in the United States, and of reduction works so located, 14,589,730.13 ounces of fine silver in accordance with those certain allocations of silver and silver dollars to the Director of the Mint for subsidiary coinage by the Secretary on September 7, 1918, November 28, 1919, October 18, 1920, November 6, 1920, and December 18, 1920, and the orders to purchase the said silver contained in said allocations and each of them, respectively, at and for the sum of $1 per ounce.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill directing the Secretary of the Treasury to complete purchases of silver under the act of April 23, 1918, commonly known as the Pittman Act."

On request of Mr. PHIPPS the report accompanying the bill was ordered to be printed in the RECORD. The report is as follows:

Mr. PHIPPS, from the Committee on Banking and Currency, submitted the following report to accompany S. 2917:

The Committee on Banking and Currency, to which was referred the bill (S. 2917) directing the Secretary of the Treasury to complete purchases of silver under the act of April 25, 1918, commonly known as the Pittman Act, having had the same under consideration, respectfully reports it back to the Senate with the recommendation that the bill do pass with one amendment, as follows: In the title and on page 2, line 1, strike out "April 25, 1918" and insert "April 23, 1918."

1. Prior to April 23, 1918, the United States Treasury held over 400,000,000 coined silver dollars.

2. On that date Great Britain urgently needed silver bullion to meet demands in India for the redemption in silver of Indian rupee currency. The United States Treasury supply was the only ample supply out of which this need could have been promptly satisfied. It has, in fact, taken several years for silver production in the United States to produce an equivalent amount of silver.

3. Great Britain applied to the United States for a sale of the required silver. The act of April 23, 1918 (the Pittman Act), was passed to authorize the sale. By its terms the Secretary of the Treasury was empowered "to melt or break up and to sell as bullion not in excess of 350,000,000 standard silver dollars." The price was fixed at not less than $1 for each ounce of silver one thousand fine.

4. Pursuant to this authority $270,232,722 were broken up, and 200,032,326 ounces were sold to Great Britain.

5. Against the silver in the Treasury there were outstanding silver certificates in active circulation. It was necessary to replace for their protection the silver sold, or to be sold, under the act. It was accordingly provided in the act (sec. 2) that upon every sale the Secretary of the Treasury should direct the purchase from domestic producers 371.25 grains of pure silver for every dollar sold under the act. The purchase price was fixed at $1 per ounce.

6. The sale to Great Britain did not exhaust the limit of silver sales specified in the act, section 3 having authorized certain other purposes for which sales might be made. One of them was to provide the Government with silver for subsidiary coinage, the act specifically providing in said section that allocations of silver to the Director of the Mint should be regarded as sales or resales as the case might be. This statutory definition must, of course, control.

7. Having sold silver to Great Britain, the Treasury proceeded to make replacing purchases of silver produced in the United States. This could not be done at once, because the domestic price was then above the statutory limit. But it was done in due course, and no question arises in connection with that part of the transaction.

8. For the purpose of subsidiary coinage, however, the Treasury made five allocations of Treasury silver. These ranged in date from September 7, 1918, to December 18, 1920. Three of them were allocations of silver dollars, aggregating 11,111,168. Two of them were for an aggregate of 6,000,000 ounces of bullion. This makes a total of 14,589,730.13 fine ounces. Each allocation directed the director of the mint to purchase for replacement an equivalent quantity of silver bullion at $1 per ounce. But no purchases of domestic silver were in fact made to replace the silver which was the subject of these statutory "sales." On the contrary, at a later date the Treasury undertook to revoke the allocations. But the evidence offered at the committee hearings shows that such revocations were made 13 months and 23 months, respectively, after the date of the last allocation and after the silver bullion contained in the 11,111,168 silver dollars had been converted into subsidiary coinage and after 1,658,976.62 fine ounces, included in the last two allocations of fine silver, had also been so converted. The question before the committee is whether the revocations were in accordance with the mandate of Congress as expressed in the Pittman Act, and the committee is of opinion that they were not.

9. The action of the Treasury, as being in harmony with the law, is supported by a decision of the Comptroller General. This opinion, however, is merely advisory. The theory of both the Treasury and of the Comptroller General is based upon the claim that there had been at all times a quantity of free silver in subsidiary coinage accounts of the mint service in excess of the quantity allocated under the Pittman Act for subsidiary coinage. But, whatever the fact, the silver bullion on hand was not the identical silver allocated. It is said by the Treasury and by the Comptroller General that the coinage which in fact took place after the allocations may be regarded as having been made out of free Treasury silver available for the purpose and not out of the allocated silver; but this contention is not sustained by the evidence taken by the Special Commission of Gold and Silver Inquiry. The question therefore becomes this: Are allocations under the Pittman Act which by its terms are treated as sales or resales revocable by the Treasury once they are made? Or does the duty of the Treasury to direct replacing purchases arise eo instanti the allocation is made?

10. It is clear that no individual (i. e., no would-be vendor of silver) has legal right under the act. It is purely a question whether Congress intended to give the Treasury discretion in the premises. It is natural for the Treasury to contend for discretion. While it is contended that the purchase of the silver bullion required by this bill would cost the Treasury $5,000,000 over and above the present market price, it must not be overlooked that, as the Pittman Act requires this silver to be coined into standard silver dollars at 1.29, the actual gain to the Treasury is 29 per cent of the amount involved, or a total profit of $4,231,021.73. Obviously, those who framed and pressed for the passage of the act were determined to eliminate Treasury discretion or at least to limit it to the making or not making of allocations. In other words, the act appears to the committee to have been an act to compel repurchase of domestic silver and not an act to conserve the resources of the Treasury. Whether it was wise or unwise to pass an act framed on this theory is not the function of the committee or the Treasury Department to decide. It is clear that the true intent and purpose of the act would be defeated if allocations under it were treated as revocable. Therefore the enactment of S. 2017 is essential to the due and proper execution of the Pittman Act according to its true intent and purpose.

THE MERCHANT MARINE—CONFERENCE REPORT

Mr. JONES of Washington. Mr. President, if the Senator from New York will permit me——

Mr. WADSWORTH. I yield.

Mr. JONES of Washington. I desire to submit a conference report, and I think it can be adopted without any debate. I ask for its immediate consideration.

The PRESIDING OFFICER. The Chair lays before the Senate a conference report, which will be read.

The report was read.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. ASHURST. The Senator from New York has the floor, but I wish to propound an interrogatory with reference to the conference report on House bill 8233, making appropriations for sundry independent executive bureaus, and so forth.

Mr. JONES of Washington. Will the Senator permit this report to be adopted?

Mr. ASHURST. In a moment.

Mr. JONES of Washington. I did not want to take the Senator from New York off the floor.

Mr. ASHURST. I regret that, myself; but I am afraid this is the only chance I will have.

The PRESIDENT pro tempore. The conference report to which the Senator from Arizona refers was agreed to before the present occupant of the chair came in.

WASHINGTON MONUMENT GUIDEBOOKS

Mr. ASHURST. I ask why amendment numbered 15 was stricken out?

Mr. WADSWORTH. Mr. President, I do not feel like yielding for that purpose, if the Senator is going to discuss something which has already happened.

Mr. ASHURST. I may be trespassing on the courtesy of the Senator from New York and of the Senator from Washington, but I want three or four minutes. The pension bill will come up at 3 o'clock, and I could not ask the question at that time.

Mr. WADSWORTH. I have the same idea in mind about those three or four minutes.

Mr. ASHURST. Let me be specific. I do not want to discuss the conference report, but I want to ask a question, and I hope the Senator from New York will not claim the floor at this moment, because I want to ask the Senator from Wyoming why amendment numbered 15 was stricken out, when the conferees asserted to the interested parties that they would retain the amendment in the bill. It is an amendment introduced by the Senator from Arkansas [Mr. CARAWAY], and which was adopted, as per page 6221 of the RECORD of April 12. The Senate agreed to the following amendment:

Washington Monument guide books authorized by Congress in 1909, following a hearing before the House Appropriations Committee, shall be continued on sale under the same conditions heretofore imposed at the Monument.

Mr. WADSWORTH. I recognize the identity of the subject the Senator desires to discuss, and I imagine that I should lose the floor for quite a long period if I yielded for that purpose. I must decline to yield.

The PRESIDENT pro tempore. The Senator from New York is recognized.

Mr. ASHURST. The Chair will, of course, put the question. I have not the floor.

The PRESIDENT pro tempore. The question is upon agreeing to the conference report.

Mr. JONES of Washington. I withdraw the conference report for the present.

Mr. ASHURST. I hope the Senator from Washington will not.

Mr. JONES of Washington. I do not want to interfere with the Senator from New York. I asked him to let me call up the conference report. I did not expect to take any time.

Mr. ASHURST. I am in a good humor this afternoon, but I do not want to be denied the privilege and right of asking why the conferees did not adhere to that amendment.

Mr. JONES of Washington. I have no objection to the Senator asking the question. I am in just as good a humor as is the Senator.

Mr. ASHURST. I want the Senator from Wyoming to tell me why the conferees did not agree to that amendment. I think an injustice was done to the parties, and I am informed that Colonel Sherrill said he does not want articles to be sold, although he himself draws a salary from private employment, and the articles sold there since August, 1923, are copyrighted by a private organization of which he is a member.

Mr. WADSWORTH. I am compelled to state to the Senator that I decline to yield for the purpose of the discussion.

Do I understand that the unfinished business is now before the Senate?

The PRESIDENT pro tempore. It has not been laid before the Senate.

Mr. WADSWORTH. Is it in order for me to call it up?

The PRESIDENT pro tempore. It is in order.

Mr. WADSWORTH. I do so.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which is House Joint Resolution 184.

REGISTRATION OF PORTRAITS AS TRADE-MARKS

Mr. GLASS. Mr. President, I wonder if the Senator from New York would object to having the unfinished business laid aside just for a moment in order to enable me to call up an unobjected bill, upon which there will be no discussion? If I am mistaken in that, I will at once withdraw it.

Mr. WADSWORTH. With that understanding, I have no objection.

Mr. GLASS. I want to call up from the calendar Senate bill 3324, to amend section 5 of the trade-mark act of 1905, as amended, relative to the unauthorized use of portraits, a bill unanimously reported from the Committee on Patents, amending an existing statute. It provides:

That the fourth proviso of subdivision (b) of section 5 of the act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," approved February 20, 1905, as amended, is amended to read as follows: "*Provided further*, That no portrait of a living individual may be registered as a trade-mark except by the consent of such individual, evidenced by an instrument in writing, nor may the portrait of any deceased President of the United States be registered during the life of his widow, if any, except by the consent of the widow evidenced in such manner."

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WADSWORTH. Mr. President, with the indulgence of the Senate, I wish to make some observations concerning the so-called child-labor amendment, which is the unfinished business.

Mr. JONES of Washington. May I inquire if my conference report was withdrawn? I want to get the status of it.

The PRESIDENT pro tempore. The Senator from Washington withdrew the conference report.

Mr. JONES of Washington. That is what I thought.

The PRESIDENT pro tempore. The unfinished business is now before the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DAVIS of Minnesota, Mr. FUNK, and Mr. AYRES were appointed managers on the part of the House at the conference.

DISTRICT OF COLUMBIA APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PHIPPS. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the President pro tempore appointed Mr. PHIPPS, Mr. BALL, Mr. JONES of Washington, Mr. GLASS, and Mr. SHEPPARD conferees on the part of the Senate.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. WADSWORTH. Mr. President, this resolution is of such vast importance that it is a cause for some concern and perhaps disappointment to me that the parliamentary situation is such that very little discussion will take place upon this amendment before 5 o'clock on Monday afternoon.

We have fixed a time to vote on this proposed amendment to the Constitution. As is so often the case when the Senate has agreed by unanimous consent to vote at a certain hour upon an important question from the moment of reaching the agreement to the time of actually voting upon the roll call other measures are injected into the consideration of the Senate, and the great majority of Senators pay no attention to the principal matter in hand.

The PRESIDENT pro tempore. Will the Senator allow the Chair to say that the hour has arrived for the special order under Rule X, but inasmuch as that order can only be laid before the Senate in the event that there is no unfinished business, the matter goes over in some form to be decided in the future.

Mr. WADSWORTH. Opinions may differ in and out of the Senate as to the relative importance of the various amendments that have been adopted to the fundamental law of the land, but I venture the assertion that upon careful thought most Senators will agree that this proposal is unusually important.

Mr. ASHURST. Mr. President, I apologize for interrupting the Senator from New York, but I wish to inquire what hap-

pened to the special order? I shall not trespass upon his time again.

Mr. WADSWORTH. The special order was postponed.

Mr. ASHURST. Until what time?

The PRESIDENT pro tempore. The Chair does not decide at what time or in what form.

Mr. ASHURST. With due deference to the Chair, who will decide? With due deference to the Chair, what becomes of the special order?

The PRESIDENT pro tempore. The Chair will decide that question when the matter comes before the Chair.

Mr. WADSWORTH. We may have varying opinions as to the relative importance of amendments that have been adopted to our fundamental law. I think no person present will deny that this is an extraordinarily important proposal. My own opinion is that, viewed in its broadest sense, this proposed amendment to the Constitution carries with it more importance and more significance than any amendment recently proposed. Indeed, I think it goes further in extending the powers of the Federal Government than the eighteenth amendment. I think its effect, if it becomes a part of the basic law, will be more profound and more far-reaching upon the people themselves than any recent amendment. I think it will, if adopted, do more to change the form of our Government than any amendment adopted since the amendments immediately following the Civil War.

Before discussing the amendment upon its merits I beg leave to call the attention of the Senate to the tendency which has been so evident in the last 20 years with respect to increasing the powers of the Federal Government. We can all remember Theodore Roosevelt, a most active, energetic, tireless, and successful Chief Executive, who made or who contributed largely to the making of Federal Government an energetic agency. I think it is fair to say that he instilled life and energy in the structure of the Federal Government by the force of his personality. At that time those who did not agree with him in every particular wondered if the power of the Federal Government was not being exercised to too great an extent, whether it was not growing too fast. Be that as it may, it is interesting to note what has happened since Theodore Roosevelt ceased being President of the United States on March 4, 1909. Sitting at my desk yesterday afternoon I scribbled down notes descriptive of some of the increases of power acquired by the Federal Government in one way or another. I did it entirely from memory, and I make no boast that the list is complete. At least it is interesting to every person who has a concern for the future of the Federal Union of States.

Since President Roosevelt retired from office we have established the Federal Trade Commission, with its inquisitorial powers over business concerns in the United States engaged in interstate commerce. We have established the Tariff Commission, with powers that are familiar to Senators. We have established the Federal Reserve Board, with its general supervision and control over the national banking system. We have established the Federal Farm Loan Board, with its control over that particular branch of finance.

We have established the Railroad Labor Board and incidentally somewhat increased and extended the powers of the Interstate Commerce Commission. We have established the United States Shipping Board, and the Emergency Fleet Corporation as its subordinate, with its immense undertakings. We have established the War Finance Corporation. Then we have passed a number of acts greatly extending the functions of the Federal Government, such as the cotton futures act, the grain futures act, the packers and stockyards act. We have adopted the eighteenth amendment to the Constitution, followed by the enactment of the Volstead law; and I need not comment upon the significance of that undertaking.

We have passed the so-called maternity act, in accordance with which the Federal Government lends aid on the 50-50 basis to the States in the interest of maternity and infancy welfare, in itself a most significant and really important extension of the Federal power. The Federal Government since Roosevelt's time has gone into the matter of assisting in the building of good roads all over the country. The Agricultural Department has been authorized to extend its services through the Farm Bureaus. We have passed the narcotic law, a law for vocational rehabilitation of those injured in industries, involving a Federal appropriation as a contribution to the appropriations made by the States. We have established a Children's Bureau in the Department of Labor, and a bureau having to do with women in industry.

I have been able to remember these additions to the Federal Government, and I have not the slightest doubt that I have forgotten several and that the list could be considerably lengthened.

I do not criticize the establishment of all these boards and commissions with their innumerable employees and inspectors and agents who travel all over the United States clothed with the power of the Federal Government to investigate the daily life of the citizen and ultimately in many cases to regulate and actually govern him, sometimes merely by the stroke of the pen in an office here in Washington. Most of these things probably were necessary. I think I could pick out some that have not added to the happiness, contentment, or prosperity of the American people. Some, in my judgment, have added nothing but taxes. But such as they are, in the aggregate they show a very, very large extension of the Federal powers in the last 15 years, an extension which, if viewed thoughtfully, must give pause to the citizen when he is called upon to give his consent to a still further and much greater expansion of Federal power, and to lead that citizen to ask himself a very serious question. That question is this: Can this Government of ours remain long as a Federal Union of States if this tendency goes unchecked? Will it not result in establishing here at Washington an imperial government whose territory will be divided into what might be termed provinces instead of what we have known as sovereign States?

We are whittling at the structure established by the fathers. There can be no doubt about it. If we whittle long enough, we will destroy it. So, before commencing a discussion of the proposed amendment to the Constitution which is before us, I desire to take this opportunity of reminding the Senate of the tendency of recent years and asking Senators, without regard to their political affiliations, how far they believe this tendency should be allowed to go.

I know from conversation with many thoughtful men and women that the tendency to-day is causing deep concern. When I say my conversation has been with men and women, I mean Republicans as well as Democrats. The tendency is causing deep concern, for slowly but surely the States of the Union and the communities within those States are being robbed of that sense of responsibility without which self-government can not survive for any length of time. A habit of thought has been growing during the last 20 years which leads an increasing number of people to say, "Let Washington do it," meaning the Federal Government, when in most instances the people in their own communities and in their own States can meet and solve the given problem without Federal help.

I contend that these observations have point in connection with the amendment to the Constitution which we are now attempting to consider. Let me read the first section of the amendment:

> SEC. 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

That proposes an immense delegation of power over every human being in the United States under 18 years of age. If the amendment shall be finally ratified, Congress will gather within its jurisdiction the working life and the school life of every American under that prescribed age. Its effect upon the lives of those persons will be profound. I imagine persons under 18 years of age must constitute one-third of the entire population.

Mr. President, the fifth article of the Constitution opens with a sentence which I shall endeavor to recollect and repeat:

> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution.

I want to emphasize the words "deem it necessary."

I would not stand here and oppose an amendment to the Federal Constitution if I were convinced that it was necessary to the life and the happiness of the American people as a whole; but it is incumbent upon us as Members of the Congress first to make up our minds whether a proposed amendment to the Constitution is actually necessary before we change the basic law.

Mr. President, as to the subject matter treated by this proposed amendment, let us ascertain, if we can, whether it is now necessary for the Federal Government to supersede the powers of each and every State in the matter of regulating the working hours or prohibiting the labor of all persons in this country under 18 years of age. Manifestly the proposal must be made in the belief that there is a nation-wide evil in the matter of the exploitation of little children in industry, and that the evil is so widespread and so difficult of eradication that only

the Federal Government, with its long, strong arm, is capable of meeting it and eradicating it. The proponents of this proposed amendment to the Constitution could not very well set forth any other reason for asking us to adopt it. Therefore it is incumbent upon us to examine into the situation and find out just what the condition is with respect to the exploitation of young persons in industry of one kind or another.

I put into the RECORD, with the permission of the Senate, some tables which show, in most complete fashion, the condition in each State of the law having to do with the labor of children. [See pages 9722, et seq.]

The table gives in vertical columns the name of each State, the minimum age at which children shall be permitted to labor, the hours of labor per day, the number of hours of labor per week, the prohibitions established against night work in every State, the requirement for regular employment certificates in certain cases; and a special column is devoted to the situation affecting the labor of children in mines and quarries.

It will be noted from the tables that every State in the Union has a fixed minimum age for child labor. I will quote from the table accompanying a letter addressed to Senators by Mr. Gray Silver.

Alabama: Prohibited under 14.

I am now reciting the standards. There are certain exceptions, but they are comparatively few in number. I do not assert that every State in the Union has a child labor law which is fully up to the modern and progressive standard. I do want, however, to call the attention of the Senate to the fact that every State in the Union is at work on the problem and that the overwhelming majority of the States have made splendid progress.

Alabama: Prohibited under 14.

Incidentally the child labor committee reports that the State of Alabama has one of the most perfect child labor laws of the 48 States.

Arizona: Prohibited under 14.

With the exception that a boy from 10 to 14 may, upon a license, outside of school hours work at labor which is not harmful.

Arkansas: Prohibited under 14.
California: Prohibited under 14.

With the exception that a child of 12 may be permitted to work during a school vacation.

Colorado: Prohibited under 14.

With the exception that a child of 12 may be permitted to work during a summer vacation.

Connecticut: Prohibited under 14.
Delaware: Prohibited under 14.

With the exception that a child of 12 outside of the school term may be permitted to work upon securing a special permit.

I may say, Mr. President, that as we go through the list of States we find that these permits are generally issued by the trustees of a school or by education commissioners of a county or a city or by a public-health officer. I think in nearly every case, in all the States, these exceptions are very carefully guarded in that way.

Florida: Prohibited under 14.
Georgia: Prohibited under 14.

With the exception that a child of 12 on a permit, if he is an orphan or has a widowed, dependent mother, may work; but only 127 of such permits were issued in the State of Georgia during 1923. Certainly that would not seem to be an excessive number requiring the immediate attention of the Federal Government.

Mr. GEORGE. Mr. President, may I interrupt the Senator there?

Mr. WADSWORTH. I yield.

Mr. GEORGE. I should like to say that those 127 permits issued during the whole year 1923 were in most cases temporary permits.

Mr. WADSWORTH. They were temporary permits.

Mr. GEORGE. Yes; they were purely temporary.

Mr. WADSWORTH. In Idaho child labor is prohibited under 14; in Illinois under 14; in Indiana under 14; in Iowa under 14; in Kansas under 14; in Kentucky under 14; in Louisiana under 14; in Maine under 15; in Maryland under 14; in Massachusetts under 14. Massachusetts, Mr. President, very often and very properly boasts of its perfect child labor law.

In Michigan child labor is prohibited under the age 15; in Minnesota under 14; in Mississippi a boy under 12 is forbidden to work and a girl under 14. That is the one State that permits any child under 14 to work, as a general proposition, and it applies only to boys in Mississippi. It may be observed at the same time that there are very few factories in Mississippi.

Mr. BAYARD. Mr. President, will the Senator yield?

Mr. WADSWORTH. I yield.

Mr. BAYARD. As a matter of fact, that only means other than during school hours even in Mississippi. In other words, they have school hours in Mississippi during which the children must attend school, so that such employment must be outside of school hours under the supervision not only of the education department but of the labor department.

Mr. WADSWORTH. Yes.

In Missouri child labor is prohibited under the age of 14; in Montana, 16; in Nebraska, 14; in Nevada, 14; in New Hampshire, 14; in New Jersey, 14; in New Mexico, 14; in New York, 14.

I think I may be pardoned an allusion to the New York law. Some of the most important enactments in New York were made while I was a member of the New York Legislature. I remember them very well, and I recall how the child-labor situation has been a matter of constant concern to the legislature and governmental authorities of that State. Scarcely a session goes by without the New York Legislature adding some perfecting touch to its child-labor laws; I think I am safe in saying that the law of that great Empire State to-day is well in the fore rank of the laws of progressive States.

Mr. FESS. Mr. President, will the Senator yield?

Mr. WADSWORTH. I yield.

Mr. FESS. I have just read a statement that in New York recently this proposed amendment to the Constitution was indorsed. Was that action taken by the legislature?

Mr. WADSWORTH. I had not heard of such action. Does the Senator mean the New York Legislature?

Mr. FESS. I will look up the statement. I think that it was the Republicans of New York who put themselves on record in favor of it.

Mr. WADSWORTH. They have not had any convention at which such a question would be brought up. I had not heard of it; I will be glad to be reminded of it.

Mr. FESS. I will look it up.

Mr. WADSWORTH. Very well.

Mr. SHORTRIDGE. Mr. President, may I ask the Senator a question?

Mr. WADSWORTH. I yield.

Mr. SHORTRIDGE. Would it tend to modify the Senator's views if it should develop that the legislature of the State of New York had favored this proposed amendment to the Constitution?

Mr. WADSWORTH. Not at all.

Mr. SHORTRIDGE. The Senator would still stand firm in the position he now occupies?

Mr. WADSWORTH. Absolutely.

In North Carolina child labor is prohibited under the age of 14, with the exception that a boy of 12, on a special permit, outside of school hours, may work, but only 66 boys were so employed during 1923.

In North Dakota child labor is prohibited under 14; in Ohio, under 16, with the exception that a child of 14 may be employed outside of the school term. Surely the Senator from Ohio who interrupted me a moment ago would not contend that the State of Ohio needs the assistance of the Federal Government in the matter of regulating child labor.

Mr. FESS. If we perform our duty there, I do not think the Federal Government will interfere with us at all.

Mr. WADSWORTH. The Senator is very confident about that, but I do not share that confidence when I read this amendment and the literature of those who are proposing it.

Mr. FESS. I think the Senator need have no fear about that.

Mr. WADSWORTH. Mr. President, I shall always fear a Congress clothed with power. Any legislative body once clothed with power invariably exercises every atom of it, and generally to an extent little suspected by those who delegated the power.

Mr. FESS. If any law is passed by Congress, it has to be passed by men who come from the States, and all the States have child labor laws. I think, therefore, there will be no trouble.

Mr. WADSWORTH. The history of the past does not quite bear that out, especially in view of what has happened in Congress and in the States. One might discuss that question

at some length. I can remember some recent amendments that have been stretched to a point little suspected by those who voted for them in the first instance.

Oklahoma prohibits child labor under 14; Oregon, under 14, with the exception that a child of 12 outside of the school term may work. Pennsylvania prohibits child labor under 14; Rhode Island, under 14; North Dakota, under 14; South Dakota, under 15; Tennessee, under 14; Texas, under 15; Utah, under 14; Vermont, under 14; Virginia, under 14; Washington, under 14, with the exception that a child of 12, on the permit of a superior court judge, in case of poverty may work; West Virginia, 14; Wisconsin, 14, with the exception of a child of 12 during school vacation; Wyoming, 14.

Mr. President, we also find that the hours run about as follows: I hesitate to read the long list, but if Senators will examine the table they will see that opposite the name of each State in the horizontal line the daily number of hours of work and the weekly number of hours of work permitted by the respective State laws are set forth. The majority have the 8-hour day and the 48-hour week—the great majority. Some have a 9-hour day and a 54-hour week.

I think six States have a 10-hour day and a 55 or 60 hour week. There are only six States that have more than 9 hours, a very few that have 9 hours exactly, and the overwhelming majority have an 8-hour day and a 48-hour week. In other words, it is now the general practice to limit the labor of children in industries to 8 hours per day and 48 hours per week, and in that particular situation there would seem to be no necessity for the Federal Government coming to the rescue, as the tendency in all of the States is to make these laws more and more strict, and, for one, I am glad of it.

Mr. BROUSSARD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Louisiana?

Mr. WADSWORTH. I yield.

Mr. BROUSSARD. In some of these States the industries are insignificant.

Mr. WADSWORTH. Oh, of course.

Mr. BROUSSARD. And a child may be permitted to work, say, for the telegraph office as a messenger boy, or a messenger boy for a drug store, or in some occupation of that kind. That is not the same as the law that we would expect to apply where the child works in a factory.

Mr. WADSWORTH. Of course not.

Mr. President, there is another interesting column of that table which shows what each State does in the matter of prohibiting night work. There is a great variety of statutes upon that branch of the subject, but, as I look over the table, every State but Wyoming has a provision of one kind or another prohibiting night work or strictly limiting it. So it is a general habit already, Mr. President, to insist that children—that means persons under 14 or 15, as the case may be—shall not be permitted to work at night and thus be deprived of their proper rest and recreation.

If we look at the census report of 1920 we can get a view of child labor in this country in the aggregate as compared with the condition in 1910. When my attention was first called to this matter I confess I was immensely surprised and immensely pleased at the progress made. It gave me an added faith in the good sense of the American people when it comes to governing their own affairs in their own communities.

In 1910, according to the census, there were 1,990,225 children between 10 and 15 years of age engaged in gainful occupations. In a moment I shall comment on that descriptive phrase "gainful occupations." In 1920, 10 years later, there were only 1,060,858—a decrease in 10 years of 46.7 per cent. Surely no one will deny that that illustrates a remarkable degree of progress in the matter of protecting the children of the country from exploitation.

Mr. BAYARD. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Delaware.

Mr. BAYARD. May I suggest to the Senator, further, that there was a greater number of children in 1920 than in 1910 of similar age.

Mr. WADSWORTH. Yes. It is interesting to note that the children of the country increased by a million and a half between 1910 and 1920, but those children who were at work at gainful occupations decreased by 900,000 in the same period.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. WADSWORTH. I yield.

Mr. LENROOT. Is it not also true that when the 1920 census was taken the national child-labor law had not been declared unconstitutional, and was being enforced, and very generally observed?

Mr. WADSWORTH. That is true, but that is not the cause; for an investigation will show that child labor has not increased to any appreciable extent since that law was declared unconstitutional. It has been so asserted, but there is not one fact presented to support the assertion; and certain investigations have been made, especially in those States that were supposed to be backward and to need the support of a Federal law, and those investigations showed that there has been no increase.

Mr. LENROOT. One other question: Is it not also true that the 1920 census was taken in January, which is very exceptional?

Mr. WADSWORTH. That is true.

Mr. LENROOT. And consequently that it did not have anything like the usual agricultural occupation?

Mr. WADSWORTH. Yes; that is true.

Mr. LENROOT. That, of course, would reduce the number.

Mr. WADSWORTH. Let us make allowance for everything that we can think of in order to discourage the American people as to their ability to take care of their affairs in their own States. Make allowance for everything, conjure up every discouraging fact, and yet the fact will remain at the end of the discussion that the progress has been remarkable. There is no gainsaying it.

A little later I shall put into the RECORD a list of the statutory enactments that have been made in the several States during the last five years, which indicate very clearly how seriously the States take this question and how manfully they are going about solving it.

It is interesting to examine that figure of 1,060,000 who in 1920 were employed in gainful occupations. If you will read the instructions given to the enumerators of that census, you will find that they were rather broad in that they instructed the enumerators to enumerate all children who were engaged in gainful occupation, not only steadily but occasionally, and in any kind of occupation whatsoever. For example, under the phrase "gainful occupation" we find included the boys who deliver our newspapers at our house doors in the morning. They do it generally before they go to school. They may deliver the evening papers at our house doors after they get out of school. They are included. We find included children who in a little country town, after getting out of school, help their fathers or mothers tend the country store for a couple of hours in the evening when the farmers come in after their day's work in order to purchase their supplies. They are all included, as well as the children in factories and industrial establishments. All newsboys are included; and one might mention quite a number of other occupations in which children take part occasionally with some degree of regularity, but only for an hour or two hours or three hours a day; and in this number of 1,060,000 we must include all these different classes or groups of children.

Then, we must recollect another thing—that of the 1,060,000 children supposed to be engaged in gainful occupations, 647,000 are engaged in agricultural pursuits on farms; and of those engaged upon farms, 88 per cent are living on the farm owned by the parent. So we instantly see, if we have a sense of proportion at all about this matter, that instead of having a million children that are supposedly being ground down in the harsh atmosphere of industry, and of whom it is said that they need the help of the Federal Government, we have nothing like that number, nothing approaching it. We have left in nonagricultural pursuits only 413,000.

Mr. SMITH. Mr. President——

Mr. WADSWORTH. I yield.

Mr. SMITH. Does the Senator include in that four hundred-odd thousand those that he enumerated a moment ago that did occasional work, such as newsboys and messenger boys?

Mr. WADSWORTH. Yes; they are included in the nonagricultural group.

Mr. SMITH. I wish it were possible that we might know exactly what was the percentage of those.

Mr. WADSWORTH. I am afraid I have not that figure.

Mr. President, I am sure my fellow Senators will believe me when I say that no one abhors the exploitation of little children in industry or in any other way more than I do. I have given my support to so-called child-labor laws in my State on many an occasion, and I do not want my attitude on this amendment of the Constitution to be misconstrued, although I suppose it will be; in fact, it already has been pretty thoroughly misconstrued in certain circles. I suppose I must endure it.

The original intent of Federal child-labor laws was to find a universal remedy for abuses only, to prohibit the labor of those of tender years, and to protect others from dangerous labor, night work, and the evil effects of long hours.

Senators will recollect that several years ago Congress passed an act in which it provided that articles manufactured by what was termed "child labor"—and the term was defined in the act—were to be denied access to interstate commerce. That law was declared unconstitutional by the Supreme Court, and then some time later the Congress passed another act, in which it levied a prohibitive tax upon articles made by children under a certain age or working more than a certain number of hours. The law was upon the statute books, as I recollect, three years. I have not the slightest doubt that it did a good deal of good in reminding some of the States as to their duty in this respect, although I have no doubt that in good time, and rather rapidly, these same States would have come to the same conclusion.

We have traveled pretty far from the first child labor law in this proposed amendment. The aim sought now is labor domination over everyone under 18 years of age, to spread the Federal power over all children who work regularly or occasionally, paid or unpaid, at domestic service, on the farm, in the home, on the city streets, in the neighborhood industries, mines, or manufacturing establishments. In fact, this proposed amendment is intended to turn the child's entire labor life—and I add, educational life—over to the control of the Federal Government.

Is this wise? The inclusion of children in industry was most rigidly restricted in the Federal laws we passed, and which have been declared unconstitutional. Neither of those laws had a tithe of the power inherent in them that is conferred by this proposed amendment. This amendment goes infinitely further than the Federal child labor law which was last declared unconstitutional.

Mr. LENROOT. Mr. President, this amendment does not do anything in itself in the way of regulating child labor. It is merely a delegation of power, while the child labor law, of course, did directly affect it.

Mr. WADSWORTH. Of course it did, but this amendment goes much further in its implications, then, if the Senator wants me to be precise.

Mr. LENROOT. I want the Senator to be accurate.

Mr. WADSWORTH. This goes infinitely further in its implications; for example, it raises the age to 18 years, which the old Federal law did not do.

Mr. BROUSSARD. Mr. President, may I say to the Senator that the very case the Senator from Wisconsin brings up presents a case where the Congress, without the authority under the Constitution, passed a law. What will it not do when it has full authority?

Mr. WADSWORTH. Mr. President, since the first Federal law was passed, on September 1, 1916, every State but three, one already having satisfactory laws on these points, has passed laws on child labor or compulsory education.

Mr. WARREN. Are there three States left that have no such laws?

Mr. WADSWORTH. No; there is not a single State that has not some law.

Mr. WARREN. That is what I understood.

Mr. WADSWORTH. There is not one to-day; but since 1916 every State but three has passed new laws, or else amended old laws in a progressive direction.

The labor laws have increased the minimum age at which the child may commence work, lessened the number of working hours per day or week, prohibited employment in occupations morally or physically dangerous, and have banned night work.

Better health standards have been imposed as a result of health legislation. Mothers' pension laws have been passed in 42 States, which provide for the care of children in their own homes out of public funds, and apply to children under 14, and usually to children under 16.

Senators are undoubtedly familiar with the operation of those laws. We have a most excellent one in New York. A child welfare board may be established in any municipality in the State of New York, and the municipalities have very rapidly taken advantage of the opportunity. As I recollect it, the members of those boards serve without pay, with the exception perhaps of the executive officer.

A widowed mother who has to work for her own living, and has a child, may be so helped financially out of the community treasury that the child may go to school, instead of the mother being tempted to put the child to work because she needs its earnings. Better than that, in many cases the child is saved from institutional life and is enabled to continue living with its mother.

Forty-two States have passed laws of that kind, and that kind of law has done more to relieve poverty-stricken mothers of the necessity of putting their children to work than any other one set of statutes passed in our 48 States. It is but a sign of the times. It has become a national policy, and it needs no guidance or control or supervision by the Federal Government—not the slightest.

I venture to say that a good many of the people who want this profound change made in our fundamental law fail to realize the immense progress that has been made in this country since, we will say, 1915 or 1916. They are living among the statistics of 8 or 10 years ago, instead of having examined the situation as it actually exists to-day with its constant improvement.

The mass of social legislation on child labor and health and mothers' pensions and compulsory education in the last seven years makes the proposed Federal amendment unnecessary, and the purposes of the old Federal child labor law have been met by almost all of the States. I refer, in that connection, to the second law that was passed and which after three years of operation was declared unconstitutional.

It is interesting to note that many of the States far exceed the provisions of the former Federal laws. Children's code commissions have been provided for and are now functioning in most of the States where better child-labor conditions are needed.

It has been stated that the States do not equal the so-called Federal standard, and I venture to express the opinion that that statement is very misleading, just as is the announcement made by the Secretary of Labor to the effect that a million little children were engaged in harmful labor, when the fact is that there is nothing like that, if we regard the term "child labor" as it is usually regarded.

In some particular every statement to the effect that the States do not live up to the Federal standard is true. For example, Montana does not prohibit employment in mines of children under 16; therefore, Montana is listed as not up to the standard of the Federal laws. That sounds very serious, if that is all there is to it; but the important thing is that Montana does not need such legislation, or needs it very little, for there are only 15 children in the entire State who have anything to do with the mining industry. I submit that if the people who publish these alarming facts and figures—not facts, but these alarming figures—would tell the whole truth about these several conditions, the air would be cleared.

Delaware, for example, permits a child of 12 to 14 to work provisionally in establishments engaged in the preservation and canning of fruit in the vacation period. That is cited as an example of how a State has fallen below the standards, and will not come up to them.

Mr. BAYARD. Mr. President, will the Senator yield to me a moment?

Mr. WADSWORTH. Certainly.

Mr. BAYARD. May I state that all of those little children work under permits granted by the labor inspector of the State?

Mr. WADSWORTH. Certainly; everybody in Delaware knows that, of course. In all other respects the child labor laws of these States not only measure up to the standards of the Federal laws, but they exceed them in some respects.

The public does not distinguish between child labor and a child's work. Child labor implies that a child of tender years labors continuously for long hours at tasks beyond its capacity, to its physical or moral detriment. That is what we mean when we say "child labor," and that is what we are all against, every one of us.

Mr. DIAL. Mr. President, will the Senator yield?

Mr. WADSWORTH. Certainly.

Mr. DIAL. I merely want to suggest to the Senator that the marriageable age of women or girls in many of the States is only 18 years, in some States under 18 years; so this is a matter of dealing with grown people.

Mr. WADSWORTH. Thousands of children under 16 are gainfully employed for a short time daily during their vacation at easy jobs and at home. They are not ordinarily regarded and should not be regarded as child laborers in the usual accepted meaning of the phrase, but they are included as such in all the statements made to the Senate Committee on the Judiciary.

On the basis of the child labor tax law, which was the last Federal standard in effect at the time of the census of 1920, of children 14 and 15 years of age, we have 413,000 employed in nonagricultural pursuits, and, with few exceptions, legitimately employed. Of these there are only about 40,000 whose employment, by reason of age, is presumably a matter of grave concern—and that is a presumption. Undoubtedly, some of those 40,000 are employed in such a fashion as to cause concern. Incidentally, more than one-fourth of those were newsboys. For example, there were but 622 cotton-mill operatives in this

group, 404 being employed in the States of North Carolina, South Carolina, Georgia, and Alabama, and 218 in all the other States. So it will be seen that it whittles down to almost nothing. There are only 404 in the four southern cotton-mill States, and there is only a bare presumption that any of the 404 were illegally employed—that is, were below the age limit. A great deal of the outcry and uproar has been directed at those same four States on account of the alleged conditions existing in cotton mills, and we find the conditions do not exist.

Mr. BAYARD. Is it not a fact, may I ask the Senator, that of the number which the Senator just mentioned some may have been employed a few hours per week and some a few hours per day, but all of them went to school more or less during the year?

Mr. WADSWORTH. There is a compulsory school law in each one of those States. As I read the tables, every State in the Union, plus the District of Columbia, has a compulsory school law. This fails to show any grievous condition or large employment of children of tender years in the cotton industry. Only 10 States, 3 of which are in the South, permit children to work in any kind of factory for longer than eight hours a day, and that condition is being overcome rapidly. Scarcely a year goes by but one, two, three, or four States legislate in that direction.

Before believing that 1 out of every 12 children in the country is a victim of child labor—and that is what the report of the Secretary of Labor said to the Senate committee, that 1 out of every 12 in the country was a victim of child labor; and he counted all the children living on the farms in order to boost the figure up, and all the children employed only occasionally after school hours or before, or only in vacation—before believing that 1 out of every 12 is a victim of child labor, it would be well for us to distinguish between child labor and child employment, and to study the figures given by the 1920 census of children in gainful occupations, which includes all kinds of intermittent work, work done by school children outside of school hours, and other perfectly legal employment under the Federal child labor tax law in force at the time the census was taken, and to consider the reason advanced for social legislation by the States and this evidence of their ability and intention to deal with child-labor and child-welfare questions; further to note that no interstate condition requires Federal intervention; and further to realize that while there is a well-organized demand on the part of many, many good women for the cessation of child labor as we mean it, there is not a demand for the proposed amendment which gives State power over the labor of all persons under 18 years of age or any demand whatever for the Federal policing which would follow upon such legislation. In other words, I contend there is no child-labor condition in any State that can not be handled easily by that State upon the demand of its citizens.

I may add here this observation. The women of the country quite naturally and properly have an intense interest in this question, and for many, many years in the past they have contributed immensely to the solution of the problem. The women have the vote in every State in the Union. That is not news to the Members of the Senate. The women can bring their influence to bear in any one of the States, and it can not be contended that there are any more than two or three backward States in the entire Union. The women can bring their influence to bear in the two or three backward States, so-called, in such a fashion as to absolutely assure that the laws will be brought up to a point where they will be regarded as toeing the mark. To deny that proposition is to deny the ability of women to deal intelligently with any political problem. They have the power to do it along with the good men of the country who have in the past and will always in the future join with them in any effort of that kind. It is a matter of regret to me that so many good women who have the power to do these things in their own communities and in their own States are coming now to Washington and demanding an amendment to the Federal Costitution on the theory that they can not do these things in their own States. Every sensible man and woman knows that they can be done and there is only a little bit left to do. Nine-tenths of the road has been traveled, and the remaining one-tenth can be traveled in an instant of time if those people will go back home to their States and demand that their legislators bring their respective States up to the standard.

There is every indication that all of the States are now well informed on the subject of child labor and making rapid progress in dealing with it, and progress which is the more remarkable in view of the possibility of a constitutional amendment which would effectually destroy State initiative.

There is another phase of the matter that I want to mention. I may be accused of being possessed of exaggerated fears as to the future of our Government and the relation existing between the Federal Government on the one side and the several States on the other.

But there is one thing I have had in my mind for a good many years, and that is that it will be a sorry day for the people of the United States if the Federal Government ever gets control of education. The States now have the sole control of the education of the young persons within their borders. Under our system we have kept the control of education close to the people. There has been a tendency in recent years, or as least there has been an effort in recent years to centralize the control of education at Washington. The proposals have been made on the ground of efficiency and have received a good deal of impetus as a result of statistics emanating from the draft during the war when it was shown that 24.9 per cent of the men summoned were unable to read and write English. It was a shock for us to wake up the next morning, speaking figuratively, and realize that 25 per cent of all the young men in the United States could not read or write English. It did give impetus to the demand that the Federal Government take immediate control of the situation. Yet I have failed to find any person who does not think that any State can cure the situation for itself if its people are educated and aroused to the necessity for so doing.

It is a fact that since the war great strides have been made in the matter of public education in the several States. One of the tables which I have placed in the RECORD indicates how far we have gone in that regard. None of the States, as I recollect, now fails to have a compulsory education law. It would be well worth the time of Senators to examine the table in its details, because it shows not only the compulsory education laws, with respect to the attendance of children at day schools, but also at continuation schools, and at evening schools, and sets forth certain exceptions that can be made.

Those who desire to concentrate the control of education at Washington fail to read the lessons of history. What happened in Germany? The German Imperial Government by one means or another secured an effectual control of education throughout the German Empire. The professors in the colleges and schools were subsidized and assured of imperial pensions, with the inevitable result that the opinions and the teachings of those professors and others fell under the domination of the central government, with the further result that 70,000,000 people, after 40 years of thorough education of that kind, found themselves taught what to do and when to do it at the behest of the government. We are entirely familiar with the final result.

Mr. President, I will admit that there are regions of the country, not large or numerous, in which much more can be done for education. I will admit there are States and communities in which the educational system is not yet efficient. I will admit that there are 48 different kinds of educational systems in the United States. Some of the differences are very, very slight. But I would rather have a certain degree of inefficiency, and I would rather have 48 different kinds, if you please, of education in America than to confine our whole educational system in a Federal strait-jacket, and have a bureaucracy established at Washington, issuing its orders to all the States and all the people and communities within the States as to what the curriculum should be and what textbooks should be used. If that day shall ever come—and I hope it will not—if that day shall ever come, it will spell the end of freedom and spontaniety in teaching, and the beginning of an intellectual bondage that will destroy the ability of the American people to think and, therefore, to act for themselves. I dread this amendment for that very reason.

Under the amendment as it is drawn the Federal Government is empowered "to limit, regulate, and prohibit the labor of persons under 18 years of age." If the Congress shall have this power delegated to it, Mr. President, I do not doubt for one moment that within five or six years after the Congress begins to enjoy this power, it will issue a dictum in legislative form that no person of 17 years of age, for example, shall be permitted to do a certain kind of work unless that person shall have had a certain kind of education; not only a certain amount of schooling but the kind of schooling; and we shall have established under this amendment the Federal Government in indirect but nevertheless effective control of the education of the people. Indeed, in some of the correspondence that I have had people who support this amendment make that very proposal. They do not hesitate to say that a part, a very essential part, of regulating the labor of young

persons is to regulate the education that they are to receive before or while they are laboring.

A few moments ago the Senator from Ohio [Mr. FESS] indicated his belief that the Congress could always be trusted never to go too far. I wonder where he or anyone else gets such implicit confidence in Congress in that regard? I have never known the Congress to fail to attemp to exercise the maximum of its power in every matter intrusted to it. I do not want to bring up an unduly contentious subject, but in the matter of the eighteenth amendment the Congress went far beyond what a great many supporters of the amendment originally expected—far, far beyond. The Congresses of the future will behave as the Congresses of the past have behaved. We may be sure of that because we know as the result of our observations of the events of the last 20 years that Congress, whether specifically clothed with additional power or not, has been consistently reaching out and grasping more, until to-day we have built up at Washington a bureaucracy so vast, so complicated, with ramifications of such infinite variety, that there is not a human being on God's footstool who can understand the operations of the Government of the United States; and I include the Chief Executive with the rest of us! We have built up here a bureaucracy manned by 500,000 employees; a bureaucracy with its tentacles stretching out and dipping into every corner of this great land, and regulating or investigating, or attempting to regulate or attempting to investigate, the daily life of every man, woman, and child in the country.

I call attention to the fact that the appropriations for the support of the Government in 1913, at about the beginning of the Wilson administration, amounted to something like $1,000,000,000 a year. To-day the Federal Government is spending $3,700,000,000 per year. We have multiplied the cost of Government almost four times in 10 years. Of course the World War is responsible for a considerable part of it, but while we would like to escape as quickly as possible from some of the onerous burdens imposed by the war itself, there are many people who do not hesitate one moment to propose the assumption of more burdens and more burdens and the building up of a greater and a greater bureaucracy.

In 1913 we had altogether 425,000 Federal employees in the District of Columbia and in the field; to-day we have 500,000. We have increased the number, it will be seen, by about 165,000. Most of the war-time employees have now been discharged. The increase is permanent. I have very little hope, Mr. President, that this great army will be decreased. My fear is that it will be immensely increased by ill-considered action, urged by people who have not thought this thing out and who have a very slight conception of the meaning of our institutions or the structure of our Government.

From the standpoint of the private citizen one can not forget that a bureaucracy is inevitably remote; it is mysterious; it is not responsive to public sentiment; it will perish of dry-rot or corruption. We have had experiences already with bureaucracy in both those directions—dry-rot and corruption. I honestly believe that most of the friction which has manifested itself in recent years between the legislative branch and the executive branch is due to the fact that Members of the House of Representatives and of the Senate are coming to realize that they do not know enough about their own Government and that they can not know enough about it; it is too big. And hence suspicion, and at times very cruel and unwarranted suspicion, against honest men in the executive departments.

Mr. President, we must call a halt at some time or we will have transformed within a very short period our entire structure of government; we shall be no longer a Federal union of States, inhabited by people competent to manage their own affairs, proud of the opportunity of doing so, citizens of a great Republic. If this thing goes on, instead of being citizens we will become subjects of an imperial government, with our sense of responsibility gone, our initiative destroyed, and democracy wiped off the map.

There is no nation-wide child-labor problem to-day. The statistics of the census of 1920 prove the truth of that assertion indubitably. The fifth article of the Constitution recites in effect that Congress shall propose amendments when it deems them necessary. I have not yet been shown one atom of necessity for this immense step in the transformation of the Government of this Nation.

EAGLE PASS LUMBER CO.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill coming over from the House of Representatives, which will be read by title.

The READING CLERK. A bill (H. R. 7122) for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex.

Mr. SHEPPARD. Mr. President, inasmuch as an identical Senate bill has been favorably reported and is on the calendar, I ask unanimous consent for the immediate consideration of the House bill.

Mr. SMOOT. What is the calendar number of the Senate bill?

Mr. SHEPPARD. It is Order of Business No. 662, being the bill (S. 2369) for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex. There is no question about the fact that the excess customs duties should be refunded inasmuch as they were originally collected under a wrong paragraph of the tariff act.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas to proceed to the consideration of House bill 7122?

There being no objection, the Senate, as in Committee of the Whole proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Eagle Pass Lumber Co., of Eagle Pass, Tex., the sum of $2,459.52, being refund of excess duties on certain shipments of ixtle twine from Mexico to the United States in 1918.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SHEPPARD. I move that Order of Business 662, being Senate bill 2369, be indefinitely postponed.

The motion was agreed to.

MERCHANT MARINE—CONFERENCE REPORT

Mr. JONES of Washington. I ask unanimous consent for the consideration of the conference report on House bill 6202. I do not think it will provoke any discussion.

The PRESIDENT pro tempore. The conference report will be read.

The reading clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6202) to amend sections 11 and 12 of the merchant marine act, 1920, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

W. L. JONES,
BERT M. FERNALD,
DUNCAN U. FLETCHER,
Managers on the part of the Senate.

WILLIAM S. GREENE,
G. W. EDMONDS,
L. LAZARO,
EDWIN L. DAVIS,
Managers on the part of the House.

The PRESIDENT pro tempore. Is there objection to the present consideration of the report? The Chair hears none. The question is on agreeing to the report.

The report was agreed to.

ALIEN PROPERTY TRADE INVESTMENT CORPORATION

Mr. DIAL. I ask unanimous consent that the Senate proceed to the consideration of the joint resolution (S. J. Res. 121) to create a body corporate by the name of the "Alien Property Trade Investment Corporation."

Mr. BAYARD. I object.

Mr. DIAL. I move that the Senate proceed to the consideration of the joint resolution.

Mr. SMOOT. Mr. President, if the Senator makes that motion I shall suggest the absence of a quorum, because I promised several Senators that I would do so.

AGRICULTURE DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. McNARY. Will the Senator from South Carolina withhold his motion until I can secure consideration of a conference report?

Mr. DIAL. Very well, I withhold the motion for that purpose.

Mr. McNARY. I ask unanimous consent to take from the table and that the Senate proceed to the consideration of the conference report on House bill 7220, the agricultural appropriation bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and lays the conference report before the Senate.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7220) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 17, 18, 19, 21, 26, 28, 30, 33, 36, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 8, 9, 14, 20, 23, 24, 29, 35, 38, 39, and 43, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$573,000: *Provided*, That of this sum $30,000 may be used for the purchase and distribution of blackleg vaccine at cost"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$91,115"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$185,450"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,602"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,098,004"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,687,924"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,280,606"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,781,489"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$231,920"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,111,305"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,065,848"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$786,150"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$892,490"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and for investigation of the economic costs of retail marketing of ment and meat products, $549,628"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,288,001"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,325,864"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$800,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$452,540: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer under such rules and regulations as he may prescribe, to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provision of said act, he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$58,575,274"; and the Senate agree to the same.

CHAS. L. MCNARY,
W. L. JONES,
ARTHUR CAPPER,
E. D. SMITH,
WM. J. HARRIS,
Managers on the part of the Senate.

MARTIN B. MADDEN,
WALTER W. MAGEE,
EDWARD H. WASON,
J. P. BUCHANAN,
GORDON LEE,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

POTEAU RIVER DAM

The PRESIDENT pro tempore. The Senator from South Carolina [Mr. DIAL] has the floor.

Mr. DIAL. I will yield to the Senator from Texas, and then I will yield to the Senator from Georgia.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably with amendments the bill (S. 601) to permit the city of Fort Smith, Sebastian County, Ark., to erect or cause to be erected a dam across the Poteau River, and I sub-

mit a report (No. 662) thereon. I call the attention of the Senator from Arkansas [Mr. CARAWAY] to the bill.

Mr. CARAWAY. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

Mr. SMOOT. Has the bill been reported upon favorably by the department?

Mr. CARAWAY. Yes, sir; they wrote the bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 3, after the word "that," to insert "the consent of Congress is hereby granted to"; in line 4, after the word "Arkansas," to strike out "is hereby granted permission to erect or cause to be erected," and to insert "to construct, maintain, and operate"; on page 2, line 1, after the word "River," to insert a comma and "at a point suitable to the interests of navigation"; in line 3, after the word "Creek," to insert a colon and the following: "*Provided*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of War: *Provided further*, That in approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of War may deem necessary to protect the present and future interests of the United States, which may include the condition that the said city shall construct, maintain, and operate, without expense to the United States in connection with said dam, a lock, boom, sluice, or any other structure or structures which the Secretary of War and the Chief of Engineers or Congress at any time may deem necessary in the interests of navigation, in accordance with such plans as they may approve: *And provided further*, That this act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy," so as to make the section read:

That the consent of Congress is hereby granted to the city of Fort Smith, a duly incorporated city of Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River, at a point suitable to the interests of navigation, at or near a point just west of the State line dividing the States of Arkansas and Oklahoma, and near or just above the mouth of Mill Creek: *Provided*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of War: *Provided further*, That in approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of War may deem necessary to protect the present and future interests of the United States, which may include the condition that the said city shall construct, maintain, and operate, without expense to the United States in connection with said dam, a lock, boom, sluice, or any other structure or structures which the Secretary of War and the Chief of Engineers or Congress at any time may deem necessary in the interests of navigation, in accordance with such plans as they may approve: *And provided further*, That this act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

The amendments were agreed to.

The next amendment was, on page 2, after line 3, to insert the following section:

SEC. 2. That the authority granted by this act shall cease and be null and void unless the actual construction of the dam hereby authorized is commenced within one year and completed within three years from the date of approval of this act: *Provided*, That from and after 30 days' notice from the Federal Power Commission, or other authorized agency of the United States, to said city or their successors that desirable water-power development will be interfered with by the existence of said dam, the authority hereby granted to construct, maintain, and operate said dam shall terminate and be at an end; and any grantee or licensee of the United States proposing to develop a power project at or near said dam shall have authority to remove, submerge, or utilize said dam under such conditions as said commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam.

The amendment was agreed to.

The next amendment was, on page 2, line 4, to change the section number from 2 to 3.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 47 to the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes.

BERNICE HUTCHESON

Mr. HARRIS. Mr. President——

Mr. DIAL. I yield to the Senator from Georgia.

Mr. HARRIS. The Senator from South Carolina on one or two occasions did a very great injustice to a woman in my State. He objected, without understanding the facts or going into them, to the House bill for the relief of Bernice Hutcheson, who was knocked down by a soldier during the war, whose leg was broken, who was unconscious for days, and who, although her father is a poor man, was kept in the hospital for months. The Senator from South Carolina now withdraws his objection. It will take only a moment to pass the bill, and I ask unanimous consent to take it up and pass it at this time.

Mr. SMOOT. What is the calendar number?

Mr. HARRIS. It is House bill 3143, Order of Business No. 433. I will state that the bill is recommended by the War Department and urged by a board of officers that went into the question.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Georgia?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3143) for the relief of Bernice Hutcheson, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bernice Hutcheson, the sum of $2,587.50 in full settlement of all damages against the Government for expenses incurred and permanent injury, the results of injuries sustained through being struck by a truck, the property of the War Department and driven recklessly by a soldier of the United States Army.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. SMOOT. Mr. President, does the Senator from South Carolina insist upon his motion to proceed to the consideration of Senate Joint Resolution 121?

Mr. DIAL. I have another little matter or two that I should like to dispose of first, Mr. President.

Mr. SMOOT. Then the Senator withdraws his motion for the consideration of the joint resolution?

Mr. DIAL. Yes, Mr. President; for the moment I will withdraw it.

Mr. President, I move to discharge the Committee on Agriculture and Forestry from the consideration of Senate bill 3197 and Senate bill 386. I have the two motions pending. This action is agreeable to the chairman of the committee.

Mr. LENROOT. Mr. President, I wish to address myself tonight for a few minutes, at least, to the unfinished business which is before the Senate.

The PRESIDENT pro tempore. The Senator from South Carolina moves the discharge of the Committee on Agriculture and Forestry from the further consideration of Senate bill 3197, to amend section 5 of the United States cotton futures act to enable the buyer of a cotton futures contract to demand actual delivery in fulfillment thereof prior to the close of the delivery month, and Senate bill 386, to amend section 5 of the United States cotton futures act approved August 11, 1916, as amended. Is there objection to the consideration of that motion at this time?

Mr. SMOOT. The regular notice has been given, I take it for granted?

Mr. DIAL. Yes.

Mr. BURSUM. I object, Mr. President.

The PRESIDENT pro tempore. Then the motion goes over.

Mr. DIAL. Mr. President, I move that the committee be discharged from the consideration of the two bills to which I have referred, taking up the motions one at a time.

Mr. LENROOT. Mr. President, what is before the Senate?

The PRESIDENT pro tempore. The unfinished business is before the Senate so far.

Mr. KING. I call for the regular order.

The PRESIDENT pro tempore. The Senator from South Carolina has moved that the Senate proceed to the consideration of Senate bill 3197.

Mr. LENROOT. Mr. President, the Senator's motion was to discharge the committee. The Senator from New Mexico [Mr. BURSUM] objected to his request to discharge the committee, and I understood the Senator from South Carolina then to move to discharge the committee.

The PRESIDENT pro tempore. The Chair did not understand that notice had been given previously, and therefore held that the motion was not in order at this time; but the Chair now is advised that the motion was made on the 26th of May in the one case and on the 10th of March in the other case.

Mr. BURSUM. Mr. President, I submit that any motion would be out of order except that first a request be made to lay aside the unfinished business.

The PRESIDENT pro tempore. The motion of the Senator from South Carolina, if agreed to, will displace the unfinished business.

Mr. LENROOT. Mr. President, I desire to suggest that the only motion that can be made while the unfinished business is before the Senate is a motion to proceed to the consideration of some other bill upon the calendar. This bill is not upon the calendar.

The PRESIDENT pro tempore. The Chair is of that opinion, but no Senator has yet made that point of order.

Mr. LENROOT. I now make that point of order.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. DIAL. Mr. President, these motions that I have made to discharge the Committee on Agriculture and Forestry will involve no debate. There is no desire to debate them at all. I merely want a vote. I think the Senator from Wisconsin should have an opportunity to debate the unfinished business before the Senate. I do not desire to lay that aside, except temporarily, in order to get these two bills on the calendar.

Mr. LENROOT. Personally, I have no objection to that.

Mr. DIAL. Very well; let us vote on them and get through with them and put them on the calendar. The Senator ought to have a right, if he desires, to discuss the unfinished business.

Mr. LENROOT. I am not willing that the unfinished business shall be displaced.

Mr. DIAL. I merely want these bills on the calendar.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his inquiry.

Mr. KING. If the request of the Senator from South Carolina shall be acceded to and the unfinished business is temporarily laid aside for the purpose of acting upon those matters, will it not automatically displace the pending business, so that other motions will be in order?

The PRESIDENT pro tempore. The Chair has just ruled that the motion is not in order, but that a motion to proceed to the consideration of either of these bills is in order, and the Chair is in doubt whether the Senator from South Carolina makes that motion or not.

Mr. DIAL. I make that motion, Mr. President.

Mr. LENROOT. Mr. President, I submit to the Chair that a motion to proceed to the consideration of either of these bills is not in order, because they are not upon the calendar. They are before a committee. The Senator must first secure the discharge of the committee.

Mr. DIAL. Mr. President, I can not secure it without a motion.

Mr. LENROOT. Yes; but there is a proper time to make such a motion.

Mr. KING. The Senator can not make that motion now.

The PRESIDENT pro tempore. The Chair is of the opinion that the Senator can not move to proceed to the consideration of a bill upon which a report has not been made.

Mr. DIAL. Mr. President, I have bills on the calendar on which reports have been made; but I do not desire to shut off the Senator from Wisconsin from discussing the unfinished business if he wants to discuss it. I want to be perfectly fair. I should like to get these other matters up and get them on the calendar. It would take only a minute; but if the Senator wants to discuss the unfinished business I shall not make the other motion at the present time. I have a bill there, however, which I shall at an early moment move to take up, which is on the calendar, and has been reported unanimously.

The PRESIDENT pro tempore. The Chair will suggest that by unanimous consent the committee could be discharged without displacing the unfinished business.

Mr. DIAL. Objection was made to the request for unanimous consent.

The PRESIDENT pro tempore. The unfinished business is before the Senate.

Mr. LENROOT. Mr. President, I had not expected, because of my physical condition, to discuss this measure at all; and to-night I only wish to make a few preliminary observations which have occurred to me by reason of the very able speech of the Senator from New York [Mr. WADSWORTH].

Before going into the merits of the question before the Senate I wish to discuss that phase of the Senator's remarks concerning the tendencies toward centralization in this Government and the duty to resist those tendencies. I agree that many things the Senator from New York has said are true. He cited a long list of measures that have been enacted by various Congresses extending the powers of the Federal Government, and yet I venture to say that of the long list presented by the Senator from New York, with the possible exception of two of those measures, he himself would not vote to repeal any of them. Certainly the Senator referred to the creation of the Federal Reserve Board. Where would this country have been if it had not been for the creation of the Federal Reserve Board and its functioning during the war?

But, Mr. President, however that may be, the point to which I wish especially to direct attention at this time is this:

We have heard of late a great deal about the passing of party responsibility in the Congress of the United States. It has been said that the Congress does not any longer function through the action of political parties. Many of us have been pilloried very recently in the press of this country because of our votes upon the adjusted compensation bill; and the charge has been made, especially against the Republicans, that in voting in favor of that bill they have strayed from the Republican Party and refused to follow its policies; although the fact is—and I am not going into that discussion now—that the Republican Party never officially made any declaration upon that subject, and in so far as its spokesmen that were elected by the people did speak in the past they spoke in favor of the policy that was adopted by the Senate of the United States and the House of Representatives, including the late President Harding.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LENROOT. I do.

Mr. FESS. Our platform in 1920 included a plank on our obligation to the soldiers, and an additional plank on our obligation to the disabled soldiers, specifying the two. If the first plank was not a plank which is to be interpreted as a pledge of the party to the service men, then it was a dishonest statement, for that was why it was put in there.

Mr. LENROOT. However, Mr. President, I do not intend to discuss that, except to draw attention to the insistence by some people in some parts of the country upon party responsibility, and upon members of a political party recognizing their responsibility to carry out the policies of their party; and with reference to the question now before the Senate, the point I wish to make is that the Republican Party has expressly, in words that could not be made stronger, declared in favor of the proposition now before the Senate, and the Democratic Party has done likewise.

What is the declaration of the Republican Party upon the subject of child labor? Its last platform is that of 1920; and so far as the party binds any members at all they are bound by the declaration of its last platform officially promulgated. Upon the subject of child labor the party platform then said:

> The Republican Party stands for a Federal child labor law and for its rigid enforcement. If the present law be found unconstitutional or ineffective, we shall seek other means to enable Congress to prevent the evils of child labor.

The law was found to be unconstitutional, and this pledge of the Republican Party can not be carried out in any other way than by a constitutional amendment.

The distinguished Senator from New York [Mr. WADSWORTH], for whom I have the highest respect, one of the ablest Members of this body, one of the ablest members of the Republican Party, stands upon this floor advocating the violation of that pledge of the Republican Party. Mr. President, I am not

one who believes that every Senator should cast aside his principles and be bound by every declaration that his party makes, but where it is a question of policy, if there be such a thing as government by parties, upon questions of policy, it is the duty of the Senator to sink his own views of policy and follow his party. When it comes to a question of vital principle it is a very different thing, of course.

The point I wish now to make is that if any considerable number on this side of the aisle shall vote to reject this amendment, then what is the use of having political platforms? What will be the use of writing a platform two weeks hence at Cleveland? Such a vote would be a confession that a platform is only something to fool the people with, and that nobody shall be bound by it after the people have given life candidates their votes.

Mr. BAYARD. Since that platform was adopted in 1920 the returns have come in from the census of 1920, and is it not a fact that those returns show a radically different state of facts than were supposed to exist prior to 1920 touching the question of child labor?

Mr. LENROOT. They do not, except in degree. The evil is the same.

Mr. BAYARD. Does not the Senator confess that they have tremendously improved?

Mr. LENROOT. They have improved; yes.

Mr. BAYARD. Tremendously improved?

Mr. LENROOT. They have improved; but does the Senator believe that because, we will say, there are only 20,000 children whose lives are being ruined, who are being stunted physically and intellectually, working in the cotton mills of this country, it should not be a matter of Federal concern?

Mr. BAYARD. I will answer the Senator's question. In the first place, his premise is absolutely false, because it does not appear from any of the records brought out, so far as either House of Congress is concerned, that there are 20,000, or 2,000, whose lives are being squeezed out in the way the Senator suggests. There may be 20,000 employed as cotton operatives.

Mr. LENROOT. I will say to the Senator that if there are any children between 10 and 15 years of age working in the cotton mills in this country, their lives are being ruined.

Mr. BAYARD. The Senator makes his own premise, not based upon the facts shown in the census reports.

Mr. LENROOT. The census reports do not show whether their lives are being ruined or not. We must draw our own conclusions from the nature of the work that is being performed.

It is said, "There are only 400,000 children between 10 and 15 years of age now working in the factories and quarries and mines of this country." Only 400,000! Who is there upon this floor who will say that the physical and intellectual development of 400,000 human beings in this country should not be a matter of concern to us?

I have read the Republican pledge, and, although the Senator from Delaware has suggested that Republicans are no longer bound by that pledge because of the fact that conditions have improved with reference to child labor in this country, I have stated why I consider the pledge still binding.

I desire to call to the attention of the other side of the aisle that a like pledge was made by their party in their last national convention. After having boasted of having passed the child labor law of 1916, they said:

> We urge cooperation with the States for the protection of child life through infancy and maternity care, in the prohibition of child labor, and by adequate appropriations for the Children's Bureau and the Woman's Bureau in the Department of Labor.

They pledged cooperation with the States for the prohibition of child labor. How can the Congress of the United States, in view of the decisions of the Supreme Court, cooperate with the States for the prohibition of child labor except through a constitutional amendment giving them the power so to do?

The fact is, Mr. President, that both of the political parties have solemnly declared in favor of this legislation which the Senate is now considering. Of course, I do not mean that either party has pledged itself to the identical words of this amendment, but the Senator from New York addressed himself in very large part to the principle involved, and was against any action by the Congress upon this subject; and I repeat that it seems to me that upon neither side of the aisle, if we believe in party government, if we believe in party responsibility upon a matter which embodies a policy, can Senators do otherwise than support the proposition of a constitutional amendment giving to the Congress the power to deal with this subject.

I did intend to discuss the measure in some other aspects, but it would take me some time, and I would a little prefer not to go on to-night.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. LEHLBACH, Mr. LAZARO, and Mr. DAVIS of Tennessee were appointed managers on the part of the House at the conference.

The message also announced that the House receded from its disagreement to the amendments of the Senate numbered 8, 21, 38, 39, 40, 41, 78, 91, and 92 to the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, and concurred therein; that the House receded from its disagreement to the amendment of the Senate numbered 14 to the said bill and concurred therein with an amendment, in which it requested the concurrence of the Senate; and that the House insisted upon its disagreement to the amendment of the Senate numbered 13.

The message further announced that the House had passed the bill (S. 3395) granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River, near Masontown, Fayette County, Pa.

CLAIMS OF THE CHOCTAW AND CHICKASAW INDIANS (S. DOC. NO. 124)

Mr. HARRELD submitted the following report, which was ordered to lie on the table and to be printed:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, and 6, and agree to the same.

That the Senate recede from its amendment numbered 7.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: Strike out the language proposed to be inserted by the Senate and in lieu thereof insert the following: "*Provided, however*, That the attorney or attorneys employed as herein provided may be assisted by the regular tribal attorney or attorneys employed under existing law under direction of the Secretary of the Interior, with such additional reasonable and necessary expenses for said tribal attorneys to be approved and paid from the funds of the respective tribes under the direction of the Secretary of the Interior, as may be required for the proper conduct of such litigation"; and the Senate agree to the same.

J. W. HARRELD,
CHARLES CURTIS,
JOHN B. KENDRICK,
Managers on the part of the Senate.

HOMER P. SNYDER,
FREDERICK W. DALLINGER,
W. W. HASTINGS,
Managers on the part of the House.

APPROPRIATIONS FOR THE WAR DEPARTMENT

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the amendment of the Senate No. 14 to the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes.

Mr. WADSWORTH. I move that the Senate agree to the amendment of the House, with an amendment as follows:

> After the words "military posts" in the amendment insert a comma and "including Camp Lewis, in the State of Washington."

The motion was agreed to.

PROTECTION OF FISHERIES OF ALASKA

The PRESIDENT pro tempore laid before the Senate the action of the House of Representative disagreeing to the amendments of the Senate to the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES of Washington. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the President pro tempore appointed Mr. JONES of Washington, Mr. FERNALD, and Mr. FLETCHER conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened; and the Senate (at 5 o'clock p. m.), under the order previously made, adjourned until Saturday, May 31, 1924, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 29 (legislative day of May 26), 1924

ASSISTANT SECRETARY OF THE TREASURY

Charles S. Dewey, of Chicago, Ill., to be Assistant Secretary of the Treasury, to fill an existing vacancy.

COLLECTOR OF CUSTOMS

Carl E. Milliken, of Island Falls, Me., to be collector of customs for customs collection district No. 1, with headquarters at Portland, Me., in place of Charles M. Sleeper, whose term of office will expire on June 30, 1924.

POSTMASTERS

ALABAMA

Law W. Bowman to be postmaster at Marvel, Ala., in place of G. E. Ellis, appointee, declined.

ARKANSAS

Marvin Vanhooser to be postmaster at Siloam Springs, Ark., in place of W. T. Stahl. Incumbent's commission expired September 5, 1922.

CALIFORNIA

Edward A. Baker to be postmaster at Point Loma, Calif., in place of A. E. Dixon, resigned.

Charles F. W. Rapp to be postmaster at La Mesa, Calif., in place of B. Q. R. Canon, resigned.

Nannie H. Phiney to be postmaster at Tustin, Calif., in place of Florence Stone. Incumbent's commission expired May 10, 1924.

John H. Strauch, jr., to be postmaster at San Gabriel, Calif., in place of E. P. Higgins. Incumbent's commission expired February 11, 1924.

FLORIDA

Edwin L. Raby to be postmaster at Littleriver, Fla., in place of Mabel Miller, appointee, declined.

COLORADO

Harrison V. Teller to be postmaster at Windsor, Colo., in place of J. H. Comin. Incumbent's commission expired February 18, 1924.

IDAHO

Oral Avery to be postmaster at Clarkia, Idaho, in place of Oral Avery. Office became third class July 1, 1923.

ILLINOIS

Lela Seneff to be postmaster at Westfield, Ill., in place of J. O. Biggs, deceased.

Edwin L. Griese to be postmaster at Northbrook, Ill., in place of W. R. Landwehr, resigned.

Willis A. Myers to be postmaster at Wenona, Ill., in place of T. J. Hopkins. Incumbent's commission expires June 5, 1924.

Leonard O. Bingham to be postmaster at Virginia, Ill., in place of G. A. Hill. Incumbent's commission expired May 28, 1924.

Herman O. Manuel to be postmaster at Steger, Ill., in place of M. C. Hewes. Incumbent's commission expired March 9, 1924.

Jacob L. Pfundstein to be postmaster at Erie, Ill., in place of R. W. Perkins. Incumbent's commission expires June 5, 1924.

John E. Heffron to be postmaster at East Dubuque, Ill., in place of Max Geisenhoner. Incumbent's commission expires June 5, 1924.

Ralph W. Miller to be postmaster at Collinsville, Ill., in place of J. E. Simpson. Incumbent's commission expires June 5, 1924.

INDIANA

Claude L. Worster to be postmaster at North Liberty, Ind., in place of E. E. Stull, resigned.

IOWA

Harry M. Harlan to be postmaster at Sigourney, Iowa, in place of E. E. Houdek, resigned.

Ralph Hunte to be postmaster at Springville, Iowa, in place of E. T. McShane. Incumbent's commission expires June 5, 1924.

Howard H. Tedford to be postmaster at Mount Ayr, Iowa, in place of J. A. McNerney. Incumbent's commission expires June 5, 1924.

Royal E. Hutton to be postmaster at Bancroft, Iowa, in place of N. E. Sheridan. Incumbent's commission expires June 5, 1924.

KANSAS

William R. Robb to be postmaster at Treece, Kans., in place of E. D. Robb. Office became third class October 1, 1923.

Michael Fischer to be postmaster at Tipton, Kans., in place of J. P. Arnoldy. Office became third class January 1, 1924.

Hiram W. Joy to be postmaster at Quinter, Kans., in place of Cecil Calvert. Incumbent's commission expires June 4, 1924.

KENTUCKY

Leota P. Cranor to be postmaster at St. Charles, Ky., in place of L. P. Cranor. Office became third class October 1, 1923.

John H. Stone to be postmaster at Burgin, Ky., in place of J. H. Stone. Office became third class October 1, 1923.

LOUISIANA

James N. Coan to be postmaster at Sicily Island, La., in place of J. N. Coan. Office became third class April 1, 1924.

Robert A. Giddens to be postmaster at Coushatta, La., in place of J. A. Melton. Incumbent's commission expires June 4, 1924.

MAINE

Stella L. Hill to be postmaster at Northeast Harbor, Me., in place of J. W. Small, resigned.

MASSACHUSETTS

Stephen C. Luce to be postmaster at Vineyard Haven, Mass., in place of S. C. Luce. Incumbent's commission expires June 4, 1924.

MICHIGAN

Fred C. Putnam to be postmaster at Kalamazoo, Mich., in place of Samuel Folz, deceased.

Emma F. Lyon to be postmaster at Hillsdale, Mich., in place of Fred O'Melay. Incumbent's commission expires June 4, 1924.

MISSOURI

Alma Brennecke to be postmaster at Irondale, Mo., in place of H. L. Ward, resigned.

Joseph A. Davis to be postmaster at Waynesville, Mo., in place of A. L. Wilson. Incumbent's commission expires June 4, 1924.

Lester C. Boyles to be postmaster at Urich, Mo., in place of Solon McDaniel. Incumbent's commission expired January 23, 1924.

Harry H. Forman to be postmaster at Shelbyville, Mo., in place of W. L. Peoples. Incumbent's commission expires June 5, 1924.

MONTANA

Maurice D. Holmes to be postmaster at White Sulphur Springs, Mont., in place of J. C. Tipton. Incumbent's commission expires June 4, 1924.

Arnold D. Ferris to be postmaster at Sidney, Mont., in place of B. S. Adams. Incumbent's commission expired May 10, 1924.

Wedsel J. Hartman to be postmaster at Broadview, Mont., in place of A. C. Sipe. Incumbent's commission expires June 4, 1924.

NEBRASKA

Julia A. Presson to be postmaster at Stromsburg, Nebr., in place of M. M. Anderson. Incumbent's commission expired April 9, 1924.

William M. Baskin to be postmaster at Stapleton, Nebr., in place of E. W. Glandon. Incumbent's commission expired April 9, 1924.

Verner O. Lundberg to be postmaster at Nehawka, Nebr., in place of G. C. Hoback. Incumbent's commission expires June 4, 1924.

Jacob H. Jimerson to be postmaster at Liberty, Nebr., in place of K. F. Michael. Incumbent's commission expired April 9, 1924.

Claude A. Sheffner to be postmaster at Hay Springs, Nebr., in place of C. A. Sheffner. Incumbent's commission expired May 21, 1924.

Owen T. Thompson to be postmaster at Farnam, Nebr., in place of O. T. Thompson. Incumbent's commission expires June 4, 1924.

Millard M. Martin to be postmaster at Allen, Nebr., in place of L. W. Harper. Incumbent's commission expires June 4, 1924.

NEW HAMPSHIRE

Everett F. Tozier to be postmaster at Salmon Falls, N. H., in place of Gardner Grant. Incumbent's commission expires June 5, 1924.

NEW YORK

Fred L. Babcock to be postmaster at Massena Springs, N. Y., in place of F. L. Babcock. Office became third class October 1, 1923.

Harold D. Babcock to be postmaster at Delanson, N. Y., in place of D. M. Rector, resigned.

Erwin Smith to be postmaster at Annandale-on-Hudson, N. Y., in place of Erwin Smith. Office became third class April 1, 1924.

NORTH DAKOTA

Lenora M. Collins to be postmaster at Wing, N. Dak., in place of H. M. Beall. Incumbent's commission expired January 23, 1924.

James N. McGogy to be postmaster at Ashley, N. Dak., in place of J. N. McGogy. Incumbent's commission expired January 23, 1924.

OHIO

Earl W. Starkey to be postmaster at Flushing, Ohio, in place of O. S. Holloway, resigned.

Perry A. Dickey to be postmaster at Rogers, Ohio, in place of C. T. Shively. Incumbent's commission expires June 4, 1924.

William H. Flach to be postmaster at Piqua, Ohio, in place of W. H. Flach. Incumbent's commission expires June 4, 1924.

Mabel E. Dierker to be postmaster at Pemberville, Ohio, in place of W. H. Gerding. Incumbent's commission expired February 24, 1924.

Benjamin Hegemann to be postmaster at Minster, Ohio, in place of K. H. Sherman. Incumbent's commission expires June 4, 1924.

OKLAHOMA

Hubbard Ross to be postmaster at Fort Gibson, Okla., in place of Louie Garland. Incumbent's commission expired May 18, 1924.

Adrian J. Brown to be postmaster at Bixby, Okla., in place of J. E. Reasonover. Incumbent's commission expired January 28, 1924.

OREGON

Fitzhugh G. Lee to be postmaster at Junction City, Oreg., in place of F. G. Lee. Incumbent's commission expires June 4, 1924.

PENNSYLVANIA

David M. Gilbert to be postmaster at Hellam, Pa., in place of C. E. Keim, resigned.

William C. Drager to be postmaster at Boiling Springs, Pa., in place of W. C. Drager. Office became third class April 1, 1924.

Cornelius L. Corson to be postmaster at Willow Grove, Pa., in place of J. M. Rutherford. Incumbent's commission expires June 5, 1924.

Walter D. Lewis to be postmaster at Ulysses, Pa., in place of H. L. Cobb. Incumbent's commission expired February 4, 1924.

Olive S. Burtch to be postmaster at Tioga, Pa., in place of O. S. Burtch. Incumbent's commission expires June 5, 1924.

Ella Lawrence to be postmaster at Roulette, Pa., in place of M. M. Burt. Incumbent's commission expires June 5, 1924.

Spencer M. Lloyd to be postmaster at Republic, Pa., in place of L. W. Lloyd. Incumbent's commission expires June 5, 1924.

Homer D. Sarge to be postmaster at Pine Grove, Pa., in place of P. E. Sheidy. Incumbent's commission expires June 5, 1924.

William M. Overholt to be postmaster at Mount Pleasant, Pa., in place of C. A. Graul. Incumbent's commission expired May 11, 1924.

S. Charles McClellan to be postmaster at Mifflin, Pa., in place of J. E. Niemond. Incumbent's commission expires June 5, 1924.

RHODE ISLAND

Edward T. Priday to be postmaster at Peace Dale, R. I., in place of Sumner Mowry, resigned.

SOUTH CAROLINA

Luther V. Martin to be postmaster at Mullins, S. C., in place of G. B. Stackhouse. Incumbent's commission expired August 29, 1923.

SOUTH DAKOTA

Thelma L. Abbott to be postmaster at Carter, S. Dak., in place of R. A. Keepers, resigned.

Charles Sundling to be postmaster at Vermilion, S. Dak., in place of J. R. Dunlap. Incumbent's commission expires June 4, 1924.

Thomas A. Krikac to be postmaster at Dupree, S. Dak., in place of F. E. Riley. Incumbent's commission expires June 4, 1924.

TENNESSEE

John G. Holmes to be postmaster at Trezevant, Tenn., in place of A. H. Jones. Incumbent's commission expired April 28, 1924.

John E. Robertson to be postmaster at Springfield, Tenn., in place of A. D. Bell. Incumbent's commission expired March 9, 1924.

Lee M. Jeffers to be postmaster at Oakdale, Tenn., in place of L. N. Alley. Incumbent's commission expires June 4, 1924.

Walter V. Nuckolls to be postmaster at Bristol, Tenn., in place of J. I. Cox. Incumbent's commission expires June 4, 1924.

UTAH

Boyd J. Barnard to be postmaster at Bingham Canyon, Utah, in place of Archibald Stuart, resigned.

Hans P. Ipson to be postmaster at Panguitch, Utah, in place of L. C. Sargent. Incumbent's commision expires June 4, 1924.

VIRGINIA

William H. Meador to be postmaster at Moneta, Va., in place of J. M. Parker. Office became third class January 1, 1924.

Ross W. Walker to be postmaster at Fort Humphreys, Va., in place of L. E. Beach, resigned.

Virginia T. Quick to be postmaster at Falls Church, Va., in place of R. C. Mankin, resigned.

Virginia H. Silcox to be postmaster at Andover, Va., in place of E. C. McPherson. Office became third class October 1, 1923.

Samuel R. Gault to be postmaster at Scottsville, Va., in place of S. R. Gault. Incumbent's commission expires June 4, 1924.

James J. Mateer to be postmaster at Rosslyn, Va., in place of W. H. Rixey. Incumbent's commission expired May 10, 1924.

VERMONT

Casper W. Landman to be postmaster at South Londonderry, Vt., in place of F. H. Tyler. Incumbent's commision expires June 5, 1924.

WASHINGTON

Robert J. Robertson to be postmaster at White Salmon, Wash., in place of Julia Estes. Incumbent's commission expired March 11, 1924.

WEST VIRGINIA

Blanche P. Reed to be postmaster at Clay, W. Va., in place of Buren Stephenson. Incumbent's commission expired February 11, 1924.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 29 (legislative day of May 26), 1924

PRESIDING JUDGE OF COURT OF CUSTOMS APPEALS

William J. Graham to be presiding judge of the Court of Customs Appeals.

POSTMASTERS

INDIANA

Alvy Jay, Bridgeport.

IOWA

Solomon T. Grove, Plover.
Letha Doughten, Woolstock.

KENTUCKY

Leona R. Meador, Kingswood.

LOUISIANA

Walter C. Miller, Logansport.
Mildred P. Prescott, Lutcher.
Harriet R. Rice, Madisonville.

MICHIGAN

James R. Flood, Crystal Falls.

NEW JERSEY

John E. MacIlwain, Magnolia.

NORTH CAROLINA

John M. Sharpe, Statesville.

SOUTH CAROLINA

Wallace H. Meng, Johnsonville.

WITHDRAWAL

Executive nomination withdrawn from the Senate May 29 (legislative day of May 26), 1924

POSTMASTER

Margaret M. Anderson to be postmaster at Stromsburg, in the State of Nebraska.

HOUSE OF REPRESENTATIVES

THURSDAY, *May 29, 1924*

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Hear us O Lord as we own Thee as our God, and give Thee the grateful praises of our hearts. We bow at Thy altar not in the spirit of self-approval, but to confess our sins and to ask for Divine guidance in all our ways. We have neither personal worth nor merit to offer, but do Thou give strength and encouragement to our languishing virtues. May nothing be allowed to come between us and the precepts of the Man of Galilee and the wondrous lessons of His cross. In all things help us to yield to Him the right of sovereignty and to accept His law. Amen.

The Journal of the proceedings of yesterday was read and approved.

TUITION OF INDIAN CHILDREN IN PUBLIC SCHOOLS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 4835, disagree to the Senate amendment, and ask for a conference.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill H. R. 4835, disagree to the Senate amendment, and ask for a conference. Is there objection. [After a pause.] The Chair hears none. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 4835) to pay tuition of Indian children in public schools.

The Senate amendment was read.

Mr. GARNER of Texas. Mr. Speaker, let me ask the gentleman whether or not the minority has been consulted in reference to this?

Mr. HASTINGS. This matter was taken up in the Committee on Indian Affairs and the chairman instructed to take this action.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, and I do not intend to object, this is the bill in which the gentleman from Montana [Mr. LEAVITT] is interested, is it not?

Mr. SNYDER. Yes.

Mr. CRAMTON. I have had some understanding with the gentleman from Montana and in view of that I do not object. I assume the gentleman from New York is entirely in accord with the gentleman from Montana [Mr. LEAVITT]?

Mr. SNYDER. I will not say I was entirely in accord with the gentleman or not, but I am asking to send this bill to conference to see if we can not come to a satisfactory agreement.

Mr. CRAMTON. I am depending upon my understanding with the gentleman from Montana.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Mr. SNYDER, Mr. DALLINGER, and Mr. HAYDEN.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment the bill (H. R. 8209) to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3355. An act granting the consent of Congress to the counties of Marion and Florence, in the State of South Carolina, to construct a bridge across the Peedee River at or near Savage Landing, S. C.; and

S. 3395. An act granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River near Masontown, Fayette County, Pa.

THE WICHITA AND AFFILIATED BANDS OF INDIANS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 731, to agree to a Senate amendment, and that the bill may pass.

The SPEAKER. The gentleman from New York calls up a House bill with a Senate amendment, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 731) authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims.

The Senate amendment was read.

The amendment was concurred in.

WITHDRAWAL OF CONFERENCE REPORT ON H. R. 5325

Mr. SNYDER. Mr. Speaker, I desire to ask unanimous consent to withdraw the conference report on the bill H. R. 5325.

The SPEAKER. The gentleman from New York asks unanimous consent to withdraw a conference report on the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claim which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

The SPEAKER. Is there objection?

Mr. SANDERS of Indiana. What is it the gentleman asks?

Mr. SNYDER. I am asking to withdraw the conference report. The conferees agreed and after the agreement something came up over in the other House and by unanimous consent the conference report was withdrawn from the Senate and it has been amended by the conferees again this morning, and the desire is to withdraw this conference report here so that we can agree and get into unison with the Senate on the proposition.

Mr. SANDERS of Indiana. It was recommitted by the Senate?

Mr. SNYDER. Recommitted by the Senate to the conferees, and we are asking to do the same thing.

The SPEAKER. The Chair hears no objection.

Mr. HASTINGS. I understand this recommits it to the conferees of the House?

The SPEAKER. The Chair thinks not without action.

Mr. SNYDER. Then I ask unanimous consent that the same conferees be appointed and the bill be recommitted to the conferees.

The SPEAKER. This matter, the Chair thinks, is still in the hands of the conferees to take such action as they please, the conference report being recommitted.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed with amendments the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, in which the concurrence of the House of Representatives was requested.

CHEROKEE INDIANS OF NORTH CAROLINA—CONFERENCE REPORT

Mr. SNYDER. Mr. Speaker, I ask to take up a conference report on the bill H. R. 3852 as having been agreed to by the Senate conferees and the House, and to move the adoption of the conference report.

The SPEAKER. The gentleman from New York calls up a conference report on a bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 3852) providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3852) providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, and 4, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to same with an amendment as follows: In lieu of the language proposed to be stricken out by the Senate insert the following: "That in the preparation of said roll the act of the State of North Carolina of March 8, 1895, chapter 166, entitled 'An act to amend chapter 211, laws of 1889, relating to the charter of the Eastern Band of Cherokee Indians,' shall be disregarded"; and the Senate agree to same.

HOMER P. SNYDER,
FREDK. W. DALLINGER,
W. W. HASTINGS,
Managers on the part of the House.

J. W. HARRELD,
CHARLES CURTIS,
JOHN B. KENDRICK,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 3852) providing for a final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina, submit the following statement in explanation of the effect of the action agreed upon:

On amendment No. 1, relating to the preparation of the roll of Eastern Band of Cherokee Indians: Strikes out the language of the House which provides that certain Indians living outside of North Carolina may be enrolled, and provides an amendment whereby the act of the State of North Carolina of March 8, 1895, shall be disregarded.

On amendment No. 2: Provides that Indians of less than one-sixteenth blood may, in the discretion of the Secretary of the Interior, be paid a cash equivalent in lieu of an allotment of land.

On amendment No. 4: Simply clarifies the language and makes same consistent with the preceding provision.

On amendment No. 5, regarding the restriction upon the alienation of lands: Provides that upon the completion of the allotments and the recording of the deeds each allottee shall become a citizen of the United States.

HOMER P. SNYDER,
FREDK. W. DALLINGER,
W. W. HASTINGS,
Managers on the part of the House.

Mr. SNYDER. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

REQUEST TO ADDRESS THE HOUSE

Mr. HOWARD of Nebraska. Mr. Speaker, I would like unanimous consent to address the House for 15 or 20 minutes on a subject of quasi privilege.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to address the House for 15 or 20 minutes. Is there objection?

Mr. LONGWORTH. At this time?

Mr. HOWARD of Nebraska. Yes; right now.

Mr. LONGWORTH. I would not feel justified, Mr. Speaker, much as I would enjoy hearing the gentleman from Nebraska, in agreeing at this moment until I had opportunity to consult both the gentleman from Kansas [Mr. ANTHONY] and the gentleman from Iowa [Mr. DICKINSON]. We have two important appropriation bills that must be finished to-day. If the gentleman will withhold his request for a few moments, I think I may be able to reach an understanding.

Mr. HOWARD of Nebraska. The gentleman will withhold his request with the understanding that it will not be objected to.

Mr. LONGWORTH. I regret I can not give that understanding now. I hope, after consultation with the two gentlemen I have named that I can accede to the request. Otherwise I can not do so.

NO QUORUM—CALL OF THE HOUSE

Mr. HOWARD of Nebraska. Then, Mr. Speaker, if the matter is so urgent, I suggest that we have not a sufficient number of people here to put us over the urgency. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Nebraska makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Doughton	Langley	Robsion, Ky.
Bacharach	Drane	Larson, Minn.	Rogers, N. H.
Beedy	Eagan	Lea, Calif.	Rosenbloom
Beers	Edmonds	Lilly	Stalker
Berger	Evans, Mont.	Little	Sullivan
Boies	Fairchild	Logan	Swoope
Bowling	Fish	McSwain	Taylor, Colo.
Britten	Fitzgerald	Mead	Temple
Browne, N. J.	Free	Michaelson	Tucker
Brumm	French	Miller, Ill.	Underhill
Burdick	Funk	Mills	Vaile
Burtness	Gallivan	Moore, Ill.	Vare
Byrnes, S. C.	Geran	Morgan	Vincent, Mich.
Cable	Gibson	Morin	Vinson, Ga.
Campbell	Griffin	Mudd	Vinson, Ky.
Carew	Harrison	Nolan	Ward, N. Y.
Casey	Haugen	O'Brien	Watson
Clark, Fla.	Hawes	O'Connell, N. Y.	Wefald
Clarke, N. Y.	Hill, Md.	O'Connor, La.	Weller
Connery	Hooker	O'Connor, N. Y.	Wertz
Connolly, Pa.	Howard, Okla.	Park, Ga.	White, Me.
Corning	Hudspeth	Patterson	Wilson, Miss.
Curry	Hull, Tenn.	Perlman	Winslow
Davey	Kahn	Porter	Wurzbach
Dempsey	Keller	Prall	Young
Denison	Kindred	Quayle	Zihlman
Dickstein	Knutson	Rayburn	
Dominick	Kunz	Reid, Ill.	

The SPEAKER pro tempore (Mr. SANDERS of Indiana). Three hundred and twenty-five Members are present—a quorum.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER pro tempore. The gentleman from Ohio moves to dispense with further proceedings under the call. The question is on agreeing to that motion. The doorkeeper will open the doors.

The doors were opened.

WAR DEPARTMENT APPROPRIATION BILL

Mr. ANTHONY. Mr. Speaker, I call up the conference report on the bill H. R. 7877, the War Department appropriation bill.

The SPEAKER pro tempore. The gentleman from Kansas calls up the conference report on the bill H. R. 7877, which the clerk will report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 15, 18, 20, 27, 28, 33, 34, 44, 46, 58, and 94.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 16, 17, 19, 24, 26, 35, 36, 37, 42, 45, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, and 93, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and

agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "*Provided*, That hereafter upon the presentation of satisfactory evidence as to his age and upon application for discharge by his parent or guardian presented to the Secretary of War within 60 days after the date of his enlistment, any man enlisted after July 1, 1924, in the Army, under 21 years of age who was enlisted without the written consent of his parent or guardian, if any, shall be discharged with the form of discharge certificate and the travel and other allowances to which his service, after enlistment, shall entitle him"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended as follows: On page 13 of the bill, in line 14, after the word "who," insert the following: "having been retired before reaching the age of 64"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$16,500,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "None of the funds appropriated or made available under this act or any of the unexpended balances of any other act shall be used for the purchase of motor-propelled passenger or freight carrying vehicles for the Army except those that are purchased solely for experimental purposes, and except one automobile for the official use of the Secretary of War, and with the further exception that not to exceed $50,000 may be used as part payment in exchange of motor-propelled passenger or freight carrying vehicles"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert, "$120,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert, "$45,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"For procurement of forage, bedding, and so forth, for animals used by the National Guard, $1,607,642.

"For compensation of help for care of material, animals, and equipment, $2,350,000."

And the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,850,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,000,000" and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$397,666"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,798,132"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$725,000"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 8, 13, 14, 21, 38, 39, 40, 41, 78, 91, and 92.

D. R. ANTHONY, Jr.,
L. J. DICKINSON,
BEN JOHNSON,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
W. L. JONES,
SELDEN P. SPENCER,
DUNCAN U. FLETCHER,
WILLIAM J. HARRIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

On No. 1, relating to the appropriation for salaries, office of the Secretary of War: Appropriates $204,916, as proposed by the Senate, instead of $202,756, as proposed by the House, for personal services in the office of the Secretary of War other than the Secretary and Assistant Secretary, making the total of the paragraph $226,916, as proposed by the Senate, instead of $224,756, as proposed by the House.

On Nos. 2 and 3, relating to the appropriation for contingent expenses, War Department: Appropriates $109,810, as proposed by the Senate, instead of $104,810, as proposed by the House; and retains language inserted by the Senate making the appropriation of not to exceed $5,000 for purchase or exchange of an automobile for the official use of the Secretary of War applicable to the maintenance and repair of the machine.

On No. 4: Restores limitation stricken out by the Senate preventing the payment of more than $100 a day to an auctioneer from funds appropriated in this act.

No. 5, relating to the appropriation for military post exchanges: Appropriates $87,800, as proposed by the Senate, instead of $71,000, as proposed by the House.

On No. 6, relating to salaries in The Adjutant General's office: Appropriates $1,399,592, as proposed by the Senate, instead of $1,331,340, as proposed by the House.

On No. 7, relating to the discharge of enlisted men under the age of 21 who were enlisted without the consent of their parent or guardian: Restores the House language stricken out by the amendment, amended so as to make it apply only to men enlisted after July 1, 1924, and to provide that in order for an enlisted man to be discharged the application of the parent or guardian must be submitted within 60 days after the date of enlistment.

On No. 9: Substitutes language proposed by the Senate for that carried in the House bill denying the counting of time spent at the Military or Naval Academies in computing for any purpose the length of service of any officer of the Army who was appointed to the Military or Naval Academies after August 24, 1912.

On No. 10, relating to employment of retired officers: Restores the House language, amended so as to make the second part of the paragraph apply only to officers who have been retired before reaching the age of 64.

On No. 11, relating to the appropriation for transportation of the Army: Appropriates $16,500,000, instead of $16,400,000, as proposed by the House, or $16,700,000, as proposed by the Senate, and strikes out language proposed by the Senate making $200,000 applicable to the removal of high explosives from Raritan Arsenal, N. J.

On No. 12: Restores House language stricken out by the Senate prohibiting the purchase of motor-propelled passenger or freight-carrying vehicles, except those purchased for experimental purposes, and except one automobile for the Secretary of War, and adds language giving authority for the expenditure of not to exceed $50,000 for use as part payment in exchanging motor-propelled passenger or freight-carrying vehicles.

On No. 15, relating to the limitation of $46,203.13 for repair and completion of the New Dixie Highway at Camp Knox, Ky., carried in the appropriation for roads, walks, wharves, and drainage: Strikes out language proposed by the Senate providing that the funds for this work shall not be available until the Kentucky authorities vacate the old Dixie Highway at Camp Knox and accept and agree to maintain the new highway.

On No. 16, relating to the appropriation for salaries, office of the Surgeon General: Appropriates $267,804, as proposed by the Senate, instead of $254,414, as proposed by the House.

On No. 17, relating to the appropriation for repair and maintenance of certain historical fortifications: Appropriates $50,000, as proposed by the Senate, instead of $25,000, as proposed by the House.

On No. 18, relating to the appropriation for searchlights and electric light and power plants for the seacoast fortifications in the Hawaiian Islands: Appropriates $11,000, as proposed by the House, instead of $61,000, as proposed by the Senate.

On No. 19, relating to the appropriation for alteration and maintenance of mobile artillery: Appropriates $600,000, as proposed by the Senate, instead of $448,000, as proposed by the House.

On No. 20, relating to the appropriation for operation and maintenance of the Rock Island bridge: Appropriates $30,000, as proposed by the House, instead of $20,000, as proposed by the Senate.

On Nos. 22 and 23, relating to the appropriations for pay of the Service and Engineer Detachments at the United States Military Academy at West Point: Appropriates $120,000 and $45,000, respectively, instead of $105,660 and $40,000, respectively, as proposed by the House, or $135,660 and $51,413, respectively, as proposed by the Senate.

On No. 24, relating to the appropriation for installing kitchen range, boilers, and bathtubs in quarters of enlisted men at the Military Academy: Changes the designation from "headquarters" to "quarters," as proposed by the Senate.

On Nos. 25 and 28, relating to the appropriations for forage, bedding, etc., for National Guard animals, and for help for care of material, animals, and equipment pertaining to the National Guard: Retains these two appropriations in the positions in the bill proposed by the House and appropriates $2,350,000 for the latter purpose, instead of $2,250,000, as proposed by the House, or $2,500,000, as proposed by the Senate.

On No. 26, relating to the appropriation for transportation of equipment and supplies for the National Guard: Appropriates $415,000, as proposed by the Senate, instead of $400,000, as proposed by the House.

On No. 27: Strikes out language proposed by the Senate directing that certain National Guard appropriations shall be disbursed and accounted for as one fund.

On No. 28: Explained with amendment No. 25.

On No. 29, relating to the appropriation for arms, uniforms, equipment, etc., for field service, National Guard: Appropriates $2,850,000, instead of $2,700,000, as proposed by the House, or $3,000,000, as proposed by the Senate.

On Nos. 30, 31, and 32, relating to the appropriations for pay and allowances and mileage of members of the Officers' Reserve Corps: Appropriates $2,000,000 for pay and allowances of reserve officers on active duty for not exceeding 15 days' training, instead of $1,638,600, as proposed by the House, or $2,457,900, as proposed by the Senate; appropriates $397,666 for mileage, instead of $335,594, as proposed by the House, and $476,000, as proposed by the Senate; making the total for pay and allowances and mileage of members of the Officers' Reserve Corps $2,798,132, instead of $2,374,660, as proposed by the House, or $3,334,366, as proposed by the Senate, which provides for 15-day training for 14,647 reserve officers, instead of 12,000, as proposed by the House, and 18,000, as proposed by the Senate.

On Nos. 33 and 34, relating to the appropriation for headquarters and camps for the Organized Reserves: Appropriates $400,000, as proposed by the House, instead of $500,000, as proposed by the Senate, and limits the amount of this appropriation which may be used for establishment and maintenance of divisional and regimental headquarters to $100,000, as proposed by the House, instead of $150,000, as proposed by the Senate.

On No. 35, relating to the appropriation for Reserve Officers' Training Corps: Removes the restriction carried in the House bill providing that none of the appropriation should be used for the organization of additional air units in the Reserve Officers' Training Corps.

On Nos. 36 and 37, relating to the appropriation for civilian military training camps: Appropriates $2,330,000 as proposed by the Senate, instead of $2,100,000 as proposed by the House, and adopts language proposed by the Senate validating expenditures for gymnasium and athletic supplies.

On No. 42, relating to the appropriation for maintaining and improving national cemeteries: Adopts language proposed by the Senate making the appropriation applicable to the maintenance and improvement of permanent American military cemeteries abroad.

On Nos. 43 and 44, relating to the appropriation for construction and maintenance of roads, bridges, and trails in Alaska: Appropriates $725,000, instead of $650,000, as proposed by the House, or $800,000, as proposed by the Senate, and strikes out language proposed by the Senate authorizing the War Department to incur obligations for road work in Alaska for the fiscal year 1926 in an amount not exceeding 75 per cent of the appropriation for the fiscal year 1925, if an appropriation for the fiscal year 1926 shall not have been made prior to March 1, 1925.

On No. 45: Adopts an appropriation of $3,000, proposed by the Senate, for completion of the MacDonough memorial on Lake Champlain.

On No. 46, relating to the appropriation for maintenance and improvement of rivers and harbors: Strikes out language proposed by the Senate authorizing the expenditure of $6,300 from this appropriation for dredging a harbor near the United States fish-cultural station at Homer, Minn.

On Nos. 47 to 57, inclusive, 59 to 77, inclusive, and 79 to 90, inclusive, relating to the appropriations for the National Home for Disabled Volunteer Soldiers: Appropriates the amounts proposed by the Senate for all branches, the effect of which is to increase the total for each branch as indicated below:

Central Branch, increased from $976,938 to $1,051,950.
Northwestern Branch, increased from $774,840 to $796,590.
Eastern Branch, increased from $332,272 to $344,772.
Southern Branch, increased from $564,284 to $583,900.
Western Branch, increased from $553,500 to $562,580.
Pacific Branch, increased from $952,500 to $1,004,600.
Marion Branch, increased from $707,650 to $722,650.
Danville Branch, increased from $501,500 to $510,750.
Mountain Branch, increased from $677,700 to $687,000.
Battle Mountain Branch, increased from $263,420 to $266,870.

On No. 58: Strikes out language proposed by the Senate authorizing the Board of Managers of the National Home for Disabled Volunteer Soldiers to sell surplus land at the Northwestern Branch.

On No. 93: Corrects the total for the National Home for Disabled Volunteer Soldiers to agree with the changes made in the appropriations for the various branches.

On No. 94: Strikes out language proposed by the Senate permitting the appropriations for the Panama Canal to be disbursed and accounted for as one fund.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 8, relating to pay and allowances of commissioned officers of the Army, Navy, or Marine Corps while serving on duty in connection with the coordination of the business of the Government as now being conducted by the President under the general supervision of the Director of the Bureau of the Budget.

On Nos. 13 and 14, increasing the appropriation for military posts from $428,332 to $1,028,332, and authorizing the expenditure of $500,000 for beginning the construction of permanent buildings at Camp Lewis, Wash., and $100,000 for beginning permanent construction at Camp Bragg, N. C.

On No. 21, authorizing the expenditure of $25,000 from the appropriation for Chemical Warfare Service for agricultural experiments in exterminating the cotton boll weevil.

On Nos. 38, 39, 40, and 41, relating to the National Board for Promotion of Rifle Practice.

On No. 78, authorizing the Board of Managers of the National Home for Disabled Volunteer Soldiers to sell surplus land at the Pacific Branch.

On No. 91, amending section 4826 of the revised statutes by eliminating therefrom the requirement that members of the Board of Managers of the National Home for Disabled Volunteer Soldiers shall be residents of States which furnished organized bodies of soldiers to aid in suppressing the rebellion commenced in 1861, and that no person who gave aid or countenance to the rebellion shall be eligible for election to the board.

On No. 92, relating to eligibility for admission to the National Home for Disabled Volunteer Soldiers.

D. R. ANTHONY, Jr.,
L. J. DICKINSON,
BEN JOHNSON,
Managers on the part of the House.

Mr. ANTHONY. Mr. Speaker, when the appropriation bill for the War Department left the House it carried a total of $326,000,000. The Senate amended the bill, increasing the amount approximately $3,600,000. As the result of the conference with the Senate, the House has regained approximately

$1,870,000 and has conceded $1,730,000 to the Senate, so that the net result of the conference is a reduction under the figures of the Senate of $1,873,000.

Comparative statement of War Department appropriation bill for fiscal year 1925 showing action of Senate and House thereon

	Military	Nonmilitary	Total
1924 appropriation (including deficiency act and exclusive of $240 bonus)	$251,540,381.00	$85,826,947.00	$337,367,328.00
1925 Budget	258,124,006.00	71,733,765.00	329,857,771.00
House bill	254,187,465.13	72,050,128.00	326,237,593.13
Senate bill	257,413,598.13	72,430,186.00	329,843,772.13
Conference (assuming agreement in amendments to be offered in House)	255,615,279.13	72,355,186.00	327,970,465.13
Conference total as compared with House bill	+1,427,814.00	+305,058.00	+1,732,872.00
Conference total as compared with Senate bill	−1,798,307.00	−75,000.00	−1,873,307.00
Conference total as compared with 1924 appropriation (excluding $240 bonus from latter)	+4,074,898.13	−13,471,761.00	−9,396,862.87
Conference total as compared with 1925 Budget	−2,508,726.87	+621,421.00	−1,887,305.87

Mr. MOORE of Virginia. Mr. Speaker, may I ask the gentleman what total that makes?

Mr. ANTHONY. Making the total of the bill, as it now stands in conference, and assuming agreement to the amendments to be acted upon in the House, of $327,970,000. Your conferees agreed to a substantial increase of $250,000 for the National Guard and an increase of approximately half a million dollars for the training of reserve officers, which will increase the number of officers to be trained under the bill from 12,000, as the bill left the House, to about 15,000, as the bill now stands. In addition to that there will be about 4,000 more reserve officers, who are also members of the National Guard, who will receive training under the National Guard appropriation. We have also increased the appropriation for civilian military training $230,000, because we have found over 70,000 applications have already been received from young men who desire to receive training—about double the number who asked for it last year—and the conferees thought it best to provide for a larger number in that class.

Your conferees have restored the provision adopted by the House in reference to the enlistment in the Army of young men under 21 years of age, with the provision that the parent or guardian must make the request for the discharge of the minor within 60 days after his enlistment, because this is the provision adopted by the House in the naval appropriation bill, and it puts the two services on the same basis. If this provision as to the 60 days were not included, the Army would go to great expense in enlisting these young men and giving many of them a free ride, for example, to the Philippines, and then, after having enlisted them and after they had been sent to the Philippines or to Hawaii, they might demand their discharge and get another free trip back home.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LAGUARDIA. The difficulty I have found in these cases is that the families do not locate their boys for four or five weeks. What is to be done in that case?

Mr. ANTHONY. It is presumed that 60 days, or 2 months, would certainly enable the family to become advised as to the whereabouts of the young men.

There are about one dozen propositions which are in technical disagreement because of the fact that they contain legislation and have to be submitted to the House. They will be submitted after the adoption of the conference report.

The most important of these matters is the one affecting the promotion of rifle shooting and civilian rifle matches. The provisions in the bill covering civilian rifle training went out on a point of order in the House because the basic law has been deficient in this respect. The Senate has restored complete language authorizing the continuance of civilian rifle training, and at the proper time it will be my intention to move to recede and concur in the amendments made by the Senate, so that we can continue this very valuable work of instructing civilians in the use of the military weapons.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Does the bill contain any provision by which the Army could detail Colonel Timberlake back to West Point or continue him there, as he has been continued there for the last few years?

Mr. ANTHONY. The bill carries a provision, as the gentleman knows, for a large amount of new construction at West Point. About $1,500,000 will be expended in the construction of a new mess hall and an athletic stadium. The officer to whom the gentleman refers, Colonel Timberlake, has been the quartermaster in charge of construction at West Point for the last four or five years. The bill has always carried, and still carries, $1,000 additional to be paid Colonel Timberlake as salary because of his exceptional ability in handling the construction propositions there. We do all the construction work at West Point directly and on the day basis; Colonel Timberlake has direct charge of the purchase of material and the hiring of the mechanics and labor connected with this important construction, and I think I understand the reason of the gentleman's inquiry.

It is perhaps that he feels that if Colonel Timberlake is transferred to other duty, after his four years' detail, it will be a great loss in the efficiency and economy in the construction of these improvements at West Point. I agree with the gentleman and I hope the War Department will keep this officer on duty there to finish this construction.

Mr. HULL of Iowa. I am glad to hear the chairman express himself in that way. I think it would be a calamity to have Colonel Timberlake taken away from West Point at the present time, and I have understood such action is contemplated by the War Department. The gentleman will remember that in the 1920 appropriation bill, I think it was, we carried a provision authorizing or directing the detail of Colonel Timberlake to West Point, and it was for this very reason that the Congress expressed itself at that time. I do not know whether it would be necessary to carry another provision in this bill detailing Colonel Timberlake back there.

Mr. ANTHONY. If the gentleman will permit, Colonel Timberlake's four years' detail is about up and it may probably require a provision of law to keep him there, but it would be too late to put any such provision in this bill if that is the case.

Mr. HULL of Iowa. The gentleman agrees, does he not, that it would be a mistake to take him away from there?

Mr. ANTHONY. Yes. I think Colonel Timberlake would unquestionably save the Government $100,000 on this construction work if he were allowed to finish the job.

Mr. FROTHINGHAM. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. FROTHINGHAM. The gentleman spoke of the money provided for rifle practice. Does this put it back where your committee intended to have it?

Mr. ANTHONY. This puts it back exactly to the status it was in when the bill came to the House, and it even goes further; it supplies all the necessary language, so there can be no doubt about the authorization.

Mr. FROTHINGHAM. It is a very necessary thing.

Mr. ANTHONY. It makes it permanent law.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CHINDBLOM. The gentleman said that a large number of applications have come in for the civilian military training camps, and that an additional amount has been provided for that purpose. Will there be enough money in the appropriation for all those who in all probability will apply for this training?

Mr. ANTHONY. No; there will not be enough money, in my opinion, but it will take care of most of them. There are 75,000 applications, and we trained about 28,000 last year. I think we will train about 31,000 under the bill as it stands to-day. There may be a few applicants who will not get the training, but I think the probabilities are that the money appropriated will take care of all or most of them.

Mr. CHINDBLOM. Has the gentleman or the committee any idea as to what limitation, if any, should be placed upon the number of these men?

Mr. ANTHONY. No. Our idea is simply in order to keep the cost of it within the bounds of reason. There is no doubt but what the demand for this training will grow each year, and Congress has made increased appropriations year by year. It has been fully taken care of heretofore and probably will be this year. There is always about double the number of applications as compared to the number who actually report for duty at the training camps.

Mr. CHINDBLOM. I will say to the gentleman that I think it is the cheapest preparedness we have, and I think it is very desirable that those who desire this training should be able to get it.

Mr. ANTHONY. That is the reason the House yielded at once to the Senate amendment and consented to an increase of the appropriation.

Mr. HILL of Maryland. Will the gentleman yield for a question?

Mr. ANTHONY. Yes.

Mr. HILL of Maryland. As I understand it, last year the appropriation bill provided for the training of officers of the Reserve Corps attached to organized units of between 6,000 and 7,000, did it not?

Mr. ANTHONY. Yes. It was intended to provide for 9,000, but legislation was passed, after the enactment of our bill, which provided for the payment of rental allowances to these officers, and that ate up several hundred thousand dollars of our appropriation and deprived about 2,000 of your reserve officers of the training they would otherwise have received.

Mr. HILL of Maryland. Then, under the appropriations made last year, there are between 6,000 and 7,000 reserve officers who were able to receive the 15 days of training?

Mr. ANTHONY. About 7,000.

Mr. HILL of Maryland. And this year the conferees have more than doubled that number?

Mr. ANTHONY. That is correct.

Mr. HILL of Maryland. I would like to say, as a Member interested in the Reserve Corps, that this is a very cheap and inexpensive form of national defense, and I think the committee and the conferees have done very well by the Organized Reserve Corps. We would like to have 21,000 next year, and I hope the committee will give it to us next year, but I think the committee should be congratulated on doing what it has done for this element of national defense.

Mr. GARRETT of Texas. All right; I will congratulate the committee.

Mr. JEFFERS. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Alabama.

Mr. JEFFERS. I would like to ask the gentleman a question in connection with the question of the gentleman from Maryland [Mr. HILL]. How many reserve officers were provided for by the bill when it left the House?

Mr. ANTHONY. Twelve thousand.

Mr. JEFFERS. That includes those who are with the National Guard?

Mr. ANTHONY. No.

Mr. JEFFERS. It did not include those with the guard?

Mr. ANTHONY. No; not including those with the guard; and as the bill is now drawn, it will train 15,000, not including those in the guard.

Mr. JEFFERS. And how many as a total?

Mr. ANTHONY. I should say 19,000.

Mr. JEFFERS. Including those in the guard?

Mr. ANTHONY. Including those in the guard.

Mr. THATCHER. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. THATCHER. In regard to the national rifle practice, does the language of the Senate permit men of nonmilitary age to participate in that work, or is it restricted to those of military age?

Mr. ANTHONY. The language authorizes the National Board for the Promotion of Rifle Practice, composed of the Secretary of War, the Secretary of the Navy, and a representative of the training branches of the service, to make regulations, and it is probable that no men who are not of military age will be permitted to take the practice, although it has been customary to permit a few men over the military age to participate who are expert marksmen because of their value as instructors.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Is there any provision in your reserve officers' training appropriation for furnishing books to reserve officers free?

Mr. ANTHONY. Yes; there is an item of $15,000 for the printing of manuals for reserve officers.

Mr. HULL of Iowa. That is an increase over last year?

Mr. ANTHONY. Yes; that is a new item. In addition to that the reserve officers will have opportunity to receive books of instruction from the Army service schools and from the Adjutant General's office and from other sources.

Mr. HULL of Iowa. I am very glad to know that.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. ANTHONY. Yes; I yield to the gentleman from Texas.

Mr. CONNALLY of Texas. Since this report is not a complete agreement, the gentleman will take up the amendments one at a time, will he not?

Mr. ANTHONY. Those that are in disagreement.

Mr. CONNALLY of Texas. How about the first part of the report—for instance, amendment No. 7?

Mr. ANTHONY. The gentleman refers to the enlistment provision?

Mr. CONNALLY of Texas. Yes.

Mr. ANTHONY. It is my intention to move, after the hour's debate, the adoption of the conference report.

Mr. CONNALLY of Texas. As a whole?

Mr. ANTHONY. As a whole, which would cover that amendment.

Mr. CONNALLY of Texas. I thought the gentleman gave assurance here the other day that the House would have an opportunity to vote on that amendment.

Mr. ANTHONY. The conferees felt quite sure when we brought this amendment back to the House with exactly the House language, the only difference being the provision that the application must be made within 60 days after the enlistment, that that would fully meet with the views of the gentleman from Texas, inasmuch as he had voted for the same provision in the naval bill just about two weeks before.

Mr. CONNALLY of Texas. The gentleman may have thought that, but I submit to the gentleman that the language is not the same as the House bill.

Mr. ANTHONY. No.

Mr. CONNALLY of Texas. And I submit to the gentleman he has no right when the gentleman from Kansas gave this House his assurance that the House would have an opportunity to vote on the enlistment provision separately—he had no right to assume that what he had done in conference would meet the wishes of this House and he ought to have brought that amendment back here.

Mr. ANTHONY. I will say to the gentleman we were fully warranted after we succeeded in securing the restoration of the House language in assuming that that would be satisfactory to the House, especially in view of the fact there had just been passed on another bill practically the same proposition.

Mr. CONNALLY of Texas. Why did not the gentleman, with that kind of an understanding, confer with some one who was interested in this amendment and be assured that that would be the case. I want to say to the gentleman, without any personal offense, I do not feel that the conferees have acted in good faith after assuring this House we would have an opportunity to vote on that particular amendment.

Mr. ANTHONY. I am very sorry the gentleman feels that way.

Mr. CONNALLY of Texas. Does not the gentleman feel that way?

Mr. ANTHONY. No; we have restored to the bill the exact language as carried when it left the House.

Mr. CONNALLY of Texas. Oh, no.

Mr. ANTHONY. We have, with the exception of the provision that the application must be made in 60 days, a provision upon which the House had recently placed the stamp of its approval in another bill.

Mr. CONNALLY of Texas. The gentleman gave no assurance about any other bill. The bill he gave assurance about was this bill. If there was any parliamentary way in which I could reach the matter, I would do so.

Mr. RAMSEYER. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. RAMSEYER. Is the provision in the military bill the same as that in the naval bill?

Mr. ANTHONY. No; it is broader than the naval bill. It guarantees the young man an honorable discharge and his travel pay back home. It is better and broader and more liberal in this bill than the provision that was adopted in reference to the Navy.

Mr. RAMSEYER. The 60-day provision is the same in the military bill and in the naval bill?

Mr. ANTHONY. Exactly.

Mr. CONNALLY of Texas. The gentleman from Kansas is not correct in saying that it restores the original language.

Mr. ANTHONY. The effect is exactly the same.

Mr. CONNALLY of Texas. I beg the gentleman's pardon. I have both drafts before me.

Mr. ANTHONY. It is not in the exact words.

Mr. CONNALLY of Texas. The gentleman said that they adopted the exact language. The gentleman assumed that it would be satisfactory, but he had no right to assume that. I do not suppose there is any way that we can get a vote on it.

Mr. DALLINGER. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. DALLINGER. Did I understand the gentleman to say that he proposed to move to recede and concur in Senate amendments 31 and 32, which provide for pay allowance and mileage for officers of the Reserve Corps.

Mr. ANTHONY. Those amendments will not come up separately; they are a part of the conference report.

Mr. BARBOUR. Will the gentleman explain amendment 7, where it says that the Secretary of War shall discharge from the Army with the form of discharge certificate and the travel and other allowances to which his service after enlistment shall entitle him?

Mr. ANTHONY. The meaning of that is if his service has been honorable and no infraction of regulations against him he shall receive an honorable discharge and not a "bobtail" discharge.

Mr. SWING. Will the gentleman yield?

Mr. ANTHONY. I yield.

Mr. SWING. Has there been any increase in the allowance of the Reserve Officers' Training Corps? The gentleman will remember that I asked the question on the general bill and he said there had been an increase. I am advised that the increase in the appropriation from last year is only sufficient to provide for the increase of pay to the officers due to longevity pay under the pay bill, and as a matter of fact it does not provide a sufficient sum so that they can employ a single additional instructor, and to-day they are undermanned and not able to supply the deficiency.

Mr. ANTHONY. We do not pay any instructors out of the Reserve Officers' Training Corps appropriation. That comes out of the pay of the officers of the Army; the number of officers to be detailed on Reserve Officers' Training Corps duty would be entirely in control of the War Department.

Mr. SWING. I hope next year provision will be made so they can assign additional officers, so that they can have enough to meet the demands of the urgent needs of the country.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CHINDBLOM. Under the proposed language of Senate amendment No. 7 relative to the discharge of boys enlisted without the consent of the parents or guardian, is the gentleman prepared to express an opinion upon the question whether these boys upon their discharge and after their discharge will have any of the rights of enlisted men, like pension rights?

Mr. ANTHONY. He would only have a pensionable right if injured in line of duty. Unquestionably he would have that right, although he enlisted without the consent of his parents or guardian. Mr. Speaker, I wish to ask the gentleman from Kentucky how much time he wants.

Mr. JOHNSON of Kentucky. Inasmuch as the gentleman has been compelled to use twice as much time as he anticipated, I wonder if he would not be willing to ask for 20 minutes additional time?

Mr. ANTHONY. How much time, Mr. Speaker, remains of the hour?

The SPEAKER pro tempore. The gentleman from Kansas consumed 23 minutes.

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky may have 45 minutes' time in which to discuss the conference report and yield to others.

Mr. JOHNSON of Kentucky. Will not the gentleman increase that so that I can yield to others?

Mr. ANTHONY. Mr. Speaker, I will modify that. I ask unanimous consent that the gentleman from Kentucky may have one hour in which to discuss the conference report with the understanding that he is to yield time to other gentlemen interested, and that the previous question on the adoption of the conference report may be considered as ordered at the end of that time.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that the gentleman from Kentucky may have one hour on the conference report with the privilege of yielding time, and at the close of that the previous question shall be considered as ordered. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I am curious to know if there will be one minute somewhere in that for me?

Mr. JOHNSON of Kentucky. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection, and it was so ordered.

Mr. JOHNSON of Kentucky. Mr. Speaker, when I was discussing this bill several weeks ago I made the statement that certain Army goods had been sold down in Potomac Park and that there was some complaint against the sale. Shortly after I made those remarks I received a letter from the Secretary of War stating that my information as to that sale was incorrect, in that the War Department had not conducted the sale, that it had been conducted by another department of the Government. Upon investigation I find that he is correct and that he had no sort of connection with that sale. I withdraw what I said upon that occasion to the effect that the sale was made by the Secretary of War. The letter from the Secretary of War reads as follows:

WAR DEPARTMENT,
Washington, April 5, 1924.

Hon. BEN JOHNSON,
House of Representatives.

MY DEAR MR. JOHNSON: My attention has been brought to the following statement recently made by you on the floor of the House during the discussion of auction sales of Army surplus, in reply to the question of Mr. MCKENZIE whether you had any evidence that the Government could have gotten a better price for the property sold (p. 4739, CONGRESSIONAL RECORD, March 22, 1924):

> "Mr. JOHNSON of Kentucky. No; I have not. But a few days ago one of the most reliable men in this city was talking to me, and he told me that just a few days before—week before last—some Army office furniture was sold down here at Potomac Park at public auction. He said there were some 30 office tables to be sold. He inquired into the subject and found that these tables had cost the Government about $30 apiece. He tried to buy one, but could not, and they put up the 30 and sold them at $1.10 apiece. I suppose that answers the gentleman's question, so far as my real knowledge and information of the subject goes."

The War Department has not conducted any sales of office furniture in Potomac Park during the past three years. The sale evidently referred to by you was one held by the General Supply Committee of the Treasury Department on January 28 last.

I am informed that at the sale above referred to the General Supply Committee sold among other articles several hundred used tables, many of them broken and in bad condition; that the original cost of the tables was $7.22 for the 50-inch and $8.90 for the 60-inch; that the invariable rule of the General Supply Committee in conducting its sales is to sell as many articles singly as possible before offering the articles in lots; that the prices obtained for the various lots of 10 to 20 tables averaged from $1.50 to $2.50 per table, which was considered by the General Supply Committee to be a very good price for plain oak used and damaged tables.

I hope you will be willing to give my reply the same publicity as was given your remarks quoted above.

Sincerely yours,

JOHN W. WEEKS,
Secretary of War.

During the hearings before the Senate committee on the Army appropriation bill it was testified that $135,000 gross was the greatest amount paid to any auctioneer. In a speech made by me on the floor of the House when this bill was before the House I stated that the written report made by the director of the sales showed that Auctioneer Fox, of Baltimore, had been paid $230,370.72. I used those figures as being the total amount paid to Fox. Since I made that speech I have discovered in the same report an additional payment of $9,581.41 to Fox. That makes a total of $239,952.13. A later communication submitted by the director of sales shows that Fox was paid another sum between $2,000 and $3,000—I do not recall the exact amount. Those figures show that Fox was paid more than $241,000, while the testimony before the Senate committee is that no one was paid more than $135,000. In addition, Fox sold a lot of salvage Army property, for which he was paid about $60,000. This sum when added to the $241,000 already mentioned ran the payments made to Fox up to about $301,000; while, on page 8 of the Senate hearings, the director of sales testified that Fox had been paid $312,156.56. There is a difference of $177,156.56 between the two statements.

Samuel T. Freeman, of Philadelphia, is another who was paid more than $135,000. He was paid $195,633.64. Gerth, of New York, was paid more than $206,000.

The statement submitted by the director of sales shows a number of remarkable things which have not yet been discussed. For instance, Samuel T. Freeman, a Philadelphia auctioneer, made 12 sales amounting to $3,089,358.11, for which he was paid $28,470.20; while Gerth's Realty Co., of New York, made 18 sales amounting to $2,733,980.90, for which they were paid $206,110.08. Gerth's sales amounted to $355,358 less than Freeman's sales, yet Gerth was paid $177,640 more than was paid to Freeman for selling a much larger amount.

Gordon & Williams, of Chicago, made 16 sales amounting to $3,333,970.68, for which they were paid $42,289.79. Their sales amounted, in even figures, to $600,000 more than the sales of

Gerth; yet Gerth was paid $163,820 more than was paid to Gordon & Williams.

Henry J. Healy, of Worcester, Mass., made 15 sales amounting to $7,396,575.05, for which he was paid only $2,175. Healy's sales amounted to $4,652,595 more than Gerth's sales amounted to; yet Gerth was paid $163,821 more than was paid to Healy. Gerth was paid at the rate of $1,085 per day, while Healy was paid at the rate of $98.86 per day. So, it will be seen that Gerth was paid nearly $1,000 a day more than was paid to Healy. The compensation paid to Gerth for all of his 19 sales was in odd dollars and odd cents; while the compensation paid to Healy for each of his 22 days' sales was paid in even dollars. That demonstrates beyond peradventure that Gerth was paid on the commission plan, and that Healy was employed by the day. Some of Gerth's single compensations were as follows: $23,558, $42,750, $45,407, and $56,030. Healy's daily compensations were as follows: 1 day at $50, 4 days at $75 each, 3 days at $100 each, 3 days at $150 each, 2 days at $200 each, 1 day at $225, and 1 day, when his sales amounted to more than half a million dollars, he was paid $450. Notwithstanding this startling difference it has been insisted before the Senate committee that the commission plan is more satisfactory than the per diem plan proposed by the House.

J. Hall Miller, of Atlanta, sold $3,629,760 worth of goods more than Gerth sold, yet he was paid $168,901 less than Gerth received.

A number of other comparisons almost as offensive might be made; but what is the use?

Fox, of Baltimore, sold in 14 States. He sold at Baltimore, on the Atlantic seacoast, then in far-away Texas, then in San Francisco, on the Pacific coast. He was sent from Baltimore to San Francisco to make sales, notwithstanding the fact that there were five officially recognized auctioneers living in San Francisco.

The representative of the Louisville Real Estate & Development Co. was sent to Camp Lee, Va., to make a sale; while Michael Tauber, of Chicago, was sent to Louisville to sell Camp Taylor, which was within a mile or two of the residence of the man who was sent from Louisville to Camp Lee, Va. Samuel T. Freeman was sent from Philadelphia to Chicago to make a sale; while Smith & Jaffe, of New York, were sent to Philadelphia to make a sale; then, in return, Freeman, of Philadelphia, was sent to New York; and, to pick up the thread, or, rather, the "Tramp, tramp, the boys are marching," Michael Tauber, of Chicago, was sent to New York. W. L. Bennett was sent from Columbia, S. C., to New Orleans; P. L. Crouch, of Des Moines, Iowa, was sent to Texas; Danford Bliss was sent from Buffalo, N. Y., to Seven Pines, Va.; John J. Erwin was sent from Jersey City to Camp Humphreys, near the District of Columbia; Gordon & Williams were sent from Chicago to New Jersey; and Smith & Jaffe, of New York, to Michigan; and Leo French, of Atlanta, Ga., to Camp McClellan, Ala.; and Gerth, of New York, to South Dakota; and D. Greenwald, from New York to Camp Meade, Md.; and Arthur C. Sheridan, of New York, to Camp Funston, Kans.; and Smith & Jaffe, of New York, to Camp Devens, Mass.; and Michael Tauber, of Chicago, to San Francisco and to Seattle, Wash.; and Samuel Winternitz, of Chicago, to Missouri, Kansas, and Indiana; and the 47 others, whose addresses were not furnished, went from anywhere to everywhere.

Fox, of Baltimore, was sent to 14 States; Tauber, of Chicago, to 9; Freeman, of Philadelphia, to 9; Winternitz, of Chicago, to 4; Crouch, of Des Moines, to 4; Gerth, of New York, to 10 dwifferent States and to Canada; Gordon & Williams, of Chicago, to 10 States; J. Hall Miller to 5; Smith & Jaffe to 9; and Samuel Winternitz to 5.

I entertain no doubt that railroad fares, sleeping-car fares, meals on trains, taxies in cities, and hotel bills amounted to enough to have paid the auctioneers liberal compensation for crying all the sales made.

It was testified before the Senate committee that only 23 auctioneers were employed, while the written statement furnished by the director of sales shows that 105 were employed.

On page 12 of the Senate hearings the director of sales testified that they had had as many as 7,900 employees engaged in disposing of Army goods, and that they now have 40 officers and 400 civilians employed in that work.

Yet the auctioneers claim that they do practically all the work.

On page 12 of the Senate hearings the director of sales states that the catalogues are mailed to every possible buyer that "we" have on our mailing lists.

Every advertisement in the papers states that those who wish a catalogue should apply to the War Department—not to the auctioneer, as we now are told.

Besides I understand that the catalogues are addressed by clerks in the War Department and sent out in franked envelopes.

If, as we are told, the auctioneer distributes the catalogues, and that his fees for crying auction sales are made large enough to cover that expense, why should the Government do it for him and also pay him for doing it?

It is insisted that the auctioneers have the catalogues printed and admitted that a big percentage has to be paid to the auctioneer for crying a sale in order to reimburse him for printing the catalogues.

I have wondered and wondered why the printing of the catalogues was given to the auctioneers. I could not see the reason for it until I read page 14 of the Senate hearings. There the director of sales makes it apparent. It seems from his statement that if the Government had the printing done, the contract for doing the printing would have to be let to bidders, after bids had been advertised for. But if the auctioneer be permitted to have the printing done, he may incur any expensive or fraudulent charge that some favorite printer might make; the auctioneer would be reimbursed out of the commission paid him; and by that plan the law as to the lowest bidder circumvented.

The reference just made to the Senate hearings was led up to by Senator WADSWORTH, relative to the auctioneers being permitted to have the sale catalogues printed. Senator WADSWORTH's question and the answer thereto read as follows:

> Senator WADSWORTH. That expense is now carried by the auctioneers?
> Major HARTMAN. Yes, sir.
> Senator WADSWORTH. If this proviso went in, that expense would have to be carried by the Government?
> Major HARTMAN. Yes, sir; and that means that when you go into the printing of a catalogue of this nature, under the present laws governing such a thing as this, instead of having five or six weeks now for an auction, we would have to know at least eight weeks ahead in order to get out our bids for printing that catalogue, if we did not have to bring it down to the Government Printing Office.

But that is not all. When the catalogues themselves are examined it will be seen that the rule is, quite contrary to established business custom, the name of the concern that does the work does not appear on the catalogue. By concealing the name of the printer no one in interest, not even the Government, can ascertain how many catalogues were printed or what they cost, notwithstanding that the commission paid to the auctioneer is made large enough to cover the cost of the catalogues.

And there is at least one other significant fact about the printing of these catalogues—not one of those exhibited by the director of sales bears the union-labor emblem.

In consequence of the adopted plan neither the number nor the cost can be ascertained, although the Government ultimately pays the actual cost, plus any additional amount that the auctioneer and the printer may agree to "split" between them.

If the union label were put on the catalogue the number of that label would show where the printing was done.

On page 19 of the Senate hearings the director of sales testified that he had only 23 first-class auctioneers on his list; then, in a few moments thereafter, he reduced the number to 12; then, on the very next page of the hearings he gave the names of 23. But previously, when testifying before the House committee, he gave the names of 105 accredited auctioneers.

On page 229 of the Senate hearings it is stated that during the last three years about $70,000,000 worth of surplus goods had been sold and that the auctioneers were paid, gross, $1,100,000.

Theretofore it had been testified to that for newspaper advertisements, not including catalogues, there had been spent by the Government the sum of $464,000. Those two expenditures amount to $1,564,000 for selling $70,000,000 worth of goods.

But that is not all of the expense. At one time during the three years the Government was employing 7,900 people on account of these sales. It is admitted that 440 persons are still being paid on that work, although they say the work is all but finished. Shortly after the war was over the sales were comparatively few and the amounts correspondingly small. Recently, that the sales are almost completed, it is fair to assume that the same conditions prevail as shortly after the war. If 440 employees are now being paid on account of the sales, let us, in order to get results, assume that approximately the same number was employed shortly after the war. If that be even nearly correct, then 440 employees were on the pay roll of the Government during each of those shorter periods. Then, to be liberal, more than 7,000 employees must have been on the Government pay roll during the longer part of that three-year period.

Many of those employees got big salaries. But, just for argument's sake, let us put their salaries at an average of $1,200; then add the bonus of $240, and we have 7,000 employees at $1,440, which amounts to $10,000,000 a year, or $20,000,000 for two years. In addition to that, the compensation of the 440 now being employed, and the same number employed shortly after the war, would amount, at the same rate, approximately, to $1,250,000. Those several items aggregate $22,814,000 spent in realizing about $70,000,000 from goods which cost about $400,000,000, to which may be added the cost of furniture, heat, light, office rent, and stationery for 7,900 employees. And, strangely enough, from among those 7,900 persons not one was put upon the auctioneer's block to cry a sale. For some reason or other auctioneers were employed at the cost of $1,100,000.

By reasonable implication it is made to appear in the Senate hearings (page 229) that the cost of selling about $70,000,000 worth of goods had cost only 4.19 per cent, when actually it had cost between 30 per cent and 35 per cent, besides losing, in addition, $330,000,000 between cost and selling price.

If, as stated in the Senate hearings (p. 229), goods which cost $400,000,000 were sold for $70,000,000, and the auctioneers were paid $1,100,000, the net sale would amount to $68,900,000. Then, if we deduct the $664,000 spent by the Government for advertising, there would be left $68,236,000. From that amount should be deducted about $22,000,000 for clerk hire paid by the Government. That would leave only $46,236,000 left from the sale of goods, which, it is said, cost $400,000,000. So, only a little more than 10 per cent of the cost was realized, although it is claimed (Senate hearings, p. 12) that 49 per cent of the cost has been realized.

In the testimony before the Senate committee, page 231, the following may be found:

> Should all the duties mentioned herein excepting actual crying of the sale be performed by the Government the maximum compensation to be paid an auctioneer regardless of the size of the bill shall be $75. * * *
>
> Senator HARRIS. I did not know that you could get them for $75 a day.

The witness, instead of replying directly to Senator HARRIS, dismissed the subject and went off and talked of other matters.

However, Senators JONES and FLETCHER returned to the subject of paying auctioneers $100 a day as provided by the House amendment, and the witness testified as follows:

> The proviso, $100 a day, should be stricken out, for we only pay $75 a day for what the House provision provides that we should pay $100.

The witness seems to have failed to notice that the House amendment provides for the payment of "not more" than $100 a day. Therefore the War Department could still pay less than $100 a day, but could not continue to pay many thousands of dollars a day.

One of the conditions made a part of a contract between the War Department and an auctioneer for making a sale of Army goods on October 10, 1921, provided that the auctioneer should expend not less than $25,000 "for advertising and giving publicity" to the sale.

The contract was emphatic that the expenditure of the $25,000 was "to cover advertising and publicity only."

The catalogues printed for this sale do not bear the name of the printer; neither do they carry the emblem of union labor.

Therefore, there is no way to arrive at how much was really spent for advertising. I do not hesitate to express the opinion that it was impossible to spend $25,000 advantageously for this one sale.

The particular catalogue was printed on common paper.

I have with me a booklet descriptive of the Washington Monument. It is printed on very costly paper and contains 21 electrotypes.

I am informed by the office of the Superintendent of Public Buildings and Grounds that the booklet cost less than 5 cents. If, merely for argument's sake, the sale catalogue referred to cost 50 per cent more than the Washington Monument booklet, $25,000 would purchase about 333,000 of the sale catalogues.

Under the contract part of the money could be, and no doubt was, expended for newspaper advertising. Even if $2,500 had been spent with newspapers the remainder of the money would have purchased nearly a third of a million catalogues; and nobody will believe that that number could have been profitably used, even if they had been printed.

The director of sales testified before the Senate committee (hearing, p. 12) that the attendance at sales was usually 400 to 500 "possible buyers."

According to other testimony that number is entirely too large. But, for argument's sake, let us admit that it is correct. Then we have the spectacle of each "possible buyer" appearing at the sale with 600 or 700 copies of the catalogue under his arm.

The greatest number of catalogues claimed by the director of sales to have been printed for any sale was 15,000—and he made that assertion in such a way as to leave the reasonable inference that he was speaking superlatively. However, admitting that 15,000 catalogues were printed for a sale, and that they were printed for the sale just mentioned, for which $25,000 were allowed, there is a discrepancy of about 285,000 copies.

It is reasonably certain that only a part of the $25,000 allowed by the Government for advertising this sale was used. The question naturally arises, What became of the balance?

To-day I was shown by the gentleman from Oregon several catalogues printed this month, and they do bear the name of the printer, but before this question arose none of these catalogues bore the name of the printer. Consequently you could not find out where they were printed, you could not find out how many were printed, nor could you find out what they cost.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. COOPER of Wisconsin. Can not the gentleman tell us where these circulars were printed?

Mr. JOHNSON of Kentucky. I just stated that these catalogues did not bear the name of the concern that printed them, and neither is the union label put upon them, so that their origin may be traced.

Mr. COOPER of Wisconsin. In other words, it is well-nigh impossible to trace the fraud if one has been perpetrated?

Mr. JOHNSON of Kentucky. Absolutely impossible.

Mr. TAYLOR of Tennessee. Why did not the committee bring it before the auctioneer who expended this money and let him state what disposition was made of it?

Mr. JOHNSON of Kentucky. If there should be no other reason for it, it would be that a party to a fraud of doing away with about $22,500 in advertising for one sale would scarcely admit it.

If the Government required that $25,000 should be used for advertising by the auctioneer, of course the commission paid to the auctioneer must be large enough to reimburse him for that expenditure, and in addition to pay him for his services for crying the sale. Consequently the Government paid for the catalogues that were printed as well as for those that were not printed. The auctioneer was paid $56,030.82 on account of this one sale.

It has been urged that the auctioneer should be a high-class auctioneer for the purpose of getting the best price for these goods. Let me ask the Members this question: Does not the man who buys, say, 150,000 bed sheets, 150,000 pairs of shoes, 150,000 pairs of blankets, know more than the auctioneer can possibly know about such things? Does a man who goes to a sale to buy a quarter of a million, or half a million, or a million, or two millions, or four or even five million dollars' worth of property not know better what he is doing than does the auctioneer who stands on the block and cries the sale?

There is another feature that pertains to this question. No man attending one of these sales could bid at all until previous to his bid he had purchased a paddle with a number upon it. The auctioneer and the catalogues announce that no man without a paddle could bid; and if one in attendance upon one of these sales saw any article selling for less than it was worth, if he saw it sacrificed, if he saw it virtually given away, he could not bid, because he had not yet deposited his $200 or his $300 with the auctioneer and obtained a paddle. All these advertisements announced that nobody without a paddle could bid, and when one of these sales came along, and items were being sold for nothing, by the time somebody in the crowd who was willing to give more for it or give something for it could go and buy one of these paddles the article would have been knocked off and sold to some one else.

During the delivery of Mr. JOHNSON's remarks the following occurred:

Mr. HOWARD of Nebraska (interrupting Mr. JOHNSON of Kentucky). Mr. Speaker, I have counted the number of Members who are here, and there are not nearly enough to do business, and I make the point of no quorum.

The SPEAKER pro tempore (Mr. LEHLBACH). The gentleman from Nebraska makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. BUTLER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Drane	Larson, Minn.	Reed, W. Va.
Bacharach	Drewry	Lilly	Robsion, Ky.
Boies	Eagan	Little	Rogers, N. H.
Bowling	Elliott	Logan	Rosenbloom
Britten	Evans, Mont.	McSwain	Schall
Browne, N. J.	Fairchild	MacGregor	Sites
Brumm	Faust	Michaelson	Stalker
Burdick	Fish	Miller, Ill.	Sullivan
Byrnes, S. C.	Fitzgerald	Mills	Summers, Wash.
Cable	Freeman	Moore, Ill.	Sweet
Campbell	Gallivan	Morin	Swoope
Casey	Geran	Mudd	Taylor, Colo.
Clark, Fla.	Gibson	Nelson, Wis.	Taylor, Tenn.
Clarke, N. Y.	Greenwood	Newton, Minn.	Temple
Collins	Griffin	O'Brien	Tucker
Connery	Hawes	O'Connell, N. Y.	Underhill
Connolly, Pa.	Hooker	O'Connor, La.	Vinson, Ky.
Cooper, Ohio	Howard, Okla.	O'Connor, N. Y.	Ward, N. Y.
Corning	Hull, Iowa.	O'Sullivan	Weller
Curry	Hull, Tenn.	Park, Ga.	Wertz
Davey	Kahn	Patterson	White, Me.
Deal	Kindred	Perlman	Wilson, La.
Dempsey	Knutson	Phillips	Wilson, Miss.
Dickstein	Kunz	Porter	Winslow
Dominick	Langley	Prall	Wood
Doughton	Lankford	Quayle	

The SPEAKER pro tempore (Mr. SANDERS of Indiana). Three hundred and thirty Members have answered to their names, a quorum.

Mr. DICKINSON of Iowa. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. JOHNSON of Kentucky resumed and concluded his remarks.

Mr. JOHNSON of Kentucky. Mr. Speaker, I yield two minutes to the gentleman from Maryland [Mr. HILL].

Mr. HILL of Maryland. Mr. Speaker and gentlemen of the House, I want to say a few words on the organization of the reserve feature of this bill, and I shall ask unanimous consent to revise and extend my remarks on this subject.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD of Nebraska. Mr. Speaker, I make the point of order of no quorum.

The SPEAKER pro tempore. The gentleman from Nebraska makes the point of order of no quorum present. The Chair will count.

Mr. ANTHONY. Mr. Speaker, will not the gentleman from Nebraska defer——

Mr. BLANTON. It is too late now.

Mr. ANTHONY. Until we see if we can get together?

Mr. HOWARD of Nebraska. It is impossible to defer now I will say to the gentleman from Kansas; I may later.

Mr. BLANTON. I make the point of order that the Speaker having announced those present as not being a quorum, that ends the deliberation.

The SPEAKER pro tempore. The Speaker has not made that announcement.

Mr. BLANTON. I heard somebody up there make some statement, and I thought it was the Speaker.

Mr. HILL of Maryland. Is it possible for the gentleman to withdraw that point of order?

The SPEAKER pro tempore. It is.

Mr. HILL of Maryland. I hope the gentleman will do so.

The SPEAKER pro tempore. Ninety-eight gentlemen are present, not a quorum.

Mr. ANTHONY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

Anderson	Collins	Freeman	Lyon
Aswell	Connery	Funk	McSwain
Ayers	Connolly, Pa.	Gallivan	Martin
Bacharach	Cooper, Ohio	Geran	Michaelson
Barkley	Corning	Gibson	Miller, Ill.
Berger	Croll	Griffin	Mills
Boies	Crowther	Haugen	Moore, Ill.
Bowling	Cummings	Hayden	Moore, Ga.
Browne, N. J.	Curry	Hooker	Moores, Ind.
Browne, Wis.	Davey	Howard, Okla.	Morgan
Brumm	Davis, Minn.	Hull, William E.	Morin
Byrnes, S. C.	Deal	Kahn	Morrow
Cable	Dempsey	Kerr	Mudd
Carew	Dickstein	Kindred	Nelson, Wis.
Casey	Dominick	Kunz	Newton, Minn.
Celler	Doughton	Langley	O'Brien
Christopherson	Doyle	Larson, Minn.	O'Connell, N. Y.
Clague	Drane	Leatherwood	O'Connell, R. I.
Clancy	Fairchild	Leavitt	O'Connor, La.
Clark, Fla.	Fish	Lilly	O'Connor, N. Y.
Clarke, N. Y.	Frear	Little	Park, Ga.
Cole, Ohio	Fredericks	Logan	Parks, Ark.
Patterson	Rogers, N. H.	Taylor, Colo.	Welsh
Peavey	Rosenbloom	Taylor, Tenn.	Wertz
Perlman	Rubey	Temple	White, Me.
Porter	Sites	Tucker	Williamson
Prall	Smith	Underhill	Wilson, Miss.
Quayle	Snyder	Vare	Winslow
Ragon	Stevenson	Vinson, Ga.	Wood
Ransley	Sullivan	Vinson, Ky.	Wright
Reed, W. Va.	Sweet	Volgt	Yates
Richards	Swoope	Ward, N. Y.	
Robsion	Tague	Weller	

The SPEAKER pro tempore. Three hundred and two gentlemen are present, a quorum. The Doorkeeper will open the doors.

Mr. ANTHONY. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

Mr. HILL of Maryland. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has one minute remaining.

Mr. HILL of Maryland. Mr. Speaker, a parliamentary inquiry. Did the House grant me unanimous consent to extend my remarks?

The SPEAKER pro tempore. It did.

ORGANIZED RESERVES

Mr. HILL of Maryland. Mr. Speaker and gentlemen of the House, the War Department asked for appropriations sufficient to train about 12,000 of our 84,500 reserve officers for a period of 15 days. Of these 84,500 reserve officers 63,000 are either attached or assigned to various units of the six field armies providing 2,000,000 men in case of need.

The War Department asked for the money for 12,000 because it thought that that was the largest number for which it could get appropriations, although the War Department realized the necessity of training at least one-third of the 63,000 every year.

General Delafield, president of the Reserve Officers' Association, appeared before the subcommittee of the Appropriations Committee, representing the reserve officers throughout the Nation, and ably and fully explained the needs from the point of view of the citizens at large.

A number of Members of Congress appeared and argued for appropriations for 21,000 officers to be trained. In my statement I discussed the six field army system, and I will here repeat part of that statement, which is as follows:

MONDAY, *January 21, 1924.*

Mr. ANTHONY. We will be glad to hear from Congressman HILL of Maryland.

STATEMENT OF HON. JOHN PHILIP HILL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. HILL. Mr. Chairman, I do not think there is any man in the country who is more deeply interested, earnestly and from a practical point of view, in the development and the proper development of the Reserve Corps than the chairman of this subcommittee, Mr. ANTHONY. I am here to-day to say only a word, and I come before the committee with a great deal of diffidence, because I feel the committee is working on this matter from a point of view that we are all interested in. I only come to present for the consideration of the committee the question of the amount of field training for the reserve organizations and officers, and I venture to do this because of some practical personal experience in reference to some of the reserve units and reserve problems.

There are at the present time 84,500 reserve officers. Of these officers 63,000 are either attached or assigned to various units, which units are component parts of the six field armies, providing for 2,000,000 men to be immediately trained in case of emergency.

Experience in the last war showed that if we had a training organization or a more or less definite regimental organization, or other unitary organization, it was a very simple matter to train the men in a comparatively short time.

During the past war in one division 5,000 drafted men were poured into this division two weeks before it sailed for France, and those men were in defensive trenches within three weeks after they reached France. Therefore it is extremely important that the reserve officers and the reserve organizations be kept in as efficient a condition as possible, ready at any moment of need to receive, train, conserve the health of, and command in action the troops that would be drafted. I venture to suggest to the committee that, there being 63,000 reserve officers attached or assigned to existing necessary tactical and other units, they should be trained at least once in every three years.

Most reserve officers are officers of no large personal means. It is very difficult to get officers to consent to come into the reserve corps, when we consider the large number of officers who were in the World War. There are a great many men who can be counted on in an emergency but who will not assume the obligations of the Reserve

Corps in time of peace. The reserve officers and reserve units throughout the winter are given specific forms of instruction. I know of a reserve regiment which has two definite meetings a month, in which the problems of troop handling are taken up by each officer in order under the supervision of the commanding officer of the regiment and of the Regular Army executive officer of the regiment. They also have the correspondence schools throughout the year.

These officers, if they knew sufficiently far in advance that they could go to the summer camp, would make arrangements to go, but the uncertainty of their being able to go prevents them from doing so.

Therefore, as I said, with some diffidence but having great confidence in this subcommittee, I wish to suggest to you the advisability of arranging for the training each year of one-third of the 63,000 officers who are attached or assigned. That leaves 21,500 not attached or assigned. Some of those officers would probably be necessary for field training once in three years, or it would be advisable to let them have field training. A number of those nonunit officers, however, are officers who do not require field training. Take, for instance, the officers of the Judge Advocate General's Department. It is advisable that they should have knowledge or previous contact with troops, because the point of view of a military lawyer is totally different from the point of view of the civilian lawyer. There is a decidedly different element required. It would be advisable that they have training, but I respectfully submit that it is absolutely necessary that the officers who are expected to be company or battalion or regimental officers, or other independent unit officers, should know that once every three years they will be in the field for actual maneuvers and training.

Mr. Chairman, I am very much obliged to the committee for having had this opportunity to present this view to you as a necessity for the national defense under the present defense act.

Without any pay or other monetary compensation, all through the winter the reserve officers of organized units are working for the national defense.

All this study and work in the office should be supplemented by practical field work, certainly not less than once every three years.

The Appropriations Committee recommended what the Budget had offered. Here is the House bill on this point as it passed with the Senate amendments:

ORGANIZED RESERVES

Officers' Reserve Corps: For pay and allowances of members of the Officers' Reserve Corps on active duty for not exceeding 15 days' training, $2,457,900; for pay and allowances of members of the Officers' Reserve Corps on active duty for more than 15 days in accordance with law, $400,466; for mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof as authorized by law, $476,000: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for 15 days or less shall not exceed 4 cents per mile; in all $3,334,366.

The Senate provided for training 18,000 reserve officers instead of the 12,000 provided by the House. Here is the conference report on this matter:

Nos. 30, 31, and 32, relating to the appropriations for pay and allowances and mileage of members of the Officers' Reserve Corps: Appropriates $2,000,000 for pay and allowances of reserve officers on active duty for not exceeding 15 days' training, instead of $1,638,600, as proposed by the House, or $2,457,900, as proposed by the Senate; appropriates $397,666 for mileage, instead of $335,594, as proposed by the House, and $476,000, as proposed by the Senate, making the total for pay and allowances and mileage of members of the Officers' Reserve Corps, $2,798,132, instead of $2,374,660, as proposed by the House, or $3,334,366, as proposed by the Senate, which provides for 15-day training for 14,647 reserve officers, instead of 12,000, as proposed by the House, and 18,000, as proposed by the Senate.

The conference report now before you therefore provides for 15-day training for 14,647 reserve officers instead of the 12,000, as proposed by the House, and the 18,000, as proposed by the Senate.

I think the conferees are to be congratulated on this increase, and I hope next year the War Department will ask for 21,000 and the Congress will grant the needed funds. The reserve system of the six field armies is the cheapest form of national defense, but it should be kept up to date and at least one-third of the officers should be trained each year.

As the chairman of our subcommittee, Mr. ANTHONY, said this morning, the appropriations last year provided for about 7,000 officers. This year the amount is more than doubled. I congratulate the gentleman from Kansas [Mr. ANTHONY] and his subcommittee, Representatives DICKINSON of Iowa, BARBOUR, JOHNSON of Kentucky, and HARRISON.

I also desire to congratulate General Delafield and the Reserve Officers' Association on the help they have rendered the House on this matter.

Next year I hope the War Department will ask for enough money to train at least 21,000 reserve officers each year and that the House will grant the needed funds. I know that the chairman of the Appropriations Committee [Mr. MADDEN] and the Appropriations Committee itself are anxious to do all they feel is necessary for sustaining the policies of the national defense act. Next year we hope for 21,000 reserve officers to be trained. [Applause.]

CONFERENCE REPORT TO VACATE AND EXTEND STREETS NEAR WALTER REED GENERAL HOSPITAL

Mr. ZIHLMAN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Maryland rise?

Mr. ZIHLMAN. I rise for the purpose of submitting a conference report for printing under the rule.

The SPEAKER pro tempore. The gentleman from Maryland submits a conference report on a bill the title of which the Clerk will report.

The Clerk read as follows:

An act (S. 114) to vacate certain streets and alleys within the area known as the Walter Reed General Hospital, District of Columbia; and to authorize the extension and widening of Fourteenth Street from Montague Street to its southern terminus south of Dahlia Street, Nicholson Street from Thirteenth Street to Sixteenth Street, Colorado Avenue from Montague Street to Thirteenth Street, Concord Avenue from Sixteenth Street to its western terminus west of Eighth Street west, Thirteenth Street from Nicholson Street to Piney Branch Road, and Piney Branch Road from Thirteenth Street to Butternut Street, and for other purposes.

The SPEAKER pro tempore. Ordered printed under the rule.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 114, having met, after full and free conference have been unable to agree.

F. N. ZIHLMAN,
FLORIAN LAMPERT,
THOMAS L. BLANTON,
Managers on the part of the House.

I. HEISLER BALL,
W. L. JONES,
Managers on the part of the Senate.

STATEMENT

The amendments of the House to Senate bill 114 relate only to one subject matter, namely, the keeping open of Fourteenth Street through the Walter Reed Reservation.

The Senate conferees refuse to recede and accept the amendments of the House, and the managers of the House therefore report the bill back to the House for further instructions.

F. N. ZIHLMAN,
FLORIAN LAMPERT,
THOMAS L. BLANTON,
Managers on the part of the House.

WAR DEPARTMENT APPROPRIATION

Mr. JOHNSON of Kentucky. Mr. Speaker, I yield one minute to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, I simply want to call to the attention of the House one item where I think there has been an increase made which is entirely unjustifiable. I do not criticize the committee of conference because they have been in conference with another body that does not have much idea of economy. The bill as it passed the House had an item of $650,000 for roads and trails in Alaska. The Senate increased it to $800,000. The conferees have split the difference and have made it $725,000. This is $75,000 above the Budget figure. Now, under the guise of developing Alaska we are spending several million dollars a year on the Alaska Railroad, and hundreds of thousands of dollars on the roads——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. I yield the gentleman one additional minute.

Mr. CRAMTON. Now, we voted $650,000 for roads and trails, which is more than is justified under the present condition of the Treasury, and another body has insisted on going $75,000 above the Budget figures. I think, with the present condition of the Treasury, the House should give consideration

to this matter to the end that next year it ought to be cut down to a reasonable figure.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. JOHNSON of Kentucky. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has 20 minutes remaining.

Mr. JOHNSON of Kentucky. I yield one minute to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Speaker and gentlemen, the gentleman from Kentucky has just made a speech upon the subject of auctioneers' fees upon the sale of surplus material. The House may remember when this subject was before the House before I had something to say on the subject. Now, I have not been able to follow in detail the remarks which have been made by the gentleman from Kentucky, and I should like to have an opportunity, after having studied them, to submit some further views on the subject, and, therefore, I ask leave to revise and extend my remarks upon this subject.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to revise and extend his remarks as indicated. Is there objection?

Mr. BLANTON. Reserving the right to object—and I shall not object—the remarks will need some reply from somebody and therefore I shall not object.

The SPEAKER pro tempore. The Chair hears no objection.

Mr. JOHNSON of Kentucky. Mr. Speaker, in order that the gentleman from New York, General WAINWRIGHT, may have a little more food for thought, I will recite what has occurred this month in the way of selling Army goods. This very month—this month an auctioneer under the direction of the War Department stood on the auctioneer's block in the city of New York and sold Army goods located in 70 different places in 15 States, with only one week given in which a contemplating purchaser might examine the goods. I can not imagine anything more impractical than that an auctioneer should be permitted to stand upon the Atlantic coast and sell goods at San Francisco and in 14 other States. It reminds me of the old story of the boys at school swapping knives "Jack unseen."

I give that to the gentleman from New York for his further attention. [Applause.]

The SPEAKER pro tempore. Under the unanimous-consent agreement the previous question is ordered on the conference report.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first Senate amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8, page 9: "Nothing contained in this act, or any other act, shall be construed as depriving any commissioned officer of the Army, Navy, or Marine Corps of his right to pay and allowances while serving on such duty as the President may direct in the coordination of the business of the Government, as now being conducted by him under the general supervision of the Director of the Bureau of the Budget."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in the amendment of the Senate.

This provision is to protect about 21 officers of the Army who are detailed to duty with the Budget Bureau, so that when they are assigned to work in other departments of the Government for the purpose of coordinating the work which is going on in charge of the Bureau of the Budget their pay and allowances may not be put in jeopardy.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREEN of Iowa. The effect of this would be to make a saving to the Government?

Mr. ANTHONY. Yes. The Government otherwise would have to employ others, some perhaps at a larger salary.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Is there any limitation as to the number of officers who can be so detailed, and is there any limitation as to the time during which they can be so detailed? I take it that if the gentleman will examine more closely he will find that there is no limitation, and that under the provisions of the act they can detail these officers to the number of several hundred——

Mr. ANTHONY. Which they probably would not do, though. The language specifies that it is in order to carry out this work of coordination. It is assumed that that work will be done in a reasonable time.

Mr. HULL of Iowa. We should have a limitation as to the number of men and as to the length of time they are expected to stay in that place.

Mr. ANTHONY. As I said, there are 21 officers detailed to the Budget Bureau now, and, so far as the committee knows, there will be no increase in that number.

Mr. HULL of Iowa. There are 21 detailed now; but I warn the gentleman that before this provision expires there will be several hundred there, and there will be no limitation on the length of time they will remain. That is not the intention of Congress, and never was, and it will not be the intention of Congress if we agree to the conference report.

Mr. ANTHONY. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kansas to recede and concur.

The motion was agreed to.

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that we may consider amendment No. 14 ahead of amendment No. 13, because the amount involved depends upon the action taken upon amendment numbered 13.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

The Clerk read as follows:

Senate amendment No. 14, page 27, after line 23, insert "and $500,000 for beginning the construction of such permanent buildings at Camp Lewis, State of Washington, as in the judgment of the Secretary of War may be necessary to put Camp Lewis in proper shape to serve the purposes intended, and $100,000 for beginning the construction of permanent buildings at Camp Bragg, N. C."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Kansas moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ANTHONY moves to recede and concur with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: ", and the Secretary of War is hereby authorized and directed to submit to Congress at its next session a comprehensive plan for necessary permanent construction of military posts and for the sale of such property now owned by the War Department as in the opinion of the Secretary of War is no longer needed for military purposes."

Mr. ANTHONY. Mr. Speaker, the amendment of the Senate appropriated $500,000 for Camp Lewis and $100,000 for Camp Bragg, N. C., for the purpose of beginning construction of permanent barracks and quarters at those places, the buildings at which are now of the temporary cantonment type, built during the war. Your House conferees felt that they had had no opportunity whatever to inquire into the merits of these amounts which the Senate placed in the bill for commencing this construction. We felt that the House would prefer to have the opportunity of going fully into the plan of the War Department and the details of construction which will soon be proposed for permanent construction at a number of our military posts; so that the amendment which I have offered provides that the Secretary of War shall furnish Congress with the program of permanent construction, and also it calls upon him to advise us of the property in the hands of the War Department which is no longer needed, which may be sold with the idea of paying for the cost of this construction without making it a direct charge upon the Treasury. In my opinion, we are face to face with the necessity of commencing permanent construction at military posts. There are about 40,000 men in the Army now housed in temporary quarters. We can not much longer postpone the beginning of a construction program. This defers it, however, until the next session of Congress.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. JOHNSON of Washington. The gentleman understands in connection with Camp Lewis—the entire site of which was a gift to the Government—that a part of the understanding was that troops would be maintained there, and the War Department has since the armistice maintained a division headquarters with from one to four generals, has maintained skeleton regiments, and carried out its part of the agreement, but finds each six months the opportunity for housing these men much worse. I am inclined to think the service would be much better if a start should be at once made on reconditioning some of the buildings, inasmuch as that is to be a division headquarters. It is now a division headquarters, and the War De-

partment insists it is an important post which they desire to maintain as a strategic point.

Mr. ANTHONY. Let me say to the gentleman that I think Camp Lewis undoubtedly has a claim upon the Congress for action along this line. As I understand it, your people raised $2,000,000 with which to purchase the land whereon Camp Lewis is located, and there was a free gift of the land to the Government during the war with the understanding that a permanent post would be located there. Now, the only trouble about giving $500,000 with which to start permanent construction there is that during our hearings it was developed, largely by the gentleman from Kentucky [Mr. JOHNSON], that it would be a bad business policy to do this work piecemeal. It was shown that in the case of Camp Benning, in Georgia, where the Army asked for $500,000 for permanent construction, that if we were in a position to give $1,600,000, enough to complete quarters for a full regiment, we could save $200,000 in construction costs as against building quarters for only a battalion at a time. So we feel it unwise to tackle this proposition piecemeal when we ought to go at it in such a way as to provide for the housing of at least a full regiment in each set of barracks and quarters.

Mr. JOHNSON of Washington. But I will call the gentleman's attention to this condition: In the previous Army bill, as between the House and the Senate, an agreement was made by which, I think, some $260,000 was to be appropriated for two camps, one Camp Lewis, and the other one just beyond Baltimore, the chemical warfare establishment. However, when the division of that money came to be made, the pressure was so great in favor of the chemical warfare establishment at Edgewood Arsenal that they got all of that appropriation, whereas it was clearly the intent of Congress to divide it. Now, at Camp Lewis such things as sewage and water mains are being neglected. Water mains have been put in piecemeal, but the system has not been hooked up, and it does strike me that there could be very considerable use made immediately of a portion of this appropriation, if the gentleman from Kansas could see his way clear to permit a motion to be made to recede and concur. I would like to make a preferential motion.

Mr. JOHNSON of Kentucky. Will the gentleman from Kansas again yield five minutes to me?

Mr. ANTHONY. I yield five minutes to the gentleman.

Mr. JOHNSON of Washington. Then I will make the preferential motion later.

Mr. JOHNSON of Kentucky. Mr. Speaker, it occurs to me that there is no more meritorious item in this bill than the item which the Senate put in and which the gentleman from Kansas now moves to amend. In the first place the people of that part of the State of Washington have given 60,000 acres to the Government as a present. For those 60,000 acres they have issued $2,000,000 worth of bonds, and upon those bonds they are paying $100,000 a year in interest. All of that was done upon what they believed to be the assurance of Congress and the assurance of the War Department that that should be made a permanent camp. Not only is this needed as a permanent camp, but even higher still is the proposition that the Government should keep faith with those people out in the State of Washington.

I can find in this bill instance after instance where more money than is asked for by this appropriation has been thrown to the winds, and yet it is proposed that we refuse to take advantage of the generous offer made by these people, which the Government has accepted, and now it is proposed to repudiate it.

All of us who have been here even but a little while know what it means to postpone a matter "until next year." We know that means indefinite postponement. In justice to the War Department, in justice to the people of the State of Washington, and in justice to those who are bearing this burdensome tax the amendment offered by the gentleman from Kansas should be defeated and the Senate amendment should be adopted. Nothing, in my opinion, is more just than that proposition.

Mr. MILLER of Washington. Will the gentleman yield me five minutes?

Mr. ANTHONY. Can the gentleman get along with three?

Mr. MILLER of Washington. Well, I will try to do so.

Mr. ANTHONY. Then, Mr. Speaker, I yield the gentleman from Washington three minutes.

Mr. MILLER of Washington. Mr. Speaker and gentlemen of the House, Camp Lewis lays in the far Northwest. It is the last post in our country on the frontier. Across the country and almost in sight is British territory. It is the only post in the Northwest country, and it is one that should be taken care of and permanently improved.

Now, I doubt very much the efficacy of asking the War Department to dispose of any particular cantonment or tract of land. If Congress makes up its mind that it wants to sell some of the Army posts and cantonments, it always appears that they are just the ones the Army wants to keep, and, consequently, we are keeping the major number of camps and cantonments that were established during the period of the war, many of which are of no possible use to the United States Army, and, of course, are a continuous expense to the Government. The appropriation of a reasonable sum of money, when spread around over all this considerable number of camps and cantonments, provides for very little improvement on any one of them.

I think the best way to start in to make substantial betterments in the Army camps and cantonments is for Congress to do it itself and to pick out those posts which are of the greatest benefit to the Army, those in strategic locations, of which Camp Lewis is one, and start in with a modest period of development, and I hope that the amendment of the Senate will prevail.

Mr. ANTHONY. Mr. Chairman, I yield three minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Speaker and gentlemen, Camp Lewis is not in my district, but I am thoroughly familiar with the circumstances of the establishment of a camp at that point. As a member of the State legislature in 1917, I helped to pass two bills which made it possible for Pierce County to bond itself for $2,000,000 for the purpose of purchasing this land for a permanent Army camp. Gentlemen, it is not believable that any county would bond itself for $2,000,000 unless they had had assurance that there was to be established there a permanent camp, and they were given that assurance. They did bond themselves and they are obligated for $2,000,000, and there was established on those grounds during the war a camp which was one of the best known and most successful in all of the United States. The soil is peculiarly adapted to that sort of thing. Regardless of the amount of rain, it never becomes very muddy. The climate there is most desirable. It is far enough from the city of Tacoma and close enough to the city to make it desirable in every way. As a matter of good faith toward those people who have put up $2,000,000, and because there is needed and should be established a permanent camp in the great Northwest country close to the Pacific and close to possible points of danger, I hope that the Senate amendment will be concurred in.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to offer a preferential motion that the House recede and concur in the Senate amendment No. 14.

Mr. ANTHONY. Will the gentleman yield for a question?

Mr. JOHNSON of Washington. Certainly.

Mr. ANTHONY. Of course, the gentleman understands that if we recede and concur in the Senate amendment we also authorize construction at Camp Bragg of $100,000, which is another proposition that the committee has had no opportunity whatever to look into.

Mr. JOHNSON of Washington. I know that; but we have been over the matter of getting something of this nature many times.

Mr. ANTHONY. And I want to submit to the gentleman whether in the expenditure of these large sums of money he thinks they ought not to come up in the regular and orderly manner through the Bureau of the Budget and on the recommendation of the War Department. The committee is entirely in sympathy with the position of the gentleman.

Mr. JOHNSON of Washington. I know that; and I am under many obligations to the gentleman and to all members of the committee; but I am afraid that the proposal involved in the substitute will stretch the matter out two or three years, by which time the buildings will have fallen down.

Mr. ANTHONY. If the gentleman's motion should prevail, he would not only commit us to the improvement at Camp Lewis, which I think is just and proper, but will probably commit us to the same line of expenditure at Camp Bragg, about which there may be some question.

Mr. JOHNSON of Washington. That would not be too many improvements out of the total number of establishments.

Mr. ANTHONY. Mr. Speaker, I ask that the question be divided.

The SPEAKER. The gentleman from Kansas asks that the question be divided. The first question is on the motion of the gentleman that the House recede.

The motion was agreed to.

The SPEAKER. The question now is on the motion of the gentleman from Kansas that the House concur with an amendment.

Mr. JOHNSON of Washington. Is not my motion a preferential one?

The SPEAKER. Not after a division. The question is on the motion of the gentleman from Kansas that the House concur with an amendment.

The question was taken; and on a division (demanded by Mr. JOHNSON of Washington) there were—ayes 28, noes 18.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 13: Page 27, line 20, strike out "$428,332," and insert "$1,028,332."

Mr. ANTHONY. Mr. Speaker, I move that the House insist on its disagreement to amendment numbered 13.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 21: Page 59, line 2, after the figures "$700,000" insert "of which sum not more than $25,000 may be used in agricultural experiments in exterminating the cotton boll weevil."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in the Senate amendment. This provision was put on by the Senate with the idea that the Chemical Warfare Service of the Army should use $25,000 of our appropriation of $700,000 to experiment along the lines of developing a poison for the boll weevil.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 38: Page 81, after line 2, insert:

"NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE

"QUARTERMASTER SUPPLIES AND SERVICES FOR RIFLE RANGES FOR CIVILIAN INSTRUCTION

"To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms under reasonable regulations to be prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors; for clerical services; for badges and other insigna; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship, and their participation in national and international matches, to be expended under the direction of the Secretary of War, and to remain available until expended, $89,900: *Provided*, That out of this appropriation there may be expended not to exceed $80,000 for the payment of transportation, for supplying meals or furnishing commutation of subsistence of civilian rifle teams authorized by the Secretary of War to participate in the national matches."

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that amendments Nos. 38, 39, 40, and 41 may be considered together. They all relate to the same subject and the debate upon them would all be the same and we could gain time by disposing of them with one vote.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the four amendments referred to be considered together. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS

For the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifle clubs, and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes hereinbefore prescribed, under the direction of the Secretary of War, $7,500.

ORDNANCE EQUIPMENT FOR RIFLE RANGES FOR CIVILIAN INSTRUCTION

For arms, ammunition, targets, and other accessories, for target practice for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law, $10,000.

Hereafter the Secretary of War shall, within the limits of appropriations made from time to time by Congress and in accordance with reasonable rules and regulations approved by him upon the recommendation of the National Board for the Promotion of Rifle Practice, authorize and provide for—

(a) Construction, equipment, maintenance, and operation of indoor and outdoor rifle ranges and their accessories and appliances;

(b) Instruction of able-bodied citizens of the United States in marksmanship and, in connection therewith, the employment of necessary instructors;

(c) Promotion of practice in the use of rifled arms, the maintenance and management of matches or competitions in the use of such arms, and the issuance in connection therewith of the necessary arms, ammunition, targets, and other necessary supplies and appliances, and the award to competitors of trophies, prizes, badges, and other insignia;

(d) Sale to members of the National Rifle Association, at cost to the Government, and issue to clubs organized, for practice with rifled arms, under the direction of the National Board for the Promotion of Rifle Practice, of arms, ammunition, targets, and other supplies and appliances necessary for target practice;

(e) Maintenance of the National Board for the Promotion of Rifle Practice, including provision for the necessary expenses thereof and of its members;

(f) Procurement of necessary materials, supplies, appliances, trophies, prizes, badges, and other insignia, clerical and other services, and labor;

(g) Transportation of employees, instructors, and civilians to give or undergo instruction or to assist or engage in practice in the use of rifled arms, and the transportation and subsistence, or commutations in lieu of subsistence, of members of teams especially authorized by the Secretary of War to participate in matches or competitions in the use of rifled arms, making a full report of all things done hereunder annually to Congress.

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in Senate amendments 39, 40, and 41, and I yield 15 minutes to the gentleman from Kentucky [Mr. JOHNSON].

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. DAVIS of Minnesota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8839, the District of Columbia appropriation bill, disagree to all the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to take from the Speaker's table the District of Columbia appropriation bill, disagree to the Senate amendments, and ask for conference. Is there objection?

Mr. BLANTON. Reserving the right to object, I notice that the Senate has placed a provision in the bill which requires the people of the United States to pay $14,000,000 toward the expenses of this city. I would like to know what the gentleman is going to do about that.

Mr. DAVIS of Minnesota. I am going to try and reduce it; I am going to try and sustain the House bill.

Mr. BLANTON. Will the gentleman from Michigan, Mr. CRAMTON, be one of the conferees?

Mr. DAVIS of Minnesota. No; the conferees will be myself, Mr. FUNK, and Mr. AYRES.

Mr. BLANTON. Will the gentleman agree to bring that amendment back to the House?

Mr. DAVIS of Minnesota. I will not agree to the $14,000,000.

Mr. BLANTON. If there is any departure from the Cramton amendment, will the gentleman agree to bring it back to the House?

Mr. DAVIS of Minnesota. Yes; I will.

The SPEAKER. Is there objection?

There was no objection.

The Speaker appointed as conferees on the part of the House Mr. DAVIS of Minnesota, Mr. FUNK, and Mr. AYRES.

CONFERENCE REPORT ON THE ARMY APPROPRIATION BILL

Mr. JOHNSON of Kentucky. Mr. Speaker, I am entirely satisfied that there is no better friend to the Army or to the program of preparedness than I am. That has been my presistent course ever since I have been a Member of this body.

For a number of years there has been carried on the Army appropriation bill several items which apparently have for their purpose rifle practice. It could more properly be termed a gun club, presided over by a distinguished gentleman at the other end of the Capitol. The question first arises, is it necessary and proper that more than $400,000 shall be spent for this gun club. Are soldiers when they go to the war given an opportunity to have rifle practice? That is another of the questions. Let me say that appropriation is made for the Army to conduct rifle practice. Appropriation is made for the Navy to conduct rifle practice. Appropriation is made for the Coast Guard to have rifle practice. Appropriations are made for other departments of the Navy to have rifle practice. Ap-

propriations are made for rifle practice at the summer meetings of the National Guard. Notwithstanding that, this proposition asks for more than $400,000 for another rifle practice concern, at which the testimony shows that they are engaged in, both on this continent and the European continent.

They claim that there is a large number of these rifle clubs in the United States. I do not know how many there are, but I have asked a number of Members if they ever heard of such a thing, and no one outside of the State of Ohio has told me that he ever knew there was such a thing. Every year in Ohio they meet, and for that meeting in this bill they are given money to bring men from every part of the United States to meet in Ohio.

They pay them while traveling, they give them meals and feed them while they are in Ohio, and they say this is for rifle practice for the public, but they have sent only two men who put "mister" before their names, but those who have had rifle practice in the Navy, in the Coast Guard, and in the cantonments during summer meetings are the men who have been sent to the international contests.

Either last year or the year before this crowd was sent to Europe at public expense; they went on a transport, and many of them took their wives with them. This money has been spent in that way. They say it is spent to keep the citizenry of the United States used to the rifle. The language reads that it is to provide rifle practice for "all able-bodied citizens." I asked the officer in charge of this proposition if he would treat me as an able-bodied citizen and allow me to enter into rifle contests. He said, "Oh, yes." I said, "I am 66 years old, you would not take me into the Army if I were the best rifle shot in the world; you would not have me, because I am beyond the Army age." Thus it developed that he who is at the head of this thing is also away beyond the age in which he might be admitted into the Army. Then I asked, "Whom do you train?" And his answer was, "Principally we have trained Army officers." Then I asked, and it appears in the hearings, "What kind of a rifle does an Army officer carry when he goes into battle?" Of course, he answered that he carries no gun at all. Then why spend this money educating an officer in shooting a rifle when he does not carry one? Why spend this money to educate a lot of old men to shoot a rifle when they can not go to war if war should come? They took out of our munition supplies last year, according to their own admission, between $250,000 and $260,000 worth of ammunition. A great number of guns were given to them to be scattered over the country God knows where, and then they spent $100,000 or more in having extra guns made for particular target practice, a gun that could never be used in the Army. I wish the gentleman from Wisconsin [Mr. COOPER] or the gentleman from California [Mr. RAKER] were present at this time. Only a few years ago they and myself were appointed as a committee to investigate a riot that occurred at East St. Louis.

What did we find there? We found something like 75 or 100 guns belonging to the United States were placed at East St. Louis at the disposal of a gun club. We found that unlimited ammunition had been put at their disposal, and we found also that when the laborers in the packing plants went upon a strike, that the packers seized these United States guns and this United States ammunition, thereby arming one set of American citizens to shoot down another set of American citizens, when the United States Government was not supposed to have and really did not have any part in the trouble. They were arming one class of citizens to shoot down another class of citizens, when no man in the uniform of the United States was there to take part in that trouble.

Why should this thing go on? The committee has refused to paint buildings that are rotting because of the lack of paint; they say that is for the sake of economy. A lot of railroad ties are rotting so that trains can not run over them, and they say that for the sake of economy they will not be replaced; and, after having accepted $2,000,000 as a gift from the people of the State of Washington, who have burdened themselves with a charge of $100,000 a year, they refuse to improve the property out there and make the houses tenantable for the soldiers. They quibble over every penny that goes to the building of hospitals for the sick; they quibble at every penny that goes to the sick in those hospitals; and yet when it comes to an absolutely useless purpose they give more than $400,000 to this gun club.

They also give trophies for marksmanship. The principal trophies are supposed to pass from one man this year to another man the next year who is the most successful in the contest. Yet they want $7,500 every year to get trophies, when the principal trophies pass from year to year to the victor in the contest. That is not, in my humble judgment, the proper thing to be done. It leads to wastefulness, and meritorious propositions are allowed to go begging. It has been stated on this floor by gentlemen who have taken an interest in it that our sick veterans of the World War have been too poorly fed. They have asked for money for that purpose. They have asked to get money for other worthy purposes, but they have not gotten it. But for the mere asking these people get $400,000 for this gun club. The House defeated this proposition recently. It was put out and the Senate put it back. I say this House ought to stick to what it has already done and defeat this proposition.

I yield the remainder of my time to the gentleman from Texas [Mr. HUDSPETH].

Mr. HUDSPETH. Mr. Speaker and gentlemen of the House, like the gentleman from Kentucky [Mr. JOHNSON], I have voted for the largest Army appropriations. I voted for the appropriations for the largest standing Army asked for four years ago by the Secretary of War, but do you know what they are providing in this bill? They are taking out of the Treasury of this country about $500,000 to educate gentlemen of all ages in target practice. Not only that, but according to the hearings, brought out by the gentleman from Kentucky [Mr. JOHNSON], $12,000 each year is appropriated or taken out of this fund to take a team over to Europe to engage in target practice. How many men do you suppose compose that team? General Phillips states that it is composed of eight men, and that five of them shoot. Mr. JOHNSON then asked what the other three did and he said they went out and amused themselves by having target practice among themselves. We are sending men over to Italy and to Belgium, and the public is paying for it, in order to go out and have a private shoot between themselves. If they want to engage in private target practice, they can stay on this side and save quite a sum of money to the taxpayers. We were told by Republicans on the Appropriation Committee at the beginning of Congress that no money would be appropriated for the purchase of any additional lands; that economy was to be practiced; that the President had issued his ukase that no additional lands to any Army post should be purchased, although in parts of this country the Government is using private property for Army purposes and has been for years. Yet we find here nearly $500,000 for target practice, and so forth, including the ammunition they shoot, and it also takes them over to Belgium for the Olympic games.

Mr. McKEOWN. Where is the land that is to be bought for target practice located?

Mr. HUDSPETH. No; this is appropriated for target practice, trap shooting, and so forth.

Mr. McKEOWN. Are the American participants in the Olympic games to get the same treatment that they got in Paris the other day?

Mr. HUDSPETH. I do not know what the treatment was accorded to them, but according to the testimony here they took a team to Belgium and engaged in a shoot over there.

Mr. JOHNSON of Kentucky asked General Phillips what kind of guns they used and he said they used rifles, Army revolvers, and shotguns. Then Mr. JOHNSON asked what they did with the shotguns, and he said they shot clay pigeons. That is the testimony. They go to Belgium to engage in a contest with shotguns shooting at clay pigeons at 15 paces. Would that educate any citizen to become a better marksman? I ask you gentlemen if you are going to stand for such foolishness as this in an Army appropriation bill, just because a rifle club at the other end of the Capitol voted it in? I do not believe you will.

Mr. McKEOWN. I am wondering what damages we may have to pay to Belgium?

Mr. HUDSPETH. There is no telling. They are shooting with shotguns, and if they are the kind of marksmen I would picture them to be there is no telling what the damage may be. The testimony shows they take in old men in these rifle clubs, who, if they become efficient marksmen, would not be admitted into Army service.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. ANTHONY. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. SPEAKS].

Mr. SPEAKS. Mr. Speaker and gentlemen of the House, there is nothing particularly new in this legislation. This program has been operating for a number of years. The law is based on section 113 of the national defense act, its purpose being to create interest in rifle practice among men of military

age. In the years immediately following the Spanish war rifle shooting was almost entirely neglected. Outside the military service and sportsmen's circles it was rare to find men who knew anything about rifles or who had any concern in the subject. A number of men who had always taken keen interest in marksmanship instituted a movement to broaden the objects and purposes of the old National Rifle Association into a nation-wide effort toward having men of military age acquire some knowledge of the rifle and its use, and as a result of their activities the present plan for the promotion of rifle practice was established.

Gradually they got in touch with the military authorities and secured some benefit from the Federal Government. Now, I had an intimate association with this effort for some 20 years or more and speak from practical knowledge of its workings and accomplishments. I assisted in organizing the Ohio branch of the national association and had the honor to serve as its first president. The organization was gradually extended to all the States, and as a result of its intensive promotion and competitions military shooting became established as a desirable pastime, and, furthermore, adding a very important contribution to the general scheme of military preparedness.

It was the hope that eventually millions of men of military age might adopt rifle shooting as a form of recreation and at the same time prepare them for a most important responsibility of citizenship. Attach all the importance you want to artillery and other agencies for use in conflict, but the old shoulder rifle always has been and for some time to come will be the chief reliance in the stress of war.

As those of you who have read up on this subject know, Switzerland, for instance, is recognized as having one of the best military systems of all the nations simply because every citizen is required to take some form of military training, and especially to know how to shoot. The youth upon reaching the higher grade in school takes up rifle shooting and keeps it up during the period of military age. Rifle shooting is a national pastime in Switzerland. That was the idea of our forefathers. The original plan adopted by Washington and the patriots who created this Nation required that every able-bodied man upon reaching military age should be supplied with a flint-lock rifle, so many bullets of an eighteenth part of an inch, his hangers, his spontoon, and other implements of war, and he should keep them in his house and be constantly exercised in their use.

Mr. HUDSPETH. Will the gentleman yield?

Mr. SPEAKS. If you will permit me to go a little further, I will be glad to do so. Now, that system gradually disappeared, with the result that only in military circles was rifle shooting practiced or given any consideration. Years ago when the National Guard became quite well established the necessity for rifle practice was generally recognized, and we improvised a system of local ranges with a view of having every member of the guard become interested and proficient in the use of the rifle.

The gentleman from Kentucky [Mr. JOHNSON] expresses the belief that our necessities in this respect would be fully met if the regular service organizations were properly trained in the use of the rifle. Why, Mr. Speaker and gentlemen of the House, if the Army, the Navy, the Marine Corps, the Coast Artillery, the National Guard, the Reserve officers, the Reserve Officers' Training Corps—in short all the regularly constituted service organizations—were merged into one outfit, the ranks would aggregate less than 350,000 riflemen. I do not remember just how many men there were in this arm of the World War Army, but I believe it was at least ten times the number which my friend, the gentleman from Kentucky [Mr. JOHNSON] proposes training.

The purpose of this amendment is to continue a governmental agency charged with keeping alive a proper interest in the art of military rifle shooting so that in case of emergency we are not again forced to place arms in the hands of millions of young men without knowledge of the mechanism of their weapons and wholly uninstructed in their use.

It requires organization to create that interest. It takes men thoroughly informed on the subject and inbued with the understanding that it is important.

Members of these civilian teams receive no compensation for their activities and only on occasions when the regularly scheduled competitions are arranged are they allowed even necessary expenses.

I am in no sense militaristic in my views or conceptions of a reasonable and prudent scheme of preparedness. On the contrary I have for years advocated and urged the adoption of a nation-wide system based on the plans which the forefathers had in mind and which, in my opinion, can yet be made the pride and great reliance of the Nation without the useless overhead expenditure which now burdens the country.

Mr. Speaker, I hope the Members of the House will agree to the conference report and permit the national board to continue the useful work it has been carrying on with marked success.

Mr. McKEOWN. Will the gentleman yield?

Mr. SPEAKS. I will.

Mr. McKEOWN. I agree with the gentleman in regard to rifle practice and rifle training as being an essential thing for the citizen soldiers of the United States which has a wonderful record in the past of the riflemen of Kentucky and Tennessee, but the gentleman here complained of the shotgun being used to shoot clay pigeons.

Mr. SPEAKS. I will tell the gentleman how I think the shotgun suggestion got mixed up in this subject, and I give it on my responsibility as a Member of the House. In the great competitions such as the Olympic, many forms of contests are scheduled and the list of course includes trap shooting. But the national board has no connection with clay pigeon or other contests involving the use of shotguns, nor is one dollar of the moneys appropriated for rifle practice expended for any other purpose.

Mr. HUDSPETH. Will the gentleman yield?

Mr. SPEAKS. I yield to the gentleman from Texas.

Mr. HUDSPETH. As I understood the gentleman's argument the purpose of this is to train men who will be efficient in war time?

Mr. SPEAKS. Yes.

Mr. HUDSPETH. I want to ask the gentleman how many of these Kentucky and Tennessee riflemen who fought with Andrew Jackson at New Orleans and did some splendid work were ever trained in a training camp?

Mr. SPEAKS. You could not make a comparison in that respect because in that day every man knew how to use a rifle and every man had a rifle, and the law required him to have that rifle in his house. He did not have to enlist in a military organization. The moment he attained military age he automatically became a member of what we now call the National Guard. It was compulsory that he provide himself with a rifle and ammunition and all of the accoutrements of war. Now, the unfortunate part of our military history is in the fact that we neglected and eventually forgot all about military training and the use of the rifle.

Mr. HUDSPETH. Following the testimony of General Phillips—that is all we have to go by—he states that a man of any age, in response to the statement of the gentleman from Kentucky, can be taken into these training camps.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. SPEAKS. I will yield myself half a minute. I see the figures $400,000 were mentioned by the gentleman from Kentucky, and $500,000 by the gentleman from Texas. I believe the amendment carries $107,000.

Mr. HUDSPETH. How about the ammunition you use?

Mr. SPEAKS. I mean the ammunition.

The SPEAKER pro tempore. The time of the gentleman from Ohio has again expired.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for five minutes.

Mr. JOHNSON of Kentucky. Mr. Speaker, I regret that in my former remarks, being hurried for time, I failed to explain fully how this proposition costs a great deal more money than appears upon its face. On its face it appears to be $107,000, but the testimony shows that last year they used between $250,000 and $260,000 worth of ammunition. Then the Secretary of War may, and does, issue guns to them as they need them. So that they not only get this $107,000 in money but the $260,000 of ammunition; and as to the value of the guns, the Lord only knows what that is; and besides they get 18 clerks down in the War Department to keep their records and 242 officers are assigned to them when they have the shooting matches over in the gentleman's State of Ohio.

Mr. SPEAKS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. SPEAKS. These officers are detailed from the Army.

Mr. JOHNSON of Kentucky. Yes. They are interested in the Army project more than in the gun club, because it does not amount to a hill of beans.

Mr. MORTON D. HULL. How many civilians take this training, this drill in target practice?

Mr. ANTHONY. There are 1,600 clubs in the country, and 105,000 members.

Mr. JOHNSON of Kentucky. You may ask Member after Member on the floor of this House and you will find no more than you can count upon the fingers of one hand who ever heard of this proposition while at home. The gentleman from Ohio [Mr. SPEAKS] says there is nothing new about this. He is woefully mistaken about that. This provision has been subject to a point of order for years, but because of approaching war and while the war was on, this abuse and others were tolerated. We have been appropriating for this thing from year to year, but now we are asked to make it permanent, so that hereafter a point of order will not lie against it. The attempt to-day is to fasten this useless thing upon the American people. [Applause.]

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HULL].

The SPEAKER pro tempore. The gentleman from Iowa is recognized for five minutes.

Mr. HULL of Iowa. Mr. Speaker and gentlemen of the House, we could make no greater mistake than to discontinue this appropriation. You have many ways in which to get preparedness for very little money, but in no way do you get as much preparedness for the money you spend as in this appropriation. You are training something like 110,000 men in rifle shooting at a cost of $1 per man.

You talk about spending money on ammunition. Why, my friends, you have to manufacture some ammunition, and you have to test it; and if you do not test it and do not use it, it is wasted, because it deteriorates with time, and in a very few years it is useless. They use that ammunition in this way, and you get the practice for practically nothing.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. HULL of Iowa. Certainly.

Mr. BLANTON. Has the gentleman ever been to any of these rifle-practice shoots?

Mr. HULL of Iowa. No, sir.

Mr. BLANTON. Well, you want to go there some time and see the cases of ammunition there around the camp and what becomes of it after the shooting is over.

Mr. HULL of Iowa. I presume there may be abuses. The gentleman may have seen some abuses; but if there are abuses, they ought to be corrected by legislation and not by striking out. [Applause.]

You get, as I say, 110,000 men in training in rifle shooting, and you are keeping alive the most essential thing if you are going to have an army. You found, when we entered this war, that the art of rifle shooting was almost a lost art.

Mr. MOORE of Virginia. Mr. Speaker, may I ask the gentleman a question?

Mr. HULL of Iowa. Yes.

Mr. MOORE of Virginia. Does the gentleman think that the logic of his argument is in favor of universal military training?

Mr. HULL of Iowa. No, sir. I am absolutely against that idea. This civilian training and all of this money practically goes to keep alive among the civilian clubs of this country the art of rifle shooting.

As I said before, when you entered this war you found you did not have, even in the Regular Army, experts in rifle shooting, and it took a great deal of time and it took a great deal of money to build up an organization so we could have rifle shooters. As the gentleman has said, it was proved absolutely that where you had an expert rifle shooter you had the best man in the Army.

Mr. HUDSPETH. Will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. HUDSPETH. Speaking of the Regular Army, does not the gentleman know that at every Army post they have a rifle range and target practice?

Mr. HULL of Iowa. I know this, that the art of rifle shooting was discouraged by the Regular Army before the war, but it is not now, because they are trying, through this little bit of an appropriation, to keep alive the art of rifle shooting in the Regular Army, but it is being more encouraged out among the civilian population.

Mr. WATKINS. Will the gentleman yield?

Mr. HULL of Iowa. Certainly.

Mr. WATKINS. The Government would have no assurance whatsoever of having the benefit of the men who entered the training camps unless they volunteered to go in, would it?

Mr. HULL of Iowa. I presume that is true.

Mr. WATKINS. If they did not volunteer and give the Government the benefit of the training thus received this would be absolutely wasted money, would it not?

Mr. HULL of Iowa. I presume so. But when these men go in for this training you need have no fear but that every one of them will volunteer. Many of them are in the regular organizations to-day, in the National Guard and in the R. O. T. C.

Mr. WATKINS. They would not be qualified to come within the draft requirements.

Mr. HULL of Iowa. Oh, we have no draft now, but they are in the regular organizations; they are in the National Guard, they are in the R. O. T. C., and they want this training.

Mr. WATKINS. But the Government could only get them by the men themselves volunteering.

Mr. HULL of Iowa. Yes; and that is the way we should get them; I will admit that. But I want to call your attention to this: You are having men trained in the art of rifle shooting at an expense of $1 per man. Now, where are you securing training in any other line for anything like that amount?

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. UPSHAW].

The SPEAKER. The gentleman from Georgia is recognized for five minutes.

Mr. UPSHAW. Mr. Speaker and gentlemen, the RECORD will show that I have consistently voted for a small Army. Committed to that policy, I am also committed to another which I think is sane and fundamental: That if we have any Army at all—if we are not going to scrap the small Army we now have, we ought not to let it run down at the heel. For that reason I have consistently supported the Reserve Officers' Training Corps activities, believing that they form a nucleus of trained men around whom can readily be gathered together those who are needed for emergency purposes. Because of the same principle I am in favor of this rifle practice. I believe it helps to teach the civilians and leads them into the same type of preparation.

I have this telegram from the adjutant general of my own State:

> Am advised conference on Army appropriation bill disagreed on items pertaining to the National Board for Promotion of Rifle Practice. Respectfully request your support of this bill, as it seriously affects activities of National Guard of this State.
>
> CHAS. H. COX., *Adjutant General.*

I may add that I have known this sterling young man ever since he was a boy. He is a militant, enterprising leader who is doing much to rehabilitate the interest of his State in lining up young men to be intelligently alive to that preparation which we count necessary if we have any Army at all.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. UPSHAW. Certainly.

Mr. BLANTON. I was wondering whether the gentleman had heard from the other people of Georgia, who are to pay this $500,000 to be shot up at clay pigeons and other target practice, as proposed in this amendment?

Mr. UPSHAW. I have not, because there is no one commissioned to speak to them. But the adjutant general of my State is competent to speak—he is our accredited leader, and I am standing by him.

Mr. BLANTON. If the gentleman should hear from the good women and little children who are plowing out in the hot sun all day in the fields down there in Georgia he would hear another side of it on this subject of spending $500,000 wastefully.

Mr. UPSHAW. There are very few women plowing in the fields down there; but if they had to do it, even as some women work in sweatshops, they would be proud to do their duty. We want to prepare to protect our women and children if the emergency should arise.

Mr. ANTHONY. Mr. Speaker, I yield one minute to the gentleman from Ohio [Mr. SPEAKS].

Mr. SPEAKS. Mr. Speaker, I failed to mention an interesting phase of this question when speaking a few moments ago, and I now want to say this to the Members: You are all interested in the great competitions to be held in Europe during the coming summer, commonly known as the Olympic games. Our Nation is being represented in every form of recognized athletic endeavor in competition with the most expert and skillful contestants of the world's leading peoples. Rifle shooting is one of the important events, and it is, of course, highly proper that America should be represented by the best team the country can produce Preliminary shoots and tryouts were held, open to members of the Army, Navy, Marine Corps, National Guard, and the civilian riflemen. The result was a team composed of the following representatives: Three from the Army, one from the Navy, two from the Marine Corps, two from the

National Guard, and four from the civilian clubs. The ability of the civilians to capture 4 of the 12 places on the great American team should be sufficient guaranty that the board for the promotion of rifle practice has been doing some very effective work.

Mr. ANTHONY. Mr. Speaker, the matter that is now before the House is, perhaps, the one thing in this bill on which I have been compelled to differ with my friend from Kentucky [Mr. JOHNSON], who has labored so faithfully in the preparation of this measure. I do disagree with him upon it. I think it would be a great mistake if we had to kill off this valuable training in the use of military weapons by the civilians of this country. This affords the civilian, the young boy and the young man, practically the only opportunity he has to become familiar with and know how to fire and handle the military rifle.

Mr. McKEOWN. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. McKEOWN. I agree with the gentleman on the question of the use of the rifle. I think it was a very necessary thing to train civilians in the use of rifles, especially in the last war. But the question I would like to ask the gentleman is whether it is the intention to send guns over to the Olympic games and football games in order to protect our boys.

Mr. ANTHONY. I will say to the gentleman that it will afford me considerable satisfaction—and I know it will afford the gentleman from Oklahoma and 99 per cent of the people of this country great satisfaction—when we read in the papers about these rifle matches and learn that the American riflemen have made the best scores over the expert riflemen from all other countries of the world in these international matches. I think that alone is worth the expenditure. Now, we are only expending about $107,000 for this purpose, the greater part of which goes to pay the expenses of the national match which is held at Camp Perry, Ohio. There 2,000 men participate annually in these matches, representing every branch of the military and naval services and the training activities of the country. It is true that in addition to that we expend ammunition each year to the value of about $250,000, but, gentlemen, we have approximately 1,300,000 rounds of .30-caliber rifle ammunition left over from the war, and we can well afford to use up this small amount of it each year for such a meritorious purpose.

If we do not use up this ammunition it will spoil and be out of date in 8 or 10 years, so it is unfair to count that as an expense. I hope the House will agree to the amendments placed on the bill by the Senate covering this meritorious work. I ask for a vote, Mr. Speaker.

The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) there were—ayes 71, noes 34.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask for tellers.

The SPEAKER. The gentleman from Kentucky demands tellers. Those in favor of taking this vote by tellers will rise and stand until counted. [After counting.] Twenty-six Members have risen, not a sufficient number.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum. We might as well have a record vote on it.

The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absent Members, and the Clerk will call the roll. The question is on the motion to recede and concur in the Senate amendments.

The question was taken; and there were—yeas 207, nays 94, not voting 132, as follows:

YEAS—207

Abernethy	Christopherson	Foster	Hull, Iowa
Ackerman	Clague	Frear	Humphreys
Aldrich	Cole, Iowa	Free	James
Almon	Cole, Ohio	French	Jeffers
Andrew	Collier	Frothingham	Johnson, S. Dak.
Anthony	Colton	Fuller	Johnson, Tex.
Aswell	Connally, Tex.	Garber	Jones
Bacon	Corning	Gasque	Jost
Barbour	Crisp	Gifford	Kearns
Beedy	Crosser	Goldsborough	Kendall
Beers	Crowther	Green, Iowa	Kent
Begg	Cullen	Greene, Mass.	Kerr
Bixler	Dallinger	Greenwood	Ketcham
Black, N. Y.	Davis, Minn.	Griest	Kiess
Bland	Denison	Hadley	King
Boyce	Dickinson, Iowa	Hardy	Kurtz
Boylan	Dowell	Harrison	LaGuardia
Brand, Ohio	Driver	Hawes	Lanham
Briggs	Dyer	Hawley	Larsen, Ga.
Browning	Elliott	Hayden	Lazaro
Buckley	Faust	Hickey	Lea, Calif.
Bulwinkle	Favrot	Hill, Ala.	Leatherwood
Burdick	Fenn	Hill, Md.	Leavitt
Burton	Fisher	Holaday	Lee, Ga.
Campbell	Fitzgerald	Howard, Nebr.	Lehlbach
Chindblom	Fleetwood	Hudson	Lineberger
Linthicum	Morgan	Rogers, Mass.	Thatcher
Luce	Murphy	Sanders, N. Y.	Treadway
McDuffie	Nelson, Me.	Schall	Underhill
McFadden	Newton, Minn.	Scott	Underwood
McKenzie	Newton, Mo.	Sears, Fla.	Upshaw
McKeown	Nolan	Sears, Nebr.	Vaile
McLaughlin, Mich.	O'Connell, R. I.	Shallenberger	Vestal
McLaughlin, Nebr.	O'Connor, La.	Shreve	Vincent, Mich.
McNulty	O'Sullivan	Simmons	Vinson, Ga.
McSweeney	Oliver, Ala.	Smith	Wainwright
MacGregor	Oliver, N. Y.	Smithwick	Wason
Madden	Paige	Snyder	Watres
Manlove	Parker	Speaks	Watson
Mapes	Perkins	Spearing	Weaver
Martin	Phillips	Sproul, Ill.	White, Kans.
Mead	Pou	Stalker	Williams, Mich.
Merritt	Purnell	Stengle	Williamson
Michener	Raker	Stephens	Wilson, La.
Miller, Wash.	Ramseyer	Strong, Pa.	Winter
Milligan	Ransley	Swing	Wolff
Minahan	Rathbone	Taber	Wood
Montague	Reece	Thatcher	Wright
Mooney	Reed, N. Y.	Thomas, Okla.	Wurzbach
Moore, Ohio	Reid, Ill.	Thompson	Wyant
Moores, Ind.	Roach	Tillman	Yates
Morehead	Robinson, Iowa	Timberlake	

NAYS—94

Allen	Cummings	Lozier	Sabath
Allgood	Davis, Tenn.	Lyon	Salmon
Arnold	Dickinson, Mo.	McClintic	Sanders, Tex.
Ayres	Evans, Iowa	McKeynolds	Sandlin
Barkley	Evans, Mont.	Major, Ill.	Schafer
Beck	Fulbright	Major, Mo.	Schneider
Bell	Fulmer	Mansfield	Sinclair
Black, Tex.	Gardner, Ind.	Moore, Ga.	Steagall
Blanton	Gilbert	Moore, Va.	Stedman
Box	Glatfelter	Morris	Stevenson
Brand, Ga.	Hammer	Morrow	Strong, Kans.
Buchanan	Hastings	Oldfield	Summers, Wash.
Burtness	Hill, Wash.	Parks, Ark.	Sumners, Tex.
Busby	Hoch	Peavey	Swank
Byrns, Tenn.	Huddleston	Peery	Taylor, W. Va.
Canfield	Hudspeth	Quin	Tydings
Cannon	Hull, Morton D.	Ragon	Volgt
Carter	Johnson, Ky.	Rankin	Ward, N. C.
Clancy	Johnson, Wash.	Rayburn	Watkins
Cleary	Johnson, W. Va.	Reed, Ark.	Wilson, Ind.
Cook	Kincheloe	Richards	Wingo
Cooper, Wis.	Kvale	Romjue	Woodrum
Cramton	Lankford	Rouse	
Croll	Lowrey	Rubey	

NOT VOTING—132

Anderson	Drewry	Langley	Sanders, Ind.
Bacharach	Eagan	Larson, Minn.	Seger
Bankhead	Edmonds	Lilly	Sherwood
Berger	Fairchild	Lindsay	Sinnott
Bloom	Fairfield	Little	Sites
Boies	Fish	Logan	Snell
Bowling	Fredericks	Longworth	Sproul, Kans.
Britten	Freeman	McLeod	Sullivan
Browne, N. J.	Funk	McSwain	Sweet
Browne, Wis.	Gallivan	MacLafferty	Swoope
Brumm	Garner, Tex.	Magee, N. Y.	Tague
Butler	Garrett, Tenn.	Magee, Pa.	Taylor, Colo.
Byrnes, S. C.	Garrett, Tex.	Michaelson	Taylor, Tenn.
Cable	Geran	Miller, Ill.	Temple
Carew	Gibson	Mills	Thomas, Ky.
Casey	Graham, Ill.	Moore, Ill.	Tilson
Celler	Graham, Pa.	Morin	Tincher
Clark, Fla.	Griffin	Mudd	Tucker
Clarke, N. Y.	Haugen	Nelson, Wis.	Vare
Collins	Hersey	O'Brien	Vinson, Ky.
Connery	Hooker	O'Connell, N. Y.	Ward, N. Y.
Connolly, Pa.	Howard, Okla.	O'Connor, N. Y.	Wefald
Cooper, Ohio	Hull, William E.	Park, Ga.	Weller
Curry	Hull, Tenn.	Patterson	Welsh
Darrow	Jacobstein	Perlman	Wertz
Davey	Kahn	Porter	White, Me.
Deal	Keller	Prall	Williams, Ill.
Dempsey	Kelly	Quayle	Williams, Tex.
Dickstein	Kindred	Rainey	Wilson, Miss.
Dominick	Knutson	Reed, W. Va.	Winslow
Doughton	Kopp	Robsion, Ky.	Woodruff
Doyle	Kunz	Rogers, N. H.	Young
Drane	Lampert	Rosenbloom	Zihlman

So the motion to recede and concur was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. Snell with Mr. O'Connor of New York.
Mr. Longworth with Mr. Garrett of Tennessee.
Mr. Fredericks with Mr. Collins.
Mr. Mudd with Mr. Carew.
Mr. Kahn with Mr. Clark of Florida.
Mr. Patterson with Mr. Drane.
Mr. Gibson with Mr. O'Brien.
Mr. Cooper of Ohio with Mr. Hull of Tennessee.
Mr. Sanders of Indiana with Mr. Bankhead.
Mr. Bacharach with Mr. Kindred.
Mr. Connolly of Pennsylvania with Mr. Williams of Texas.
Mr. Fish with Mr. O'Connell of New York.
Mr. Graham of Pennsylvania with Mr. Drewry.
Mr. Mills with Mr. Byrnes of South Carolina.
Mr. Magee of New York with Mr. Dominick.
Mr. Lampert with Mr. Bowling.
Mr. Swoope with Mr. Browne of New Jersey.
Mr. Tilson with Mr. Lindsay.
Mr. Seger with Mr. Bloom.
Mr. Boise with Mr. McSwain.
Mr. Darrow with Mr. Prall.
Mr. Freeman with Mr. Doughton.

Mr. Graham of Illinois with Mr. Casey.
Mr. Sweet with Mr. Howard of Oklahoma.
Mr. Taylor of Tennessee with Mr. Taylor of Colorado.
Mr. Vare with Mr. Rogers of New Hampshire.
Mr. Winslow with Mr. Hooker.
Mr. Ward of New York with Mr. Jacobstein.
Mr. Sinnott with Mr. Connery.
Mr. White of Maine with Mr. Quayle.
Mr. Funk with Mr. Wilson of Mississippi.
Mr. Curry with Mr. Griffin.
Mr. Butler with Mr. Logan.
Mr. Little with Mr. Celler.
Mr. William E. Hull with Mr. Kunz.
Mr. Welsh with Mr. Weller.
Mr. Browne of Wisconsin with Mr. Davey.
Mr. Cable with Mr. Park of Georgia.
Mr. Michaelson with Mr. Doyle.
Mr. Morin with Mr. Vinson of Kentucky.
Mr. McLeod with Mr. Lilly.
Mr. Clarke of New York with Mr. Dickstein.
Mr. MacLafferty with Mr. Rainey.
Mr. Fairchild with Mr. Deal.
Mr. Magee of Pennsylvania with Mr. Sherwood.
Mr. Woodruff with Mr. Garner.
Mr. Tincher with Mr. Tucker.
Mr. Williams of Illinois with Mr. Eagan.
Mr. Brumm with Mr. Sullivan.
Mr. Edmonds with Mr. Garrett of Texas.
Mr. Robsion of Kentucky with Mr. Geran.
Mr. Porter with Mr. Thomas of Kentucky.
Mr. Britten with Mr. Gallivan.
Mr. Perlman with Mr. Sites.
Mr. Keller with Mr. Wefald.
Mr. Kopp with Mr. Berger.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore (Mr. LEHLBACH). The Clerk will report the next amendment.

The Clerk read as follows:

Page 104, after line 20, insert: "The Board of Managers are authorized to sell surplus land at the Pacific Branch, to wit, a strip of land lying west of the traction line that runs parallel to the home fence on the west side, and to use the proceeds therefrom for the erection of a fireproof building for housing the members of the home at said branch."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in the Senate amendment. This amendment authorizes the Board of Managers of the Soldiers' Home to sell about 40 to 60 acres of land at the Pacific Branch which is no longer needed for the purposes of the home. This ground was contributed to the Government by the late Senator Jones, of California, and was contributed with the understanding that it would be used for the purposes of the institution. The Board of Managers state, however, that the family of the Senator will undoubtedly agree to the sale of the land if the proceeds are used for the construction of another barracks building there, which is badly needed, as that home is crowded. We thought this would be a businesslike way of securing the building without cost to the Government.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LAGUARDIA. In whom is the title to this land?

Mr. ANTHONY. In the Board of Managers of the Soldiers' Home, which is a corporation created for that purpose.

Mr. LAGUARDIA. So the funds will go to them?

Mr. ANTHONY. Yes.

Mr. SCHAFER. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. SCHAFER. Is it not a fact that every one of the soldiers' homes for disabled soldiers has a membership of patients which is increasing year after year and will continue to increase, and does the committee think it wise to sell some of the land which they have held for years, in view of the fact that in the near future we may expect extraordinary increases in the inmates at the home?

Mr. ANTHONY. The evidence shows that at the Pacific Branch this land is located across the railroad track and in such a manner that it has not been and can not be used for the purposes of the home, and is not adapted in any way to agricultural purposes or for building purposes. The committee felt it would be a wise thing to dispose of it if we could secure an additional barracks building in that way. I ask for a vote on the motion, Mr. Speaker.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kansas to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Page 106, after line 15, insert: "That section 4826 of the Revised Statutes, as amended, is hereby amended to read as follows:

"'SEC. 4826. Seven managers of the National Home for Disabled Volunteer Soldiers shall be elected from time to time, as vacancies occur, by joint resolution of Congress. They shall all be citizens of the United States and no two of them shall be residents of the same State. The terms of office of these managers shall be for six years and until a successor is elected.'"

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in the Senate amendment.

This provision makes no change in existing law regarding the Board of Managers and the tenure of office except that it removes a clause in the old law which required that the managers should come from States and quotas that aided in the suppression of the rebellion in 1861. The Senate and the Senate conferees thought the time had come to remove the disqualification, and that is the effect of the provision.

The SPEAKER pro tempore. The gentleman from Kansas moves to recede and concur in the amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

(92) Page 107, line 8, after the word "wounds," insert "and who have no adequate means of support."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in the Senate amendment. The effect of this provision will prevent the entry into any of these homes of a man who has adequate means of support. The purpose of the establishment of the homes was to open them to men who had no such means.

The SPEAKER pro tempore. The gentleman from Kansas moves to recede and concur in the Senate amendment.

The motion was agreed to.

APPROPRIATION BILL FOR THE DEPARTMENT OF THE INTERIOR

Mr. CRAMTON. Mr. Speaker, I present a conference report on the Department of the Interior appropriation bill and ask unanimous consent for its present consideration.

The SPEAKER pro tempore. The gentleman from Michigan presents a conference report on the Department of the Interior appropriation bill and asks unanimous consent for its present consideration. Is there objection?

Mr. BOYLAN. Mr. Speaker, I object.

Mr. CRAMTON. Will the gentleman withhold his objection?

Mr. BOYLAN. I refuse to withhold my objection.

The SPEAKER pro tempore. The conference report will be printed under the rule. The Clerk will report the title.

The Clerk read as follows:

H. R. 5078. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes.

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD by inserting some figures.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BOYLAN. I object.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that we may consider the conference report on the Department of the Interior appropriation bill immediately.

Mr. BOYLAN. Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. Does the gentleman from Michigan renew his request?

Mr. BOYLAN. I object to the gentleman from Michigan renewing the request.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent for its present consideration.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for the present consideration of the conference report on the Department of the Interior appropriation bill. Is there objection?

There was no objection.

The Clerk read the conference report as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 47 to the bill (H. R. 5078) making appropriation for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the amendment of the House to the amendment of the Senate numbered 47

and agree to the amendment of the House to the amendment of the Senate numbered 47.

LOUIS C. CRAMTON,
FRANK MURPHY,
C. D. CARTER,
Managers on the part of the House.

REED SMOOT,
CHARLES CURTIS,
WM. J. HARRIS,
Managers on the part of the Senate.

Mr. CRAMTON. Mr. Speaker, I will take but one minute of the time of the House. This is the Interior Department appropriation bill on which an agreement had been secured some time ago except one item, and that referred to the Bright Angel Trail. We have had another conference and I am happy to state that the report shows that the Senate has receded from its disagreement from the position of the House, so the present report completes an agreement on the bill. I move the previous question on the adoption of the report.

The previous question was ordered.

The conference report was agreed to.

BRIDGE ACROSS THE MONONGAHELA RIVER, MASONTOWN, PA.

Mr. WYANT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3395) granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River near Masontown, Fayette County, Pa., and pass the same, a similar House bill having been reported favorably.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill S. 3395 and pass the same, a bill of similar import having been reported from the Committee on Interstate and Foreign Commerce. Is there objection?

Mr. HOWARD of Nebraska. Reserving the right to object, what is it?

The Clerk read the title of the bill, as follows:

A bill (S. 3395) granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River near Masontown, Fayette County, Pa.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the commissioners of the counties of Fayette and Greene, in the State of Pennsylvania, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River, at a point suitable to the interests of navigation, at or near Masontown, in the county of Fayette, in the State of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 9245) was ordered to lie on the table.

ALASKAN FISHERIES

Mr. GREENE of Massachusetts. Mr. Speaker, I call up from the Speaker's table the bill H. R. 8143, an act for the protection of the fisheries of Alaska, and for other purposes, with Senate amendment thereto, and move to concur in the Senate amendment.

Mr. BLAND. Mr. Speaker, is not that bill on the Union Calendar?

The SPEAKER pro tempore. The Chair is informed that the amendments of the Senate are of such character that they do not require consideration in Committee of the Whole.

Mr. BLAND. I raise the point that it is on the Union Calendar and that it should be referred to the committee. I have no objection to a request for a conference.

Mr. GREENE of Massachusetts. Mr. Speaker, we have had a conference on the Alaskan fishery bill, and it has been agreed to.

Mr. BLAND. Mr. Speaker, I have been advised that there has been no conference.

Mr. GREENE of Massachusetts. There has been a conference, and it has been agreed to.

Mr. BLAND. I talked with the gentleman from Tennessee [Mr. DAVIS] about an hour ago.

Mr. GREENE of Massachusetts. He was present at the meeting yesterday and agreed to this proceeding, as I understood it; also the Delegate from Alaska was there.

Mr. CARTER. Did the gentleman from Tennessee [Mr. DAVIS] sign a conference report?

Mr. BLAND. Mr. Speaker, I submit there has been no conference upon this bill. This is a bill with Senate amendments that are now being considered.

The SPEAKER pro tempore. The Chair is not aware of any conference report. The Chair is merely aware of a House bill with Senate amendments, in which agreement is sought.

Mr. BLAND. I object to the consideration of the bill at this time.

Mr. GREENE of Massachusetts. Mr. Speaker, I withdraw the matter temporarily.

Mr. RANKIN. Mr. Speaker, does that mean now that this bill goes to conference?

The SPEAKER pro tempore. No; unless a conference is requested.

Mr. BLAND. I am perfectly willing to agree that it may go to conference.

The SPEAKER pro tempore. If the gentleman from Virginia will permit, the Chair is advised that what in fact happened is this: There was an informal conference participated in by all of those who would be in a formal conference. An agreement was reached upon the Senate amendments, and it was determined that, instead of asking for a formal conference and holding the matter up through a conference report, agreement to the Senate amendments would be asked for when the bill was taken from the Speaker's table.

Mr. BLAND. I have considered the Senate amendments in the last hour with the gentleman from Tennessee [Mr. DAVIS], and, as I understand it, his opinion and my opinion and the opinion of several others is that the amendments of the Senate are vague and indefinite, and that there should be a conference in order to clarify those amendments.

Mr. GREENE of Massachusetts. Mr. Speaker, to simplify the matter, I ask unanimous consent to take the bill from the Speaker's table, and I move that the House disagree to the Senate amendments and ask for a conference.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to take the bill H. R. 8143 from the Speaker's table. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Massachusetts that the House disagree to the Senate amendments and ask for a conference.

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. LEHLBACH, Mr. LAZARO, and Mr. DAVIS of Tennessee.

PROHIBITION

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HARDY. Mr. Speaker, the fact that 60 Congressmen, representing, probably, the 60 wettest districts of this country, have introduced bills in this Congress providing that beer may be made and sold, leads me to remark that many of us had thought that this proposition had been pretty well settled, and settled right.

The National Constitution provides that intoxicating liquors shall not be made or sold for beverage purposes. The eighteenth amendment adding this provision to the Constitution was proposed by the Congress and was ratified by 46 out of the 48 States and by one branch of the legislature of each of the other two States.

Previous to its going into effect January 16, 1920, 95 per cent of the territory of the United States containing 70 per cent of the population of the land had become dry under State prohibition and local option laws.

The National Constitution provides that the Congress shall have concurrent power with the States in the enforcement of this provision. So the Congress passed what is generally known as the Volstead Act. This act provides that beverages containing more than ½ of 1 per cent of alcohol are considered intoxicating and prohibited by the Constitution. And it provides penalties for violation of the law and sets up machinery for the enforcement thereof.

The 60 wet Congressmen who represent the 60 wettest districts in the country would have the Congress pass a law saying

that beer with 2¾ per cent and some even that beer with 3 per cent or 5 per cent of alcohol or wines with 10 per cent alcohol are not intoxicating, and would otherwise liberalize, as they say, the enforcement act.

In other words they would nullify the Constitution and would have the statutes say that some intoxicating liquors are not intoxicating under the law—that in spite of the Constitution they will have their beer and wine—in their 60, more or less, wettest districts of the country.

The State laws will take care of the rest of the country and keep most of the United States dry—in spite of any law enacted by the Congress.

Of course the Congress will do nothing of the kind. The Congress will strengthen rather than weaken the Volstead Act. One might just as well talk of asking Congress to enact a law to permit a few sections or a few States to set up a form of limited slavery, in violation of the thirteenth amendment, as to talk of legalizing beer and wine for New Jersey, Maryland, New York City, and a few wet districts in violation of the eighteenth amendment.

This act specifying beverages containing more than one-half of 1 per cent of alcohol as intoxicating is no new thing. It was no invention or discovery of Mr. Volstead. In the old days when saloon men paid for licenses and got protection and monopoly under the law the half of 1 per cent was the dividing line. In those days saloon men profited by that designation. They wanted nobody else to sell anything intoxicating—anything with more than half of 1 per cent of alcohol in it.

Before national prohibition was enacted 30 States had adopted the half of 1 per cent standard. It has been the standard in many parts of the country for 35 to 40 years.

No; the Congress will not change the standard. It will not legalize beer nor wine, which are prohibited by the Constitution.

If the Congress did pass such an act it would probably be declared unconstitutional by the Supreme Court.

If it were possible to pass such an act and get by the Supreme Court with it, even then legalized beer and wines would find themselves welcome and free to intoxicate in only a few limited sections of the land, as the State laws would still control. Remember that 95 per cent of the territory, in which reside 70 per cent of the population of the country, was dry before the eighteenth amendment became effective.

It may be amusing for a wet college president to hand out a rosy dream of a wet land again, and it may be good politics for home consumption for 60 wet Congressmen from the 60 wettest districts in the country to hand out this bold bunk in support of beer bills, but nevertheless this country is dry. In the main it is satisfied to be dry, and will remain dry.

The enforcement can be improved. It is being improved. The national enforcement laws are only about four years old. Enforcement officers are necessarily new to the job and inexperienced—not always what they should be. As a rule, you can not get Sunday school superintendents to take these jobs. They would not like the work. But the personnel is being better picked and better trained. Enforcement is making progress and is being tightened up. The supply of liquor which was on hand in warehouses and cellars when the country went dry is decreasing, and the coast and border guards are becoming more effective and vigilant.

The Congress has been liberal in making appropriations for law enforcement. The total appropriations by this Congress this year for this purpose amount to about $38,866,770. These appropriations include $11,341,770 for enforcement through the Bureau of Internal Revenue, $12,194,900 for boats to be used by the Coast Guard, $8,230,100 for operation of the Coast Guard, and about $7,100,000 for enforcement operations by the Department of Justice. Being a member of the Appropriations Committee, the most important committee in the House of Representatives, I have observed the need for these appropriations for Federal law enforcement and have been thoroughly in sympathy with them. The Congress is certainly doing its part toward national prohibition enforcement.

Our friends back home who are interested in prohibition enforcement should remember that local enforcement of the prohibition laws is not entirely up to Congress but is equally up to local officials—city, county, and State; that the present Congress is substantially dry; that future Congresses will be dry or wet according to the wishes of the people who elect Congressmen; that there is just now a large active propaganda centered on Washington urging support of these beer bills and some powerful organizations working for them; that more than 100 Members of Congress are active in support of these bills; that, as a rule, people who want laws repealed or changed are much more active than those who are satisfied with existing law.

That, in fact, it behooves those who would have the eighteenth amendment kept in the Constitution and the prohibition laws fully enforced to be on their guard.

Personally, I am opposed to all of these beer bills and to any amendments to the Volstead Act that will weaken it. We should support the Constitution and provide for its full enforcement. This is no new conviction with me. I have been a supporter of the dry cause in every election where it has been an issue since I began to vote in 1896. I happen to be the editor and publisher of the Canon City Daily Record, and this paper has been a consistent advocate of prohibition and its rigid enforcement since the day I became its proprietor back in July, 1895.

The people of Colorado are pretty thoroughly convinced of the benefits of prohibition. By a referendum vote the State went dry in 1914, effective January 1, 1916. Later a beer amendment was voted on at a state-wide election and was defeated by an overwhelming majority. The State has never been so prosperous, had so many tourists enjoying the wonderful scenery of the State, had so much money in the banks, and the working classes have never been so well clothed and so well fed and so well paid as they have been since prohibition became effective. And the improvement was so marked the very year after the State went dry that even some of the most skeptical were convinced.

The opponents of prohibition in the House and elsewhere would have you believe that the eighteenth amendment was put over in the dark when nobody much was looking. But it was not. The adoption of prohibition by the Nation was the natural and logical result of a 50-year campaign.

I have observed the growth of this movement almost from its beginning. The first big meeting that impressed itself on my early boyhood memories was one addressed by Francis Murphy, an early-day temperance advocate. And I went away wearing the little blue ribbon. I was a boy in Kansas during the days of Governor St. John, the prohibition governor, and recall his eloquent advocacy of the cause. I grew up on the Toledo Blade and the old third-party national weekly, the Voice for Literature.

I have observed how the good women of the National Woman's Christian Temperance Union were the crusaders of the movement. They blazed the trail, awakened the consciences of good men and women, educated the youths of the land, and created public sentiment.

The great revolution that has overturned and outlawed the traffic in America dates from the moral-suasion crusades of 50 years ago. Of that great movement Anna A. Gordon, national president of the Woman's Christian Temperance Union, has said:

> Fortunate are we of the National Woman's Christian Temperance Union to inherit the holy crusade spirit kindled on thousands of crusade altars by these women called of God. Their daring courage, their persistent faith, their superb attack on the strongholds of the liquor traffic forever will be the wonder feature in the story of our great and victorious reform. The crusade was an anguished protest to home-loving, cultured, ballotless women. It began in the winter of 1873, and, according to one chronicler, "In 50 days it drove the liquor traffic, horse, foot, and dragoons, out of 250 towns and villages. Increased by 100 per cent the attendance at church, and decreased that at the criminal court in almost like proportion." More remarkable than any motion picture shown to-day in the thousands of theaters of the United States is this drama of the crusade enacted in 27 Commonwealths that memorable winter 50 years ago. Few photographs of actual events marking this human story of pathos and patriotism, heartache and heroism, have been handed down to us, but the vivid recitals of many who were the chief leaders in this transcendent movement have indelibly engraved on our inmost hearts the sacred scenes. Gentlewomen they were, these singing, praying crusaders, but they meant business when they camped in hundreds of hotel barrooms and saloons, pleading with rum sellers to sign their petitions and forever after cease to break women's hearts, blast children's happiness, despoil women's homes, and destroy manhood's hopes.
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> At the height of their dauntless adventure a sweet-voiced Quaker woman led her band to the chief saloon in an Ohio village. "What business have you to come here?" roared the affrighted dealer. Going to the bar she laid down her Bible and said:
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> > "Thee knows I have 5 sons and 20 grandsons, and thee knows that many of them learned to drink right in this place, and one went forth from here maddened with wine and blew his brains out with a pistol ball; and can't thee let his mother lay her Bible on the counter whence her boy took up the glass and read thee what God says: 'Woe unto him that puttest the bottle to his neighbor's lips!'"
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> Like a prairie fire the crusade swept across our continent. Frances E. Willard, as a young teacher, had an enthralling glimpse of it a

Pittsburgh, when she knelt in front of a saloon with a praying band. She described it as a "whirlwind of the Lord." Her story of the praying groups and their extraordinary influence is a crusade classic. Another prohibition hero, Henry W. Blair, termed this Christian uprising "a great moral commotion, in which woman escaped and learned her power, never again to be caged." Mrs. Annie Wittenmyer, first president of the National Woman's Christian Temperance Union, characterized it as a "flash of heavenly light, a mighty spiritual swirl, a staggering blow that sent the rum power reeling toward its fall." Hundreds of dram shops were closed, countless barrels of alcoholic drink gurgled into the gutters as church bells pealed forth the people's joy. The Presbyterian Church in Hillsboro, Ohio, on the site of the historic church from which Mrs. Eliza J. Thompson, daughter of Governor Trimble, of Ohio, led the crusaders, December 23, 1873, in their successful effort to close the saloons and barrooms of the town, has a memorial room in which are preserved many invaluable souvenirs of the crusade, including the Bible from which Mrs. Thompson read the crusade psalm (146th), our Magna Charta, in which it is prophesied that "the way of the wicked shall be turned upside down."

From this dramatic outburst of woman's feelings was born the Woman's Christian Temperance Union. It became a great and powerful organization and its good influence was felt in every city and hamlet in the land. Motherly instinct and religious fervor marked its devotion to the cause.

Then later came the Anti-Saloon League, an organization made up largely of men. Men of big affairs, business and professional, devoted their time and gave of their means to the cause. They organized the business interests of the country. By this time cold, practical business men were advocating prohibition for economic reasons. They argued that the railroad employee, the factory hand, the miner, the worker in any line was a better man in a dry country than he could be with a saloon at every hand. To abolish the saloon would save many a man from degredation, would improve the home condition of many a working family, would help many a wife and child to get more of the pay check and the comforts of life, would develop greater efficiency on the part of the worker, and would reduce losses from accidents and add to the profits of industry. Economic reasoning had much to do with voting the States and the country dry. Economic reasoning will have much to do with keeping the country dry.

The Anti-Saloon League played a big part in putting the country dry, and I rather fancy that many of the active leaders in the Anti-Saloon League got their first inspiration from a good W. C. T. U. mother. And in all the campaigns the church stood practically solid and exerted a powerful influence for the dry cause.

The eighteenth amendment was adopted before the nineteenth. The country was voted dry before women could vote in many States.

Now women vote everywhere. As a rule a greater proportion of women than of men in every section of the country and in all circles of society have been opposed to the saloon. They have had good reason to be. The women and their children have been the chief sufferers from the saloon, and they know it.

So with women voting everywhere, if they show just a little of the interest and diligence they have in the past, it looks like the saloon is doomed forever. The men voted the country dry. Surely the women voters will help to keep it dry.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its chief clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes, disagreed to by the House of Representaives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon and had appointed Mr. JONES of Washington, Mr. GLASS, and Mr. SHEPPARD as the conferees on the part of the Senate.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 4820. An act to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922;

H. R. 1869. An act for the incorporation of the Grand Army of the Republic; and

H. R. 3009. An act for the relief of Robert J. Kirk.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9429, the legislative appropriation bill.

Mr. CARTER. Mr. Speaker, before that motion is put, will the gentleman from Iowa tell me what he expects to do about general debate upon the bill?

Mr. DICKINSON of Iowa. Mr. Speaker, in view of the fact that we have run so late, I do not think that we ought to ask any further time now. It was expected that we would ask for additional time for general debate, but it is now 3.30 o'clock, and I am inclined to think that we would better finish the general debate, and then take the bill up under the five-minute rule and allow for liberal consideration of it under that rule.

Mr. CARTER. If that is the gentleman's idea about it I shall not raise any objection, but I believe he would save time by having these gentlemen get these things out of their systems under general debate rather than cluttering up the RECORD with it under the five-minute rule.

Mr. DICKINSON of Iowa. If we agree on any additional general debate it would probably run us very late, and we might be able to have these gentlemen make a five-minute speech and extend their remarks in the RECORD instead of taking up 20 or 30 minutes.

The SPEAKER. The question is on the motion of the gentleman from Iowa.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative appropriation bill, with Mr. GREEN of Iowa in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9429, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes.

Mr. DICKINSON of Iowa. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DICKINSON of Iowa. How much general debate is there unexhausted?

The CHAIRMAN. The Chair is informed by the timekeeper that there are 28 minutes remaining for both sides; the gentleman from Iowa has two minutes, and the gentleman from Oklahoma 26 minutes.

Mr. CARTER. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. GILBERT]. [Applause.]

Mr. GILBERT. Mr. Chairman, I take this occasion to invite the Members of Congress to the celebration of the one hundred and fiftieth anniversary of the settlement of Harrodsburg, Ky., to be held on June 16, 1924. [Applause.]

When the children of Israel sought the promised land they were guided by a cloud by day and a pillar of fire by night. When the pilgrims sought religious liberty in the New World they came in great ships bringing many persons and many comforts. When the early settlers moved westward from the seacoast it was but an advance aided and protected from the rear. But the Kentucky pioneer plunged into an uncharted wilderness, cut off from all help and communication, surrounded by wild beasts and yet wilder Indians, and, unaided and alone, carved a civilization beyond the mountains.

He stood quiet in manner, unflinching in purpose, heroic in mold silhouetted against the western sky. His clothing, as well as his food, depended upon the unerring aim of his long rifle. If he was a terror to savage and beast, he was yet a greater terror to despoiler of home and honor. The sweetheart of his youth became the wife of his bosom, and their many children were the hostages that bound them to civilization and fireside. He went forth at dawn, ax in one hand and rifle in the other, and felled the trees and built the cabins and stockade around them that they might hold this land of enchantment. [Applause.]

The first of these was Harrods Station, occupied on June 16, 1774, two years before the birth of our Republic. Here the mothers lulled the children to sleep amid the lonesome hoots of the owl and the wierd screams of the panther. Here courage, strength, and skill were required of men and women as the price of their existence.

This fort they held in this Indian and British country through the years that followed. All the cruelties and horrors known to Indian warfare could not shake them loose. With the flag

above the fort they went through war, fire, and famine, and pushed our western boundary from the mountains to the Mississippi. Not only did they hold this land they had settled, but from it they went forth and conquered an empire. In this fort the plans were formed and from it started that little band of pioneers, led by George Rogers Clark, which added the Northwest territory to the United States.

No deed of the Vikings was so daring; no deed of the Spartans so splendid in fortitude as that midwinter march across that frozen wilderness. Often they waded to the armpits in icy waters, and slept on ground covered with snow, but at last they reached and wrested from the British Kaskaskia and Vincennes. They stretched our boundary from the Ohio to the Lakes; they added five States to this Union and five stars to her flag. [Applause.]

But the settlement of James Harrod is now the beautiful little city of Harrodsburg in central Kentucky. It is prettiest there in mid-June. The larks will be singing in the meadows, the squirrels will be frisking on the great poplars, and the lanky colts will be playing in the waving blue grass.

We have not great wealth in Kentucky. We are all proud and poor, and the poorer the prouder it seems, but we do enjoy sharing with our friends. While the trigger finger may be a little nimble, yet pardon me for feeling that folks' hearts are the truest in Kentucky. [Applause.] The red bird is the reddest and the blue bird is the bluest in Kentucky. The child's laugh is the gladdest and the dove's coo is the saddest in Kentucky. Horses are the swiftest, women are the prettiest, and welcome is sincerest in Kentucky. [Applause.]

Mr. CARTER. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, Col. Herman P. Faris, of Clinton, Mo., is one of the best-known men in that great State. He is well and favorably known all over the United States. There is no greater citizen in this Republic. I have known him for 25 years intimately. I have visited him in his home, and I have been honored by having him visit me down in Texas. He is a most lovable character. I have just received from an office in Clinton, Mo., where he lives, the following document which I read to you, with the authentic signature omitted, to wit:

CLINTON, MO., *May 15, 1924.*

H. P. Faris, of Clinton, Mo., who has been selected as temporary chairman of the Prohibition National Convention at Columbus, Ohio, June 5 next, has a letter from New York City showing that Dr. Nicholas Murray Butler has very concrete evidence of the fact that the Volstead Act can be, and is being, enforced, even in New York City.

The letter states that Doctor Butler's father-in-law amassed a fortune in the liquor business in New York City, his specialty being to furnish private cellars and clubhouses. The firm is now E. LaMontagne & Sons, 25 West Forty-third Street, New York City. The four sons—Montaigu, William A., Rene, and Morgan—were all indicted for bootlegging, plead guilty, and were sentenced February 9, 1923, to the Essex County Jail, New Jersey, and also each fined $2,000, one being sent for two months and the other three for four months each. They served out their sentences, and rumor has it that they then shook the dust of America from their feet and fled to their own beloved France for refuge.

Whether this latter rumor is true or not, it is very evident that they found the Volstead Act has teeth in it.

Mr. Faris says it is no wonder the celebrated Doctor Butler should have spleen and grouch in regard to a law that would take away "personal liberty" from four of his brothers-in-law.

Mr. CARTER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. STENGLE].

Mr. STENGLE. Mr. Chairman, those who know me best are fairly well aware that I am a peace-loving man. [Applause.] When I entered upon my official duties in this House at the beginning of December last I came with the avowed purpose of making friends and losing none. And certain it was that I had no desire to be known on this floor or in the cloakrooms as a faultfinder. On the very first day a report was made recommending the passage of a bill, even before the committees had been appointed, in which certain authority was conferred upon an official in this city allowing, permitting, and authorizing him to fix all the wages in the great Government Printing Office. The watchdog of the House, the hero of Abilene—Judge BLANTON—found that there was a violation of parliamentary procedure and raised a point of order. That aroused me, a young Member of the House, to make some investigation to discover if such transfer of power from this House into the hands of a single individual was wise and proper. After some careful investigation, based upon experience, together with information sought and secured, I discovered that the Government Printing Office was being supervised by a man who had not complied with the statutes of our country in the requirements as to his qualifications. [Applause.]

I have no personal feeling in the matter, and so far has that been from my mind and thought that up to this hour I have declined an introduction to him, fearing that some one might say a personal animus was moving me in my effort to have the law obeyed.

But a few days ago this same gentleman undertook at Atlantic City to portray to the universe that one of the leading bureaus of our Government was infested by crooks and gamblers and by men and women of questionable character. Then I made up my mind that I would lay before this House, when this bill was discussed, certain information.

Away back in January I addressed a communication to the President of the United States, calling his attention to the fact that the law was being violated by the appointment of an incumbent to a public office whose qualifications are not in accordance with the Revised Statutes. I received a most courteous reply, to the effect that the President would refer this matter to the Department of Justice for advice. Thirty days thereafter I renewed my correspondence, and received a most cordial letter and a little later copy of the opinion of the department.

I am no lawyer, but I have a little bit of common sense. The opinion rendered by the Department of Justice was like this: "It must be presumed that the late President Harding, having been engaged in the printing business, ought to know a practical printer when he saw one. It must further be presumed that because this gentleman served as clerk to the Senate Committee on Printing the Senate ought to be presumed to be able to discover whether or not he is a practical printer, with a knowledge of the art of bookbinding."

I directed a letter on February 22 to the President and received a cordial reply.

Mr. Chairman, I ask permission to extend all correspondence on this subject as a part of the RECORD.

The CHAIRMAN. The gentleman from New York asks permission to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. STENGLE. On February 22 I went into detail on this subject, and received a most courteous reply from the President.

On the question of law I think I ought to take the opinion of the Department of Justice. It may be wrong, but until proven wrong in court it ought to be controlling for all public officers.

Now, in view of the fact that, regardless of partisan or political feeling, it has been determined by a competent committee of another branch of Congress that the Department of Justice has not been functioning in accordance with law or custom or common decency, I refuse to accept the opinion of that department, the result of which is now keeping a man in office contrary to the law; and I shall at the proper time introduce an amendment to the appropriation for that office, providing that before he shall take a penny of that salary he shall prove beyond peradventure his qualifications to meet the requirements of the statutes, section 3758, as amended from time to time.

It is not a personal matter with me. This man is managing millions of dollars of our money. He is handling thousands, by way of supervision, of our employees. Either he is a legal officer of the Government or an illegal one. Either that statute means what it says, or it means nothing; and the courts or somebody ought to determine that question at an early date.

I submit to you, my colleagues, that before we expend any more money in that department we should find by determination whether or not the supervision of that department is in competent hands, in accordance with the law. [Applause.]

Mr. Chairman, I submit the following correspondence, in accordance with your consent, for the enlightenment of the House:

JANUARY 21, 1924.

Hon. CALVIN COOLIDGE,
President of the United States, Washington, D. C.

MY DEAR MR. PRESIDENT: I most respectfully call your attention to the fact that Mr. George Carter is occupying the office of Public Printer in violation of section 3758, title 45 (as amended) of the Revised Statutes of the United States, and inasmuch as section 190 of the Constitution of the United States confers upon you the authority to see that the laws are properly administered I ask that you investigate this matter and see if I am not correct in my claim.

Of course, I could apply to the courts for the proper relief and remedy, but thought it best to submit the matter to you, feeling that you would give the matter the proper and prompt attention which it deserves.

With best wishes and assurances of my highest regards, I am,

Sincerely,

CHARLES I. STENGLE.

THE WHITE HOUSE,
Washington, January 23, 1924.

Hon. CHARLES I. STENGLE,
House of Representatives.

MY DEAR MR. STENGLE: The President directs me to acknowledge the receipt of your letter of January 21 in reference to the Public Printer and to say that he will at once look into the question which you raise.

Sincerely yours,

C. B. SLEMP,
Secretary to the President.

FEBRUARY 1, 1924.

Hon. C. B. SLEMP,
Secretary to the President, Washington, D. C.

MY DEAR MR. SLEMP: I noted in yesterday's Star that the Department of Justice had rendered and forwarded an opinion to the President to the effect that Mr. George H. Carter was fully qualified, in accordance with the law, to hold the position of Public Printer.

In view of the fact that I had written to the President, under date of January 21, that I questioned Carter's qualifications, I would thank you to forward to me a copy of the opinion rendered by the Department of Justice, so that I may know upon what they base their conclusions.

Thanking you in advance for this courtesy, I am,

Sincerely,

CHARLES I. STENGLE.

THE WHITE HOUSE,
Washington, February 1, 1924.

Hon. CHARLES I. STENGLE,
House of Representatives, Washington, D. C.

MY DEAR MR. STENGLE: I have your letter of February 1 and am sending you for your information a copy of the letter from the Acting Attorney General in regard to the eligibility of the Public Printer.

Sincerely yours,

C. B. SLEMP,
Secretary to the President.

FEBRUARY 22, 1924.

Hon. CALVIN COOLIDGE,
President of the United States,
Washington, D. C.

MY DEAR MR. PRESIDENT: Under date of January 21, 1924, I called to your attention the fact that Mr. George Carter was holding the office of Public Printer contrary to law, and referred you to section 3758 of the Revised Statutes, as amended or superseded by the act of January 12, 1895, chapter 23, section 17, Twenty-eighth Statutes, page 603, which provides that the incumbent of that office "must be a practical printer and versed in the art of bookbinding." Subsequently, upon my request, your secretary, Mr. Slemp, sent me a copy of a certain opinion rendered in the matter, under date of January 29, 1924, by the Acting Attorney General.

Knowing that you were tremendously busy at that time and for days thereafter, I purposely refrained from writing you further, hoping that when the stress of your labors should not be so great you might look more fully into the matter. I now feel that I can, with both becoming dignity and absolute propriety, address you further and urge upon you the necessity for some positive action in the premises.

With me, Mr. President, this is neither a personal nor political matter, but rather an innate desire to see the law properly interpreted and administered. I am not acquainted with the incumbent of the office of Public Printer nor am I in any way connected with others who are urging action on your part in this matter. After you have read and digested the Acting Attorney General's opinion I do not believe that you will want me to accept that as conclusive proof of Mr. Carter's qualifications under the law. All I can get from Mr. Seymour's opinion is that it must be presumed that Carter was qualified else he would not have been appointed or confirmed; and then that if such presumption is not tenable it is up to me to present facts to impair the presumption. I certainly am not willing to concede any such thing, although I am willing to aid in discovering the "facts" if it is desired that I do so. To that end I call your attention to Who's Who in America for the years 1922 and 1923, at page 634, where you will find a brief biography of the Public Printer, which, I am informed, was prepared or approved by the gentleman himself. In that biography no reference whatever is made to his ever having been a "practical printer" either with or without a knowledge of the art of bookbinding. I also call your attention to a fair definition of "practical printer" as it is set forth in the requirements of the United States Civil Service Commission when examinations are to be held for positions of that character, and to remind you that such definition, as all other work of the commission, must and did receive presidential approval before becoming effective.

I sincerely hope and trust you will give this matter the attention it deserves, and put a stop to the holding of public office without any warrant of law. With great respect, I am,

Very truly yours,

CHAS. I. STENGLE.

Carter, George Henry, Public Printer of United States; born Mineral Point, Wis., September 10, 1874; son of George and Mary Ann Battin (Lanyon) Carter; Ph. B. University of Iowa, 1898; LL. B., George Washington University, 1920; married Madge E. Penny, of Onawa, Iowa, September 1, 1904. Proof reader and State-news editor, the Tribune, Sioux City, Iowa, 1898–99; reporter, the Nonpariel, Council Bluffs, Iowa, 1899–1900; city editor, 1901–1905; political writer and statehouse reporter, the Capital, Des Moines, 1905–1907; assistant telegraph editor, the Washington Post, 1907–1909; Washington correspondent, 1909–10; assistant secretary and secretary Printing Investigation Commission, Washington, 1910–11; clerk Joint Committee on Printing, United States Congress, 1911–1921; Public Printer of United States, April 5, 1921–. Member of bar of District of Columbia and Iowa. Member Phi Kappa Psi; honorary life member, International Printing Pressmen and Assistants' Union. Republican; Episcopalian. Scottish Rite Mason (33d, Knight Templar, Shriner), Eagle, Moose. Clubs: National Press, University. Home, Council Bluffs, Iowa, and 1661 Hobart Street NW., Washington, D. C. Address: Government Printing Office, Washington, D. C. (Who's Who in America, 1922–23, page 634.)

THE WHITE HOUSE,
Washington, February 23, 1924.

Hon. CHARLES I. STENGLE,
House of Representatives, Washington, D. C.

MY DEAR MR. STENGLE: Your letter of February 22, referring further to the eligibility of the Public Printer, has been received. On the question of law I think I ought to take the opinion of the Department of Justice. It may be wrong, but until proven wrong in court it ought to be controlling for all public officers.

Very truly yours,

CALVIN COOLIDGE.

Mr. CARTER. Mr. Chairman, how much time does the gentleman yield back?

The CHAIRMAN. Two minutes.

Mr. CARTER. I yield two minutes to the gentleman from Mississippi [Mr. LOWREY].

The CHAIRMAN. The gentleman from Mississippi is recognized for two minutes.

Mr. LOWREY. Mr. Chairman, I just catch one more opportunity to talk along the same old line. I am sure that every Member of the House is really considering the question as to what we are going to do with the agricultural situation and the appeals that are coming to us from the farmers.

Whether the present bill under consideration passes or not, I want to call attention again to the Dial resolution, which is now before the Senate for consideration. It has been reported, I believe, unanimously by the Committee on Agriculture of the Senate, and I call the attention of the Members of the House to it. I wish I had time to discuss it a little, but I have not. I am sending out to-day, however, or to-morrow, a letter to every Member of the House, giving some recent facts about that resolution as it now stands. It has been worked over by a subcommittee from the Committee on Agriculture and Forestry of the Senate, and the features that were considered by some to be especially objectionable have been worked out of it. And no matter what other bill passes, I believe the passage of that bill would do large things to give European markets for farm products and raw materials in every line. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired. The gentleman from Oklahoma [Mr. CARTER] has one minute more.

Mr. CARTER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LOWREY. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. PAIGE].

The CHAIRMAN. The gentleman from Massachusetts is recognized for two minutes.

Mr. PAIGE. Mr. Chairman, on Tuesday next it is expected that the postal salary bill will come before this House. [Applause.] For reasons that I need not stop to detail the time for debate will be very limited, and I would suggest to the membership of the House that they will receive much information if they look into to-day's RECORD and read the remarks of the gentleman from Pennsylvania [Mr. GRIEST], chairman of the Committee on the Post Office and Post Roads, which will give them information they might not receive on Tuesday next.

There is a song, "What a difference a few hours makes." During the hearings before the Post Office Committee a very large number of the membership of this House came before the committee, urging an increase in postal salaries, but when it appeared to some that the parcel post was to pay a part of the increase that was incorporated in the bill many Members came before the committee protesting—after hearing from their constituents—against any increase in the parcel-post rates. I will say for the information of the House that the bill to be presented on Tuesday carries no increase in the parcel-post rate. [Applause.] The Post Office Department is undertaking to get an ascertainment of the cost of the different classes of mail, which they claim will be ready on July 1, when it will be known what increased rates should be prescribed, if any. But the bill, as it will come before the House on Tuesday next, carries no provision for increasing the revenues from parcel-post or second-class mail.

I make this statement—the time being limited for debate on Tuesday—in order that the membership of the House may have an opportunity to read the remarks of Mr. GRIEST, which give valuable information regarding this whole subject. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. All time for general debate has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Salaries: Doorkeeper, $5,000; special employee, $2,040; superintendent of House press gallery, $2,240; assistant to the superintendent of the House press gallery, $1,520; janitor, $2,040; messengers—17 at $1,500 each, 14 on soldiers' roll at $1,520 each; laborers—17 at $1,010 each, 2 known as cloakroom men at $1,140 each, 8 known as cloakroom men, 1 at $1,010, and 7 at $890 each; 2 female attendants in ladies' retiring rooms, at $1,440 each; superintendent of folding room, $2,880; foreman of folding room, $2,340; chief clerk to superintendent of folding room, $2,150; 8 clerks, at $1,940 each; janitor, $1,010; laborer, $1,010; 31 folders, at $1,200 each; shipping clerk, $1,520; 2 drivers, at $1,140 each; 2 chief pages, at $1,740 each; 2 telephone pages, at $1,440 each; 2 floor managers of telephones (one for the minority), at $2,400 each; assistant messenger in charge of telephones, $1,830; 42 pages, during the session, including a press-gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $3.30 per day each, $16,770.60; superintendent of document room, $3,050; assistant superintendent of document room, $2,460; clerk, $2,040; assistant clerk, $1,940; 8 assistants, at $1,600 each; janitor, $1,220; messenger to pressroom, $1,310; maintenance and repair of folding-room motor truck, $500; in all, $200,480.60.

Mr. DICKINSON of Iowa. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. DICKINSON of Iowa: Page 15, line 18, strike out "42" and insert in lieu thereof "41"; in line 19, strike out the words "including a press gallery page"; in line 20, strike out the word "and"; line 22, strike out the sum "$16,770.60" and insert "$16,371.30"; line 22, before the word "superintendent," insert "press gallery page, $1,200."

Mr. DICKINSON of Iowa. Mr. Chairman, in explanation I want to say that this is necessary by reason of House Resolution No. 326, passed May 27, by which the Doorkeeper of the House is authorized to detail a page to the House press gallery at a salary of $100 per month. That resolution was passed since this appropriation bill was prepared, and, therefore, in order to make the bill comply with that resolution, this amendment is necessary.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. DICKINSON of Iowa. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to correct the totals.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the Clerk be authorized to correct the totals. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Conference minority: Clerk, $2,880; assistant clerk, $1,740; janitor, $1,310; in all, $5,930. The foregoing employees to be appointed by the minority leader.

Mr. CARTER. Mr. Chairman, I move to amend by striking out the figures "$1,740" in line 24, page 16, and inserting the figures "$1,830."

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARTER: On page 16, line 24, strike out the figures "$1,740" and insert in lieu thereof the figures "$1,830."

Mr. DICKINSON of Iowa. Mr. Chairman, the amendment is acceptable.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

The Clerk read as follows:

CLERK HIRE, MEMBERS, DELEGATES, AND RESIDENT COMMISSIONERS

For clerk hire necessarily employed by each Member, Delegate, and Resident Commission, in the discharge of his official and representative duties, in accordance with the act entitled "An act to fix the compensation of officers and employees of the legislative branch of the Government," approved May —, 1924, $1,760,000.

Mr. DICKINSON of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DICKINSON of Iowa: On page 18, line 10, in the blank space after the word "May," insert the figures "24."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. O'SULLIVAN. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed out of order for two minutes.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed out of order for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. O'SULLIVAN. Mr. Chairman, I take this opportunity of trying to get into the RECORD my own views on the subject of prohibition. I asked the member in charge of the time on our side for an opportunity to discuss that matter, but as the time was limited it was impossible for him to grant me any. With that in mind, I would like to ask unanimous consent to revise and extend my remarks along the line indicated.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to extend his remarks as indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. O'SULLIVAN. Mr. Speaker, an observation made recently in this House by the gentleman from Michigan [Mr. CRAMTON], the mouthpiece of the prohibitionists, is indeed a jewel of remarkable inconsistency. While addressing himself to his pet perversion of law enforcement and to the dire consequences which disrespect for law entails, he made reference to the rôle played some few years ago by that ardent advocate of prohibition, Carrie Nation. To justify the activities of the well-remembered lady, which were clearly in derogation of time-honored rights and legislative enactment concerning private property, and which thus manifested a most flagrant disrespect for the law of the land, the gentleman said, "There came moments of desperation when right seemed above the law." Yes; the prohibitionist, like the king and the cat, can do no wrong. If his cause is to be furthered in its unsteady progress, what matters it that private property be destroyed willfully and unlawfully by the lady any more than that a United States Senator be shot by a prohibition agent? Obsessed with the fancy that the sole law on the statute books worthy of enforcement by governmental agencies is the Volstead Act, he pardons his fellow fanatics through the use of spurious sophistry that prohibition is of heavenly origin and its followers move in planes far above the scope of mere law, which was adapted only for us common folks.

Inconsistency, however, has constantly charted the course of the prohibitionist. His primary premise fallaciously confounds prohibition with temperance. He pursues his logic by ignoring

the history of the human race when he advocates a doctrine that the character of man can be remolded by legislative enactment; he has applied force and might where reason and persuasion should be his tools, and inconsistency is now responsible for the unholy alliance with the bootlegger in the mutual desire to continue the present pathetic farce of prohibition.

Nobody will deny the blessings of temperance. If by the power of some magical wand I could confer upon the people of this country this moral excellence, gladly and speedily would I do so. For any nation espoused to its cause will rise to greater heights than will that dedicated to the philosophy of the cup. But national temperance like national purity is an attribute of the millenium. The disciples of Omar Khayyam are too numerous to believe otherwise.

Virtue is neither bestowed nor forced on any man. It is acquired only by self-restraint and self-discipline. Not the least of the virtues is temperance, the observance of the moral law of sobriety. It is strictly personal, as personal in its attainment as the virtue of chastity. Outside interference or outside force, whether it comes from a well-meaning friend or whether it comes through the enactment of legislation, never has and never will make a man more robust in virtue.

For if coercion can create a higher standard of morality, those incarcerated in a penitentiary must attain the pinnacle of righteousness. Or if man were a mere machine, he could be inoculated successfully with any prohibitory law. But such laws make no allowance for the nature and will of man, and for his ability to adapt himself to new conditions when a direct challenge has been made by the provisions of a law to his prior mode of living. Whether it be temperance that is desired, or whether it be chastity, so long as men possess those human qualities of which they have given evidence since the dawn of time, they will resist every effort of a reigning power to change those qualities through the process of law and the threat of a policeman's club.

Law should be something more than mere legislation. It should be the expression of a well-accepted custom, if not of time-honored memory, at least of universal acknowledgment. Otherwise it will be tainted with artificiality. Create any artificial offense and place it in the same category as horse-stealing and man will regard the law as a sham, worthy of no respect or observance, or else he assumes the converse to be true, that horse-stealing is no worse than the artificial offense, and his actions against both laws are governed accordingly. Can human eye see or prophetic mind foretell the end of the regulation whose origin is found in the eighteenth amendment? Already comes word that the self-appointed custodians of American mode of living, enthusiastic over their successes in effecting prohibition, are marshaling their forces against tobacco.

When the twenty-first amendment is ratified to prohibit the transportation, sale, or use of tobacco, in what direction shall our keepers then turn? Shall the twenty-second amendment forbid the eating of corned beef and cabbage? The Lord forbid! for life without them would indeed be dismal. Yet it is just as logical for those who have endeavored to attune me to their standards by the Volstead Act to do likewise in any other manner their passing and whimsical fancy might decree.

Our people have never acknowledged, by custom or otherwise, the right of the Government to regulate their morals any more than the right, by some inconceivable method of invading their thoughts, to set boundaries within which their conscience might be free. Nor does a government ordinarily pursue such a policy. It is only when fanaticism, in either a mild or virulent form, takes its hold on the mind of the reigning power that the assumption of control over the morals of the people is manifested. And this fanaticism usually arises from those with high ideals and lofty aims, as is the case with the sincere prohibitionist. Yet everywhere and always failure follows infallibly in the wake of such tactics. The pages of history teem with instances where the force of law and the might of government have been applied, not to make men bad but to make them good. To crush Christianity, to make its disciples virtuous in the light of pagan religion, every power of the Roman Empire was employed. Yet Christianity flourished and grew. The torture of the Inquisition, with its spike, rack, and thumbscrew, failed in its object, and the dissenters increased in numbers. With all the might of governmental forces, there never has been an instance where it has controlled a single human passion.

Obviously there is but one method by which any people may manifest their disapproval of a morals-regulating statute. That method is to continue the action sought to be eliminated and controlled. In other words, it is a disrespect for and a violation of the law. That the prohibition law attempts to regulate the morals of the people is not open to question. If our premises are correct, therefore, that morals can not be regulated by law, and if our people possess those same human qualities that every human being up to this good hour has always possessed, then we might expect an universal antipathy toward the law and a constant violation of it. Such, indeed, are the facts.

Judge William N. Gemmill, an ardent prohibitionist, published last year certain statistics collected by him concerning 80 cities. The Judge's figures show that arrests for drunkenness in the first year of prohibition were 151,022; in the following year, 183,876; and in the third year, 243,662.

There has been compiled from the police records of 47 cities of over 100,000 population records which clearly demonstrate that under prohibitory laws in 1923 there were more arrests for drunkenness than there were in 1915, when there was no sort of Federal prohibition.

Arrests for drunkenness

	1915	1916	1917	1918	1919	1920	1921	1922	1923
Akron, Ohio	3,035	6,954	6,307	3,667	3,867	3,871	3,102	3,533	4,268
Asbury Park, N. J	230	311	246	99	78	211	300	545	441
Atlanta, Ga	3,514	3,329	2,268	2,196	3,534	4,199	4,941	6,555	7,003
Albany, N. Y	1,784	2,065	2,370	1,122	1,037	477	660	1,456	3,555
Buffalo, N. Y	10,772	13,990	14,295	13,315	8,853	7,331	8,306	8,635	11,635
Baltimore, Md	4,307	4,838	5,129	7,552	5,066	1,785	3,258	4,955	6,235
Bridgeport, Conn	1,034	1,007	2,927	1,997	1,379	401	518	498	619
Boston, Mass	57,811	65,051	73,393	54,948	35,540	21,800	30,987	37,643	39,609
Camden, N. J	1,951	2,063	1,930	1,723	1,082	654	817	1,384	1,966
Chicago, Ill	54,400	49,942	54,821	44,949	35,086	32,352	49,762	64,850	75,251
Cambridge, Mass	1,694	1,447	1,538	1,209	1,215	871	1,423	2,222	2,985
Cincinnati, Ohio	2,609	2,505	2,381	1,467	666	395	603	679	1,718
Des Moines, Iowa	2,964	3,540	3,282	2,170	1,478	1,364	1,947	3,533	4,489
Detroit, Mich	14,843	17,387	18,531	7,727	6,435	5,980	6,346	9,168	12,977
Fall River, Mass	1,989	2,344	1,601	1,439	827	767	1,580	2,341	2,184
Grand Rapids, Mich	1,618	1,242	1,900	559	468	591	876	1,388	1,160
Hartford, Conn	5,675	7,500	6,935	4,333	3,020	2,939	4,743	2,898	4,537
Lowell, Mass	3,255	3,673	4,194	3,965	2,591	1,312	1,787	2,051	2,426
Louisville, Ky	4,128	3,759	3,520	5,361	4,065	1,092	2,486	3,218	3,812
Milwaukee, Wis	3,173	3,128	2,718	2,186	1,286	1,264	2,055	2,453	3,780
Minneapolis, Minn	6,900	8,143	7,014	5,084	3,715	2,363	5,243	7,820	7,280
New York, N. Y	22,635	19,453	16,311	8,795	7,028	7,804	8,160	8,578	14,018
New Haven, Conn	4,201	5,620	5,165	4,264	2,544	2,121	2,143	3,000	3,220
New Bedford, Mass	1,933	2,055	2,498	1,553	748	670	1,286	1,454	1,363
Norfolk, Va	1,790	1,780	1,098	832	1,766	1,662	2,127	3,859	2,817
Paterson, N. J	1,864	1,134	962	521	384	662	642	649	927
Philadelphia, Pa	44,021	50,318	43,602	34,858	23,740	20,443	27,609	44,748	54,124
Providence, R. I	6,228	6,420	5,957	4,127	2,778	2,687	3,779	4,339	5,127
Reading, Pa	489	703	604	326	220	249	531	499	733
Rochester, N. Y	2,795	2,524	1,776	854	794	658	757	1,004	1,099
Springfield, Mass	2,047	2,195	2,479	1,336	702	679	893	1,376	1,951
Scranton, Pa	2,693	2,656	2,259	1,781	1,648	1,198	1,732	1,913	2,685
Spokane, Wash	2,082	852	1,928	1,096	663	784	1,080	2,651	2,935
St. Paul, Minn	3,260	3,492	4,027	2,825	2,070	1,472	3,432	3,683	4,364
Trenton, N. J	1,236	1,462	1,463	1,339	953	847	857	695	1,346
Washington, D. C	9,754	9,994	9,648	6,949	6,790	3,634	5,381	7,322	8,128
Worcester, Mass	5,638	6,818	7,157	5,526	3,959	2,985	2,982	3,931	4,431
Total	299,177	326,219	323,412	243,833	177,909	140,095	193,149	257,577	305,179

In Philadelphia, under a military dictatorship with the power of municipal, State, and Federal Governments employed to enforce prohibition, drunkenness has increased in the first four months of 1924 about 25 per cent over that of 1923. Arrests for four months in 1923 were 15,161, while for corresponding months under General Butler in 1924 they amounted to 18,869. And, apparently, they are continuing to increase, for in the first week of May there were 1,748 arrests. It is interesting to observe in passing that this number, confined to a solitary week, is greater than the number of arrests in Montreal, Canada, under a beer and wine system, for the past six months.

Recently, in Connecticut, Judge William M. Maltbie, of the superior court, said:

But in the present situation more than the law is involved. The judges have recognized for some time that this disrespect for law means a weakening of all government. There is a tendency to make light of a law which is a part of the Constitution, the instrument our fathers and our sons have fought to protect. There is no question that in many sections of the country there is a decided increase in the consumption of liquor to excess. A great many who did not drink before the passage of the Volstead Act are now drinking with more or less regularity. I have no doubt from what I have seen and heard that there has been an increase in the last 12 months as compared to the year 1922. We go out among our friends, and we hear all sorts of tales as to how a person has secured a consignment of liquor. He boasts of it. The children hear it. They are gradually led to believe it the proper thing to do.

The question of patriotism, of law enforcement, is rarely instilled in their minds when it comes to prohibition. I sat in a restaurant the other day and overheard two young men at a near-by table agree heartily with the assertion that there was no such a thing as an honest public official any more, because all were grafters and crooks. The thought that the public was coming to look upon its officers in such a light was disheartening. The menace lies in the fact that the young people growing up to-day can not help but look at all law in that manner if something is not done. If this thing goes on until the entire public starts breaking the law, we soon shall have no sanction for any law whatsoever. For, after all, no law is worth the paper on which it is printed unless public opinion is back of it.

In a report issued March 3, 1924, Robbins B. Stoeckel, commissioner of motor vehicles for the State of Connecticut, said:

Arrests of motor-vehicle operators in the past year for driving while intoxicated increased more than 74 per cent over the record for 1922. Nearly half the arrests made under the motor vehicle law were for drunkenness while driving and other forms of reckless driving. For intoxication, 802 were arrested as against 460 in 1922 and 419 in 1921. Operation of automobiles by persons rendered unsafe by drinking caused the department more concern during the year than in any corresponding period since the department was organized nearly seven years ago. The big increase in jail sentences for drunken and other reckless drivers followed bulletins issued by the department last summer encouraging imprisonment in such cases as a deterrent to a practice that was greatly increasing the danger of driving in Connecticut.

And while speaking of Connecticut, permit me to read a letter addressed to the editor of the New Haven Journal-Courier, which sheds some light on historical events:

A LEAF FROM CONNECTICUT HISTORY

To the Editor of the Forum.

Sir: I thought you and your many readers would be interested in the following:

"While the present prohibitory law was doubtless designed to stop the growth of drunkenness and to prevent the sale of intoxicating liquors, it has utterly failed to accomplish either of these results; that either because public opinion has failed to sustain the law or for the reason that prohibitory legislation is contrary to the spirit of the age and distasteful to the people of this State, it is certain that in all except a very small portion of the State the law has been for years a dead letter, and there has been instead of a regulated traffic in ardent spirits a practically unlicensed free trade in spirituous liquors and an open, constant, and unpunished violation of the law.

"* * * a stringent and guarded license law * * * would * * * regulate the traffic and bring it into the hands of a more respectable class of dealers, would close altogether the haunts of the more vicious and depraved, and would be better for the peace and good morals of the community than the present law, which, while it pretends to be prohibitory, is in practice directly the opposite since it is disregarded with impunity and violated without fear of punishment."

No! It is not quoted from one of your contemporaries, nor is it the expression of a wicked, modern scoff law.

It is an extract from the majority report of committee on the sale of intoxicating liquors, submitted to the General Assembly of Connecticut at its May session, A. D. 1867.

It would be interesting to ascertain the names of this committee and their present state of mind and that of their descendants.

Jacob P. Goodhart.

New Haven, Conn., *May 26, 1924*.

Nor is this condition peculiar to Connecticut. From all sections of the country is reported the widespread disregard for and the constant violation of the Volstead Act. Here is a letter from the Toledo Advertising Club, which indicates the condition in the State of Ohio:

Toledo Advertising Club,
Office of the President,
Toledo, Ohio, March 27, 1924.

Hon. R. Lee Moore,
Washington, D. C.

Subject: Prohibition disgrace.

Dear Sir: Attached please find extract from the Toledo Blade, March 18 issue, the leading Republican paper in northwestern Ohio, if not in the entire State.

Federal Judge John M. Killits, of Toledo, is exercising every possible effort for law observance and law enforcement, and favors the eighteenth amendment. In spite of his endeavors, his letter to Governor Donahey, as you will note, is an extremely severe indictment of our condition under prohibition in Ohio.

The Ohio Penitentiary has approximately 1,000 more inmates than it confined a few years previous to adoption of the eighteenth amendment. Recently the warden was obliged to transfer a number of prisoners to the State reformatory at Mansfield, because he did not have room for these men in his own institution.

The women's reformatory at Marysville, Ohio, is deluged with inmates, and not long ago the authorities there were obliged to house a number of the prisoners outside the prison walls. Protest was registered against this action, and the papers now report that women prisoners have to sleep on cots in the corridors of this prison.

Within the month the Ohio State board of clemency has addressed a letter officially to every common pleas judge in the State, requesting that the sentences of all first offenders be suspended, for the reason that there is no room left in the penal institutions of Ohio to accommodate them.

On two occasions recently the sheriff of Lucas County has been obliged to release prisoners convicted of violating the Volstead or Crabbe Act in order to make room for more dangerous characters.

The Volstead Act can not be enforced, because it is based on falsehood. The people of this country will not respect it. It is viewed with scorn and contempt by a majority of all native-born Americans enjoying incomes in excess of $800 a year. This is bringing all law into contempt.

Under the Ohio prohibition enforcement law (Crabbe Act), a person can be convicted of and punished at least three different times for the same offense, and violators of this law have been and are being convicted and punished on more than one occasion for the same offense—a condition of things flatly contrary to every principle of American government.

I believe it is time for the Members of the United States Senate and House of Representatives to modify the Volstead Act to a reasonable degree, and I recommend to your favorable consideration the adoption of bill S. 1524, introduced by Hon. Walter Edge, of New Jersey, on December 19, 1923.

I believe that adoption of this bill would solve many of the ills afflicting our people at the present time and encourage at least some measure of respect for the eighteenth amendment, now naturally—and rightly—almost entirely lacking.

There can be no respect for law when the law has no respect for itself.

Respectfully yours,

Harry B. Kittland, *President*.

Kentucky sends a story indicative of the insidious character of the vice of this law:

CHARGE HIGH-SCHOOL GIRLS RUM RUNNING—LOUISVILLE AUTHORITIES PROBE REPORT AUTOMOBILES ARE USED IN BOOTLEGGING

(By the Associated Press)

Louisville, Ky., April 4.—An investigation of reports that certain Louisville high-school girls had been "cutting" classes to use their automobiles for illegal transportation of whisky has been begun, both by Federal prohibition operatives and the city board of education, it was revealed late yesterday.

Edward Gottschaulk, president of the board, said an investigation of reports that bootleggers had employed high-school girls as liquor runners on a salary basis had been under way since Monday.

An announcement earlier in the day by P. Green Miller, chief prohibition agent for Kentucky and Tennessee, that he had information girl students were employed to run liquor brought a quick denial from S. B. Tinsley, principal, and a request that Mr. Miller make public all the facts he had in connection with the allegations, as a matter of justice to the school and the board of education.

Mr. Miller, in a supplement to his first statement, declared he had intended no reflection on the student body as a whole, but that in the future women prohibition law violators would be taken to jail, photographed, and their fingerprints taken.

From Kansas comes the following word:

KANSAS PROHIBITION

To the Editor of The Nation.

Sir: Any self-respecting man resents fulsome flattery, particularly when invidious comparison is intended. This may also be said of communities. The State of Kansas has been advertised by zealous advocates of prohibition as a virtuous example for other States to follow. This erroneous impression is subject to correction.

So-called prohibition went into effect in Kansas May 1, 1881, but open saloons continued for 26 years thereafter, or until May 1, 1907. During the year 1922 the Wichita police department reported 402 convictions for violation of the liquor laws while 334 cases were transferred on State warrants to the county and 17 cases to the Federal Government. The department made 300 liquor raids and 11 stills and 122 gallons of liquor were captured and 50 barrels of mash were destroyed. As, of course, only a small fraction of law breakers were apprehended, it will be seen that prohibition is far from being enforced in Kansas.

The Wichita Eagle in a recent editorial on bootlegging showed that it was nearly impossible to secure convictions under the prohibition law, concluding as follows: "These two concoctions (reclaimed alcohol and corn whisky) are being sold almost openly in Wichita. Boys of high-school age may buy as readily as the old soak or the confirmed drunkard. The profits from the business are so enormous that it is no hardship on a bootlegger to fine him. Thirty days in jail does not deter him. As stated before, he can not be convicted under the presistent violator clause. So there you are."

From the standpoint of national self-respect, is it not about time to cast off this cloak of dissemblance? Strenuous efforts are being made to clothe this law with a respect that does not and can not exist. Law must be based on common sense and justice if it is to be respected. Those who place in the same category murder and wine selling, thievery and beer drinking, are themselves deficient in moral perception.

Aaron Burr defined law as "whatever is boldly asserted and plausibly maintained." To glorify a bad law is to bring all law into disrespect. A desired end does not justify the medium of a bad law. No question is settled until it is settled right.

The Constitution has, in the interest of human rights, been changed before. It can be changed again. Any bad law should be repealed. In Buckle's History of Civilization it is set down:

> "Every great reform which has been effected has consisted not in doing something new, but in undoing something old. The most valuable additions made to legislation have been enactments destructive of previous legislation; and the best laws which have been passed have been those by which some former laws have been repealed."

HENRY WARE ALLEN.

WICHITA, KANS., *February 1.*

From the State of Massachusetts we hear the following from Edward J. Prindle, of Brimfield, a former ardent advocate of the cause of prohibition. Mr. Prindle says:

One thing I do expect will come in my day, which is the repeal of the eighteenth amendment. People of all sorts and classes are becoming thoroughly disgusted with the way prohibition is working out, and the day is close at hand when it will become a strictly political matter and the people will divide on that issue. In the past I have voted for prohibition many times, but would vote to repeal the amendment now if given the opportunity. The present state of affairs is worse than the one which preceded it.

The great State of Georgia, famous if for no other reason than it has furnished the country with the distinguished prohibitionist, Mr. UPSHAW, furnishes the following statistics, which tell a tale far more powerful than can mere words:

CRIMINAL STATISTICS FOR ATLANTA, GA.

1913:	Drunks, 3,138;	disorderly conduct, 9,286;	murders, 16.
1914:	Drunks, 2,996;	disorderly conduct, 9,724;	murders, 21.
1915:	Drunks, 3,414;	disorderly conduct, 8,999;	murders, 17.
1916:	Drunks, 2,715;	disorderly conduct, 8,735;	murders, 16.
1917:	Drunks, 1,923;	disorderly conduct, 8,004;	murders, 9.
1918:	Drunks, 2,183;	disorderly conduct, 9,910;	murders, 19.
1919:	Drunks, 3,156;	disorderly conduct, 7,978;	murders, 47.
1920:	Drunks, 3,998;	disorderly conduct, 7,864;	murders, 44.
1921:	Drunks, 4,941;	disorderly conduct, 13,132;	murders, 35.
1922:	Drunks, 6,555;	disorderly conduct, 24,270;	murders, 52.
1923:	Drunks, 7,003;	disorderly conduct, 12,771;	murders, 40.

While even at the National Capital, where, of all places, one would suspect that the law would be most rigidly respected and enforced, we learn the results of prohibition. The superintendent of police, Maj. Daniel Sullivan, recently issued statistics covering the years 1919 to 1923, inclusive. While the population increased 32 per cent, arrests for all serious crimes increased 107 per cent. Arrests for drunkenness for the year 1923 numbered 8,368, which was an increase of 121 per cent over the arrests made in 1910. In 1923 arrests for murder increased 271 per cent over 1910; assault with a dangerous weapon, 307 per cent; robbery, 103 per cent; bigamy, 83 per cent; forgery, 160 per cent; grand laceny, 157 per cent; housebreaking, 85 per cent; carrying concealed weapons, 84 per cent. Of five different crimes against morality, one increased 71 per cent, another 201 per cent, another 135 per cent, the fourth 1,388 per cent, and the fifth 2,350 per cent. The most recent statement issued by the superintendent shows that for three months there were 3,327 dry law violators in the city of Washington, which, the police state, represents only a small portion of the actual offenders.

For the Federal courts the report of former Attorney General Daugherty shows a constant and steady increase. In 1920 there were 7,291 violators; in 1921, 21,114; in 1922, 34,984; and in 1923, 49,021.

Let me hurriedly give a few news items picked at random from papers throughout the country:

NEWARK, N. J.—Jersey bootleg potent; Essex County commits 548 drunks, against 25 in 1920. (New York World.)

PROVIDENCE, R. I.—Deplorable conditions caused by rum traffic. (Providence News.) 1923 sees gain in drunkenness. Police blame home brew. (Providence News.)

BOSTON.—Big increase in alcoholic list. Hub ministers aroused by records at Boston City Hospital. (Boston Traveler.)

WORCESTER, MASS.—Home brewers clog sewer mains, which frequently overflow with moonshine mash. (New York Post.)

PHILADELPHIA.—Poison rum blamed for 3,000 deaths in Philadelphia last year. (North American.)

BUFFALO.—Buffalo's crime is not reduced by prohibition. Residents digress more and more from temperance path, making situation worse and worse year by year. (Buffalo Commercial.)

ROCHESTER, N. Y.—Dry law violators lead all others in Monroe County during the past year, says district attorney in his report. (Rochester Herald.)

MIDDLETOWN, N. Y.—School authorities investigate report that schoolgirls have adopted the habit of eating loaf sugar soaked in perfume, which is said to sweeten their breath and brighten their eyes. (New York Times.)

QUEBEC.—The Province of Quebec has become a mecca for tourists from the United States. In the pre-Volstead days, the American automobiles totaled four or five thousand cars annually. In 1923, they numbered 140,000, bringing half a million visitors, who, it is estimated, spent $17,000,000 in the Province.

CLEVELAND.—Liquor violators lie in jails, costing the State thousands of dollars. Counties find fines can not be collected, and finally turn prisoners free to save the upkeep. (Cleveland Plain-Dealer.)

DETROIT.—The police commissioner in explaining to the mayor why he asks for a large increase in the number of officers and in the appropriation for expenses, submits a table showing that the dry law cost the city $103,839 in 1923. The commissioner states that the additional 555 officers he asks for will cost the city an additional $1,250,000. (Detroit News.)

WASHINGTON, D. C.—Liquor peddled in United States buildings. Colonel Sherrill, officer in charge of public buildings and grounds told the joint congressional committee on the reorganization of departments: "We are having a great deal of trouble with bootleggers who solicit business in the various offices." (Washington Star.)

MEMPHIS, TENN.—Four hundred pounds of dynamite used to blow up a monster still. (Commercial Appeal.)

One of the most alarming features of the Volstead Act is manifested in the increased use of drugs. Frederick A. Wallis, commissioner of correction in New York, quite recently remarked that the drug traffic is eating into the vitals of the country more than any other evil. In the past year from nine to thirty-six times more drugs were consumed in the United States than in any European country. Richmond P. Hobson, a noted prohibitionist who now is devoting his energy to the drug-traffic elimination, states that the increased use is startling and appalling. Dr. Amos O. Squires, head prison physician, has issued statistics to the effect that in five years the ratio of drug addicts among the criminals admitted to Sing Sing increased from 1 to 11 per cent.

In 1918, the year that prohibition went into its first stage of enforcement, the number of admissions of people suffering from alcoholic psychosis into hospitals decreased, and this condition remained the same until the middle of 1920. This decrease occurred at a time when malt beverages containing 2.75 per cent alcohol were permitted. Since 1920, which was the year when the Volstead Act went into effect, the number of cases of alcoholic psychosis has increased tremendously. Dr. S. Dana Hubbard, director of public health education in the department of health of the city of New York, reports the record of alcoholic admissions to Bellevue Hospital and Kings County Hospital as follows:

Year	Bellevue Hospital cases	Kings County Hospital cases	Total
1918	728	1,030	1,758
1919	623	736	1,359
1920	390	651	1,141
1921	2,503	842	3,345
1922	4,083	1,541	5,624

Doctor Dowling, superintendent of the Boston City Hospital, supplies the figures as to the situation in Boston.

Boston City Hospital statistics

ALCOHOL CASES

1910	313
1911	338
1912	427
1913	401
1914	504
1915	487
1916	1,032
1917	1,153
1918	540
1919	564
1920	643
1921	1,295
1922	2,226

And of the cases in 1922, 144 were those of delirium tremens. The hospital also reported for 1922 the death of 51 from alcoholism.

Another most disheartening result of prohibition and its morals-regulating characteristics is the great increase in drinking among the women. No less an authority than Doctor Nicholson, president of the Anti-Saloon League, is responsible for this statement. What of the use of intoxicants among the young? In a preparatory school in New Jersey, where about 700 boys are in attendance, the headmaster learned that over 500 of these young men indulged in the use of intoxicating liquor. At a girls' school close by the dean of that institution discovered that over half of the young girls used liquor with more or less regularity.

Hardly a day passes but that the press carriers news indicating this willful violation of the law by our young people. Such, for example, is the following item taken from a Washington paper:

BOLD CONDUCT IN FRAT DANCES IS DENOUNCED—POLICE CONSIDER ADVISABILITY OF RAIDING FUNCTION SCHEDULED FOR THIS WEEK

Drinking and clandestine "petting parties" among students of the local high schools, and especially among members of the "strictly forbidden" but strangely active fraternal organizations, reached a new peak yesterday, when it was learned complaints had been made to members of the Board of Education and to the local police.

While the school board has been unable to investigate the complaints owing to the fact they came from unknown sources and furnished no definite information, the police are considering the advisability of "raiding" a certain fraternity dance to be held at a local hotel this week.

OFFENDERS WATCHED

That the vicious practices were more prevalent at the fraternity fêtes than at school affairs was assumed yesterday by both Dr. Elmer S. Newton and Stephen E. Kramer, principals of Western and Central high schools, respectively.

Close watch is kept for offenders at all high school dances, the principals say, and preventative means are exercised rather than punishment after the deed is done.

"I am practically certain," Doctor Newton averred yesterday, "that students are wont to carry flasks and indulge to some extent in the use of the same, but I can safely say that they do neither in the school itself."

Kramer also does not deny the students are drinking at outside dances. "Any parent," he says, "who allows his child to attend a dance to which anybody may go for a set price is a fool, and must expect to bear the consequences."

Mrs. Mina C. Van Winkle, head of the woman's bureau of the police department, is certain the rumors are correct in every detail. "But it is the parents who are at fault," she declares.

"They set a bad example for the children and consequently the children follow it—good or bad."

What of the graft and corruption among the very men appointed to enforce the law? Deputy Internal Revenue Commissioner Nash testified before the Senate committee that 322 prohibition officials had been dismissed from the Government service during the past three years because of corruption and graft. Nor does this number include any of those who were suspected and who were requested to resign. This latter number would be very large.

How hypocritical, yet how typically consonant with the weakness of human nature in the face of great temptation, has been the entire administration of this law. A short time ago Commissioner of Prohibition Haynes issued a statement that—

at no stage of the conduct of the prohibition work since the eighteenth amendment became operative has the New York branch of the Federal Prohibition Unit been on such a high plane of efficiency as to-day. The office is in such excellent condition and is so closely in touch with the Washington office at all times that it will be a much easier undertaking for the work of the office to be continued satisfactorily at this time than it was a year ago.

And yet within 24 hours after issuing this statement the New York director of prohibition resigned, and six of his agents were suspended and later indicted on charges of conspiracy against the Government.

Nor has the graft and corruption which has followed in the wake of prohibition been confined merely to Government officials. Because of the temptation to make large sums of money quickly and easily several officers and members of the Anti-Saloon League have accepted graft. The cases against William H. Anderson, head of the league in New York, and Rev. W. C. Shupp, head of the league in Missouri, are too recent to need review.

Much of the foregoing finds verification in a report of a fact-finding committee, established by action of the ministers of the Methodist Church. This committee, consisting of Rev. F. Ernest Johnson and Rev. Charles Stelze, were appointed to investigate for the advocates of prohibition the conditions existing throughout the country, which resulted from the eighteenth amendment. Their report was submitted to the dry conference, held in Washington, D. C., in October, 1923. After referring to the increase in drinking which seemed more marked among the young and unmarried people than among the middle aged and older, the committee summarized as follows:

What is the trend of the present time? We have studied carefully all the available data on arrests for drunkenness, deaths from alcoholism, and cases of alcoholic psychosis and other significant evidence of the consequences of prohibition. Almost without exception, these studies reveal that there was a slight diminution in all of these cases for a considerable period prior to the passage of the eighteenth amendment. Upon the adoption of prohibition there was a sharp drop, but it is the outstanding fact of the present moment that since 1920 there has been a constant and significant increase. The former high level has not been reached, but the trend is unmistakably toward it.

Such are some of the high lights of our present situation, admitted alike by friend and foe of prohibition. Who will dare deny its seriousness when the venerable Constitution is scoffed at, when all laws are flouted, when defiance for the authority of government is sapping our very strength? What government can endure under such a burden? Nor are prohibitionists unaware of this fruit of their work. In Springfield, Mass., to

an assembly of 2,500 Methodist laymen, Governor Pinchot, ardent prohibitionist that he is, stated:

Never before has disregard for law and disobedience to the Constitution been so general, dangerous, and openly paraded. Alliances between bootleggers and politicians have corrupted our children, debauched our Government, and shamed us before the whole world.

On April 10 of this year the gentleman from Michigan [Mr. CRAMTON], previously referred to as the mouthpiece of the prohibitionists, said that because of our present condition—

the most beneficent form of government yet devised is endangered.

A remarkable statement, indeed, especially from a prohibitionist, that the eighteenth amendment has caused a condition which threatens the continued existence of this Government. One might very readily incline to the belief that even the prohibitionists should pause long enough to consider how far this country should go with its fallacious morals-regulating experiments. But they are drunk with their own power. They claim to control this Congress.

The Anti-Saloon League boasts that 57 Senators and 282 Representatives are under its domination. (See the American Issue, May 10, 1924.) Looking through the glass of prejudice, they see only the good which prohibition has brought, and surely nobody will deny that some good has resulted. But they overlook the evils and dangers. Their spokesman maintains that prohibition has been the primary cause for a condition which threatens the most beneficent form of government yet devised; and promptly he forgets such admission. And thereupon he seeks added authority to make more certain the destruction of which he so bitterly complains. Last year $10,000,000 was spent for prohibition; this year $25,000,000 will be used, and the Lord only knows what will be appropriated in the years to come.

As for myself, I am more interested in the preservation of this Government than I am in prohibition. This machinery of Government handed down by the fathers means more to me than fanatical and fantastical theories to make mankind sober by law. But they cry that morals must be rammed down the throats of the recalcitrant; that the law must be enforced, even, as suggested by Wayne Wheeler, if the Army must be employed. That is exactly what England said to the colonies in 1776. Had the people of those days adopted the philosophy of the modern prohibitionist they would have submitted to tyranny and given wholesome respect to the oppressive tax laws. To-day we would still be a vassal of the British Empire. But those patriots manifested the same utter disgust of their tyrannical laws which finds a remarkable parallel in the attitude of millions of Americans toward the prohibition law.

Says Arthur Twining Hadley, professor emeritus of Yale University:

We are told that the best way to get rid of a bad law is to enforce it; but this is not generally true. It is always an expensive way; it is usually an ineffective way. The maxim is often used as a means to perpetuate mistakes and wrongs under the pretense that those who oppose them are in alliance with the lawless element of the community. If we look back 50 years to the condition of the South after the Civil War and study the history of the fifteenth amendment instead of the eighteenth, we shall recognize that there are times when nullification, rather than enforced obedience, may be the safer and more practical remedy for laws unwisely conceived or prematurely adopted. Great as are the evils of disobedience to law, there have been occasions in the history of every great commonwealth when what appeared on its face to be lawlessness was the manifestation, in more or less irregular fashion, of that spirit of self-government which is necessary to prevent legislation from degenerating into tyranny.

To this do I subscribe, with the sole exception that the repeal of the eighteenth amendment is far more desirable than its nullification. Possessed with the belief that this Government is too precious to be a plaything of well-meaning theorists, I look forward to the day when the people of this land shall forever be freed from the shackles of morals-regulating bondage.

The Clerk read as follows:

For assistance rendered during the calendar years 1923 and 1924 in compiling list of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily Calendars of Business; preparing the official statement of Members' voting records; preparing and indexing questions of order printed in the appendix to the Journal pursuant to House Rule III; and for recording and filing statements of political committees and candidates for nomination and election to the House of Representatives pursuant to the campaign contribution laws, $5,000.

Mr. ALMON. Mr. Chairman, I notice that on page 18, lines 21 to 24, inclusive, there is an appropriation of $20,000 "For material and labor to reconstruct office cabinets, Wanamaker type, and to convert roll-top desks into flat-top desks, according to approved plans and specifications." This is the first intimation I have had of it. I am glad to see that such provision is made, and I was wondering to whom we should give credit for the alteration in our office furniture.

Mr. DICKINSON of Iowa. Credit should be given to Tyler Page, Clerk of the House. He gave us this data, but I do not know who, if anybody, made the suggestion to him.

Mr. ALMON. I think every Member of the House will be pleased to know about the proposed change that is to be made in our office furniture.

The Clerk read as follows:

CAPITOL POLICE

Salaries: Captain, $2,150; 3 lieutenants, at $1,520 each; 2 special officers, at $1,520 each; 3 sergeants, at $1,410 each; 44 privates, at $1,360 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, $73,820.

Mr. SEARS of Florida. Mr. Chairman, I move to strike out the last word.

I ask unanimous consent, Mr. Chairman, for permission to proceed out of order for 10 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to proceed out of order for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SEARS of Florida. Mr. Chairman, I had hoped to get in under general debate, but unfortunately did not do so. I have been here nine years and have never criticized my colleagues or any of the departments, and I trust what I say this afternoon will not be taken in a spirit of criticism, but I feel I owe it to myself and to the district I have the honor to represent to make a few remarks in order that my colleagues and the Committee on Appropriations may exactly understand conditions as they exist down in the fourth congressional district of Florida.

For a year and a half, or perhaps longer, I have been trying to convince the Post Office Department that a congested condition existed at the Orlando post office, and also congested conditions existed at many post offices throughout the district. Several inspectors were sent down to investigate the matter, and each inspector reported that there was no congestion.

Last winter we had about 500,000 or more northern, eastern, and western tourists who came to our wonderful State to enjoy the magnificent climate that is hardly equaled by the great State of California. These people are the ones who complain, and rightfully so, more than we do at home, for, as I said before, we are used to it.

I have a letter from the Post Office Department, dated April 26, 1924, in which the First Assistant Postmaster General now states that a congested condition does exist at Orlando, Fla., and that some relief should be afforded.

Let me call your attention to the fact that when a public building was being considered at Orlando, Fla., I secured photographs and presented them to the department and urged them to build a building that would be adequate to meet the present demands and also the demands for years in the future, but the department disagreed with me and built the building that we have, a building which was supposed to take care of about 8,000 people, and there are now about 25,000 permanent residents in Orlando.

From this letter I find that the appropriation for this year for remodeling and extending Federal buildings is $400,000 and that not more than $20,000 can be expended on any one building. I also find in the letter the statement, which I regret to note, that this $400,000 has already been appropriated and distributed throughout the country to other post offices, and the Assistant Postmaster General winds up by stating that he believes some relief, or at least some temporary relief, at Orlando can be secured by the expenditure of $20,000, and states:

However, as heretofore stated, we appreciate the necessity for affording relief at Orlando, and this project will be listed for preferential treatment during the fiscal year 1926.

Of course, that is encouraging to the permanent residents of Orlando, Fla.; that is encouraging to your constituents who were down there last winter, who will be down there this winter, and down there next winter.

I then took that matter up with the First Assistant Postmaster General, and I want to thank Governor Bartlett for the courteous manner in which he has cooperated with me in this

matter. I asked him if he would not suggest a deficiency appropriation to meet the emergency. This matter has now been referred to the Secretary of the Treasury, who has jurisdiction over this proposition, as I understand it.

Mr. VARE. Will the gentleman yield?

Mr. SEARS of Florida. Yes.

Mr. VARE. Have you told the committee the great amount of increase in business in these respective post offices; and is it not a fact that there has been a great increase?

Mr. SEARS of Florida. I want to thank my good friend for that suggestion.

Mr. VARE. Is it not a fact there have been great developments in all the Florida cities recently?

Mr. SEARS of Florida. When I came to Congress nine years ago the population of the fourth district was approximately 196,000, and now it is about 500,000, showing the growth of the entire district.

Mr. VARE. If the gentleman will yield further, I happen to have a winter home there, and I have noticed the wonderful increase of population, and I am in full accord with the statement of the gentleman.

Mr. SEARS of Florida. I knew there were many good things about the gentleman from Pennsylvania, but since he has admitted he has a winter home in Florida I find there is some further good in him. There are many Pennsylvanians at Orlando that have winter homes, and many of them stay there now all the year round.

Mr. BLACK of New York. Will the gentleman yield?

Mr. SEARS of Florida. Yes.

Mr. BLACK of New York. I wonder if the gentleman knows whether or not the bathing beauties down there transmit their suits by way of letters? [Laughter.]

Mr. SEARS of Florida. I would rather the gentleman would come to Florida and look the bathing beauties over. The only thing I regret about that is I fear, if he should, a good congressional district would lose a good Congressman.

Mr. BLACK of New York. They certainly would.

Mr. VARE. If the gentleman will yield, I might say in reply to the inquiry of my friend on the right that if he has not seen the bathing beauties he has missed something.

Mr. SEARS of Florida. If he has not been to Florida, he has missed half his life. That is all there is to it; and I hope he will come down to Florida.

I have also a letter from the West Palm Beach Chamber of Commerce, as follows:

> The West Palm Beach post office is getting more congested day by day, and the time is fast approaching when the lease on the present building will expire. We would certainly appreciate any information you might have as to the present status of our Federal-owned post-office building project, and as to whether there is anything that we can do to further this matter.

To be absolutely frank with my colleagues, I have written them there is absolutely nothing I can do, for you will not report out a public buildings bill. I have urged a public buildings bill at each session. During my first term in Congress I had incorporated in the omnibus public buildings bill $6,000 for a site at West Palm Beach, but that bill died in the Senate, and to-day it will cost you $30,000 or $40,000 to secure a site alone at West Palm Beach.

Let me call your attention to the further fact that at West Palm Beach, Fla., I fear you can not rent the building now used for a post office for three times what the Government is now paying for it when its lease expires. I have called the attention of Congress to that fact many times. There is not another building in West Palm Beach that I know of that you can secure, and I make the prediction that you will perhaps find yourselves putting your post office in a tent and taking care of the people as best you can.

Mr. DENISON. Will the gentleman yield?

Mr. SEARS of Florida. I yield to my good friend from Illinois.

Mr. DENISON. Referring to the bathing beauties, will the gentleman tell us just when is the open season, when those not familiar with Florida can get the best view?

Mr. SEARS of Florida. I will say to my good friend from Illinois that the open season for handsome young men who want to get married is all the year around, but to confirmed bachelors like the handsome and intellectual gentleman from Illinois it is a closed season all the time. But, my friends, seriously, when I first came here there were just three places in the district that were entitled to public buildings. There are 20 or more cities now in the district to-day where the congestion is so acute that they do not know what to do. At one time at Miami there were approximately 300 sacks of first-class mail out under a tent, and they had to hire a guard to guard the mail until they could distribute mail already in the post-office building and get room to bring it in.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. SEARS of Florida. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. YOUNG. Will the gentleman yield?

Mr. SEARS of Florida. I will.

Mr. YOUNG. Does not the gentleman believe that if a public building bill was very carefully scrutinized so as to get only meritorious cases in it, it would be a matter of economy to pass a bill of that kind at this session or the next session of Congress?

Mr. SEARS of Florida. I agree with the gentleman that it would. I will say that I am not a demagogue. I despise a demagogue. When a public building was to be erected at Orlando, provided for before I came to Congress but constructed after, I insisted and demanded that it be built out of material in Florida the same as other buildings. It was built at a cost of $65,000, but it would have cost $160,000 or more under the old plan. I was criticized for that policy, but I try to practice what I believe. The condition is growing more and more acute. I believe it was the former Postmaster General, Mr. Work, who indorsed what I work for since coming to Congress, to wit: Every town with a future ought to own its site. I have given you an illustration at West Palm Beach where you could have purchased a site for $6,000 eight or nine years ago, and now you will be fortunate if you can get one for $30,000 and perhaps $50,000.

Now, there is another question. I represent approximately 600 miles of seacoast, and I represent approximately 2,000 miles of rivers. To the district rivers and harbors mean everything. It is the life of the district. I sincerely trust that my Republican friends will cooperate with my Democratic friends on this side and bring out a river and harbor bill in order that rivers and harbors will not get into the same condition as public buildings.

It means everything to the district. Those of you who have your harbors improved do not need any further assistance except a maintenance appropriation which I have worked and voted for every year, and now I hope you will be broad enough to help us improve our harbors and help these people who formerly lived in your State and now live in our State to get the relief they are entitled to. I believe that my good Republican friends and my Democratic friends will assist me in getting this bill passed.

Mr. KVALE. Is there anything else the gentleman would like to have? [Laughter.]

Mr. SEARS of Florida. Yes; I would like 500,000 or more good, sensible Republicans to move into my district because they immediately become better Democrats than I am, and we would soon change the complexion of this House. [Laughter and applause.]

Mr. EVANS of Montana. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Montana asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. EVANS of Montana. Mr. Chairman, a fortnight ago the Literary Digest printed a page or two of criticism of Congress. They sent to my desk, and I dare say to the desks of others, a letter asking the Members of the House to comment upon what was being said. I took it seriously and replied to the letter. I do not know whether other men replied to it or not. I waited two or three weeks and did not get a response; they did not tell me or the country what they thought of my criticism. So if you will bear with me, I will tell you briefly what I think of it.

This magazine quotes Judge Gary as saying, "The worst thing we have is our American Congress," and Mr. Orrin Lester, of the Bowery Savings Bank, of New York, as saying, "With such agencies at work in the country as Bolshevism and the present United States Congress we have some job on our hands to maintain the integrity of the Nation and the security of her institutions." While Nicholas Murray Butler speaks of the Senate as engaged in "ill-mannered scandal mongering."

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. EVANS of Montana. Yes.

Mr. LAGUARDIA. The gentleman speaks of Doctor Butler. Who is Doctor Butler?

Mr. EVANS of Montana. He is chief spokesman for the bootleggers.

Mr. LAGUARDIA. Really!

Mr. HILL of Maryland. Mr. Chairman, will the gentleman yield for a question?

Mr. EVANS of Montana. I have already answered it.

Mr. HILL of Maryland. Is Judge Gary the guy who said that prohibition was good for the working man?

Mr. EVANS of Montana. I do not know what Judge Gary said about prohibition. I know what Doctor Butler said.

These captains of industry, masters of finance, and spokesmen for special privilege seem quite peeved at the Congress and the cause is not hard to find. Disregarding the orders of the spokesmen for these interests, Congress refused to pass the Mellon tax bill written in the interest of the rich and intended to shift an undue part of the tax burden from their shoulders. Against the further orders of these same people both Houses of Congress have voted a bonus for ex-service men. Disregarding the demand for cheaper human fodder for furnaces, which could only be obtained from Europe, Congress voted to limit immigration and is preparing to protect the youth of this country by passing a child labor amendment. Naturally all these things have been distasteful to the men who speak for the big interests of the country. These gentlemen are attempting to deal with Congress as they do with a competitor, when they can not control him they destroy him. "We have some job on our hands to maintain the integrity of the Nation and the security of her institutions with such agents at work as the United States Congress," says Mr. Orrin Lester. How pitiful, how pathetic indeed to hear this modern Nathan Hale, from the Bowery Savings Bank, proclaim his regret that he has but one life to give for his country in his unequal struggle with the United States Congress, "to maintain the integrity of the Nation." [Applause.]

It is "ill-mannered, scandal mongering" for the Senate to expose the bribery, corruption, and wrongdoing of Fall, Forbes, and Daugherty; but no word of condemnation for the criminals. Not a word of rebuke for the effort to levy legal blackmail against a Senator because he had the temerity to expose crookedness in official life. [Applause.]

The blame does not rest upon Congress in these matters, but upon the leaders and spokesmen of the Nation who complacently contemplate and condone wrongdoing in the high places in and out of office.

These gentlemen are angry because Congress has not been subservient and obeyed orders. They are not angry because we did not reduce taxes, but they are angry because the Congress would not pass the Mellon bill without the dotting of an "i" or the crossing of a "t," when they and the whole world knew the bill was written in the interests of the rich and against the interests of the average taxpayer.

The tax bill that has just passed the House by a vote of 40 to 1 reduces the taxes of the American people many millions more than did the Mellon bill, so it was not because Congress did not reduce taxes but it was because we did not pass the Mellon bill which reduced the taxes of the rich 50 per cent, while it reduced the taxes of the people of an income of $10,000 or less per annum only 25 per cent, and this Congress reversed the situation and reduced the taxes of the poor 50 per cent and the taxes of the rich only 25 per cent. These gentlemen are angry because the Congress of the United States chose to exercise its constitutional functions rather than to accept their dictates or the dictates of a Cabinet officer to pass a bill written in secret and presented to Congress with the demand that it be enacted just as written. [Applause.]

Again, these gentlemen are disturbed by the congressional investigations. They resent the fact that Congress exposed the sordid condition in the Veterans' Bureau; that the naval reserves had been bartered away under conditions which the President and the Senate unanimously said indicated fraud and corruption; that the Department of Justice was found to be honeycombed with fraud and corruption.

Judge Gary, I have no doubt, would substitute for Congress a board of directors with himself as chairman and the other members of the board of his own selection. No doubt that sort of government would function to his own satisfaction. If that régime had been in effect for the past year there would have been no investigations. Secretary Fall would not have been forced to plead his own crime to avoid testifying. Mr. Fall would have his $100,000 received from Mr. Doheny and his $25,000 from Mr. Sinclair, and would be posing as a distinguished former Cabinet member. Mr. Doheny would have the oil reserves in California; Mr. Sinclair would have possession of Teapot Dome; Mr. Denby would now be in the Department of the Navy, leasing out, I suppose, the rest of the oil reserves to the same parties, because he has said he would do exactly what he did over again if he only got the chance.

Daugherty would be conducting the affairs of the Department of Justice and Forbes would still be looting the Veterans' Bureau. If Fall and Doheny and Sinclair and Denby and Daugherty had not been disturbed, Judge Gary and Mr. Lester and Doctor Butler would be happy. [Applause.] They would be particularly happy if these investigations had not taken place. They do not want these Cabinet officers interfered with. They do not believe the Congress ought to investigate their doings.

Do these gentlemen mean to proclaim to the country that the people of the United States do not expect Congress to protect their rights? Is it not the duty of Congress to investigate the dark places and find out the truth and drag out of their places those who betray the public trust and pull them out into the light of day?

Mr. Speaker, the Congress ought to receive its instructions from the people, the people alone; its investigations ought never to stop until every corrupt official is exposed, until every guilty man is punished. The American people believe in that doctrine. But Doctor Butler, Judge Gary, and the others of their kind do not accept that doctrine. They want the Congress to accept the dictates of Secretary Mellon, and want Congress to keep its hands off the investigation of the other bureaus. Fall was in the Cabinet, Daugherty was in the Cabinet, Denby was in the Cabinet, and Mr. Mellon is still in the Cabinet. And these gentlemen rise and criticize Congress and want these Cabinet members to rule, and want Congress to stand aside.

Mr. Chairman, among the amazing and remarkable things about these shocking revelations is that an element of self-respecting people can look upon corruption in the high places with utter complacency.

Congress must first do its duty by doing right, and then trust the public to approve its course. If this Congress had adopted the Mellon plan and had not exposed public corruption Gary and Butler would have thought it one of the best in our history. Gentlemen, so it is that we are confronted by this challenge by men of prominence like Gary and Butler, a defiant challenge, wherein they say that the worst thing we have is the Congress of the United States.

The statement of Judge Gary is but an echo from the dark ages; he is but repeating to us the story that has come through the centuries in the struggle by the people for liberty. In saying "The worst thing we have is our American Congress" he is but expressing the opinion of the kings, the potentates, and the privileged class for 1,000 years. The worst thing the beneficiaries of special privilege had in England 700 years ago was the Parliament that demanded some measure of justice from the English King. The worst thing Charles I had on his hands was the Parliament of the English people. The worst thing Louis XVI and his corrupt court had on their hands was the National Assembly and the Convention of the French People. The worst thing George III had on his hands was the Continental Congress that led the American people to destroy the power of injustice that was being heaped upon the people by that King and to found and build up the American Republic, and all the Garys and all the Lesters and all the Butlers, with their contempt for constituted authority and their complacency for corruption in high places, shall not destroy it! [Applause.]

The Clerk read as follows:

LEGISLATIVE DRAFTING SERVICE

For salaries and expenses of maintenance of the legislative drafting service, as authorized by section 1303 of the revenue act of 1918, $40,000, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

Mr. HASTINGS. Mr. Chairman, I move to strike out the last word for the purpose of getting a little information in respect to how Members may avail themselves of this legislative drafting service. Is this service available to the individual Member of Congress, or is it available only to committees?

Mr. DICKINSON of Iowa. The law limits its services to the committees, but I have found them very helpful and willing to assist any Member who will go there.

Mr. HASTINGS. Suppose a Member of Congress wants some service through this legislative drafting service, to whom should he apply?

Mr. DICKINSON of Iowa. He should go to their room.

Mr. HASTINGS. And who is "their"?

Mr. DICKINSON of Iowa. There are two men and their clerk.

Mr. HASTINGS. To whom shall a man apply?

Mr. DICKINSON of Iowa. To the legislative drafting service.

Mr. HASTINGS. And where is that?

Mr. ALMON. They have an office in the House Office Building.

Mr. DICKINSON of Iowa. Yes; on the second floor.

Mr. HASTINGS. I am very glad to have that information. I wanted to know whether the service is available to individual members.

Mr. LAGUARDIA. I think that the committees have the first call on their time, and then if they have any other time they will help an individual Member. That is the experience that I have had.

Mr. ALMON. I have gone there as an individual Member of the House, and they have always been very courteous and willing to assist me in the preparation of bills.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. EDMONDS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes.

LEGISLATIVE APPROPRIATION BILL

The committee resumed its session.

The Clerk read as follows:

STATEMENT OF APPROPRIATIONS

For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives, of the statements for the first session of the Sixty-eighth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, $4,000, to be paid to the persons designated by the chairmen of said committees to do the work: *Provided*, That in lieu of the data relating to offices created and omitted and salaries increased and reduced, the statement shall hereafter contain such additional information concerning estimates and appropriations as the committees may deem necessary.

The CHAIRMAN. Without objection, the Clerk will correct the spelling of the word "appropriation" in line 6, page 21.

There was no objection.

The Clerk read as follows:

ARCHITECT OF THE CAPITOL

OFFICE OF ARCHITECT OF THE CAPITOL

Salaries: Architect of the Capitol, $6,000; chief clerk and accountant, $3,150; civil engineer, $2,770; 2 clerks, at $1,840 each; compensation to disbursing clerk, $1,000; laborers—1 at $1,100, 2 at $1,010 each, 2 at $950 each; forewoman of charwomen, $760; 21 charwomen, at $410 each; in all, $30,990.

Mr. MONTAGUE. Mr. Chairman, I move to strike out the last word. I do this for the purpose of bringing before the House a matter which I hope they will give consideration to at some future time. For some years at each session I have introduced a bill for the extension and completion of the Capitol. In that work I have had the wise advice and counsel of the late Elliott Wood, who not only possessed ability and energy but had artistic and architectural sense. It is perhaps known to the members of the committee that this Capitol has never been completed. I speak only of the central portion of the Capitol Building and not the wings. The central portion is constructed of red sandstone and is painted white from time to time to give the building harmonious exterior color.

The two wings are of marble. I have introduced a bill to this effect, that the central portion of the Capitol and the western approaches thereto shall be extended, reconstructed, and replaced in substantial accordance with scheme A of the architectural plan recommended by a joint commission of Congress and reported thereto on March 3, 1905 (H. Doc. No. 385, 58th Cong., 3d sess.). That was an extraordinary committee, the chairman of which, as I recall, was Mr. Cannon. It was a unanimous report, and it was intended to accomplish the very objects set forth in my bill; that is, to extend the eastern wall of the Capitol from 14 to 20 feet, thereby giving approximately 50 rooms, providing additional storage for the records of the Supreme Court, and giving the judges of the Supreme Court private offices. They have none now. Our Supreme Court is more poorly and inadequately housed, perhaps, than any tribunal of dignity in the country.

There is no office for each justice. There is nowhere you can see a justice upon official business unless it is in the robing room; the robing room is in some room of the clerk or marshal. But that is beside the mark. This general scheme provided not only for this extension but the veneering of the walls with marble in order that the entire building should have an harmonious exterior. My bill goes further in some respects, which I shall not attempt now to discuss. With respect to the steps from Pennsylvania Avenue it simply provides that the black steps should be removed and marble steps put in place of them. The most dignified approach to the Capitol is from that direction. Your eye first falls upon a very impressive structure of white marred by a stairway of black and white stripes. The great white majestic building has its beauty and dignity greatly impaired by this zebra approach.

The bill does not provide for a change at all of the western wall of the central portion of the Capitol, save its veneer of marble. The bill does not provide for an extension of the eastern side, as far as originally contemplated by the architects of the Capitol. The thought originally was that this wall would be extended equal to the western side.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONTAGUE. May I have three or four additional minutes?

Mr. McKEOWN. Mr. Chairman, I ask that the gentleman may be permitted to proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none.

Mr. ALMON. What is the estimated cost with the present condition of labor and material?

Mr. MONTAGUE. I can only give an approximate answer. When the bill was introduced by me some eight years ago it would have cost about $2,000,000, and I suppose now it would cost four or five million dollars. I also introduced the bill at the close of the war when there was a necessity for the utilization of unemployed labor. Believing as I did that it was economically psychologically the time to do the work. The bill first went to the Committee on Appropriations, and I think it secured the approval of at least two chairmen, but they felt that the money was not available.

I am simply presenting this now, gentlemen, as a matter that must ultimately appeal to our national pride; that we should not have a building of such varying and discordant exterior. We should not only avail ourselves of the increased and needed advantages incident to such an improvement, but American democracy is as much entitled as a monarchy to the refining and elevating effects of a perfected architecture; and above all we should perfect our Capitol. We construct buildings throughout America at an immense outlay, and yet the Capitol of the United States remains incomplete—part marble and part stone; a part unpainted; and a part painted; a part white; and a part black, which with the alterations suggested could be utilized not only for the more efficient discharge of the public business but would meet a distinct educational need.

I do not desire further to trespass upon your attention, gentlemen, I had no idea of speaking upon this subject until this section in the pending bill was reached, and I felt it my duty to submit my views to the membership of the House. I hope on some occasion I may have the opportunity to explain the whole scope and plan of this commission and its report. It expresses the views of great architects, as well as the opinion of a great joint commission, and I do not think there will be any controversy about the plan which consummates the harmonious and artistic design of the Capitol. [Applause.]

Mr. DENISON. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. DENISON. I agree with the gentleman entirely that the Capitol ought to be completed, but I want to ask the gentleman what he thinks of this: Does the gentleman think it will be preferable to have the enlargement of the Capitol and furnish the Supreme Court with quarters in the Capitol, or to have a separate special building erected to take care of the Supreme Court and the judicial department?

Mr. MONTAGUE. My personal view is to have a separate building for the Supreme Court, but I do not think we will ever be able to reach that on account of the historical associations of the courtroom. Certainly it is usually so thought. I know that Chief Justice White was opposed to any change of the courtroom. But this plan does not change the courtroom; it leaves it intact, but simply gives the members of the court better and more adequate facilities to discharge their duties.

Mr. McKEOWN. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. McKEOWN. I want to say to the gentleman I appreciate what they need as far as room is concerned from last Monday's experience. There was not room for lawyers or members of the bar or Members of the House.

Mr. MONTAGUE. I venture to submit these views to the membership of the House, with the hope that upon this bare suggestion they will go into this report and take up the matter and study it, and see if in the course of a year or two we can not perfect the Capitol, in keeping with the magnitude and the dignity and the beauty of America. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired. The Clerk will read.

The Clerk read as follows:

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings, pay of one clerk, mechanics, gardeners, care of trees, plantings, fertilizers, repairs to pavements, walks, and roadways, $62,368.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LAGUARDIA. I do so for the purpose of asking a question of the chairman of the subcommittee. The question is, Is this section based upon the cost of fertilizer from Muscle Shoals, or on the present market price?

Mr. DICKINSON of Iowa. I have no information on that. [Laughter.]

Mr. LAGUARDIA. I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For furniture for the Senate Office Building and for labor and material incident thereto and repairs thereof, window shades, awnings, carpets, glass for windows and bookcases, desk lamps, window ventilators, name plates for doors and committee tables, electric fans, etc., $7,500.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out "$7,500."

The CHAIRMAN. The gentleman from Texas moves an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 23, line 14, strike out "$7,500."

Mr. CONNALLY of Texas. Mr. Chairman, I want to ask the chairman of the subcommittee why it is that the Senate can always get all the furniture and equipment it desires while the House can not get sufficient appropriations for bookcases? I have been trying to get a bookcase installed in my office, and am met by the Clerk of the House with the statement that he has no appropriations for bookcases. I have books piled up on top of my desk and packed up on top of bookcases. I notice that the Senate gets bookcases and desk lamps, and window ventilators and electric fans, and so forth. The Members of the House can not get sufficient bookcases to care for the books and the public documents that they have.

Mr. MONTAGUE. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. CONNALLY of Texas. Yes.

Mr. MONTAGUE. Can the Members of the House even get space in which to place bookcases? We have reception rooms, but no offices.

Mr. CONNALLY of Texas. I am a little bit more fortunate than is the gentleman from Virginia. I am on the fifth floor of the House Office Building, and I have a little room and a small anteroom.

Mr. MONTAGUE. Yes; we have a reception room, but it is not an office. Nowhere is there a place provided for one moment of seclusion for contemplation or study.

Mr. CONNALLY of Texas. We can not remedy that, perhaps, in this bill, but——

Mr. MONTAGUE. I do not ask it; but it occurred to me that if you stay here a few years and necessarily accumulate papers and books you have no place provided where you can put them.

Mr. CONNALLY of Texas. It occurs to me that this might be corrected in this bill.

Mr. DICKINSON of Iowa. We are carrying $28,000 for furniture for the offices of Members, and we are gradually increasing the equipment of the offices. Here is an appropriation for $7,500 for the remodeling of furniture, glass for windows, and bookcases, and facilities for files.

Mr. CONNALLY of Texas. Why can we not get an appropriation for sufficient furniture to equip these rooms? We want to be economical. You give the Senate everything it wants, but the House has to economize. It seems to me that we ought to have at least sufficient furniture to care for the books that we have. In my office I have books stacked all over the bookcase, and there is no place to put the surplus. The Clerk of the House says he has no appropriation for bookcases.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. MOORE of Virginia. The Senate is perfectly willing to give, so far as it is concerned, all that the House reasonably requires.

Mr. CONNALLY of Texas. To be sure.

Mr. MOORE of Virginia. And if we are skimping ourselves, it is because we are electing to skimp ourselves and not because the Senate refuses to acquiesce.

Mr. CONNALLY of Texas. I offer the following amendment: Page 23, line 9, "For furniture for the Senate Office Building and the House Office Building," and then change the figures on line 14 from "$7,500" to "$15,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Page 23, line 9, after the word "Building," insert the words "and House Office Building," and on line 14 strike out "$7,500" and insert in lieu thereof "$15,000."

Mr. DICKINSON of Iowa. Mr. Chairman, that is not in order. This is an appropriation for the Senate Office Building. There is a section of the bill following where the amendment would be germane, but it is not germane in the section which is now being considered.

The CHAIRMAN. Does the gentleman from Texas want to be heard on the point of order?

Mr. CONNALLY of Texas. Yes. It certainly is germane at this point, because it is an appropriation for the purchase of furniture. This other section that the gentleman refers to is not for the purchase of furniture at all; it is for the maintenance of the House Office Building.

I simply insert in this section for furniture the words "and House Office Building." Why is not that germane? If we were on the other section no doubt the gentleman from Iowa would say it is not germane because this is not for the purchase of furniture but for the repair of furniture.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. LAGUARDIA. It is under the title of "Capitol Building and Grounds."

Mr. CONNALLY of Texas. Yes.

Mr. DICKINSON of Iowa. It is under the subhead of "Senate Office Building." If this amount in the paragraph were increased, will the gentleman tell me how much of it would go to the Senate and how much of it would go to the House? How could you determine the amount? The Senate would get it all and the House nothing.

Mr. CONNALLY of Texas. Why would the Senate get it all?

Mr. DICKINSON of Iowa. Because it is under the Senate appropriation.

Mr. ALMON. I advise the gentleman from Texas to offer it as a new paragraph under the House Office Building.

Mr. DENISON. The gentleman is not offering his amendment at the right place. I think I know what the gentleman wants to do.

Mr. CONNALLY of Texas. I know what I want to do. It may not be in order at this place, but I know what I want to accomplish.

Mr. DENISON. The gentleman from Texas may know what he wants to do but he does not know how to do it.

Mr. CONNALLY of Texas. That may be.

The CHAIRMAN. The Chair is of the opinion that the amendment is not in order here, but would be in order as a separate paragraph under the provisions which relate to the House Office Building. The point of order is sustained.

The Clerk read as follows:

House Office Building: For maintenance, including miscellaneous items, and for all necessary services, $98,965.

Mr. MOORE of Virginia. Mr. Chairman, I move to amend that paragraph by adding after the word "including" the words "purchase of furniture and" and then increase the amount by $7,500, which will bring it up to $106,465.

The CHAIRMAN. The gentleman from Virginia offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia: Page 23, line 15, after the word "including," insert the words "purchase of furniture and" and strike out, in line 16, the figures "$98,965" and insert in lieu thereof the figures "$106,465."

Mr. DICKINSON of Iowa. Mr. Chairman, I make the point of order that that is legislation and is not germane to this item of the bill.

Mr. MOORE of Virginia. Mr. Chairman, there can not be any doubt about the germaneness of the amendment, because here is a provision for the purchase of items, including miscellaneous items, applicable to the House Office Building. The amendment specifies one of the items which may very properly be termed a miscellaneous item, that is, the purchase of furniture, and if that is germane then it is entirely proper to increase the amount by adding $7,500, as proposed. If the amendment is not germane to the paragraph, I do not understand what is the meaning of the word "germane."

Mr. DENISON. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. DENISON. If I understand the item to which the gentleman offered his amendment, it is for the maintenance of the building, and it has nothing whatever to do with the supplies that are furnished to Members.

Mr. MOORE of Virginia. What are the miscellaneous items which the gentleman has in mind?

Mr. DENISON. I would imagine improvements of and repairs to the building.

Mr. MOORE of Virginia. But my friend forgets that the paragraph goes much further by the inclusion of the words "all necessary services."

Mr. DENISON. Those would be services for taking care of the building, and so forth; personal services.

Mr. MOORE of Virginia. Awnings would certainly be included. There is no doubt about that, and if they are included, why not furniture? And many such illustrations could be given.

Mr. DENISON. The gentleman knows that furniture is no part of the House Office Building.

Mr. MOORE of Virginia. I know it belongs to the House Office Building, and I know the provision in the bill which I am asking to amend goes beyond the mere matter of the walls of the House Office Building and takes care of the necessities of the building.

Mr. DENISON. Does not the gentleman think it would be better to add a separate paragraph, without making this apply to the building itself? That would be better, I should think. I do not think it is germane to this particular paragraph.

Mr. DICKINSON of Iowa. Mr. Chairman, I would like to suggest that the disbursement of this fund is under the House Office Building Commission, while the purchase of furniture is under the Clerk of the House. The commission does not buy the furniture. It maintains the building, it provides for cleaning the building, it provides for the necessary repairs, and it provides for the general upkeep of the building, but it does not have the purchasing power. Now, if you ask for the purchasing power you are transferring the purchasing power from an agency already in existence to an agency that does not seek that power and does not want it.

The CHAIRMAN. The Chair would suggest, if he may do so, that we are taking considerable time with a matter which might be easily brought up without any question. The Chair is somewhat in doubt as to whether this amendment is properly germane to the paragraph which has just been read, and is inclined to think it is not. The amendment, of course—at least in the opinion of the Chair—is in order somewhere in the bill, and it would seem to the Chair the proper place would be a separate paragraph under "House Office Building."

Mr. DICKINSON of Iowa. Mr. Chairman, I suggest that on page 18 there is an item of $28,000 for furniture and materials and repairs of the same, and if the gentlemen want to make this motion, I have no objection to going back to that item and increasing the amount, and I think that would be the proper place.

Mr. MOORE of Virginia. Acting on the suggestion of the chairman of the committee, as I understand it, I will be glad to withdraw the amendment and then offer an amendment as indicated by him.

The CHAIRMAN. Do I understand the gentleman from Virginia to ask unanimous consent to return to page 18 for the purpose of offering the amendment?

Mr. MOORE of Virginia. I will offer the amendment immediately after the paragraph which has been read.

The CHAIRMAN. The Chair understood the gentleman from Virginia to say that he accepted the suggestion of the chairman of the committee, and the suggestion of the chairman of the committee was that we return to page 18.

Mr. MOORE of Virginia. Mr. Chairman, I think I will offer the amendment so that it will apply after line 16 on page 23 as a new paragraph.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia: Page 23, after line 16, insert a new paragraph as follows:

"For furniture for the House Office Building and for labor and material incident thereto and repairs thereof, window shades, awnings, carpets, glass for windows and bookcases, desk lamps, window ventilators, name plates for doors and committee tables, electric fans, etc., $7,500."

Mr. DICKINSON of Iowa. Mr. Chairman, I make the point of order that that is not germane to the paragraph. There is already an item in the bill for that very purpose, and if the gentlemen want to increase the item as they suggest for the purchase of bookcases and furniture, if they will return to page 18, line 15, they will then have it under the custody of the Clerk of the House, who does this purchasing for the House Office Building.

Mr. MOORE of Virginia. I offered the amendment at the point indicated by the chairman, as I understood him. But I will offer it now as a new paragraph following line 24 on page 18.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to withdraw the amendment that he offered on page 23, and to offer the same at page 18. Is there objection? [After a pause.] The Chair hears none. The gentleman from Virginia now offers an amendment at page 18, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia: Page 18, after line 14, insert the following as a new paragraph:

"For furniture for the House Office Building and for labor and material incident thereto and repairs thereof, window shades, awnings, carpets, glass for windows and bookcases, desk lamps, window ventilators, name plates for doors and committee tables, electric fans, etc., $7,500."

Mr. LUCE. Mr. Chairman, may I call the attention of the gentleman from Virginia to the fact that by putting the amendment where he has suggested, he makes the inference possible that the $28,000 specified in line 15 is not to be used in the House Office Building. He will observe that if the amendment is inserted, lines 13, 14, and 15 will be $28,000 for furniture and materials, and then below he has a paragraph with $7,500 restricted to the House Office Building.

Mr. WINGO. May I suggest to my friend that I was going to suggest an amendment to the gentleman's amendment that I think will obviate possibly what the gentleman has in mind. My suggestion is that instead of saying House Office Building, or, if you do say House Office Building, say House Office Building and offices of the House, including the offices in the Capitol; I think that would cover it. Right on the point that the gentleman suggests, I think lines 13, 14, and 15 have particular and specific reference to the repair shop. Therefore it will be perfectly all right to have in the bill this new paragraph which the gentleman from Virginia is offering. May I offer this suggestion to the amendment of the gentleman from Virginia? The gentleman from Virginia has taken the language of the bill with reference to the Senate Office Building and has stricken out "Senate Office Building" and made it "House Office Building." That would not make available anything for any office in the Capitol. I will be frank; here is what I want to do.

Mr. CONNALLY of Texas. The $28,000 covers the Capitol.

Mr. WINGO. No; that is for furniture and repairs to the same.

Mr. CONNALLY of Texas. For furniture and materials.

Mr. WINGO. That might be considered general; but to be frank with you, this is the point I have in mind, and the gentleman from Massachusetts is interested in it. The gentleman no doubt has noticed the bad condition for the crowded hearings that the Committee on Banking and Currency has held.

It was sought to correct that by putting in a smaller table and arranging desks for individual Members in a way that would be better suited for the numerous and extensive hearings we

have. For instance, take the other day when we had a large delegation from the State of California here. We had difficulty in having a hearing in that room. The room can be rearranged, but when the chairman and I took it up with Mr. Lynn it was suggested that that was a matter that was under the jurisdiction of the Clerk and that the item of appropriation for that particular work would have to be sufficiently large to take care of it. I think my friend, the chairman of the committee, who has been in that room can appreciate that there ought to be a rearrangement made there. Mr. Lynn, acting on the suggestion which was made to him, to-day is working on a pencil plan, trying to arrange it so the room will be better arranged. He can do the necessary work during the recess. I want to ask my friend, the chairman of the committee, if we change the amendment of the gentleman from Virginia and after "House Office Building" say "and offices in the Capitol," if that, together with the item of $28,000, will not cover the question of that kind of a change.

Mr. DICKINSON of Iowa. I think it would cover the offices of the Capitol. I think the simplest way to get at it is to strike out the $28,000 and insert $35,500. You have got the amount and all the working machinery, and you will have no conflict in your authority. For that reason I think that is the simple way to do it.

Mr. WINGO. We do not want to get into any complications over it. We are putting in a special item represented by the amendment of the gentleman from Virginia. Does not the gentleman think that he had better let the current item for the repair shop go and put in a special item because it covers additional work similar to that of the Senate?

Mr. DICKINSON of Iowa. What I am fearful of is if you put that in you limit the amount of money that they can use, and it will be so interpreted.

Mr. WINGO. No; I think the debate will show to the disbursing officer what the intention was. I would like to ask the gentleman from Virginia if he would object to the amendment I suggest.

Mr. MOORE of Virginia. I am afraid it would cut down the amount that could be expended on the House Office Building.

Mr. WINGO. I would like to ask the gentleman from Iowa whether or not the $28,000 and this $7,500 that has been suggested by the gentleman's amendment represents any particular estimate that has been made up of the work that the clerk and the repairer of furniture wishes to do?

Mr. DICKINSON of Iowa. That was made up by estimates of past experience.

Mr. WINGO. The gentleman from Virginia says that the only possible objection he might have would be that it might absorb some of the money that was necessary for the House Office Building.

Mr. McKEOWN. If the gentleman will yield, I would suggest that my idea would be that it could be well taken care of out of the $28,000 if you give $7,500 to the needs of the House Office Building.

Mr. WINGO. The only reason I had was that I want the matter understood.

Mr. DICKINSON of Iowa. The $28,000 will be available for the House Office Building and the House wing of the Capitol. I think you would have less trouble if you increased the amount of the $28,000. Mr. Chairman, I move as a substitute for the motion of the gentleman from Virginia to strike out the figures $28,000 in line 15 and insert in lieu thereof $35,500.

Mr. WINGO. I understand the gentleman to say that this $28,000 is based upon past experience and not upon any class of work that has been mapped out in advance, and therefore if the clerk and the committee decide on work that I suggest in our room there is sufficient authorization and appropriation in the bill to carry out the work?

Mr. DICKINSON of Iowa. Absolutely; and I will say they have remodeled and refinished certain rooms and put in new furniture.

Mr. ALMON. Mr. Chairman, in the discussion of this matter, preparing plans and alterations, the question of converting some of the large rooms in the House Office Building into two rooms ought to be considered. A great many Members have already divided their rooms into two rooms by means of cabinets. It occurs to me that a plan might be devised for converting the rooms, where Members want it done, into two rooms by partitions part of the way up or all the way to the ceiling. I would like to have the committee consider that question with a view of converting some offices into two rooms. They ought to have been arranged in that way in the beginning. If we had used the space for two rooms and made three rooms in the original plan, it would have provided more comfortable quarters for the Members of the House. I want to suggest to the House that something of this kind should be done.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last two words. I want to suggest to the House that at a very small expense very good rooms could be made in the House Office Building by constructing across the inside court, diagonally, a wing equal in height to the present wing, which would give ample light and air on that side and make rooms alternately lengthwise. You would have then a private room and an office room. It is worth your while to think about it, because you are never going to get enough money to build a new office building for the increased membership of this House.

On one side you will have a long room for a private room and the other man will have a long room for a private room, and each will cut the rooms in two that way, and you will have two rooms. Otherwise, you will have to build an entirely new building.

Mr. DICKINSON of Iowa. Mr. Chairman, I renew my offer of a substitute.

Mr. CONNALLY of Texas. Mr. Chairman, I make the point of order against the substitute.

The CHAIRMAN. The gentleman will state the point of order.

Mr. CONNALLY of Texas. It is in a different place to which the amendment is offered and is not germane. The amendment of the gentleman from Virginia is offered at the bottom of line 24, and the gentleman from Iowa seeks to substitute by amending line 25. It is not a substitute at all. We are not at line 15, on page 18. We returned to page 18 only for the purpose of allowing the gentleman from Virginia to offer his amendment, and this amendment is not a substitute.

Mr. DICKINSON of Iowa. Mr. Chairman, if they are going to be technical, let me say that the unanimous consent was granted to allow them to introduce the amendment on page 18, at line 15, and not at line 24.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Virginia.

The question was taken, and the amendment was agreed to.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. I want to ask the chairman about this item for $98,965, as to whether there is any provision in it for the purchase of carpet sweepers or vacuum cleaners in the House Office Building? The way it is now about all that is done is to throw the dust about. They go into a room and the dust is stirred up, and it is over your desk and your books. That is about the result you have. We have the electricity there, and if we could have some vacuum cleaners we would have clean rooms and the books and papers would be so that we could handle them without first brushing them off with a cloth.

Mr. DICKINSON of Iowa. There was no estimate given for vacuum cleaners. There is a certain arrangement by which those rooms are cleaned with a vacuum cleaner, and I think the gentleman will find that most of the dust comes in the windows, rather than from the sweeping of the rooms.

Mr. RAKER. It is there, and I just wanted to know where it came from.

Mr. LaGUARDIA. And the lack of a good deal of elbow grease in the cleaning of the rooms.

The Clerk read as follows:

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, and Congressional Library Building and the grounds about the same, Coast and Geodetic Survey, the Union Station group of temporary housing, Botanic Garden, Senate stables, House stables, Maltby Building, and folding and storage rooms of the Senate, Government Printing Office, and Washington City post office; pay of superintendent of meters, at the rate of $1,600 per annum, who shall inspect all gas and electric meters of the Government in the District of Columbia without additional compensation; for necessary personal and other services; and for materials and labor in connection with the maintenance and operation of the heating, lighting, and power plant and substations connected therewith, $274,361.

Mr. DICKINSON of Iowa. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DICKINSON of Iowa: Page 23, line 25, strike out the sum "$1,600" and insert in lieu thereof the sum "$1,940."

Mr. DICKINSON of Iowa. Mr. Chairman, this is an employee of the power plant, reading meters, and there is no provision made any place else for adjustment of his salary under the new salary arrangement. He is now receiving

$1,600 and the bonus, making $1,840 in all, and this gives him the bonus and the customary 5 per cent.

Mr CARTER. Does this put him on a parity with the others?

Mr. DICKINSON of Iowa. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

The Clerk read as follows:

The Department of the Interior, the Public Health Service, the Coast and Geodetic Survey, the Union Station group of temporary housing, the Government Printing Office, and the Washington City post office shall reimburse the Capitol power plant for heat, light, and power furnished during the fiscal year 1925, and the amounts so reimbursed shall be credited to the appropriations for the said plant and be available for the purposes named therein.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. Will the gentleman advise the committee about how much we are spending for coal now for maintaining our heat-and-light plant?

Mr. DICKINSON of Iowa. Does the gentleman mean the price of coal or the total amount?

Mr. RAKER. The total amount. It is a very large amount, is it not?

Mr. DICKINSON of Iowa. Yes.

Mr. RAKER. That will be eliminated when the Great Falls power plant is installed and equipped by the Government.

Mr. DICKINSON of Iowa. Two hundred and nine thousand three hundred and one dollars was spent for coal last year. Of course, if we could get our electricity from some other source we would not have to buy coal for it.

Mr. RAKER. If the Government establishes the Great Falls power plant we will not be under the necessity of hauling the coal into Washington to furnish heat and light for the Capitol.

Mr. DICKINSON of Iowa. Provided they produce any electricity up there.

Mr. RAKER. I am assuming that they can and will produce it.

The Clerk read as follows:

For replacement of the hydraulic elevators of the Library of Congress with electric elevators, and for all material, equipment, and labor connected therewith, $50,000, to be available immediately.

Mr. LUCE. Mr. Chairman, I move to strike out the last word, simply to express very briefly as a member of the Committee on the Library, the appreciation of the treatment accorded thereto by the Committee on Appropriations. Of course, it is to be regretted that the $345,000 for starting the new library stack is not to be expended at once, but the postponement is doubtless justifiable. I would, however, call the attention of gentlemen who may not have read the report accompanying this bill to the view of the Committee on Appropriations that such an expenditure will be necessary next year. The crowded condition of the Library is certain to result in more and more inconvenience to Members unless the remedy is faced in the next appropriation bill. Therefore, simply as a word of warning, so to speak, I wish as a member of the Committee on the Library to acquaint Members of this imperative need.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. GARRETT of Tennessee. The gentleman who is chairman of the Committee on the Library has the floor and I would like to ask him if it is the purpose to try to secure action upon the bill reported from his committee a few days ago in regard to the Botanic Gardens, the fixing of the plant south of the Avenue? May we hope for action upon that at this session?

Mr. LUCE. I, for one, am exceedingly anxious to secure action on the matter.

Mr. GARRETT of Tennessee. And will it also be agreeable to the gentleman following action upon his bill that the authorization of the proposition brought in by the Committee on Public Buildings and Grounds be also adopted?

Mr. LUCE. The bill brought in by the Committee on Public Buildings and Grounds has probably been made unworkable by the erection of a $50,000 garage on one of the lots which the bill specifies should be bought. This has so complicated the situation that I hardly know how to answer, but the resolution that came from the Committee on the Library is meant to secure as expeditious a treatment of the problem as possible. I have been hoping we might very soon get an evening for the Consent Calendar, which would enable us to reach that resolution. I assure the gentleman of my great interest in the matter and my hope for securing action before Congress adjourns.

The Clerk read as follows:

LIBRARY OF CONGRESS

SALARIES

For the Librarian, chief assistant librarian, and other personal services in accordance with "the classification act of 1923," $467,020.

Mr. LAGUARDIA. I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 27, line 11, strike out "$457,140" and insert "$464,940": *Provided*, That the salary of the Library watchman shall be $1,500 per annum.

Mr. DICKINSON of Iowa. Mr. Chairman, I make a point of order on that as legislation on an appropriation bill, changing existing law.

Mr. CARTER. I further call attention to the fact that the figures given by the gentleman from New York to be stricken out are not the figures in the bill.

Mr. LAGUARDIA. I will correct that—"$457,020." I have greater trouble in arguing the point of order than meeting the gentleman.

The CHAIRMAN. The point of order is sustained.

Mr. LAGUARDIA. Can I be heard on it? Well, if the court has made up its mind, I have learned not to argue.

The Clerk read as follows:

SUNDAY OPENING

To enable the Library of Congress to be kept open for reference use on Sundays and on holidays within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, $13,125.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. Is the Library kept open entirely at the discretion of the Librarian or has Congress something to do with it?

Mr. DICKINSON of Iowa. I think it is kept open on Sunday afternoons and holidays.

Mr. WATSON. Within the discretion of the Librarian? Can he close the Library at any time?

Mr. DICKINSON of Iowa. My impression is this is a copy of the existing law.

Mr. WATSON. I know it is, but I want to know what the law is in regard to the opening of the Library on Sunday. This is an appropriation providing he keeps the Library open.

Mr. DICKINSON of Iowa. It is my impression they have interpreted the last part of the sentence here, "and on holidays," as within the discretion of the Librarian, and that Sunday is made mandatory. That is my recollection of it.

Mr. WATSON. It says on Sundays and on holidays. There is no comma after "Sunday," so you must come to the conclusion that it includes Sundays and holidays as well.

Mr. DICKINSON of Iowa. I think the discretion has been construed to apply only to holidays.

Mr. WATSON. The $13,125 does not apply to holidays alone; otherwise there would be a complication in regard to the appropriation.

Mr. DICKINSON of Iowa. It has been carried in this language for a great many years. I can only cite you to the custom.

Mr. WATSON. I know it has been carried that way for a number of years. I simply wanted to know what was the law.

Mr. MEAD. Mr. Chairman, I ask unanimous consent to proceed out of order for two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Chairman, there are 22 guards in the Congressional Library, each drawing a salary of $95 per month. They are what might be called special policemen. They are men of intelligence, with families to support, and they are obliged to attend to very arduous duties, like those that the policemen in the Capitol and White House and other public buildings have to attend to. They work seven days a week, with one day off per month. They are not permitted to sit down while on duty. They must make regular tours of inspection throughout the entire building. They can not exist on $95 per month. In view of the fact that the amendment offered by the gentleman from New York [Mr. LAGUARDIA] was ruled to be out of order, I ask is there any way in which relief can be secured for these men?

Mr. DICKINSON of Iowa. They are under the reclassification act, and in accordance with the provisions of the reclassification act we have increased this item from $73,000 to $101,138.

Mr. MEAD. Aside from the reclassification act, they can not be given relief?

Mr. DICKINSON of Iowa. They are being given relief.

Mr. MEAD. Their salaries have been increased?

Mr. DICKINSON of Iowa. Yes.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. RAKER. Is the library kept open practically every Sunday afternoon?

Mr. DICKINSON of Iowa. Yes; from 12 o'clock noon until 10 o'clock at night.

Mr. RAKER. And on holidays?

Mr. DICKINSON of Iowa. Practically on all the holidays from 2 o'clock.

Mr. RAKER. Arrangements are made from 2 o'clock on, when Members of the House desire it to be kept open?

Mr. DICKINSON of Iowa. Yes.

Mr. RAKER. As a matter of fact, the librarian has not closed the Library on holidays in the last few years?

Mr. DICKINSON of Iowa. Not to my knowledge.

Mr. RAKER. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

GOVERNMENT PRINTING OFFICE

OFFICE OF PUBLIC PRINTER

Salaries: Public Printer, $6,000; Deputy Public Printer, $4,500; for personal services in accordance with "the classification act of 1923," $147,380; in all $157,880.

Mr. STENGLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

Mr. STENGLE. On page 30, line 10, after the figures "$6,000," insert a comma and the following:

Provided, That no part of this sum shall be paid to any individual who has not proven by a proper trade test that he is a practical printer with a knowledge of the art of bookbinding.

Mr. DICKINSON of Iowa. Mr. Chairman, I make the point of order that it is legislation on an appropriation bill and not a proper restriction.

Mr. STENGLE. Mr. Chairman, it is simply a limitation on the expenditure of an appropriation and a repetition of an existing law now in effect.

Mr. CHINDBLOM rose.

The CHAIRMAN. Has the gentleman from New York concluded?

Mr. STENGLE. In reply to the gentleman from Iowa, I would say that the amendment is in order for the reason that it simply limits the expenditure of an appropriation by some provisions that are already existing in the law.

The CHAIRMAN. The Chair understood that part of the gentleman's statement. The Chair inquired if the gentleman from New York yielded the floor.

Mr. STENGLE. There is no need to say anything more.

Mr. DICKINSON of Iowa. If this proviso is put in here, the comptroller will be compelled to construe it. In the first place, the United States Senate over here, which is a body which we must all recognize, determines whether a man is qualified to hold this position before they confirm him. Secondly, the remedy is with the courts. If any gentleman finds that this man is occupying a position without proper qualifications, then he has a right to institute proceedings before the proper tribunal. There is a conflict here, and it seems the authority is clear that this man is qualified for this position. If he is not, they must go to some proper tribunal and determine that he is not qualified. For that reason this proviso is in conflict with existing law and is legislation on an appropriation bill.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. BYRNS of Tennessee. Without regard to the merits of the amendment—I have nothing to say about that—it seems to me this is a limitation, and the argument which the gentleman makes is purely an argument with respect to the merits of the question as to whether the House will want to adopt the amendment. The question as to whether the comptroller will have to construe or not construe certain provisions of existing law is something which might appeal to each individual Member, but I submit that an amendment such as has been offered by the gentleman from New York is clearly a limitation, because there is carried within the amendment the existing law pertaining to the qualifications of this particular official. It creates no new qualifications. Certainly, Congress has the right to protect itself and to provide that its appropriations shall be paid only to those possessing the qualifications prescribed by law. I say that without the expression of any opinion as to the merits of the amendment.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. DICKINSON of Iowa. What machinery has the comptroller to determine whether or not this man is qualified under the existing law?

Mr. BYRNS of Tennessee. That is a question which goes to the merits of the amendment.

Mr. DICKINSON of Iowa. It simply goes to the matter of trying to throw in a lot of provisions that are conflicting.

Mr. BYRNS of Tennessee. But it is not an argument in favor of the point of order.

Mr. DICKINSON of Iowa. Yes; it is an argument that it is legislation.

Mr. BYRNS of Tennessee. No; it is an argument on the merits of the proposition.

Mr. STENGLE. Mr. Chairman, I submit, in further contention that I am in order, that I have made no reference to any particular individual, although my friend has discussed an individual case. I provide in the amendment that no individual shall receive this money until he has first complied with the law. That is all I have said, while the gentleman goes into the case of some particular individual, but I have made no reference to any individual. It is a general proposition.

Mr. DENISON. Mr. Chairman, I think a moment's reflection will show that this is not a proper use of the expression "limitation on an appropriation."

I find this on page 523 of the Manual:

A limitation must not give affirmative directions, must not impose new duties, and must not be accompanied by language not directly limiting the appropriation.

Now, if this may be construed as doing anything at all it must be construed as imposing new duties. What are they? That the Public Printer shall come before somebody—I know not before whom because it does not state—who shall compile some evidence as to his qualifications. That is imposing new duties and that violates the rule as to a limitation. So, under that rule, it is clearly not a limitation on an appropriation.

Mr. CHINDBLOM. Mr. Chairman, the gentleman offering the amendment has said and the very distinguished gentleman from Tennessee, a member of the Appropriations Committee, and who, no doubt, is familiar with the law, has said that there is no new language in this at all; that the effect of this amendment is already in the present law. If that is so, of course, it is not a limitation at all. If it is merely a repetition of the present law it is legislation upon an appropriation bill and is no limitation. It is simply a restatement of the present law and we will have no further limitation than there is now on the payment of this salary. In addition to that, this is not the kind of a provision we have where there is a limitation upon an expenditure. This simply means that this money can not be paid to some people and it does not look to the use of it. The position of Public Printer is created by law; the position exists; we are making an appropriation for that position, and the existing law gives authority for an appropriation for the salary of the Public Printer. Now, whatever is added to the qualifications of the Public Printer is not a limitation upon the expenditure of this money, but it is an addition to the existing substantive law on the subject.

Mr. LAGUARDIA. Mr. Chairman, I had a similar amendment in the Sixty-fifth Congress when the food-survey bill was before the committee for consideration. I offered an amendment that no part of the money therein appropriated should be expended unless the employees should be taken from the civil-service list, and, if I remember correctly, the distinguished gentlemen from Virginia, Mr. Saunders, held such an amendment in order. Now, the gentleman's amendment is very similar to that. It limits the appropriation unless certain employees qualify under the law, and it is clearly a limitation within the provisions of the rules of this House.

Mr. CARTER. Mr. Chairman, without any reference to how I stand on this amendment, I think the amendment is clearly in order. If you wanted to say that this money should not be paid to a man with red hair, you could say it under a limitation. My friend from Illinois says that if it is in accordance with existing law, then it is not a limitation. If it is in accordance with existing law and does not change existing law, then it is not out of order.

Mr. CHINDBLOM. If the gentleman will permit, if it is in accordance with existing law, then, of course, it is not a limitation any more than the existing law.

Mr. CARTER. But it is just a repetition of existing law. It does not violate existing law and does not change the existing law.

Mr. CHINDBLOM. Then it is not a limitation upon existing law and is nothing but a repetition, and therefore should be held out of order because it is legislation.

Mr. CARTER. If it does not change existing law, it is in order any way, and if it does change existing law, it is a limitation.

Mr. McKEOWN. Mr. Chairman, while the language is existing law, it is a further limitation upon the existing law requiring that none of the money in this particular appropriation shall be paid to any person who does not qualify under the existing law. It is a further limitation. While the gentleman properly says the language quotes existing law, it is a further limitation on this particular appropriation.

The CHAIRMAN. The question is not by any means free from doubt; in fact, the previous decisions leave the Chair very much in doubt, and in many respects are conflicting. The gentleman from Tennessee has suggested that the fact that this is a limitation made it in order. There are, however, numerous decisions holding that in certain instances limitations are not in order, and those decisions have been based largely upon the fact that accompanying the limitation was an affirmative direction to be exercised by some officer, and that affirmative direction was a necessary part of the limitation. There are, however, other decisions which are not entirely in accord with that principle. The Chair, on the whole, thinks that the better rule is that where the limitation is accompanied by an affirmative direction which changes the existing law—and there can be no question but what this affirmative direction in this case does—the amendment is not in order. The Chair therefore sustains the point of order.

The Clerk read as follows:

All amounts in the Budget for the fiscal year 1926 for printing and binding for any department or establishment, so far as the Bureau of the Budget may deem practicable, shall be incorporated in a single item for printing and binding for such department or establishment and be eliminated as a part of any estimate for any other purpose. And if any amounts for printing and binding are included as a part of any estimates for any other purposes, such amounts shall be set forth in detail in a note immediately following the general estimate for printing and binding: *Provided*, That the foregoing requirements shall not apply to work to be executed at the Bureau of Engraving and Printing.

Mr. RAKER. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. DICKINSON of Iowa. My understanding is this has been carried in the current bill for several years.

Mr. RAKER. It has been carried for the last two years.

Mr. DICKINSON of Iowa. For the last two years.

Mr. RAKER. I withdraw the point of order, Mr. Chairman.

The Clerk read as follows:

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference, directories, books, miscellaneous office and desk supplies; paper; twine, glue, envelopes, postage, car fares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone and telegraph service; traveling expenses (not to exceed $200); repairs to building, elevators, and machinery; preserving sanitary condition of building, light, heat, and power; stationery and office printing, including blanks, price lists, and bibliographies, $74,000; for catalogues and indexes, not exceeding $16,000; for supplying books to depository libraries, $75,000; in all, $165,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries.

Mr. KIESS. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 35, after line 5, insert as a new paragraph the following: "The Public Printer is authorized to print for sale by the Superintendent of Public Documents to the public upon prepayment additional copies of approved Government blank forms."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. KIESS. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 35, line 5, after the word "libraries," insert the following: "*Provided*, That hereafter the distribution of geological publications and the Official Gazette of the United States Patent Office to libraries designated as special depositories of such publications shall be discontinued."

Mr. RAKER. Mr. Chairman, I reserve a point of order.

Mr. KIESS. Mr. Chairman, I would like to say that while this might be subject to a point of order, it will save the Government approximately $40,000, and in the hearings before the committee the facts were brought out. You will notice the amendment does not discontinue the distribution of these documents to the regularly named depository libraries but merely to the special depository libraries, and I think the chairman of the committee would be perfectly willing to accept this amendment.

Mr. DICKINSON of Iowa. Mr. Chairman, I hope the gentleman from California will not make the point of order.

Mr. RAKER. Will the gentleman tell us the names of the libraries the amendment will take out?

Mr. DICKINSON of Iowa. It takes out those libraries that do not want the publications. All they do with them is to throw them in the waste basket.

Mr. RAKER. It does not cut out any libraries that are on the list now and want the publications?

Mr. DICKINSON of Iowa. No; it does not, and it will save a large sum of money.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

In order to keep the expenditures for printing and binding for the fiscal year 1925 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued, the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

Mr. KIESS. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 35, after line 15, insert a new paragraph as follows:

"Purchases may be made from the foregoing appropriations under the Government Printing Office as provided for in the printing act approved January 12, 1895, and without reference to section 9 of the act approved June 17, 1910, concerning purchases for executive departments."

Mr. KIESS. Mr. Chairman, this gives the Government Printing Office the same privilege extended to the Architect of the Capitol in this bill on page 24, line 14. The Public Printer demonstrated to the committee in the hearings that the Government Printing Office could save considerable money in buying certain supplies and not purchasing through the General Supply Committee. While the purchase of supplies for the departments through the General Supply Committee has worked very well, the Government Printing Office is mainly a congressional operation, and you would not want to tie up a manufacturing plant in a private business by compelling it to purchase through some other agency. This is really in the interest of economy and promotes the transaction of Government business and extends the same privilege to the Government Printing Office that is extended to the Architect of the Capitol.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was agreed to.

Mr. KIESS. Mr. Chairman, I have one more amendment which I will offer.

The Clerk read as follows:

Page 35, after line 15, insert a new paragraph:

"The Public Printer is hereby authorized to procure under direction of the Joint Committee on Printing, as provided for in the act approved January 12, 1895, and furnish on requisition paper and envelopes (not including envelopes printed in the course of manufacture) in common use by two or more departments or services of the Government in the District of Columbia, and reimbursement therefor shall be made to the Public Printer from appropriations or funds available for such purpose; paper and envelopes so furnished by the Public Printer shall not be procured in any other manner thereafter."

Mr. RAKER. Will the gentleman explain that?

Mr. KIESS. Mr. Speaker, this was not offered at the request of the Government Printing Office. It was offered at the request of the interdepartmental conference on printing. It has been found that the department can save considerable money in the purchase of paper if they have permission to take advantage of the contract which the Joint Committee on Printing makes for the purchase of paper. We buy approximately $4,000,000 worth of paper each year after advertising for bids. Of course in buying in large quantities we get a better price, and the departments have asked that they be given permission to take advantage of the lower price and buy.

Mr. RAKER. That means that the department can buy at a better price than the Government Printing Office does?

Mr. KIESS. By the Government Printing Office.

Mr. RAKER. It is a saving to the department to get a larger supply than for one department?

Mr. KIESS. Yes.

Mr. DICKINSON of Iowa. We have reduced items in this bill 50 per cent by reason of that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. In extending appropriations or portions of appropriations contained in this act for the payment for personal services in the District of Columbia in accordance with the classification act of 1923, the average of the salaries of the total number of persons under any grade or class thereof in the Botanic Garden, the Library of Congress, or the Government Printing Office shall not at any time exceed the average of the compensation rates specified for the grade by such act: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation is fixed, as of July 1, 1924, in accordance with the rules of section 6 of such act, or (3) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the classification act of 1923 and is specifically authorized by other law.

Mr. ALMON. Mr. Chairman, I move to strike out the last word, for the purpose of getting a little information from the chairman. Before propounding my question to him it will be necessary to make a brief statement. The House will recall that only a few weeks ago we had before us a great national measure for the relief of the farmers and the Government. The bill passed the House, and if it passes the Senate it will mean the reduction in the price of fertilizer one-half. I noticed that my distinguished friend from Iowa [Mr. DICKINSON] the chairman of the committee, and ex officio chairman of the farm bloc, opposed and voted against that measure, but he is now calling attention to the fact of a reduction of 50 per cent in the number of items in this bill. I notice in the bill of his that enormous sums of money are appropriated by the Government for the purchase of fertilizer to be used on the gardens and flower beds around the Capitol and in the Botanic Garden. What I want to know of my distinguished friend is whether these enormous sums of money for that purpose are due to the fact that the Government as well as the farmers must buy its fertilizer from the Fertilizer Trust. [Applause.]

Mr. DICKINSON of Iowa. Mr. Chairman, I regret very much that I have to differ with my good friend from Alabama upon the proposition he refers to, and I have no information with reference to the price of fertilizer.

I move that the committee do now rise and report the bill to the House, with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GREEN of Iowa, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9429, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. DICKINSON of Iowa. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DICKINSON of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

THE MERCHANT MARINE ACT

Mr. GREENE of Massachusetts. Mr. Speaker, I present a conference report upon the bill (H. R. 6202) to amend sections 11 and 12 of the merchant marine act of 1920, and for other purposes, for printing under the rules.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed, with amendments, the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes, in which the concurrence of the House of Representatives was requested.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 1018. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Albany Institute and Historical and Art Society, of the city of Albany, N. Y., the silver service which was presented to the United States cruiser *Albany* by citizens of Albany, N. Y.;

H. R. 5573. An act granting certain public lands to the city of Shreveport, La., for reservoir purposes;

H. R. 6482. An act authorizing the Postmaster General to contract for mail-messenger service;

H. R. 6721. An act to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, as amended, and for other purposes;

H. R. 8886. An act providing for sundry matters affecting the Military Establishment;

H. R. 9124. An act authorizing the sale of real property no longer required for military purposes; and

S. 3249. An act granting the consent of Congress to the construction of a bridge across the Niagara River and Black Rock Canal.

SENATE BILLS REFERRED

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3355. An act granting the consent of Congress to the counties of Marion and Florence, in the State of South Carolina, to construct a bridge across the Peedee River at or near Savage Landing, S. C.; to the Committee on Interstate and Foreign Commerce.

NORTHERN PACIFIC LAND GRANTS

Mr. RAKER. Mr. Speaker, I present a conference report on House Joint Resolution 237, directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes, for printing under the rules.

STEUBEN SOCIETY

Mr. FISH. Mr. Speaker, under leave granted to extend my remarks in the RECORD I insert a speech delivered by me at the annual dinner of the Concord Unit of the Steuben Society in the Bronx on May 20, 1924, which is as follows:

Members of the Steuben Society and fellow Americans: I use that word advisedly for I know of no element among our citizens who are more entitled to be known as Americans on account of their proven patriotism and loyalty to this country. They responded to every call that was made upon them in the war. They gave of their blood and of their treasure, and I challenge anyone to impugn the patriotism or the loyalty of Americans of German descent. Ninety-nine per cent of those of German origin are as good citizens as any in the country, and they have shown it not only in the last war, but they have shown it from the very foundation of this Republic. I can not claim that I have any German blood in my veins, but if I had I would be proud of it. I would not hide it under a bushel basket. I have

no German blood; I have no Indian blood, but I have plenty of good old New York Dutch blood in my veins.

I was asked to speak last night by the Steuben Society in Newark, and I was very glad that I had been invited, because I took occasion to send to the Congressional Library for the life of General von Steuben, by Kapp, and I found, much to my delight and surprise, that my grandfather, Nicholas Fish, a young man of 20, a major in the Revolutionary Army, had served as inspector general under Von Steuben, and that he was his close and intimate friend. He was in correspondence with General Steuben until the latter died in 1794, near Utica, N. Y. He also succeeded Steuben as president of the Cincinnati Society of the State of New York, and it is a matter of great pride to me to make that discovery.

I am going to speak just for one moment on a subject that many of you may not agree with me on and that is because of my own interest in the adjusted compensation bill that was just passed by Congress. I appreciate full well that you people in New York who get your information from the press may not believe in this policy or principle, but let me tell you that General von Steuben received from Congress an annuity of $2,500 a year for the balance of his life. That was in recognition of his loyal service. It is the patriotic duty of all good citizens to fight for the liberties of their country in time of war whether they are paid or not, but it is equally the patriotic duty of Congress to recognize this service after the war and see that their compensation is adjusted, and that was the case of General von Steuben, and applies equally to the veterans of the recent war.

I introduced in Congress the so-called German relief measure appropriating $10,000,000 to send relief to the starving women and children in Germany, who are starving now at this very moment as we sit here. They need the support of every man and woman not only here but of everyone of German descent in this country if we are going to put that bill through Congress and supply foodstuffs to the helpless and poverty-stricken children of Germany.

Now let me tell you why I introduced that bill. I have very few people of German origin in my district up the Hudson River, but I was abroad this summer and I know something of the conditions, as I traveled throughout Germany. When the Reparation Commission denied the request of the German Government for priority to float a loan of $70,000,000 in the United States and England to feed their population I realized that the only way they could get relief in addition to private charity was from the Congress of the United States. Before I introduced the bill I was speaking at a dinner of Republican women on Armistice Day in Harrisburg, Pa., on our foreign relations, a general subject, and in passing I mentioned I thought it was the duty of Congress, if evidence was produced that German women and children were starving, to take some action to relieve the situation, and after the dinner was over one woman came up to me and said, "That was the most pro-German speech I ever heard; I would not buy a thing in Germany; I would like to see every German woman and child starve to death," and as she was saying that to me another woman came up and probably overheard it—a woman of middle age—and she said, "Mr. FISH, I agree with practically everything you said to-night, and particularly what you said about giving relief to the German women and children; I lost my only son in that war." That is the true spirit of America; that is the spirit of humanity and charity; the spirit of good will and of peace; that is the spirit that rules in this country. It is not the spirit of a few Francophiles, who do not yet know the war is over, who are now sending into Congress appeals not to pass this legislation—far more appeals than are coming in from the Steuben Society. I really believe that unless you people respond and let your wishes be known that this legislation will not be enacted into law at this session of Congress, in spite of the help afforded me by Mr. Maier, your representative in Washington, a man who belongs to a different party from me—I think a close friend of the late Charles Murphy; at least a man who has acquired much of his political sagacity and who is now trying to convince the Senators of the United States of the necessity of passing the German relief bill.

When I introduced the bill I told the Committee on Foreign Affairs that I would withdraw it unless I could prove to their satisfaction that two and one-half million German children were slowly dying of tuberculosis, undernourishment, and starvation. I produced competent witnesses, practically all of American blood, professors from Columbia and Pennsylvania, General Allen, priests, relief workers, all of whom had just come back from studying the economic conditions in Germany, and after they had given their testimony before our committee there was not one single member who did not agree that these tragic conditions existed and millions of children were slowly starving. We did not fight German women and children. They did nothing to bring on the war. Many of the children were born since the war. We have accumulated the gold supply of the world; our granaries are bulging with wheat and corn. Are we to shirk our obligation to humanity, wipe our hands like Pontius Pilate, and let children die? That is the issue.

Only a few members of our committee voted against the bill and their opposition was based on constitutional grounds.

One of the members of our committee who voted against the bill because of constitutional reasons gave $500 of his own money to General Allen's relief committee. We went into this subject very thoroughly. We were convinced by the testimony that these children were dying; that there were 20,000,000 German people in need of relief who were being fed by the German Government, the municipalities, and by the rich people of Germany, but there is not enough to take care of these two and one-half million children who live on one meal a day. All of you have children. I have a child, and I know nothing is too good for that child. I know that I buy special food and special vegetables to make the baby strong; but think of these children who have equal right to exist living on a little bread, and that is all they get to eat. We American citizens, with everything to live for, with all the wealth of the world at our disposal and an abundance of foodstuffs, with no market for our surplus, which rots on the ground or is fed to the cattle, have so far refused to recognize our obligation to humanity.

It is not necessary for me to appeal to this society for aid, but I believe that if certain Senators in Washington heard from you individually and collectively and knew that some Americans believe in this legislation, believe in the saving of human lives, believe that it is an investment in humanity and civilization and its dividends will be good will and peace, then that legislation will be enacted into law at once.

It is getting a little late in the evening, and I know that I should not take your time, but there are certain things in my heart I feel I should say, and maybe you would not agree with me, but I think I am entitled to say it because I fought your battles, not as men and women of German descent but your battles as American citizens, on the floor of Congress. They could not and they did not dare call me pro-German. I served two years with a colored regiment that came from Harlem. Two years ago anyone who mentioned anything in Congress about German rights was immediately subjected to being called pro-German, but in spite of that some of us led the fight in Congress to return all the alien property that was taken from American citizens of German origin and from German citizens, because to hold it longer would be contrary to well-established international law and sound American policy.

I think I can in all fairness speak from my heart to you, because I believe you are as good American citizens as were ever born and just as good if not better than myself. I know your principles; I know you are upholding Americanism; I know you are protecting your own rights; and although I agree with every word that the Senator from Oklahoma has said regarding the origin of the war in Europe, I caution you not to confuse that issue with our entrance into the war and impugn the motives of American citizens who went into this war, as many of us believed then and many still believe, because the war was forced on us against our own wishes by a few ignorant and autocratic German military leaders who declared war against us by attacking our ships without warning.

Do not go from this room to-night, although we may be of different opinion, as I respect your Americanism too highly, and say that those 15,000 Americans of German descent who came to the defense of this country and paid the supreme sacrifice did so because of a lie. Remember that the Americans of German descent responded in this war as well as any other Americans. They contributed their share in every single phase of the war; but just remember this, that what the Senator said applies to the origin of the war in Europe and not to the fact that we will always defend our rights, whether against Germany, France, England, or against the world. I give you that message because I believe in you; I believe in the society or I would not be here; I believe in the work you are doing in teaching civics, good citizenship, and Americanism; I believe in the great part which you contributed in making this country what it is and what you will do in the future, and I am ready at all times to defend the part played by Americans of German descent in this country and in all our wars, both on the floors of Congress or anywhere else, but I can not defend it the way I want to if you go outside this room to-night and say that you and your people do not realize that this war, at least, was partly forced on us against our own will, and I say that as an American citizen.

When I was in Germany this summer I found that there was a friendly feeling among German people toward America, but they, too, were carried away by propaganda, and propaganda is legitimate in war. They believed that America entered the war to make money. They little realize that that war cost us a national debt of $24,000,000,000 and that we asked for no reparations, indemnities, or territories. We asked for nothing, and we got just what we asked for—nothing at all.

The greatest single event I believe that has happened since the armistice has been the fact that the suppressed common sense of the French people has finally spoken and ousted Raymond Poincaré. I believe the French people in their heart, just like the Germans, want peace and have at last spoken in the terms of peace. I believe there can be only one peace, and that is when there is a general desire of the people for peace, and that must be based on the principles of justice, conciliation, and cooperation. I know the feeling among the German people to-day; I know the spirit of revenge. I don't blame them a bit. I don't blame

the mother of the child who is starving to death, but I hope this recent election will lead the way to peace based on justice and bring French and the German people, in spite of all their suffering, to some kind of common understanding to prevent another war. I know the women of German descent in this country, and I believe the women in Germany themselves, if given a fair opportunity, if given a peace based on justice, will help bring about that understanding which means not only the security of peace but happiness for both the French and German people.

I agree with everything that Senator OWEN has said, except as to entering the League of Nations at this time. I believe myself in the principles of the League of Nations. I believe sometime in the future we should go into the league with reservations, but I am opposed to going now, because the League of Nations is an enforcement agent of the treaty of Versailles, conceived in cupidity and in a spirt of revenge, which has created in the place of one Alsace-Lorraine a dozen Alsace-Lorraines, and I do not believe this country should jeopardize its liberty of action by becoming any part of the league at this time simply to enforce that treaty; but once that treaty is modified and justice is done, I will gladly advocate going into the League of Nations.

Just one more word so you will understand the proposition a little better because I too am a member of the Foreign Affairs Committee and have made some investigations of the league and have attended its various meetings, and believe in its fundamental principles. There is an article known as Article V, which requires unanimous action of all the countries making up its membership before anything can be done. That is why they have not been able to settle the Ruhr question or any of the serious controversies that have arisen in Europe since the war; for example, if unanimous consent was required in the Senate to enact legislation, no important measure could get through on that basis. That is a fact that can not be denied, and if we entered we would surrender our liberty of action. That is why I am opposed to it and not because I do not believe in its principles and wish to promote peace, but I believe that the American Nation can promote pence far quicker by staying out and by calling another international conference to limit armaments and to help solve the economic situation, either based on the Dawes plan, or some other plan, but it must be done immediately before all the nations of Europe sink into chaos.

I have already exceeded my time, so I simply want to say in closing that I pledge the Steuben Society my support, in season or out of season, in upholding the principles for which they stand, and upholding the patriotism, loyalty, and Americanism of all citizens of German origin in this country.

POSTAL EMPLOYEES' SALARIES

Mr. SPROUL of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the salaries of postal employees.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPROUL of Illinois. Mr. Speaker, to preserve the "American standards of living" is so recognized as the general policy of Congress that we make it the underlying principle in framing our tariff law, which is the most important task of the legislative body. Thus we make it a basic consideration which has a very decided influence on all business of this country. Yet in the biggest business in the world, the United States Postal Service, which is the one Government agency that is nearly self-supporting and which directly serves every other business in this country, and without which any and all other business would be paralyzed, the American standard of living is given little consideration.

In the Postal Service Uncle Sam has more than 300,000 partners. Besides the 35,000 letter carriers, there are 56,000 clerks, 44,000 rural carriers, 52,000 postmasters, and 19,000 railway mail clerks. If from these workers we exact first-class service, we should give them first-class pay.

While the latest Budget figures from the Government statistics show that it takes an income of $2,458 to maintain an ordinary family, after arduous duties and sacrificing privations the faithful employees in the Postal Service, from whom we expect abnormal abilities and unerring exactness, receive salaries ranging from $1,400 to $1,800 a year, with a reduction of $35 and $45, respectively, for pensions, which leaves a weekly salary of $26.25 to $33.75.

Let me remind you what the Postal Service is; how it has with true American spirit pioneered through three centuries; how it is pioneering to-day, and what it does for you and me and every citizen of the 110,000,000 throughout the length and breadth of the land. On the frieze decorating the Washington City post office we can read this creed of the Postal Service, as worded by Dr. Charles W. Eliot, president emeritus of Harvard University:

> Messenger of sympathy and love;
> Servant of parted friends;
> Consoler of the lonely;
> Bond of the scattered family,
> Enlarger of the common life;
> Carrier of news and knowledge;
> Instrument of trade and industry;
> Promoter of mutual acquaintance,
> Of peace and of good will
> Among men and nations.

From the earliest days civilization has meant communication. Roman messengers speeding to the ends of the empire changed tired horses for fresh at relay stations on the roads to Gaul, Britain, Germania, and Spain. These stations were called "posts," and from this significant term marking the relay we get to-day the nucleus of our conception of the world-wide Postal Service—the post office—and everyone's friend, the postman.

It was a mail courier who blazed the first trail between New York and Boston. It was the mail coach which brought into existence the old Boston-New York-Philadelphia-Baltimore turnpike, the first great American highway. Benjamin Franklin, as Deputy Postmaster General, made this post road serving the scattered colonial settlements show a greater income than the principal post road between England and Scotland. Richard Fairbanks, who conducted an office in a Boston tavern in 1639 to receive letters from ships, was the first colonial postmaster.

It was in 1775, a year before the Declaration of Independence, that the postal system of the American Colonies was established by the Continental Congress and placed in charge of Benjamin Franklin. Later, when the Constitution was adopted, the system was taken over bodily and made the Post Office Department of the United States. Benjamin Franklin, as the first Postmaster General, received the munificent salary of $1,000 a year. The first annual report made by Postmaster General Samuel Osgood to President George Washington showed the gross receipts of the United States as $25,000. The service has kept pace with the growth of the country. With a population of 110,000,000 the postal receipts for the fiscal year ended June 30, 1923, were $532,827,925.

Railroads were patronized by the Postal Service from the time the first few miles of track were laid. Subsidies through the Postal Service made possible the maintenance of many of the early railroads. The railway post office was adopted in the United States in 1864.

The Postal Service has always followed on the heels of the pioneer settlers as they advanced westward. Service to-day to Point Barrow on the northernmost tip of Alaska and to the isolated miners in the fastnesses of the mountains bears out the motto, "Where American citizens go the mails go."

Gummed postage was adopted in the United States in 1847. Postmaster General Montgomery Blair initiated the movement in 1861 which resulted in the formation of the Universal Postal Union. A concrete example of this international cooperation is found in the fact that the letter sent for 5 cents to Australia to-day cost $2.04 in 1857.

It was the demands of the Postal Service which first brought night trains on the railroads, and the first "fast mail trains" were followed by fast passenger trains.

Postmen to-day bring mail to the doors of millions of homes. Free delivery of mail service in cities began in 1863. The money-order system was adopted in 1864. In 1922 the amount of money sent by money orders was $1,205,000,000. There were more than 150,000,00 orders issued. These figures do not include the funds sent abroad by international money orders, which totaled $20,650,000. At the same time $14,961,000 in money orders issued abroad were paid in the United States.

Postal savings banks, the greatest savings bank in the world, was started in 1911. The total deposits in 1922 were $140,430,167.93. The United States Government stands back of this bank.

Rural free delivery service brings the city to the country. This rural service was started in 1896.

Parcel post was adopted in 1913. Air mail service was started May 18, 1918. For three years it has been operating on a transcontinental route 3,000 miles long, from New York to San Francisco, and earned in 1922 the honor of making the greatest contribution to the progress of American aviation. In 1922 the air mail planes, flying 2,000,000 miles without a fatal accident, carried more than 1,000,000,000 pounds of mail. Although interstellar service has not yet been established by the Post Office Department, it is a fact the routes covered by the railway mail cars in 1922 reached the planetary propor-

tions of 212,012,239 miles. This transportation cost $82,330,000. The Postal Service now uses 5,000 postal cars.

Almost every conceivable type of transportation is used to move the mails—railroads, steamboats, automobiles, airplanes, motor boats, wagons, horses, pneumatic tubes, belt conveyors, motor cycles, bicycles, the sled of the Arctic, and even the "dog car." Automobiles are running a race for numerical supremacy with the railway postal cars. There are now 4,812 in operation carrying the mails.

Every year the United States Postal Service handles 18,000,000,000 articles. Every year the increase in number of articles in the mails is more than a billion. Of the total mail submitted, 12,000,000,000 pieces are letters.

Every year the Postal Service on an average delivers 112 letters to every man, woman, and child in the United States. Atlas would have a tough time lifting the annual load of letters alone that the Postal Service moves. It is estimated to total 133,350 tons. Every second of the 24 hours of every day there are 389 letters dropped into letter boxes, every minute 23,334, and every hour 1,400,000.

In fact, every business and every home in American cities is served by the 35,000 postmen. The farmer, too, about whom Congress is so much concerned these days, is not neglected by the Postal Service. To-day 44,186 rural routes supply mail to 6,425,770 families, or 29,700,000 individuals. Out West the Postal Service has established a veritable automobile railroad 125 miles long to the fruitful Uintah (Utah) Valley, to which no private railroad has penetrated.

The receipts of the Postal Service for the fiscal year ended June 30, 1923, were $532,827,925, an increase of 9.89 per cent over 1922. Is that not an amazing and most gratifying panorama of big business development and efficient service during the last 150 years?

It is a tireless devotion to duty, superior ability, and constant dependability day and night under the most trying circumstances by the army of faithful postal employees that has made such service to the American people possible.

Let us see how such services have been rewarded. While the receipts of the Postal Service during the fiscal year 1923 increased 9.89 per cent the increase in the clerical force was only 2.06 per cent, with no increase in salary.

In the year 1883 Congress passed a classification law which established grades from $400 to $1,400 a year, with no provision for promotion and no regard for faithful and efficient service.

A second measure was passed in 1907 providing for automatic promotion from $600 to $1,100.

The present classification bill was enacted in 1920, establishing five grades, ranging from $1,400 to $1,800 per year, with two special grades of $1,900 and $2,000 for meritorious service.

The present salary law was enacted in 1920 when it was expected that the high cost of living would recede, but the supposition was not well founded, because instead of the cost of living receding it has greatly advanced, and in a very detrimental and hopeless manner. While the cost of food and clothing has fluctuated considerably and has been reduced somewhat, the fixed and unescapable cost of the absolute necessities of life, such as house rent, the purchase and upkeep of property, taxes, transportation, fuel, and light, has steadily advanced out of all proportion to the meager salary now paid to the postal employees.

In a bill fathered by Representative M. CLYDE KELLY, of Pennsylvania, the postal clerks are asking for an increase in salary to range from $2,000 to $2,400 a year. This bill had the support of the National Federation of Post Office Clerks, the Railway Mail Association, the National Association of Letter Carriers, the National Federation of Rural Carriers, the League of Third and Fourth Class Postmasters, and other bona fide organizations of postal employees. After months of deliberation, the House and Senate Post Office Subcommittees, which jointly have been working out a pay-increase schedule for postal employees, have reported bills recommending a flat increase of $300 for clerks and carriers, and unanimously agreed that a pay bill should be enacted at this session.

From personal knowledge of the situation in the post office in my home city of Chicago, I have come to realize the great hardships under which these devoted and efficient employees are carrying on. Owing to one of humanity's queer quirks, the greater part of the work has to be done in the evenings, the rush time being between about 4 and 8 o'clock. That is because the business mail of Chicago—and the city contains nearly 40 important mail-order houses, which alone would keep a postal system going were nothing else ever sent out—is for the greater part not mailed until nearly 5 o'clock.

The outgoing mail has to be arranged with a view to its distribution among the various railroad stations, of which in Chicago there are six. Each clerk has to know his schedule of trains and their connections, the map of his routes, the post offices reached by them, and the stations on the railway line. Finer separation still is done by the railway mail clerks in the mail cars on the journey; but their bags must be in such order that those for near-by stations will come to hand first. On a train from Chicago to Minneapolis, going through Milwaukee, the bag for Milwaukee or Oshkosh must be ready when the proper junction is reached. More time can be allowed for bags to be dropped off at the station or junction for points farther on, such as La Crosse or Rochester.

I do not need to emphasize to my colleagues in this House the fact that this exacting work is being done not only in my home post office, Chicago, but everywhere throughout the country under the worst possible conditions, because you know the general need for new post-office buildings. You know that mail is being sorted in damp cellars and even out on the sidewalk, because the proper housing of the Postal Service was neglected for more urgent war needs and we have had no general public buildings bill since the war.

During the hearings on the bill which we have recommended to Congress for the earliest possible passage, and which I trust will become a law, a woman from my home city, Mrs. Mary V. Halas, president of the National Women's Auxiliary of the National Federation of Post Office Clerks, pleading for 35,000 wives of post-office clerks, pleading that their family life may be restored to American standards of living, presented a distressing narrative. She made us realize the unnatural life forced on postal employees by night work, the uncertain overtime, and nerve-racking strain which are a particular tragedy in the lives of the wives, mothers, and children. With the husband and father working nights and seeking his rest during the daytime, there exists an unnatural family life. The ordinary social life of their relatives and neighbors is denied them. To the average woman, being alone at night in the home without her natural protector, is a fearful experience.

To this hardship is added the disagreeable feature of the study of mailing schemes, which must be done constantly by the post-office clerk on his own time. The major part of his little leisure is taken up in this manner. There can be little room for the amenities of home life, Mrs. Halas pointed out, for wholesome recreation or inspiring reading in such an existence. The full testimony of Mrs. Halas, which I invite my colleagues to read, appears on pages 165 to 171 of the joint hearings of the subcommittee on postal salaries.

We who are familiar with the demands of artisans of all lines of work, even common laborers, during the last few years who are receiving from $6 to $30 a day can appreciate that their wages of from $26 to $33.75 a week are inadequate for any class of labor in these days of high cost of necessities of life. But let us consider the character of the postal employees.

All postal employees must possess an average amount of education and intelligence. They must undergo a certain amount of preparation in order to fit themselves to perform their duties efficiently and intelligently. Out of this large number of employees, 57,183 are postal clerks, and in order to perform the various responsible duties assigned to them they must possess a good education and an exceptional natural ability.

They must have a good moral character and a good physical constitution. Their duties are very exacting and require a great deal of concentration and constant application. The rules and regulations governing their efficiency records are very rigid and every error of delinquency automatically reduces it.

The postal employee is a skilled worker of the highest type. But he is faced with this disadvantage: The only place he can employ his skill is in the Postal Service. There is no other market for his services, and when Congress fails to provide a salary adequate to maintain him and his family in health and decency, he must seek outside employment that he can perform during those hours that he needs for rest and recuperation. Or, as so often happens, his wife must seek employment and his children leave school to supplement his meager salary. It means deprivation of home life, neglect of paternal and maternal care for his children, and many other sordid things that are repugnant to our American ideals.

In support of the contention of the postal employees that their pay should be materially increased, purely as a business proposition, as well as because of humanitarian considerations, it should be taken into account that—

(1) The post-office clerk is a skilled worker rendering vitally necessary services.

(2) His pay, almost entirely, comes from Postal Service earnings and not from taxation.

(3) The 2-cent stamp of to-day buys more service (labor) for postal patrons than 40 years ago. A unique record in these days of soaring labor costs.

(4) The post-office clerk is justly entitled to share in his greater productivity. To deny him this right is to indict the Government as an employer.

(5) There is a larger labor turnover in the clerical branch of the Postal Service than any other branch of Government employment, due largely to unattractive wage and working standards.

(6) The wage of the post-office clerk should insure him:

a. Comfortable living quarters.

b. Good, healthful food, with an occasional chance to enjoy delicacies.

c. Enough good clothing for most purposes.

d. The chance for the wife to buy enough mechanical and physical aid to relieve housework of much of its drudgery.

e. The means to buy books, go to the theater, and give the children adequate education.

f. At least a limited amount of recreation.

g. Some insurance and a little fund of savings.

(7) Low wages are more costly than high wages. A high standard of postal pay means a more dependable Postal Service, the value of which can not be calculated. Higher postal pay, therefore, is a sound investment for the American people.

This is not a question that concerns only the big industrial centers. The Postal Service is a national institution. Its scope is universal. Any deterioration in the service at one point means impairment of the entire service and makes it the concern of all the people.

The press of the country is practically unanimous in its editorial expressions in favor of higher pay standards in the Postal Service.

Recently the Union Postal Clerk, the official journal of the National Federation of Post Office Clerks, conducted a prize essay contest in which the post-office clerks were asked to set forth reasons why Congress should increase their pay. More than 150 essays were submitted. The judges awarded first prize to a post-office clerk in my home city, Chicago, Charles F. Dolan, who said that two essential things would almost immediately result from this course—elimination of the deadly turnover and the attraction to the service of high-grade men.

Under the caption "Fair Pay Is Good Business" a great newspaper published in my home city, the Chicago Daily Tribune, shows that the newspapers of the country are in favor of giving a decent living wage to postal employees even though the newspapers themselves would be the heaviest sufferers through increased postal rates.

The Chicago Daily Tribune said editorially on April 9, 1924:

Assuming that the Postmaster General's figures and deductions are accurate, they form no valid argument against the salary increase proposed. Business men, who are the chief users of the Postal Service, will be the first to subscribe to that view, we believe. Certainly few lines of business spend more money on postal service than the newspapers, and the Tribune, for one, still believes it would be a paying investment in the long run to raise the salaries of postal employees to a reasonable scale, even though postal rates must be increased to finance the raise.

All successful business men recognize that there is a point at which low wages or salaries cease to be economical and become wasteful. It is the point at which such low salaries discourage the workers and lower their morale, their loyalty, their standards of living, and their efficiency. Salaries in the Postal Service, for the most part, are now at that point. They are no longer attracting the proper type of new employees, they are not holding the experienced employees in the service; they are not producing the best efforts of those in the service.

All these disadvantages can be overcome by authorizing salary increases now before Congress. If slightly increased postal rates are necessary to finance such raises, let's have them. Fair pay is good business.

While the bill which our committee has reported provides for increases in salaries to all postal employees, we must not forget that the salary question is but one of three recommendations for improving the Postal Service. A second big problem is that of the huge amount of unnecessary night work, although great improvement has taken place of late years. Many of the postmasters—the Chicago postmaster among them—have made great and consistent efforts to further the more even distribution of mail throughout the day. Postmaster General Will Hays, his successor, Mr. Work, and the present Postmaster General, Mr. New, have all been most anxious to lessen night work.

The plan advanced by the great majority of postal clerks is what is called the time differential. This is embodied in the bill now before the House and provides that 6 hours and 40 minutes night work shall be considered the equivalent to 8 hours day duty. All experience in organized trades has shown that the penalizing rate for overtime has a much more far-reaching effect than merely giving remuneration for night work. It effectually lessens it, for the manager, superintendent, or foreman immediately sets his wits to work to find some other way to handle the pressing volume of work.

During the World War we saw the American soldiers gloriously successful because of their magnificent morale. That was because they realized that the American people to a man were behind them heart and soul, bending every effort to provide all requirements of any emergency. The same sort of morale must be maintained in our peace-time army of Government employees who are carrying on in a way that makes the United States Government in peace as well as in war the admiration and envy of the rest of the world. This can be done only by proving that we intend to maintain in the Government service the American standards of living that through our tariff legislation we have made the basis of our trade at home as well as with the whole world.

NO PUBLIC BUILDING BILL PASSED CONGRESS FOR 10 YEARS

Mr. JAMES. Mr. Speaker, Congress will adjourn once more without a public building bill being passed. There were several efforts made by those that believe in "omnibus" public building bills, or what are commonly known as "pork barrel" bills—the "you scratch my back and I will scratch yours" kind of bills. These gentlemen do not seem to know that the time has gone by for the kind of legislation where, in order to get an appropriation for good projects, you have to "swallow" a bill that contains at least half of totally unwarranted ones.

The sooner it is understood that in the future no bill for public buildings will pass unless every item in it has been approved by the Treasury Department and the Post Office Department the sooner will Congress pass a public building bill.

I understand that the Rivers and Harbors Committee reported out a bill carrying $30,000,000 and that they were promised a special rule by the Rules Committee. Members with pet projects insisted upon getting them in, at a cost of $23,000,000 more, with the result that the Rules Committee refused to grant a rule. This ought to be another test of how Congress feels about "pork."

There has been no public building bill passed Congress since I have been here. At the last session, when it was stated that a bill was to be put through and that many of the items were not deserving, President Harding called the leaders of the movement to the White House and told them that he would veto it if they succeeded in putting it through, and the matter was dropped. Very lately when a similar movement was started word came from the White House that President Coolidge was against the matter, and it was dropped.

My personal opinion is that Congress will never pass another public building bill unless a bill like the ones I have introduced becomes a law. I am interested in results, not in credit, and I will be glad to have the chairman or any member of the committee introduce a bill, or one like it, and get all the credit for it.

It is too bad that a Member of Congress can not introduce a bill for a town or city in his district and have his bill judged on its merits and reported out if it is deserving. Bills with merit ought not to be kept in committee because a bill can not be passed that carries poor or rotten items. I only remember two bills being reported out of committee and, to use a baseball expression, "neither of them got to first base."

Here is the report of the committee:

[House Report No. 1622, Sixty-seventh Congress, fourth session]

The Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 13596) providing for the erection of a post office and public building at Belding, Mich., having duly considered the same, hereby make report of it to the House, with the unanimous recommendation that the bill do pass.

The committee has made an investigation of the needs of Belding and is fully convinced that the governmental activities there are sufficient to warrant favorable action on this bill. The committee desires the House to know that it is departing in this instance from its policy not to report an individual bill, but to include all such propositions in an omnibus bill, for the reason that the author of this bill, Representative Joseph W. Fordney, of Michigan, is retiring from Congress at the end of this session after 24 years of faithful, efficient, and distinguished service, and it is constrained to do this because of the high esteem in which he is held by the Members of both sides of the Chamber.

The committee desires to state further that it is taking similar action on a bill of which Representative William W. Rucker is the author, whose case is exactly parallel to this one, in that he is retiring from Congress at the end of this session after the same length of service—24 years—and who has rendered the same faithful, efficient, and distinguished service and who is likewise held in the highest esteem by his associates in this body on both sides of the Chamber.

The committee recommends immediate and favorable action by the House on this measure.

Here is how the Director of the Budget feels about the matter of putting buildings that do not deserve them. In a speech before the Detroit Chamber of Commerce some time ago General Lord said in part:

Any hope for new Federal buildings here—Detroit—must wait until Congress adopts a building program.

The chairman of the House Appropriations Committee, who holds the purse strings of the House, has similar views, as I will give later in a letter he wrote me when I had a request for a public building at Ironwood, in my district.

Here is a copy of the bill that I introduced for the first time on April 12, 1916, and several times since then. I sincerely believe that if this bill or one along the same lines became a law that we would find deserving towns and cities getting the kind of a building to which they are entitled, according to postal receipts, population, and prospective growth of the town or city.

A bill (H. R. 14535) requiring all public building bills to be submitted to the Secretary of the Treasury for investigation and report as to whether proposed buildings and sites are needed and the expenditure justified, and as to the lowest cost at which buildings found necessary may be erected with economy and efficiency.

Be it enacted, etc., That whenever a bill is introduced for the erection of a Federal building, or the purchase of a site therefor, or for both such building and site, said bill shall be referred to the Secretary of the Treasury for investigation and report. The report of the Secretary of the Treasury shall set forth the following specific information:

First. Population of the municipality, according to the latest Federal or State census, wherein such building is proposed to be erected, and the population as shown by the next preceding Federal census.

Second. Total postal receipts of the office of such municipality for the preceding year; also the postal receipts for the preceding tenth year and the estimated postal receipts for the tenth succeeding year.

Third. Total square-foot space at present occupied by the several branches of the public service and estimated square-foot area required in new building to accommodate the present business and for the increase of business during the succeeding 10 years.

Fourth. Annual rental of building, or buildings, then being used for such post-office purposes and for other branches of the Federal service.

Fifth. Amount of expenditures for the erection of such new building recommended by the Treasury Department.

Sixth. Approximate annual cost of maintaining such new building, the estimated cost of equipment, estimated cost of repairs, depreciation, and interest on cost of site and building.

Seventh. The branches of the Government to be accommodated and such other items as may enable him to make a comprehensive report to Congress.

SEC. 2. That in ascertaining the needs of the Government service he shall consult such other departments of the Government as require accommodation in the city or town for which the bill has been introduced, and in such cases as he deems it necessary or desirable, shall cause examinations of the conditions involved to be made locally and reported upon to him by employees especially designated for the purpose.

SEC. 3. That the Secretary of the Treasury shall lay before Congress the result of his investigation, and shall state whether, in his judgment, the needs and interests of the Government service require the enactment of the bill, whether the expense is justified, and also the lowest cost at which a building found necessary or advisable may be erected consistently with economy and efficiency.

SEC. 4. That the Secretary of the Treasury is hereby authorized and directed to submit to Congress annually estimates of appropriation for the compensation, traveling expenses, and subsistence of such force of inspectors as he deems necessary to make the examinations locally as authorized in section 2 hereof.

This bill had the approval of the Treasury Department at that time. In fact, they worked with me in drawing up a bill that would cover the things we wished to prevent.

In a report made about that time the Secretary of the Treasury said in part:

I am convinced that the methods pursued by the Congress for the past 15 years of providing Federal buildings through so-called omnibus building bills have resulted in the construction of many public buildings in small towns and localities where they were not needed, and at a cost which is clearly unjustified by any actual requirments of the communities in which they are erected. The conclusion is irresistible that authorizations for public buildings in these small communities are too frequently dictated by local reasons and without regard to the best interests of the Government. In the past two decades the Congress has authorized and appropriated approximately $180,000,000 for public buildings, and the major part of this great sum has been expended on costly structures in small localities, where neither the Government business nor the convenience of the people justified their construction; and while the initial cost of these buildings represents a large waste of public funds, this is not the worst of it. The most serious aspect is this: The annual operation and maintenance of these buildings impose on the Treasury a permanent and constantly increasing burden. There are now more than 1,000 Federal buildings to be operated and maintained, and this number is being increased at the rate of a new building every fourth day in the year. * * * Common sense and business judgment would seem to demand that structures for the transaction of Government business should be authorized only in localities where they are imperatively needed, and that buildings should not be erected where no public necessity can be shown. This result could be accomplished by divorcing the public-buildings question from all local or political considerations, and authorizing no public buildings until a thorough and intelligent investigation of each proposed building or project has been submitted to the Congress. If such reports were followed by the introduction and passage of separate measures to cover each proposed building project, the abuses and evils of the omnibus-bill method would be eradicated.

Under date of December 12, Mr. Quirt, chairman Ironwood Commercial Association, Ironwood, Mich., wrote me stating they thought they were entitled to a public building and ought to have one. Ironwood is in the same position as Chicago, New York, Philadelphia, Detroit, and many other places that are entitled to post offices. They are the victims of the vicious system here by which deserving cities can not get that to which they are entitled unless their Congressmen will vote for a bill carrying appropriations for towns where the building is not a necessity, which would be a shameful waste of money. Until the system is changed, Detroit, Chicago, and all others will have to wait.

My letter to Mr. Quirt, dated December 15, 1922, expressed my views then, my views now, and my views since being a Member of the House.

DECEMBER 15, 1922.

Mr. HOWARD A. QUIRT,
Chairman Ironwood Commercial Association,
Ironwood, Mich.

In re public building at Ironwood.

MY DEAR MR. QUIRT: I beg to acknowledge receipt of your favor of the 12th.

I beg to inclose herewith copy of speech that I made several years ago. You will kindly note that in order to get an item for a place like Chicago, New York, etc., the kind of "pork" items that the Congressmen from those cities were compelled to vote for, the result was that they voted against the bills even if their own city was to be benefited.

This speech expressed my views at that time and now.

I inclose herewith copy of bill that I introduced then and which received favorable comment from papers all over the country. I introduced the bill again last June.

Under date of October 2, 1922, Hon. John H. Bartlett, First Assistant Postmaster General, wrote me in part as follows:

> "The bill which you have introduced appeals to me as being a good one, and I trust that the necessary legislation will be enacted."

No public building bill has passed since I have been in Congress. The last one that passed carried an item for a public building at Houghton, but, as you know, the building has never been completed because Congress did not pass a bill allowing them the necessary appropriation.

When Congress is ready to commence building, buildings authorized in 1910, as Houghton, would be taken care of first, we are given to understand.

My personal impression is that no public building bill will ever pass Congress until Congress first passes a bill along the same lines as the inclosed.

We have been given to understand that President Harding will veto any "pork barrel" public building bill. If so, the chances are that it will not be reported out of committee.

If I come home at Christmas, will be glad to come to Ironwood and talk the matter over with you.

With best personal regards, I am,

Very sincerely yours,

W. FRANK JAMES.

Upon receipt of my letter, Mr. Quirt, who was also the editor of the Ironwood Daily Globe, Ironwood, Mich., wrote a very

strong editorial commending my attitude and stating that my position was "unassailable." Mr. Quirt also congratulated me for "having saved the National Treasury considerable money by his fight against the old-time procedure in building Federal buildings." I agree thoroughly with his views that "the time has come when those communities which need post-office buildings should have them." There are many men in Congress that agree with his views and mine. The only trouble is in having the members of the Public Buildings Committee agree with our views. Such a bill could pass Congress if the committee in charge would report out such a bill or one like it. They would have the backing of the Treasury Department, the Post Office Department, the President, the best papers in the country, large and small, public sentiment, and a majority of each House of Congress.

I quote the full editorial herewith, dated December 19, 1922:

JAMES AND POST OFFICES

Congressman JAMES in his letter to the committee named to investigate Ironwood's prospects for a new post-office building makes his position on the subject so clear there can be no misunderstanding it.

It has been known that JAMES has been opposed to "pork-barrel" methods of obtaining Federal buildings; but it was believed here that he might consider the present or near future as an opportune time for making an effort to obtain something for his district, especially where these buildings are badly needed.

There can be no questioning the fact that JAMES's position is unassailable. He is right, without doubt, but what will "peeve" such communities as Ironwood and Houghton is that each needs a Federal building and should have it but can not because there is no law eliminating the famous congressional "pork barrel."

Mr. JAMES takes the position that there should be created in the Treasury Department of the Nation a bureau which will have charge of the allotment of buildings to communities. This bureau would investigate the need for public buildings where they are sought. If the need is sufficient and the town healthy, a building would be recommended. Otherwise the request would be rejected, even though backed by all the pressure politicians could bring to bear.

Already JAMES has introduced such a bill twice in Congress, but it has never been enacted. Until it has been, however, it can be seen that there will be no post-office building erected. Houghton was granted a Federal building in 1910. A sight was purchased and everything set in readiness for the building to be erected. This has not yet been done nor will it until the James bill or something similar to it is passed by Congress, according to the stand taken by Mr. JAMES.

Far be it from us to advocate "pork-barrel" methods. We congratulate Mr. JAMES on having saved the National Treasury considerable money by his fight against the old-time procedure in building Federal buildings, but we believe the time has come when those communities which need post-office buildings should have them. We believe Mr. JAMES recognizes this fact, too, and no doubt he has well-laid plans to push through legislation eliminating the Federal-building "pork barrel" and then proceed to the erection of post-office buildings where they are urgently needed.

Upon receipt of Mr. Quirt's first letter I took the matter up with Mr. MADDEN, chairman of the House Appropriations Committee. I quote his letter herewith. I do not agree with his statement that buildings ought not to be built in places of less than 25,000. I think a city of good postal receipts and good prospective growth is entitled to a building, provided they will be satisfied with one that agrees with the amount of business done and the prospective future growth.

COMMITTEE ON APPROPRIATIONS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 18, 1923.

Hon. W. FRANK JAMES,
House of Representatives, Washington, D. C.

MY DEAR FRANK: In reply to your urgent request for action in connection with the necessity for a public building at Ironwood, Mich., let me say that the last public building bill, as you are aware, passed by the Congress was in 1913. Of the buildings then authorized and appropriated for there are still 130 which have not been built, due to the difficulty in getting bids within the limit of cost.

During the war, as everybody knows, the Government refused to permit the construction of buildings, even schoolhouses, anywhere in the United States, except where such buildings were essential to the war needs. At the close of the war, on account of the cessation of building during the war period, housing facilities in every section of the country had become a great necessity. The people everywhere believed the prices would probably go much lower than they were at the close of the war, namely, 246 per cent, counting 100 per cent as the basis. Prices finally did fall to 166 per cent, and the people throughout the country began to build on that basis to meet the very urgent housing need. The result is there never has been such a building boom in the country, and the prices have gone up to 180 per cent or more. Labor costs are abnormally high, from $16 to $25 a day being paid for building mechanics.

It seems to me that it would be unwise for the Government to enter into competition with the citizens of the country who are trying to build themselves homes, and thereby increase the cost to them, and I think the Congress has wisely refrained from passing public building bills or entering upon a building program until the housing need of the people may be supplied.

The trouble about public buildings is that under past practice it has been impossible to get legislation for a meritorious project without adding many projects without merit to the bill, so that if a meritorious project, or a number of them, aggregating $5,000,000 were attempted the bill would probably when enacted carry ten times that amount because of the pressure from Members who think their communities clearly entitled to consideration.

There should be a policy established, if it is possible to establish it, under which the Secretary of the Treasury and perhaps the Postmaster General might pass upon the eligibility, desirability, and importance of each place where a public building is to be erected. That would be an orderly way to proceed, and if such a policy can be inaugurated I am in favor of it.

My own thought always has been, although I do not think many people have agreed with me, that we never should erect a building for post-office purposes in a town of less than 25,000 people, because a building can be rented in such a place much more economically than it can be owned by the Government, for when the Government erects a building it invests much more money in it than the building constructed by private capital, and, moreover, every Government building must have an engineer and a janitor or two and several other accessories that do not seem to be necessary in rented buildings.

I think, however, that after the rush of building to supply the need for homes is over the Government should enter upon a building program for the public service in places where such buildings are necessary and justified, and perhaps next year Congress should pass a building bill. I hope, however, that when such a bill is passed it will be for buildings to be erected at points selected by the Secretary of the Treasury and the Postmaster General, or any other administrative officials who may properly take part in the selection.

I am heartily in favor of the policy embodied in the bill which was introduced by you on June 27 last, which contemplates granting authority to the Secretary of the Treasury to investigate and report on the places where buildings are to be erected. Legislation along the line of your bill would to a large extent do away with the present pork-barrel system of passing public building bills.

Sincerely yours,

MARTIN B. MADDEN.

THEY DO LOOK SLIM

Congressman JAMES intimates that Ironwood's chances for a Federal building are practically nil in an excerpt taken from the Washington Post, in which Representative MADDEN, chairman of the House Appropriations Committee, declared that construction of new Federal buildings throughout the country will have to wait until the housing shortage is relieved.

Representative MADDEN takes the position that when there is a housing shortage in the Nation building costs are high. Therefore, the time for building, according to Mr. MADDEN, is when housing conditions are normal and the construction business is slack.

> "My opinion is that the Government should be ready to build what is required when the proper time comes, but that Federal appropriations should be used to stimulate the business when stimulation is necessary," said Mr. MADDEN. "If there comes a slump and men in the building trades are idle, then is the time for the Government to build."

MADDEN is leading the House opposition against a movement to reinstate the "pork barrel," according to the Washington Post. He explained that 130 public buildings already had been authorized and the money appropriated, but not spent, due to the high cost of building material and of labor. The Supervising Architect of the Treasury Department has found it impossible to let contracts within the sums originally allowed by Congress. Apparently it is a case of wait until prices are lower.

The deadlock in Congress, however, does not help to solve the situation in Ironwood and other communities which are in need of a Federal building. Ironwood has passed the stage where general delivery, parcel post, and the stamp business can be handled through one window. Such is the situation which prevails here in the post office, which is housed in a room hopelessly inadequate to efficiently care for the needs of a city the size of Ironwood.

If the situation as outlined in the Washington Post holds good, then Ironwood, Houghton, and other cities in Mr. JAMES's district which need Federal buildings must curb their impatience and put up with what they have. It isn't pleasant to contemplate, but it must be admitted it is far better than to reinstate the "pork barrel." The only hope is that the James bill, regulating the construction of Federal buildings, or something akin to the measure, can be passed by

Congress and signed by the President as speedily as possible. (Editorial, Ironwood Globe, January 15, 1923.)

A speech I made on January 16, 1917, gives some facts on the system used in putting through a "pork barrel" bill. Each man could have "his piece of pork" if he would only name it. I could have had a promise of a building at any place in my district, but, of course, I would be expected to vote for the bill, regardless of the fact that about half of the items were not legitimate and ought not to be in the bill.

In my speech I stated in part:

The following bills have been introduced in the present Congress where the receipts are less that $1,000 annually:

Kentucky

Town	Population	Post-office receipts	Amount of appropriation asked for	Bill introduced by—
McKee	146	$526.00	$75,000	Representative Langley.
Booneville	236	829.00	75,000	Do.

Neither of these bills were allowed.

The following bills have been introduced where the receipts are less than $3,000 annually:

Georgia

Town	Population	Post-office receipts	Amount of appropriation asked for	Bill introduced by—
Greenville	909	$2,848.00	$60,000	Representative Adamson.
Dahlonega	829	2,773.00	50,000	Representative Tribble.

Neither of these items is in this bill.

Kentucky

Town	Population	Post-office receipts	Amount of appropriation asked for	Bill introduced by—
Hindman	370	$1,173.00	$75,000	Representative Langley.
Saylersville	310	1,161.00	75,000	Do.
Inez	----------	1,016.00	75,000	Do.

None of these items are in this bill.

North Dakota

Town	Population	Post-office receipts	Amount of appropriation asked for	Bill introduced by—
Pembina	717	$2,027.00	$75,000	Senator McCumber.

This item is not in this bill.

Some of the members of the Public Buildings Committee did not like to hear my comments on the bills introduced, and tried to prevent me from talking, as per the following:

Mr. KELLEY. Will the gentleman yield?

Mr. JAMES. I will yield to the gentleman.

Mr. KELLEY. Are these towns in the bill?

Mr. JAMES. I do not say they are all in the bill, but these are bills introduced.

Mr. CLARK of Florida. I would like to ask the gentleman this: Greenville, Ga., is not in this bill.

Mr. JAMES. I do not say Greenville; I said Booneville, Ky.

Mr. CLARK of Florida. Well, it is not——

Mr. JAMES. I did not say it was in the bill. I said the following bills have been introduced.

Mr. LANGLEY. Mr. Chairman, I make the point of order against the gentleman on the ground that he is not discussing the subject matter of the bill. There is no provision for these towns.

Mr. JAMES. I will say, Mr. Chairman, these are bills gentlemen would like to put in if they could.

Mr. MANN. Mr. Chairman, the whole subject matter of public buildings and grounds is under discussion.

Mr. STAFFORD. Although it may affect the risibilities of the genial gentleman from Kentucky?

Mr. LANGLEY. The gentleman from Kentucky is not out of humor, he will say to the gentleman from Wisconsin, but he merely wanted to see orderly procedure.

Mr. JAMES. I would like to talk a little while about McKee, Ky., because that seems to be the worst pork item introduced at this session of Congress.

Mr. LANGLEY. Suppose the gentleman discusses Hazard, Ky.; that is in the bill.

Mr. JAMES. I believe that Congress ought to be as careful in spending the people's money as they would their own.

No business man doing a business of $1,000 a month would think of putting up a $60,000 building to carry on his business, as the interest would more than equal his net profits, and yet Uncle Sam is doing this every year.

The gentleman from Texas [Mr. GARNER] well expressed the truth when he said some time ago: "There are half a dozen places in my district where Federal buildings are being erected at a cost to the Government far in excess of the actual needs of the communities. Take Uvalde, my home town, for instance. We are putting up a post office down there at a cost of $60,000 when a $5,000 building would be entirely adequate for our needs."

One of the worst examples is the bill introduced for a $75,000 post-office building at McKee, Ky., with a population of 146. The postal receipts amount to only $526 annually, and yet this happy community expects to be favored with a gift from the Treasury of the United States equal to $500 for every man, woman, and child in McKee.

As the postal receipts are only $526 annually I was a little curious to know what it would cost this Government for a post office in this town of 146 people and took the matter up with the Treasury Department, and the following letter explains itself:

TREASURY DEPARTMENT,
Washington, December 15, 1916.

Hon. W. FRANK JAMES,
House of Representatives.

MY DEAR CONGRESSMAN: Referring further to your letter of the 17th ultimo in regard to the pending public-building bill, and requesting information relative to the probable cost of maintenance, etc., of a Federal building in places similar in size to McKee, Ky., the following data is furnished you:

The department estimate for a building at a place of this size and of similar postal receipts, for post-office purposes only, would probably be $25,000 for the building itself and $5,000 for the site. It is estimated that to furnish the building would require $3,000 additional, making a total outlay of $33,000.

Calculating 3 per cent on this investment, the interest charge would be $990. The yearly depreciation of the building and furniture, together with the approximate cost of annual repairs, would amount to 2½ per cent on the amount invested in the project, exclusive of cost of site, viz, on $28,000, which would be $700. Janitors are not provided for buildings of this size, but an employee known as fireman-laborer at $665 per annum, with a charwoman at $300 per annum, making a total expenditure for this service of $960. The cost of fuel, lights, and other supplies is estimated at $960 per annum.

Very truly yours,

B. R. NEWTON, *Assistant Secretary.*

You will note that the Treasury Department figures interest at $990; depreciation on building and furniture at $700 annually; janitor, etc., at $960; fuel, lights, etc., at about $900; or a total of $3,550. You will also note that the department figures that building would cost $25,000, whereas the bill calls for a $75,000 building. If we figure interest on an additional $50,000, it would make an additional $1,500 for interest alone. What business man would think of spending from $3,550 to $5,000 per year when his receipts amounted to $526 annually?

Sundance, Wyo., with a population of 281 people—only one-half of what it was 20 years ago—is asking for a $75,000 building.

Susanville, Calif., 628 people, wants a $60,000 building.

Booneville, Ky., 236 people, wants a $75,000 building.

Saylersville, Ky., 310 people, wants a $75,000 building.

Franklin, N. C., 379 people, wants a $75,000 building.

And there are many others in the same class.

When a business man gets into a bad business venture, he can go into bankruptcy, but your Uncle Sam keeps on paying out $3,000 and more each year on buildings where the receipts are $526 or less. Indirectly we are all paying the loss.

Personally I believe that only towns that need them should get public buildings, and that the cost of the buildings should depend upon the receipts of the office, and the prospective growth of the town.

In making appropriations for public buildings, some attention ought to be paid to the postal receipts in a town, and its prospective growth.

In 1906, Lander, Wyo., was granted $7,500 for a site, and in 1908 it was granted $115,000 for a building, a total of $122,500. Its

population in 1910 was only 1,812, and its postal receipts in 1913 were $7,502.86.

Mr. JAMES. Park City, Utah, had nearly twice the population in 1910. Its postal receipts were $8,352.76 in 1913, and yet it only received $30,000 for building and site. Population in 1910, 3,439. Nearly twice the population of Lander, more receipts, and only gets about one-fourth as much money.

In the present bill Tyrone, Pa., asks for $125,000 and receives $80,000—$42,500 less than Lander, Wyo., although its population in 1910 was 7,176, in comparison with the 1,812 of Lander. Its receipts this year are $98,485, as compared with about $7,502.86 of Lander. I can not account for this very material cut except for the fact that the committee knew that the introducer of the bill [Mr. BAILEY] was a pacifist and would not fight for his bill.

In the present bill Newburgh, N. Y., with its population of 27,805 in 1910, its postal receipts of $91,896, receives the same amount as Norwalk, Conn., with its population of 24,211 in 1910 and its postal receipts of $27,246. Each is granted $140,000 in this bill.

The postal receipts of Eminence, Ky., Falmouth, Ky., Green River, Wyo., Mount Olive, N. C., Rossville, Ga., Huntingdon, Tenn., Clearwater, Fla., Hazard, Ky., Lewisburg, W. Va., Norton, Kans., Pittsfield, Ill., Albertville, Ala., Attalla, Ala., Barbourville Ky., combined, amounts to $91,528.62, while Newburgh, N. Y., alone has postal receipts of $91,896, or $367.38 more than the above 14 towns. The population of the 14 towns combined makes 19,234, while Newburgh has 8,571 more than this, or 27,805. Were Newburgh, N. Y., to be judged by the same standards as these 14 towns it would be given $517,350 for building and site instead of the $140,000 granted in this bill. The above towns, some dead and others dying, are granted $487,000 in this bill in addition to $30,350 previously granted for sites, or a total of $517,350.

In 1908 Goldfield, Nev., was awarded $75,000 for building and site. At that time the population was about 18,000. In 1910 it was 4,838, or a decline of about 13,000. The Treasury Department has not yet closed a deal for even a site.

Although the following places have declined in population in the last 10 or 20 years, they have been granted additional money to complete buildings. The average business man would not make this error.

Bath, Me., had 10,477 in 1900 and 9,396 in 1910, or a loss of 1,083 in 10 years, and still it received an additional $10,000.

Hinton, W. Va., declined from 3,763 in 1900 to 3,656 in 1910, or a net loss of 107, and yet it received $15,000 more out of Uncle Sam's Treasury.

Narragansett Pier, R. I., had 1,523 in 1900 and only 1,250 in 1910, or a loss of 273; but this remarkable loss of nearly 30 per cent of its population does not prevent it from getting an additional $10,000. It might be said in passing that it has 158 less than it had in 1890.

Park City, Utah, had 3,759 in 1900 and only 3,439—a loss of 320—in 1910, and it also received an additional $10,000 in this bill.

Findlay, Ohio, declined from 18,553 in 1890 to 17,613 in 1900, and a still further decline to 14,858 in 1910—or a net loss of 3,695 in 20 years—and still it gets an additional $50,000 in this bill.

Fort Scott, Kans., has about 1,500 less population than it had 20 years ago, but it has the good fortune to get an additional $5,000 in this bill. Fort Scott had 11,946 in 1890, 10,322 in 1900, and 10,464 in 1910.

Very few business men would think of putting up buildings in towns that are on the decline, but Uncle Sam and his servants are far more generous.

This bill provides for buildings in at least 26 towns that have less population than they had in 1890 or 1900.

Bath, N. Y., had 3,884 in 1910 and 4,994 in 1900, or a loss of 1,010 in 10 years, and asks for $75,000 and received $50,000 for building and site in this bill.

Edenton, N. C., had 3,046 in 1900 and only 2,789 in 1910, a net loss of 257, but is given the sum of $25,000 in this bill.

Green River, Wyo., declined from 1,723 in 1890 to 1,361 in 1900, and a still further decline to 1,313 in 1910—a net loss of 410 in 20 years. Regardless of the fact that it has lost about 25 per cent of its population in 20 years it has the courage to ask for $75,000 for building and site. The committee only allows $25,000 in this bill—$25,000 too much. Postal receipts, by the way, are $4,370.

Holton, Kans., had 2,842 in 1910 and 3,082 in 1900—loss of 240—but is allowed $35,000.

Huntingdon, Tenn., boasted of 1,332 in 1900 and only 1,112 in 1910—a loss of 220—and it secures $25,000 in this bill.

I could have gone on indefinitely and shown some a little better but many far worse.

About the time that another public building bill along the same old lines was being advocated Mr. Byron R. Newton, collector of the port of New York, but formerly Assistant Secretary of the Treasury, wrote an article for the National Weekly, Collier's. Mr. Newton was one of those with whom I consulted before introducing my first bill, and one who worked with me in its drafting.

In an article entitled "They're in the pork barrel again," dated January 20, 1923, Mr. Newton gave a special dispatch to the New York Herald, dated December 1, 1922:

GREAT PORK-BARREL RAID PLANNED DESPITE ADMINISTRATION CHIEFS

[Special dispatch to the New York Herald]

NEW YORK HERALD BUREAU,
Washington, D. C., December 1.

"Chairman LANGLEY, Kentucky, of the House Committee on Public Buildings and Grounds, to-day defied administration leaders and notified them he would report his omnibus public buildings bill despite their opposition.

"The pork-barrel raid on the Treasury Mr. LANGLEY is preparing will be 'liberal' in character, and the bill will provide for expenditure of a minimum of $100,000,000. It may reach nearly half a billion.

"It has been more than 10 years since a general public buildings bill has been enacted. In that time two attempts were made, both failing because of the World War.

"Mr. LANGLEY informed Mr. Mondell, Wyoming, Republican floor leader, to-day that a public buildings bill was being prepared. Mr. Mondell asked him to hold it off.

"'The President has told me half a dozen times he is against the bill,' Mr. Mondell said.

"'Well, I am going to report it anyway,' Mr. LANGLEY retorted. 'I know how the President feels about the bill. He told me not to make the bill too strong.'

"'Well, you are not going to report it if I can help it,' Mr. Mondell replied.

"'You could not keep me from reporting it even if you had been reelected for Congress instead of being defeated,' said Mr. LANGLEY.

"Mr. LANGLEY has addressed a letter to every member of his committee regarding his bill. If a majority of the committee favors his scheme he will write to every Member of the House. Mr. LANGLEY estimated that 18 of the 20 committee members favor his proposal."

Congressman LANGLEY, who flings down his pork-barrel challenge, once tried to get post offices built in towns too small even to be in the Postal Guide or on the map.

As a sample of what was done, Mr. Newton used the following:

While the waste in the purchase of land was enormous, the waste in the construction of buildings was even greater. The old practice let each Congressman designate the type of building for his district, up to the amount of the appropriation, and he usually saw that all the money was spent. On my desk I had a paper weight, a small piece of gold-plated bronze, taken from a post-office building in Ohio, where, to spend the full amount of the appropriation, the bronze grille had been plated with gold. I used this in arguing with Congressmen.

Mr. Newton uses the following as another illustration of the rottenness of the system:

In States that had any marble or other building stone local pride always forced the Congressman to insist that local Federal buildings be constructed from such material, usually at an exorbitant figure. When we asked for bids on marble for a building in Denver, Colo., the bid from a quarry within 20 miles was much higher than the bid for a superior grade of Vermont marble delivered at the site. Influential statesmen of Colorado insisted that the home quarry be given the award. It might have been good politics to do that, but it was good government to give the contract to the man who bid on an honest, serviceable business basis.

I received an amusing report from the superintendent after a building was finished in some Tennessee mountain town. A small balance remained of the appropriation, and he respectfully suggested that this money be used to build a fence around the new structure. There were more hogs than citizens in the town, and he feared the hogs might stray into the building and root up a costly mosaic floor! In the "pork barrel" bill which Congress tried to put through in 1915 building sites were authorized in Kentucky towns so small and obscure that we could not locate them either on the map or in the Postal Guide. These were in the control of Congressman LANGLEY, who is now pressing the heralded new "pork" bill of 1923 in the House.

The closing paragraph of the article of Mr. Newton, formerly Assistant Secretary of the Treasury, describes the situation accurately, and expresses the situation the way those of us here who have been fighting spending of money on wasteful things have found them:

In public office one quickly discovers that the population of the country seems of two distinct sorts:

The great majority of ordinary citizens who feel that they ought to support and help their Government, and the small minority of profes-

sional politicians and political profiteers who feel that their Government ought to support and help them.

The great majority is right, but it is busy, remote, unappreciative, and does not usually reward or support the man who is striving to give honest public service. The minority, the politicians who play the game, are observant, alert, and always on the job. They are ready to cooperate with and reward those who work with them, and to eliminate from public life those who do not. That is the risk every man must face who determines to be on the square in public office.

No "man back home" wants to see money squandered on towns that are not deserving in order that his town shall get what it should get. They know that deficits have to be met by additional taxation, and that he has to pay his share of additional taxation. In these days of heavy taxes and heavy expenses and high cost of living each man is looking for less taxes, not more taxes.

LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. TUCKER, for two days, on account of important business.

To Mr. JOST, for 10 days, on account of important business.

To Mr. PEERY, for two days, on account of death of family relative.

HOUR OF MEETING TO-MORROW

Mr. DICKINSON of Iowa. Mr. Speaker, to-morrow we have in order the agricultural relief bill. I ask unanimous consent that when the House adjourn to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

ADJOURNMENT

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Friday, May 30, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

536. A letter from the Secretary of War, transmitting a draft of proposed legislation for the payment of claims for damages to and loss of property, personal injuries, and for other purposes incident to the operation of the Army; to the Committee on War Claims.

537. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of State for the fiscal year ending June 30, 1924, amounting to $513,511.13, and for the fiscal year ending June 30, 1925, amounting to $559,600; in all, $1,073,111.13; also a draft of proposed legislation making the appropriation for the embassy building in London, England, available until June 30, 1925 (H. Doc. No. 340); to the Committee on Appropriations and ordered to be printed.

538. A communication from the President of the United States, transmitting two communications from the Acting Secretary of Commerce, submitting estimates of appropriations in the sum of $1,712.15 to pay claims for damages to or losses of privately owned property which he has adjusted and which require an appropriation for their payment (H. Doc. No. 341); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LUCE: Committee on the Library. S. J. Res. 73. A joint resolution providing for the appointment of a commission for the purpose of erecting in Potomac Park, in the District of Columbia, a memorial to those members of the armed forces of the United States from the District of Columbia who served in the Great War; without amendment (Rept. No. 897). Referred to the Committee of the Whole House on the state of the Union.

Mr. HUDSON: Committee on Indian Affairs. H. R. 9343. A bill authorizing the adjudication of claims of the Chippewa Indians of Minnesota; with an amendment (Rept. No. 898). Referred to the Committee of the Whole House on the state of the Union.

Mr. YATES: Committee on the Judiciary. H. R. 8683. A bill providing for the holding of the United States district court at Okmulgee, Okla.; without amendment (Rept. No. 899). Referred to the House Calendar.

Mr. BARKLEY: Committee on Interstate and Foreign Commerce. H. R. 9345. A bill granting the consent of Congress for the construction of a bridge across the Ohio River between Vanderburgh County, Ind., and Henderson County, Ky.; with amendments (Rept. No. 900). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. H. R. 8372. A bill to authorize the designation of deputy fiscal or disbursing agents in the Department of Agriculture stationed outside of Washington; with an amendment (Rept. No. 904). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ROACH: Committee on War Claims. H. R. 8997. A bill for the relief of Mrs. G. A. Guenther, mother of the late Gordon Guenther, ensign United States Naval Air Corps; with an amendment (Rept. No. 901). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 6824. A bill for the relief of Joseph A. Choate; with an amendment (Rept. No. 903). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (S. 1656) granting the consent and approval of Congress to the La Plata River compact; Committee on the Judiciary discharged, and referred to the Committee on Irrigation and Reclamation.

A bill (H. R. 2768) granting an increase of pension to Nancy A. Green; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9372) granting a pension to Thomas M. Frazier; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREEN of Iowa: A bill (H. R. 9533) relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the custom laws or the national prohibition act, and for other purposes; to the Committee on Ways and Means.

By Mr. BRITTEN: A bill (H. R. 9534) to provide for the creation, organization, administration, and maintenance of a naval reserve and a Marine Corps reserve; to the Committee on Naval Affairs.

By Mr. UNDERHILL: A bill (H. R. 9535) authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes; to the Committee on Claims.

By Mr. BERGER: A bill (H. R. 9536) to repeal the Sherman Antitrust Act and to provide for the social ownership and operation of certain industries; to the Committee on the Judiciary.

By Mr. CRAMTON: A bill (H. R. 9537) to authorize the Secretary of Commerce to transfer to the city of Port Huron, Mich., a portion of the Fort Gratiot Lighthouse Reservation, Mich.; to the Committee on Interstate and Foreign Commerce.

By Mr. McKENZIE: A bill (H. R. 9538) to authorize mothers of deceased World War veterans buried in Europe to visit the graves of their sons at the expense of the United States; to the Committee on Military Affairs.

By Mr. STEPHENS: A bill (H. R. 9539) amending the tariff act of 1922; to the Committee on Ways and Means.

By Mr. DEAL: A bill (H. R. 9540) to authorize the purchase by the city of Norfolk, Va., of the bridge across Boush Creek and approaches thereto; to the Committee on Naval Affairs.

By Mr. O'SULLIVAN: Joint resolution (H. J. Res. 273) to repeal the eighteenth amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. OLIVER of New York: Joint resolution (H. J. Res. 274) directing the President to decrease the tariff rates on farm implements and farm essentials; to the Committee on Ways and Means.

By Mr. SINCLAIR: Joint resolution (H. J. Res. 275) authorizing the President to call an international conference of representatives of agricultural and farmers' organizations; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 9541) granting a pension to Ellen Buckley; to the Committee on Invalid Pensions.

By Mr. CHINDBLOM: A bill (H. R. 9542) for the relief of Kenneth A. Rotharmel; to the Committee on War Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 9543) granting an increase of pension to Edwin M. Brainard; to the Committee on Invalid Pensions.

By Mr. CROWTHER: A bill (H. R. 9544) granting a pension to Magdelana Wilber; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 9545) granting a pension to Annie Johnson; to the Committee on Invalid Pensions.

By Mr. GLATFELTER: A bill (H. R. 9546) granting an increase of pension to Mary A. Shauck; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 9547) granting a pension to Ellie Overson; to the Committee on Invalid Pensions.

By Mr. HILL of Maryland: A bill (H. R. 9548) for the relief of John Maika; to the Committee on Claims.

By Mr. KENDALL: A bill (H. R. 9549) granting an increase of pension to Sarah E. Zinn; to the Committee on Pensions.

By Mr. KURTZ: A bill (H. R. 9550) granting an increase of pension to Mary Ann Roush; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 9551) granting a pension to Jane E. Burwell; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 9552) granting a pension to Walter Wingfield Hale; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 9553) to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army; to the Committee on Military Affairs.

By Mr. MOORE of Ohio: A bill (H. R. 9554) granting a pension to Edith M. Wyatt; to the Committee on Invalid Pensions.

By Mr. PARKS of Arkansas: A bill (H. R. 9555) for the relief of Onie M. Portis; to the Committee on Claims.

By Mr. PERKINS: A bill (H. R. 9556) for the relief of Charles H. Niehaus, sculptor, for losses in connection with Francis Scott Key memorial at Baltimore, Md.; to the Committee on Claims.

By Mr. STRONG of Pennsylvania: A bill (H. R. 9557) granting a pension to Elizabeth Manges; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 9558) granting a pension to David B. Todd; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2942. By the SPEAKER (by request): Petition of national chairman, railroad committee, C. P. A., favoring legislation that will eliminate surcharge on Pullman sleepers and chair cars; to the Committee on Interstate and Foreign Commerce.

2943. Also (by request), petition of members and officers of the Winsor Township Farmers' Club, Clearwater County, Minn., favoring the McNary-Haugen bill; to the Committee on Agriculture.

2944. By Mr. FULLER: Petitions of the Richland (Ill.) County Farm Bureau; the Illinois Drain Tile Manufacturers' Association; the Streator (Ill.) Drain Tile Co.; John Maland and Jesse Anderson, of Leland, Ill.; E. F. Derwent, of Durand, Ill.; P. Byron Thomas, of Rockford, Ill.; and the North Dakota Wheat Growers' Association, all favoring the passage of the McNary-Haugen bill; to the Committee on Agriculture.

2945. Also, petitions of the Illinois Grain Dealers' Association and sundry citizens of Illinois, protesting against the enactment of the McNary-Haugen bill; to the Committee on Agriculture.

2946. Also, petitions of the Izaak Walton League of America, Streator (Ill.) Chapter, No. 12; Rockford (Ill.) Chapter; and Illinois Division, Rockford (Ill.) Rotary Club, and sundry citizens, favoring the upper Mississippi River wild life and fish refuge bill; to the Committee on Agriculture.

2947. Also, petitions of the Winnebago County (Ill.) Rural Carriers' Association; the registry employees of the Chicago post office; the stamping section (mailing division) and night set (city division), Chicago post office; post-office supervisors and sixth division office clerks, Railway Mail Service; and sundry other post-office employees, praying for passage of the increase pay bill; to the Committee on the Post Office and Post Roads.

2948. Also, petitions of the La Salle County (Ill.) Farm Bureau and sundry citizens of Illinois, protesting against any increase in parcel-post or fourth-class postage rates; to the Committee on the Post Office and Post Roads.

2949. Also, petition of 87 citizens of Genoa, Ill., favoring the bill (H. R. 188) for the deportation of undesirable aliens; to the Committee on Immigration and Naturalization.

2950. Also, petition of the International Brotherhood of Electrical Workers, Local Union No. 76, Chicago, Ill., favoring the Howell-Barkley bill; to the Committee on Interstate and Foreign Commerce.

2951. By Mr. GALLIVAN: Petition of Boston Chamber of Commerce, Boston, Mass., recommending approval of extension of Air Mail Service, Boston to San Francisco, as provided for in the Dallinger bill; to the Committee on the Post Office and Post Roads.

2952. By Mr. PHILLIPS: Affidavits to accompany House bill 9528, granting a pension to Clara E. Seaton; to the Committee on Invalid Pensions.

2953. By Mr. SABATH: Petition of City Council of the City of Chicago, urging increase in the compensation of postal employees; to the Committee on the Post Office and Post Roads.

2954. Also, petition of City Council of the City of Chicago, urging erection of a new post office; to the Committee on Public Buildings and Grounds.

2955. Also, petition of the Illinois Association of Real Estate Boards, urging the passage of legislation to permit the withdrawal of 10,000 cubic feet of water per second from Lake Michigan; to the Committee on Rivers and Harbors.

HOUSE OF REPRESENTATIVES

FRIDAY, *May 30, 1924*

The House met at 12 o'clock noon.

Dr. Joseph Dawson, Trinity Methodist Episcopal Church, offered the following prayer:

Our Heavenly Father, we thank Thee for Thy goodness to us as a nation. We praise Thee for the men whom Thou hast raised up to govern, to rule, and to direct us. We thank Thee for the great principles that have been embodied in our Nation that are still carried out, and we pray that Thou would bless the men who are guiding our Nation at this time. May everything be done to Thy honor and to Thy glory. Bless, we pray Thee, those who are visiting our city. May no accident befall them, but may they carry with them those thoughts and impressions that will make for the good of our country. We ask it in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MEMORIAL DAY

Mr. GARRETT of Tennessee. Mr. Speaker, it has been the custom for the Congress to adjourn for Memorial Day. That custom has not always been followed because the business of the Congress made it necessary not to do so. Such a condition confronts us to-day. I think, however, that we should recognize the day with proper spirit, and I know of no one who can more properly be chosen to express the feelings of the House and the country on this day than the gentleman from Ohio, General SHERWOOD. [Applause.] I ask unanimous consent that General SHERWOOD may have permission to address the House.

Mr. LONGWORTH. Mr. Speaker, I desire to join the gentleman heartily in the request.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the gentleman from Ohio [Mr. SHERWOOD] be permitted to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERWOOD. Mr. Chairman and gentlemen of the House [applause], I certainly am very much surprised and gratified at the same time in being called upon to address the House on this sacred Memorial Day. Nothing new can be said about that war. History has said its last word. I am going to say something that is new about the war, and that is the peculiarities of the war. It was the only war in all history where the men behind the guns on both sides, on the Union and Confederate sides, sang songs of their own composition. It was not true of any war ever fought before or since in the history of the

world. Another peculiarity is this, that those war songs, over 150 of them, which were sung on the march, around the bivouac fires, at night and on the battle fields, were written and sung by soldiers who were unknown as poets before the war. [Applause.] And none of the great antebellum poets of the North or the South wrote any of those great war songs. The first song that was ever sung in the camps of an army since civilization was evolved out of the dead centuries was "John Brown's body lies a-moldering in the grave." How many of this distinguished body of statesmen know who wrote that song? It was written by Col. Fletcher Webster of the Twelfth Massachusetts Regiment in camp at Boston Harbor in 1861. He was the son of Daniel Webster, known as the great constitutional lawyer of his time. Who first sang that song in the war camps? It was sung by the famous Hutchinson family of New Hampshire in the camps of the Army of the Potomac. I heard that famous family sing the songs of emancipation in 1849. I remember old John Hutchinson, who sang "John Brown's body" in the Army of the Potomac, sing the songs of emancipation in 1849. The first song written on the other side, the Confederate side, was written by James R. Randall, of Maryland, who was a tutor in a Louisiana college. It ranks as one of the greatest dramatic poems of the war, Maryland, My Maryland.

The most pathetic and plaintive of all the war songs sung on both sides during the Civil War was Tenting To-night on the Old Camp Ground. [Applause.] That song was written by Arthur Kittridge, of the Second New Hampshire Infantry, of Reeds Ferry, N. H. He was returning to the old camp along the marshes of the Chickahominy River of Virginia. It was a chilly November night and raining, the commissary had not come up, and young Kittridge, a private soldier and musician, was homesick. He had a letter from his girl that night, and of all the homesickness the worst in the world is the homesickness of a homesick soldier who yearns to get back home and see his girl. [Applause.] He sat around the bivouac fire and on a piece of brown paper wrote that immortal song. He sang it to his own music for 50 years after the war.

Somebody's Darling was another of those pathetic songs sung all over the North and all over the South, written by Maria Lacosta, of Virginia. Another plaintive song was The Vacant Chair, written by George F. Root, of Chicago. The boy had volunteered and left his family. He was their only boy. He was at the front. The family gathered around the table at night for family prayers. There was one vacant chair, and this song perpetuated that patriotic story.

I remember a couplet:

> We shall meet, but we shall miss him;
> There will be one vacant chair;
> We shall linger to caress him,
> While we breathe our evening prayer.

[Applause.]

The greatest dramatic poem of the South was written by Father Ryan, the chaplain of a Mobile (Ala.) regiment, who was captured at Fort Sanders in the charge on Fort Sanders in east Tennessee. He wrote The Conquered Banner, the last sad requiem of the Confederacy. It was written with a pencil in a hospital at Knoxville, Tenn., in a single hour.

To-day is Memorial Day. I have seen many Memorial Days since the war. There are only a few of the old comrades left, scattered here and there. I am the "last leaf" upon the tree in the spring, as Oliver Wendell Holmes remarked. I believe I am the oldest living general of the war. [Applause.]

How rapidly we are all passing! And I make this remark to-day, that in all the 60 years that have elapsed since the war there has not been one great dramatic poem written—one lyric—to equal the soldiers' songs written during that war—not one of high moral import. We are living in a utilitarian age, and the spirit that inspired that great epoch appears to have passed away. We now have Yes, We Have No Bananas [applause]; Take Us to the Land of Jazz; Hail, Hail, the Gang's All Here—songs of that vulgar type. Let us hope and pray that in some near-by day some prescient genius will arise and sing the songs of that great crisis of the Republic linking Gettysburg with Chickamauga, Nashville with Franklin, in one grand epic. [Prolonged applause, the Members rising.]

GENERAL DEFICIENCY BILL

Mr. MADDEN. Mr. Speaker, I present a privileged report from the Committee on Appropriations.

The SPEAKER. The gentleman from Illinois presents a privileged report from the Committee on Appropriations. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes.

The SPEAKER. Referred to the Union Calendar and ordered to be printed.

Mr. BLANTON. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Texas reserves all points of order.

EXTENSION OF REMARKS

Mr. YOUNG. Mr. Speaker, on a former occasion I made some remarks in this House which were not printed in the RECORD, and I now ask unanimous consent to have such remarks printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. YOUNG. I addressed the House on May 30, 1919, but failed to return to the CONGRESSIONAL RECORD clerk my remarks, which had been sent to me for correction. Under permission given to me to-day I now submit my remarks for printing in the RECORD:

SPEECH OF REPRESENTATIVE GEORGE M. YOUNG DELIVERED IN THE HOUSE MAY 30, 1919

Mr. YOUNG. Mr. Speaker, I am sure it has been a great privilege to listen to the splendid addresses which have been delivered here this afternoon.

A few minutes ago the gentleman from New York [Mr. Platt] was telling something of the occurrences of 1914-15, and it came to my mind that I walked along Pennsylvania Avenue with him in 1915 and in private conversation with him then heard practically the same speech that he delivered here to-day, which shows that he is at least consistent. I remember that he introduced what you might call the first war resolution—the armed-ship resolution—which if it had been adopted would have put our country into a naval war with Germany and Austria.

Last year I had the privilege of visiting France and Italy with a number of Members of this House. When we stepped off the boat at Bordeaux we found great excitement, because the third great German drive had just begun; and the first thing we were told was that it would be impossible for us to get to Paris, that the civilians were leaving that city in great numbers; and we learned afterwards that about 1,000,000 civilians had left Paris at that time in expectation that the third and last drive would bring the Germans either into Paris or so close to it that they could blow it off the map with their big guns.

You will recall that the first great German drive of 1915 began on March 21, whe nthey struck at the British in the direction of Amiens. Russia had collapsed and shortly before this very great numbers of German troops had been released, and the German Army, very greatly augmented in numbers, struck the British and moved forward a distance of several miles with apparent ease.

The British, who were greatly outnumbered, at one time were threatened with disaster, but that drive was finally stopped. About six weeks later—on May 27—the second great drive began against the French. The Germans were still in great numbers. They outnumbered the British, the French, and the Americans who were there at that time. They began their second drive with the same success that they had had in the first drive. The first day they went a distance of 7 miles; the second day they pressed forward 3½ miles. The next day they went forward 5 miles; and so it went till they got to Chateau-Thierry, a distance of 30 miles, along a front about 40 miles wide.

Then came the third great drive, called by the Germans "friedenstrum," meaning the storm of peace, the offensive which was to give them victory and peace. Now, it was natural that there should be very great excitement in Paris when it was known that the third drive was imminent, and when the word came that the drive had begun there was a tremendous outpouring from the city, and a feverish feeling upon the part of the people was reflected throughout the entire country.

There is a notion throughout our country that our Army did not participate in any large way until after all of these drives were completed, and that they got in farther east later in the campaign. As a matter of fact, there were 60,000 American soldiers who took part in resisting the second drive. They came in at the end, but they came in in time to halt the Ger-

mans, and I think it is fair to say that at the time of the second drive the American Army saved Paris [applause], because there was apparently nothing else which could halt the onward march of the Germans at that time.

By the time of the third drive we had gotten more soldiers into the trenches—about 150,000—and it brought the Germans no nearer to Paris. In fact, after the mighty collision between the opposing forces the Germans were steadily pressed back until the armistice was signed. I have gone through the Library files of the daily papers which were printed during the time these events occurred to see what news came to the American people. There was no reference at all in the newspapers in telling about the second drive to the fighting done by the Americans until it was all over, and then it was only in a fragmentary way. Some day we will be able to get the history of this war as it happened from day to day. I do not blame anybody for not letting us have the news at the time, because it was known that every newspaper dispatch that got into Switzerland or any of those countries next to Germany that in any way disclosed the location or movement of troops was used by the secret service there to the advantage of Germany. I do not think there was any effort on the part of France or Great Britain to deprive us of any of the glory of the victories won by us. The only reason that sometimes very meager reports came to us as to glorious feats performed by our armies was that if the information had been allowed to go out through the dispatches it would have gotten to the enemy.

A few days after I got home Major Liggett, a Civil War veteran, having heard that I had seen his sons in France, called at my office, and after we had talked over the events of the war, he said, "Mr. YOUNG, I hope our boys will march into Berlin." Said I, "Major, our boys have done a bigger thing than that already. They have stopped the Germans from marching into Paris." [Applause.]

Mr. Speaker, the World War was humanity's battle for humanity, in order that human liberty might be preserved, that universal freedom might be advanced, that the democracy of the world might be safeguarded, that Christianity might survive, and that the world's last and best civilization should not break down. To have had a part in the campaign of the great American army of democracy was "honor enough for mortal."

In a little book written recently by Grace S. Richmond she says, "Man is immortal until his work is done." To those of us who took the great responsibility of voting for war it is a comfort to feel that the great work of every boy whose life was cut off had been done. If the work of Jesus was completed when in early manhood he died on the cross, we can well believe that the work of these splendid young men was done when they made the supreme sacrifice on the field of battle.

The following lines were written as a protest against "I didn't raise my boy to be a soldier," by James D. Hughes, superintendent of education, Toronto, Canada, who gave a son to the cause, who lies somewhere in France:

HIS SOLDIER SON

God gave my son in trust to me;
Christ died for him, and he should be
A man for Christ. He is his own,
And God's and man's; not mine alone,
He was not mine to "give." He gave
Himself that he might help to save
All that a Christian should revere,
All that enlightened men hold dear.
"To feed the guns!" Oh, torpid soul!
Awake, and see life as a whole.
When freedom, honor, justice, right,
Were threatened by the despot's might,
With heart aflame and soul aflight,
He bravely went for God to fight
Against base savages whose pride
The laws of God and man defied;
Who slew the mother and her child;
Who maidens pure and sweet defiled.
He did not go to "feed the guns";
He went to save from ruthless Huns
His home and country, and to be
A guardian of democracy.
"What if he does not come" you say;
Ah, well! My sky would be more gray,
But through the clouds the sun would shine
And vistal memories be mine.
God's test of manhood is, I know,
Not "will he come?" but "did he go?"
My son well knew that he might die;
And yet he went, with purpose high,
To fight for peace and overthrow
The plans of God's relentless foe.
He dreaded not the battle field;
He went to make fierce vandals yield.
If he comes not again to me,
I shall be sad; but not that he
Went like a man—a hero true—
His part unselfishly to do.
My heart will feel exultant pride
That for humanity he died.
"Forgotten grave!" This selfish plea
Awakes no deep response in me,
For, though his grave I may not see,
My boy will ne'er forgotten be;
My real son can never die;
'Tis but his body that may lie
In foreign land; and I shall keep
Remembrance fond, forever deep,
Because of triumph that he won.
It matters not where anyone
May lie and sleep when work is done,
It matters not where some men live;
If my dear son his life must give,
Hosannas I will sing for him,
E'en though my eyes with tears be dim,
And when the war is over, when
His gallant comrades come again,
I'll cheer them as they're marching by,
Rejoicing that they did not die.
And when his vacant place I see
My heart will bound with joy that he
Was mine so long—my fair young son—
And cheer for him, whose work is done.

[Applause.]

CLAIMS OF CHOCTAW AND CHICKASAW INDIANS

Mr. SNYDER. Mr. Speaker, I present for printing under the rule a conference report on the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

MINORITY REPORT FROM COMMITTEE ON INSULAR AFFAIRS

Mr. FAIRFIELD. Mr. Speaker, I ask unanimous consent that the minority members of our committee may be permitted to file a minority report on the bill (H. R. 8856) to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands and to provide for the future political status of the same.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the views of the minority may be presented. Is there objection?

There was no objection.

AMENDING THE EMPLOYEES' COMPENSATION ACT

Mr. DYER. Mr. Speaker, I desire to call up the conference report on the bill H. R. 7041.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 7041) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

The SPEAKER. The Clerk will read the conference report.

The conference report was read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7041), entitled "An act to amend an act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendment and agree to the same with an amendment as follows: On page 2, line 13, after the word "States," strike out the period and insert a colon and the following proviso: "*Provided, however,* That if the Comptroller General upon inspection of the record of any claim in the office of the commission is of opinion and so finds that such claim is not supported by competent evidence and the commission disagrees therewith, the matter in dispute shall be subject to review by the Court of Appeals of the District of Columbia whose decision on the

question of competent evidence to support the claim shall be final and binding on the Comptroller General and the commission. Either party to the dispute may bring the question into said court by filing a petition and said court shall compel the other party by subpœna or otherwise to appear, answer, and submit to the decision of the court"; and the Senate agree to the same.

GEO. S. GRAHAM,
L. C. DYER,
HATTON W. SUMNERS,
Managers on the part of the House.
SAMUEL M. SHORTRIDGE,
SELDEN P. SPENCER,
T. H. CARAWAY,
Managers on the part of the Senate.

STATEMENT

The committee of conference on the part of the House agrees to the Senate amendment because of the urgency with which it was supported upon the ground that it was well to have some supervisory power over the findings of the commission. At the same time the Senate conceded such safeguards to their amendment as would prevent any deadlock, such as that which now exists with reference to the operations of the commission. It is provided by the amendment on the part of the House that a court decision may be secured whenever the Comptroller General and the commission remain at variance with regard to any claim, and it has been thought by the conferees that this would govern the matter successfully for the future and prevent the continuance of a conflict between the commission and the Comptroller General to the detriment of the beneficiaries.

GEO. S. GRAHAM,
L. C. DYER,
HATTON W. SUMNERS,
Managers on the part of the House.

Mr. CRAMTON. Mr. Speaker, I make the point of order against the report on the ground that the conferees have exceeded their authority. There was only one amendment to the bill by the Senate, and that was the insertion of three or four words. It was the insertion on page 2, line 8, of the words, "If supported by competent evidence." That is the only matter that is in disagreement. The action of the conferees is to accept that amendment as written, but to insert elsewhere in the bill the amendment that has been read by the Clerk. Secondly, the amendment that has been read by the Clerk, if it had been inserted in connection with or as a part of the amendment that was in disagreement, would have been outside their jurisdiction, for the reason that it provides for an appeal to the courts.

There was nothing in dispute in conference which involved any question of participation by the courts in these disputes, so that the amendment itself was not germane to the Senate amendment or to the bill.

The SPEAKER. The Chair will hear the gentleman from Missouri.

Mr. DYER. Mr. Speaker, the amendment of the Senate put in the words "if supported by competent evidence," meaning that the decision of the commission should be final if it were actually supported by competent evidence. The conferees put in the provision which has been read by the Clerk and which provides that if there is a dispute between the comptroller and the commission as to what is competent evidence, that matter may be submitted by either party to the court of appeals for a decision upon that point. That is the only question, and it surely and certainly is within the authority of the managers.

The SPEAKER. The Chair would like to hear the gentleman—leaving aside that point—on the point that it is an extension of language which has already been agreed on by both Houses. As the Chair understands, this does not amend the Senate amendment but inserts an amendment at a different place.

Mr. DYER. It is a limitation upon the Senate amendment.

The SPEAKER. That may be the effect, but it is not actually the fact.

Mr. DYER. It is undoubtedly so, Mr. Speaker, because if it should be left as the Senate amended it, it would then be a question of who should decide what is competent evidence. We provide that in case there is a question as to what is competent evidence, then it shall be submitted by either party to some one, which, in this instance, is the court of appeals. There is no question but what that is fully and completely within the authority of the conferees.

The SPEAKER. The Chair is ready to rule. The Senate inserted an amendment of a few words. In conference that amendment was accepted, but an additional provision was inserted, not as an amendment to the Senate amendment but as an amendment to the original text several lines below. Whether it is germane or not, and whatever might be the Chair's original opinion if there were no precedents, the Chair thinks the precedents abundantly establish the fact that conferees are very closely limited and that they must not add anything to words which have already been agreed upon by both Houses. In this case, it seems perfectly clear to the Chair, the amendment is put in at a different place and affects language not connected with the Senate amendment. It is put in at a place which is different, and therefore changes the language which has already been agreed upon by both Houses.

Mr. VAILE. I do not think the Speaker is quite accurate in saying that this language has been agreed upon by both Houses. The Senate put in an amendment which has not been agreed upon by both Houses.

The SPEAKER. No; but the language where this amendment is inserted had been agreed upon by both Houses.

Mr. VAILE. But the amendment which is now inserted has the effect of limiting the Senate amendment.

The SPEAKER. That may be, but, as the Chair has stated, if it were an original question the Chair might consider that phase of it, but it has been settled by several decisions that an amendment must amend the language that is inserted. Therefore the Chair feels obliged to sustain the point of order.

Mr. CRAMTON. Mr. Speaker, if the gentleman from Missouri will permit, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from Michigan moves——

Mr. GARRETT of Tennessee. Does not the gentleman think it would be better to insist and go back to conference?

Mr. CRAMTON. I am in entire sympathy with the Senate amendment.

Mr. GARRETT of Tennessee. Well, there may be some who are not.

Mr. CRAMTON. That is a question for debate.

The SPEAKER. The gentleman from Missouri would be entitled to the floor.

Mr. CRAMTON. I understand that.

The SPEAKER. The gentleman from Michigan moves that the House recede and concur in the Senate amendment.

Mr. DYER. Mr. Speaker, I move to concur by adding the provision which the conferees have agreed upon.

The SPEAKER. By adding it to the Senate amendment?

Mr. DYER. Yes.

The SPEAKER. The Clerk will report the motion made by the gentleman from Missouri.

Mr. CRAMTON. Mr. Speaker, I make a point of order against the motion.

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. I am not absolutely certain of my ground, but it occurs to me that under the circumstances this must go back to conference.

The SPEAKER. No. The raising of a point of order against a conference report practically ends the conference, and ends the jurisdiction of the conferees.

Mr. GARRETT of Tennessee. But the bill is not before us.

Mr. LONGWORTH. Is it only the conference report that is before us.

Mr. GARRETT of Tennessee. Yes.

Mr. SANDERS of Indiana. Is that true when the Senate has not yet acted upon it?

Mr. BEGG. Mr. Speaker, the point exactly that is raised here was raised in connection with the agricultural bill that had the emergency rent act on it six years ago, and the conference report was held out of order on a point of order, because I definitely remember having made it, and it was necessary in that case to go back to conference. That was the procedure at that time.

The SPEAKER. The Chair is ready to rule. The Chair does not think it necessary to go to conference. The conference report has been disagreed to. Therefore, the bill with the Senate amendment came up in the House. The House can send it back to conference or can act directly on the Senate amendment.

Mr. CRAMTON. The bill had to be with the papers and is before the House. I make a point of order against the motion of the gentleman from Missouri.

The SPEAKER. The Clerk will report the motion of the gentleman from Missouri.

The Clerk read as follows:

Mr. DYER moves to recede and concur in the Senate amendment with the following amendment: At the end of the matter inserted by the

Senate amendment add: "*Provided however*, That if the Comptroller General upon inspection of the record of any claim in the office of the commission is of opinion and so finds that such claim is not supported by competent evidence and the commission disagrees therewith, the matter in dispute shall be subject to review by the Court of Appeals of the District of Columbia whose decision on the question of competent evidence to support the claim shall be final and binding on the Comptroller General and the commission. Either party to the dispute may bring the question into said court by filing a petition, and said court shall compel the other party by subpœna or otherwise to appear, answer, and submit to the decision of the court."

Mr. CRAMTON. Mr. Speaker, I make a point of order against that, the same point of order that was formerly made. It is the same language, and my contention is, first, that the House at this stage of the proceedings has no greater authority than the conferees with reference to matter that is in disagreement between the two bodies and that the language having been agreed upon by both bodies, at that part of the bill where the amendment is proposed to be inserted, new language at that point can not be taken up now; and second, of course I renew the point further that the amendment is not germane to the bill or to the amendment that is in disagreement.

The SPEAKER. The Chair would suggest, to save the time of the House, that this matter be deferred so that the Chair may have an opportunity to examine the bill and decide whether it is germane or not.

Mr. CRAMTON. In connection with that, Mr. Speaker, I would like this one further minute so that the Speaker may have the situation before him. The existing law gives full authority to the comptroller to pass upon the legality of proposed expenditures. There came a controversy between the comptroller and the compensation commission as to certain payments. The bill as passed the House proposed to give much fuller authority to the compensation commission than it previously had. It meant to take from the comptroller review of certain decisions by the commission. The Senate inserted the words that the decision of the compensation commission, "if supported by competent evidence," in that event should not be subject to review by any other administrative or accounting officer, employee, or agent of the United States; that is to say that, "if supported by competent evidence," the decision could not be reviewed by the Comptroller General.

Mr. DYER. Will the gentleman yield?

Mr. CRAMTON. In just a moment. The further amendment that the gentleman from Missouri is presenting brings in entirely a new proposition; that is to say, it proposed that if a decision is made by the commission and that decision is not supported by competent evidence, in that case the review shall not be by the Comptroller General but shall be by a court. In other words, for the first time it is proposed to provide for a review by a court instead of by the Comptroller General. It is the first big step in breaking down the independent review by the Comptroller General.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for the regular order. The Speaker has requested, and I think very properly, that the matter be deferred.

Mr. DYER. I do not think that the statement of the gentleman from Michigan should go into the RECORD, unfair as it is, without an opportunity to reply to it.

Mr. CRAMTON. I think the Speaker has a perfect right to receive such argument as he wishes before taking the matter under consideration.

Mr. SUMNERS of Texas. Mr. Speaker——

The SPEAKER. The Chair would prefer, simply to save time, that this should be deferred.

Mr. SUMNERS of Texas. Mr. Speaker, I do not like to insist, but if I may have a minute and a half——

The SPEAKER. The Chair thought we would save time by discussing this outside of the House, but if the gentleman insists——

Mr. SUMNERS of Texas. No, sir; I do not insist, but I am a member of the Judiciary Committee——

The SPEAKER. The Chair will hear the gentleman for a minute and a half.

Mr. SUMNERS of Texas. Mr. Speaker, it will be observed from an examination of the bill that the amendment offered by the Senate provides that the matter shall not be subject to review if it is supported by competent evidence. That is an addition made by the Senate. The Chair will observe upon an examination of the conference report that the only thing dealt with in the addition criticized is to provide a tribunal where the one question as to whether or not the evidence is admissible is to be dealt with. This is perfectly germane, because the Senate amendment provided no tribunal where the question could be examined, and the added words in the conference report simply provide a tribunal where that one question alone can be acted upon.

The SPEAKER. The Chair will take the question under consideration.

LEGISLATION BEFORE CONGRESS

Mr. BRAND of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on legislation before Congress.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on legislation before Congress. Is there objection?

There was no objection.

Mr. BRAND of Georgia. Mr. Speaker, under unanimous consent of the House of Representatives granted to extend my remarks I insert a compilation of my record upon some of the legislation of major importance that has been submitted to Congress for its consideration, which is as follows:

I voted against the settlement made with Great Britain whereby the payment of the indebedness due the United States of over $4,000,000,000 was postponed for 62 years and the rate of interest reduced from 4½ per cent to 3 per cent. This debt was for money loaned Great Britain by the United States, for which the latter held a written obligation to pay the same with 4½ per cent interest thereon. Notwithstanding the debt was due, the payment of it was postponed for 62 years, and the rate of interest reduced from 4½ to 3 per cent per annum, which, in my judgment, was unjust to the taxpayers of the country.

I believe I am the first officeholder in Georgia who sounded the alarm against the efforts to bring about a cancellation of the $11,000,000,000 indebtedness due us by the European nations to which I am still unalterably opposed.

Voted against the Esch-Cummings bill, under the operation of which passenger and freight rates were increased to such a point as to become oppressive.

I signed the petition to bring out of the Interstate Commerce Committee, to be considered in the House, House bill 5427, the purpose of which is to reduce freight and passenger rates.

Voted to bring out of the committee to be considered by the House, the Barkley-Howell bill, which had for its purpose the repeal of one of the objectionable features of the Esch-Cummins bill, which many think would be the entering wedge for legislation providing for reduction of freight and passenger rates.

Introduced a bill repealing all laws now in force which deprive the several States of the United States of the right to fix freight and passenger rates within the territorial limits of the State. I could not get a hearing upon this bill by the Interstate Commerce Committee.

Voted against the Fordney tariff bill, which increased the cost of everything one has to buy, whether luxuries or the necessities of life, and which taxes everything from the clothes of the infant in its mother's arms to the robes which shroud the dead.

Voted against the Cape Cod resolution, which provides that the Government shall take over the Cape Cod Canal Corporation, a corporation alleged to be bankrupt and owned by J. P. Morgan, the passage of which will result in a loss to the Government of over $11,000,000.

Voted against the bill canceling the $6,000,000 indebtedness due by China to the United States. This debt grew out of the Boxer rebellion in 1900, which was organized for the purpose of killing every foreigner, including every Christian, and destroying their temples of worship. It is an established historical fact that this rebellion was not only approved but supported by the Chinese Government, and yet this debt is to be canceled when China acknowledges she owes the debt, regards it as an honest debt, and has not even asked that it be canceled.

Voted against the joint resolution giving Germany $10,000,000.

Voted against the child-labor amendment.

I did vote against the McNary-Haugen bill, the same being a farm-product price-fixing proposition, including cotton, inaugurated by western Republicans. The ratio price for cotton under the terms of this bill would only be 18 cents per pound. After much difficulty cotton was eliminated from it.

Voted for the immigration bill, which excludes all undesirable immigrants, including the Japanese. The passage of this bill deeply wounded the Japanese pride, it being part of their religion that they are a superior race to our people. The situation at present is more or less serious.

Voted for the prohibition amendment to the Constitution. Voted for the law to enforce this amendment, and all laws thereafter submitted for its enforcement. There are now pending at

least fifty-odd bills to modify the prohibition law and one to repeal it, all of which I shall vote against, keeping in line with the record of my whole public life of voting the prohibition ticket, whether municipal, county, State, or Federal.

Voted for the bill authorizing Army equipments of the value of $20,000,000 to be turned over to the Agricultural Department for distribution among the States to assist in the construction of public roads.

Voted for the bill authorizing the Government to accept Henry Ford's proposition regarding Muscle Shoals.

Voted against the Mellon tax plan which was finally defeated in the House and the Senate, in favor of the Garner plan, under which 25 per cent tax reduction is made upon all incomes above $10,000 and 50 per cent reduction is made on all incomes less than $10,000, both providing for a refund to taxpayers of one-fourth of their taxes for the year 1923. Under the Mellon bill only 62 persons in the State of Georgia would be benefited, whereas under the Garner bill 66,700 people will be benefited.

Under the bill as enacted, these reductions can be made out of the present surplus of $347,000,000 in the Treasury, including taking care of the bonus proposition, without levying any additional tax.

Voted for the bonus bill three different times, and voted to override the veto of the Presidents two times, having made a speech upon the subject in the Sixty-seventh Congress. I committed myself to the bonus and my services generally to the ex-service men, able and disabled, during the war, and if in carrying out my promise to and keeping faith with these boys and their families I made a mistake, I erred on the side of those who were required to lay down all the duties and pleasures of life and leave their loved ones to follow their country's flag and to fight their country's battles.

Voted against the Dyer antilynching bill in the last Congress, and will vote against it again, as the same has been reintroduced in this Congress.

Have supported every bill which has been introduced since I have been a Member of Congress, the object being the refund to the people of the South the cotton tax collected by the Government after the Civil War and which the Supreme Court of the United States has held to have been illegally collected. Bills are now pending before the appropriate committee for this purpose, though a favorable report thereon has never been made, due to the opposition of Republicans and northern Democrats.

Was the first Member to introduce a bill to revive the War Finance Corporation act, under the provisions of which hundreds of thousands of dollars have been loaned to the banks of Georgia for the purpose of helping the farmers and others who needed money and could not otherwise obtain it.

Was the first Member to introduce a bill to extend the life of the War Finance Corporation act after its termination by operation of law.

Was the first Member of Congress to introduce a bill providing that the Secretary of Agriculture, or some other person representing farmers, should be a member of the Federal Reserve Board. A farmer is now on the board.

Was the first Member in Congress to expose and denounce the evils of the deflation policy inaugurated by the Federal Reserve Board. No such avalanche of destruction has ever overwhelmed any country. Millions and millions of dollars were withdrawn from circulation; and this is partly the cause of the immense amount of gold now lying idle in the vaults of the Treasury. At this time the United States holds half of the world's gold. This money of the people, if put to work and wisely utilized, would be a benediction to the country.

Introduced a bill providing for a temporary loan of $50,000,000 by the Federal Reserve Board to the Federal Farm Loan Board for the purpose of expediting applications for loans to farmers, legislation providing for this emergency having been finally enacted.

Introduced a bill amending the Federal reserve act, providing for discount of notes, drafts, and bills of exchange of factors, thus enabling the farmer to borrow money on his cotton from factors and warehousemen.

Introduced a bill to transfer from time to time the profits earned by the Federal reserve banks to the Federal Farm Loan Board to take care of farmers' loans. This was not passed.

Introduced a bill to amend the Federal farm loan act so that farmers might borrow money to pay indebtedness due by them when not incurred for agricultural purposes, which became a law in an omnibus bill reported out of my committee.

As a member of the Banking and Currency Committee of the House, I have taken an active part in all constructive legislation which has been introduced in Congress, including amendments to the Federal reserve act, the Federal farm loan act, the War Finance Corporation act, and the rural credits act, the same being proposed in the interests of all the people and particularly merchants, bankers, and farmers.

Was the first Member of Congress to introduce a resolution providing for the transmission of market prices for farmers' products by radio.

Have actively assisted the House farm bloc, of which I am a Member, and voted for the legislation agreed upon by it to eliminate the evil of false cotton crop and ginners' reports and the estimate of the amount of acres of cotton intended to be planted. Estimates made by the Agricultural Department as to the number of acres of cotton farmers intend to plant is mere guesswork and therefore misleading. A bill which has passed eliminates this sort of report. In addition to this, the bill provides during the time the crop is developing and being put on the market that a report be made every two weeks instead of once a month, and it likewise requires ginners' reports to be made every two weeks, and that both reports come out on the same day and at the same hour and place.

Voted in favor of the provision of the revenue act taxing securities which have heretofore been tax exempt. On January 10, 1924, the total amount of securities then outstanding wholly exempt from taxation was $12,300,000,000. This escape from taxation should end.

Have assisted the Veterans' Bureau Committee in the preparation of a bill in behalf of the disabled service men now held ineligible for compensation, having introduced a bill providing for compensation therefor which has been embodied in the committee's bill.

Introduced a joint resolution authorizing the Government to appropriate $10,000,000 for the purpose of purchasing nitrate of soda and calcium arsenate by the Government to sell to the farmers at cost for cash.

A similar resolution was introduced in the Senate by Senator HARRIS, though it was defeated in the Senate. For this reason I did not push the resolution in the House but will reintroduce it at the next session of Congress.

Introduced a bill extending the time of payment of loans made by the War Finance Corporation Board from three to four years from the date when the loans were made in order to give the farmers another year's additional time within which to pay their notes held by the banks for money borrowed, nine months' additional time finally being agreed upon.

Introduced a bill to amend the Revised Statutes of the United States relating thereto so that juvenile offenders, including offending females, when convicted for violating a Federal statute, should be confined during the term of sentence in some State reformatory located in the State where the offender resides. This bill is still pending before the Judiciary Committee. I shall press it at the next session of Congress.

Introduced a bill amending the revenue act making it the duty of the Government to accept a bond for the eventual condemnation money instead of requiring cash to be paid when there is a conflict between the taxpayer and the Government as to the amount due, conditioned to pay whatever sum the taxpayer should be finally adjudged to be liable for. The tax act as passed practically takes care of this proposition.

Introduced a bill to prevent the sale of cotton in future markets. The purpose of this bill is not to prevent future trading in cotton, which is legitimate and legal, but to prevent fictitious speculation in cotton and to prohibit, under penalty, the buying and selling of cotton when none was expected to be delivered. Such speculation is gambling on the products of the cotton farmer and impedes the law of supply and demand, which should control the price of cotton in the markets of the world.

I am in favor of an amendment to the rural credits act which would require loaning agencies provided for thereunder to make loans to farmers, including landlords and tenants, in order to assist them to make a crop. Farmers under existing law can borrow all the money they want on their crops after same are made and marketed, but it is highly essential that some agency be established by which a farmer may be able to borrow money in order to make his crop. Of course, the securities offered should be satisfactory, but the law should provide that money can be borrowed for this purpose either upon personal security, real estate, or personal property. No greater benefit can be bestowed upon the cotton farmer than this.

It will be observed by a close scrutiny of this record that most of my activities as a Member of Congress, outside of my daily work in behalf of the ex-service men and other constituents, have been devoted to the agricultural interests and the farmers of the country, the promotion of whose welfare should be the chief concern of every lawmaker.

HENRY L. JOYCE

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to address the House for a minute and three-quarters.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for a minute and three-quarters. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, I hesitated to take a minute and three-quarters, but on this solemn day, when the whole Nation is paying tribute to those who gave their whole, their all, for the sake of the country, we read in this morning's newspapers the disgusting report that a Federal court judge, after a plea of guilty of a war profiteer who stole $1,000,000 from the Government during the war, on the pretext of having a weak heart, was let off with a fine of $12,500. This man is Henry L. Joyce, who was the marine manager of the Central Railroad of New Jersey. His two corporations that participated in the loot did not plead guilty to a weak heart, but pleaded guilty to the crime, and were let off with a fine of $1,000 each. I consider such a slight fine simply disgraceful.

Mr. RICHARDS. What is the name of the court judge?

Mr. LAGUARDIA. Judge George English.

Mr. WATKINS. Can the gentleman give the name of the attorney who represented the Department of Justice?

Mr. LAGUARDIA. I can not just now. I hear some one suggest that it is Hiram C. Todd, a special Assistant Attorney General, and I recall the item in a New York evening paper that he was the attorney in charge of the Government's case.

The SPEAKER. The time of the gentleman has expired.

Mr. LAGUARDIA. I ask for half a minute more. I want to add that my attention has been called to the fact that the judge was sitting in the southern district of New York.

The SPEAKER. The gentleman asks for half a minute more. Is there objection?

Mr. UNDERHILL. I object.

M'NARY-HAUGEN BILL

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9033) declaring an emergency in respect of certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes.

Mr. BLANTON. I make the point that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and seventeen Members present, a quorum.

The motion of Mr. HAUGEN was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SANDERS of Indiana in the chair.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I would like to have the attention of the majority leader, Mr. LONGWORTH, and the chairman of the committee, Mr. HAUGEN. I do not know what the program is as to this bill; but, as far as I am concerned, I have no disposition to delay the consideration of it, except we all know that to-day is Decoration Day and to-morrow is Saturday, and many Members will not be here until next week. I do not think it is fair, regardless of their position on the bill, to undertake to force a vote on this bill Saturday with so many away. You will not delay the consideration of it, and I am willing to go on and keep a quorum here to consider it, provided we can have an understanding that if we get up to the previous question on Saturday night we vote on it the next Tuesday morning. I think in justice to these absent Members that ought to be agreed to. I think you will get along better with the bill by agreeing to that proposition.

Mr. LONGWORTH. If the gentleman will yield——

Mr. KINCHELOE. I yield.

Mr. LONGWORTH. The gentleman will realize that next week will be one of the most congested weeks that can be had in Congress, assuming, as I confidently expect, that a great majority of the House desires to adjourn a week from to-morrow. Notice has been sent to every man in this House on both sides that a vote would be had on this bill on Saturday. I think we ought to be able to reach a vote to-morrow.

Mr. KINCHELOE. We can have a roll call on Tuesday morning, and will not take over 30 minutes. I do not want to delay the bill. I do not think it right for gentlemen who have engagements to-day—Decoration Day—and many of them will not be back before Monday, to take a vote before their return. I am not asking for delay of over 30 minutes.

Mr. LONGWORTH. Of course, it is impossible to know how much debate there will be on this bill. I assume that a large number of amendments are to be offered which ought to be carefully considered. The gentleman from Illinois [Mr. MADDEN] says that he desires to call up a conference report on the Agricultural bill this afternoon.

Mr. KINCHELOE. That is all right; if we get through with this bill before adjourning time on Saturday afternon the gentleman from Illinois can take up his conference report. There will be very little loss in time, not over 30 minutes, if we take the vote on Tuesday morning.

Mr. LONGWORTH. I do not think it will be feasible to have any definite understanding now. I think perhaps to-morrow after the bill has been under consideration we can get an understanding.

Mr. KINCHELOE. As far as I am concerned my acts will be governed by an agreement made now; and, as I say, I do not think it is right to these absent Members. The same thing was done in reference to the bonus bill.

Mr. LONGWORTH. Any man who is absent is absent of his own free will and with notice given a week or 10 days ago that a vote would be had to-morrow. I am not saying that some arrangement might not be conceivably necessary for we may not be able to finish the bill.

Mr. BEGG. Would it be entirely impossible to go ahead with the bill to-day and to-morrow take up another bill and carry this over until Tuesday?

Mr. LONGWORTH. No; if it is possible, this bill ought to be finished to-morrow.

Mr. KINCHELOE. I do not think it is possible to finish this bill to-morrow.

Mr. SNYDER. Mr. Chairman, will the gentleman from Ohio yield?

Mr. LONGWORTH. Yes.

Mr. SNYDER. So far as the statement of the gentleman from Ohio is concerned, that those who will be absent to-morrow will be absent of their own free will, I merely say that that is not so in every case. For instance, it is absolutely impossible for me to be here to-morrow because of conditions that exist in my family which must be taken care of on Sunday. I think the proposition of the gentleman from Kentucky [Mr. KINCHELOE] is entirely feasible. There are a great many men who can not be here to-morrow who want to vote on this bill. It will take only 30 minutes additional, as the gentleman from Kentucky [Mr. KINCHELOE] suggests.

Mr. CRAMTON. But those 30 minutes mean a delay of fully two days in getting this bill to the other body, which must also act upon it to have it a law. [Applause.]

Mr. SNYDER. I simply rose to state that there will be men away from here to-morrow who will not be away of their own free will, who are not able to be here, who want to vote on this matter.

Mr. GARRETT of Tennessee. Mr. Chairman, an agreement can not be made in Committee of the Whole about it in any event. It seems to me that the gentleman from Kentucky [Mr. KINCHELOE] has served his purpose very well by giving the notice. Of course, the reading of the engrossed bill could be demanded, but you can not enter into an agreement in Committee of the Whole, and I suggest that we have the regular order.

Mr. LONGWORTH. Mr. Chairman, it seems to me that it will be highly inadvisable to attempt to make any agreement to-day. To-morrow it may be possible to reach some understanding, but I hope meanwhile that the committee will proceed as rapidly as possible with the consideration of the bill to-day with the understanding that the committee will rise at, say, half past 4, and that then the gentleman from Illinois [Mr. MADDEN] may bring up his conference report.

Mr. GARRETT of Tennessee. That is this afternoon?

Mr. LONGWORTH. Yes.

Mr. MADDEN. There is no contest about it. It is a complete agreement.

Mr. CRAMTON. If before 4.30 it should be apparent that there is a filibuster more or less active against the Haugen-McNary bill, then does not the gentleman from Ohio think it would be in order to celebrate this holiday properly by continuing with an evening session to advance this bill, which is so important? [Applause.]

Mr. LONGWORTH. Mr. Chairman, I agree with the gentleman from Michigan [Mr. CRAMTON] as to the vital importance of this bill. I do not believe there is going to be an attempt at filibuster on either side. I do not think we ought to make any hard and fast agreement. What has been my hope is that we would make good progress with this bill to-day, that no attempt will be made to filibuster, and that at a reasonable time, say, half past 4 o'clock, the committee would rise and that then

we could consider the very important Agricultural appropriation bill.

Mr. KINCHELOE. That would be for the purpose of voting on this bill finally to-morrow?

Mr. LONGWORTH. The understanding has been and notice has been given to that effect to Members that the bill would be voted upon to-morrow. I can, of course, conceive of some circumstance, as was suggested by the gentleman from Tennessee [Mr. GARRETT], which would make that impossible, but for the time being I think we ought to go ahead upon the theory that we are going to try to complete this bill and vote upon it to-morrow, or at least complete the bill to the voting stage.

Mr. CHINDBLOM. I suggest that we might compromise by voting on the bill on Monday.

Mr. LONGWORTH. Yes.

Mr. JONES. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. JONES: Page 2, at the end of line 23, insert the following: "or that the exportation of any of such commodity, or of any food product thereof, would materially enhance the domestic price of such commodity."

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, I ask unanimous consent that I may be permitted to proceed for 10 minutes if I desire that much time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, I had not intended to make any speech in connection with this bill at all. I am one of those who believe that it is good policy to permit the members of the committee handling a piece of legislation to discuss it with their fellow members, feeling that after having had made a technical study of the question they are in a better position to give information than those of us who have not been called upon to make a study of the particular question. However, the debate having run along, and opposition to this bill becoming emphatic, and realizing that I am one of those who had the good fortune to be born on a pioneer farm in the rugged and picturesque section of northwestern Illinois, and having been a real farmer part of my lifetime and also engaged in the buying and shipping of livestock to the Chicago market for eight years, having had that experience and having the honor of representing one of the great agricultural districts of this country, I feel that it perhaps would not be out of place if I took a few moments' time of this committee to say, in my judgment, at least, we ought to enact this bill or something very similar to it into law. [Applause.] When I say that, gentlemen of the committee, I am not unmindful of the fact that there are many farmers in this country to-day who are in distress, such as men in other vocations of life, who are in distress on account of the fact they have used bad judgment or they have not lived according to the rules of frugality and economy and unlike Joseph, in the days of old, laid up nothing from the fat years to help them along in the lean years which were to follow. In fact, there have been too many farmers, as there have been too many in other classes of our citizens, trying to "keep up with the Joneses." Gentlemen, this piece of legislation is not intended for the purpose of taking care of any one individual or of several individuals who are engaged in agriculture, but it is for the purpose of dealing with the conditions generally. It is for the purpose of putting into law a statute that will enable the farmers of this country to undertake to do two things. First, stabilize the price of farm products. Second, to take care of the exportable surplus in such a way that it will not disturb the stabilized prices fixed. Now, there has been much criticism of this bill. I have not the time to discuss the bill technically, and I am not going to do so, but, in my judgment, it simply permits or will enable the farmers to do what they are unable to do to-day, and we are trying to do something that appeals to me. It is the first great piece of legislation of this character that has ever been submitted to this House since I have been here when the men who proposed it propose to pay the expenses of it. [Applause.]

The men who till the soil from Maine to California are not coming here asking you to delve into the Treasury of the United States to help them, but they say that they will stand the expenses of the experiment themselves. The gentleman from Kentucky [Mr. KINCHELOE] criticizes that, however, by saying that they are going to take a rain check for part of the pay. The truth about it is they are willing to take that chance. I want to say to my good friend from Kentucky that he will not have to take that rain check. The man who sells shoes over the counter will not have to take it. The man who works for the farmer for so much a month will be paid in good, old, hard American dollars, and the only man who will have to handle the rain check and be responsible for its value will be the farmers themselves and no one else. No one else can lose by it. Here is what I want to bring to the attention of my friends. In my judgment this is not legislation for the farmers alone. It is not legislation simply to benefit the men of Montana, of Oregon, of Washington, or of Nebraska, or of Kansas. In my judgment it is a step in the right direction. It may be true it may be impossible of administration, but that is not your worry. It is not mine. Our worry is to give the men the opportunity to try to administer this law who are asking that privilege at the hands of the Congress of the United States, and in my judgment it is a character of legislation that will not only benefit the farmer but it will benefit all the toilers in all the land, whether they are farmers or not. If it stabilizes the price of the farm products, it is going to tend to the advantage of the men in the cities who have to buy the products of the farmers, and the process of operation upon which it is based is sound. They have not taken the high prices brought about by inflation or taken the low prices brought about by some other cause, but have taken the average over 10 years, and not only taken the price of the article itself but the relative value, but all along the line up and down as the price of a particular farm product is related to the other commodities that we have to buy. And that being true, I say that that is a fair basis on which to rest this legislation. I would not vote for a bill that says, "We are going to make wheat $2 a bushel, or $2.50, or hogs $10 a hundred," because whenever you make a flat fixed price then it is not affected by the up-and-down value of other products or by the increased circulating medium; but if you make that relative with all the other conditions, with the money in circulation, it is absolutely fair to everyone.

And I want to say furthermore that if the Federal reserve banks of this country join hands with this corporation, in case it is permitted, we will find out that by controlling the commodity there will be a stabilizing of prices that is going to do a great deal of good to the farmers of this country and all engaged in agriculture and not injure anyone.

Now, one other word. I am a Republican of the old type. I do not know of any other name than "Republican." I have stood from my boyhood days for a protective tariff, and I have always believed that it is better to have manufacturing concerns in New England, Pittsburgh, Pa., and Birmingham, Ala., and Chicago, Ill., and Kansas City, Mo., and all over the country where the farmer will have a home market near at hand. I have believed in that, and I have told the farmer that it is to his interest to have that condition, and that was true. He said, "Probably I will have to pay a little more"; and probably he has had to pay a little more for the things he had to buy. But, taking it as a whole, it has been a benefit by making the Nation prosperous, as witness the great smokestacks that stand facing the sky in those great industrial sections where, as I fear, the Representatives are going to turn their backs against this proposition. You boast of the great industries that you have built up, which is true, under a wise national policy. View it in another way. Your factories have helped the boys out there in the Mississippi Valley and the West. I say, "Give the people out there a chance, and they will, in turn, help you. Let the relation be reciprocal."

I ask you gentlemen of the House who believe in the old doctrine of protection to stand up with me and give the country a chance to try this legislation. They are not asking you and me to pay for it. They are going to do it themselves. I have stood here and fought for other measures in the interest of the farmers of this country, and I hope you will stand by us now. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. McKENZIE. One minute more, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McKENZIE. I want to close with these words: This is Memorial Day, my friends. All over this great land of ours to-day the people are gathering to place bouquets of flowers and perhaps drop a tear on the resting places of the heroic dead of this Nation; and it has been my hope, contrary to the position taken by the gentleman from Kentucky [Mr. KINCHELOE], that on this day when we are required through the exigency of the press of business to stay here and legislate, that when the sun went down to-night and the radios flashed

the news over the country the message would be that the Congress of the United States had passed this bill. It would bring more joy to the homes of those people than anything else we could offer. [Applause.] Do not delay this thing. Do not try to destroy it. Get into the battle and do something for the people of this country and do it cheerfully. [Applause.]

Mr. ASWELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Louisiana moves to strike out the last word.

Mr. ASWELL. Mr. Chairman, I have listened with keen interest to the remarks of my friend from Illinois [Mr. MCKENZIE], and I am amazed that he, while appealing to your side to follow your leader, is not more accurately informed as to what his party leader wants done. Here is the Washington Times of to-day, from which I will read the headlines across the top:

[From the Washington Times, Friday, May 30, 1924]

COOLIDGE WANTS CONGRESS TO KILL MCNARY-HAUGEN FARM BILL—VETO SEEN IF ACT IS PASSED—HOUSE STARTS WORK UPON COMPROMISE—REGULARS SURE OF ADJOURNING JUNE 7

(By Kenneth Clark, International News Service)

President Coolidge has conveyed word to administration leaders in Congress that he strongly opposes the McNary-Haugen farm bill, creating a $200,000,000 export marketing corporation, it was learned to-day.

This bill has received the indorsement of the so-called progressives and farm bloc Members in both Houses. They were concentrated for a final drive to attempt its enactment before adjournment, scheduled for June 7.

WANTS MEASURE KILLED

President Coolidge was said to feel that the bill would not meet the needs of the agricultural industry, and he wants it killed in Congress without coming to the White House for him to pass upon.

I am reading this from the Washington Times for the information of the gentleman who has just spoken. [Applause.]

The President has clearly intimated to the majority party leaders that he would veto the McNary-Haugen bill. He appeals to you to kill it in Congress and not permit it to come to him. Then why waste this day discussing a measure the President and the majority of the Congress have already doomed to defeat. Gentlemen, do not continue to mislead and fool the American farmers with such vicious propaganda. [Applause.]

Mr. HUDSPETH. Mr. Chairman, I want to support the amendment offered by the gentleman from Texas.

Mr. NEWTON of Minnesota. Mr. Chairman, I have an amendment to the section.

The CHAIRMAN. There is already an amendment pending.

Mr. HUDSPETH. Mr. Chairman and gentlemen of the committee, I was under the impression that the bill covered livestock, both as to a surplus of animal and also the products thereof. But if I am mistaken in this, then I shall support the amendment offered by my colleague from Texas [Mr. JONES] so as to permit the commission to declare an emergency when there is a surplus of either class.

Now, the question, gentlemen, has been asked as to what this bill will do for the livestock interests. I did not touch upon that phase of it in my former remarks. I had not at that time read the speech of the gentleman from Wisconsin [Mr. VOIGT], and the gentleman from California [Mr. RAKER] has consistently and persistently asked what this bill will do for the cattleman. If my friend will listen to me, I think I can show him what it will do for the cattleman and the aid that is expected to be extended him in the way of advanced price; and in that connection, as to the present profit or loss derived from livestock for the past four years, I want to call my colleague from Texas [Mr. BLANTON] as a witness to the stand for a moment.

Mr. BLANTON. May I ask my colleague a question?

Mr. HUDSPETH. Yes.

Mr. BLANTON. Is it not a fact, with reference to wool, that we now import 300,000,000 pounds more than we export?

Mr. HUDSPETH. That is true. We export practically none. We produce about half of what we consume.

Mr. BLANTON. Then this part of the bill as to wool is a sham, is it not?

Mr. HUDSPETH. A condition might arise where it would apply. It can only apply to the sheep industry when a condition of this kind arises, whenever they ship in frozen mutton and lamb from New Zealand and Australia, as they did before the emergency tariff was passed; to the extent of over 2,000,000 pounds in one cargo in the fall of 1920. [Applause.] Now, I will ask my colleague not to leave the stand. I want to ask him some other questions.

Mr. ABERNETHY. You said you wanted to make him your witness.

Mr. HUDSPETH. I will make him my witness, and before I get through I think I shall be able to convince him of his error in opposing this bill for the relief of the farmer and livestock producer. The counties west of Fort Worth—Shackleford, Jones, Haskell, and Palo Pinto—are in your district, are they not?

Mr. BLANTON. Yes.

Mr. HUDSPETH. They are good livestock counties?

Mr. BLANTON. The best in the world.

Mr. HUDSPETH. Last year every livestock producer in those counties, which are included in a group of 15, lost $4.90 a head, according to a statement printed in the Cattleman prepared by V. V. Parr and G. S. Klemmetson which I hold in my hand, the Cattleman being the official organ of the Texas and Southwestern Cattle Raisers' Association. In that group of 15 counties they made an investigation and the result of the investigation showed that every cowman in those 15 counties—most of them in the district of my colleague from Texas—lost $4.90 a head on every cow on his ranch. Not only did the investigation show that but it also showed that the operating cost as to a cow on each of the ranches in that group of counties was, on the average, $12.80 a head. That did not include the interest on the land on which said cow grazed, and that did not include taxes and other legitimate cost, but the operating cost of the ranch, such as labor and the care of the animal. The average cost, as shown here, in the production of calves in those 15 counties, which you say are the best livestock counties in the world, but as to which I take issue with you, because I think you will have to except the entire sixteenth congressional district.

Mr. BLANTON. I do.

Mr. HUDSPETH. It shows that the average price of their calves at marketing time, or weaning time, was $22.50 a head, and the showing was that it cost them $24.50 to produce those calves.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. Mr. Chairman, I ask that I may have five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Will the gentleman yield for a statement?

Mr. HUDSPETH. Yes.

Mr. BLANTON. My judgment is that if our cowmen at home—the gentleman's and mine—had to pay the salaries of these 50,000 additional employees who are going on the pay roll, instead of losing $4 apiece they would lose $8.

Mr. HUDSPETH. I want to state to my colleague that these 50,000 employees are one of the great bugaboos of this measure and a myth that does not exist in this bill at all. [Applause.] The opponents have made this statement about 50,000 employees under this law without facts to base it upon. What will they do? They will establish four marketing places throughout the United States, under this commission, for the purpose of buying and exporting—two on the Atlantic coast, one on the Pacific coast, and one somewhere in the vicinity of St. Louis or Chicago, in the center of the marketing section of this country. They will operate from those central places, and it will not take 50,000 employees or 5,000 employees to operate successfully this law.

Mr. RAKER. Will the gentleman yield?

Mr. HUDSPETH. In just a second. I want to make this statement, and then I will yield: The gentleman from Wisconsin [Mr. VOIGT] stated that if you raised the price of hogs 60 per cent, as he claimed this bill would do, it would increase the production of hogs thirty or forty million head, and the surplus would be greater or as great as the entire production is now, and the commission would be swamped with a surplus, and so forth. Did he not say so? All right. Let us see whether that is correct, considering the past history of the business. The most prosperous era in the history of the business was from 1914 to 1920, and hogs more than doubled in price but not very materially in numbers in that time on account of war conditions. Here are the figures:

I trust the gentleman from Wisconsin is present, because I want to give him some figures as to whether or not the great increase in price during that time increased the production to any great extent, namely, from 1914 to 1920. In 1914 we had 58,000,000 hogs, in round numbers, and in 1920 we had 59,000,000 hogs, an increase of about 1,000,000. In 1919 hogs more than doubled in price to the price obtained in 1914, but they did not increase more than 1,000,000 head during that time. [Applause.] That answers the gentlemen's argument as to whether or not, when you increase the price of hogs—in

fact, when the price of hogs practically doubles—the production increases to any unusual extent. During that same period there was an increase in the number of cattle, but not out of the ordinary. From 1914 to 1920 the number of cattle increased about 5,000,000 head, and yet steer yearlings on the range went from $15 a head to $45 a head from 1914 to 1920, and cows on the range went from $18 a head to $60 a head. Yet during that time the number increased only about 5,000,000. And why? Because there are only certain parts of this country which the Supreme Ruler himself has ordained and set aside as being solely fitted for the grazing of livestock. It is a limited industry on this account, and it always will be. Gentlemen, you can not unduly increase the production in a country that is solely adapted for that kind of business. Every livestock man knows that, if he knows anything about the business. I do not know all about the business, as the gentleman from Wisconsin seemed to indicate in his remarks the other night, although I have been in the business all my life, ever since I could reach up and catch the saddle horn of a Gallup & Frazier saddle and climb into the tree. But there is enough that I do not know about the business. When I am on my ranches and in the marketing places, I learn something beneficial every day.

Mr. RAKER. Will the gentleman yield now?

Mr. HUDSPETH. Yes.

Mr. RAKER. The gentleman will admit there will be no increase in the price of cattle if the Jones amendment is not adopted?

Mr. HUDSPETH. I think the bill fully covers livestock on hoof and its products, but my colleague from Texas [Mr. JONES] does not think so, and I am going to support his amendment on the theory that it will make it doubly sure.

Mr. RAKER. Let me call the gentleman's attention to this fact. According to the record there were 138,481 cattle imported, at a value of $4,000,000 plus, and we exported only 37,194 head of cattle. The same thing is true with regard to sheep. We imported more sheep than we exported.

Mr. HUDSPETH. This bill will not affect sheep, unless the conditions which I mentioned should be brought about. A condition could arise where the bill could help the sheep industry. I will ask my friend, the gentleman from Kentucky, not to leave, because I want to propound a question to him a little later.

Mr. KINCHELOE. All right.

Mr. RAKER. The gentleman does believe that the amendment of the gentleman from Texas ought to be adopted?

Mr. HUDSPETH. I do.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDSPETH. In reply to my good friend, the gentleman from Kentucky, although we are a little crossed on this matter, I have a very fond affection for him and a high estimate of his ability, let me say he is uneasy about the packers and their attitude. The gentleman, I know, knows why Mr. Draper, the representative of the National Meat Packers' Association, opposed this bill before the committee. I have his testimony right here in my hand, and the gentleman knows that the packers from their abattoirs of Brazil, Argentina, and other South American countries export six times as much meat as they export from their abattoirs and packeries in this country, and the gentleman, I know, knows that they would be opposed to the export feature of this bill unless it was conducted by the packers for their sole benefit, does he not?

Mr. KINCHELOE. Does the gentleman want me to answer that?

Mr. HUDSPETH. Yes.

Mr. KINCHELOE. I will say that not a packer or a representative of a packer, except this little fellow representing the meat association, came before the Committee on Agriculture, and I can understand why the packers are not against this bill. With the millions of dollars of processed stuff which they now have at a low price, just as soon as the ratio price is declared they will unload it on this corporation and make their millions overnight, and I can understand why Mr. Packer is not opposed to the bill.

Mr. HUDSPETH. Let us see what old Reuben down home is doing while they are making that great amount, as so luridly portrayed by my friend from Kentucky.

Mr. KINCHELOE. All right; we will see where he comes in.

Mr. HUDSPETH. Let me show you where he comes in, along with Swift and Armour and the other Big Five. It is shown that the packers have so much stuff on hand at the present time. I will take the figures of Mr. VOIGT, although they are not correct. He says they have $250,000,000 worth on hand, and he says this will double the value. That will give them $250,000,000 additional. It is estimated this will raise the price of hogs $10 a head. That would mean an increase to the farmer, or to old Reuben, of $500,000,000. It is also estimated this will increase the price of cattle $10 a head, and on 64,000,000 head of cattle this would mean an increase of $640,000,000. The two items would represent an increase of over $1,200,000,000, while the packer is getting $250,000,000, according to the gentleman from Wisconsin, but his amount to the packer is far too large. Is there anybody who wants to deny that amount to the farmer?

Mr. KINCHELOE. But the pathetic thing about it is that Reuben has already sold his product at the low prices to the packers, and the packers have nothing to do except to wait until the ratio price is declared and then sell at the high prices.

Mr. HUDSPETH. My friend from Kentucky, the packers are not going to stand there with their plants empty, and whenever that surplus goes out they will buy from Reuben and restock at the ratio price in this bill, and the gentleman knows it, and everybody else on this floor knows it.

They are not going to remain idle a minute. The packer says he only makes half a cent a pound on all the livestock he purchases. Mr. Louis Swift wrote me a letter about it. I know the gentleman. He said:

> You can come and examine my books at any time. We only make $1.10 a head on the livestock that comes in here.

He is a nice gentleman. I know him quite well, but I have not supported him on this floor, as you gentlemen know, and he told me that his books were open to any Member of Congress.

I want, now, to say in reply to the gentleman from New York, Mr. JACOBSTEIN or Mr. DICKSTEIN, I do not know what their names are—but, anyway, they have a "stein" to their names—that he is wrong about the consumer having to pay all this advance. It will not advance the price to the consumer of meat a cent, in my judgment. He says, "Oh, the consumer will have to pay this." In my judgment, gentlemen, I will say, as a Member of this House, and I say it from past experience, in the business and the history of the industry since the close of the war, I do not believe that if you pass this bill it will raise the price of beef to the consumer one-quarter of a cent a pound. Why? Last year I marketed 500 as pretty white-faced Hereford calves as ever went over a block in Fort Worth, and they netted me 3¼ cents a pound. What did you gentlemen pay for beef? Fifty-five cents and sixty cents, and you have paid that price ever since the war. The price on the table, the price from the retailer has not gone down a cent since the high peak during the war, and you gentlemen know it.

Mr. SUMMERS of Washington. We have paid as high as 72 cents a pound for liver here in Washington.

Mr. HUDSPETH. Yes; a great many people do not eat liver, either. Yet the price of cattle has gone down until it is way below the cost of production.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HUDSPETH. May I have just one additional minute?

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. KINCHELOE. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. KINCHELOE. I will agree with the gentleman that the price of prepared meats has not gone down, but this bill does not propose to narrow the spread between what the producer receives and what the consumer pays. It is simply going to increase the price by establishing a ratio price and then the retail price is going up.

Mr. HUDSPETH. The spread was just as great during the war and the producer got some benefit. If it increases the price of hogs and cattle $10 a head, why does not the man who produces them get the benefit of it? The producer must be given some consideration, gentlemen. Can any man here answer that question?

In all this time when the livestock men in western Texas were going broke by the thousands producing livestock below the cost of production, you gentlemen who buy beefsteak from the retail markets have not bought it a cent a pound cheaper than you did during the war.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. HUDSPETH. I can not yield. I have got to finish.

My friend from Kentucky says, "Oh, we have a remedy. Vote down this bill and let us give you a remedy." What is the remedy they have? For the Lord's sake tell us, you gentlemen over there opposing this bill. My friend from Kentucky says, "Organize a great national cooperative association." We have them all over this country now. Yet all these cooperative marketing associations, so I am informed, are for this bill. I want to say to my good friend from Kentucky, do not sit back at the table over there and continue to bluff us; we are trying to do something for the farmers and livestock people. Tell this Congress to vote down this bill and you have a better remedy. What is it? This measure is a temporary emergency relief. Do not sit there as if you had four aces and a six-shooter with your continuous bluff when you have nothing but a bobtailed flush. [Laughter and applause.]

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, my friend from Texas—and I can reciprocate with everything he was kind enough to say about me—is going out here to help the livestock industry on this bill. When this corporation is created they can only promote the livestock business and the processing of same in one of two ways. They can buy at the stockyards and pay the packer his price for processing same, and the packer can charge any amount he wants to, because the corporation has no packing plant and no power to build one under this bill. So it is at the mercy of the packers if you buy them on the foot and pay the packer for processing. If it does not do that, it has the other alternative, it can go to the packer and buy his processed meat at the ratio price. That is the only way it can get the farmers' meat. When it gets it it can not sell it for less than the ratio price here, and it will then have to ship it across the ocean and sell it at the world's price, and when it gets over there you will find the packers' representatives right there; they will buy the same meat they sold to the corporation at the ratio price, at the world's price, and make another profit.

You say there will be no increase in production. In 1922 hogs were bringing a good price. What happened? You can grow a hog in eight months. In 1923 there were over 14,000,000 more hogs slaughtered than there were in 1922. Why? The increase in price in hogs in 1922 increased the production and curtailed the consumption. During the war there were 25,000,000 men out of production and under arms. What is the condition to-day in Europe? To-day they are getting on their feet and raising wheat by the millions of bushels, and when you increase the product you increase the equalization fee, and when you increase the equalization fee the farmers are going to pay it and not the packer or the miller.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. KINCHELOE. I ask for two minutes more.

Mr. NEWTON of Minnesota. I ask that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Minnesota asks that the time of the gentleman from Kentucky be extended five minutes. Is there objection?

There was no objection.

Mr. HUDSPETH. Take cattle. My friend will not contend that in the cattle range in the Northwest that it doubled; they only increased 3,000,000 head.

Mr. KINCHELOE. I do not believe that under this bill the corporation will ever declare an emergency on cattle and beef. Why? Because under the bill the corporation can not declare an emergency and fix the ratio price unless there is an exportable surplus. Read the Tariff Commission's report on the bill, and I will take their report rather than that of the Agricultural or Commerce Department—they are distinterested. They said there was more beef imported into the country than exported. If there is, and I think they know something about it, the corporation will never declare an emergency, and therefore your farmers will never get a dollar increase on meat.

You are going to make European countries a dumping ground for the surplus, and the laboring people of Europe are going to get the benefit of your surplus products at the world's price in Europe and not in America, and every time the price goes down the loss comes out of the farmer.

Mr. HUDSPETH. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. HUDSPETH. If it will never help the livestock producer then somebody has got him badly buncoed for every one of them in the United States is in favor of this bill.

Mr. KINCHELOE. I think so myself. I never saw such propaganda put out in the country as has been here. I do not think that the average farmer knows anything about it, for he has had no opportunity to study this bill. If you could go to him and tell him the truth, you would not have this propaganda. Under the bill as written there will never be a ratio price declared on livestock, and therefore the stock raisers will never receive any benefit from it.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. NEWTON of Minnesota. I understood the gentleman to say that the farmer's price had gone down, and the price to the consumer has made but very little change.

Mr. KINCHELOE. Yes; that is true.

Mr. NEWTON of Minnesota. The gentleman from Texas states, and this is also true, that when the price of farm products went up during the war then the price to the consumer went up, so that if the price of farm products goes up now we can expect the price to the consumer to go up.

Mr. KINCHELOE. The thing that put the farmer on the bum, as everyone knows, is the high protective tariff on the things that he has to buy, when he is compelled to sell his goods in the open market. Everything he buys he buys in a protected market. Therefore, you put him practically out of business. I want to get to the seat of the evil; I want to lower that tariff and increase his purchasing power so that he can buy things cheaper, and when you pass this bill you are going to put up the prices by artificial stimulation, and at the end of five years when you cut the props from under it, there will be a panic in this country the like of which the world never saw before.

Mr. BURTNESS. The increase in production is what the gentleman fears so much. Is there any incentive to increase production unless the price is such as to yield a profit upon the amount produced?

Mr. KINCHELOE. No.

Mr. BURTNESS. The gentleman does not contend that a ratio price less the equalization fee would yield a profit to the farmer, whether it be in wheat or hogs or anything else, that would amount to sufficient to cause an incentive to increase production?

Mr. KINCHELOE. The contention I make is that whenever you increase the ratio price of the products under this bill then you stimulate the production to such an extent that the exportable surplus is going to be so large that this corporation is going to have to levy an equalization fee so large that when the farmer pays it he will have no increase left.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. TINCHER. Mr. Chairman, I move to strike out the last word. I concede every Member of this House the right to vote and think as he pleases about this bill, but I do think that we ought to be fair. I think some things are being said in debate that are not fair. In the first place, the packers are against this bill. The grain exchanges are against this bill. Their lobbies are in Washington, and they appeared before the committee and they testified against the bill and they are fighting it. They have been in these galleries ever since we have been considering it, and they are not for it. That is one statement. How ridiculous it is to say that this bill would help the packers so much that you ought not to pass it. Who owns the livestock of this country? Does the packer own 1 per cent of it? Does he own one out of a hundred head in a year? Every man knows that he does not, not as much as one out of every hundred head, and so why make such inconsistent arguments as those?

I find that we are very free to advise one another here. The gentleman from Kentucky knows of a voluntary association that successfully fixes the price of tobacco, and he thinks because he knows of that association that such an association could be formed in America that would control the price of wheat and the price of cattle. It can not be done. There never will be such an association, because those products are produced from coast to coast, and there is no way to ever effect such an organization to control their price as there is in tobacco.

I think as good an example of inconsistency as we will ever have on this bill we saw here this morning. My distinguished friend from Kentucky [Mr. KINCHELOE], for whom I have a very high regard, was telling the farmers of the United States that they do not know what they want, that they are not competent to judge as to what would be good for them; and at the same time he was telling CLAUDE HUDSPETH, my friend from Texas, that although he, Mr. KINCHELOE, lives in a tobacco district, he can give Mr. HUDSPETH cards and spades on cattle, sheep, and hogs. That is a fair example of what they do. The gentleman's weird picture of the failure of this bill in the administration of it confirms my belief that he knows more about tobacco than he does about livestock. There was never

anything in the hearings, and it can not be anything but imagination that would lead a man to believe that any such obstacles as these would be met by the farmers.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. HUDSPETH. The gentleman from Kentucky was inveighing against this iniquitous tariff bill. He is now getting a duty of $2.50 a pound on his tobacco. I wonder if he objects to that?

Mr. TINCHER. Oh, before this Congress adjourns the gentleman will have a chance to vote on many measures calculated to do the things that he advocates, which he is not for. He advocated here as against the American farmer this morning the proposition of bringing all of our standards of living down to the foreign or world standard. That is not sincere. He would not vote to do that. He will not vote to reduce wages, and in most of the things that the farmer has to buy wages constitute as much as 90 per cent of them. He would not vote to reduce wages of the laboring men of this country to the European standard. [Applause.]

That is bluff, that is politics, to beat the American farmer in an honest effort to get legislation, and it is no more fair to make that kind of an argument than to stand here in the House of Representatives and claim that the packers are for this legislation, when every member of the committee knows that they not only appeared before the committee against it but that they maintain a lobby in Washington against it.

Mr. KINCHELOE. Name one packer's representative, except the little fellow that represented some meat company.

Mr. TINCHER. Mr. Draper.

Mr. KINCHELOE. Oh, he is the man that I am talking about. He does not represent the packers.

Mr. TINCHER. He represents all of the packers.

Mr. HAUGEN. Mr. Draper represented all of the packers.

Mr. TINCHER. Absolutely.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. TINCHER. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TINCHER. Let me tell you about the packers. They have an association and they contribute hundreds of thousands of dollars here to keep it up. They maintain headquarters here in Washington. It is the foulest lobby in America, and they have a man here in charge of those headquarters, and they spend more money for maintaining it than the American farmer ever spent with all of the lobbies and agents that he ever had here on the ground. They are represented by this man Draper, and his testimony is in the hearings against this bill.

The grain exchanges have had men here from Chicago affiliating with them, and they have had their lobbyists against this bill, and it is unfair to the American farmer for any man to put anything contrary to that statement out to the American public. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, I ask that the time of the gentleman from Kansas be extended one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TINCHER. If it is to yield to the gentleman.

Mr. GARRETT of Tennessee. I think the gentleman made a statement inadvertently in relation to the tariff on tobacco.

Mr. TINCHER. I never said anything about the tariff on tobacco. I supposed Mr. KINCHELOE knew about that.

Mr. GARRETT of Tennessee. It should be well understood that there is no tariff on tobacco except such as equalizes the internal-revenue tax as laid upon tobacco and its manufacture. But there is no tariff.

Mr. TINCHER. The gentleman agrees with me, the man who raises the food products of this country ought to have a fair ratio price for his production in proportion to the price which the constituents of the gentleman from Kentucky get for their tobacco.

Mr. HUDSPETH. And that is $2.50 a pound?

Mr. GARRETT of Tennessee. It merely equalizes the internal-revenue tax that is laid on tobacco; that is all.

Mr. HUDSPETH. Does it not amount to $2.50 a pound?

Mr. GARRETT of Tennessee. It equalizes the internal-revenue tax which is laid upon tobacco.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOZIER. Will the gentleman permit me to answer the gentleman from Tennessee?

Mr. TINCHER. No; I want to put something in the RECORD.

The CHAIRMAN. The gentleman declines to yield.

Mr. TINCHER. I want to clear up the record. In the hearings, page 445, Mr. Draper says this:

> Mr. Chairman and gentlemen, I represent the Institute of American Meat Packers of Chicago.

I know from the testimony taken that the stock of the American meat packers of Chicago is owned by the five big packers.

> Our president, Mr. Herrick, of Chicago, was to have appeared before the committee to-day, but owing to certain business which developed in Chicago he was unable to be here and asked me to appear for him.

He gives testimony of several pages against the Haugen-McNary bill. He says he represents that corporation. If a man represents the stockholders of a corporation and the stock of that corporation is owned by the five big packers at Chicago, if he does not so appear, I do not know how he got here. [Applause.]

Mr. DENISON. Mr. Chairman——

The CHAIRMAN. Does the gentleman desire to be heard on the amendment?

Mr. DENISON. Yes.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois.

Mr. DENISON. Mr. Chairman, I ask to be allowed to proceed for 10 minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DENISON. Mr. Chairman, I want to discuss the amendment pending before the House for a moment in a spirit of friendliness to the bill. It seems to me if we are going to continue this general discussion of the bill that somebody ought to make a motion to strike out the enacting clause of the bill; but if we are to consider amendments offered we ought to confine discussion as near as possible to the amendment pending. Now, the amendment offered by the gentleman from Texas [Mr. JONES] I do not think will accomplish what the gentleman seeks to accomplish. I think the section of the bill ought to be amended, because it will not work as those who claim to be its friends think it will work.

If you will read the definition in section 3 in connection with section 2, you will find, I think, that the bill would have to be so interpreted that not only livestock, such as cattle, sheep, and swine, are what are called agricultural commodities or agricultural basic commodities but that any food products of livestock are also agricultural commodities within the meaning of the bill, and that in construing it the corporation will have to construe it that way; they could only declare an emergency with reference to agricultural products as to which there is an exportable surplus; and if the surplus is in the food product and not in the live product, the emergency would have to be declared as to the food product and not the live animal.

Mr. JONES. Will the gentleman yield?

Mr. DENISON. I will.

Mr. JONES. If the gentleman will notice the wording of the amendment, it says if an emergency exists as to any commodity or any food product of such commodity that may be declared on the commodity itself.

And I will state that that amendment was submitted to the drafting clerk, and he agrees as to my views.

Mr. DENISON. I want to discuss it; and if my views are not correct, you can discard them, but I have been of the opinion that the gentleman's amendment does not accomplish what he intends to accomplish. Now, let me read the amendment in connection with the section of the bill, and let us see if it accomplishes what the gentleman desires to accomplish, and let us see if it is in harmony with the theory of the bill. Now I read on page 2 of the bill. I read section 2 with the gentleman's amendment in it:

> If the corporation finds that there is a surplus for export of wheat, flour, rice, corn, wool, cattle, sheep, swine, or of any food product of cattle, sheep, or swine, or that the exportation of any of such commodities or of any food products thereof would materially enhance the domestic price of such commodity.

Now, you notice the gentleman uses the word "enhance," so that if this amendment goes into the bill, if the corporation finds that the export of the commodity will enhance its value, it can declare an emergency. So this amendment, with the word "enhance" in it, is entirely contrary to the whole theory of the bill. You ought to have the word "depress" instead of the word "enhance."

Mr. JONES. No; the exportation is to enhance the value of the domestic product. What the bill wants to do is to enhance the domestic market; and if they find that exporting a portion of the product will enhance the rest of it, that is what the bill

proposes to do. It wants to raise the domestic price to the producer of the product.

Mr. DENISON. If the gentleman's amendment is adopted, then the corporation can declare an emergency if they find that the exportation of cattle will enhance the value of the article. That is not the theory of the bill, as I understand it.

Mr. JONES. If the gentleman will permit, "provided the price is below the ratio price at the time." You must have a combination.

Mr. DENISON. Yes; but this is declaring the basis on which an emergency can be declared. If this amendment is adopted as the gentleman has offered it, if they find that the exportation of either the live animal or the product will enhance the value of that article on the domestic market, then they can declare an emergency. That is exactly opposite to the entire theory of the bill. The amendment ought to contain the word "depress," instead of "enhance," so that if they find that the exportation of the animal or its food products will depress the domestic market or is depressing the value of the article on the domestic market, then an emergency can be declared.

Mr. WILLIAMSON. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. WILLIAMSON. Does this amendment add anything to the bill? Under the bill as it now stands they can declare an emergency.

Mr. JONES. Mr. Chairman, will the gentleman yield there?

Mr. DENISON. No. I shall have to proceed. I want to present my ideas, and then I will be through. I am trying to perfect the bill. I do not think it will do what those responsible for it think it will do.

I have an amendment that I want to offer when this one is disposed of. If the committee agrees and accepts the amendment of the gentleman from Texas, then I will not offer it.

Mr. BURTNESS. I suggest to the gentleman that he take time to explain his views on that.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DENISON. The amendment I want to offer is this. If the gentlemen who are interested in the bill do not approve of it, then they can vote it down. If I understand the purpose of the bill, it is to benefit the farmer or the producer, rather than the man who is interested in the finished or processed product.

I would amend it in this way: I would strike out all after the word "wheat." I offer the suggestion that on line 22 of page 2, after the word "wheat," you strike out all of that line and all of line 23 and insert the following: "Rice, corn, cattle, sheep, or swine, or of any processed product of either of them." Then it would read: "If the corporation finds (1) that there is a surplus for export of wheat, rice, corn, wool, cattle, sheep, or swine, or of any processed product of either of them," and so forth.

You see, I omit flour and any of the processed products and put them together. In section 3, where you define basic agricultural products, I would define them as follows: Instead of the definition now there I would say: "The term 'basic agricultural commodity' means any agricultural commodity in respect to which a special emergency has been declared," so that the bill will then deal with the things that the farmer produces, and not the thing that the packer produces. It would then be that if the live animal or its processed product is exported, if there is a surplus for export of either, there can be declared an emergency as to the agricultural products only. That will confine the declaration of the emergency to the things only that the farmer produces. Under the bill as it is now the corporation can declare an emergency as to the thing that the packer produces. There the bill is wrong, in my judgment.

Mr. SCHNEIDER. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. SCHNEIDER. Does that include dairy products?

Mr. DENISON. I am not an expert on those things. If dairy products are construed to be the products of cattle, it would.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. DENISON. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DENISON. Now, here is another objection to the amendment offered by the gentleman from Texas, if I properly interpret it. You will notice, if his amendment is adopted, the corporation can declare an emergency as to any of these products, not only if there is a surplus for export but even though there may be no surplus, either of the live animal or the food product. They can declare an emergency if they find that there could be an exportation that would enhance the value in the domestic market.

Now, gentlemen, if Congress can do that, then we can create this corporation and fix the emergency price, without regard to its export at all. I do not think we had better undertake to go that far, because that is contrary to the entire theory of the bill. The theory of the bill, as I understand it, is that if in those things that the farmers produce there is a surplus to be sold on the world market, and that depresses the domestic market, therefore the farmer ought to have relief from that depressed market. But if this amendment is adopted the corporation could declare an emergency, whether there is an exportable surplus or not.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. SUMNERS of Texas. Is not the purpose of the bill to raise the price of these commodities to the farmer?

Mr. DENISON. I understand so.

Mr. SUMNERS of Texas. It does not make any difference whether it is the price of the surplus or otherwise. You are trying to get better prices.

Mr. DENISON. If we can enact legislation that will artificially enhance the price of a product, without regard to any exportable surplus, why mention exportable surplus? That is going pretty far. I do not think we can do that under the most liberal construction of our constitutional limitations At least, that is not the theory of this bill, and if we are going to adopt an entirely new theory we ought to rewrite the bill entirely, because this bill is written and offered on the theory of selling the surplus in foreign markets.

Mr. SUMNERS of Texas. The surplus is what you are really dealing with?

Mr. DENISON. I think so.

Mr. SUMNERS of Texas. If the bill is effective, would it not increase the very thing you are trying to get rid of and leave the farmer at the expiration of the bill in worse shape than he is now?

Mr. DENISON. I will let some other gentleman answer that question. All I am trying to do is to perfect this section 2.

Mr. BLACK of New York. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. BLACK of New York. I want to say to the gentleman that I have here an advertisement appearing in a maritime magazine which carries the news that a St. Louis house can sell an European-built boat for one-half the price at which an American boat can be sold, a boat of the same type. Now, I ask the gentleman whether, if the McNary-Haugen bill passes, it would not have a tendency to increase the price of food to the American workman so that you can sell the same food to European workmen at a less price than the price at which it is now being sold.

Mr. DENISON. I think it will increase the price of food products, of course. If it does not, it will not accomplish its purpose.

Here is what I propose to do: I think that the term "basic agricultural products" ought to be limited to the things which the farmers raise and ought not to include the processed products; I think the language ought to be so chosen that only an exportable surplus may be taken as the basis for declaring an emergency. And then the emergency ought to be declared only as to the agricultural products, the things that are produced by the farmers.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the pro forma amendment may be withdrawn.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment be closed.

Mr. BLANTON. I want five minutes.

Mr. HAUGEN. Then, after five minutes.

Mr. BLACK of New York. May I ask the gentleman whether I am to have some time?

Mr. HAUGEN. I am asking that debate close only on this amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this amendment close in five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas [Mr. BLANTON] asks unanimous consent that the pro forma amendment be withdrawn.

Mr. BLANTON. And I move to strike out the last two words.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Chairman, my colleague from Texas [Mr. HUDSPETH] who, I imagine, is one of the best posted men on raising livestock in this country, has nevertheless gotten a wrong idea about this bill. I asked him about wool. To benefit wool there would have to be an exportable surplus, and he admits that we import 281,000,000 pounds more of wool than we export, in fact, we do not export any.

How about frozen beef and mutton? He admits that the packers have on hand approximately $250,000,000 worth, and the price of which would probably be doubled overnight by this bill, and they would thus make $250,000,000 clear profit overnight by the passage of this bill. He says, "Sell it to the Government, let the Government export all they have on hand, and then the packers would have to buy from the stockmen and farmers in order to fill their cold storages." But that will not be the case. Here is what will happen, just what the gentleman from Kentucky [Mr. KINCHELOE] said: The packers will sell to the Government this $250,000,000 worth of frozen meat they now have on hand at double its value; the Government then will have to export it, and the packers, through their agents abroad, will buy it back in the foreign markets at the low-world price and then ship it back here, and resell it again at its abnormal price to consumers and the Government, and there is not a sufficient tariff to protect the producers, or the people, or the Government from such practice.

Now, everyone here admits that what is mainly the matter with the farmer is that he has to sell everything he produces in practically a free market and that he is forced to buy everything he uses and needs in a protected market. I will tell you what remedy we ought to give him. I am a Democrat; I have been a Democrat all my life, and I believe in a tariff for revenue only, but it is admitted that the Government must collect every year at least $500,000,000 through the customhouses. That is admitted. If we have to collect that much through the customhouses, why do we not give the farmers the benefit of a substantial part of it? Why do you not put a greater part of that $500,000,000 needed tariff on the foreign farm products which are shipped into this country to compete with American farm products and give the farmers the benefit of it?

I will tell you how you can help the farmer in two ways. First, reduce the tariff on the products the farmers buy. That helps them in one way; that keeps them from having to buy in a protected market; and, then, at the other end of it, raise the tariff on the foreign products of the farm. That is the way you can help the farmers. Give the farmers the benefit of some of this $500,000,000 tariff that must be collected each year through the customhouses.

Is there anything wrong with that proposition? Is that against democratic principle along that line? No; because we must collect $500,000,000 through the customhouses each year as tariff, and we can collect it on farm products just like we can on manufactured products, because we are importing more of certain farm products than we are exporting.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 14, noes 58.

So the amendment was rejected.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The CHAIRMAN. The gentleman from Texas makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and sixteen Members present, a quorum.

Mr. VESTAL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VESTAL: Page 3, line 3, after the word "corporation," strike out the balance of line 3 and all of line 4 and insert in lieu thereof the following: "The President may by proclamation declare that."

Mr. VESTAL. Mr. Chairman, section 2 reads that if the corporation finds, first, that there is a surplus of export wheat, flour, rice, corn, wool, cattle, sheep, swine, and so forth; and, second, that according to estimates made by it the ratio price, as defined in section 4, in respect of the commodity would be in excess of the domestic price thereof, and so forth, then follows the language that—

upon such notification from the corporation it shall be the duty of the President, by proclamation, to declare that a special emergency exists as to such agricultural commodity.

If my amendment is adopted, the language would be changed so that it would read as follows:

Upon such notification from the corporation the President may, by proclamation, declare that a special emergency exists as to such agricultural commodities.

It seems to me, gentlemen, discretion ought to be left with the President to declare this emergency. A great number of gentlemen have said to me at different times they would be glad to support this bill if it could be tried out upon one or another of the products mentioned in the bill. If the language I have submitted in my amendment was placed in the bill, it would give the President the discretion to try this question out upon one product and determine whether or not the plan is workable. It would be left to him. It could be tried out upon wheat or upon any one or the other of the commodities mentioned in the bill, and I really think the discretion ought to be left with the President instead of using the mandatory language used in this bill.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. VESTAL. I will be glad to yield.

Mr. SUMNERS of Texas. Under the provisions of the bill the corporation is given a discretion?

Mr. VESTAL. Yes.

Mr. SUMNERS of Texas. Does the gentleman think the corporation should have discretion, and the President, after the corporation has found an emergency to exist, should also have a discretion; in other words, put a double discretion upon the declaration of the emergency?

Mr. VESTAL. As I understand this bill, the corporation finds facts and submits them to the President, stating that in their opinion there is an emergency, but it can not be put into effect unless the President declares the emergency. As the language reads now in the bill, as I understand it, and I may be wrong about it, if the corporation finds that certain facts are true and submits them to the President, the President has no discretion about it at all, but must declare the emergency, and I do not believe that language ought to be in the bill.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. VESTAL. I will be glad to yield.

Mr. NEWTON of Minnesota. I sympathize with the position of the gentleman, and in the main I agree with his position, but I do not think the language as the gentleman has drawn it quite meets the situation. I think the courts might very well construe the word "may" in the gentleman's amendment to mean "shall," so that it would be mandatory upon the President to declare the emergency. It seems to me we ought to follow in enacting this measure the same principle we have followed in the enactment of tariff legislation. The Tariff Commission conducts hearings, it makes findings of facts and recommendations, but it is up to the President as to whether or not he wants to put the additional duties into effect.

Mr. VESTAL. That is the very purpose of my amendment. I may not have used the language that will bring that about, but I think the discretion ought to be left with the President after the facts are ascertained.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN and Mr. NEWTON of Minnesota rose.

Mr. NEWTON of Minnesota. Mr. Chairman, I want to offer a substitute for the amendment of the gentleman from Indiana.

Mr. HAUGEN. May I ask the gentleman if it is not a fact that the tariff act uses the word "shall," and it is not left to the discretion of the President at all?

Mr. NEWTON of Minnesota. No; the President finds the facts and the Tariff Commission finds the facts.

The CHAIRMAN. The gentleman from Minnesota offers an amendment by way of substitute, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota as a substitute for the amendment offered by Mr. VESTAL: On page 3, line 3, after the word "corporation," insert "and after such further investigation as he may make the President shall also find said facts."

After the word "the," in line 6, strike out the word "corporation" and insert "President," and on line 8 strike out "it" and insert "he," and strike out line 9 and up to the word "buy" in line 10.

Mr. NEWTON of Minnesota. Mr. Chairman, I am in accord with the general principle embodied in the amendment offered by the gentleman from Indiana [Mr. VESTAL]. He seeks to give the President discretionary power in declaring or terminating a special emergency. My substitute seeks to accomplish the same thing, but with language that I think will make it more certain. This bill before us is an emergency measure; that is the only excuse for its consideration. The bill provides in section 1 that an emergency in respect of agricultural commodities now exists. The same section confers power upon the President to terminate the general emergency whenever the corporation determines that the emergency no longer exists. It will be observed—and the gentleman from Texas [Mr. BLANTON] pointed this out the other day—that the President must await the determination by this corporation before he can terminate the emergency by proclamation. Section 23 provides that the corporate existence shall continue until the termination of this general emergency. Section 24 provides that the several directors, with salaries of $10,000 per year, shall hold office during the period of the corporate existence; or, in other words, until the general emergency has terminated. The way the bill is now drawn these directors can not be removed and will remain in office until they themselves determine that the general emergency no longer exists. I believe this to be wrong for another reason, for it makes the President of the United States, our Chief Executive, a purely ministerial agent of the corporation whose members he appoints.

Mr. Chairman, we find in section 2 a similar provision in reference to special emergencies. When the corporation determines that there is an exportable surplus and that the domestic price is below the ratio price, it so notifies the President and he must declare a special emergency to exist. He has no discretion. He is not authorized to make any investigation himself. If he should, he is not permitted to follow it. It merely remains for him to perform the ministerial duty of issuing the proclamation. The better practice would seem to be to require the corporation to make its investigation and report its findings to the President, and then if the President should likewise so find those conditions to exist that it should then be his duty to declare this special emergency to exist. I have been unable to find any legislative precedents for this. It stands unique. Well, this is a unique bill in more than one respect. You will recall the flexible provisions of the Fordney-McCumber tariff bill permitting after investigation the raising or lowering of duties not to exceed 50 per cent. The Tariff Commission is authorized to assist the President in ascertaining differences in the cost of production at home and abroad, and the acts specifically provide that no duty shall be changed by proclamation until the Tariff Commission, after hearings, has made and completed its investigations and reported thereon to the President. But the ultimate finding of fact and decision is conferred upon the President and not the Tariff Commission. The language of section 315 in several different places is—

> Whenever the President, upon investigation * * * shall find * * * he shall proclaim—

And so forth.

Mr. Chairman, this responsibility should ultimately rest upon the President of the United States, and no one else. I am at a loss to understand why his responsibility should be confined to duties of a purely ministerial character.

I do not think that there is going to be very much difference in the application of the general principles of the bill, whether we use the language of the bill or whether we use the language that has been offered here by the gentleman from Indiana or by myself. I think generally the President would follow the recommendations of his advisers. His independent power would act as a check upon them, and in addition we would not be making the President a mere agent of a governmental corporation.

Mr. PURNELL. Will the gentleman yield?

Mr. NEWTON of Minnesota. I yield.

Mr. PURNELL. The President has nothing in the world to do except to issue a proclamation. Somebody ought to have authority to announce the fact that there is a surplus, and the ratio price is not up to the point where it ought to be. Who else would issue it? That is the only function he has to perform. He is not put in the attitude of simply functioning for this corporation.

Mr. NEWTON of Minnesota. Yes; he is acting purely in a ministerial capacity at the behest of the corporation. He has no discretion in the matter whatever, and I do not think that is the way it should be.

Mr. PURNELL. He merely uses his office to issue this proclamation announcing to the country that the situation which the corporation finds does actually exist.

Mr. NEWTON of Minnesota. I do not think we ought to write into the law the principle that corporate officers here shall direct the President of the United States to do or not to do a certain thing. [Applause.]

Mr. WEFALD. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. WEFALD. Can the gentleman tell us if the President at this time thinks there is now an emergency existing?

Mr. NEWTON of Minnesota. The bill is not yet a law, and I can not speak for the President or his views in reference thereto. The bill has not yet been put into shape. And now while we are debating merely the second section the gentleman wants me to tell him the President's attitude.

Mr. WEFALD. I want to remind the gentleman of the fact that the President sent two men out through the Northwestern States, where the emergency existed, and they came back and made their report. The President went before Congress and said, in substance, speaking of the agricultural crisis, that God helps them who help themselves.

Mr. NEWTON of Minnesota. The President, after hearing the observers, delivered a message to Congress requesting as far as possible where legislation could cure or remedy the situation to undertake it, but he warned Congress to keep away from complicated schemes and price-fixing measures. Again, he appeared before Congress and requested Congress to give attention to problems of agricultural relief, and warned them against passing legislation that was economically unsound.

Mr. WEFALD. Has the President proposed one single remedy for the relief of agriculture or the farmers?

Mr. NEWTON of Minnesota. It is not generally considered to be the duty of the President to propose concrete suggestions to Congress. He calls attention to the state of the Union, and it is then our business as the legislative branch of the Government to act. I will say, however, that the President of the United States did recommend the enactment of a bill embodying the general principles of the so-called Burtness-Norbeck bill, which was defeated in another body some two months ago. It has also been known as the Coulter plan.

Mr. WEFALD. He was very specific in his recommendation on the tax measure.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment be now closed.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on the pending amendment be closed. Is there objection?

There was no objection.

The CHAIRMAN. The question is, first, on the amendment in the nature of a substitute offered by the gentleman from Minnesota.

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Indiana [Mr. VESTAL].

The question was taken, and the amendment was rejected.

Mr. BEGG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Page 3, line 5, after the word "commodity," add "but only one such commodity shall be declared during the first year of the operation of this act."

Mr. BEGG. Mr. Chairman——

Mr. KETCHAM. Will the gentleman yield for a question?

Mr. BEGG. Yes.

Mr. KETCHAM. Does the gentleman's amendment mean to limit it to one commodity. His amendment does not make it quite clear.

Mr. BEGG. One such emergency shall be declared the first year. Mr. Chairman and gentlemen of the committee, I regret seriously that every Member of the House is not here to give serious consideration to this bill. I would like to find myself in a position where I could vote for it, but there are many provisions in this proposed relief measure that cause me to hesitate. There is a fundamental law of economics and of politics you might say combined—political science—that we are losing sight of entirely. That basic law is nothing more or less than this: There never was a time in any country when an act of the legislative body could put value into any commodity.

Mr. DICKINSON of Iowa. What about the tariff?

Mr. BEGG. I will come to that. The most silly economic argument that is offered is a comparison of this law to the tariff.

If you want to be a student of economics you can not make that kind of a comparison at all, but I do not want to get off on that. I want to call attention to two or three things and then I will rest my case with you. The gentleman from Texas said if this was written into the law, the farmers would have in their pockets a billion dollars or over. Somebody suggested that the packers could put $250,000,000 in their pockets. If that is true, I want to ask you where that billion dollars and $250,000,000 is coming from? We have passed the time when somebody can have manna rained down on a distressed people even if it be the farmers.

I am willing to go along on the experiment, as unsound as I think it is economically, if you will confine its operation to one product, and I will let the farmers and the President select the product. But, my friends, the minute this bill becomes a law as it is written to-day, carrying $200,000,000, you have laid an added tax on the people of my State of $14,000,000. [Applause.] We only produce about 16,000,000 bushels of wheat, and you can not tax to the point of starvation the fertile section of your country long to help some other section of the country without ruining the whole people. A part of the bad conditions economically that are in existence in the United States is directly chargeable to the defective economic national policies we have already established. Before we pass a law like this under the passion for votes or otherwise let us stop and consider the results of our action here this afternoon.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BEGG. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. BURTNESS. Mr. Chairman, reserving the right to object, I want to be sure that the gentleman will answer a question as to whether he regards the State of Iowa and the Red River Valley as unfertile country?

Mr. BEGG. Oh, that is not a pertinent question.

The CHAIRMAN. Is there objection?

Mr. WEFALD. Mr. Chairman, reserving the right to object——

Mr. BEGG. Mr. Chairman, that is not fair. I either want my time to myself or I do not want it.

Mr. WEFALD. I withdraw the objection.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BEGG. Mr. Chairman, I do not want to be discourteous, and I do not want to take up all of the time with questions. I want to discuss this for a couple of minutes.

Mr. WEFALD. I just want to ask one question, because it is pertinent along the gentleman's line of reasoning. Is the gentleman willing that the tariff should apply to only one article each year?

Mr. BEGG. No; I am not; and I shall discuss the tariff now for just a minute or two, even though I may have to ask for another minute. There is not an industry in existence in my district or State that will continue to turn its wheels if you take the tariff off. That being true, we must have a tariff or close down the plants. Those men who want to argue in favor of closing down the industries of this country by taking off the tariff are welcome to their position, but I do not stand with them.

Mr. WEFALD. And when farming does not pay, farming will have to cease. Is not that right?

Mr. BEGG. No; that is not right. I do not maintain that every farmer is making money to-day, but I do maintain that every farmer is not bankrupt. All of the relatives that I have or that have ever lived in this country live on a farm, and they are making money to-day and they have made money. There are a lot of things that have entered into this proposition. As long as you raise too much wheat, more wheat than can be consumed, then there must be some control over the flow of that wheat into the market, or the price will always hit the bottom, just as you gentlemen are arguing. I grant that; but the method of control of the flow of that wheat onto the markets of the world is the thing that I am questioning you about. You want to take $200,000,000 out of the Treasury and establish what? An independent body? No; you are establishing a partisan, political control, and you are going to pay the magnificent sum of $10,000 a year to the head of a $200,000,000 corporation. Those of you who have had anything to do with business know that in the markets of the world anywhere to-day you can not buy for $10,000 a man with enough gray matter to handle a $200,000,000 corporation successfully. You are doomed to failure in the very premise if you leave it as it is now.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. BEGG. I would like to finish that. This is a partisan political proposition. No one will dispute that this corporation which is being created is partisan and is political. Show me a governmental agency now in existence without competition that makes its own way and that does not draw on the Federal Treasury.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. BEGG. I am going to ask for five minutes more. I may not use it all.

Mr. DOWELL. Mr. Chairman, will the gentleman answer one question?

Mr. BEGG. I shall yield.

The CHAIRMAN. Is there objection.

There was no objection.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate upon this pending amendment close in six minutes.

Mr. CONNALLY of Texas. Mr. Chairman, I can not agree to that. I shall have to object to that.

Mr. BEGG. Mr. Chairman, let me call attention to the Post Office Department, that annually loses from $30,000,000 to $40,000,000. No one but knows that if a private corporation conducted the post-office business in this country, if a man big enough to head such a corporation could be found, it would make money out of it and give the same service that is given to-day.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. BEGG. I want to finish another sentence or two.

Mr. CRAMTON. I would like the gentleman to be somewhere near right.

Mr. BEGG. I want to be fair, and I shall let the gentleman correct me.

Mr. CRAMTON. The gentleman knows that if it had not been for the last great salary increase in the postal employees the Post Office Department would have paid a surplus before this. The gentleman would say, of course, that that is the pressure of politics.

Mr. BEGG. I admit it all; but why is it that in a big business corporation without any handicap that would not be the fact?

Mr. CRAMTON. The railroad employees of the country have been able to force their salary increases through legislation as much as the Post Office.

Mr. BEGG. And that is what I am maintaining, and that substantiates what I say. Take the Shipping Board. Let us assume that we can get a head for the Shipping Board who is the best man in the country. With a change in the administration we would change the board of directors, and that is what will happen in this organization. If we appoint a board of directors that are qualified, and they start to make good, a new administration coming in, as the time of the various members of the board expires, we will get new members on the board. There is no private industry in existence anywhere that ever made a success with a constantly shifting management and policy. I maintain that the organization that is set up in this particular scheme of things is foredoomed to failure before it ever starts. If my amendment is adopted, what does it mean? If $200,000,000 is ample to try and experiment on wheat, corn, hogs, wool, and every other article enumerated in this bill, then $50,000,000 will be ample to experiment with on a single individual product in the United States.

And I say to the proponents of the bill, if you will confine the experiment—because it is nothing more than an experiment, and the most enthusiastic supporter of the bill admits that it is an experiment—if you will confine it to one item for one year, I will vote for it, and if it succeeds we do not need to confine it; we can expand it.

Mr. HAUGEN. Suppose an emergency exists in all these commodities enumerated in clause 2, and there seems to be no question about that, can the gentleman tell me why one should be singled out and the rest not?

Mr. BEGG. Because we do not know it will work.

Mr. HAUGEN. What is the reason for the discrimination?

Mr. BEGG. There is no discrimination.

Mr. HAUGEN. It is a discrimination, pure and simple.

Mr. BEGG. I submit to the fair-mindedness of the House if we put forth an experiment—and it is an experiment—and leave the selection to the interests themselves to pick the one item, that is not showing preference.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HAUGEN. I ask unanimous consent that all debate be closed on the pending amendment.

Mr. SCHAFER. Reserving the right to object, may I be given two minutes on the amendment?

Mr. HAUGEN. Mr. Chairman, I move that all debate close in two minutes on the pending amendment.

The motion was agreed to.

Mr. SCHAFER. Mr. Chairman and members of the committee, I did not intend to enter into this discussion until my distinguished colleague [Mr. BEGG] raised the point about the operation of the Post Office Department, intimating or inferring that if the Post Office Department was not operated by the Government there would not be a deficit. I differ with the inference, and I honestly believe that if the Post Office Department were not operated by the Government but were operated by private interests of this Nation we would be paying to-day two or three times as much for our Postal Service as we are at present. [Applause.] Another gentleman raised the point about the deficit being caused on account of the salary increases to the postal employees. Can we expect not to have a deficit when we take into consideration the fact that the Post Office Department is rendering its service at pre-war cost? No other business in this land, from the biggest corporation to the smallest peanut roaster, is to-day selling its commodity or service at pre-war cost. The postal employees' small wage increase in the past may have contributed a little to the deficit, but notwithstanding said increase they are at present underpaid, and I am in hope that this session of Congress will not adjourn until we provide adequate salaries for the postal employees. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

Mr. JONES. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 3, line 5, after the word "commodity," insert the following: "Whenever an emergency is declared upon flour or upon any food product of cattle, sheep, or swine the President is authorized to declare an emergency as to the commodity out of which such flour or other food product is made."

Mr. JONES. Mr. Chairman——

Mr. COLTON. Mr. Chairman, I make a point of order this is in substance the amendment previously acted upon by the House.

The CHAIRMAN. The point of order would not be well taken. An amendment which is the same in substance may be offered again.

Mr. JONES. Mr. Chairman, it is not the same in substance, because I advisedly made the other amendment cover cases where there was not an exportable surplus. I thought then and I now think that even though we may not be on a strictly exportable basis with reference to any commodity that the corporation should have discretion to declare an emergency. I leave the bill like it is, except for this change, that I provide if the corporation and the President find that an emergency exists and declare it to exist upon flour, which is the food product of wheat, or upon any food product of cattle, sheep, or swine, thereupon the President is authorized to declare an emergency exists as to the commodity out of which that flour or food product of cattle, sheep, or swine is made. I believe that the committee ought to accept that amendment. It simply provides that a man who produces the wheat and the man who produces the cattle, sheep, or swine may have the benefit of the direct declaration of an emergency upon the product which he produces if the corporation finds that the emergency exists on the food product which is made from that commodity. It seems to me that there should not be any objection at all. I have tied this on at the end of section (a), so that as amended it would make provision just as it now makes provision for a declaration of emergency on these commodities named or upon the food products named and gives the President the authority to declare such emergency. I follow that with the provision, in just as simple language as I was able to write it, that if there is a declaration of emergency as to one of these food products then the President should also have the authority to declare an emergency as to the commodity out of which that food product is made.

Mr. BURTNESS. Will the gentleman yield?

Mr. JONES. I will.

Mr. BURTNESS. If I understand the gentleman correctly, his contention is, for instance, if it should be found there is an exportable surplus of ham and bacon under the bill as it is drawn they can not declare an emergency upon hogs?

Mr. JONES. Exactly.

Mr. BURTNESS. I do not quite agree with the gentleman in that conclusion, but if that is the case surely this bill must be amended.

Mr. JONES. I think so; and, at least, there is a good deal of doubt, and I have eliminated the ground of objection that was alleged against my other amendment. If we are to have this bill, I want to have the corporation vested with this authority, whereby they can declare an emergency even if there is not an exportable surplus. I do not see how the House could disagree with the amendment that I have now.

Mr. COLTON. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. COLTON. If the emergency is declared to exist on wheat, does the gentleman think it could not be declared on flour?

Mr. JONES. Wheat is exported, a great deal of it, in the original form. If there is an emergency in wheat, it would naturally follow that there would be on flour.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. SHALLENBERGER. Your amendment seeks to apply particularly to the conditions surrounding the wheat man and the cattleman, because there is always a question there whether you are exporting or importing?

Mr. JONES. Yes.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield there?

Mr. JONES. Yes.

Mr. KINCHELOE. The gentleman can see where a case might arise where the raw product is reduced to such an extent that there is not an exportable surplus of the raw product, but there might be a surplus of the finished product, and therefore you run counter to the purpose of this bill.

Mr. JONES. No. The President is simply given discretion and authority. He will not have to exercise that authority unless he wants to. But suppose the President finds an emergency as to a food product. Then he ought to be able to give the livestock man the benefit of it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BROWNE of Wisconsin rose.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate on this amendment close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on this amendment close in five minutes. Is there objection?

There was no objection.

Mr. BROWNE of Wisconsin. Mr. Chairman and gentlemen of the committee, after listening to the arguments in this debate on both sides—and the question has been discussed very ably—and after examining the splendid reports of the committee, I find myself still open to conviction upon it. I have made up my mind upon one thing, however, and that is that I would vote to try out this matter on wheat, one commodity. Whether I shall vote for any more than that I have not determined. However, this bill is open to amendment here, and if it passes it also can be amended in the Senate. If one fails to vote for this bill because he favors some other bill, he may be placed in the position of not having an opportunity to vote for any bill to aid the farmers.

Secretary Wallace is quoted—and I do not believe there will be very much question about his conclusion—that the difficulties of the farmer have been brought about by legislation. I think that the chief cause of the farmer's condition to-day was the deflation policy of the Federal Reserve Board. Practically in one year, from October, 1920, to October, 1921, our currency was contracted over a billion dollars.

We saw the other day by the charts that were introduced here, made by our Agricultural Department, how prices on everything rose during the period of the war, including even the prices of farm products, which rose with other commodities, although not as high, and then suddenly, in 1920, while almost everything else remained high, the prices of farm products suddenly dropped to 1913 prices.

Most of the world's great staples, like steel and coal and building materials, which were controlled by monopolies and were not subject to the law of supply and demand, remained at these high prices. Coal and steel and building materials to-day are as high, and some of them higher, than at any time during the war, while farm products are down nearly to the price of 1913. High railroad rates also prevented farm products

from rising. Freight rates have increased 78 per cent since 1917.

Secretary Wallace made the statement that the farmer's condition was brought about by the Government itself, and I believe that it devolves upon the Congress to pass legislation, if it can be done, and I believe it can be done, legislation that will help this situation and place the farmer in the position he would have been had agriculture been given a fair chance.

Now, we know that one of the causes of low prices of farm products is our exportable surplus, and I believe the Government can aid in helping to dispose of that exportable surplus. We saw the effect on prices when we appropriated $20,000,000 for the relief of the famine sufferers in Russia and the Government bought $15,000,000 worth of corn. The price of corn jumped up from 15 to 20 points, and it put into the pockets of the farmers over $150,000,000. We made money out of our generosity, and it was a good investment. So that I beg to differ with my friend from Ohio [Mr. BEGG] in that I believe this situation can be remedied by legislation. I think it is the duty of this Congress to try its best, and I believe the President of the United States should summon all of the experts on agricultural economics in the country to meet here in Washington with the committees of the Senate and the House and work out legislation if Congress thinks this bill is not sufficient to remedy the situation, or at least prevent the great disaster that is threatening us to-day in this country. Out in the West there are whole States that are practically going bankrupt. In the last three years, according to the Comptroller of the Currency, over 1,000 banks have failed, State banks and national banks, many of them in splendid agricultural States. Banks whose securities, gilt-edge farm mortgages, were considered at a premium three years ago are now regarded as almost worthless, frozen assets that will never be available.

BANK FAILURE

For the years 1921, 1922, and 1923, according to a late report from Henry M. Dawes, Comptroller of the Currency, there have been 930 State bank failures and 98 national bank failures. There have been more bank failures in these 3 years than in the 20 preceding years, most of the bank failures being in agricultural States west of the Mississippi.

Bank failures, National and State, from 1900 to 1924

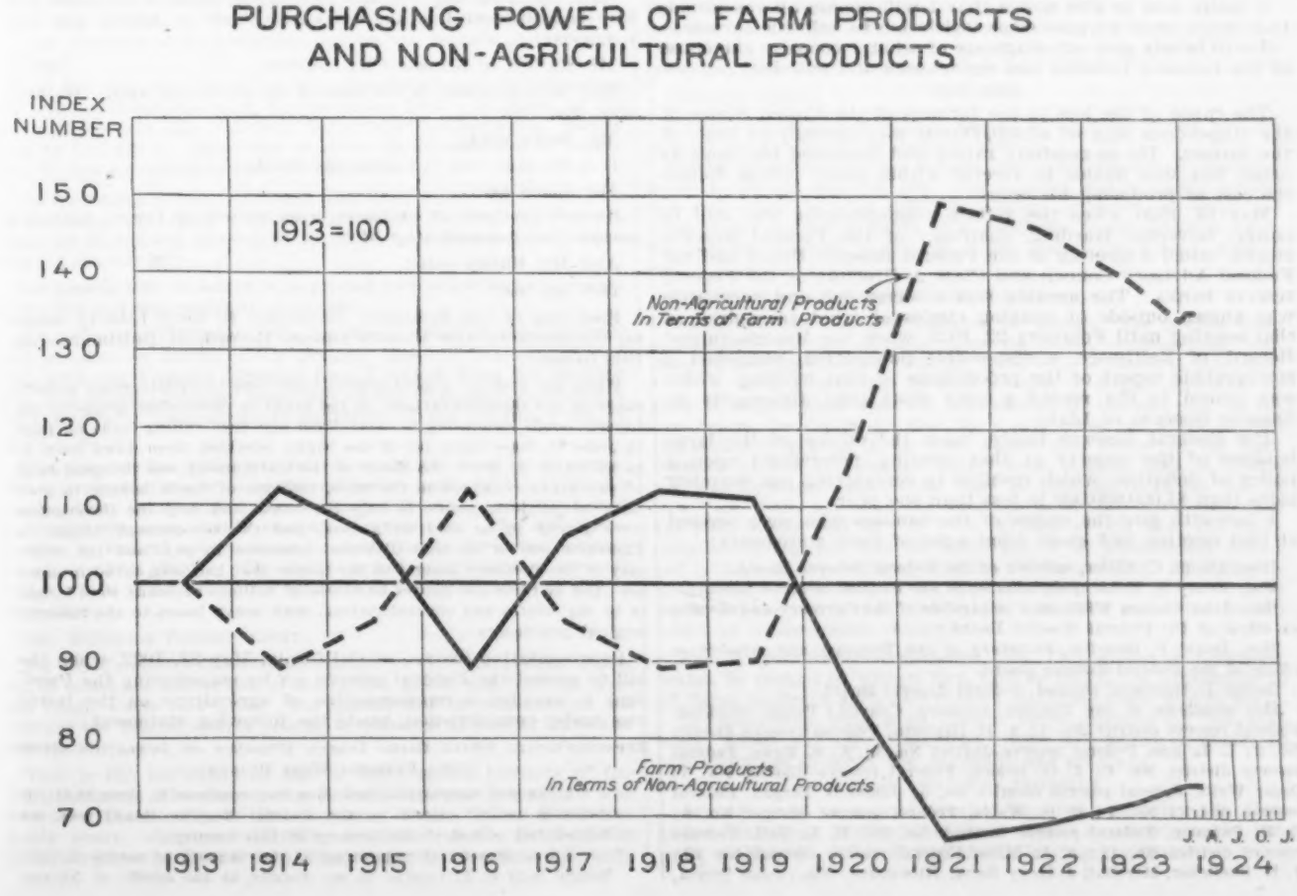
Year	Number of national bank failures	Number of State bank failures
1900	6	32
1901	11	56
1902	2	43
1903	12	26
1904	20	102
1905	22	57
1906	8	37
1907	7	34
1908	24	132
1909	9	60
1910	6	28
1911	3	56
1912	8	55
1913	6	40
1914	21	96
1915	14	110
1916	13	46
1917	7	35
1918	2	25
1919	1	46
1920	5	44
1921	23	330
1922	33	364
1923	37	237

I trust this information will serve the purpose for which requested.

Very truly yours,

HENRY M. DAWES, *Comptroller.*

I insert as a part of my remarks a diagram or graph prepared by Charles J. Brand, consulting specialist in marketing of the United States Department of Agriculture, which is based on official statistics from the Department of Agriculture and tells the story of the deflation of farm products more eloquently than language. It shows the sudden drop in agricultural products and the purchasing power of farm products compared with nonagricultural products. Agricultural products include cotton and wool, which are bringing a very good price, and which, therefore, raise the total of agricultural products. Without including cotton and wool, the value of farm products would be much lower than they are shown by the diagram.



Starting out with the year 1913 at 100, farm products and nonagricultural products together on a pre-war normal basis, indicated on chart, you will note that the heavy black lines indicate the purchasing power of agricultural products in terms of nonfarm products. The dotted lines indicate the purchasing power of nonagricultural products in terms of farm products.

You will note that agricultural products began dropping the latter part of 1919 very suddenly, taking a downward course back to pre-war basis, while nonagricultural products that the farmer is obliged to buy have been constantly rising, the two lines going directly opposite each other. There are other charts that have been exhibited which show that farm wages are away above the pre-war wages. It is evident that something must be done to bring these lines together. Under normal conditions these two lines cross and recross frequently. This is observable on the diagram from 1913 to 1919.

AGRICULTURAL DEPRESSION

The present depression in agriculture presents the greatest emergency that this generation has experienced. In 1919 the total tonnage production of crops was 255,000,000 tons, valued approximately at $15,423,000,000. In 1921 the total production was still approximately 255,000,000 tons, but the value had shrunk to $6,934,000,000, a loss in value of crops alone of $8,489,000,000. This loss by the farmers of the country has not only driven farmers off the farms at the rate of several million a year the last two years but it has wrecked thousands of business men in the agricultural States and, besides, causing over a thousand bank failures in less than three years, more bank failures than in any 20 years of our country's history.

BLAME RESTS ON BOTH POLITICAL PARTIES

Both the Democratic and Republican administrations are responsible in a large degree for the bankrupt condition of the farmer and the wrecking of the great agricultural industry, in which 40,000,000 of our people are directly or indirectly connected and upon which the whole Nation is vitally dependent.

DUTY OF THIS CONGRESS

This Congress, which I think is more responsive to the people than any of the preceding Congresses for many years, should take up the farmers' problems and endeavor to solve them even if we neglect all other business and remain at our posts all summer.

I desire now to give notice that I will oppose all resolutions to adjourn until we pass some legislation to help the farmer.

I will briefly give my diagnosis of what I consider the cause of the farmers' troubles and my reasons and authority.

DEFLATION

The cause of the loss to the farmers of the United States of the stupendous sum of $8,489,000,000 was through no fault of the farmer. He successfully raised and marketed his crops as usual, but was unable to receive within many billion dollars the cost of producing his crops.

May 18, 1920, when the Wilson administration was still in power, Governor Harding, chairman of the Federal Reserve Board, called a meeting of the Federal Reserve Board and the Federal Advisory Council and Class A directors of the Federal reserve banks. The meeting was a secret one and very little was known outside of banking circles of what transpired at that meeting until February 22, 1923, when the Manufacturers' Record, of Baltimore, a responsible publication, published a stenographic report of the proceedings of that meeting, which was placed in the record a very short time afterwards by Senator GOODING of Idaho.

The Federal Reserve Board, upon the advice of the large bankers of the country at that meeting, determined upon a policy of deflation, which resulted in contracting our currency more than $1,000,000,000 in less than one year.

I herewith give the names of the bankers who were present at that meeting and quote from some of their statements:

Hon. Adolph C. Miller, member of the Federal Reserve Board.

Hon. Henry A. Mohlenpah, member of the Federal Reserve Board.

Hon. John Skelton Williams, Comptroller of the Currency and member ex officio of the Federal Reserve Board.

Hon. David F. Houston, Secretary of the Treasury and member ex officio of the Federal Reserve Board.

George L. Harrison, counsel, Federal Reserve Board.

Also members of the Federal Advisory Council: Philip Stockton, Federal reserve district No. 1; A. B. Hepburn, Federal reserve district No. 2; L. L. Rue, Federal reserve district No. 3; W. S. Rowe, Federal reserve district No. 4; J. G. Brown, Federal reserve district No. 5; Oscar Wells, Federal reserve district No. 6; James B. Forgan, Federal reserve district No. 7; F. O. Watts, Federal reserve district No. 8; E. F. Swinney, Federal reserve district No. 10; R. L. Ball, Federal reserve district No. 11; A. L. Mills, Federal reserve district No. 12; J. H. Puelicher, Marshall & Ilsley Bank, Milwaukee, Wis.; John Perrin, chairman of the board and Federal reserve agent, Federal reserve bank, San Francisco; Hon. Edmund Platt, chairman of the Banking and Currency Committee, House of Representatives.

Boston: Thomas Beal, Edward S. Kennard, and Frederick S. Chamberlain.

New York: James A. Alexander, R. H. Treman, Charles Smith, and J. H. Sisson.

Philadelphia: Joseph Wayne, jr., M. J. Murphy, and Francis Douglas.

Cleveland: O. N. Sams, Robert Wardrop, and Chess Lamberton.

Richmond: John F. Bruton, Charles E. Rieman, and Edwin Mann.

Atlanta: J. K. Ottley, Oscar Newton, P. R. Kittles, and W. H. Kettig.

Chicago: George M. Reynolds, Charles H. McNider, and E. L. Johnson.

St. Louis: J. C. Utterback and Sam A. Ziegler.

Minneapolis: Wesley C. McDowell and E. W. Decker.

Kansas City: J. C. Mitchell, E. E. Burham, and W. J. Bailey.

Dallas: John T. Scott, E. K. Smith, and B. A. McKinney.

San Francisco: C. K. McIntosh, J. E. Fishburn, and M. A. Buchan.

Mr. Robert Wardrop, of the Cleveland reserve bank, said at that meeting:

I think that a reasonable depression of business would be a good thing for the country.

He added:

I really think we would do better if we could get down to a lower basis—a different basis—and from that we could work up again.

Quoting from the Manufacturers' Record, Mr. Wayne, of Philadelphia, raised the question of graduated rates on borrowing or rediscounts, and said:

I would like to know whether in the districts that have adopted this procedure there has been eliminated the question of borrowing on Government securities from calculation as to the line of credit granted to a bank?

Governor Harding replied:

In the Kansas City district and the Dallas district in their tentative plans they have eliminated entirely borrowing on Treasury certificates of indebtedness and on Liberty bonds actually owned on the 1st of April, 1920.

Mr. Wayne then asked:

Have they made any reference to collateral notes of customers that have been discounted by the banks as a result of Liberty loan subscriptions?

Mr. Bailey, of Kansas City, replied:

They have to belong to the bank on the 1st day of April. We have made that rule.

Mr. Scott said:

It is the same way in the Atlanta district.

Mr. Wells said:

He wants to know if customers' notes secured by Liberty bonds are exempt from the application of it.

And Mr. Bailey said:

They are not.

Speaking of the damnable conspiracy to force Liberty bonds on the markets, the Manufacturers' Record, of Baltimore, has this to say:

When the Federal reserve system undertook to violate every promise made by the Government and by the banks in persuading people to buy Liberty bonds, promising to carry them and then calling loans on them in order to force them out of the banks, breaking them down from 12 to 15 points or more, the honor of the Government and the good faith of the banks trampled in the mire, millions of bonds bought in good faith by patriotic people to help the banks and help the Government were forced to be sold at a loss, and the Government bought in $2,000,000,000 of its own dishonest promises to pay, and the Secretary of the Treasury boasted of the money that had been saved in doing so. And at these low figures hundreds of millions of bonds were bought in by big estates and big institutions, with heavy losses to the innocent original purchasers.

Representative SWING, of California, May 23, 1922, when the bill to amend the Federal reserve act by empowering the President to appoint a representative of agriculture on the board was under consideration, made the following statement:

REPRESENTATIVE SWING GIVES DIRECT EVIDENCE OF DEFLATION—HOW THE FARMERS WERE RUINED

"I can not understand how men can continue to deny that the deflation policy adoped by the Federal Reserve Board was not deliberately aimed at the farmers of this country.

"I was present at a meeting of the bankers of southern California, held at El Centro, in my district, in the middle of Novem-

ber, 1920, when W. A. Day, then deputy governor of the Federal Reserve Bank of San Francisco, spoke for the Federal reserve bank and delivered the message which he said he was sent there to deliver. He told the bankers there assembled that they were not to loan any farmer any money for the purpose of enabling the farmer to hold any of his crops beyond harvest time. If they did he said the Federal reserve bank would refuse to rediscount a single piece of paper taken on such a transaction. He declared that all the farmers should sell all of their crops at harvest time unless they had money of their own to finance them, as the Federal reserve bank would do nothing toward helping the farmers hold back any part of their crop no matter what the condition of the market.

"Mr. COOPER of Wisconsin. Did the gentleman from California hear that."

"Mr. SWING. I did; I think I was the only person present who was not a banker. This was, in a way, confidential advice being given by the Federal reserve bank for the guidance of the smaller banks, many of whom were members. One of the bankers asked Mr. Day this question: 'If you say to us we can not loan the farmer the money with which to hold his crop, to whom may we loan money to hold the crop until it can be taken up by the market in an orderly way according to the demands of the consumers?' 'Oh,' said Mr. Day, 'of course, we will have to loan money to the middleman to take up the crop and hold it until the market is ready for it.'

"I say that that was the declared policy of the Federal Reserve Board made by an officer of the board delegated for the purpose of making the announcement for the information and guidance of the bankers of my district. No one could be in doubt for one minute as to what the natural, logical, and necessary consequences of such a policy would be. If the entire crop of the country is thrown upon the market at the same time, of course, the market would be depressed. You can 'bear' the market or you can 'bull' the market. The Federal reserve bank deliberately set out to 'bear' the market. They succeeded so well that they broke the market—not only broke the market but broke the farmers as well.

"We there saw the strange spectacle of the farmer citizens of this country being ruined by being forced to sell their products on a glutted market, at less than what it cost to grow them, as a direct result of a policy adopted by their own Government—a Government created to aid them, not to embarrass them. I say it was criminal, it was damnable for this all-powerful agency of our Government to deliberately crucify the farmers of this country."

That this statement was made with due deliberation, and represents the well-considered charge of Representative SWING, is shown by the fact that he held this statement out of the CONGRESSIONAL RECORD until he had had an opportunity to revise his remarks and be certain that he had not misrepresented the situation.

Congressman BYRNES of South Carolina, before the Committee on Banking, read from a bulletin issued by the Federal Reserve Bank of Richmond December 20, 1919, an address to all members of the banks:

Our present task, therefore, is to proceed with the deflation of credits as rapidly and systematically as possible.

John Skelton Williams, who, as Comptroller of the Currency and member ex officio of the Federal Reserve Board, and who was with the Federal Reserve Board almost from its creation and was First Assistant Secretary of the Treasury February 3, 1914, and who resigned as Comptroller of the Currency March 2, 1921, says:

That the deflation policy was carried on regardless of his warnings; that the reduction in credits by Federal reserve banks for the 12 months ensuing from October 15, 1920, to October 26, 1921, was more than $1,722,000,000, every month showing a contraction. The actual contraction in Federal reserve notes in circulation in the same 12-month period was $944,492,000. The shrinkage and annihilation of property values which accompanied this deflation of credits exceeds the wealth of empires.

Mr. Williams further says:

The world's history furnishes no parallel for the heart-rending wiping out of values and destruction of enterprises, homes, and fortunes, large and small, which took place. The annihilation of values which has followed the Federal reserve policies is estimated at tens of billions of dollars.

This is the testimony of one of the greatest bankers of the United States, who was on the Federal Reserve Board and who had been Comptroller of the Currency of the United States for many years. Governor Harding remained at the head of the Federal Reserve Board and was reappointed when his term expired by the Republican President, but the Senate refused to confirm his appointment, and his name was withdrawn.

RAISE OF RAILROAD RATES UNDER ESCH-CUMMINS ACT CONTRIBUTING CAUSE OF FARMERS' TROUBLES

The American people in 1917 paid a freight bill of $2,819,965,215. Through the raise in freight rates, totaling 78 per cent increase since 1917, the people in 1923 paid a freight bill of $4,624,398,30. Since 1917, up to and including 1923, the American people have paid an increased freight bill, through the raise in freight rates of $6,934,304,031. For the year 1922, according to the Interstate Commerce Commission, the farmer paid $904,369,323 on farm products, or 22.9 per cent of all the revenue collected by the railroads on freight. The farmer can not shift or pass on to other people the cost of transportation. He has paid, not only the increased freight rates on the products he has produced, but he has also paid the increased freight bill in building materials, farm machinery, and everything he had to buy for the farm and the home. It is conservatively estimated by the best statisticians that since 1917, the farmers' freight bill has been increased by raises in freight rates more than $2,000,000,000, no part of which he can pass on to the people.

Deflation and high freight rates are the two principal causes of the farmer's bankrupt condition to-day. I say bankrupt condition, because there are few farmers in the United States who are paying their expenses, interest on their investments and taxes and receiving anything for their work. Many could not sell out and pay their debts and if conditions do not improve it means wholesale bankruptcy for the farmer and the gravest consequences to the future growth and prosperity of the United States.

EXCESSIVE FREIGHT RATES

Excessive freight rates at the present time on farm produce are higher than the traffic can stand.

The Interstate Commerce Commission, after the application had been pending 14 months, refused to reduce freight rates on grain, grain products, and hay.

Commissioner Johnston B. Campbell, of the Interstate Commerce Commission, in a strong dissenting opinion, said:

It is a well-known maxim that a rate higher than the traffic will bear results in loss to the carriers and paralysis to the industry to the products of which the rate is applied * * *. It is generally conceded that in the old days the carriers' only rule was that the rates should earn "all the traffic would bear." What the traffic will reasonably bear is still a controlling factor.

He says again:

I think the carriers thought it proper to exact all it was possible to exact and still allow the traffic to move.

I think we should consider it more from the viewpoint of what the industry can pay and still live. The evidence in the case is conclusive that wheat is being raised at a loss. It moves to market because it has to, but it moves at a great loss to the producer. Can the industry continue to function under present conditions? Clearly not.

Commissioner Campbell in conclusion says:

Civilization can not exist without the farmer. The present wave of prosperity will not continue unless the farmer is prosperous. Can there be more dire necessity for low rates than is shown in this case? * * * It is a fact that in some sections of Kansas thousands of acres of prairie grass were not harvested at all the past year or the year before, for the reason that the farmer could not afford to take the chance of putting it up under values that existed at the time. Previous to the advances in freight rates a great deal of alfalfa hay was forwarded from as far west as Colorado to as far east as New York State, but since the advances in freight rates that trade has been entirely cut off. * * * I want to say that the transportation of hay has been the outgrowth of 20 years among dealers and farmers in the territory tributary to Kansas City. That hay is indigenous to the country in the West; it has to move to the territory where hay is not grown, and it can not move under the present burden of transportation charges.

The unanswerable arguments that Commissioner Campbell makes in regard to wheat, hay, and so forth, are applicable to all farm products, such as livestock, potatoes, corn, and so forth.

In connection with high freight rates charged by the railroads which are more than the traffic will stand, I desire to call attention to what the railroads are making.

LARGE PROFITS OF RAILROADS

According to an uncontroverted banking authority the Alexander Hamilton Institute, of New York, in their weekly bulletin of May 17, 1924, issued the following statement:

THE 6 PER CENT DIVIDEND OF SOUTHERN PACIFIC

Last year Southern Pacific earned nearly $13 per share, more than twice the $6 dividend. It could very well have paid a dividend of $8 per share. The total dividends disbursed were slightly over $20,000,000, against $44,000,000 of net income. Usually it is safe for a railroad to pay out about two-thirds of its net income in dividends. On this basis Southern Pacific, with over $44,000,000 of net income, could very well have paid $28,000,000 in dividends, which would have been around 8 per cent. In 1922, however, the net income was only $32,600,000, so that the 6 per cent dividend was just about right, as it absorbed nearly two-thirds of the net income.

These figures indicate that the 6 per cent dividend is well protected. In fact, they suggest that Southern Pacific could manage comfortably to pay 7 per cent. However, it is not likely that the dividend will be increased unless earnings for 1924 and prospects for 1925 indicate that the average earnings will equal 12 per cent or more. The dividends and earnings for the past two years were as follows:

Southern Pacific

	1923	1922
Operating revenues	$287,204,634	$262,519,170
Net income	44,552,482	32,600,150
6 per cent dividend paid	20,663,094	20,663,139
Could have paid	[1] 28,000,000	

[1] Or 8 per cent.

At a price of 88 the $6 dividend of Southern Pacific gives a yield of 6¾ per cent.

Expert accountants are skilled in showing how little railroads are making, but the Hamilton Institute, a banking authority, gives the plain facts just as they are for the benefit of those who wish to buy railroad securities. It states that the Southern Pacific Railroad had a net income of $44,000,000, and could have paid out two-thirds of its net income in dividends and retained one-third as undivided profits and paid a dividend of 8 per cent for the year 1923. As it was, it paid a dividend of 6 per cent and absorbed nearly two-thirds of its net income. If anyone raises his voice, in Congress or out, in favor of lowering freight rates, an avalanche of denunciation is heaped upon him. The railroads of the country are spending millions of dollars in advertising to the effect that they are making nothing and if freight rates are lowered the present prosperity of the country will end and the railroads will be bankrupt. The railroads present legislation to Congress like the Esch-Cummins law, with authority to make freight rates so high that the farmer is unable to get any of his products to market, according to the statement of a member of the Interstate Commerce Commission, whom I have quoted—a statement that can not be controverted—and such legislation is passed by Congress without delay. Yet when a great industry like agriculture is allowed to languish and gradually die and neither political party is courageous enough to deal with the situation, it does not excite comment in the metropolitan press, especially in the East.

It is easy for the leaders of both parties to excuse themselves by saying that the farmers' troubles are caused by conditions growing out of the war and can not be remedied by any legislation. Yet the situation was remedied for the railroads and for our manufacturers.

SECRETARY OF AGRICULTURE WALLACE SAYS FARMERS OF THE NATION ARE VICTIMS OF ECONOMIC INJUSTICE DUE TO GOVERNMENT ACTION

The Secretary of Agriculture, Mr. Wallace, for years publisher of a farm paper, coming from a great agricultural State, and an expert on the subject, said in a talk a few days ago:

Surely everyone will agree that our Government must secure and maintain economic justice among the various producing groups. At the present time a large percentage of the farmers of the Nation are the victims of economic injustice, in part, at least, due to Government action.

SITUATION SERIOUS

When the Secretary of Agriculture makes a statement such as the above, is Congress justified in adjourning without passing some constructive legislation? As I have said before, I think that the situation is so serious that the President should summon the best agricultural economic experts there are in the Nation and have them meet here in Washington and sit with the joint Committees of the House and Senate on Agriculture and formulate some legislation that will relieve the present emergency.

When England after the Napoleonic wars changed from an agricultural to a manufacturing country and her farmers became tenants, Goldsmith, the poet, expressed the change in these words:

Princes and lords may flourish or may fade.
A breath can make them, as a breath has made;
But a bold peasantry, their country's pride,
When once destroyed, can never be supplied.
* * * * *
Ill fares the land, to hastening ills a prey,
Where wealth accumulates and men decay.

Secretary Wallace further says:

When we remember that about a third of our people live on the farms, surely it must be evident to every thinking citizen that if we compel that third to continue for any considerable length of time under gross economic injustices things are going to happen which good citizens do not want to see happen. Speaking generally, the best farmers are those who have been hit the hardest, because it was they who responded most cheerfully to war demands. The idea that any considerable number of farmers are in trouble because of unwise speculation or of inefficiency is wrong. The number of those is very small. But hundreds of thousands of good, hard-working farmers who have farmed efficiently, avoided speculation, worked hard, and managed their farms wisely have seen their savings of a lifetime swept away and have lost their farm homes through no fault of their own. * * *

No greater mistake can be made than to permit this basic group to continue under such drastic conditions as have prevailed for the past three years. * * *

Conditions such as have prevailed upon the farms for three years past are making it necessary for the children to work as soon as they are large enough to work. A large percentage of them are being deprived of those educational, social, and religious opportunities which are so necessary to the making of good citizens. Schools and churches are being closed in many regions. The people of the cities, from their own selfish standpoint, could afford to pay at least 40 per cent of the cost of furnishing educational opportunities to the young folks now on the farms rather than allow present conditions to continue, for these young folks will make the citizens of the next generation. * * *

During this period of acute agricultural depression hundreds of farms have passed out of the ownership of farmers and into the hands of non farmers. This movement is growing rather than lessening. We are feeling the cumulative effect of low prices and lessened income. It is not good for the country that the land should be owned by a nonresident landlord class. That tends toward rack rents, lower standards of living, exploitation of the soil, and peasantry.

The fostering of a sound agriculture is a Government duty, and present conditions demand courageous action, even if it may be necessary to adopt heretofore untried methods.

HAUGEN-M'NARY BILL

The Secretary of Agriculture, Henry C. Wallace, believes that this bill is practical and he strongly urges its passage. The newspapers of the country have been telling Congress to take Mellon's advice and pass the Mellon tax reduction bill without dotting an "i" or crossing a "t." The Mellon bill would have reduced taxes on the incomes of over $100,000, 50 per cent, while it would have only reduced the rates on the smaller taxpayers 25 per cent. Congress reversed Mr. Mellon's scheme of taxation by reducing taxes on the small taxpayers 50 per cent and on the large income-tax payers 25 per cent. The Mellon plan only got 15 votes in both Houses of Congress on the final passage of the tax reduction bill.

Why is it not just as logical for the newspapers of the country to urge Congress to pass the Haugen-McNary bill, supported by Henry C. Wallace, Secretary of Agriculture, an expert upon the subject and a member of the Cabinet, the same as Mr. Mellon?

WHY DIFFERENTIATE BETWEEN EXPERTS

Why is not Expert Wallace as popular with the administration and in financial circles as Expert Mellon? Is it because Wallace favors legislation to relieve the distressed farmers and Mellon favors legislation to relieve distressed millionaire taxpayers?

The same influences that flooded Congress with propaganda in favor of the Mellon bill have flooded Congress with propaganda against the Haugen-McNary bill, which attempts to help the farmers of the country.

BILL FAVORED BY OTTO H. KAHN, INTERNATIONAL BANKER AND ECONOMIST

Otto H. Kahn, of the firm of Kuhn, Loeb & Co., and one of the greatest financiers of the country, in an unguarded moment indorsed the Haugen-McNary bill in the following language:

Not only is the farmer entitled in fairness to relief from conditions of maladjustment which place him in a position of heavy disadvantage as compared to other callings, but the continuance of these conditions constitutes a serious social evil and a derangement of so grave a portent

as to justify resort to an heroic remedy, if it must be admitted that the lesser measures heretofore applied or suggested are important to effect a cure.

It will be far less costly, I believe, to the country at large to bear the very slight addition to the cost of food which is involved in a reasonable trial of the theory embodied in the McNary-Haugen bill than to pay the penalty which would appear to be inescapable if the Nation countenanced or failed to redress a state of things that would leave agriculture languishing and declining and 12,000,000 farmers aggrieved, resentful, and deprived of a fair share of prosperity and well-being.

As to the fear of setting a precedent, I believe that, in a broad sense and in its underlying thought, the McNary-Haugen bill—granting the existence of the conditions which it aims to correct—rather follows than creates precedent. Moreover, aversion against or apprehension of establishing a precedent is never a valid reason for failure to do that which is justly called for.

This bill was drawn up by Mr. Charles J. Brand, consulting specialist in marketing of the United States Department of Agriculture. It is purely an emergency bill. It provides for the creation of a Government corporation of $200,000,000. If this corporation finds that there is a surplus for export of wheat, rice, corn, wool, cattle, sheep, swine, or any food product of cattle, sheep, or swine, and that, according to estimates made by it, the ratio prices in respect of the commodity would be in excess of the domestic price thereof, it shall immediately notify the President of the United States in writing of its findings and upon such notification from the corporation, it shall be the duty of the President, by proclamation, to declare that a special emergency exists as to such agricultural commodity.

RATIO PRICE

The ratio price to be determined as follows:

The ratio price of such basic agricultural commodity for such period shall bear the same relation to the pre-war basic-commodity price thereof as the current all-commodities price in effect for such period bears to the pre-war all-commodities price.

The Secretary of Labor shall compute the average price of all commodities for the period 1905 to 1914, inclusive.

The corporation created by this bill shall, when the President declares an emergency as to any one of the articles heretofore mentioned, purchase the exportable surplus, paying for it the ratio price. They shall then ship this exportable surplus to the best foreign market obtainable. The losses from the sale of the exportable surplus will be distributable over all the producers. As our exportable surplus of the staple articles heretofore mentioned is a small per cent of what we consume here at home, the producer will have to lose a very small amount of what is exported. The fact that the Government corporation is on hand ready to pay the ratio price immediately raises the price of the commodity for domestic consumption. At the present time 150 firms export fully 90 per cent of the grain and livestock products that are shipped out of the United States.

The exportable surplus of agricultural products is manipulated by exporters, so that it brings down the price of the whole product to the same level as the price in foreign countries. For example: The Liverpool market fixes the price of wheat for the world. The United States, in order to be prosperous, is obliged to produce a surplus of staple articles, such as wheat, cattle, hogs, dairy products, and other staples. The American farmer can not produce these staples as cheaply as they can be produced in European, Asiatic, and South American countries. If our farmers did not produce a surplus, a partial failure of crops would leave the United States dependent upon other countries. All experts agree that one of the greatest problems in agriculture is the business-like disposal of our exportable surplus, so that it will not glut the home market and bring down the prices below the cost of products to the level of European prices.

This bill, which covers 28 pages, attempts and, I think, solves the problem. The President could try the matter out easily on one commodity, like wheat, and if it worked well with that commodity, extend it to others. There are several agricultural bills dealing with the present situation, which I believe are workable, among them the Norris-Sinclair bill, Beck bill, and the Williams bill. The Norris-Sinclair bill was defeated in the Senate Committee. If this bill passes the House of Representatives, it can be amended in the Senate, or some other agricultural bill substituted for it. If this bill is defeated, I am afraid we will not have any agricultural legislation at this session of Congress. Therefore, although this bill may not be perfect, I intend to vote for it, because I believe it will help the situation and it is the only opportunity that this Congress has been given to vote on an agricultural bill. This bill has been attacked by the same business interests that have opposed the following legislation:

The Federal farm loan act, which they said would dry up the sources of the farmers' credit; the income-tax laws, which they said would ruin the country; the meat inspection act, which they said would drive the meat-packing industry into bankruptcy, and the grain futures act, which they said would destroy the grain exchange. Yet Congress enacted all of these laws and they have been found beneficial.

I believe that there is greater danger to our country in the present emergency in the failure of Congress to legislate than there is in legislating, even though legislation at first may operate but imperfectly.

Mr. Chairman, I therefore intend to vote for this bill, and if this bill does not pass I intend to vote against any adjournment until we pass some legislation for the relief of the farmers.

DAIRY FARMERS

I have introduced a bill raising the tariff on dairy products, as follows:

Milk, fresh, 5 cents per gallon;
Sour milk and buttermilk, 3 cents per gallon;
Cream containing 7 to 15 per cent butterfat, 20 cents per gallon;
Cream containing 15 to 25 per cent butterfat, 30 cents per gallon;
Cream containing 25 to 35 per cent butterfat, 40 cents per gallon;
Cream containing 35 to 45 per cent butterfat, 50 cents per gallon;
Cream containing over 45 per cent butterfat, dutiable as butter;
Milk, condensed or evaporated: In hermetically sealed containers, unsweetened, 4 cents per pound;
Milk, condensed or evaporated: In hermetically sealed containers, sweetened, 4½ cents per pound;
All others, 3 cents per pound;
Whole-milk powder, 6 cents per pound;
Cream-powder, 14 cents per pound;
Skim-milk powder, 3 cents per pound;
Malted milk and compounds, or mixtures of or substitutes for milk or cream, 40 per cent ad valorem.
Butter, 20 cents per pound;
Oleomargarine and other butter substitutes, 16 cents per pound;
Cheese and substitutes therefor, 12 cents per pound; and
Casein, 6 cents per pound.

This bill should be passed before Congress adjourns.

I have appeared also before the United States Tariff Commission and presented facts, which are now being considered and which will be presented to President Coolidge, asking that the present tariff be increased on butter, cheese, and other dairy products. The President, under the present tariff bill, can increase the tariff on any article 50 per cent after due hearing had.

The Fordney tariff bill was written for the benefit of the manufacturers. There is only 8 cents per pound duty on butter, 2½ cents a gallon on milk, and 5 cents per pound on cheese.

DAIRYING INDUSTRY SERIOUSLY MENACED

At the present time the dairying industry is seriously menaced. The dairy industry has expanded to the point where gross domestic production slightly exceeds gross domestic consumption. Foreign surplus production is likewise steadily increasing. Denmark, by the use of cheap water transportation, can send butter to the New York market for 1 cent per pound, while it costs Wisconsin and Minnesota farmers 1¾ cents per pound. There is an 8-cent duty on butter, but this is more than offset by the difference in exchange. A Danish farmer gets his pay in American dollars, and every American dollar in Denmark is worth $1.35, which more than wipes out all the benefit derived from the tariff on butter. This situation has resulted in the imports of butter jumping from a total of about 1,000,000 pounds in 1913 to 1,823,961 pounds in the month of February, 1923, and to over 5,000,000 pounds in February, 1924.

CHEESE

Looking at the cheese situation, conditions are equally as bad. There are 14,500,000 pounds more of cheese in storage now than a year ago. In the month of March we received from foreign markets 4,264,467 pounds of cheese; at the same time we sold abroad 2,848,591 pounds less than 1923. This gives a total balance against 1924, as compared with 1923, of almost 4,000,000 pounds of cheese for the month of March.

MILK POWDER

Milk powder is in the same situation. A year ago we were selling milk powder for 13 cents per pound, while now we are getting 9 cents per pound. On March 1, 1923, there were 2,538,000 pounds of milk powder in storage, while on March 1, 1924, there were over 10,000,000 pounds in storage.

The present tariff of 2 cents on casein is of practically no value in preventing the importation of casein from Argentina and other countries. The casein in these countries is dried in

the sun instead of by the use of coal, and is produced by cheap labor. This resulted last year in importations from Argentina alone which destroyed a market for 1,000,000,000 pounds of skimmed milk furnished by American farmers.

SURPLUS OF MILK

There is a surplus of whole milk, as follows:

	Per cent
New England Boston market	40
New York Dairyman's League	20
Baltimore	20
Washington	20
Richmond	15
Pittsburgh district	41½
Milwaukee	28
Duluth and Superior	49
St. Paul and Minneapolis	50
Des Moines, Iowa	30
St. Joseph, Mo	10

April 9 Wisconsin factories were receiving 16½ cents per pound for cheese. One hundred pounds of milk will make 10 pounds of cheese, which would give a rate of $1.62 per hundred for milk. It costs on an average of 30 cents per hundred pounds to run the factory and pay for boxes and other supplies, leaving only $1.32 per hundred pounds for the milk, which is 0.0264 per quart. This is very much below the cost of production.

PRICES OF OTHER DAIRY PRODUCTS

Butter at wholesale was 50 cents per pound a year ago. To-day it is 38 and 40 cents per pound; casein 18 cents per pound a year ago, to-day 9½ cents per pound; milk powder 13 cents per pound a year ago, to-day 8½ cents per pound. Milk prices last month in the leading cities in the great dairy States dropped from 20 to 45 cents per hundred.

REMEDY

We need a very much higher duty on all dairy products. We also need a tariff on all material used in butter substitutes, such as copra, which is the dried meat of coconuts and is used in the manufacture of nut margarine, which is brought in duty free. We need also an advertising campaign showing the wonderful food value and health-giving properties of dairy products.

MEDICINE VERSUS MILK

Last year the people of the United States paid out $219,000,000 for patent medicines. The Metropolitan Life Insurance Co., of New York, in an advertising campaign which it is carrying on in the hope of increasing the use of milk and thereby protecting the lives of its policyholders, which is of mutual benefit to itself and its patrons, advises that, instead of rushing off for a bottle of Doctor Bunkum's Tonique to brace us up, if we should go to nature herself for the greatest of all tonics—milk—we would be a different lot of men and women.

There is not much encouragement in advertising American dairy products if by so doing we merely provide a better market for Canadian cheese and Danish, Argentine, and New Zealand butter.

DAIRYING IS PRACTICALLY THE LAST OPPORTUNITY OF THE AMERICAN FARMER

Wisconsin is the largest dairy State. Fifty-three per cent of the income of the Wisconsin farmers comes from cows. The dairying interests in the United States is rooted in $47,000,000,000 worth of farm lands and buildings. The annual milk bill that the American people pay amounts to $4,000,000,000. The average American family spends one in every five "food dollars" for milk and milk products. The dairying interests should be adequately protected.

CONGRESS SHOULD NOT ADJOURN

I have endeavored to prove the imperative need of immediate legislation to help the farmer. Almost a year ago the farmers were asking for a special session of Congress on account of the emergency, but no special session of Congress was called. If any other line of business of one-tenth the importance faced the same emergency that the farmers are facing to-day, Washington would be filled with their representatives and Congress would not dare to adjourn. There are nearly 40,000,000 people on farms in the United States who are in distress in most every agricultural district in the United States. We can not have prosperity very much longer with nearly one-half of our population suffering financially. The Republican Party, which is in a majority, will be held accountable if Congress adjourns without enacting some legislation helpful to the farmer.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BROWNE of Wisconsin. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman already has that privilege.

Mr. SUMNERS of Texas. Mr. Chairman, I offer an amendment to the section.

The CHAIRMAN. There is already an amendment pending. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The amendment was agreed to.

The CHAIRMAN. The gentleman from Oklahoma [Mr. MCKEOWN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MCKEOWN: Page 2, line 22, after the words "export of," insert the word "cotton."

Mr. McKEOWN. Mr. Chairman, the purpose of this bill is not a selfish purpose, as I take it. The purpose of the bill is to help farmers in all parts of the Union. It is not to be class legislation for the benefit of the cattle raisers and hog raisers and wheat growers. It is a bill for the benefit of all the farmers. If the bill is good for wheat, it is also good for cotton.

I differ with my distinguished friends who represent the cotton-raising States in this. I say that the cotton raiser has been producing his cotton for the past 20 years at a loss as compared with the ratio price. Cotton for the 10-year period for which the ratio price is estimated and figured brought an average of only 11 cents, whereas it was entitled to bring 19 cents. There is a loss to the farmer of 8 cents per pound.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. SUMNERS of Texas. But if you take the pre-war years as a basis and make no estimate at all for the fact that in all the country east of the Mississippi River the boll weevil has come and has apparently permanently increased the cost of production, how could this be a fair basis on which to fix the price?

Mr. McKEOWN. I will say to the gentleman that the cotton farmers' experience, so far as legislation is concerned, has been a dear disappointment, and statesmanship having failed them, the boll weevil has given them a good price. [Laughter.] Now, the boll weevil will not always be with us, I hope. We are spending thousands of dollars of good American money in trying to eliminate and eradicate the boll weevil.

Now, what does the record show? The record shows that when cotton was at the lowest price in this country the exports were the greatest, and that when the price is the highest the exports have been decreased accordingly.

Oh, gentlemen talk about the speculator and they say they are afraid to put cotton in this bill because, forsooth, cotton is now way above the ratio price. Well, gentlemen, if this bill can affect a product so quickly and so effectively as to reduce the price of 28 or 30 cents to 19 cents by the passage of this bill, then why would not this bill then raise the price just the same by putting in a higher ratio?

Mr. WILLIAMSON. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. WILLIAMSON. The gentleman knows that cotton was taken out of the bill at the request of the Representatives of the cotton-growing States, does he not?

Mr. McKEOWN. Well, I have understood that the men on the committee deferred to the opinion of the men who were familiar with that product.

Mr. PURNELL. That is the situation, because the price of cotton is above the ratio price.

Mr. McKEOWN. That is the thing I am trying to say, that the price of cotton is above the ratio price and——

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. SHALLENBERGER. Does not the gentleman think that if the price of cotton was back where it was before the war and before the boll weevil came along these fellows would be obliged to get in under this bill?

Mr. McKEOWN. I am going to tell you what is going to happen. The first thing you know cotton will go back to the ratio that it had before the boll weevil came along to the destruction of the cotton, and it will go back to 12 cents, and then we are going to be asked: Why did you not put cotton in the McNary-Haugen bill? [Applause.] And then when you get back here and you want to put cotton in this bill, if it works satisfactorily, then these fellows who have gotten their products in the bill and whose constituents are enjoying prosperity by getting a good price for their corn and grain will say, "Depart from me, all ye workers of iniquity, I know ye not." [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. May I have an additional five minutes?

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section close in 20 minutes.

Mr. BLANTON. I have a bona fide amendment to the section.

Mr. HAUGEN. Let us see whether we can agree on debate. It is now 3 o'clock, and we have not been able to read very much.

Mr. BLANTON. But I have a bona fide amendment.

Mr. HAUGEN. Let the amendments be offered and then have 20 minutes for debate.

Mr. JONES. Reserving the right to object, we are taking up a lot of time in general discussion. If the Members would limit their discussions to the amendments offered, like the gentleman from Oklahoma has, we could make better time. This is the section about which most of the controversy will come.

Mr. HAUGEN. How much time does the gentleman suggest for further debate?

Mr. RAKER. The gentleman says we are wasting time.

Mr. HAUGEN. No; I did not say that; I think we have been very liberal with time.

Mr. LOZIER. Liberal with whom? Liberal with a few.

Mr. PURNELL. Does the gentleman want some time?

Mr. HAUGEN. How much time does the gentleman desire? Let us see whether we can not agree on some time, and then close debate on this section.

[Cries of "Regular order!"]

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section be closed at the end of 20 minutes. Is there objection?

Mr. NEWTON of Minnesota. I object.

Mr. McKEOWN. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. Now, gentlemen, here is the proposition: If I go back to my farmers in Oklahoma and this is put in the bill and cotton comes down to 10 cents, why, of course, I am going to expect to get flailed around pretty badly.

Mr. BLANTON. The gentleman will not go back. [Laughter.]

Mr. McKEOWN. The average cotton crop of this country has been 11,000,000 bales of cotton. Whenever you make 11,000,000 bales of cotton it is going down to 10 or 11 cents, and if you make a cotton crop of 11,000,000 bales this year and it goes down to 11 cents, then who is going to get the kicking?

Mr. HUDSPETH. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. HUDSPETH. I understand there is a rule against disclosing what occurred in committee, but, as I understand, it was not the friends of this bill who cut out cotton but it was the opponents of the bill.

Mr. McKEOWN. Well, I understand that.

Mr. BURTNESS. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BURTNESS. I agree with the gentleman absolutely, but in order to help some of us in voting on this amendment, will the gentleman tell us whether the representatives of the cotton States now want cotton in or not. I am with them if they want it in.

Mr. McKEOWN. I can not answer for those gentlemen at all and I do not undertake to do so.

Mr. PAIGE. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. PAIGE. You know, my friend, do you not, that because of the high price of cotton to-day, 75 per cent of the spindles of this country are closed?

Mr. McKEOWN. I will say to the gentleman that the farmers who are growing the cotton are closed, too. They are closed out; not 75 per cent closed but 100 per cent—closed out entirely.

Mr. PAIGE. Does not the gentleman remember a few years ago the slogan in this House, "Buy a bale of cotton at 10 cents"? If the southern cotton growers had asked for this same legislation and it had put the price of cotton up where it is to-day, there would not be 75 per cent of the spindles in this country running. There is not any cotton mill in this country that can run on 25-cent or 30-cent cotton.

Mr. McKEOWN. I will say to the gentleman that if you put cotton on the same basis as your manufactured cotton goods it would bring 60 cents a pound. I now yield to the gentleman from Texas.

Mr. RAYBURN. I just wanted to state in reply to the gentleman from North Dakota that the only man from the cotton section I have heard of who wanted to put cotton in this bill is the gentleman from Oklahoma.

Mr. McKEOWN. And, gentleman, that is no sign it is a bad thing to put it in, either. [Laughter.] The average price is only 21 cents since the war, and the average price for 10 years before the war was 11 cents. How can I go before my farmers and say that I refused to support a bill that was going to place the ratio price of cotton at 19 cents when at no time in the history of the cotton-growing country has cotton ever maintained a regular price four years at 19 cents. The average price has never been that high except during the three prosperous years of the war.

Gentlemen, what will you say if this bill goes through and cotton goes down to 11 cents without including cotton? If cotton goes down to 11 cents by being included, I will tell you what will put it down. It will be the control of the great interests of this country which control cotton more to-day than any other product.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection?

Mr. BLACK of New York. I object. I withdraw it, Mr. Chairman.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. Gentlemen say they will not vote for this bill because it will help the five great packers, or the great Packing Trust. The packers of this country, if their assertions are true, constitute the most dangerous trust in the whole country, because it controls the food of the country. If I was the Attorney General and those things were true as these men say, I would burst that Packers' Trust or I would break the Government doing it. [Applause.]

Mr. Chairman, I am not in any manner censuring my colleagues for differing from my position. Their judgment may prove to be the best, and I am sure that they believe it is best, to leave cotton out of the measure.

The bill will not work with cotton on the same basis as wheat, because we export more cotton than is used in the domestic market.

However, this is one of the things that appeals strongest to me, because by reversing the application to cotton we would sell our cotton more cheaply to our own domestic mills than abroad, and we would fix a ratio price of 19 cents on all export cotton and on the whole the cotton farmer of the South would have a minimum price of at least 19 cents.

You can fix the export price on cotton, because the foreign buyers must buy from the cotton-growing States of southern North America, the only place on the globe where the quality and quantity of spinning cotton can be found.

American cotton growers and cotton spinners both should be in hearty accord with the idea of giving American mills the benefit of low-price cotton and the cotton producer a minimum price on cotton even though a bountiful crop is grown.

I am asking the same chance for the cotton farmers of the South and of Oklahoma as we propose to give to the wheat farmers of the Northwest.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate on the section and all amendments thereto close in 30 minutes.

Mr. QUIN. No; we do not want any time limit on this section.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 30 minutes. Is there objection?

Mr. VOIGT. I object.

Mr. HAUGEN. Mr. Chairman, I move that debate on the section and all amendments thereto close in 30 minutes.

Mr. BLANTON. I offer an amendment that debate close in 40 minutes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 19, noes 69.

So the amendment to the motion was rejected.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. QUIN) there were—ayes 94, noes 17.

So the motion was agreed to.

Mr. ASWELL. Mr. Chairman and gentlemen of the committee——

Mr. HAUGEN. Mr. Chairman, may we not have all the amendments read so we may have them under consideration during the debate?

The CHAIRMAN. The Chair will state to the gentleman from Iowa that there is but one amendment pending.

Mr. ASWELL. I am speaking on the amendment now pending.

Mr. Chairman, there have been several things said to-day with reference to why cotton is not included in the bill, some assertions revealing that certain gentlemen who talked did not have any information on the subject at all. The facts are that when the Committee on Agriculture was considering this bill all the members of the committee agreed to give those of us on the committee who represent cotton-growing States an opportunity to have a conference before cotton was passed upon. Those of us who represent cotton-growing States on the committee called a conference in the caucus room. I sent out the notices myself. We notified every Member of Congress, both House and Senate, from cotton-growing States. We had the conference and discussed the question for some two hours and a half. The ratio price of cotton would to-day be 19 cents, but it is selling to-day above 30 cents. At the conclusion of the discussion a vote was taken, and it was unanimously voted by the Representatives who were present to request that cotton be stricken from the bill. That is what happened. [Applause.]

Mr. SCHAFER. Will the gentleman yield?

Mr. ASWELL. Not now. We then went back to the committee and reported the result of that conference. The Committee on Agriculture unanimously agreed to recognize the request of the Members from the cotton-growing States. The reason the Representatives from the cotton-growing States took that position is not only that the price would be fixed at 19 cents but that there is no way to fix a ratio price on cotton, for the reason that the increased cost of production on account of the boll weevil can not in advance be estimated. The boll weevil has more than doubled the cost of cotton production. Another reason is that about 65 per cent of the cotton produced in the United States is exported. It would be impossible to put a ratio price on a commodity, 65 per cent or more of which is exported. Furthermore, it would involve the great manufactured cotton products industry. I merely did what the gentlemen from the cotton States in that conference unanimously directed me to do. For some gentlemen to intimate that cotton was taken from the bill solely by the enemies of the bill is not true in any sense. We simply sought information from the Members from cotton-growing States, received it unanimously, carried out the instructions, and the Committee on Agriculture was liberal enough to grant the request by a unanimous vote. That is the history of the cotton section of this bill. [Applause.]

Mr. SCHAFER. Was a notice sent to the gentleman from Oklahoma [Mr. MCKEOWN]?

Mr. ASWELL. It was. I sent it by mail myself.

Mr. SCHAFER. Was the gentleman from Oklahoma present?

Mr. ASWELL. I do not know.

Mr. FULMER. Mr. Chairman, I move to strike out the last word. I did not expect to have anything to say on this farmers' relief measure, for or against; but since my good friend from Oklahoma [Mr. MCKEOWN] has offered an amendment to place cotton in the bill, I am compelled to make a few remarks. The bill originally carried cotton, but, as stated by Doctor ASWELL, the members of the Agricultural Committee representing cotton States had a conference and it was unanimously agreed that cotton should be stricken from the bill.

It is true that I voted to report the bill from the committee. I had in mind that any legislation that had received as much time and attention as this bill had should be discussed upon the floor of the House. I also had in mind that if my friends from the West could make it a workable bill so as to induce their friends from the New England States to vote for it, thereby putting it over, we of the South would try and live under it. You put over the McCumber-Fordney tariff bill, and we of the South have managed to survive under it, and no doubt we would be able to live under this legislation.

I have never been able to understand why the love on the part of my friends from the West and Northwest for these New Englanders. When Mr. Fordney had his tariff proposition up for consideration you gentlemen from this section of the country on every occasion marched right up to the rack and voted with these New Englanders like sheep going to the pasture. You were told at the time that it would be the salvation of the wheat farmer and the agricultural interests as a whole. We from the cotton States plead with you to stand by us, and, instead of blocking the markets with this tariff, we would create markets for our surplus farm products. You have lived to see the fallacy of this tariff, which was designed to save you. You have also had a chance to see your friends from New England stand up on the floor of the House and slap you right square in the face when you try to put something over which you believe would work equally as well for you as the tariff worked for them.

The people of the South do not believe in price fixing as proposed under this bill. During the late war we had a chance to fix a price on cotton at the same time you fixed the price on wheat, but Mr. Lever, Representative from South Carolina at that time, kept cotton out of the price fixing bill. You people from the wheat-growing sections of the country have since denounced fixing of the price of your wheat at that time, yet you are willing to try out another price-fixing scheme.

We export something like 60 to 65 per cent of the cotton produced in the South, therefore if the bill would work at all with wheat it would not work with cotton. You export only about 15 to 20 per cent of the wheat produced in this country. Under the plan worked out to obtain the ratio price on cotton, we are told that it would be 19 per cent, therefore cotton would have to go below that price before it would come under the bill even if we should put cotton in it. We are now facing a cotton famine brought about by the deflation policy put on by the Federal Reserve Board in 1920, a policy that practically broke our farmers, placing them in such a financial strait that they could not buy fertilizer, which is very essential to producing cotton. Too, the boll weevil has been raging in the South for the past three years. In 1920 we produced in my home county, Orangeburg, S. C., 100,000 bales of cotton; in 1921 about 20,000; in 1922 about 15,000; and last year about 35,000 bales. In fixing the ratio price on cotton the Agricultural Department does not take into consideration the very high cost of producing it under boll-weevil conditions, which should be at least 5 cents per pound.

Because we from the South should vote against this bill, I do not think our friends from the West should think hard of us, for we tried to render them a service in holding down the tariff, which has done more to paralyze them than anything else outside of the 1920 deflation policy. I am sure that my Republican friends on the Agricultural Committee and from the agricultural sections of this country have long since learned that I am a farmer's real friend and that I know no section when it comes to legislation for the agricultural interests.

I realize now that this Congress will adjourn without passing any farm relief legislation; in fact, if you would or could succeed in passing this bill, the President would veto it. I want to say to you that the Democrats will be at the bat after next March and you will have to let us do it. We propose to bring down Mr. Tariff somewhat and freight rates on agricultural products, too. We propose to formulate a foreign policy whereby Europe may be able to barter with this country in importing what she has that we can use to advantage and accept in return what you are stifling with now. I am working on and propose to offer some legislation which to my mind will have to be offered before you can cure the ills of the farmer and the consumer, and that is to equalize the spread between the producer and the consumer. The Department of Agriculture tells me that the cotton farmer gets 20 cents out of the consumer's dollar and the railroad, manufacturer, and middlemen get 80 cents. We have too many parasites between the producer and consumer. Until some plan whereby this high-handed robbery and unbusinesslike distribution is changed, the farmer and the consumer will always get the raw end of the deal regardless of farm legislation passed by the Congress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 23, after the word "cattle," insert in parentheses the words "this shall include dairy products."

Mr. NEWTON of Minnesota. Mr. Chairman, in the opening statement made by the distinguished gentleman from Iowa [Mr. HAUGEN] it will be recalled that I asked him if the term "food product of cattle" embraced both slaughtered and dairy products, or slaughtered products only.

The gentleman from Iowa informed me that in his judgment it embraced dairy products as well as slaughtered products. He then proceeded to tell the condition of the butter industry due to the recent great increase in importations, which have been so detrimental to the dairy industry.

Mr. COLTON. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. COLTON. Will the gentleman explain wherein his amendment is not covered by the Jones amendment we have adopted?

Mr. NEWTON of Minnesota. The Jones amendment would not cover it at all; it leaves it in the present ambiguous state. The dairy industry is very important all over the country. Its products far exceed those of the wheat farmers in value, and there ought not to be any doubt whatever as to what is included. It must be remembered that we export annually great quantities of condensed milk and cream. They can be found all over the world.

Mr. BURTNESS. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. BURTNESS. If the gentleman's amendment carries I suppose he will vote for the bill. [Laughter.]

Mr. NEWTON of Minnesota. No; the gentleman from Minnesota is willing to help clear up the ambiguities and perfect the bill on the same principle that the bill was written, but he is unalterably opposed to the principles of the bill. I think that gentlemen on the committee would like to have my assistance from time to time in trying to get the bill into shape so at least it can be understood.

Now, does the bill or does it not include products of the dairy? If it does it ought to say so, and if it does not we ought to vote the amendment down.

Mr. BURTNESS. Will the gentleman yield for a serious question?

Mr. NEWTON of Minnesota. I yield.

Mr. BURTNESS. Does the gentleman want it to apply to milk delivered by the milkman at his door every morning?

Mr. NEWTON of Minnesota. If it is to apply to dairy products, it would take in the milk, cream, cheese, butter—the gentleman being a farmer, he would know more about dairy products than I, for I was unfortunate enough to be born and brought up in a city. I am merely one of the many who have been one of the customers of the gentleman's farm.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. STRONG of Kansas. If this bill is bad for the farmer, why is it not bad for the dairymen?

Mr. NEWTON of Minnesota. The gentleman from Kansas [Mr. TINCHER] claims it is a great thing for the farmer. The gentleman from Iowa, who is a real farmer, says that it is a great thing for the farmer.

Mr. STRONG of Kansas. But the gentleman does not think so?

Mr. NEWTON of Minnesota. The latter says this benefit ought also to inure to the dairy farmer, and I say to the gentleman from Kansas that if we are to have this we ought not to discriminate against any farmer. We ought to enact it for the benefit of all farmers.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. CHINDBLOM. If the gentleman's amendment is voted down, it can be used as an argument to prove that this House did not intend that dairy products should be included.

Mr. NEWTON of Minnesota. Yes.

Mr. WILLIAMSON. Is the gentleman from Illinois going to vote for the bill?

Mr. CHINDBLOM. Oh, that is not a fair question.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. JONES. Does not the gentleman think that dairy products are included within the term "food products of cattle"?

Mr. NEWTON of Minnesota. No; I do not. The distinguished gentleman from Wisconsin [Mr. VOIGT], who has given great thought to this bill, holds a contrary opinion to that of the gentleman from Iowa [Mr. HAUGEN]. We ought to clear it up. We ought not to pass laws the meaning of which we ourselves do not know.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I am one of those Members who are somewhat at sea on this bill. I will not consciously vote against nor hinder the passage of any measure that I believe will in a sane and sensible manner be of benefit to distressed agriculture. We are nearing the end of this session, and as a practical man I want to know just what the administration is going to do for agriculture. Is there a man on this floor who believes that this bill is going to be enacted into law?

Mr. CLAGUE. Yes.

Mr. WINGO. What assurance has the gentleman from the President of the United States that he will sign it? Is there anyone authorized to speak for the President? If there is, I want him to stand up. It is reported and not denied he wants it killed, so how can it become a law?

Mr. DICKINSON of Missouri. May I ask a question?

Mr. WINGO. Is the gentleman authorized to speak for the President? [Laughter.]

Mr. WEFALD. Mr. Chairman, will the gentleman yield?

Mr. WINGO. I yield first to those who are authorized to speak for the President on agricultural questions. [Laughter.] I am serious about this. The probabilities are that I may vote for this bill, but if I do, I think I shall override my better judgment.

A MEMBER. Is the gentleman looking for votes?

Mr. WINGO. No; I am not looking for votes. I am looking for practical relief for the American farmer, and I think that with all modesty I may say that my record shows that I have, free from any partisanship, done everything I could in a practical way for any measure that promised relief for the American farmer. I am talking seriously and I am not trying to play partisan politics, and I want you Republican Members to get that out of your heads. I am trying to show you how you are apt to run into partisan politics. I do not know what your President is in favor of, and I am not criticizing him. All I can do is to go by what he said. I read his message to the Congress at the beginning of the session, and I heard him deliver it, and I was left with the impression that he indorsed in bulk every one of these proposed agricultural schemes; but every time we have presented any particular proposition, and it looked as if it were going to get up to him, some one who is closer to him than I am has intimated that he had grave doubts about it, and nobody knows what the President wants on this proposition, except his supporters are trying to kill it. If you pass this bill through both Houses and the President vetoes it, you gentlemen know that it can not become a law. This is not a pleasant task, and perhaps some of you will get mad at me for offering you advice, but I am going to give you advice whether you want to take it or not. I am talking to you Republicans who sincerely believe that this is a great measure and who know the distress of your farmers. You want to get relief. Let me tell you what you should do.

A group of you gentleman better get together and go down to the man in the White House and thresh this thing out and find out how far he is willing to go with you. If you will do that, I will help you put through a bill of that kind, even though I may have doubts about its wisdom and its working, because I know the condition of the wheat farmer is distressing, and I want to help. But if you carry on as you are doing now, you are going to run yourselves into a blind alley, and somebody is going to say that it is election time, and that you are merely farming the farmer. It is not going to do to go out into Kansas and Iowa and Nebraska and say that the gentleman from Louisiana [Mr. ASWELL] and the gentleman from Kentucky [Mr. KINCHELOE], obstreperous Democrats, prevented you, a great party with your own man in the White House and a majority in both Houses, from giving bona fide relief to the American farmer. You can not do that. You have got to get together in a practical way and tell us what you will give us. [Applause.] If no relief is given the farmer, you Republicans are responsible for the failure.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. JONES. Mr. Chairman, I have an amendment, which I ask to have read in my time.

The CHAIRMAN. Without objection, the amendment will be read.

There was no objection, and the Clerk read as follows:

Page 8, line 5, after the word "commodity," insert the following: "*Provided, however,* That for the first year after the passage of this law, its provisions shall apply to and be effective only as to wheat, flour, cattle, swine, or any food products of cattle or swine."

Mr. WILLIAMSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Texas yield for that purpose?

Mr. JONES. If it is not to be taken out of my time.

The CHAIRMAN. It will be taken out of the gentleman's time.

Mr. JONES. Then I do not yield for that purpose. Mr. Chairman, this amendment would eliminate those articles that really have no place in the bill, apparently, at the present time at least, and would confine the operation of the bill to

certain specified articles concerning which the bill can be more easily made a success than if the other articles named in the bill are included within it. This corporation can not do everything in the world the first year. It should not be freighted down with excess baggage. The bill is so worded that if an emergency arises on any other of these products the President has no discretion about declaring the emergency. He must declare it when the corporation makes the report on the condition, and the corporation must make the report when the facts exist. In other words, if the condition should arise, the corporation would have to undertake to cover this whole field at one time.

I am providing for the first year the limiting of the corporation's activities to wheat, hogs, cattle, and the food products of those three articles. I assume that you are interested in getting a measure that has a chance of being enacted into law and not simply in getting a chance to go home and tell your constituents you tried to get something through and could not. If so this amendment should be adopted. This corporation should not be compelled at one fell swoop to take over all the marketing machinery of this country in reference to all of these products. If you take wheat, cattle, and hogs and the food products derived from those three for the first year, you will cover the amount of the products about which there is the greatest depression in this country; the work of the corporation will be simplified and the chances are that its chances for success will be raised to the maximum. If you want legislation and not simply to raise some political noise, vote for this amendment.

Mr. SCHNEIDER. Will the gentleman yield?

Mr. JONES. I will.

Mr. SCHNEIDER. Does the gentleman include dairy products?

Mr. JONES. Surely; all dairy products that are food products are included, if they are included in the language of the original bill. This says wheat, cattle, swine, and food products thereof.

Mr. SCHNEIDER. Does the gentleman include milk?

Mr. JONES. According to my construction, any food products from cattle——

A MEMBER. That is exportable surplus.

Mr. JONES. Yes; of course, if there is a surplus, but the operation of the bill I say shall be limited as suggested in the amendment. It depends upon the business.

Mr. COLE of Iowa. Will the gentleman vote for the measure if his amendment is put in?

Mr. JONES. I shall be very much more inclined to support the measure if this amendment is adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK of New York. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLACK of New York: Page 2, line 22, after the word "corn," insert "apples, barley, and hogs."

Mr. BLACK of New York. Mr. Chairman and gentleman of the committee, this bill in its present shape is only a half bill. My amendment seeks to make it a real bill. At present it is a food bill, and I want to make it a food and drink bill. We had here the other day an example of what a half does to a proposition. The Republican Party produced a model of the American Navy, a half a Navy, due to their activities, and I would not vote for anything like that in this bill. Now, as to the apple situation. I have from the American Fruit Growers' Magazine the statement that a great many apples are going to waste in this country. I have here, page 46 of the House hearings, that the apple growers are suffering in a very severe fashion. Now, the other day I was asked about certain figures I produced on this general prohibition situation as far as it affected the farmer. I was asked for my authority, and I find out my authority is a little better than I thought it was. I have some statistics here that were produced by the Bureau of Crop Estimates of the United States Department of Agriculture for the years 1914, 1915, 1916, and 1917, and generally they show this, that in the brewing industry alone about three and a half billions of farm products were annually used, and that was my statement the other day. I do not profess to be an agricultural expert. In fact, I am a recent convert to the study of agriculture; but we have had some discussion about the President and agriculture. I recall very well in the last national campaign was a rotogravure picture of one Calvin Coolidge, of Northampton, Mass., with his arm around a cow. I thought it was a cow, but I am not much of an agriculturist; and since the gentleman has gone to the White House I find I was all wrong about my geography, because I honestly think the animal in the picture with the gentleman from Northampton was not a cow at all, but it was just the cow's brother—the bull. [Laughter.] Now, the Brooklyn Times is a very fair-minded Republican paper that every now and then has a kind word to say about me; and it says that I am all wrong about offering an amendment at this time concerning prohibition; that I ought to attack it directly. Now, the editor of the Brooklyn Times ought to come here and get the mental attitude of you gentlemen on this prohibition question and he will find probably the only way to get it even discussed was in this way. I am offering this amendment with no anticipation of its being adopted just now; but in about five years, when the boll weevils are defeating some of our Southern friends for Congress, we will have a chance on this amendment. [Applause and laughter.]

Mr. BEGG rose.

The CHAIRMAN. The gentleman from Ohio is recognized for two minutes.

Mr. BEGG. Mr. Chairman, I think it is rather a waste of time to undertake a serious discussion of this proposition, especially after listening to the remarks just closed.

I would like to have some proponent of this bill explain this to me: There must be a ratio price fixed; that is, the ratio of the cost of production of the things the farmer sells to the cost of production of the things that the farmer buys.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. BEGG. I regret I can not yield in two minutes.

I still maintain that that is what it means. If it does not mean that in economics, it does not mean anything, and the very fact that you treat it frivolously shows that you do not know the economic principles underlying it.

Now, the cost of production is variable. The cost of the land must be considered; the value of the land and the time when it was purchased. The value of the commodity must be considered at the place where the man has to buy the things he needs, and the ratio price for the farmer who produces his products on land that cost him $200 an acre must be higher inevitably than the ratio price of the product that is grown on land that cost him $50 per acre; and the reason why the ratio price will continue to be a greater variable than that will also depend on the place where the farmer buys the commodities that he needs on his farm. For instance, the man who finds his market in a village of 5,000 or under 5,000 people gets a better price as a rule on those products that he buys than does the man who buys his commodities in a city of 100,000 or upward.

All of those items must be taken into consideration in establishing a ratio price.

The CHAIRMAN. The time of the gentleman from Ohio has expired. The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Chairman, may we have it again reported?

The CHAIRMAN. Without objection, the amendment will again be reported.

The amendment was again read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Texas [Mr. JONES] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 3, line 5, after the word "commodity," insert the following: "*Provided, however,* That for the first year after the passage of this law its provisions shall apply to and be effective only as to wheat, flour, cattle, swine, or any food product of cattle or swine."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. JONES. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 25, noes 78.

So the amendment was rejected.

The CHAIRMAN. The gentleman from New York [Mr. BLACK] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: Page 2, line 22, after the word "corn," insert "apples, barley, and cotton."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. DENISON. Mr. Chairman, I offer the following amendment: Line 23, page 2, after the word "cattle," insert in parentheses "this shall not include dairy products."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 2, line 23, after the word "cattle," insert in parentheses the words "this shall not include dairy products."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. FREE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FREE: Page 2, line 22, after the word "swine" insert "canned fruits, canned vegetables, dried fruits, and raisins."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. RAKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 8, line 7 and 8, strike out the words "or are no longer controlling."

Mr. RAKER. Mr. Chairman, has the time expired?

Mr. CHAIRMAN. Yes.

Mr. RAKER. Could I get unanimous consent for just one minute? [Laughter.] I ask unanimous consent for just one minute.

Mr. HAUGEN. I object.

The CHAIRMAN. Objection is heard. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEFINITIONS

SEC. 3. As used in this act—

(a) The term "basic agricultural commodity" means any agricultural commodity (enumerated in subdivision (a) of section 2) produced in the United States in respect of which a special emergency has been declared and not terminated, or any class or grade of any such commodity.

(b) The term "person" means individual, partnership, corporation, or association.

Mr. DENISON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. DENISON. I do this, Mr. Chairman, in order to make this observation: We have gotten into a peculiar situation here, some way or other, and it is difficult to explain it. We have before us a very important bill, and the question has arisen as to whether or not dairy products are included within its provisions.

Now, we may as well be a little serious for a moment. A part of the committee that reports the bill say that dairy products are included, and others of the committee say they are not. A part of the committee on this side of the House say that they are included, and a part of the committee on this same side of the House say they are not. An amendment has just been offered by the gentleman from Minnesota [Mr. NEWTON] to remove the doubt by saying they are included, and the House voted it down. Then another amendment was offered by myself, saying they are not included, and the House voted that down. Neither the Committee on Agriculture nor the House seem to know just what the bill means, and neither wants to say what it means, so far as dairy products are concerned.

I offer this as a comment for the benefit of the press and the country just to show the attitude of the Members of the House at this time in connection with this part of the bill.

I will now yield to my genial friend from Texas [Mr. CONNALLY].

Mr. CONNALLY of Texas. I thank the gentleman, and I will say that I am exceeded in geniality by the gentleman from Illinois. I wanted to ask the gentleman whether it is not a fact that if he had not offered his amendment the doubt would have been removed, because the committee has just voted down an amendment saying that dairy products were included, and if the gentleman from Illinois had let it rest at that, the court would have said, the House having voted down that amendment, that they were not included. But the gentleman offered an amendment saying they were not included, and the committee voted that down, which leaves us in the same doubt we were in all the time.

Mr. DENISON. Well, that presents an interesting question. What would be the attitude of the court in construing the bill now, the committee having voted down both amendments?

Mr. CHINDBLOM. The court will be in the same condition as the House.

Mr. CHRISTOPHERSON. Mr. Chairman——

The CHAIRMAN. The gentleman from South Dakota is recognized.

Mr. PURNELL. Mr. Chairman, I ask unanimous consent that all debate on this section close in five minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that all debate on this section close in five minutes. Is there objection?

Mr. RAKER. I would like five minutes, and I object.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section close in five minutes.

Mr. RAKER. Mr. Chairman, a point of order. The gentleman from South Dakota has the floor and he has not yielded the floor.

The CHAIRMAN. The gentleman has yielded for that purpose.

Mr. RAKER. Did the gentleman yield?

Mr. CHRISTOPHERSON. Yes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section close in five minutes.

Mr. HUDSPETH. Mr. Chairman, I wish to amend the motion. I move to make it 10 minutes.

The CHAIRMAN. The gentleman from Texas offers an amendment to the motion, making it 10 minutes.

The question was taken; and on a division (demanded by Mr. HUDSPETH) there were—ayes 34, noes 30.

So the amendment was agreed to.

The CHAIRMAN. The question is now on agreeing to the motion of the gentleman from Iowa, as amended.

The motion as amended was agreed to.

Mr. CHRISTOPHERSON. Mr. Chairman, I am gratified that the House has come to the consideration of a comprehensive agricultural relief measure; one that takes into consideration and makes provision for the disposition of the surplus or exportable part of our crop, recognizing the principle that this surplus, while only a small percentage of the total crop, in a large measure fixes the price of the entire crop.

This important fact in the marketing of our agricultural products was first suggested, so far as I am aware, by my esteemed townsman, Hon. W. H. Lyon, of Sioux Falls, S. Dak., who years ago pointed out that about 8 per cent of our farm products, going into the world markets in competition with grains of foreign countries, raised on low-priced lands and with help receiving low wages, in a large measure determines the price of the remaining 92 per cent of our products. To remedy this and for the relief of the farmer, he proposed a plan for the stabilization of the price of the staple farm crops, which plan was embodied in a bill that I introduced in the House in the Sixty-sixth and Sixty-seventh Congresses and considered at some length by the Committee on Agriculture. But a measure to stabilize prices did not seem to meet with approval, hence that bill never came before the House for consideration.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. CHRISTOPHERSON. Yes.

Mr. NEWTON of Minnesota. From reading the hearings I have been under the impression that a gentleman by the name of Brand, connected with the Department of Agriculture, claims to have been the father of this idea.

Mr. CHRISTOPHERSON. Well, he may be; but I know that as much as seven or eight years ago Mr. Lyon brought out the fact that it was the surplus of our commodities, less than 8 per cent, which controlled the entire price. It is true that this bill goes much further and proposes a plan which will take care of the cost of the matter.

The bill we are now considering recognizes this principle of the small surplus going into the world markets where its price is fixed by crops produced at less expense, and which price naturally governs the price of our entire crop. It makes provision for the disposition of this surplus by an export corporation, providing for the cost through an equalization fee contributed by the producers.

I will not attempt to analyze the details and administrative features of the bill, this having been so fully gone over by members of the committee. And let me say here that the commendation of the House is due the members of the Committee on Agriculture for the long and earnest consideration they have given to the vexatious problems surrounding the agricultural industry. These are not easy of solution, and I know somewhat of the lengthy and tedious hearings this committee held in order to give all interested parties an opportunity to be heard and in an earnest effort to arrive at a proper solution.

In asking support for this measure I do not consider it necessary to relate the distress that prevails in this industry, nor make any appeal for support on the ground of sympathy. I feel that we can safely rest our case on the facts clearly established, that the purchasing power of the farmers' commodities in the markets is 35 per cent below par. We ask as a matter of right that this handicap be removed. The present situation is due to no fault of the farmer. For example, the district I have the honor to represent, a strictly agricultural district—in fact, it is one of the very best in the land—21 counties of uniformly rich black loam that produces crops of all kinds in abundance. The farms are highly developed with splendid improvements, and the owners are engaged in a highly diversified line of farming, with corn as the leading crop and the chief industry being dairying and the raising of hogs and stock. It is a district that should normally, by reason of its highly productive soil, high state of cultivation, and diversification of the industry, enjoy a fair degree of prosperity, and the farmers in this district have been producing in abundance, but the difficulty is the great disparity between the low price paid them for their products and the high price they must pay for everything they purchase.

The chairman of the committee in his report cites comparisons of the purchasing power of the farmers' commodities now as of the pre-war period, which clearly indicates that the farmers' dollar to-day has a purchasing value of only approximately 65 per cent of that which it had before the war, or as compared with commodity prices of to-day. This can have but one effect, and that is to bring about a condition of stagnation and depression such as prevails throughout the agricultural States to-day.

The farmer, enjoying prosperity, is a heavy purchaser of all kinds of manufactured articles, especially so of steel and iron, of which commodities he is the second heaviest buyer. But when present conditions prevail his purchases are necessarily reduced, and that result will soon be reflected in the manufacturing industrial centers. In fact, I am informed that it is felt quite distinctly now, especially in the textile and automobile industries, and if continued will bring about an industrial depression that will be felt over the entire Nation.

While I realize there is much opposition to any price-fixing measure, it is my belief had we taken the stabilization bill three years ago and put it in operation, making it effective as to strictly staple farm commodities for a period of a few years, we could have averted the present depression. It doubtless would have cost the Government something to maintain such a law, but I believe the benefits to all would more than offset the cost.

Be that as it may, there is one thing morally certain, and that is that Congress must either pass legislation that will restore to the farmer somewhat the same purchasing power as he had before the war, or if the price of his commodities can not be elevated to the level of present conditions then the price of the commodities that he buys in the market must be brought down accordingly. The disparity between the two can not continue if this Nation is to enjoy prosperity and progress. The farmer must be able to go into the market and with his bushel of corn or wheat buy the same proportion of manufactured commodities as he did before the war.

Hon. Frank O. Lowden, ex-Governor of Illinois, said, in regard to the agricultural situation and the stabilization of the price of farm products:

> It is generally recognized that something must be done to stabilize the price of farm commodities and to prevent such prices from falling below the cost of production. Agriculture is still our great fundamental industry. Unless it flourishes, nothing prospers. Let the price which the farmer receives for his output continue below the cost of production for any considerable length of time, the volume of farm products will fall below the needs of the Nation and prices will become abnormally high. Therefore the consumer is no less interested than the producer in a profitable agriculture.

Julius H. Barnes, who was president of the late United States Grain Corporation, said, with reference to the surplus of our commodities on November 5, 1920:

> As to the per cent of exports of our grain production, the four pre-war years' exports of all grain averaged 3.8 per cent of the total crop. During the five years exports averaged 8½ per cent of the crop. During the last cereal year just completed our exports averaged 6½ per cent of the total crop * * *. Broadly speaking, it may be accepted as axiomatic that the price for an entire crop will be the price at which the surplus of that crop finds its market; that is, both the price on the export surplus and the price on the entire portion of that crop marketed at home will be the price determined at the market in which that export surplus is sold, less the cost of delivery.

With reference to the bill now under consideration, Louis W. Hill, chairman of the board of directors of the Great Northern Railway, and probably as conversant with the conditions of the Middle West and Northwest as anyone, made this statement:

> I recognize as fully as anyone that what the farmer needs and must have to get back on his feet is a better price for the things he is producing. For a number of years the farmer has been obliged to pay at least twice as much for virtually everything he buys, and sell his products at the pre-war price or less. In other words, the purchasing power of the farmer's dollar is only about 50 per cent of what it should be to place him on an equality with other industry or labor. And I have always maintained that the farmer's dollar should be just as good a dollar and have as much purchasing value as any other dollar made in America.
>
> The operation of the principle developed in the McNary-Haugen bill should restore the purchasing power of the farmer and get him back on his feet and at the same time directly benefit industry, commerce, and transportation. I am heartily in favor of any sound plan that will be of help to the farmer, and this bill seems to clearly point the way.

Charles W. Pugsley, president of the South Dakota State College of Agriculture and Mechanic Arts, formerly Assistant Secretary of the United States Department of Agriculture and at one time delegate of the United States Government to the International Institute of Agriculture at Rome—a gentleman who had made a lifelong study of agriculture and its problems—in commenting upon the pending measure made the following statement:

> The aim of the McNary-Haugen bill is a just one, namely, that of restoring a more normal and fair relationship between the prices of agricultural products and those of other commodities. Farm-product prices, on the one hand, and factory and labor prices, on the other, have been thrown out of balance because of Government activities which stimulated overproduction in agriculture and because of Government and group action which raised the price of labor and labor products. It seems fair to me that legislation favoring activities other than agriculture should be repealed, a step highly desirable and greatly to be preferred but apparently impossible, or that legislation effectively helpful to agriculture should be passed.
>
> The McNary-Haugen bill is the best Government remedy for these agricultural difficulties yet presented. It is generally conceded that the 10-year period from 1905–1914 was the best balanced 10-year period of our recent history, and that period is used as the basis of the proposed adjustment. The bill provides that the administration expenses shall be paid by the farmers and not by the Government.
>
> It seems to me that there can be no danger from any desire of manufacturers or laborers to pyramid prices, for if they do they draw agricultural prices along with them. I can see no threat to our entire business structure which includes agriculture. In fact, it seems to me that the effect will be to strengthen the structure. It is certainly sadly in need of repair. Its troubles can be traced directly to agricultural troubles which the bill is designed to correct.
>
> Assuming and believing that the administration of the bill would be effective and efficient, I am in favor of a trial. I would prefer to see special favors to others repealed, but that seems impossible now. I would also prefer to see strong local and national agricultural cooperative organizations, but these can not be brought into operation rapidly enough to take care of the present difficulties. The McNary-Haugen bill need not retard the advancement of the cooperative movement. In fact, it would probably save enough farmers from bankruptcy to hasten the ultimate success of cooperation.

In conclusion, let me simply say, as has been oft repeated, tilling the soil and the production of food was the first industry of humanity. We may go back as far as history records and we find that the production of food has been one of the primary concerns of the people of the earth for all ages. This is clearly illustrated by Saint John in his picture of the golden age, where he says, in describing the New Jerusalem:

> In the midst of the street of it, and on either side of the river, was there the tree of life, which bare 12 manner of fruits, and yielded her fruit every month; and the leaves of the tree were for the healing of the nations.

To the ancients the picture of the happy state was the thought of an abundance of the products of the soil, and in all

ages nations, with a prosperous and contented agricultural class, have enjoyed national prosperity and progress. We should remember this; support the pending measure and thereby give to the producers of the Nation's food that aid so essential to the welfare and prosperity of all of us.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, I think it is unfortunate that in an important piece of legislation like this the chairman of the committee and the members at times should become impatient. I know the committee is trying to get information and have the bill properly and thoroughly explained so that we can act intelligently upon it. I have always supposed that that was the purpose of the committees of the House; to obtain the information, put it in readable form, and then when the time comes to explain it to the Committee of the Whole so that the Members might understand what they are voting on, and if there were questions involved where there was a difference the Members would have the benefit of the judgment and the knowledge of the members of the committee who reported the bill. Seemingly we have here a desire to rush, and I want to say to the chairman of the committee and to the friends of the bill that they are making a mistake. I think this has already been demonstrated. I am satisfied that by virtue of the Jones amendment upon this bill you have been able to bring at least 25 or 30 Members to vote in favor of the bill where otherwise they would have voted against it. [Applause.]

There is no need of saying that this matter must be rushed through at once. It is a new question. It has not been tried out or determined, and if you have the facts, tell them to us. The Jones amendment makes this bill workable as to cattle, if it is workable at all, and I am hoping it is. It would be idle for those who come from cattle countries—and that means all of the great West and Northwest, if you please, notwithstanding those that raise wheat—to say that a man could have a ratio price fixed on the canned meats and that there should be no such price on cattle. The producer then would be in the same position in the future as he has been in the past and would get a low price for his cattle, and the packers and the others would obtain all the cream. It is almost unthinkable that this should be true.

Now, as to another matter that has just been passed on. The committee is so impatient and has such a desire to rush matters that you have not determined, for instance, whether milk and cheese and other similar products are included in the production of cattle. Why do you not determine that? If there is any doubt, why do you not put a provision in the bill making that clear? Why do not those of you who are in favor of this kind of legislation make it certain, so we can vote for the bill instead of compelling us to vote against it?

Mr. HAUGEN. Will the gentleman yield?

Mr. RAKER. I yield.

Mr. HAUGEN. Does not the gentleman think the committee has been quite liberal in reading only three pages in three days after 15 hours of general debate?

Mr. RAKER. A page amounts to nothing if the first two pages of the first section have all the meat and life of the bill. The idea that whether you read one page or three pages determines whether you are proceeding rapidly with legislation is not correct. The question is whether there is any meat in the page that is read or whether or not that is the crux of the entire legislation; and I will leave it to anybody on the floor of this House at the present time if sections 1, 2, and 3, particularly section 2, are not all there is in the bill. The other sections are administrative. Let us not deceive ourselves. Because you spend a little time upon one section does not mean that you are thereby delaying the bill.

I present a letter which I received from Mr. Charles J. Brand, formerly of the Department of Agriculture and who has given much thought and study to this question. It fully analyzes the bill and the present situation.

UNITED STATES DEPARTMENT OF AGRICULTURE,
PACKERS AND STOCKYARDS ADMINISTRATION,
Washington, D. C., May 24, 1924.

Hon. JOHN E. RAKER,
House of Representatives.

DEAR JUDGE RAKER: After seeing you last night and reading the inquiry that you addressed to Mr. TINCHER, of Kansas, as shown on page 9575 of yesterday's RECORD, it occurred to me that you might be interested in a very brief analysis of the agricultural situation and the operation of the McNary-Haugen bill, together with the reasons which I think justify the Government in helping the farm situation, that I recently prepared for a friend in Minnesota who at first was inclined to oppose the bill, but after he understood it became a very ardent supporter of it.

The minority report prepared, as I understand it, by the gentleman from Wisconsin, Mr. VOIGT, admits that the bill will be effective in advancing the price of his products to the farmer. That is the whole proposition. Nothing can help the American farmer except something that will restore the purchasing power of his products. This means an elevation of prices.

I notice that you asked Mr. TINCHER to illustrate the effect with respect to hogs. The letter I am sending you is already so long that I have not the nerve to send you a complete discussion as to how the bill will operate on hogs, but I can say in brief that we exported on the average during pre-war 12.1 per cent, or practically one-eighth of our total production of hog products. This one-eighth fixed the price of the other seven-eighths in the United States at the world level, just as happens with every export product.

The average price of hogs in Chicago last month was $7.36 per hundred pounds. This is the world price. The ratio price would have been $11.25. The difference is approximately $4, or 4 cents a pound. As we use seven-eighths of our total production, the ratio price of $11.25 would apply to seven parts.

7 parts sell at $11.25	$78.75
1 part sells at $7.36	7.36
Total	86.75

The average price of 8 parts ($86.75÷8) equals $10.75. Subtracting the average price realized from the ratio price ($11.25—$10.75) shows the total loss on the 8 parts to be 50 cents. The bill provides that the farmers must pay the expenses. Add 25 cents per hundred pounds to the 50 cents for expenses and you get 75 cents.

Assume that an equalization fee is collected on every hundred pounds of $1. When the operation period is up there will be 25 cents per hundred pounds to be distributed back to each grower.

Assume that he sold only 1,000 pounds. With a ratio price of $11.25, the farmer received $112.50 at the beginning: $102.50 of this is paid in cash and $1 per hundred, or $10, is withheld. He is given a receipt and the $10 is sent to the equalization fund. At the end of the period he would get $2.50.

In other words, instead of getting $7.36 a hundred, as is now the case, he would have gotten at the outset $10.25 a hundred and would have had a receipt that would net him $2.50 more. So, in all, he would get $102.50 plus $2.50, or $105, instead of $73.60 under existing conditions of unrestricted world competition. His gain would be $31.40 with the export plan in operation.

As our average annual pork production is over 10,000,000,000 pounds of dressed meat and lard, it will be fair to assume on a dressed basis that the ratio price will add not less than 5 cents a pound net to dressed value. This would mean an increase in the yearly remuneration of the hog grower of between $400,000,000 and $500,000,000. Assume that the increase is $450,000,000. Our population is about 112,000,000, so that the per capita increase in the cost of living by giving hog growers relief would amount to only $4.01 a year.

Wheat relief would probably increase the growers' returns $300,000,000. This would mean $2.67 per capita increase in the cost of living.

We produce annually approximately 7,000,000,000 pounds of beef. The ratio price would add about 2 cents to its cost, a total of $140,000,000, which is $1.25 per capita.

In other words, if these basic commodities were given the relief this bill would give them it would add approximately $7.93 per capita to the cost of living.

The pitiful thing about the beef situation is that although we export only about $20,000,000 worth a year of live cattle and edible beef products, the Tariff Commission in its report on "Cattle and beef in the United States; the tariff problems involved" (Report No. 30, 1924, p. 28), stated:

> "Domestic prices of beef and cattle depend primarily on the world market * * *."

In other words, less than 140,000,000 pounds of exports are a determining factor in making the price of a total production of beef and veal of over 7,000,000,000 pounds.

Contrary to the statements I heard Mr. VOIGT, of Wisconsin, make, we import only about 93,000,000 pounds of cattle and their edible products, while we export nearly 156,000,000 pounds.

If you have time to look at the chart that I had prepared for display in the corridor behind the Speaker's chair, and which Mr. TINCHER used on page 9574 of the RECORD, you will see that the rest of the people can well afford to pay this $7.93 extra. In fact, it will not add much more than one day's wages of a city hod carrier on the average to the per capita cost of living.

I did not intend to write you at such length, but feel sure that you may be interested in this analysis as to the collection and payment of the equalization fee, which will be in principle exactly what was started yesterday in the case of gasoline in the District of Columbia.

The motorist to-day pays 23 cents instead of 21 cents, as he paid day before yesterday. The 2 cents is collected by the oil station and sent direct to the Treasury.

Very sincerely yours, CHARLES J. BRAND,
Consulting Specialist in Marketing.

MAY 16, 1924.

I promised to write you from Chicago analyzing the McNary-Haugen bill somewhat, based upon my long experience in supervising and conducting marketing investigations and operations. I was so busy in Chicago that I did not get time to dictate a statement on the subject, nor did I have stenographic service of a competent character available.

As you know, I have given unlimited time and thought to the study of this whole question of emergency farm relief. In my judgment, no measure is pending that equals the McNary-Haugen bill. In a sense it is experimental, but it is experimental only as to the auspices under which it is to be done. There is nothing novel about any of the individual activities that will be necessary. The Government, private corporations, and cooperative associations between them at present do every one of the things that will be needed.

The basic draft of this bill was prepared, as you know, under the same auspices that drafted the cotton futures, grain standards, United States warehouse, food control, packers and stockyards, and other laws that have worked and are working every day. On at least one of these measures you and I did not agree, but our differences of opinion were, I believe, absolutely honest.

The McNary-Haugen bill was further perfected in cooperation with the experienced legislative counsel of both House and Senate and has been reported favorably to both bodies, to the latter by a 10-to-2 vote and to the former by a 14-to-6 vote. Months of patient study and hearings were devoted to the measure, and as it now stands I have no hesitation, based upon many years of observation, in pronouncing it workable, and, handled by such competent men as the President would select, certain to produce relief for agriculture from its present and continuing depression.

In my judgment, this bill seeks the farmer's troubles where they are actually located, and attempts to cure them by dealing with the specific cause of the trouble and not by steps which, although all of them in themselves are good, must necessarily be only palliatives in that they do not address themselves to an analysis of the fundamental causes. The farmer's difficulties are not due to too little credit, lack of diversification, undue inefficiency of the middleman system, lack of cooperative organizations, failure to reduce production, and overspeculation in land, though all of these suggest directions in which improvement should be made.

The real trouble is that farmers' prices are about the same as prewar but everything they buy is nearly double, due largely to legislative enactments on statute books of Nation and State. Contrary to the usual opposing argument, legislation only can cure the inequalities it has inadvertently created. Curative legislation must either give agriculture a square deal along with other occupations or it must remove the privileges and protections other interests enjoy but which agriculture is denied by reason of its intrinsic nature.

IMPORTANCE OF AGRICULTURE

About one-fourth, or 25 per cent, of our total wealth of $300,000,000,000 is farm property. American farms produce, roughly, one-sixth of our annual wealth of $60,000,000,000. We have 6,500,000 farms. Over 31,000,000 of our people actually live on the land. Twenty-eight per cent of all wage earners work on farms, but even in 1919, a year of high farm returns, this 28 per cent got only 17 per cent of the national income. Transportation, with 7 per cent engaged, received almost 9½ per cent.

As our President said in his Lincoln Day address, agriculture is of vital importance to our country; everyone should know that it is basic and fundamental. It is not, as some opponents of the McNary-Haugen bill contend, "a particular private business."

THE DEPRESSION IN AGRICULTURE

Despite unlimited absent treatments from very active though small groups of opponents in commerce, industry, and finance, it is not hard to show that the agricultural panic of the last three and one-half years is not "bunk," but a destructive, disastrous, real, and continuingly threatening fact.

Farm insolvencies, for example, amounted to 17.7 per cent of all farms in Montana, 10.5 per cent in North Dakota, and 7.3 per cent in South Dakota. These figures are from the ninth Federal Reserve Bank of Minneapolis and are undoubtedly reliable. They are strengthened from many other sources and apply in varying extent to States like Iowa, Missouri, Illinois, and Indiana, where farm properties can scarcely be sold at anything except slaughter prices. A Missouri banker states there have been more failures in the farming sections of that State in the past three years than since 1821, when Missouri was admitted into the Union.

Bank failures, the majority of them in agricultural sections, from 1920 to 1923 numbered nearly 1,400, with liabilities over $505,000,000. This is nearly 45 per cent of all bank failures that occurred in the 22 years from 1902 to 1923, inclusive. This period includes the panics of 1903, 1907, and 1914, when the war broke out.

Net migration from farm to city in 1922 totaled over 1,120,000.

In 1922, 7.3 per cent of the habitable houses on American farms were vacant. As the movement has continued, probably over 8 per cent of our farm houses are now standing vacant, while shelter costs in cities are so inflated that the item of rent in the cost of living has become a terrible burden.

PURPOSE AND EFFECT OF BILL

The purpose is, and the effect will be, to raise the purchasing power of wheat and flour, livestock and its food products, corn, cotton, rye, and rice to equal or about equal the pre-war price of all commodities. This is fair to the consumer and only partial justice to the producer. Only the export part of each product can be handled under the law; 80 per cent to 95 per cent is left free to be handled by existing trades. Only such of the products named as are in distress can be handled, and then only after the President so orders.

Does not destroy existing business agencies: The corporation is not permitted to set up a lot of new facilities and agencies, but must function through the private firms now in operation. It is given only those powers that the smallest private corporation similarly engaged receives through its charter. Its power to contract enables it to compensate fairly slaughterers, millers, elevators, and dealers who serve it. It is given no power to coerce or destroy private business, can not infringe the right of contract, or take over a citizen's property without due process or in any other way except by voluntary agreement.

Federal funds must be returned: Funds loaned by the Federal Treasury are protected against impairment and must be returned. They are merely a loan and not a gift to the farmer. One-half billion dollars each were loaned to the War Finance and the United States Grain Corporation on easier terms.

Not price fixing: The bill only puts a new buyer into the market and prescribes the conditions under which he must operate. All other persons can buy and sell at any price they choose. Their conduct is regulated only in that they must pay, collect, and pay over to the corporation the fees that must be assessed to protect the Government against loss.

EQUALIZATION FEES AND FUNDS

At the time of first sale a small part of the increase in price produced by the bill will be sent to the corporation and placed in the fund created for the particular commodity through which it relates. To illustrate:

We export about one-fifth of our wheat crop.

The 1923 crop was a little over 750,000,000 bushels. Say 150,000,000 bushels were exported. Ratio price of No. 2 Red, Chicago, to-day, if the bill were in force, would be $1.56 per bushel. World market price based on Chicago is about $1.06. Loss per bushel on export fraction, hence, about 50 cents.

Assume a particular farmer markets 1,000 bushels. Of this, one-fifth, or 200 bushels, is available for export. His particular grain may not go, but some one's will. Loss on 200 bushels, at 50 cents, equals $100, or 10 cents per bushel on whole crop.

For brevity, assume he sells in Chicago. Then the local buyer who acts for the corporation can not pay him $1.56, but $1.46. But the farmer must also pay expenses of operation. These will not exceed 2 cents over usual costs. This is 2 cents more. The corporation will not want to skate on thin ice, but will want to be on the safe side. It may take 3 cents more for safety. This is a total of 15 cents per bushel.

So at the time of sale our farmer will get $1.41 a bushel, or $1,410 in cash and a United States Export Corporation receipt for 15 cents a bushel, or $150. The sum called for by the receipt goes to the equalization fund. At the end of the operation year, what is left in the fund is paid to the growers pro rata. In our illustration the dividend would be 3 cents a bushel, or $30. Thus our grower would have received $1.44 a bushel instead of about $1.06, roughly, the average price that prevailed last month.

The receipt takes the place of the scrip of the original bill and answers the same purpose, but is not subject to the same misunderstanding. Identically the same principles, fitted to their cases, will be applied to hogs and their products and the other commodities when in distress.

SHALL THE GOVERNMENT HELP

Clearly, existing difficulties are not of the farmer's own making nor is their remedy within his reach. The Government is warranted in giving farm relief because—

1. War measures, such, for instance, as fixed wheat prices, placed farming at a serious disadvantage. Over 2,000,000,000 bushels were marketed at prices averaging at least $1 per bushel below what free competition would have yielded. This relative loss weakened the economic resistance of two and one-half million wheat growers and contributed to the present sorry plight.

2. The deflation policy inaugurated in 1920 hit farmers with such cruel force that the same quantities of crops that were valued at

$15,500,000,000 in 1919 were worth only $7,000,000,000 in 1921, a loss of $8,500,000,000 in two years.

3. Railroad freight rates on farm products are from 45 per cent to 75 per cent above pre-war levels. Meanwhile, farm prices have dropped back to pre-war levels. Hogs, for instance, are $1 per hundred pounds below 1913. The purchasing power of the dollar has fallen so that the hog grower's dollar is worth only 59 per cent of pre-war. He is the worst hit of all. This measure is not exclusively for wheat relief; it is for general farm relief. We export twice more in value of pork products than of wheat. Also, the wheat grower's dollar is worth 80 per cent, while the hog raiser's is 59 per cent of pre-war.

4. Immigration laws, whose purpose of Americanization of our citizens of alien birth we all approve, have raised wages by reducing labor supply, so that New York factory wages in March stood at 222 per cent of 1914. Such legislation to the orthodox economist is no doubt artificial, uneconomic, unsound, and a dangerous interference with natural law, but, as is true of agricultural relief, the general welfare transcends all other considerations.

5. Transportation laws and administrative acts under them have added over $2,000,000,000 to freight charges collected from farmers since 1917. They have given railroad labor the 8-hour day with 10 hours' pay, but they have also helped to make farm wages 153 per cent of 1914, while purchasing power of our farm products is only 74 per cent.

6. Tariff laws protect the products of industry and the labor that goes into them. They preserve the domestic market for the domestic manufacturer by preventing free inward flow of foreign goods. This, again, the orthodox economist will, if consistent, call "unsound, uneconomic, etc." Nevertheless, from the beginning the majority of our people have believed protection sound public policy.

The people have not—but economists always have—known that general tariff schedules only protect export farm products approximately to the extent of the cost of transporting supplies from foreign countries to our shores and not to the full extent of the rate of duty.

7. The prices of export farm commodities are fixed by the world market because the flow can not be controlled by existing agencies of trade. Our export is only 5 per cent to 20 per cent of total production of important products. The foreign price of this fraction fixes the price of the whole domestic crop. Manufacturers, who can control their production, are able to avoid the disasters of this situation. The farmer must sell in the world market at the world price, but the world price is immune from domestic American influences. He lives in America, the highest-cost country in the world, but must meet low-cost competition with no adequate agency or device to safeguard him as others are safeguarded.

The McNary-Haugen bill creates the agency—the corporation—and invokes the device—the flexible tariff—that will do for agricultural exports what the tariff alone does for the products of controllable industry and what hundreds of other statutes do in modifying the ruthless effect of economic laws. It will separate the small export fraction and arrange to sell it in the world market at the world price, while the domestic part is sold at home at an absolutely fair exchange value with all other commodities. If other things go down, farm prices will also. If other things go up, farm prices will do likewise, but never, by reason of the law, above a parity with all commodities. This means absolutely fair play to the consumer, as food prices will fluctuate with wages. It will not do full justice to the farmer, as the all-commodities index price is based on city wholesale prices and not on farm prices, which are much lower.

Two courses are available—tear everybody else down or elevate the farmer to an equality. I think we can all agree that the former course would be ruinous and ought not to be chosen. Many thoughtful American business men and bankers, millers, and grain dealers realize that one course or the other must be chosen, as the rest of our people can not be living in prosperity while 40,000,000 are submerged.

I am sure this letter will seem long to you, as it does to me, but the subject is a very large and important one, and it is almost literally impossible to cover it with greater brevity. At least I have not the genius to do it. It is a source of sincere regret to me that certain trades and industries, particularly the millers, packers, and the grain trade, are so bitterly opposed to the measure. I have discussed the problems involved with dozens of them all over the country, and practically no argument they advance is of a character that can not be answered logically and persuasively.

I simply took this opportunity to tell the chairman this. Some of us do take a little time, but very little. We would like to assist in legislation, and we do feel as though a few of the older Members of the House pick up an idea and try to cram it down our throats; and they are not satisfied with that cramming, but they want to jam it down and hold it there instead of giving us an opportunity to at least think a minute upon what they ask. I shall vote for this bill. Let us give it a trial. It is the only visible thing in sight for the farmers. Surely some legislation will be passed before this Congress adjourns which will relieve the great agriculture interests of the country. We should stay here until this is done. It can and should be done. All it needs is the disposition and will to do it. No possible excuse can be given to the agricultural interest of the country if this is not accomplished, and in a right way, before this adjournment.

The CHAIRMAN. The time of the gentleman from California has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

COMPUTATION OF RATIO PRICE

SEC. 4. (a) The corporation shall publish, after the issuance of a proclamation declaring a special emergency in respect of any basic agricultural commodity and for such ratio periods and basis markets as it may designate, a price for such commodity, or any class or grade thereof, to be known as the "ratio price," and to be determined as follows:

(1) The ratio price of such basic agricultural commodity for such period shall bear the same relation to the pre-war basic-commodity price thereof as—

(2) The current all-commodities price in effect for such period bears to the pre-war all-commodities price.

(b) For the purpose of determining a ratio price—

(1) The Secretary of Labor, as soon as practicable after the passage of this act, shall compute the average price of all commodities for the period 1905 to 1914, inclusive (referred to in this act as the "pre-war all-commodities price"). In computing such pre-war all-commodities price the Secretary of Labor shall use the prices selected and the weights applied as the basis for computing, for all commodities for such years, the index numbers shown on page 9 of Bulletin No. 835 of the Bureau of Labor Statistics.

(2) The Secretary of Agriculture and the Secretary of Labor shall, as soon as practicable after the issuance of a proclamation declaring a special emergency in respect of a basic agricultural commodity, jointly prepare in respect of such commodity the average price for such commodity during the period 1905 to 1914, inclusive (referred to in this act as the "pre-war basic commodity price").

(3) The Secretary of Labor within 15 days after the termination of a month shall compute and publish the average price of all commodities for such month. In computing such average price the Secretary shall use the commodities selected and the weights applied by the Bureau of Labor Statistics as a basis for computing for the year 1923 the index numbers of wholesale prices of all commodities for such year. Such average price is referred to in this act as the "current all-commodities price."

(c) For the purposes of subdivision (a), the current all-commodities price in effect for any period shall be the price computed for the month preceding the commencement of such period.

(d) Ratio prices for the ratio period, in effect at each terminal market, shall be published at noon on the first day of such period and shall remain in effect until noon on the last day of such ratio period. The publication of the ratio prices in respect of any basic agricultural commodity shall cease upon the termination, as provided in section 2, of the special emergency in respect of such commodity.

(e) For the purpose of any computation under this section the officers or agency directed to make the computation may prescribe such necessary regulations as are in accordance with approved statistical methods.

Mr. ROACH. Mr. Chairman, I offer an amendment to section 4.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ROACH: On page 5, line 25, after the word "methods," add the following new section:

"SEC. 5. (a) The Bureau of Census, as soon as practicable after the passage of this act, shall compute the average conversion cost of all wheat-flour mills of wheat into flour for the period 1905 to 1914, inclusive. This average conversion cost shall be referred to in this act as the 'pre-war flour conversion cost.'

"(b) The Bureau of Census shall annually compute and publish the average conversion cost of wheat into flour from the records of the previous year's operation. Such average conversion cost shall be referred to in this act as the 'current flour conversion cost.'

"(c) The Bureau of Census shall annually compute the average bushels and fractional parts thereof required for the preceding year to produce a barrel (of 196 pounds) of flour. This average yield of flour shall be referred to in this act as the 'current flour yield.'

"(d) The per barrel difference between the 'pre-war conversion cost' and the 'current flour conversion cost' shall be divided by the number of bushels and fractional parts thereof required for the 'current flour yield' to compute the equalization fee per bushel of wheat milled into flour for export.

"(e) After payment of the expenses of operation of and losses sustained by the corporation, a dividend shall be paid ratably to each

miller of export flour upon each bushel of wheat used in the production of flour sold in export channels in the same proportion as the equalization fee determined by paragraph (d) of this amendment bears to the equalization fee on wheat as determined by the operation of this bill.

"(f) With the exception, however, that such wheat flour as is sold by the millers to the corporation, the price shall be based upon the 'current flour conversion cost' and the seller shall pay into the equalization fund the full equalization fee as determined by paragraph (d) of this amendment.

"(g) The wheat used for manufacture of the flour for export, referred to in this amendment, shall be wheat released to said millers by the corporation for conversion as provided by this act."

Mr. NEWTON of Minnesota. Mr. Chairman, I reserve a point of order on the amendment.

Mr. ROACH. I realize, gentlemen, that an amendment of this complicated nature and character probably will not stand much chance of enactment in the hurried consideration we are giving to this bill, but it will be noticed that this bill includes flour, and it is my opinion that if this amendment could be adopted the opposition that is being made to this bill by the millers of the country would be entirely removed, and, as a part of the business enterprise of this country, they are entitled to fair treatment in the consideration of this measure. I wish to make this brief statement on the amendment.

This amendment, if adopted, would place the producers of flour upon an equality with the producers of wheat in so far as export business is concerned. Unless the amendment is adopted millers would be compelled to buy export wheat from the corporation, ofttimes entailing extra expense, freight cost, and other items, whereas they can now buy exportable grades of wheat upon the most advantageous basis. The wheat bought by the corporation would be of various classes, requiring blending and mixing to maintain flour uniformity. In making sales direct for export the millers would be compelled to absorb the loss in conversion costs that would be absorbed by the corporation if the flour was handled by them, as the bill now provides. Furthermore, the adoption of this amendment would require millers who export their flour through the corporation to pay into the equalization fund the difference in conversion costs, but to sell said flour to the corporation upon the basis of current conversion costs. The adoption of this amendment would protect the millers who have now or may hereafter establish trade in foreign countries against the price competition of those millers who would take advantage of the lines of least resistance—that is, selling foreign trade through the corporation. It would also serve to place a premium upon the direct exportation of flour by American millers, and thereby establish permanent trade relations with foreign flour dealers, and otherwise greatly aid in building up the milling industry of the United States.

Such of those millers who utilize the corporation as a marketing agency for their flour would pay into the equalization fund more money than they withdraw in dividends. Those who maintain their own selling organization would doubtlessly expend a similar amount to make the direct sales and receive only the same proportionate dividend, but would in future years have an established trade after the corporation had been disbanded. The difference between the pre-war and current conversion costs would cover this feature.

I am confident after this amendment has been properly considered it will be adopted.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I reserved the point of order. I have since had occasion to look the amendment over. I can not pass upon the merits of it, but it does try to meet a serious objection to the bill, and I withdraw my reservation.

Mr. HAUGEN. Mr. Chairman, I make the point of order.

Mr. ROACH. Mr. Chairman, I do not think the amendment is subject to a point of order.

Mr. HAUGEN. Mr. Chairman, I make the point of order that it introduces a new element entirely into the bill.

The CHAIRMAN. The point of order is overruled. The question is on the amendment offered by the gentleman from Missouri.

The amendment was rejected.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word. Mr. Chairman, my attention was attracted by the remarks of the gentleman from Arkansas [Mr. WINGO] made a few moments ago, in which he suggested the condition in which we find ourselves. I for one agree that it is not incumbent upon either branch of Congress to consult the President before acting on any proposed legislation; but looking at the matter in a common-sense way, we have a condition here which makes it certainly desirable to take into view the attitude of the President. As I stated earlier in the debate, the President has repeatedly in the last few months declared himself opposed to price-fixing legislation. The newspapers tell us that he has restated his opposition to legislation of that character within the last few hours. This is price-fixing legislation.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. MOORE of Virginia. Yes; but I have only five minutes.

Mr. SHALLENBERGER. He also asserted his opposition to the bonus, but we passed it over his veto.

Mr. MOORE of Virginia. My friend knows, however, that if this particular bill should pass both Houses and be vetoed by the President, there is no chance of its being enacted over his veto. Now, that is the situation. We are approaching, as it is supposed, the end of the session. We are to occupy to-day, to-morrow, and perhaps a part of next week considering this measure. Now, one of two things should be done. The certainty that the bill is doomed should be recognized, and it should be put aside in order that some other measure or measures may be considered or, as an alternative, Congress should determine not to adjourn, but to remain here until it has fully considered the agricultural needs. [Applause.]

Mr. WEFALD. Would the gentleman be willing to lead in such a fight?

Mr. MOORE of Virginia. I am not one of the leaders; but I would be willing to stay, because sincerely interested in the matter of trying to devise some proper method of relief, and as a Member to exert my best efforts in that direction.

There are several things that are possible, independent of any particular measure that has been brought forward so far. I merely repeat what other gentlemen have stated when I say that one thing possible is to revise the tariff duties contained in the existing law that most heavily bear upon the farmer.

Mr. CROWTHER. Will the gentleman yield?

Mr. MOORE of Virginia. Not just now. Another thing is possible. We all know the difficulty that attaches to the freight-rate adjustments, but it would be easy to enact legislation empowering the Interstate Commerce Commission to deal with certain rate questions in such manner as to at least insure the farmers against having to pay higher rates than they pay at the present time.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and amendments thereto close in five minutes.

Mr. BLANTON. The gentleman means on the amendment and not on the whole section?

The CHAIRMAN. There is no amendment pending. The gentleman from Iowa asks unanimous consent.

Mr. BLANTON. Then I object.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

Mr. BLANTON. I offer a substitute that it close in 10 minutes.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 7 ayes and 54 noes.

So the substitute was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—72 ayes and 1 no.

So the motion was agreed to.

Mr. MOORE of Virginia. Mr. Chairman, when interrupted I was about to illustrate what I mean as to one phase of the rate problem. Recently, I am informed, the Interstate Commerce Commission has had before it the issue as to whether it is competent for the commission under the law to allow rates on agricultural lime lower than the rates on building lime. The commission finds itself obliged to answer that question in the negative. The result is that, as I understand, the railroad companies are publishing tariffs to lift the rates on agricultural lime to the level of the higher rates on building lime. The commission should be vested with a discretion, which it does not now possess, to allow differentials so as to protect the farmers who use lime.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. LONGWORTH. I gather that the subject the gentleman is discussing is that contained in the resolution offered by the gentleman from Kansas [Mr. HOCH].

Mr. MOORE of Virginia. While I will support that resolution, it is so general that I do not think it will at once bring any result.

Mr. LONGWORTH. The gentleman would favor such a resolution?

Mr. MOORE of Virginia. I would favor such a resolution and do not intend to discredit the measure sponsored by Mr. HOCH.

Mr. LONGWORTH. I greatly hope that the resolution will be passed.

Mr. HOCH. If the gentleman will allow me, I want to say that since the report was made on my resolution it has been reported and portions of the Senate resolution added to it, which goes more directly to the matter the gentleman refers to.

Mr. MOORE of Virginia. I am glad to hear it. Certainly there ought to be some specific legislation that will give the commission the authority which it does not seem to have now.

Mr. LONGWORTH. If the gentleman will pardon me, I entertain the confident hope that that resolution will pass at this session.

Mr. MOORE of Virginia. When that resolution comes, I shall examine it and see whether it meets the point to which I have alluded, and what, if anything, it will practically accomplish.

Mr. CROWTHER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. My time is nearly out, but I yield to the gentleman.

Mr. CROWTHER. I just wanted to ask the gentleman if he will recite to us or in his remarks list the products or articles on which he thinks the tariff should be revised that are costing the farmer a great deal of expense?

Mr. MOORE of Virginia. There are a great many such items, and I regret that no revision has been undertaken or attempted.

Mr. CROWTHER. Will the gentleman name some of them now?

Mr. MOORE of Virginia. The gentleman knows how impossible it is to enter into details when there is such a rigid time limit.

I had desired, but time does not permit, to discuss the validity of this bill in the light of the Constitution. I just as firmly believe as I believe I am standing here and talking that if any careful lawyer—if, for instance, my friend from Michigan [Mr. MICHENER], who sits near me—and I name him because he is such an excellent lawyer—will take this measure and examine it in order to determine whether it is, in his opinion, valid or not, and as to whether a court would hesitate to declare it invalid, he will reach the conclusion that rarely has a bill been presented to the House open to so many objections as this from a constitutional point of view. On that aspect of the subject I shall endeavor to make some observations before the debate closes. As my time is about to expire, I ask permission to add an extract from an editorial which appeared in the last issue of the Southern Planter, a farm journal published in my own State.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that in the extension of his remarks he may include the editorial mentioned. Is there objection?

There was no objection.

The editorial is as follows:

FARM RELIEF LEGISLATION

That the Congress may adjourn June 7, according to schedule, is by no means certain—more time for oratory may be needed. This is presidential year, and the quadrennial farce of cajoling the farmer has not been completed.

While Senator NORBECK went to South Dakota to campaign for his friend HIRAM JOHNSON, the Senate killed the Norbeck-Burtness bill, the only effort at farm-relief legislation that had the slightest chance for enactment.

The McNary-Haugen bill has only the most remote chance of passage in either House, and it will certainly be vetoed by the President if by a miracle it should reach him.

This outcome is not a reason for unmixed grief. There are some strong if not unanswerable arguments against the bill as a national policy. It is in the highest degree sectional—it would aid primarily, if not solely, the farmers of the Northwest.

But that is not the outstanding argument in opposition.

The bill as originally drawn did not contain its present most objectionable feature. It always put a premium on cooperation—and that is a policy with which this paper is in thorough accord—but as amended by the House Committee on Agriculture it would virtually compel the farmer to join a cooperative or put himself beyond the pale of relief.

That is a system of coercion that is repugnant to any proper idea of freedom as it is understood by Americans. No matter how much this paper believes in an agricultural principle it does not believe that any man or set of men should be able to force upon all others the acceptance of that principle. To argue the contrary is undemocratic, un-American, and tyrannical.

Aside from this fundamental objection there are others.

Foremost among these objections is one that is strictly economic. Under the McNary-Haugen plan the farmer produces in effect a product and a by-product; the former is his domestic output and the latter is his exportable surplus.

For his livelihood and his protection against hard times he would have to get comparatively high prices for whatever he sells in this country and would then have to dump his surplus abroad at whatever price it would bring.

Artificially protected by an extremely high tariff, he might be able to profit by his home sales, but he could profit just as much under that scheme if he had no bill of this sort to aid him. No tariff can help the export price; so to profit most by the high-tariff plan the farmer must plant enough for the needs of this country and no more, else the exportable surplus must be sold at a loss.

It follows logically, therefore, that the exportable surplus is a source of certain loss, large or small, as the world's production is great or little. This evidently adds another element of chance to the big gamble that the farmer is always forced to make.

The Clerk read as follows:

PART 2.—ORGANIZATION AND MANAGEMENT OF THE CORPORATION

ORGANIZATION

SEC. 21. For the purpose of relieving the emergency declared in section 1, by conducting the business of trading in basic agricultural commodities, the five following individuals and their successors are hereby incorporated and declared to be a body corporate under the name of "The United States Agricultural Export Corporation" (referred to in this act as the "corporation"):

(a) The Secretary of Agriculture;

(b) Four individuals appointed by the President, by and with the advice and consent of the Senate, from States within each of the following groups of Federal land bank districts: One from districts numbered 1, 2, and 4; one from districts numbered 3, 5, and 10; one from districts numbered 6, 7, and 8; and one from districts numbered 9, 11, and 12.

Mr. EDMONDS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. EDMONDS: Page 6, line 1, after the words "part 2," strike out all of part 2 down to part 3 on page 8, and insert in lieu thereof the following:

"PART 2.—ORGANIZATION AND POWERS OF THE COMMISSION

"COMMISSION

"SECTION 1. (a) There is hereby established as an emergency measure a commission to be known as the United States Agricultural Export Commission (hereinafter in this act referred to as the 'commission'), to be composed of the Secretary of Commerce, who shall be chairman of the commission; the Secretary of Agriculture, who shall be vice chairman of the commission; the chairman of the United States Tariff Commission; and an administrative commissioner to be appointed by the President from not less than three individuals recommended to the President by the Secretary of Agriculture.

"(b) The administrative commissioner shall receive a salary of $1,000 a month during the period of his service as such commissioner, and he shall not actively engage in any other business, vocation, or employment than that of serving as such commissioner during the period he so serves.

"(c) The commission may appoint a secretary who shall receive a salary at the rate of $500 a month during the period he so serves. The commission shall maintain its principal office in the District of Columbia, in such room or rooms at the disposal of the Secretary of Commerce as shall be designated by him, and may employ such other persons as may be necessary, and fix their compensation.

"(d) For the expenses of said commission there is hereby authorized to be appropriated the sum of $50,000, to be immediately available.

"(e) The commissioners and the employees of the commission shall take the oath of office provided in section 1757 of the Revised Statutes.

"(f) The commission shall make an annual report to Congress, and may make such regulations as are necessary to execute the functions vested in it by this act, and it may accept the services of any person without compensation.

"(g) The commission may adopt a seal which shall be judicially noticed and may alter it at pleasure.

"(h) The commission may make contracts,

"SEC. 2. (a) Whenever it is found by the commission, by a comparison of the ratio price established in part 1 of this act with the prices ruling in foreign markets, that the exportation of the products enumerated in part 1 of this act is unprofitable to the producer, it shall be the duty of the commission to so certify to the President, who shall proceed as directed in section 2 of part 1 of this act. Thereupon the commission shall arrange to pay from the Treasury of the United States the entire cost of transportation by water from ports of the United States to foreign markets of such products in merchant ships registered under the laws of the United States. Such assumption of charges, however, shall not include inland freight charges, either by rail or water, and shall continue only so long as the emergency exists.

"(b) The commission shall contract for the products of the American farmer with merchant ships of American registry at a basic price of 20 cents per 100 pounds for the north Atlantic range, other rates to be made proportionate to the basic price and the service rendered.

"(c) That there be authorized to be appropriated from the Treasury of the United States so much money as may be necessary to carry out the purposes of this act.

"TARIFFS AND PENALTIES

"SEC. 3. (a) During said emergency period the President shall by proclamation add to the existing rate of duty on said products or their derivative or substitutes for them such amounts as may be requested by the commission in order to make effective the provisions of this act.

"COOPERATION WITH EXECUTIVE DEPARTMENTS

"SEC. 4. (a) Any governmental establishment in the executive branch of the Government is authorized to act as agent of the corporation in the administration of functions vested in them by this act. The corporation may, in cooperation with any such Government establishment, avail itself of the services and facilities of such Government establishment in order to avoid preventable expense or duplication of effort.

"(b) The President may by Executive order direct any such Government establishment to furnish the corporation with such information and data pertaining to the functions of the corporation as may be contained in the records of such Government establishment. The order of the President may provide such limitations as to the use of the information and data as he deems desirable.

"(c) The corporation may cooperate with any State or Territory, or department, agency, or political subdivision thereof, or with any person.

"SEPARABILITY OF PROVISIONS

"SEC. 5. If any provision of this act is declared unconstitutional, or the applicability thereof to any person, commodity, or circumstance is held invalid, the validity of the remainder of the act and the applicability thereof to other persons, commodities, and circumstances shall not be affected thereby.

"RESERVATION OF RIGHT TO AMEND

"SEC. 6. The Congress of the United States reserves the right to alter, amend, or repeal the provisions of this act."

Mr. DICKINSON of Iowa (interrupting the reading of the proposed amendment). Mr. Chairman, I think this amendment has been sufficiently reported to show that it is not in order, and I make the point of order that it is not germane.

Mr. BLANTON. And I make the further point of order that the amendment is out of order in that it proposes to strike out of the bill parts of pages 6, 7, and 8, which have not yet been read by the Clerk and are not subject to amendment.

Mr. DICKINSON of Iowa. I suggest to the Chair that this seems to go into the shipping business.

Mr. PURNELL. And, further, it seems to incorporate a bounty already contained in some of the substitutes which have been voted down.

Mr. EDMONDS. Mr. Chairman, as far as the objection of the gentlemen from Texas [Mr. BLANTON] is concerned, of course, I would move to strike out the other sections if this amendment were adopted. However, if the Chair is of the same mind that he was the other day in respect to the amendment offered by the gentleman from Illinois [Mr. RAINEY], I believe that this amendment is probably subject to the point of order.

The CHAIRMAN. The Chair thinks it would not be in order, and that it comes within the class referred to. The Chair sustains the point of order.

Mr. BLANTON. Mr. Chairman, I move to strike out section 21.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate upon this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate upon this section close in five minutes. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I make the point of order against the gentleman proceeding, because the amendment has not yet been reported from the desk.

Mr. BLANTON. A pro forma amendment does not have to be reported from the desk.

Mr. RAKER. But the gentleman moves to strike out the section.

Mr. BLANTON. That is a pro forma amendment, and it does not have to be reported.

The CHAIRMAN. The gentleman from Texas moves to strike out the section.

Mr. BLANTON. Mr. Chairman, the Secretary of Agriculture is at the present time either very idle with nothing to do or else when we put these new duties upon him as the head of a $200,000,000 plus $1,000,000,000 corporation he will not have an opportunity to attend to his present duties when he assumes the new chairmanship. We are proposing to take the Secretary of a great department and make him the head of this $1,200,000,000 corporation. I imagine that the chairman of such a corporation would have his hands full without trying to attend to the duties also of the great Department of Agriculture.

Mr. HOLADAY. That is honorary.

Mr. BLANTON. Oh, most of the main departmental positions in Washington are honorary, because they have a first and second and third, fourth, and fifth assistant to do the work for them. I admit that, but there is already so much duplication of work that I think the chairmanship of this corporation ought to be exclusive of any department. I think he ought to be a man who can give his whole time and attention to it. As a matter of fact, I do not believe in this bill, and I am going to vote against it. I do not believe that it would do a bit of service or be of any benefit to anybody on earth except the wheat farmer, for it is specially designed for the wheat farmer, and you gentlemen must admit that. I am against class legislation and I have been consistently against it ever since I have been a Member of Congress. I have voted against every piece of legislation that was brought in here for a particular class on every vote I have cast since I have been here. Legislation should be for all the people. If this bill were for the relief of all farmers, I would vote for at, but it is intended to relieve only the wheat farmers at the expense of all the others in the United States.

This is a bill really to penalize the farmers of America, to spend $200,000,000 to start with and $1,000,000,000 more to end with for the benefit of the wheat farmers of the country at the expense of the balance, and I am not willing to put that burden on the farmers of the country. I believe we ought to treat them as a whole and not as a class. I do not think that we ought to pick out just the wheat farmers of the country and boost them up at the expense of all the others. Why it has been stated here correctly that the cotton farmers came here to this committee and insisted on being left out of the bill. Do you know why? They knew that they would not benefit by this bill. They knew it would not help them, and the balance of them had better be left out. It is admitted here there will be no exportable surplus of wool. Most of you have admitted there will not be any exportable surplus of beef and mutton, so why do you put those commodities in here except to fool the stockmen of the country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I withdraw the pro forma amendment.

Mr. EDMONDS. Mr. Chairman, I ask unanimous consent that the amendment offered by me may be printed in full.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BEGG. Mr. Chairman, a parliamentary inquiry. Has debate been closed on section 22?

The CHAIRMAN. No; that section has not been read.

The Clerk read as follows:

BOARD OF DIRECTORS

SEC. 22. The individuals specified in section 21 and their successors shall constitute the board of directors of the corporation (referred to in this act as the "board"). The Secretary of Agriculture shall be chairman of the board. The President shall at the time of appointment designate one of the appointed directors as managing director.

Mr. BEGG. I move to strike out the last word.

Mr. PURNELL. Mr. Speaker, will the gentleman yield?

Mr. BEGG. I will.

Mr. PURNELL. I ask unanimous consent that all debate on this section close in five minutes.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Reserving the right to object, it was understood that the committee was going to rise at 4.30, was it not?

The CHAIRMAN. The Chair will state there was no definite agreement about that.

Mr. BLANTON. That is what the majority leader told us this morning.

Mr. HAUGEN. Let us get through with this section.

Mr. KINCHELOE. Mr. Chairman, further reserving the right to object, what is the intention about the matter?

Mr. HAUGEN. The agreement was that if there was no filibustering we would close at 5.30.

Mr. KINCHELOE. Well, there has been no filibustering. Is it the intention of the gentleman to rise at 4.30?

Mr. HAUGEN. I suggest we finish this section.

Mr. BEGG. I would like to have my five minutes, and then you can do as you wish.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BEGG. Mr. Chairman and members of the committee and those who are most ardently supporting this amendment, I want to call attention to the fact that the chairman of this board is to be the Secretary of Agriculture. Now, the chairman of any board of directors is the most powerful man on that board of directors. Now, what are the qualifications of the Secretary of Agriculture, regardless of which political party is the Secretary of Agriculture? The main qualification is, always, that he must be so situated in relation to the farmers that he will command the biggest influence in the election. Now, I submit in all seriousness, if I were going to be a proponent of this bill I would make this board of directors as near independent of partisan politics as I could make it. Now, under the present draft and scheme of things every time there is a new President you will have a new chairman of the board of directors of a $200,000,000 corporation. Now, it can not succeed by our own action. There never was and there never will be one to succeed on that kind of a basis.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. BEGG. Just as soon as I finish the sentence. Nobody knows if President Coolidge succeeds himself. This corporation, if this bill is enacted into law, will be in operation one year, practically, next March 4; and suppose the President elect—either Coolidge or somebody else—chooses to select a different Secretary of Agriculture; it will upset a $200,000,000 corporation. And I maintain that ordinary business judgment would not put this kind of a vital defect in the success of any kind of scheme.

Mr. DICKINSON of Iowa. Will the gentleman now yield?

Mr. BEGG. I will.

Mr. DICKINSON of Iowa. Does the gentleman realize that the greatest business institution in this country, doing a business of over $300,000,000 worth of property in this Government, is the Government of the United States, and it does the very thing the gentleman says can not be done?

Mr. BEGG. And God pity the people when that institution is compared with any private institution in the land, so far as being maintained economically or along business lines.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. BEGG. Yes.

Mr. TINCHER. Would not the argument involve the stopping of a change of Secretaries of the Treasury under any circumstances?

Mr. BEGG. No; it would not. The Treasury Department will run on. This involves dealing in the markets of the world, and if you think you can set up a governmental agency that can go into the markets of the world and gamble in wheat, with the head of that agency changing with every change of administration, all I can say is that I do not admire your judgment. That is all. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired. The Clerk will read.

The Clerk read as follows:

DURATION OF CORPORATE EXISTENCE

SEC. 23. The incorporation shall be held effected at the time a majority of the directors are appointed. The corporate existence shall continue until the termination of the general emergency as ascertained and proclaimed by the President under section 1, but in no event for more than five years from the June 30 next following the passage of this act, except that the corporation may remain in existence for such additional period as the President shall by Executive order designate for the purpose of adjusting, settling, liquidating, and winding up its affairs.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Iowa moves that the committee do now rise.

Mr. KINCHELOE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KINCHELOE. This section has just been read. When we rise will it be in order to strike out the last word?

The CHAIRMAN. It will be in order to offer any germane amendments to the section. The gentleman from Iowa [Mr. HAUGEN] moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and Mr. CRAMTON as Speaker pro tempore having assumed the chair, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 9033) declaring an emergency in respect to certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING TO-MORROW

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. BLANTON. I object.

The SPEAKER pro tempore. Objection is heard.

AGRICULTURAL APPROPRIATION BILL

Mr. MADDEN. Mr. Speaker, I call up the conference report on the bill H. R. 7220, the Agricultural appropriation bill.

The SPEAKER pro tempore. The Clerk will read the conference report.

The conference report was read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7220) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 17, 18, 19, 21, 26, 28, 30, 33, 36, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 8, 9, 14, 20, 23, 24, 29, 35, 38, 39, and 43; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$573,000: *Provided*, That of this sum $30,000 may be used for the purchase and distribution of blackleg vaccine at cost"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$91,115"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$185,450"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,602"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,098,004"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,687,924"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,280,606"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,781,489"; and the Senate agree to the same.,

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$231,920"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,111,305"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,065,848"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$786,150"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$892,490"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "and for investigation of the economic costs of retail marketing of meat and meat products, $549,628"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,288,001"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,325,864"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$800,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "$452,540: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer, under such rules and regulations as he may prescribe, to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provision of said act, he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$58,575,274"; and the Senate agree to the same.

MARTIN B. MADDEN,
WALTER W. MAGEE,
EDWARD H. WASON,
J. P. BUCHANAN,
GORDON LEE,
Managers on the part of the House.
CHAS. L. MCNARY,
W. L. JONES,
ARTHUR CAPPER,
E. D. SMITH,
WM. J. HARRIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7220) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

On No. 1: Inserts the language proposed by the Senate permitting the purchase of press clippings from the appropriation for miscellaneous expenses.

On No. 2: Appropriates $573,000, as proposed by the Senate, instead of $548,000, as proposed by the House, and provides that of this sum $30,000 may be used for the purchase and distribution of blackleg vaccine at cost.

On Nos. 3 and 4: Corrects totals in the bill.

On No. 5: Appropriates $91,115, instead of $100,000, as proposed by the Senate, and $84,335, as proposed by the House, for the investigation of diseases of forest and ornamental trees and shrubs.

On Nos. 6 and 7: Appropriates $185,450, instead of $205,450, as proposed by the Senate, and $155,450, as proposed by the House, for acclimatization and adaptation investigations of cotton, corn, and other crops, and provides that $50,000, instead of $70,000, as proposed by the Senate, and $20,000 as proposed by the House, may be used for explorations, research, and field experiments relating to rubber-producing plants.

On No. 8: Appropriates $46,300, as proposed by the Senate, instead of $41,940, as proposed by the House, for the investigation and improvement of tobacco production and handling.

On No. 9: Appropriates $139,125, as proposed by the Senate, instead of $134,793, as proposed by the House, for the investigation and improvement of fruits, and methods of fruit growing, harvesting, etc.

On No. 10: Appropriates $85,602 instead of $93,102, as proposed by the Senate, and $81,808, as proposed by the House, for horticultural investigations.

On Nos. 11 and 12: Correct totals in the bill.

On No. 13: Appropriates $335,824, as proposed by the House, instead of $351,260, as proposed by the Senate, for investigations of methods for wood distillation and preservative treatment of timber, etc.

On No. 14: Appropriates $187,420, as proposed by the Senate, instead of $137,420, as proposed by the House, for silvicultural and dendrological investigations and experiments.

On Nos. 15 and 16: Correct totals in the bill.

On No. 17: Appropriates $120,600, as proposed by the House, instead of $130,600, as proposed by the Senate, for investigations relating to the application of chemistry to agriculture.

On Nos. 18 and 19: Correct totals in the bill.

On Nos. 20 and 21: Inserts the language proposed by the Senate for investigations of the alfalfa weevil, and appropriates $176,400, as proposed by the House, instead of $186,400, as proposed by the Senate, for investigations of insects affecting cereal and forage crops.

On No. 22: Strikes out the language proposed by the Senate, and appropriates $231,920 instead of $256,920, as proposed by the Senate, and $206,920, as proposed by the House, for investigations of insects affecting southern field crops.

On Nos. 23 and 24: Appropriates $157,000, as proposed by the Senate, instead of $145,000, as proposed by the House, for investigations of insects affecting truck crops, and inserts the language proposed by the Senate, which includes the investigation of wireworms.

On No. 25: Corrects a total in the bill.

On No. 26: Strikes out the language proposed by the Senate providing for a scientific investigation of the western pine beetle and associated forest insects.

On No. 27: Corrects a total in the bill.

On No. 28: Appropriates $508,880, as proposed by the House, instead of $652,240, as proposed by the Senate, for investigating the food habits of birds and animals.

On No. 29: Appropriates $28,475, as proposed by the Senate, instead of $26,480, as proposed by the House, for biological investigations of animals and plants.

On No. 30: Strikes out the language proposed by the Senate transferring the duties of the Governor of Alaska with respect to wild game and wild birds to the Secretary of Agriculture.

On Nos. 31 and 32: Corrects totals in the bill.

On No. 33: Appropriates $275,000, as proposed by the House, instead of $286,538, as proposed by the Senate, for the investigation and encouragement of improved methods of farm management and farm practice.

On No. 34: Appropriates $549,628, as proposed by the Senate, instead of $524,628, as proposed by the House, and provides for the investigation of the economic costs of retail marketing of meat and meat products, as proposed by the Senate.

On No. 35: Provides, as proposed by the Senate, that shipping point and market inspection certificates shall give the class, quality, and/or condition of the commodity.

On No. 36: Appropriates $682,480, as proposed by the House, instead of $768,480, as proposed by the Senate, for the market news service.

On No. 37: Corrects a total in the bill.

On No. 38: Appropriates $550,000, as proposed by the Senate, instead of $500,000, as proposed by the House, for the enforcement of the United States grain standards act.

On No. 39: Appropriates $186,500, as proposed by the Senate, instead of $163,000, as proposed by the House, for the administration of the United States warehouse act.

On No. 40: Corrects a total in the bill.

On No. 41: Appropriates $800,000 instead of $1,000,000, as proposed by the Senate, and $600,000, as proposed by the House, for the acquisition of additional forest lands.

On No. 42: Strikes out the language, proposed by the Senate, which provided for the erection of a herdsman's cottage at the Woodward, Okla., field station.

On No. 43: Inserts the language, proposed by the Senate, which provides an appropriation of $4,000 for the eradication of the foot-and-mouth disease and other contagious diseases of animals.

On No. 44: Appropriates $452,540, as proposed by the Senate, instead of $226,770, as proposed by the House, for the enforcement of the packers and stockyards act, and in lieu of the matter stricken out by the Senate provides that the Secretary of Agriculture may require reasonable bonds from registrants to secure the performance of their obligations, and that after due notice and hearing any registrant found insolvent or violating any provision of the act may be suspended for a reasonable definite period, which order of suspension shall take effect within not less than five days, but which may be suspended, modified, or set aside by the Secretary of Agriculture or a court of competent jurisdiction.

On Nos. 45 and 46: Appropriates $6,000,000, instead of $8,000,000, as proposed by the Senate, and $4,700,000, as proposed by the House, for carrying out the Federal highway act with respect to forest roads and trails, and makes $4,000,000, instead of $2,000,000, as proposed by the Senate, and $5,300,000, as proposed by the House, available for contractual obligation by the Secretary of Agriculture.

On No. 47: Corrects the total of the bill.

MARTIN B. MADDEN,
WALTER W. MAGEE,
EDWARD H. WASON,
J. P. BUCHANAN,
GORDON LEE,
Managers on the part of the House.

Mr. MADDEN. Mr. Speaker, the Agricultural bill as it passed the House carried appropriations totaling $56,583,743. As it passed the Senate the total of the bill was $61,147,993, and as finally agreed to in conference the bill totals $58,575,274. In other words, the bill as finally agreed upon in conference carries $1,991,531 more than it did when passed by the House, but is $2,572,719 less than the amount carried in the bill when passed by the Senate.

Of a total of 47 amendments by the Senate, the House conferees receded on 14, the Senate on 11, and the remainder—22—are House recessions with an amendment, many of which were necessary to correct totals in the bill. Some of the more important changes are as follows:

Under the Bureau of Animal Industry it is recommended that $30,000 of the appropriation of $573,000 for inspection and quarantine work be used for the purchase and distribution of blackleg vaccine at cost.

Under the Bureau of Plant Industry an appropriation of $185,450 is made for acclimatization and adaptation investigations of cotton, corn, and other crops, and it is provided that $50,000 may be used for explorations, research, and field experiments relating to rubber-producing plants.

Under the Forest Service there is appropriated $187,420 for silvicultural and dendrological investigations and experiments, instead of $137,420, as passed by the House. The purpose of this increase is to establish two new field stations—one in the South and the other in the far Northwest.

Under the Bureau of Agricultural Economics an appropriation of $549,628 is made for the acquiring and diffusing among the people of useful information in marketing, and so forth, which shall include the investigation of the economic costs of retail marketing of meat and meat products.

For the enforcement of the United States grain standards act and the administration of the United States warehouse act appropriations of $550,000 and $186,500, respectively, are made.

For the acquisition of additional forest lands at the headwaters of navigable streams an appropriation of $800,000 is made, which is $200,000 more than the amount passed by the House and $200,000 less than the appropriation passed by the Senate.

A paragraph of appropriation carrying $4,000 is made for the eradication of the foot-and-mouth disease and other contagious diseases of animals.

For the enforcement of the packers and stockyards act an appropriation of $452,540 is made, with a proviso similar to the one which passed the House. The new language provides that the Secretary of Agriculture may require reasonable bonds from registrants to secure the performance of their obligations, and that after due notice and hearing any registrant found insolvent or violating any provision of the act may be suspended for a reasonably definite period, which order of suspension may be suspended, modified, or set aside by the Secretary of Agriculture or a court of competent jurisdiction.

For carrying out the Federal highways act with respect to forest roads and trails an appropriation of $6,000,000 is made, with authorization to enter into contractual obligations to the extent of $4,000,000. The House bill carried an appropriation of $4,700,000 for this purpose and authorized contractual obligations amounting to $5,300,000.

I wish to say, Mr. Speaker, that the provision covering the enforcement of the packers and stockyards act is substantially the provision agreed upon by the House, and it was only agreed to in conference after consultation with all the Members of the House who were interested in having it inserted in the bill.

I think it is fair to say that the report of the conferees is one which will meet approval by both sides of the case.

Mr. Speaker, I move the previous question.

Mr. HOWARD of Nebraska. Mr. Speaker, I make the point of no quorum.

Mr. BARKLEY. Will the gentleman withhold that for a moment?

Mr. HOWARD of Nebraska. Not for one minute.

The SPEAKER. The gentleman from Nebraska makes the point of order of no quorum. It is clear there is no quorum present.

Mr. MADDEN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

Aldrich	Clague	Fairfield	Hull, William E.
Allgood	Clark, Fla.	Faust	Jacobstein
Anderson	Clarke, N. Y.	Fenn	Johnson, S. Dak.
Andrew	Cole, Iowa	Fish	Jost
Aswell	Colton	Fleetwood	Kahn
Bacharach	Connery	Frear	Kelly
Bankhead	Connolly, Pa.	Fredericks	Kendall
Bixler	Cooper, Ohio	Free	Kiess
Boies	Corning	Freeman	Kindred
Bowling	Crisp	Fulbright	Kunz
Boylan	Crowther	Gallivan	Langley
Britten	Cullen	Geran	Lee, Ga.
Browne, N. J.	Curry	Gibson	Lehlbach
Brumm	Davey	Gilbert	Lilly
Bulwinkle	Davis, Minn.	Graham, Pa.	Lindsay
Burdick	Dempsey	Greenwood	Linthicum
Butler	Dickstein	Griffin	Little
Byrnes, S. C.	Dominick	Hersey	Logan
Carew	Doughton	Hill, Md.	McLeod
Casey	Drane	Howard, Okla.	McNulty
Celler	Eagan	Hull, Tenn.	McSwain

McSweeney	Park, Ga.	Scott	Upshaw
Magee, Pa.	Parker	Seger	Vare
Mead	Patterson	Shreve	Vinson, Ga.
Merritt	Peery	Sites	Vinson, Ky.
Michaelson	Perkins	Snyder	Ward, N. Y.
Miller, Ill.	Perlman	Strong, Pa.	Watkins
Minahan	Phillips	Sullivan	Wefald
Montague	Porter	Summers, Wash.	Weller
Mooney	Prall	Sweet	Welsh
Moore, Ill.	Quayle	Swoope	White, Me.
Morin	Rainey	Taber	Wilson, Miss.
Mudd	Ramseyer	Tague	Winslow
Nolan	Reece	Taylor, Colo.	Wolff
O'Brien	Reed, W. Va.	Temple	Woodruff
O'Connell, N. Y.	Robsion, Ky.	Thomas, Okla.	Wurzbach
O'Connor, La.	Rogers, Mass.	Tilson	Wyant
O'Connor, N. Y.	Rogers, N. H.	Treadway	Yates
Oliver, N. Y.	Rosenbloom	Tucker	Zihlman
Paige	Sanders, N. Y.	Underhill	

The SPEAKER. Two hundred and seventy-four Members have answered to their names, a quorum.

Mr. MADDEN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were reopened.

Mr. MADDEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

AMENDMENT TO THE MERCHANT MARINE ACT, 1920

Mr. GREENE of Massachusetts. Mr. Speaker, I call up the conference report on H. R. 6202, a bill to amend sections 11 and 12 of the merchant marine act of 1920.

The SPEAKER. The gentleman from Massachusetts calls up the conference report on the bill H. R. 6202, which the Clerk will report.

The conference report was read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6202) to amend sections 11 and 12 of the merchant marine act of 1920, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK R. LEHLBACH,
L. LAZARO,
EWIN L. DAVIS,
Managers on the part of the House.

W. L. JONES,
BERT M. FERNALD,
DUNCAN U. FLETCHER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6202) to amend sections 11 and 12 of the merchant marine act of 1920 submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On Nos. 1 and 2: More explicitly describe the language, as was originally intended by the committee.

On Nos. 3 and 4: Define the type of machinery to be installed within the ships, and carries out particularly the intention of this legislation.

On Nos. 5 and 6: The managers on the part of the House did not believe it to be wise to remove the restrictions required by the House bill on loans of above 50 per cent for the building of ships, and therefore disagreed.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK R. LEHLBACH,
L. LAZARO,
EWIN L. DAVIS,
Managers on the part of the House.

Mr. GREENE of Massachusetts. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JONES of Washington, Mr. FERNALD, and Mr. FLETCHER as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 7220. An act making appropriations for the Department of Agriculture for the fiscal year ending June 20, 1925, and for other purposes; and

H. R. 6202. An act to amend sections 11 and 12 of the merchant marine act, 1920.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 7122. An act for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex.;

H. R. 3143. An act for the relief of Bernice Hutcheson.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2917. An act directing the Secretary of the Treasury to complete purchases of silver under the act of April 23, 1918, commonly known as the Pittman Act;

S. 601. An act granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River; and

S. 3324. An act to amend section 5 of the trade-mark act of 1905, as amended, relative to the unauthorized use of portraits.

SENATE BILLS REFERRED

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2917. An act directing the Secretary of the Treasury to complete purchases of silver under the act of April 23, 1918, commonly known as the Pittman Act; to the Committee on Coinage, Weights, and Measures.

S. 3324. An act to amend section 5 of the trade-mark act of 1905, as amended, relative to the unauthorized use of portraits; to the Committee on Patents.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8209. An act to create the inland waterways corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes;

H. R. 731. An act authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims; and

H. R. 3852. An act providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SEGER, for three days, on account of business.

To Mr. FUNK, for Monday, June 2, on account of the marriage of his daughter.

To Mr. BOWLING, for to-day, on account of illness.

THE FARMER AND THE TARIFF

Mr. RAINEY. Mr. Speaker, four years ago a national campaign was opening. The farmers were told by the leaders of the party now in power that what they needed was a high protective tariff. They were told from the stump and in the columns of great newspapers and by the candidates of the party now in power that if the party of high protection won the farmers would receive on their basic products the same protection given to manufacturers in the East.

Throughout the land farmers accepted this promise. The result was the restoration to power of the party of high tariffs by a majority unprecedented in our history. Republican leaders proceeded to keep their promises. In 1921 they passed a tariff bill for the relief of farmers, giving them protection on every basic farm product except hogs. The bill speedily became a law. Prior to that time and under the low tariff rates of the Underwood bill farmers had been receiving the highest prices in the history of the Nation. As soon as the rates of the farmers' emergency tariff bill went into effect in 1921 every basic farm product fell in price except hogs. Hogs went up in price, and pork products increased in price; and hogs and pork products were the only important basic farm products left out of the bill.

The next year, in 1922, the Fordney tariff bill became a law. The emergency farmers' tariff law was written into the Fordney tariff bill, and in the Fordney bill protection was also given to hogs and pork products. Immediately afterwards all farm products, including hogs and pork products, fell in price; and with some minor unimportant exceptions they have been falling in price ever since. The Fordney tariff bill gave to manufacturers the highest protection they had ever received in the history of the country, and of course the highest protection ever given by any commercial nation in the history of the world. Tariff protection worked as to the manufacturers but not as to the farmers, for the simple reason that the price of farm products on the farm is controlled by prices that are fixed abroad. The farmer can not control his surplus. The manufacturer can and does control his surplus, and therefore the manufacturer has fixed back of tariff walls the present high prices for the things he produces.

The ever lower and lower price received by the farmer has destroyed in large part the purchasing power of his products, and he produces now in many sections at a loss.

TARIFF INVESTIGATIONS BY THE AMERICAN FARM BUREAU FEDERATION

On the 11th day of January, 1923, the department of research of the American Farm Bureau Federation made public in the Weekly News Letter of that organization the result of its tariff researches. Without comment, I quote from it:

> Import duties on corn, oats, rye, barley, and rice are of little significance * * *. There can be no question that the duty on sugar increases the price of that commodity to the extent of the duty.

The statement then goes on to show that the sugar duties amount to $45,800,000 and that the manufacturers probably retain a very large part of this increment. But if the whole amount is given to the growers—

> the cost to consumers based on 1921 consumption figures is $192,400,000, of which burden it is estimated that farmers as a group bear 25 per cent, making the increased cost of sweets consumed on the farm $48,100,000 * * *.

WOOL DUTY

The article then goes on to show that the wool duty increases the growers' receipts by about $37,500,000. This, of course, goes in the main to a very few large producers on the ranges, but the farmers' increased clothing cost pays $27,300,000.

The American Farm Bureau Federation reaches in this report the conclusion that the gains to farmers as producers, including the sugar and wool gains, which really the farmer does not share, amount per year to $125,000,000, while the gross cost to farmers of the Fordney bill per year amounts to $426,000,000, leaving a net cost to agriculture per year of the Fordney bill of $301,000,000. Adding to this, however, the sugar gains, in which really the farmers do not share, not even the sugar-beet farmers, and the wool duty gains, nearly all of which goes to the few owners of sheep on the ranges, we have therefore a total net loss to farmers a year on account of the Fordney bill of $385,000,000.

But it must be remembered that the estimate from which I have been quoting was made by the American Farm Bureau Federation in 1923. If they were to make an estimate now as to the net losses to farmers on account of the ever-increasing prices of the things they are compelled to buy, made possible by the Fordney law, the result would be still more appalling.

AMERICAN FARM BUREAU FEDERATION AGAINST PRICE FIXING

In this connection I quote from a "Memorial to the President, the Congress, and the People of the United States," issued by the American Farm Bureau Federation and by the six other great agricultural organizations on the 28th day of January, 1920:

> The attempt to thwart natural economic laws by legislation is useless. The laws of supply and demand should have full sway * * *.
>
> We are therefore opposed to Government price fixing. And in the event that the State does fix the price of any essential commodity, we insist that it shall at the same time fix prices on all other essential commodities.

SECRETARY WALLACE ON INCREASING THE FARMERS' PURCHASING POWER

Early in October of 1923 a committee of economists, under the direction of Secretary Wallace (Republican Secretary of Agriculture), issued the following statement:

> The only possibility for an important increase in purchasing power lies in the ability of Europe to expand her manufactured exports.

FARMERS' PURCHASING POWER AT LOWEST EBB

On December 6 last, President Coolidge presented his message to Congress. At that time the purchasing power of the basic products of farmers, under the Fordney tariff law, had reached its lowest ebb. Commenting upon this situation, he said:

> No complicated scheme of relief, no plan for Government fixing of prices, and no resort to the Public Treasury will be of any permanent value in establishing agriculture. Simple and direct methods put into operation by the farmer himself are the only real sources for restoration.

With this declaration from the Chief Executive staring Congress in the face, a Republican committee of a Republican Congress commenced to consider the McNary-Haugen bill. This was a price-fixing measure, pure and simple. It purported to be nothing else than that. A presidential veto, if its proponents had succeeded in getting it through the Congress, was inevitable. The committee commenced its hearings on the McNary-Haugen bill on the 21st of January last and the hearings were continued until the 18th of March, and now the bill has been put upon its passage in the closing hours of the session with the declaration on the part of the chairman and others that this measure, which it is apparent can never pass, is the only measure upon which the Congress will be permitted to vote.

There are other measures for the relief of agriculture which do not have the basic fundamental defects of the bill we are considering. I introduced an emergency bill myself, which, without any cost whatever to the people of the country, would have added six or seven hundred million dollars a year to the prices the farmers would receive for their products. This could have been accomplished in the very simple way pointed out by my bill. This bill and all other bills have been ignored. I therefore charge that the McNary-Haugen bill is being used by its promoters as a method of defeating absolutely all measures of farm relief at this session of the Congress.

There may be some members of the Agricultural Committee who are not aware of this fact, but the situation to which I have called attention speaks for itself.

THE REMEDY FOR FARMERS

It is, therefore, perfectly apparent what the remedy must be. In order to reestablish the purchasing power of basic agricultural products we must repeal the tariff laws which have destroyed the purchasing power of those products. We must reestablish the farmers' markets abroad. The policies of the Republican Party will not permit of this application of these remedies. We can return only to the high prices for farmers which prevailed under the low rates of the Underwood bill by repealing the high rates of the present tariff law.

Farm papers are already commencing to recognize this fundamental fact. I quote from the last issue of one of the greatest farm papers, the Prairie Farmer:

> If the McNary-Haugen bill fails there are two effective steps that farmers should take.
>
> 1. Organize to sell their products through cooperatives powerful enough to dictate the price within reasonable limits.
>
> 2. Work and vote for a low tariff on manufactured articles.
>
> The inequality between the price of farm products and the price of manufactured goods can not be allowed to continue. If we can not correct it in one way we must in another.

I do not desire to comment on the article from which I have just quoted. This independent, nonpolitical farm paper points out the remedy.

In a few days the work of this session of Congress will pass into history, and a campaign will commence for the election of another Congress and for the election of a President. With the experience of the last three years staring them in the face the farmers ought to have no difficulty in determining how to cast their votes in the election this fall.

ADJOURNMENT

Mr. MADDEN. Mr. Speaker, I move that the House do now adjourn.

Mr. BARKLEY. Will the gentleman withhold that motion a moment so I can get through a bridge bill?

The SPEAKER. The gentleman from Kentucky has a little bridge bill——

Mr. SNELL. We will have a unanimous-consent day Monday.

Mr. BARKLEY. This is an emergency bridge bill.

Mr. SNELL. There are a great many other matters on the Consent Calendar that are emergency, and as the gentleman has taken all that time I do not think we should make an exception.

Mr. BARKLEY. I am not responsible for that. The gentleman is as much responsible as anybody else.

Mr. MADDEN. I move the House do now adjourn, Mr. Speaker.

The motion was agreed to; accordingly (at 5 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Saturday, May 31, 1924, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MADDEN: Committee on Appropriations. H. R. 9559. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes; without amendment (Rept. No. 907). Referred to the Committee of the Whole House on the state of the Union.

Mr. McKENZIE: Committee on Military Affairs. H. R. 9538. A bill to authorize mothers of deceased World War veterans buried in Europe to visit the graves of their sons at the expense of the United States; without amendment (Rept. No. 909). Referred to the Committee of the Whole House on the state of the Union.

Mr. DYER: Committee on the Judiciary. H. R. 9179. A bill to punish the unlawful transmission in interstate commerce or through the mails of gambling machines, fraudulent devices, pistols, and revolvers, and for other purposes; without amendment (Rept. No. 910). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. S. 2834. An act relating to the American Academy in Rome; without amendment (Rept. No. 911). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 9131) for the relief of Martha Janowitz; Committee on Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 8159) granting a pension to Serilda C. Parker; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9392) granting an increase of pension to Mary C. Hale; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MADDEN: A bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes; to the Committee on Appropriations.

By Mr. FAIRCHILD: A bill (H. R. 9560) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. MADDEN: A bill (H. R. 9561) making additional appropriations for the fiscal year ending June 30, 1925, to enable the heads of the several departments and independent establishments to adjust the rates of compensation of civilian employees in certain of the field services; to the Committee on Appropriations.

By Mr. BLOOM: A bill (H. R. 9562) to punish disrespect to the flag in the District of Columbia and the Territories and possessions of the United States; to the Committee on the Judiciary.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 9563) to remit the duty on a carillon of bells to be imported for the Church of Our Lady of the Rosary, Providence, R. I.; to the Committee on Ways and Means.

By Mr. ROGERS of Massachusetts: Resolution (H. Res. 331) requesting the chairman of the United States Shipping Board to furnish certain information to the House of Representatives in connection with the renovation of the steamship *Leviathan*; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOIES: A bill (H. R. 9564) granting an increase of pension to Eliza A. Ewing; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 9565) granting a pension to Emma Justice; to the Committee on Invalid Pensions.

By Mr. CORNING: A bill (H. R. 9566) for the relief of Hugh O'Riley; to the Committee on Military Affairs.

By Mr. DOWELL: A bill (H. R. 9567) granting a pension to Sarah Sherman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9568) granting a pension to Gesina Schell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9569) granting a pension to Jane Garrett; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 9570) granting a pension to Charles R. Gillam; to the Committee on Invalid Pensions.

By Mr. GLATFELTER: A bill (H. R. 9571) granting an increase of pension to Elmira Battye; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9572) granting an increase of pension to Markaretta Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9573) granting an increase of pension to Mary A. Pottorff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9574) granting an increase of pension to Mary A. Inglehart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9575) granting an increase of pension to Martha J. Mitzel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9576) granting an increase of pension to Sarah A. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9577) granting an increase of pension to Elizabeth Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9578) granting an increase of pension to Sarah Berkheimer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9579) granting an increase of pension to Mary L. Koch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9580) granting an increase of pension to Margaret Mebinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9581) granting an increase of pension to Martha Bort; to the Committee on Invalid Pensions.

By Mr. HOLADAY: A bill (H. R. 9582) for the relief of Stephen Dukes; to the Committee on Military Affairs.

By Mr. McKEOWN: A bill (H. R. 9583) granting an increase of pension to William H. Grammer; to the Committee on Invalid Pensions.

By Mr. MORRIS: A bill (H. R. 9584) granting an increase of pension to Matilda Jane Adams; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 9585) granting a pension to Seward Garthwaite; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 9586) granting a pension to Margaret Force; to the Committee on Invalid Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 9587) granting a pension to Henry T. Shafer; to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 9588) granting an increase of pension to Elizabeth Lambert; to the Committee on Invalid Pensions.

By Mr. CABLE: Resolution (H. Res. 332) providing for an additional clerk to the Committee on Alcoholic Liquor Traffic; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2956. By Mr. BOIES: Petition of Izaak Walton League of America and citizens of Odebolt, Iowa, requesting Congress to pass legislation for the improvement of the upper Mississippi River; to the Committee on Interstate and Foreign Commerce.

2957. By Mr. FULLER: Petitions of the Nehring Electrical Works, of De Kalb, Ill.; the Orange Crush Co., the Excelsior Printing Co., and the A. C. Becker Co., of Chicago, Ill.; and sundry citizens of Illinois, favoring the San Carlos bill (S. 966); to the Committee on Indian Affairs.

2958. Also, petition of the Illinois Agricultural Association, favoring the enactment of the McNary-Haugen bill; to the Committee on Agriculture.

2959. Also, petition of the Rockford, Ill., Manufacturers and Shippers' Association, protesting against any change in the transportation act during the present session of Congress; to the Committee on Interstate and Foreign Commerce.

2960. Also, petition of the Hess & Hopkins Leather Co., of Rockford, Ill., expressing opposition to any governmental intervention in industry and commerce, and particularly protesting against the McNary-Haugen bill; to the Committee on Agriculture.

2961. Also, petition of the Hamilton Club, of Chicago, Ill., opposing the McNary-Haugen bill; to the Committee on Agriculture.

2962. Also, petitions of the Chamber of Commerce, the I. O. U. Club, and the Rotary Club, all of Belvidere, Ill., asking for the passage of the Izaak Walton or upper Mississippi River wild life and fish refuge bill (H. R. 4088); to the Committee on Agriculture.

2963. Also, petitions of the National Association of Post Office Clerks; the Rockford (Ill.) Mitten & Hosiery Co.; postal employees of Ottawa, Ill.; Branch No. 1021, La Salle (Ill.) National Federation of Post Office Clerks; postal employees of Edgewater Station, Chicago, Ill.; Nelson Knitting Co., of Rockford, Ill.; employees of Streator (Ill.) post office; the Free Press of Streator, Ill.; W. J. Burke, president Royal Tea Co., of Joliet, Ill.; Hon. W. W. Bennett, Hon. Peter T. Anderson, and Hon. J. H. Halstrom, mayor, all of Rockford, Ill., praying for the passage of the postal salary increase bill (H. R. 9035); to the Committee on the Post Office and Post Roads.

2964. Also, petitions of the Shop Employees' Association of the Wabash Railway; the W. D. Allen Manufacturing Co., of Chicago; the Condon Bros., seedsmen; the B. Z. B. Knitting Co.; the Rockford Manufacturers' and Shipping Association; the Forest City Bit & Tool Co., of Rockford, Ill.; the Illinois Chamber of Commerce; the Rockford Storage Warehouse; the Illinois Valley Manufacturers' Club, of La Salle, Ill.; the Sandwich Manufacturing Co., of Sandwich, Ill.; the Joliet (Ill.) Association of Commerce; the Lehigh Portland Cement Co.; the Philadelphia Bourse; and sundry citizens of Illinois, protesting against the passage of the Howell-Barkley bill, or any material change in the transportation act; to the Committee on Interstate and Foreign Commerce.

2965. By Mr. GALLIVAN: Petition of Capt. John Bordman, of Boston, Mass., recommending early and favorable action on House bill 5097, which provides for the equalization of pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; to the Committee on Military Affairs.

2966. By Mr. MAGEE of New York: Petition of citizens of Syracuse, N. Y., for repeal of the war-excise taxes; to the Committee on Ways and Means.

2967. By Mr. RAKER: Petition of Louise M. Wilcox, president Woman's Improvement Club, Red Bluff, Calif., indorsing decision of the United States Government to participate in International Opium Conference; to the Committee on Foreign Affairs.

2968. Also, petitions of T. Erwin Kennedy, postmaster, Blue Nose, Calif., in support of House bill 9035, in re increase in salary of third and fourth class postmasters; Herbert F. Smith, of Sacramento, Calif., in support of House bill 9035; and Hon. Thomas Fox and George Vice, of Sacramento, Calif., in support of House bill 9035; to the Committee on the Post Office and Post Roads.

SENATE

SATURDAY, *May 31, 1924*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, turning from yesterday's sadness and hope, we come to obtain Thy blessing in connection with the duties of the hour. Constantly help us, for sometimes we are liable to go astray and forget the need of divine guidance in the midst of the perplexities and the manifold anxieties of these days. Direct, we beseech of Thee, by Thy Holy Spirit, and help each to understand that whatever may have been the past, and the memorials thereof, we are here to fulfill obligations of the highest interest before Thee and for our loved country. We ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, May 26, 1924, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6202) to amend sections 11 and 12 of the merchant marine act, 1920.

The message also announced that the House had passed the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7220) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes.

The message further announced that the House had passed the bill (S. 588) for the relief of Daniel A. Spaight and others, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore.

S. 3249. An act granting the consent of Congress to the construction of a bridge across the Niagara River and Black Rock Canal;

H. R. 731. An act authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims;

H. R. 1018. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Albany Institute and Historical and Art Society of the city of Albany, N. Y., the silver service which was presented to the U. S. cruiser *Albany* by citizens of Albany, N. Y.;

H. R. 3852. An act providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina;

H. R. 5573. An act granting certain public lands to the city of Shreveport, La., for reservoir purposes;

H. R. 6482. An act authorizing the Postmaster General to contract for mail-messenger service;

H. R. 6721. An act to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, as amended, and for other purposes;

H. R. 8209. An act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes;

H. R. 8886. An act providing for sundry matters affecting the Military Establishment; and

H. R. 9124. An act authorizing the sale of real property no longer required for military purposes.

JUDGE WILLIAM S. KENYON

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, which was read and ordered to lie on the table, as follows:

THE SECRETARY OF THE TREASURY,
Washington, May 29, 1924.

DEAR MR. PRESIDENT PRO TEMPORE: Referring to my report to you of May 26, 1924, in response to Senate Resolution 173, the question has been raised as to the accuracy of this report in so far as ex-Senator Kenyon appears associated with D. M. Kelleher. Senate Resolution 173 called for a report not only on ex-Senators who had appeared as attorney or agent but also "who is a member of any firm or partnership appearing as attorney or agent." In order to comply with the resolution the Treasury Department jointly with the other departments of the Government prepared a list of the members of partnerships in which the names of ex-officials or ex-Senators appeared, using such books of reference as were available. In Martindale's American law directory for 1922, which is a standard directory, the firm Kenyon, Kelleher & Mitchell appear with W. S. Kenyon as senior partner. By reference to Who's Who, 1922–23 edition, after Senator Kenyon's name appear the words, "In law practice at Fort Dodge." Based on this information, cases in which D. M. Kelleher appeared before the Treasury Department were reported in response to Senate Resolution 173.

I am now in receipt of advice from ex-Senator Kenyon to the effect that there never was such a firm as Kenyon, Kelleher &

Mitchell; that ex-Senator Kenyon was a nominal partner of Mr. Kelleher up to eight years ago, but never since has had any connection with any firm or any law business. I therefore desire to correct the report submitted to you by me under date of May 26, 1924, by striking out from such report the cases in which Mr. D. M. Kelleher appeared.

Very truly yours, A. W. MELLON,
Secretary of the Treasury.

The PRESIDENT PRO TEMPORE,
United States Senate.

INSTALLATION OF RADIO DEVICES IN SENATE CHAMBER

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, which was ordered to lie on the table and to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, May 27, 1924.

The PRESIDENT PRO TEMPORE,
United States Senate.

SIR: Reference is made to my letter of May 17, 1924, advising that Maj. Joseph O. Mauborgne, Signal Corps, has been designated as War Department representative of the joint commission provided by Senate Resolution 197 to investigate and report to the Senate upon the problems relative to the installation and maintenance of certain electrical transmission and receiving apparatus and radio equipment for broadcasting the proceedings of the Senate throughout the country.

During the temporary absence from the city of Major Mauborgne, Capt. Fred P. Andrews, Signal Corps, has been designated to act for Major Mauborgne on the joint commission referred to.

Sincerely yours, JOHN W. WEEKS,
Secretary of War.

NORTHERN PACIFIC LAND GRANTS

Mr. LADD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 4, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1926"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1926"; and the Senate agree to the same.

E. F. LADD,
RALPH H. CAMERON,
T. J. WALSH,
Managers on the part of the Senate.

N. J. SINNOTT,
ADDISON T. SMITH,
JOHN E. RAKER,
Managers on the part of the House.

The report was agreed to.

CLAIMS OF THE CHOCTAW AND CHICKASAW INDIANS

Mr. HARRELD. I ask unanimous consent to call up the conference report on the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oklahoma?

Mr. CURTIS. I have no objection to the conference report, but I think we ought to get through with the routine morning business before we take up anything else.

The PRESIDENT pro tempore. The regular order is demanded. The presentation of petitions and memorials is in order. The Chair lays before the Senate a bill from the House of Representatives for reference.

HOUSE BILLS REFERRED

The bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore presented a petition, numerously signed, of sundry citizens of Crawford County, Iowa, praying for the passage of the so-called McNary-Haugen export corporation bill, which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented a resolution of Riverton Lodge No. 26, A. F. & A. M., of Riverton, Wyo., favoring the passage of legislation creating a Federal department of education, which was referred to the Committee on Education and Labor.

Mr. CAMERON. I present a resolution adopted by the general assembly of the Presbyterian Church in the United States, at a meeting of 1,000 commissioners in session at Grand Rapids, Mich., favoring the passage of Senate bill 966, for the continuance of construction work on the San Carlos Federal irrigation project in Arizona, and for other purposes, and I ask that it be printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the resolution was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

Resolution of the General Assembly of the Presbyterian Church in the United States of America, adopted unanimously at a meeting of 1,000 commissioners in session at Grand Rapids, Mich., May 27, 1924

Whereas the Senate bill 966, known as the San Carlos Federal irrigation project, in Arizona, has passed the United States Senate, and is recommended for passage in the House by the Committee on Indian Affairs, with the approval of the presbytery of Phoenix, the synod of Arizona, the National Staff, the Committee of One Hundred, and the Indian Rights' Association;

Whereas this legislation is designed to restore to the Pima Indians the water for the tillage of their lands which they had before the settlement of the State;

Whereas there are among the Pimas over 1,000 Presbyterians who without this water are in yearly danger of starvation and with it should be able to pay their own ministers: Therefore be it

Resolved, That the stated clerk be instructed to send at once the following two telegrams, respectively:

To the President:

To the Speaker of the House, Hon. FREDERICK H. GILLETT:

The General Assembly of the Presbyterian Church in the United States of America earnestly requests the enactment of Senate bill 966, known as the San Carlos irrigation project, in Arizona, which is now before the House, as a measure of justice to the Pima Indians, whereby the family life of these Indians may be established in industry and self-support, their personal character freed from its present hindrance of hunger and poverty, and the churches which the boards of our church have nourished may be permanently established.

REGULATION OF CHILD LABOR

Mr. BAYARD. I present the petition of the Woman Patriot Publishing Co., touching upon the matter of the child labor amendment now pending before the Senate and ask that the same may be printed in the RECORD, including the note and appendix, and lie on the table.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, as follows:

Petition to the United States Senate

[President, Miss Mary G. Kilbreth, Southampton, N. Y.; vice president, Mrs. B. L. Robinson, Cambridge, Mass.; secretary and treasurer, Mrs. Randolph Frothingham, Boston, Mass. Board of directors: Mrs. John Balch, Milton, Mass; Mrs. Rufus M. Gibbs, Baltimore, Md.; Mrs. Randolph Frothingham, Miss Mary G. Kilbreth, Mrs. B. L. Robinson]

THE WOMAN PATRIOT PUBLISHING CO.,
Washington, D. C., May 29, 1924.

To the honorable Members of the United States Senate.

GENTLEMEN: The board of directors of the Woman Patriot Publishing Co. is unanimously opposed to the child labor amendment.

A hearing before the Senate Judiciary Subcommittee on Child Labor having been denied us, we therefore respectfully petition the honorable Members of the United States Senate:

First. That the improperly termed "child" labor amendment be rejected for the following reasons:

The youth of the Nation up to 18 years would be outrageously wronged by national prohibitions of the right to work for their parents or for their own self-support and higher education.

The youthful poor of the Nation, if forbidden to work up to 18 by the Government, with the alternative of obeying the law or of starving, would be driven to work underground, in sweat shops, where there is much more danger of exploitation than in open, inspected factories, and there would result all the evils of bootleg child labor,

followed by vicious espionage and invasion of the homes of the people in violation of Article IV of the Bill of Rights by swarms of bureaucrats from Washington with inquisitorial powers. It is absurd to pretend that these salaried professional humanitarians would have the interest of the youth of distant States as much at heart as the mothers who bore them or the communities in which they live.

This benign-looking amendment, drawn and promoted principally by an American Socialist leader (Mrs. Florence Kelley, translator of Karl Marx and friend of Frederich Engels, who instructed her how to introduce socialism "into the flesh and blood" of Americans), is a straight Socialist measure. It is also promoted under direct orders from Moscow. (Documentary evidence on the above is submitted in detail hereafter.)

The spearhead of the communist campaign in the United States is the joint promotion of two congressional measures—of this amendment, to prohibit the labor of all youth, making Government financial support (doles for children) a necessity, and of the Sterling-Reed Federal education bill, engineered by the selfsame groups to obtain central control of the minds of American youth, to destroy their love of country and willingness to defend her by means of doctored textbooks, prepared in the interlocked interests of socialism, pacifism, internationalism, and bureaucracy.

The youth of the Nation up to 18 years can not be placed under the guardianship of the pacifist internationalist Federal Children's Bureau without endangering America's future means of national defense.

Second. That if the Congress shall deem it necessary to propose an amendment to nationalize legislation for youth, that the proposal, affecting the future rights and liberties of every father, mother, and child in the United States, shall be submitted for ratification to conventions of delegates elected on this issue in each State, in accordance with the provisions of Article V and in accordance with the manner in which the Constitution itself was submitted to the people, through conventions, by unanimous resolve of the framers, in 1787.

TENDENCIES OF THIS AMENDMENT

We discuss in the following memorandum the evil tendencies and principles of this amendment, as well as its text.

Abraham Lincoln, in his debate with Douglas, October 15, 1858, said:

> "When I propose a certain measure or policy, it is not enough that I do not intend anything evil in the result, but it is incumbent on me to show that it has not a tendency to that result."

We show both the intentions of the chief advocates and managers of this amendment and its inevitable tendencies, and contend that both intentions and tendencies are subversive of our Bill of Rights.

As plain citizens, not lawyers, we are interested not so much in legal, abstract aspects of the Constitution—of the instrument itself—as in the practical, concrete protection it affords us and in the actual loss of our liberties resulting from any violations of the Bill of Rights, particularly the fourth, ninth, and tenth amendments, which guarantee the basic rights of the home and of local self-government.

That this practical, empirical attitude toward the Constitution is legitimate is maintained by the Supreme Court of the United States. (Myers *v.* Nebraska, decided June 4, 1923.)

The court declared, in part:

> "Without doubt it [the Constitution] denotes not merely freedom from bodily restraint, but also the right of the individual to contract, to engage in any one of the common occupations of life * * * to marry, establish a home, and bring up children * * * to enjoy those privileges long recognized by common law as essential to the orderly pursuit of happiness by free men. * * * The established doctrine is that this liberty may not be interfered with, under guise of protecting the public interest, by legislative action which is arbitrary or without relation to some purpose within the competency of the State to effect."

The court (although considering merely the right to teach a foreign language) proceeded to describe in detail the system suggested by Plato for the welfare of his ideal commonwealth, including governmental guardianship of children, the State as an overparent, etc., and reached the following conclusion on that point:

> "Although such measures have been deliberately approved by men of great genius, their ideas touching the relation between individual and State were wholly different from those upon which our institutions rest; and it hardly will be affirmed that any legislature could impose such restrictions upon the people of a State without doing violence to both the letter and spirit of the Constitution." (Myers *v.* Nebraska, June 4, 1923.)

It is not necessary to go so far afield as the Supreme Court to find examples of this struggle, as old as history, by autocrats to substitute the State for the parents in the care of the young.

Official records and authoritative utterances of the chief proponents of this amendment show that it is based on "ideas touching the relation between individual and State" that are "wholly different from those upon which our institutions rest," but in exact accord with the present program of the Communist International.

A VIOLATION OF OUR DUAL FORM OF GOVERNMENT

That this amendment is also a reversal of our dual form of government—which leaves local and domestic affairs to the administration of the States, where they are most efficiently and democratically adjusted by the people in their local communities—is so self-evident that it is not discussed further in this memorandum.

Your petitioners, however, respectfully record themselves as not only in favor of regulation of child labor by the States, but as firm believers that only by State regulation, with opportunity for changes dictated by local experience, can the problem of child labor ever be dealt with successfully.

OPPONENTS NOT EXPLOITERS OF CHILDREN

The Chief of the Children's Bureau, before the House Judiciary Committee, declared:

> "It is a controversy between groups, and one group is for the protection of the children and another comes in and wants to exploit the children." (House hearings, p. 45.)

The implication of the above statement and many others in the House hearings, as well as in the debate on the floor of the House, is that citizens opposing this seizure of power over the youth of the Nation would exploit children, while the public is asked to believe that professional, high-salaried bureaucrats, who would enormously benefit directly by this amendment, are disinterested altruists, concerned with nothing but protection of the children.

Mr. Gray Silver, Washington representative of the American Farm Bureau Federation, opposing this amendment, justly declares:

> "The farmer resents, and rightly so * * * the idea that he raises a family for the purpose of harvesting a cotton crop." (A. F. B. F. news letter, March 6, 1924.)

The charge that opponents of this disguised communist and bureaucratic plot to limit, regulate, and prohibit the labor of all youth up to 18 in all occupations "want to exploit the children" is obviously false.

STIMULATED PROPAGANDA—NOT POPULAR DEMAND

That the demand for this amendment does not spring from the people, but is a stimulated propaganda by groups of self-interested proponents, is shown by the general attitude of the American people on child-labor legislation, as well as by the duplicity and exaggerations and self-contradictions resorted to to promote this amendment's passage, shown hereafter.

STATE LAWS INDICATING GENERAL PUBLIC OPINION ON CHILD LABOR

Public opinion on child labor legislation is indicated by the laws of the States—which universally permit children over 14 to work at various occupations—and by the fact that the Census Bureau in 1920 found only 9,473 children under 14 in the entire United States engaged in manufacturing and mechanical industries.

Every State in the Union permits children over 14 to work at light occupations, such as farm and home work, and, with proper permits, children over 14 are allowed to work in various commercial occupations in every State.

On the other hand, every State in the Union, without exception, prohibits the labor of children under 14 in certain occupations—varying with local conditions—which are considered injurious to such children.

Forty-one States permit the labor of children over 14 in factories and stores.

Five States—California, Maine, Michigan, South Dakota, and Texas—have a 15-year minimum for factories and stores, but allow exemptions.

Two States—Montana and Ohio—have a 16-year minimum for factories and stores, but allow exemptions. (See Child Labor in the United States, issued by the Children's Bureau, p. 18, et seq.)

AN UNDESERVED SLUR ON UTAH, WYOMING, AND OTHER STATES

The Children's Bureau map, page 18, Child Labor in the United States, blacklists Utah and Wyoming as having "no age minimum" for both factories and stores. This has led to the declaration by many Congressmen during the House debate that "two States have no child labor laws."

Utah and Wyoming, however—which have few factories—do prohibit the labor of children under 16 and under 14, respectively, in mining, one of their great industries. (Children's Bureau map, p. 21.)

A study of Children's Bureau maps in Child Labor in the United States will show that they are arbitrarily arranged to blacklist as many States as possible, practically every State being blackened or shaded on one or more of these maps. If Utah and Wyoming wanted to exploit children they would have model factory laws and would exempt mining. These two States, in which women were granted the ballot, respectively in 1869 and 1870, would have undoubtedly passed model factory child labor laws had anybody suggested it to their legislatures. To hold these States up to condemnation and as blots on the map of the United States, as the Children's Bureau does at page 18 of its booklet, is deliberately misleading, derogatory to sovereign States, and would not be permitted on the floor of either House under its rules.

The Children's Bureau itself, under the Federal child labor law, "issued 18,000 certificates in three States alone permitting children between the ages of 14 and 16 to work more than eight hours." (Letter of Secretary of Labor Davis, Senate report and hearings, p. 19.)

The President and Mrs. Coolidge, without a breath of criticism, but, on the contrary, with much public approbation, permitted their 14-year-old son to do light work for wages last vacation.

These facts indicate that there is no real public opinion in this country adverse to the moderate employment of children over 14 in ordinary light occupations.

The fact that the Census Bureau found only 9,473 children under 14 in the whole United States engaged in manufacturing and mechanical industries also proves how generally public opinion is in agreement, because any one State with manufacturing and mechanical industries bent on exploiting children could permit a greater number of such children to work within its own borders than the Census Bureau found in all the States.

The real situation is well described by Representative FINIS J. GARRETT, minority leader in the House:

> "It is within the power now of all the States to regulate child labor, and I dare say that by the exertion of one tithe the interest that is being put forth here to bring about governmental revolution in those States now regarded as backward would bring immediate response from the State legislatures. The State governments are yet closer to the people than the Federal Government. The influences of the good mothers * * * can be exerted much more directly upon their representatives in the State legislatures than they can upon the Congress, much more intimately upon the bureaus of the States that will enforce the State laws than can be exerted upon bureaus here, in some instances thousands of miles from their homes." (CONGRESSIONAL RECORD, April 25, p. 7171.)

"MILLION CHILDREN SAVED" AND "MILLION CHILDREN WHO SLAVE."

That child labor has greatly decreased is strikingly attested in a financial appeal sent out by the National Child Labor Committee, dated November 6, 1922, which opens as follows:

> "One million children saved from exploitation and helped to opportunity. Did you realize, when you sent in your subscription in the past to our national committee, that your help would mean so much?
>
> "The census figures, just out, prove it. They show a decrease of 929,367 child laborers in the last 10 years. Isn't that a remarkable achievement? * * *
>
> "P. S.: May we count on you for at least $10? A blank is inclosed."

When the National Child Labor Committee is counting on its subscribers "for at least $10" each, it uses the census figures to prove "a million children saved." On the other hand, when there is more money in a Federal amendment than in $10 contributions, the same census figures are used to show "a million children who slave."

FOUR SELF-INTERESTED GROUPS OF ADVOCATES

Four self-interested groups are proponents of this amendment:

1. Certain employers in States having highly restrictive child labor laws, who favor this amendment, believing a uniform national law would eliminate competition with States having less stringent laws.

(The National Association of Manufacturers, however, and various State associations of manufacturers are opposed to this amendment on principle, even in States where it is argued that a uniform national child labor law would be to their commercial advantage.)

2. Leaders of the American Federation of Labor, who advocate this amendment not only in the belief of its benefits to the child but also because they believe (mistakenly, in our opinion) that its adoption would eliminate the competition of unorganized child workers with organized adult labor.

We contend, on the contrary, that the increase of unorganized "bootleg child labor" by this amendment would be an injury to organized labor and a worse competitor than the open, inspected, and regulated labor of children from 14 to 18 under present State laws.

Mrs. Florence Kelley has said:

> "The trade organization of home working mothers is insuperably difficult." (Women's Industrial Conference, Women's Bureau publication No. 33, p. 5.)

What Mrs. Kelley says of home-working mothers applies to all underground sweatshop labor. It can neither be organized nor effectively protected.

3. Job hunters and bureaucrats seeking to create new jobs in defiance of public demand for reduction of bureaucracy, both because of its cost and of its political machine power.

4. Communists and socialists striving to establish governmental control and support of the entire youth of the Nation, which is the basic tenet of communism. (See Engels's Origin of the Family, pp. 91-92; official program, Young Communist International, p. 49; and "First demand," Young Workers' League of America, official resolutions, p. 12.)

PROOF OF GROUP SELF-INTEREST

1. Self-interest of employers:

Representative DALLINGER's statement:

> The section that I come from has adopted humane legislation along these lines * * * and we are subject, of course, to the competition of other sections where they have no such legislation. It is a serious question whether we can continue to compete with these sections of the country that do not have this humane legislation." (House hearings, p. 3.) * * * "I do not believe it is right for that section to be penalized because it has adopted that humanitarian standard." (Ibid. p. 9.)

Representative FOSTER:

> "I think that the industries of the State of Ohio in looking after its youths ought not to be required to compete with the industries in an adjoining State which refuses to do it." (House hearings, p. 11.)

2. Self-interest of organized labor:

Mr. Edgar Wallace, official representative, American Federation of Labor:

> "We do not see that * * * it is necessary that we should bring into industry the children of the workers, as well as the workers themselves, the children to compete with and depress the wage scale of the fathers." (House hearings, p. 58.)

Miss Melinda Scott, representing United Textile Workers of America:

> "I hope we shall have the abolition of home work because of its insanitary aspect. It is a menace to all of the community. It tends to lower the wages of the women in the factories." (Women's Industrial Conference, Women's Bureau Bulletin No. 33, p. 116.)

Miss Grace Abbott:

> "I do not think there is any question but what child labor operates in a vicious circle to make the parent get less, and so perpetuate poverty." (House hearings, p. 28.)

Children's Bureau, official publication, No. 64:

> "Every child in school."
>
> "Take the child from the factory."
>
> "Give a man a job" (p. 5).

Representative PERLMAN, New York:

> "The little children, even on the farms when they are permitted to be employed are competing with their parents. If these children were not employed, but permitted to go to school, labor would pay more * * * the same condition would hold good in factories, where the employers would have to pay fair wages to the employees and the latter would not have the children competing with them." (House hearings, p. 11.)

Representative CONNERY, Massachusetts:

> "I think it would help the whole country if you regulated child labor so that you would have to pay the men good wages." (House hearings, p. 14.)

3. Self-interest of social workers, etc.

Former Speaker Champ Clark, speaking on the Smith-Towner education bill (CONGRESSIONAL RECORD, October 11, 1919), said:

> "The milk in this coconut is to create a lot of new fat jobs."

Representative Lester D. Volk, speaking on the maternity act (CONGRESSIONAL RECORD, November 19, 1921), said:

> "In order to maintain schools of philantrophy, to teach social work as a profession, it is necessary to obtain jobs: hence the women's associations are led by those interested."

Mr. Clark and Mr. Volk were not exaggerating. They were accurately describing a new business, a growing industry, with schools of philantrophy and social service graduating professional welfarers, and professional lobbyists and press agents conducting drives on Congress and State legislatures to supply berths for them at the taxpayers' expense.

High-salaried, self-interested, professional "social welfare" has replaced unpaid, self-sacrificing charity.

Charity may have covered a multitude of sins. "Social welfare" covers a greater "multitude of new offices."

SOCIAL WORK AS A PAYING PROFESSION

In "Social work as a profession for college men and women," Miss Kate Holliday Claghorn, member of the faculty of the New York School of Philantrophy, wrote, in 1915:

> "What distinguishes the new form (of social work) from the old is, first, the requirement of professional standards of technique and skill; secondly, a money return for the exercise of that skill * * *.
>
> "What are the rewards in the profession after college man or woman has chosen it? * * * The young man going into social work will usually find that his initial earnings will be higher than in the older professions, and later on he has rather more assurance of being able to command a salary of $2,500 to $3,000 within a few years than the average man going into law, medicine, teaching, or the ministry. There are some positions—and their number is increasing—which pay from $5,000 to $10,000. * * * And certainly the names of Miss Addams in the settlement field, of Miss Richmond in organized charity, of Mrs. Kelley in the field of social

legislation, and of Miss Lathrop at the head of the Federal children's bureau come at once to mind as representative leaders, indicating that the higher reaches are not altogether barred to women."

Miss Claghorn is also the author of the Federal children's bureau book, "Juvenile Delinquency in Rural New York," in which she writes:

"The law should make available a probation officer in every inhabited section of rural as well as urban communities. The officer should preferably be a person publicly paid, but where this is as yet impracticable, the best obtainable person should be officially authorized to begin the work upon a volunteer or privately paid basis, pending the establishment of a paid position." (Page 49.)

Mrs. Irene Farnum Conrad, of Cincinnati, is quoted in the Kentucky Kernel (organ of the University of Kentucky), January 30, 1922, with a lecture on "Vocational guidance," in part as follows:

"A social worker endeavors to perfect human relationships. * * * The salaries of social workers range from $300 to $10,000."

INTERLOCKING CHILD LABOR CONNECTIONS

Miss Grace Abbott is president of the National Conference of Social Workers.

The National Child Labor Committee, one of the chief backers of this amendment, is interlocked with the New York School of Philanthropy, Edward T. Devine, director of the New York School of Philanthropy, was one of the original board of trustees of the National Child Labor Committee.

The National Child Labor Committee also interlocks directly with the socialists, through Owen R. Lovejoy, its general secretary (socialist and personal friend of Eugene V. Debs) and through Mrs. Florence Kelley (socialist, translator of Marx and friend of Engles); with Hull House, Chicago, through Miss Jane Addams; with Henry Street Settlement, New York, through Miss Lillian D. Wald; and with the Children's Bureau, through Miss Lathrop, its former chief.

Mrs. Kelley, Miss Addams, and Miss Wald were on the National Child Labor Committee's original board of trustees and Miss Lathrop on its advisory committee. Owen R. Lovejoy, socialist, has held the position of general secretray of the National Child Labor Committee since 1907.

CONNECTIONS WITH EDUCATIONAL BILL

Furthermore, this amendment and the campaign for a $200,000,000-a-year Federal department of education (both backed by the same groups of lobbyists, led by the so-called "Women's Joint Congressional Committee") are both parts of one "drive"—to get every youth out of industry and into school and to furnish more Government jobs under centralized Federal control of youth and duplicated State and Federal administration than can be secured for social workers, teachers, truant officers, etc., under the present American system of local self-government where each community is now free to spend on education or social service the amount its own people deem necessary.

The connection between "child labor" and a Federal department of education is demonstrated in Children's Bureau Publication No. 64, "Every Child in School," in part as follows:

"The Towner (education) bill, introduced in Congress in May, 1919, seeks to find the alternative to child labor." (P. 9.)

"Secure in your community higher salaries for teachers." * * * (P. 10.)

"The superintendent of public instruction at the request of the child-welfare committee sent out a questionnaire. * * * With this questionnaire was distributed 'The truant officer's opportunity,' a leaflet published by the child-welfare committee. Returns indicated that the majority of the truant officers in the State are underpaid and past the active age of life. * * * A well-trained attendance officer * * * should be a part of every school organization." (P. 11.)

"Children of school age were in factories because there were not a sufficient number of attendance officers to keep them in school and out of industry." (P. 12.)

A new edition of "The truant officer's opportunity" and of "Social work as a profession" would be needed under this amendment to describe the "new, fat jobs" available when the Government undertakes to prohibit all labor up to 18 years.

NOT A "CHILD" LABOR AMENDMENT

The people are being deceived regarding this improperly termed child labor amendment. The word "child" appears nowhere in the text of the resolution. That word and all reference to "child" or "children" were deliberately kept out of the text (although stressed in all propaganda), because the managers of the amendment know that no court would let them do under a "child" labor amendment the things they intend to do under this amendment.

Mrs. Florence Kelley, socialist, who is primarily responsible for the drafting of this amendment (see Senate Rept. on S. J. Res. 1, pp. 49, 90, 91), in a letter to Senator COLT writes:

"Nothing can be more uncertain than the limitations which future courts may place upon the word 'child.' * * * I withdraw all objections to the word 'twenty-one years,' but I am afraid of 'child.'" (Senate Rept. on S. J. Res. 1, p. 123.)

Again, Mrs. Kelley says:

"I am indeed very apprehensive about the use of the word 'child.'" (Senate hearings, p. 90.)

Prof. William Draper Lewis, attorney representing the National Child Labor Committee, did at one time propose that the word "child" be used. (Senate Rept., p. 83). Senators SHORTRIDGE, WALSH, and COLT also seem to have favored, originally, a "child" labor amendment; but after strenuous objections by Mrs. Kelley and Doctor Lewis's own investigations of the legal interpretation of the word "child" he wrote to Senator SHORTRIDGE suggesting the use of the word "minors." (Senate Rept. p. 123.)

Senator SHORTRIDGE himself says:

"I do not wish to put the age limit at anything less than the full 21 years." (Senate Rept. p. 92.)

Mrs. Kelley, however, stated that she was willing to leave persons between 18 and 21 to the State "in exchange" for a "generous upward limit" of 18 years for the Federal Government rather than "revert to this vague word 'child.'" (Senate Rept. p. 91.)

Mrs. Kelley's ideas prevailed, and section 1 of the amendment confers power on Congress to limit, regulate, or prohibit the labor of youth up to 18 yeras of age; and section 2 empowers the State to increase the limit to any age, but leaves no power whatever to the States to go below any age limit fixed by Congress up to 18 years.

The people are being tricked.

Not one citizen in 10,000 dreams that the Federal maximum of 18 years, of section 1, which is all they have heard about the age limit, is merely the State minimum of section 2, beyond which the States are to be "stimulated" and urged to go!

What this amendment really provides for is the enforced idleness of youth.

The use of the words "child" or "children" in connection with this amendment is for propaganda purposes only. The proponents dare not place either of those words in the text of this resolution.

Professor Lewis, of the National Child Labor Committee, says:

"You will see from an examination of the cases to which I refer that the term 'child' has been held to mean persons under 14 years of age. (Senate Rept. p. 125.)

This amendment is not designed for "children" at all. The labor of children under 14 is already limited, regulated, or prohibited under the laws of every State in the Union without exception.

But no State in the Union, and no country in the world, as admitted by Miss Abbott herself, prohibits the labor of all youth up to 18 years, as Congress is empowered to do under this amendment.

Miss Abbott was asked by Mr. MONTAGUE:

"What is the highest standard now? Does any European country have a higher standard than 18 years?

"Miss ABBOTT. They are prohibited up to 18 years in no country nor in the United States." (House Hearings, p. 278.)

PEOPLE DECEIVED CONCERNING AGE LIMIT

The dual Federal and State powers under the two sections of the amendment are being juggled to fool the people. Section 1, with its Federal 18-year limit, is used as a smoke screen to hide the unlimited State power to raise the age conferred by section 2.

Miss Abbott and Mr. Owen R. Lovejoy (general secretary National Child Labor Committee) both admit that the public, including working women and proponents of an honest child labor amendment, "gets excited" and "are opposed" to the 18-year limit.

What will be the people's just wrath should the amendment prevail, when they learn that what had been pictured to them as a remote, improbable age limit of 18 years, to meet possible industrial conditions that may arise in future, is in truth only the immediate Federal minimum standard—a low level—below which the States must not fall, but above which they are to be stimulated and "jacked-up" by all the enforcement machinery of the Children's Bureau under this amendment, assisted by its trained lobbyists interlocked with the lobbyists and zealots of other feminist organizations.

To show how completely the people are being misled, Mrs. Kelley, Miss Abbott, Mr. Lovejoy, Professor Lewis, and Senator SHORTRIDGE himself are actually all on record as having no objection to even a Federal 21-year limit!

Yet to quiet intense popular opposition to even an 18-year limit, the leaders are telling the people that while the amendment gives Congress power to prohibit the labor of all persons in all occupations up to 18, they are not asking for such a statute "at the present time."

Miss Grace Abbott, speaking before the Women's Industrial Conference, called by the Women's Bureau, Department of Labor, January 11, 12, and 13, 1923, said:

"The amendment which we are especially interested in, which has been introduced in the House by Congressman FOSTER and in the Senate by Senator MCCORMICK, provides that Congress shall have the right to limit and prohibit the employment of children under 18 years of age. * * * Now I find, and I am not alone in that, that a good many people get excited about the phrase, 'children under 18 years of age,' and I want all of you to have that quite clear. * * * At any rate, the proposed amendment * * * if it passes, only gives Congress authority to legislate with reference to children under 18. * * * I hope this is entirely clear, because one or two have spoken to me about it and have thought that the amendment prohibited the employment of children up to 18 years of age; and, of course, we have not thought of asking Congress to do that. I presume the most we could expect immediately would be a little more than the standards of the first and second Federal child labor laws." (Women's Bureau Bulletin, No. 33, p. 92.)

On the other hand, before the House Judiciary Committee, Miss Abbott declared:

"I would have no objection to including 21 * * *.

"I am advocating 18 years at the moment." (House hearings, pp. 56–57.)

Again Miss Abbott says:

"I can not say too strongly * * * that as to the Federal law, I shall be enormously disappointed if we do not have the Federal law only a minimum law, but we will have continuing the problem of raising the standards in the States. * * *

"Where there has been a Federal law there has always been an increasing tendency to raise the State standards." (House Hearings, p. 269.)

"I want to get a Federal minimum, and at the same time give the States an opportunity to raise, but not lower, the Federal standards." (P. 272.)

"I think what all of us have had in mind for the amendment was an amendment which would give Congress the power to enact minimum standards, and which would leave to the States the right to give additional protection to their children if they desired. * * * What we want is * * * the Federal law operating as a minimum, and leaving the States full power to raise standards." (House hearings, p. 55.)

At the Senate hearings last year, Miss Abbott said:

"If we enact—phrase it how you will—an amendment which establishes a minimum standard, and allows the State to establish higher and not lower standards, we shall be giving to the children the real advantage of our Federal form of government, and high local protection." (Senate Rept. on S. J. Res. 1, p. 48.)

Mr. Owen R. Lovejoy, Socialist, general secretary National Child Labor Committee, testified:

"As to one or two questions raised in the discussion this morning, the phrase '18 years' raises confusion in the minds of many people. I have been through a number of States during the past two months, discussing this subject, and I found some people who came up after I thought we had made everything perfectly plain and raised objection. They said they were opposed to this proposition, because they did not want all children under 18 years to be forbidden to work. It took some time to show them that we did not mean anything of the kind. We showed that only within the limit of 18 years the Congress should have an opportunity to exercise its judgment." (Senate Rept., p. 54.)

Mr. Lovejoy immediately added:

"Perhaps it would solve the difficulty by making the term 21 years." (Ibid.)

Here we have leading advocates of this amendment, while frankly admitting before congressional committees that they have no objections to 21 years, trying to convince the outside public that they do not mean to use the power they insist upon in this amendment!

An official blue leaflet issued on behalf of this amendment by joint women's organizations, distributed by the National Women's Trade Union League, page 4, declares:

"The amendment must clearly give Congress power to legislate for boys and girls until they are at least 18."

Can it be denied that the people are being tricked?

APPLIES TO WORK ON FARMS AND IN HOMES

What will be the dismay of American parents when they also make the discovery that their 17-year-old sons and daughters may be forbidden by a distant bureau in Washington to "lend a hand" to help their fathers and mothers in the home or on the farm?

The original Senate proposals for a child labor amendment prohibited the "employment" of persons under 18. Miss Grace Abbott, Chief of the Children's Bureau, objected to this term, and asked that the word "labor" be used. Miss Abbott said:

"* * * the children often work with their parents and are not on the pay roll, and are not held to be employed, and we feel that is a dangerous word to use * * *.

"Senator JOHNSON. That is, you prefer 'labor'?

"Miss ABBOTT. Yes." (Senate Report, p. 39.)

Thus the word "employment" means only working for pay.

Representative RAMSEYER, who voted for this amendment, made this clear in the House debate:

"Mark right here, too, it does not say the 'employment' of persons under 18 years of age, but the 'labor' of persons under 18 years of age. * * * A boy who is sent by his father to milk the cows, labors. Under the proposed amendment Congress will have power to regulate the labor of a boy under the direction of his father as well as the employment of the same boy when he works for a neighbor or stranger. * * * Congress will have the power to 'limit, regulate, and prohibit' the labor of girls under 18 years of age in the home and of boys under 18 years of age on the farms. Gentlemen admit that the effect of the proposed amendment is just as I state it." * * * (CONGRESSIONAL RECORD, April 20, p. 7290.)

Hitherto neither of the Federal child labor laws, declared unconstitutional, nor the State child labor laws have applied to farm work or domestic home work. In its official booklet, Child Labor, Outlines for Study, issued by the Children's Bureau, April 1, 1923, the bureau says of the 1,060,858 children listed as gainfully occupied:

"Of these less than one-fifth were employed in occupations affected by the Federal child labor law and only about one-third in occupations affected by State child labor laws. The majority (61 per cent) were engaged in agricultural pursuits, and were therefore, subject to no regulation, either State or Federal" (p. 11).

Thus the Children's Bureau admits that under an amendment applying to "labor" on the farms and in the homes, incalculably more Federal jobs can be furnished professional social workers, inspectors, etc., than under an amendment applying only to "employment" in industry.

CHILDREN'S CHORES OFFICIALLY REPORTED AS "CHILD LABOR"

The attitude of the Children's Bureau toward farm and home-work is set forth in its official report, Child Labor in North Dakota, in part as follows:

"Detailed information was obtained from all children under 17 years of age who reported that they had during the year previous * * * lived on a farm and done farm work for at least 12 days of 6 hours or more, or who, while attending school, customarily spent 3 hours or more a day at chores." (Child Labor in North Dakota, p. 2.)

"Two hundred and forty-four children reported such housework as cooking, washing dishes, making beds, sweeping, and caring for younger children." (Ibid. p. 24.)

"Many of the children—that is, 313 of the 747 who reported that they had regular duties other than farm work—had done more or less occasional work * * * handling separators and other utensils * * * repairing farm property, such as pens or fences, looking after poultry, and hunting eggs." (Ibid. p. 24.)

"More than half the children included in the study had hoed. Most of the hoeing was done in connection with the home garden." (Ibid. p. 13.)

All these children's chores, down to "hunting eggs," "washing dishes," and "hoeing" in the home garden (without regard to any employment or wages), are seriously and officially reported by the Federal Children's Bureau as samples of "child labor in North Dakota"! (See also Children's Bureau report, Child Labor on Maryland Truck Farms, and Child Labor in Texas, etc.)

REGULATORY POWER OVER FARMING DEMANDED BY CHILDREN'S BUREAU

The following testimony shows that the Children's Bureau demands Federal regulatory power over youth as to farming:

"The CHAIRMAN (Mr. GRAHAM). * * * this being a general power, it includes the power to regulate labor upon the farms and in agriculture.

"Miss ABBOTT. Yes.

"Mr. MONTAGUE. You would give them just as much regulatory power as to farming as you would to mines or any other work or occupation?

"Miss ABBOTT. Yes; as far as the power goes." (House hearings, p. 36.)

A QUESTION OF POWER, NOT OF CONFIDENCE IN INDIVIDUALS

Advocates of this amendment are asking for "a full grant of power" to limit, regulate, or prohibit the labor of all youth, in all occupations, up to 18 years, while at the same time pleading for confidence that such power will not be exercised.

We respectfully maintain, with the Supreme Court, that—

"Questions of power do not depend upon the degree to which they may be exercised in the particular case." (Chief Justice Marshall, in Brown v. Maryland, 12 Wheat. 419.)

The test of a power is not how it is probable that it may be exercised, but what can be done under it.

Thomas Jefferson, 1798, riddled this plea for "confidence" in questions of power, as follows:

"It would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights; * * * confidence is everywhere the parent of despotism—free government is founded in jealousy, not in confidence; it is jealousy and not confidence which prescribes limited constitutions, to bind down those whom we are obliged to trust with power; * * * our Constitution has accordingly fixed the limits to which, and no further, our confidence may go. * * *

"In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution." (Kentucky resolutions.)

POWER CLAIMED BY CHILDREN'S BUREAU

The Chief of the Children's Bureau, addressing the eighth biennial convention of the National Women's Trade Union League, at Waukegan, Ill., June 5–10, 1922, opened her statement as follows:

"The Children's Bureau has the whole field of child welfare and child care. It has developed three main divisions—the child hygiene division, the social service, and the industrial division." (Official proceedings, p. 89.)

In the course of the above speech Miss Abbott said:

"The question of the present time comes down to a constitutional amendment. * * * There are several points that come up now for decision—to give Congress power to regulate child labor or give Congress power to establish a minimum standard with the States having power to raise but not to lower that standard; another is that whether we should have a child labor amendment at all, it shall not have something more than child labor; that is, whether it should include in the amendment more in the way of language giving us constitutional authority to do some of the other things in the Federal field that we might like to do, and whether that is tactically the thing to do, at the present time is the question." (Official proceedings National Women's Trade Union League, 1922, p. 90.)

Miss Abbott thus admitted that this amendment was designed to mean "something more than child labor"; that the Children's Bureau, whose chief claimed "the whole field of child welfare and child care" in that speech (without once mentioning mothers, fathers, or parents) is seeking "constitutional authority" to do "other things" which it does not consider it "tactically" expedient to reveal to the public "at the present time."

That was two years ago. Miss Abbott is now demanding under this amendment "a full grant of power" which would be beyond the reach of the Supreme Court!

Speaking on this amendment before the House Judiciary Committee, Miss Abbott said:

"I think the amendment should be inclusive. * * * It seems to me a full grant of power to Congress is in line with the other grants of power in the Constitution." (House hearings, p. 35.)

"I think it would be very foolish to put in that amendment the preciseness you would have in a statute, because, as I say, it would defeat the general purpose for which we are contending. The preciseness of a statute belongs in a statute, and not in an amendment, which is a grant of power.

"Mr. MONTAGUE. You would make no exception at all?

"Miss ABBOTT. I would make no exception at all. * * *

"Mr. SUMNERS. You would have it a finished job?

"Miss ABBOTT. Certainly. * * *

"Mr. HERSEY. There are a number of forms of amendments before us, some of them describing the age and the manner and the kind of employment prohibited; * * * there are other resolutions saying that Congress shall have the power to prohibit and at what age, and omitting details. * * * Which one do you favor?

"Miss ABBOTT. I favor the general grant of power. * * * Yes; the general grant of power with the statute to be worked out in the future.

"Mr. HERSEY. Then anything that is before us * * * in regard to whether it shall be farm employment or some other employment that is prohibited, of course, is outside of what you desire at this time, which is merely an amendment granting that power.

"Miss ABBOTT. It is totally irrelevant, it seems to me, at this time." (House hearings, p. 36.)

"Totally irrelevant" in Miss Abbott's opinion, that the people should know "at this time" how she intends to regulate the lives of the Nation's youth under a blanket grant of power!

Is it conceivable that American mothers and fathers will tamely submit to turning over their sons and daughters to Miss Grace Abbott as an overparent?

POWER RIVALS THAT OF KOLLONTAY IN SOVIET RUSSIA

The power of the Chief of the Children's Bureau, under this amendment, would rival that of the soviet feminist chief, Alexandra Kollontay, who, when the communists divided the spoils of revolution, picked the department of public welfare, and thus became "people's commissar of public welfare" (cabinet secretary), with full control of marriage, guardianship of children, social service, and care of veterans. (See preface to Marriage Code of Soviet Russia, by Alexander Hoichbarg, or Kollontay's article in Soviet Russia (New York communist magazine), August 15, 1919, for descriptions of soviet public welfare department powers.)

Of course, the next step after this amendment will be a Cabinet post for the Chief of the Children's Bureau.

For the propagandists will ask: "Is not the Nation's youth more important than its Postal Service, its crops, its cattle, its soldiers, and sailors?"

Then we shall have copied the communist experiment that aroused the greatest opposition from the people, even in Bolshevik Russia.

INCLUSION OF FARM LABOR A SOCIALIST TRICK

Why do the managers of this amendment demand that it include the labor of 17-year-old youths on farms? The answer to that question, as to many others regarding this amendment, is found in the proceedings of the National Socialist Party Convention of 1908:

"We are just as much opposed to children working on farms as we are to children working in the factories, and we stand to abolish the whole present system of production." (Official proceedings, p. 186.)

Insistence that this amendment cover farm and home work was so strong on the part of its managers that, everything to the contrary, even when offered by advocates of a Federal child labor amendment was rejected in the House.

Even the amendments to exempt "the labor of children on the farm of the parents" and the "labor of such persons in the homes and on the farms where they reside" were rejected. (CONGRESSIONAL RECORD, April 26, pp. 7292, 7294.)

Why? This very question of why the amendment was not limited to employment and to factories, mines, stores, and shops, etc., was asked by Mr. RAMSEYER, an advocate of the amendment, in the House debate.

The answer was that the committee hardly knew, except that this form was the one that advocates wanted. Mr. MAJOR of Missouri, a member of the committee that reported the amendment, said:

"I could not tell you why this amendment was adopted or was drafted in the particular form it is, other than to say that all the organizations—some 15 or more—that advocated it asked for it in this form." (CONGRESSIONAL RECORD, p. 7261.)

Of course, probably 95 per cent of the Members who voted for this amendment do not know it is a Socialist amendment. That is the real tragedy. If the Socialists were outnumbering or overpowering the two great parties, there would be some excuse for submission to Socialist demands.

But the Socialists are simply outwitting the major parties and getting them to promote revolutionary Socialist measures under false and misleading labels, slogans, and propaganda.

AMENDMENT WILL DRIVE SMALL FARMERS INTO SOCIALIST CAMP

This amendment will promote Socialism by inclusion of farm labor in its prohibition. To demonstrate this it is necessary to examine the subject somewhat at length.

One of the main aims of the Socialist Party of America and of the Communist International (which organized a "Workers and Peasants' International" at Moscow last October at the suggestion of American Communists) has been to capture the "working farmers."

Socialists and Communists divide farmers into two classes:

1. The "working farmer" or "American peasant" (as the Communists call him), including small farm owners, tenants, and farm laborers without land. (See Socialist National Convention proceedings, 1908, p. 14.)

2. The farmer-employer who cultivates big farms with hired help.

The first three classes the Socialists have made efforts to capture through the I. W. W. (already including many migratory farm laborers), through the Farmer-Labor Party, and the "Federated Farm-Labor Party," the latter dominated by the Communists. Through the nonpartisan leagues and other organizations, including some left-wing "farmers' unions" under Socialist leadership, even the "gentleman

farmer" is often induced to promote various socialistic schemes of Government ownership. (See New York Times, magazine, November 18, 1923.)

But the field for Socialist propaganda among farmers is very limited unless great changes can be effected in his economic condition.

VICTOR BERGER, a member of the platform committee at the Socialist National Convention, 1908, said:

> "There is no intention and no inclination on the part of the platform committee to deny that we stand for the common ownership of the land. I fully agree with Comrade Carey on that point. It is simply a question of how he expresses it. (Proceedings, p. 183.)

Socialists, therefore, knowing they can not gain the support of the small farmer by admitting they intend to take his land and his team, must reach him by other methods. (See proceedings, National Socialist Convention, 1908, pp. 14–16, 173, 183.)

They must make him embittered and antagonized by his Government. They must make it impossible for him to operate his little farm, by his own labor, assisted by that of his sons, and thus force him into the employed class.

In short, Socialism demands that the little farm must go, that the farmer become a hired hand or discontented industrial worker. This propaganda of discontent, this effort to promote the "class struggle" between the great farm owner and the farm hand, and to make the small owner join the "working class" or "proletariat" is exhibited in every issue of the Farmer-Labor Voice, published at Chicago by the Communists.

If this amendment is adopted and farm labor prohibited up to 18 years, it means that the average small farmer, who can not hire outside labor in competition with the demand for industrial labor in the cities but must depend upon his sons for help during harvest, and with chores, is to be forced to give up farming and enter the class of farm or industrial laborers.

Every farmer who is compelled by what he is told is "the present system" to sell out his small farm, to lose the earnings of a lifetime and to become an industrial or agricultural hired laborer, is one more recruit for the wily Socialist, who tells him that "capitalism" is responsible for all his ills and promises that under socialism "the land will belong to its users." (See Federated Farm-Labor Platform.)

In this connection it may be noted that the excuse given for including farm labor in this amendment is a prophecy that agricultural conditions may be "totally changed" in the future, that only "large-scale agriculture" may be left, and children "will not be employed on the home farm."

Miss Abbott says:

> "We do not know what will develop with reference to agricultural labor in the future at all. We may have in the next 10 years or the next 100 years a totally changed situation from what we have now. We may have a vast growth of large-scale agriculture, and children will not be employed on the home farm, but under conditions approximating industrial employment." (House hearings, p. 35.)

VICTOR BERGER, member of the platform committee at the National Socialist Party Convention, Chicago, May 15, 1908, said:

> "* * * The prediction of the Marxians that we would some day have centralized the small farms into big farms of one hundred thousand or a million acres has not come true.
>
> "We do not know what the future of agriculture is going to be. We do not know whether in the future agriculture will be conducted on a very large scale, or whether the future of agriculture will be the intensive farming of very small tracts. There is a great deal to be said on both sides. * * *
>
> "However, we are not going to make a platform or program for unborn generations. We are dealing with the problem as it is now. And the truth of the matter is that centralisation has not taken place in agriculture as it has in the field of industry." (Official proceedings, National Socialist Party Convention, 1908, p. 183.)

Miss Abbott uses the very jargon of the socialists regarding large-scale agriculture in the future. Like Mrs. Kelly, Miss Abbott implies an approaching change in the social order from private to collective ownership.

In other words, the excuse for including farm labor is that conditions in agriculture in the future may be exactly what the socialists are trying to bring about and what this amendment would help to bring about.

ORIGIN OF FEDERAL CHILDREN'S BUREAU

It is the duty of legislators and the public to scrutinize the Federal bureau which this amendment would make the guardian and overparent of the youth of our Nation.

Your petitioners are combating dangerous principles. We have no interest whatever in any persons mentioned, except as they are directly responsible for or connected with the promotion of these principles. But everybody who does not accept the socialist "materialistic conception of history" must admit that organized movements are created and controlled by persons, not by abstractions. Even the socialists find it impossible to write socialist history without crediting Marx and Engels or communist history without crediting Lenin and Trotski. Every religion, every political movement, every invention, and every idea has been originated by and developed only through the work of persons. In short—

> "A great movement must be judged by its leaders."—New York Times.
>
> "Leadership is a fair test of a question."—Mrs. Carrie Chapman Catt.

The Children's Bureau was established in 1912, not in response to popular demand, for the American people are naturally self-reliant, resourceful, and energetic, and never thought of a Federal Children's Bureau until professional settlement-house workers and socialists imposed it on them.

The Federal Children's Bureau was established in 1912 as the result of a seven-year propaganda campaign, conducted principally by the following persons:

Mrs. Florence Kelley (formerly Wischnewetzky), socialist, translator of Karl Marx, friend of Frederich Engels (coauthor with Marx of the communist manifesto of 1848), who had been a resident of Hull House, Chicago, a founder of the National Child Labor Committee, the American Association for Labor Legislation (a product of the Second International), the National Consumers' League, etc., president of the Intercollegiate Socialist League (now the League for Industrial Democracy), who had been working for a Federal child labor law since 1905.

Miss Jane Addams, internationalist and pacifist, head of Hull House, Chicago, who was then at the height of her political influence, as indicated in the Senate report August 14, 1911, on the bill for establishing the Children's Bureau and by Miss Addams's participation in the Progressive Convention of 1912.

Miss Lillian D. Wald, pacifist, head of Henry Street Settlement, New York. (Miss Wald is credited with suggesting the idea of a Children's Bureau in 1909, but Mrs. Kelley had been working for a Federal child labor law since 1905.)

Owen R. Lovejoy, socialist, general secretary National Child Labor Committee, who, when the conviction of Eugene V. Debs, his personal friend, under the espionage act was upheld by the United States Supreme Court, wrote "Comrade" Debs that his conviction was an "outrage cloaked in legal technicalities," proving "the bankruptcy of the present social order," etc. (For text, see Appendix.)

Dr. Anna Louise Strong (now chief American press agent for Soviet Russia), who in 1911 conducted a number of "child-welfare exhibits" in Chicago, New York, St. Louis, Kansas City, Louisville, Montreal, etc.

Doctor Strong became "exhibit expert" of the Federal Children's Bureau. (See Children's Bureau Publication No. 14, entitled "Child Welfare Exhibits, by Anna Louise Strong.")

For the last two years Miss Strong has been Moscow correspondent for The Worker (official American communist organ), for the radical Federated Press, and for Hearst's International Magazine. (Further details of Miss Strong's Moscow connections and sympathies are submitted hereafter.

Judge Ben Lindsey, of the Denver juvenile court, who, with the head of the Colorado Society for the Protection of Children and Animals, came to Washington as one of the chief advocates of the establishment of a Children's Bureau in 1909, and who in 1912 glorified "the conception of government as an overparent," etc.

It may be noted that all the above persons have had some of their activities recorded in the revolutionary radicalism report of the New York Legislature.

Mrs. Florence Kelley, Miss Jane Addams, and Miss Lillian D. Wald were all on the original board of trustees of the National Child Labor Committee, of which Owen R. Lovejoy has been general secretary since 1907.

The House hearings of January 27, 1909, and the Senate report, August 14, 1911, on the bills establishing the Children's Bureau contain the legislative records of its origin.

Miss Julia C. Lathrop (a resident of Hull House), who became first Chief of the Children's Bureau in 1912, did not appear at the hearings on the original bills and had no part in the leadership of the campaign for establishment. Neither did Miss Grace Abbott (a resident of Hull House), who succeeded Miss Lathrop as Chief of the Children's Bureau. Miss Lathrop and Miss Abbott were simply Hull House residents placed in charge after the bureau was established.

MRS. FLORENCE KELLEY'S LEADERSHIP

Mrs. Florence Kelley's leadership in the establishment of the Children's Bureau is attested in the Woman's Journal, official feminist organ of that time (now the Woman Citizen), of April 6, 1912.

Immediately after the establishment of the Children's Bureau the Woman's Journal published a big cartoon entitled "Pigs Versus Children," showing Uncle Sam sitting in an armchair, with two pigs in his lap, scowling at a mother and her children standing before him, while

little children in the background are being driven into a factory by men with long cattle whips.

Beneath that remarkable cartoon (illustrating feminist "gratitude," perhaps) was this statement:

"Congress, which appropriates $3,000,000 to promote the health of pigs and other animals, has at last appropriated the meager sum of $30,000 for a Children's Bureau. * * * This is the outcome of seven years of indirect influence by Mrs. Florence Kelley and many other earnest women." (Woman's Journal, April 6, 1912, p. 107.) "Pigs Versus Children" is one of many variations of the hog story (comparing appropriations to prevent hog cholera with Government care of children) which has been inflicted upon Congress and the public ever since 1909. It originated at the National Socialist Party Convention, 1908 (see official proceedings, p. 212), but may be found in the hearings and debates of 1909 and 1912 on the Children's Bureau, throughout Mrs. Kelley's maternity act propaganda of 1921, and in current propaganda in innumerable newspapers for both the child labor amendment and the education bill. It was even used before the United States Supreme Court by the Solicitor General in behalf of the maternity act, and was recently used on behalf of the education bill (Reorganization Committee hearings, January 7–31, 1924, p. 212), and the obvious answer to it made by Senator SMOOT.

A month later the Woman's Journal editorially declared:

"We shall not be willing to let the establishment of the Children's Bureau mean simply investigation—it must mean power to change things." (Woman's Journal, May 11, 1912.)

Miss Jane Addams herself, in her article published with the Senate report of August 14, 1911, relative to the Children's Bureau, says:

"These great questions of education and child labor can not be adequately cared for by States whose boundaries are determined by rivers and mountains. * * * We can not confine ourselves to child labor and detach it from all the other things which pertain to children, and then we are forced into a consideration of education, of health, of recreation—into all sorts of other questions." (Compare with Miss Abbott's statement, p. 4.)

Miss Lillian D. Wald, head of Henry Street Settlement, New York, and on the board of trustees of the National Child Labor Committee, who first suggested a Children's Bureau, testified, in 1909:

"Whereas the Government as such has been acting and done its part for a great many interests in the community, by a strange and almost incomprehensible way the children, as such, have never been taken within the scope of the Federal Government." (House hearings, Committee on Expenditures in Interior Department, January 27, 1909, p. 8.)

"The full responsibility for the wise guardianship of these children lies upon us. * * * But no longer can a civilized people be satisfied with the casual administration of that trust. * * * In the name of humanity, of social well-being, of the security of the Republic's future, let us bring the children within the sphere of our national care and solicitude." (Ibid. p. 35.)

"Casual administration," of course, means the parents, and "wise guardianship" that of a Government bureau.

"THE CONCEPTION OF GOVERNMENT AS AN OVERPARENT"—BEN LINDSEY

Judge Ben Lindsey, one of the chief speakers for the establishment of the Children's Bureau, in a signed article in the Woman's Journal, February 10, 1912, wrote:

"An economic earthquake has shaken the 'old home' to pieces. The foundations are crumbled, the walls are spread, the winds of the world blow through. * * * The Nation, the State, the municipality, these have stepped in, assumed practical control of the family in its most intimate relations, and are overparents. * * * If I were a woman in 1912, these two fundamental things—the real meaning of politics and conception of government as an overparent—are what I would consider primarily and resolve upon understanding. (Woman's Journal, February 10, 1912, p. 46.)

This "conception of government as an overparent," as set forth by Judge Lindsey was reprinted as a pamphlet and circulated all over the country by feminists from 1912 to 1915. Similar expressions, many of them more extreme, may be found throughout feminist literature. (Other samples will be furnished on request. They are not included here on account of lack of space.)

SOCIALIST DICTATED DRAFT OF CHILD LABOR AMENDMENT

Mrs. Florence Kelley, socialist, who is credited with leadership in the establishment of the Federal Children's Bureau, as previously noted, was also head of the maternity act drive of 1921, as chairman of the maternity act subcommittee of the women's joint congressional committee, and is also chief draftsman of this amendment.

That Mrs. Kelley was the chief draftsman of the McCormick-Foster child labor amendment and was consulted as to proposed changes is attested in the Senate report, accompanying Senate Joint Resolution 1, at pages 49, 90, 91, 92, and 123.

For example, Mrs. Kelley says:

"When we were laboring over the drafting of it," etc. (Senate Rept. 90.)

At page 49, Senate report, Mrs. Kelley declares that her instructions "included participation in the selection of a Senator who should be asked to introduce the bill," and she should make the adoption of that particular amendment her "chief occupation in relation with Congress until an amendment should be adopted."

Further evidence:

"Senator WALSH of Montana. Mrs. Kelley, evidently you had something to do with drafting of this resolution. Will you tell us what idea was intended to be covered by the concluding words of the resolution; what it means?" (Senate Rept. p. 91.)

"Senator WALSH of Montana. Mrs. Kelley, you would be helpful to us if you would take the draft now proposed by Professor Lewis and tell us what you feel ought to be added to it." (Senate Rept. p. 92.)

The socialist origin and control of the text of this improperly termed "child labor amendment" is therefore indisputable. Its socialist nature is demonstrated elsewhere in this memorandum.

A number of Senators and Representatives, including the Republican leader of the Senate, have introduced child labor amendments.

Is it not significant that only the amendments in the form approved by Mrs. Kelley have ever gotten out of committee?

Resolutions which did not apply to all occupations, including farm and home work, have been pigeonholed without exception.

That a socialist, translator of Karl Marx and friend of Frederich Engels, should have her proposed amendments accepted by a Senate committee which rejected the proposals of Senator LODGE, Senator JOHNSON, etc., and her proposed amendment prevail in the House while all proposals, even to allow the people to vote on the amendment through conventions, for changing it were rejected, is a clear demonstration of socialist power and leadership over the great parties, when socialism is cleverly disguised as emotional humanitarianism.

Mrs. Kelley (S. Rept. p. 52) said:

"It is unsafe to leave children to the tender mercies of the pressure of ignorant parents," etc.

It is respectfully suggested that it is more unsafe to leave the drafting of a Federal amendment affecting the rights of every parent and child in America to the tender mercies of a translator of Karl Marx and friend of Frederich Engels!

CONNECTIONS WITH HULL HOUSE AND WOMEN'S INTERNATIONAL LEAGUE

Mrs. Florence Kelley, Miss Jane Addams, Miss Julia C. Lathrop, Miss Grace Abbott, and Dr. Anna Louise Strong have all been connected with Hull House, Chicago, and with the so-called "Women's International League for Peace and Freedom," perhaps the most radical women's organization with American connections.

Miss Jane Addams is international president of the Women's International League, and has presided at all four of its international congresses—Hague, 1915; Zurich, 1919; Vienna, 1921; Washington, 1924.

Miss Addams's name appeared with those of Nicolai Lenin and Eugene V. Debs as a leading shareholder in the Russian-American Industrial Corporation. (See World To-morrow, advertisement, November, 1923, p. 352.)

Miss Grace Abbott served as "consultative member" of its executive board at the recent Women's International League Fourth International Congress at Washington, May 1–7, 1924, and also took part in its first "Internationaler Frauenkongress" at The Hague, in 1915, as did Mrs. Kelley and Miss Addams, who presided.

The Women's International League, which has led the campaign in this country for recognition of Soviet Russia (see W. I. L. Bulletin No. 6, June, 1923) and urged women to take slacker oaths against all service to their country in time of war (see official W. I. L. report, Second International Congress of Women, Zurich, 1919, pp. 156, 160, 161, 262, and official W. I. L. report, Third International Congress of Women, Vienna, 1921, pp. 195, 196, 262) is also in favor of "the gradual abolition of property privileges," which is simply another way of advocating the gradual establishment of communism. (See official W. I. L. report, Third International Congress of Women, Vienna, 1921, pp. 101, 261; and official "Outline history of Women's International League," issued by same.)

For further proof of the communist nature of the "peace program" of the Women's International League every Senator's attention is invited to the "cahier" adopted by the Women's International League at Washington May 7, 1924. This "cahier," which may be obtained from the Women's International League, provides for the establishment of a "new international order" based on the soviet system of representation—world government representing trades and occupations in each country—and for the establishment of international communism, although elaborate care is taken in the "cahier" to describe the soviet system and communism without using those terms.

The vice president of the Women's International League, Frau Lida Gustava Heyman, Germany, was a member of Kurt Eisner's communist-socialist cabinet during the soviet régime in Bavaria in 1919. (See Daily Worker, communist, April 29, 1924.)

A member of the executive committee of the Galician section of the Women's International League was hung recently in Poland. She was indicted as a soviet spy, and hung while in prison. Women's International League members claim she was hung by the Polish Government while awaiting trial. Polish authorities contend that she hung herself rather than face trial. (See Daily Worker, communist, April 29, 1924, or The Nation, May 14, 1924.)

MISS ABBOTT'S RECORD AS A PACIFIST

Miss Grace Abbott, Chief of the Children's Bureau and "consultative member" of the executive board of the Women's International League, was a delegate to the original "Internationaler Frauenkongress" called at The Hague in April, 1915, at which the organization now known as the Women's International League held its first international congress.

That original international congress at The Hague was gathered together chiefly by Frau Rosika Schwimmer, of Hungary, "but in reality a German agent," says the Lusk Report (vol. 1, p. 971), who came to the United States immediately after the first defeat of the Germans on the Marne, in September, 1914, to secure the intervention of President Wilson and to organize women's peace leagues all over the United States.

Miss Grace Abbott, at the "Internationaler Frauenkongress," as it was called, moved that the fortifications of the Panama Canal be dismantled and that all international waterways be made "a property of all the nations."

Miss Abbott said in part:

> "The United States women have been especially fortunate in having with them during the last months Mme. Schwimmer, who told us in the same way as she told you what our duty was." * * *

Miss Abbott cited the absence of fortifications along the Canadian border, and proceeded:

> "We have been engaged in building the great Panama Canal, and we have done a generous thing in saying that all shall pay exactly the same tolls. * * *
>
> "But we have not followed this example, inasmuch as we are fortifying the canal in order that the high road that is binding together two parts of the world becomes a source of destruction in the same way as the Suez Canal and others.
>
> "It is therefore necessary that conditions shall be established on the Panama Canal, on the Suez Canal, and other canals such as there is on the Great Lakes, so that these canals shall be a property of all nations. * * * The only time that the friendliness of the United States and Canada has been questioned has been in connection with the question of free commerce, and the only danger we have is the danger of competition for commercial advantage. It is therefore moved that the congress accept the following resolution:
>
> "'This congress further recommends the abolition of all preferential tariffs and the neutralization of the seas and of such maritime trade routes as the Panama Canal, the British Channel, the Dardanelles, the Suez and the Kiel Canals, the Straits of Gibraltar,'" etc. (Official proceedings Internationaler Frauenkongress, The Hague, April 28–May 1, 1915, pp. 147–148, issued by Women's International League.)

Frau Rosika Schwimmer, "in reality a German agent," says the Lusk Report (vol. 1, p. 971), who came to the United States and told American women "what our duty was," as Miss Abbott declared, also organized the Ford peace ship and various other schemes. After the war she became "Hungarian Bolshevik ambassador to Switzerland" (Lusk, vol. 1, p. 992), but was recalled, and for several years past has been making her headquarters at Hull House, Chicago. Frau Schwimmer was an active leader and speaker at the recent Fourth International Congress of the Women's International League at Washington.

"WE HAVE MORE INTERLOCKING DIRECTORATES THAN BUSINESS HAS"

(Mrs. Florence Kelley)

Interlocking connections between the Children's Bureau, the Women's International League, Hull House, the National Child Labor Committee, etc., cited here show only a small fraction of the great network of interlocking radical, pacifist, and bureaucratic organizations and activities.

To cover these radical "interlocking directorates" would require volumes, and therefore we confine this memorandum to a few samples.

Mrs. Florence Kelley, socialist, herself on the boards of many organizations and one of the chief interlocking directors of radicalism, pacifism, and so-called welfare legislation, testified before the House Committee on Agriculture:

> **"We are now organized with a thousand ramifications. We have more interlocking directorates than business has." (Meat-packer hearings, May, 1921, p. 58.)**

MRS. KELLEY'S SOCIALIST RECORD AND CONNECTIONS

The truth of Mrs. Florence Kelley's statement that radicals now "have more interlocking directorates than business has" is indicated by Mrs. Kelley's own record and connections.

Mrs. Kelley was born at Philadelphia, September 12, 1859, daughter of William D. Kelley, former Member of Congress. She graduated from Cornell in 1882, from Northwestern in 1894, and was State inspector of factories for Illinois, 1893–1897.

FREDERICH ENGELS TO FLORENCE KELLEY

Frederich Engels, joint founder with Karl Marx of modern socialism, instructed Mrs. Kelley, in a letter dated January 27, 1887, how socialism could be worked "into the flesh and blood" of Americans by their experience. He wrote:

> **"The less it will be knocked into the Americans from without and the more they test it * * * by their experience the deeper it will go into their flesh and blood." (Quoted in New York Call, socialist organ, January 29, 1923.)**

In 1897–98 Mrs. Kelley was the editor of the Archiv fur Sozialegesetzgebung, at Berlin.

Mrs. Kelley married a Russian or Pole named Wischnewetzky, from whom she was later divorced, which explains why some of her translations of Marx and Engels are by "Florence Kelley Wischnetwetzky."

In addition to other translations of Marx and Engels, Mrs. Kelley translated Engels's "Condition of the Working Class in England"—the inspiration of much socialistic legislation in the last 50 years—and in 1910 edited Edmond Kelley's "Twentieth Century Socialism."

Mrs. Kelley became general secretary of the National Consumers' League in 1899, a position she still holds. That organization and the American Association for Labor Legislation—a product of the Second International—which Mrs. Kelley helped to establish, have led the agitation for compulsory health insurance and other German socialist schemes. Mrs. Kelley also started the campaign for a Federal child labor law in 1905, was on the board of trustees of the National Child Labor Committee, and became vice president of the National American Woman Suffrage Association in 1905.

Mrs. Kelley was also president of the Intercollegiate Socialist League—the organization chiefly responsible for socialist agitation in schools and colleges—which changed its name two years ago to the "League for Industrial Democracy," but continues its socialist propaganda. Mrs. Kelley has also served as a member of the faculty of the Rand School of Socialism. A number of Mrs. Kelley's pacifist connections and activities during the war are covered in the Lusk report.

That Mrs. Kelley, who has headed nearly all the drives for German socialist "welfare" legislation, such as compulsory health insurance, the creation of the Federal Children's Bureau, the maternity act, etc., is still a recognized leader of the socialist cause to-day is attested by the appearance of her name at the head of a list of socialist and communist men and women who signed themselves "comrades" in sending a birthday gift last year to Warren K. Billings, a California convict sent to the penitentiary in connection with the preparedness day bomb outrages. (See New York Call, socialist organ, July 4, 1923.)

Mrs. Kelley led the campaign for the establishment of the Children's Bureau; was head of the drive for the so-called maternity act in 1921; and was the chief draftsman of this amendment, as shown elsewhere.

FORMER CHILDREN'S BUREAU EXPERT NOW CHIEF MOSCOW PRESS AGENT

Dr. Anna Louise Strong, who conducted a number of "child welfare" exhibits throughout the country in 1911 during the agitation for a Children's Bureau, and who became "exhibit expert" of the Federal Children's Bureau and author of Children's Bureau Publication No. 14, Child Welfare Exhibits, has become the chief American press agent and eulogist of the soviet system as attested by Leon Trotski himself; by Miss Strong's employment as Moscow correspondent for The Worker (official American communist organ); by her article on Lenin as "The greatest man of our time" in The Forum, April, 1924; and by her new book, "The First Time in History," with an introduction by Leon Trotski.

Three years ago Miss Strong went to Russia as publicity representative for the Friends service committee. When asked why the Friends needed a publicity representative in Russia, Miss Strong explained:

> **"In order to raise money for the work. All of those missions must have the experiences of the people, the stories of the missions, and the work that is being done, the material for lantern slides, and the pictures themselves to get money for keeping up the work." (Interview, Boston Herald, March 28, 1924.)**

In passing it may be observed that the services of press agents in Europe are necessary "in order to raise money" in America; and that it is the job of such press agents to paint the picture of European distress as black as possible to encourage Americans to contribute money "for keeping up the work."

While in Moscow, Miss Strong became correspondent for The Worker, official American communist propaganda organ, for the Federated Press—a radical propaganda press service—and for Hearst's International Magazine, sometimes using the pen name "Anise." Miss Strong was also a delegate to the Women's International League third congress at Vienna in 1921.

Her ability as a press agent, her service with the Federal Children's Bureau and the Friends service committee, her connection with the Women's International League and the Hearst publications, as well as with The Worker—American communist organ—and the radical Federated Press, mark Miss Strong as the most ubiquitous and influential American correspondent at Moscow.

Miss Strong has just issued a book glorifying Soviet Russia under the title, "The First Time in History."

Leon Trotski has written the introduction, in which he pays Miss Strong the following tribute:

> "In her numerous articles and correspondence she tirelessly made breaches in that wall of reactionary lies that made the most important of the imperialistic blockade around the revolution. This does not mean, of course, that Miss Strong was hiding the black spots, but she tried to understand and explain to others how these facts grew out of the past in its conflict with the future. Thanks to such an approach, the only correct one, the Nep, for the author of this book, is not vulgar prose and not a liquidation of the revolution, but one of its necessary stages * * *.
>
> "One of the stages of our building, not infrequently awkward, often mistaken, but historically unconquerable Anna Louise Strong shows in her book. That is why we think it has a right to attention.
>
> "LEON TROTSKI."

In The Forum, April, 1924, Miss Strong has a eulogy of Nicolai Lenin, entitled "The greatest man of our time," which opens:

> "No public man of our time has made such a gift to human progress as Lenin. No man has been so increasingly loved by so many millions of people. No man has attained such triumphant success, whether measured by actual achievement at the time of his death or by promise of growing results for the future."

The Federated Press Bulletin, December 15, 1923, announced:

> "'Anise,' Anna Louise Strong, for several years Moscow correspondent of the Federated Press, expects to fill American lecture engagements this winter. She can be reached at Hull House, 800 South Halsted Street, Chicago."

"IT'S A SOCIALIST AMENDMENT, AND THAT IS WHY I AM FOR IT"

(VICTOR BERGER, CONGRESSIONAL RECORD, April 26, p. 7311)

Nobody familiar with the records of Mrs. Florence Kelley, Owen R. Lovejoy, and other leaders of the child labor amendment drive would expect it to be anything but a socialist amendment.

VICTOR BERGER admits it. Nobody who examines the record can dispute it. Of course, it has been introduced by Republicans and Democrats—gentlemen unwittingly "selected" for that purpose in some cases by Mrs. Kelley and her cohorts, as she admits. (S. Rept. p. 49.)

But no Democrat or Republican who failed to introduce a socialist amendment, covering farm work and domestic home work, has been able to get it out of committee. No Democrat or Republican has been able to get a child-labor amendment reported. Only a socialist amendment, applying to all youth, on the farms and in the homes, is satisfactory to the persons who are engineering and promoting this amendment.

The socialists themselves, in their national convention of 1908, opposed an 18-year age limit, unless they were assured of Government support of children up to that age. VICTOR BERGER was a member of their resolutions or platform committee. The socialists then, like the Children's Bureau now, wanted "something more than child labor."

In 1908 the socialists had no hope of Government support of children. They therefore defeated the 18-year limit in 1908 and 1912.

But in 1916, when Industrial Demand E of the socialist platform of 1908, for "forbidding the interstate transportation of the products of child labor," became the first national child labor law, the socialists were encouraged to come out for Federal prohibition of child labor up to 18, a proposition they had deemed hopeless in 1908.

In 1908, however, the socialists discussed the whole question thoroughly demonstrating that "State support of children" is the necessary corollary of prohibiting the labor of youth up to 18 years.

Excerpts from the National Socialist Convention, 1908, official proceedings, follow:

Delegate Marguerite Prevey, Ohio:

> "I want to speak in opposition to the amendment offered that the age be made 18. We as socialists fully realize that you can not legislate the child-labor problem out of existence. We fully realize that so long as we have the capitalist system, where the father does not get wages sufficient to support the whole family, the children must go into the shops and factories to earn a living, and that they can't be kept in school until 16. * * * That is a condition that you can not legislate out of existence until the head of the family gets the full product of his labor. I am opposed to the amendment for that reason. Don't let us make ourselves ridiculous. We should understand the child-labor problem better than to apply such an amendment to this proposition." (Official proceedings, National Socialist Party Convention, 1908, pp. 206–207.)

Delegate H. L. A. Holman, Texas:

> "I am opposed to that clause in the immediate demands. If that clause would say that we opposed child labor and make a provision then so that the State would clothe and care for the child, then I would be in favor of that clause. But to make no provision for it seems really worse to me than the mercy of the capitalist class in employing them so that they may get food and raiment. If they will have it so that the State shall make provision to take care of the child and feed, clothe, and educate it, then I am for the resolution; otherwise, I am against it." (Ibid. p. 207.)

Delegate Edward Moore, Pennsylvania:

> "Four years ago, at the behest of the trade-unionists, we got a law adopted in the State of Pennsylvania prohibiting the employment of children under 18 years of age in the bituminous coal mines. It was scarcely on the statute books before the district of Pittsburgh of the United Mine Workers of America passed a resolution denouncing the law. I have here to back up what I say a member of the United Mine Workers of the State of Pennsylvania coming from that district." (Ibid. p. 208.)

Delegate Morrison, Arizona:

> "I am opposed both to the original and to the amendment—that is, to both the 16-year and the 18-year age limit—sorry as I am to say it. * * * Of the two, I would rather have the original, and I will tell you the reason why. My comrade told us about his early days and about how he worked. Well, I think I can tell you something, too, comrades, of early struggles. Left alone in the world when I was 9 years of age, in the frozen regions of Minnesota, I wished to know something about the world and went to work in the iron mines at 11 years of age. I think I know something of what it is to bow my neck to the taskmaster. And I will say, comrades, if I hadn't had a chance to work until I was 18 * * * I would have starved to death. Unless there should be some provision in that, that we are going to have the power to feed these poor devils that can't work, we had better shoot them." (Ibid. p. 210.)

The amendment raising the age to 18 was therefore voted down and Industrial Demand D of section 7 of the adopted platform stood: "By forbidding the employment of children under 16 years of age." (Ibid. p. 823.) Industrial Demand E: "By forbidding the interstate transportation of the products of child labor," of the socialist national platform of 1908, subsequently became the first Federal child labor law, in 1916, after 11 years of propaganda by Mrs. Kelley, Owen Lovejoy, etc., through the National Child Labor Committee.

Miss Grace Abbott says:

> "I think that this whole proposition of an amendment to give children this degree of national protection represents a new step in a new direction by the National Congress, a step, however, which is absolutely a logical one from the other two Federal laws that were enacted." (House Hearings, 1924, p. 272.)

This "new step in a new direction" is "absolutely a logical one" only if the platform of the Socialist Party of 1908 is to be followed, and the Constitution, as interpreted by the Supreme Court of the United States, is altered to conform to the demands of the socialist platform.

STATE SUPPORT OF CHILDREN A NECESSARY COROLLARY

Extreme proposals, such as those involved in this amendment, are socialistic and revolutionary, directly related to Government support of children, as shown at the Socialist National Convention of 1908.

Even advocates of this amendment have doubt whether such legislation would ameliorate conditions.

Hon J. D. BECK, Representative from Wisconsin, speaking at the Women's Industrial Conference at Washington, 1923, said, in part:

> "I am wondering whether, after we get perfect child labor laws, perfect laws regarding women in industry, sanitation, and all that, whether the struggle won't go on just the same almost as if we didn't have them. I have had a little experience in enforcing labor legislation and in enforcing the child labor law in particular. I have had occasion to wonder a great many times whether we weren't almost taking the bread and butter out of the mouth of the child and the parent by refusing a permit to work." (Women's Bureau Bulletin No. 33, p. 126.)

That an impending change of our system of government is expected by the managers of this amendment is shown as follows:

> "Mrs. Florence KELLEY, * * * for it is still the rule that fathers maintain their own children." (Industrial conditions as a community problem with particular reference to child labor, Annals of the American Academy of Political and Social Science, September, 1922, p. 61.)

Again, Mrs. Kelley:

"* * * as long as we have competitive industry—private ownership." (Women's Industrial Conference, p. 120.)

Miss Grace Abbott herself declares:

"When you undertake to get rid of child labor, then you must make some other provision for the care of those children." (House hearings, p. 264.)

The Socialist doctrine of State support of mothers and children has now become a political demand of radical women leaders.

Miss Alice Paul, leader of the National Woman's Party, says:

"We intend to insist, also, that the State assume entire responsibility for the maintenance and education of children until they become of age. When the women of the world have junked the battleships and other impedimenta of war, enough money will be released to take care of these reforms." (Washington Herald, October 25, 1920, p. 7.)

Mrs. Harriet Stanton Blatch, socialist (daughter of Elizabeth Cady Stanton), another leader of the National Woman's Party, says:

"The enfranchised women of America, through pressure brought by a Woman's Party, broadening, perhaps, to an international Woman's Party, could be instrumental in bringing political freedom to the women of the world * * * and behind all such social and economic demands lies the most important item on the women's program, namely, the endowment of motherhood." (The Suffragist, official organ National Woman's Party, October, 1920, p. 235. See also "Wages for mothers," Suffragist, November, 1920.)

The attitude of the Federal Children's Bureau toward State support of children is further indicated in Maternity Benefit Systems in Certain Foreign Countries (Bureau Publication No. 57); in the original maternity bill drafted by the Children's Bureau and introduced by Miss Rankin (providing for governmental free medical attendance, hospital care, etc.) and in the chief official publication of the Children's Bureau, Standards of Child Welfare.

Senator JAMES A. REED, of Missouri, demonstrated in the Senate June 29, 1921, that these publications contain "unqualified indorsement of the maternity benefits systems of Europe" and a "digest of the laws of the different countries that have adopted socialistic schemes."

In the official summary, issued by the Children's Bureau, of the proceedings of the international conference which drafted its Standards of Child Welfare, it is stated:

"The logic of the evidence adduced seemed to indicate that a very large ratio of the families of the United States obtain incomes too small to make possible the rearing of children in the manner which scientific and humane consideration, as well as the prosperity of the Nation, demand." (Standards of Child Welfare, p. 18.)

Again:

"The expression of any standard is merely an amiable generalization, unless the material means for its application are available." (Ibid. p. 17.)

CHILDREN'S BUREAU INDORSEMENT OF KOLLONTAY'S BOOK

At page 175, Maternity Benefits Systems in Certain Foreign Countries, Children's Bureau Publication No. 57, under the heading, "Sources of information, Russia," is the following statement:

"The most comprehensive study of maternity benefits and insurance which has yet appeared in any language is the volume by Mme. A. Kollontay. * * * Society and Motherhood."

The same Children's Bureau Publication No. 57, at page 165, on "Russia," says:

"The statements in this section are based on material furnished by J. G. Ohsol."

Johann G. Ohsol was director of the commercial department of the Russian Soviet Government Bureau, under Ludwig C. A. K. Martens, at New York. (See "Soviet Russia," New York communist magazine, October, 1921, p. 177.)

Mme. Alexandra Kollontay, indorsed by the Federal Children's Bureau as the author of the "most comprehensive study of maternity benefits," etc., was a German-paid Russian traitor, exposed as such by American newspapers and Government documents nearly a year before the Children's Bureau book was published in May, 1919, who was Soviet Russia's first commissar of public welfare, a position she took at the time of the Bolshevik revolution, November 7, 1917. Mme. Kollontay was exposed as a German-paid agent in the German-Bolshevik Conspiracy, issued by the United States Bureau of Public Information in October, 1918. (Document No. 7, etc.)

Mme. Kollontay is now soviet minister to Norway, after a hectic career which has included eight husbands, two positions as people's commissar—first commissar of public welfare and then commissar of propaganda—and two visits to the United States (in 1915 and 1916) as a German socialist agitator, after having been deported from three European countries, in 1914, as a dangerous revolutionist.

A book by Mme. Kollontay, entitled, "Communism and the Family"—the most ruthless attack on marriage since Frederich Engels wrote "The Origin of the Family"—has been distributed wholesale by the communists in America since 1919.

But while the Children's Bureau went out of its way to advertise and indorse, at public expense, in a public document, Kollontay's "Society and Motherhood" as "the most comprehensive study of maternity benefits," etc., the Children's Bureau has done absolutely nothing for "the protection of maternity and infancy" and the family against Kollontay's vicious "Communism and the Family" propaganda being distributed all over the United States, although the bureau claims "the whole field of child welfare and child care."

Others, however, have condemned the Kollontay system and doctrines as "the central tragedy of the Bolshevist régime."

KOLLONTAY SYSTEM "CENTRAL TRAGEDY" OF BOLSHEVISM

Sir Paul Dukes, one of the greatest authorities on Russia, writes:

"The central tragedy of the Bolshevist régime in Russia is an organized effort to subvert and corrupt the minds of children. * * * It has always been a Bolshevist principle to fight the institution of the family. Mme. Kollontay's writings can leave no doubt on that score, even in the minds of the skeptical. The idea is to remove children at an early age from parental care and bring them up in colonies." (New York Times, July 17, 1921.)

Professor Boris Sokoloff, although a socialist and member of the first all-Russian Constituent Assembly of January, 1918, writes:

"I am prepared to forgive the Bolsheviki many things, almost everything; but there is one thing which I can not and will not forgive them, namely, those experiments, positively criminal and worthy of the most savage tribes of the African jungle, which the Bolsheviki have been making all this time with our young generation, with our children. This crime knows no parallel in the history of the world. They have destroyed morally as well as physically a whole Russian generation." (Volia Russii (Will of Russia) February 16, 1921.)

But the Federal Children's Bureau is utterly silent on Kollontay or her system, except to advertise and indorse one of Kollontay's books as the "most comprehensive study of maternity benefits and insurance that has yet appeared in any language."

MOSCOW DICTATORSHIP OVER AMERICAN COMMUNIST YOUTH

The Fourth Congress of the Communist International, assembled in Moscow, November 7 to December 3, 1922, directed:

Resolution on Young Communist International

"The young communist organizations must establish their roots in the masses of the young workers * * * by constant attention to the questions affecting the lives of the young workers and by championing their every-day interests. The communist parties must give the utmost support to the economic activity of the young communists," etc. (Resolutions and Theses, 4th Congress of the Communist International, p. 70.)

Forthwith, in conformity with the above general instructions, the Young Communist International, offspring of the adult world organization, held its Third International Congress in Moscow, December, 1922, immediately after that of the parent body to which it affirmed allegiance.

The official booklet, Programs of the Young Communist International, issued by the executive committee of the Young Communist International, February 20, 1923, and published by Schoeneberg, Berlin, affirms:

"The young communist leagues are subject to the political leadership of the communist parties * * * that is, the leagues accept the program, the tactics, and the political instructions of the parties. (P. 33.)

"The Young Communist International accepts the principles of the Communist International and forms one of its sections. The executive committee of the Young Communist League maintains close contact with the executive committee of the Communist International and is subject to the latter's political leadership. (P. 45.)

"Above all, the Stuttgart minimum program (adopted in 1907 and previously adhered to by the working-class youth) is a program of reforms to be carried into practice within the bounds of capitalist society by means of reformist methods. * * *

"The militant program of the Young Communist International, however, can not respect the exigencies of the capitalist economic system, nor be merely a means to eliminate the worst instances of the exploitation of the working-class youth. It must proclaim * * * the complete transformation of the conditions of juvenile labor, and its socialistic reorganization.

"Therefore, the Young Communist International * * * has elaborated a new program of economic demands of the young workers which it herewith submits to the great mass of the oppressed and exploited young proletariat and to the entire working class.

"The basis and aim of our program is the—

"Socialistic reorganization of juvenile labor.

"This means:

"Abolition of wage slavery for all young workers up to 18 years who must be cared for by the state and treated from an educational point of view until they have attained this age." (Pp. 48–49.)

CARRYING OUT ORDERS FROM MOSCOW

The United States section of the Young Communist International, the Young Workers' League of America, promptly responded to the Moscow call, held its second national convention in Chicago, May 20–22, 1923, and adopted the resolutions of the Moscow Executive Committee of the Young Communist International almost verbatim. These resolutions and demands are published officially by the Young Workers' League of America, 2517 Fullerton Avenue, Chicago, Ill., under the title "Resolutions and Theses of the Young Workers' League of America, 1923."

The first demand of the Young Workers' League of America is for the abolition of child labor, as follows:

"Demands of the Young Workers' League—

"1. Abolition of child labor." (Resolutions and Theses, Young Workers' League, p. 12.)

"The militant program of the Young Workers' League does not take account of the needs of the capitalist system, nor is it merely a means of eliminating the worst instances of the exploitation of the working-class youth. It must * * * proclaim the ultimate and fundamental aim of the young worker, *the complete transformation of the conditions of juvenile labor and its socialist reorganization.* This means *abolition of all wage slavery for all young workers up to 18 years of age. The young workers must be cared for by the state and treated from an educational point of view until they have attained this age.*" (Ibid. p. 12; italics theirs.)

Compare the above, by the Young Workers' League of America, with statements previously quoted from programs of the Young Communist International, pages 48–49, and note almost identical language.

The official "Resolutions and Theses of the Young Workers' League of America, 1923," also contain the following statements:

"Our work has always been communist" (p. 3).

"The main theses and resolutions adopted at the second convention are herein published. Every young communist must devote his or her utmost energy to the carrying out of these decisions. We feel that these decisions can be most effective weapons in our struggle against American capitalism" (p. 13).

"The aim of the Young Communist International is the aim of the Young Workers' League of America, the attainment of the communist society" (p. 7).

"Our youth, with all its enthusiasm, courage, and strength, must now go to raining blows against the capitalist class and its protector, the capitalist government. May these decisions of our second national convention serve as a guide to action in our battle for the goal of communism" (p. 4).

"The Young Workers' League can only win the confidence of the young workers and become their champion * * * by participating daily and persistently in all problems of the working-class youth" (p. 9).

"The Young Workers' League must therefore set up a working program containing the immediate vital demands of the working-class youth. Moreover, the Young Workers' League must take up the fight for these demands" (p. 9).

"The fundamental feature of the working-class youth in capitalist America * * * is that they are drawn into the process of production * * * under the system of wage slavery and are thus deliberately excluded from education. * * * In the United States over 2,000,000 children under 15 years of age are employed in mills, mines, factories, and in agriculture, industrial home work, and street trades. Child labor, due to the action of the United States Supreme Court in declaring unconstitutional two Federal child labor laws, is rapidly on the increase" (p. 9).

"In no other capitalist country in the world are children exploited as intensely as in the United States of America. The young agricultural workers are subject to particular exploitation" (p. 10).

"In no country in the world, except China, are children exploited as in the United States" (p. 29).

"Thus our activity in the economic field aims at showing the young workers that our economic struggle will become the starting point of revolutionary struggles on a large scale and that our demands—if they are realized—will aid in the disintegration and undermining of capitalism" (p. 13).

"We shall pass to large-scale action on the economic field and to campaign on a national scale for our demands, such as the abolition of child labor" (p. 15).

"* * * We must become a militant organization. * * * This would enable us continually to point out to the young workers the miserable conditions they are compelled to work under, such as long hours, low wages," etc. (p. 17).

"Our slogan is, Every member of the Young Workers' League an agitator" (p. 14).

The above excerpts from the official resolutions and theses of the Young Workers League of America prove how literally the orders of the Moscow executive committee of the Young Communist International are being carried out here in the United States.

The propaganda of discontent in the above Young Workers' League resolutions is deliberate, and stimulated by the Young Communist International, as demonstrated by the following statement published in the International Youth, official magazine of the Young Communist International, printed by Schoeneberg, Berlin, September, 1923, page 26:

"In the United States there is the child-labor problem. What a splendid opportunity for the league to show the children of the working class the wonderful country in which they live. What an opportunity to show them the real meaning of the 'land of the free' and 'home of the brave.' All these things, if exploited by the leagues and properly explained, would do more for the communist education of the children than all the talk of revolution."

CHILD LABOR AND EDUCATION CONNECTIONS

It will be observed that there are two parallel demands in the official program of the Young Communist International and of the Young Workers' League of America, its United States section:

1. The prohibition of child labor up to 18 years.
2. The education of all youth up to that age.

These are precisely the two parallel demands involved in the McCormick-Foster child labor amendment, prohibiting the labor of all youth to 18, and the Sterling-Reed Federal education bill, both advocated and promoted by the same interlocked American lobbies before Congress to-day.

The inclusion of agricultural workers, the campaign of discontent, the diatribes against the United States compared with foreign nations, in the resolutions of the Young Communist Workers are in absolute parallel with the campaign of the Federal Children's Bureau for the child labor amendment and similar to the propaganda against the United States compared with foreign nations, put out by the Children's Bureau on behalf of its maternity act in 1921. As every Senator has undoubtedly seen some of this "million children who slave" and "it is safer to be a mother in 17 foreign countries" propaganda, it is not cited specifically in this memorandum, as samples of this propaganda of discontent may be found in nearly all the literature and newspaper publicity put out for the pending child labor amendment, as well as in the old maternity act propaganda of 1921.

The Socialist national platform of 1908 contained also the following:

POLITICAL DEMANDS

"15. The enactment of further measures for general education and for the conservation of health. The Bureau of Education to be made a department." (Proceedings National Socialist Convention, 1908, p. 361.)

Nicolai Lenin himself stressed the importance of using teachers as an "apparatus" of propaganda:

"Hundreds of thousands of teachers constitute an apparatus that must push our work forward. * * * The communist active in the field of popular education must learn to understand to conduct this mass, which runs into hundreds of thousands." (Signed article by Nicolai Lenin in the Workers Dreadnought, May 23, 1921. The Workers Dreadnought was an English communist magazine subsidized by Lenin and edited by Sylvia Pankhurst, who was regarded by Lenin as "the foremost communist leader in Great Britain." Sylvia Pankhurst was convicted and sentenced to six months in prison in connection with publishing this subsidized organ for Lenin. See London Times, January 14, 1921, and Revolutionary Radicalism report, New York Legislature, p. 1605.)

WE MUST NATIONALIZE THE CHILDREN (LELINA)

Gregory Zinoviev, president of the Communist International, is also president and organizer of the Young Communist International, which has instructed the Young Workers' League of America to make "abolition of wage slavery for all young workers up to 18 years, who must be cared for by the state and treated from an educational point of view until they have reached this age," their first demand, as shown before.

Gregory Zinoviev's wife is Mme. Lelina, commissar of social welfare of the northern commune of Soviet Russia, or Petrograd.

In the official journal of the soviet commissariat of public education, No. 4, Mme. Lelina, wife of the president of the Communist International, declares:

"We must nationalize the children. We must remove the children from the pernicious influence of the family. We must register the children, or—let us speak plainly—we must national-

ize them. Thus they will from the very start remain under the beneficial influence of communist kindergartens and schools. Here they will grow up to be real communists. To compel the mother to surrender her child to us, to the soviet state, that is the practical task before us." (Volia Russii, February 16, 1921.)

What are the campaigns for the child labor amendment and the Federal education bills but attempts to "nationalize the children" of America, to remove them from what the propagandists regard as the "pernicious influence" of the States and the parents, and to compel their surrender to central radical bureaus at Washington?

COST OF ENFORCEMENT

What would be the cost of enforcement of a child labor amendment, covering in its powers Federal inspection and regulation of all industries, all farms, and all homes, and applying to all persons up to 18 years of age, or approximately half the total population, as the Children's Bureau already claims care of infancy, etc., under the acts of 1912 and 1921?

Obviously the cost of administration of such an amendment would be any amount that a great Federal bureau or department, with agents in every State and district, could extort by political pressure and propaganda from a majority of a quorum in Congress.

The Children's Bureau appropriation in 1912–13 was $30,000. Its appropriation for 1924 was $1,554,000, an increase of 5,000 per cent, or 50 times the amount which the originators of the Children's Bureau assured Congress before the bureau was established would be required yearly. (See hearings of 1909 and debate of 1912 on establishment of Children's Bureau.)

Miss Grace Abbott stated, regarding probable cost of administration, that the Children's Bureau had asked $164,000 appropriation for the first Federal child labor law and had received $125,000. (House hearings, 1924, p. 52.)

Under cross-examination Miss Abbott retorted:

> "I would hate to have any cost value put on what we were doing for the child. * * * If it did cost millions, I think it would be worth it." (House hearings, p. 53.)

The cost of this amendment can no more be calculated from that of the first Federal child labor law than the Children's Bureau appropriations for 1924 could have been estimated from those of 1912.

The first Federal child labor law applied only to goods shipped in interstate commerce, only to factories and mines, only to children under 14 in factories and under 16 in mines.

Moreover, many State officers were commissioned as Federal agents by the Secretary of Labor (see Administration of First Child Labor Law, p. 53), and in many of the States factory inspection, issuing certificates, etc., was all done by these State officers, acting as "dollar-a-year" Federal agents. That was obviously a temporary arrangement.

This amendment is entirely different from the previous Federal laws. It would be resisted by the people, both because of the unreasonable age limit and because of its inclusion of domestic and agricultural home work, which would require a house-to-house and farm-to-farm search.

UNDERGROUND OR "BOOTLEG" CHILD LABOR

Mrs. Florence Kelley, probably the greatest authority on inspection of industrial home work (sweatshop labor) said at the Women's Industrial Conference of 1923:

> "There is not money enough in the richest State to pay for inspection that would really guarantee so extensive an industry as home work is in Connecticut, New York, New Jersey, and Pennsylvania." (Proceedings, Women's Industrial Conference, Women's Bureau Bulletin No. 33, p. 50.)

Speaking of the distribution from New York of materials for industrial home work, Mrs. Kelley continued:

> "We might as well try to follow all the mosquitoes hatched in the New Jersey meadows as to follow the trucks and the parcel post in a line where the goods are that come from Manhattan." (Ibid., p. 53.)

Again, Mrs. Kelley admits:

> "I have lived in Illinois and I have lived in Pennsylvania and I have lived in New York—three great manufacturing States—and in none of them has the law at any time seemed to me to be what the Germans in the old days or the English at any time would call competent, efficient enforcement by the local officials. * * *
>
> "We spend immense amounts of money upon enforcement * * * it is all under the spoils system. There is no assurance that an honest and faithful inspector, who incurs the hostility of very powerful lawbreakers, will continue in office." (Senate hearings, 1923, p. 50.)

Mrs. Kelley also says:

> "We had hopes of regulation by inspection. * * * So far we have to register failure. No one can say that the people of the Eastern States have not made patient, long-continued efforts to control these conditions. More hundreds of thousands of dollars are squandered in each passing decade in sham inspection. This inspection can not be anything but sham, though by means of it the thoughtless public is lulled into a sense of security. Everywhere registration and inspection has, in the long run, failed." (Women's Industrial Conference, Women's Bureau Bulletin, No. 33, p. 50.)

Mrs. Kelley was speaking of inspection of industrial home work, or "sweatshop labor."

If "there is not money enough in the richest State," as Mrs. Kelley admits, to pay for efficient inspection of industrial home work under present State laws—enabling practically any child of 14 in America to get a permit to work openly in a factory—there would not be money enough in the entire United States to meet the tremendous cost of inspection when this amendment forces all youthful labor underground.

This amendment means millions for "sham inspection" by swarms of Federal agents who can not do anything but "register failure" on enforcement; but who, by invasions of the homes of the poor, will arouse hatred of the Government, enmity to the Constitution, and determination to evade and violate the law.

What poor widow, with two or three capable daughters under 18 that the Federal Government will not allow to work openly in factories, is going to lose her home or suffer want rather than take in work that can be done on a home sewing machine or knitting machine?

What farmer, with several husky boys from 14 to 18, and no hired hand, is going to lose his harvest—and thereby perhaps his farm—because a home inspector from the Children's Bureau at Washington tells him those boys can not help him until they are over 18 years old?

The people will no more obey or respect oppressive and unreasonable interference with their domestic affairs than the American colonists respected the "writs of assistance" and "stamp acts" of King George III.

INVASION OF THE HOME AND NULLIFICATION OF FOURTH AMENDMENT

This amendment means invasion of the homes of the poor and nullification of the fourth amendment.

The fourth article of our American Bill of Rights declares:

> "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated," etc.

This "right of castle" was "sacred for a thousand years before Magna Charta was signed in 1215," and was confirmed no less than 80 times by British Kings. (Speeches of Senators ASHURST, REED, and STANLEY, August 18 and September 23, 1921.)

Under this right, as William Pitt, Earl of Chatham, in his speech on the excise bill, declared:

> "The poorest man may, in his cottage, bid defiance to all the force of the Crown. It may be frail—the roof may shake; the wind may blow through it; the storms may enter; the rain may enter—but the King of England can not enter; all his forces may not cross the threshold of the ruined tenement."

The Supreme Court of the United States, in Boyd v. United States (116 U. S. 616), decided in 1886, thus describes American insistence on this right:

> "The practice had obtained in the Colonies of issuing writs of assistance to the revenue officers, empowering them, in their discretion, to search suspected places for smuggled goods, which James Otis pronounced 'the worst instrument of arbitrary power, the most destructive of English liberty and the fundamental principles of law, that ever was found in an English law book;' since they placed 'the liberty of every man in the hands of every petty officer.' * * * This was in February, 1761, in Boston, and the famous debate in which it occurred was perhaps the most prominent event which inaugurated the resistance of the Colonies to the oppressions of the mother country. 'Then and there,' said John Adams, 'then and there was the first scene of the first act of opposition to the arbitrary claims of Great Britain. Then and there the child Independence was born.'
>
> "* * * Every American statesman, during our revolutionary and formative period as a Nation, was undoubtedly familiar with this monument of English freedom, and considered it as the true and ultimate expression of constitutional law.
>
> "* * * The principles laid down in this opinion affect the very essence of constitutional liberty and security. * * * They apply to all invasions on the part of the Government and its employees of the sanctity of a man's home and the privacies of life. It is not the breaking down of his doors and the rummaging of his drawers that constitutes the essence of the offense, but it is the invasion of his indefeasible right of personal security, personal liberty, and private property."

Although this "right of castle" has existed for nearly 2,000 years; although the cotter's hut can not be entered by all the forces of a British King, and the American home can not be invaded by either

President or Congress, it is now constantly "investigated" by "social welfare" workers, who interpret every "child welfare" measure or education bill as a "writ of assistance" to place the care of every child under control of petty bureaucrats.

This "right of castle" is really the poor man's protection. It would be more accurate to call it the "right of cottage," for the castle can always take care of itself. Butlers and footmen protect the homes of the rich.

American housewives have already been threatened and American homes invaded without warrant of law under pretext of "child welfare" campaigns.

Miss Julia C. Lathrop, former Chief of the Children's Bureau, in a signed pamphlet issued by the bureau, entitled "Income and Infant Mortality," declares:

> "Women agents of the bureau called upon each mother. * * * While it was plainly necessary to accept the mother's statement with reference to matters directly pertaining to the daily life of the family, it was thought that she might not always know about her husband's income and that other sources of information might be more important. * * * Pay rolls were consulted and employers and the fathers themselves were interviewed."

Douglas L. Edmonds, attorney, of Los Angeles, testifying on behalf of the Public School Protective Leagues of California, Oregon, and Washington before the House Committee on Education (H. R. 12652), January 12, 1921, declared:

> "Some two or three years ago the Children's Bureau undertook a campaign for the weighing and measuring of children, at least under 6 years of age. There was no legal authority for that; that is, it was not undertaken in pursuance of anything except the general authority of the bureau. Yet I know that in my own State the most extravagant claims were made in the course of that campaign. People who went out to secure the examination of these children threatened individual parents with arrest if they failed to comply."

Mrs. A. M. McManamy, of Oregon, at the maternity act hearing, Senate Committee on Education and Labor, April 27, 1921, testified that one of these baby inspectors actually pushed by her when told at the door that the baby was perfectly healthy and having its bath, saying:

> "Well, I must come in and see the baby and see that it is perfectly healthy, and I must be admitted."

Such invasions of the homes of the people and investigations of fathers' incomes, employers' pay rolls, etc., have been made not only without any color of lawful authority but in open defiance or cunning evasion both of the fourth amendment and of the statute creating the Children's Bureau, which prohibits such invasions by its agents.

What inquisitorial invasions of the home may be expected under cover of a new Federal amendment applying to all places where "children often work with their parents and are not on the pay roll" can be estimated only by what has already been done with no authority whatever.

CLAIM CHILD BELONGS TO PUBLIC

Professional child welfarers, although experts on what Judge Ben Lindsey calls "the conception of government as an overparent," seem to have no conception whatever of what the Supreme Court, in Boyd *v.* United States, calls "the sanctity of a man's home and the privacies of life."

For example, Dr. Richard A. Bolt, general director American Child Hygiene Association, has said:

> "The very fact that the schools are public and that the child must conform to certain rules and regulations and laws that compel the proper treatment of the child all show that the child is not private property to be controlled and treated at the will of the parent but public, belonging to the public and must be brought up for the good of society." (Quoted by Dr. L. Edmonds, physical education bill hearing, January 12, 1921, p. 18.)

Mr. Edmonds, in answer to the above statement, declared that the principle of the Public School Protective Leagues of California, Oregon, and Washington was:

> "It is the school that is public—not the child."

He added:

> "Are we ready to abandon all of our citizenship in favor of the pernicious doctrine that the citizen is the ward of the State? Such a conception is not only unworthy of our times but goes back to the Spartan régime, under which the child at birth was examined by the ruling elders to determine whether or not it was fit to be reared and at the age of 7 taken over by the State."

A doctrine even more obnoxious has been circulated in a public document issued by the Children's Bureau under a frank certifying that it is "official business."

COMPULSORY REGISTRATION OF EXPECTANT MOTHERS

In Standards of Child Welfare, Children's Bureau Publication No. 60, a 460-page book issued by the Children's Bureau as the approved report of its conferences, May and June, 1919, at which "Minimum standards of child welfare" for the United States were drawn up in conference with a number of foreigners, including a Japanese, the first standards that appear under Section III, entitled "The health of children and mothers (p. 145), are:

"STANDARD REQUIREMENTS FOR OBSTETRICAL CARE"

Under this standard the professor who covered this subject for the Children's Bureau (and whose doctrine has been circulated by the Children's Bureau at public expense, without a word of modification) declared:

> "I take it that the first step in such a campaign of education for the improvement of obstetrical conditions must consist in the compulsory registration of pregnancy, through the local health officer. In this event, it will be possible for every pregnant woman throughout the entire country to be supplied gratis with certain of the publications of the Children's Bureau." (Standards of Child Welfare, Children's Bureau Publication No. 60, p. 146.)

Think of the compulsory registration of expectant mothers—an invasion of the privacies of life that would have shocked George III himself.

What distinguishes the above human stock-farm proposition from the following socialist doctrine of Frederich Engels:

> "The private household changes to a social industry. The care and education of children becomes a public matter. Society cares equally well for all children, legal or illegal." (Origin of the Family, by Frederich Engels, p. 91.)

Even in socialist literature, even in the writing of Alexandra Kollontay or Mme. Lelina, even in Soviet Russia's worst communist codes we have not been able to find a doctrine such as this one that the Children's Bureau has been circulating for nearly five years at public expense—compulsory registration of expectant mothers as a standard of child welfare.

CHILDREN'S BUREAU STANDARDS INDORSED BY LEAGUE OF WOMEN VOTERS

That the Children's Bureau "Standards of child welfare" have been indorsed by the National League of Women Voters, one of the chief organizations supporting this amendment, is proved by the official booklet issued by the national headquarters of the National League of Women Voters entitled:

> "Plan of work and program of the National League of Women Voters, adopted in convention at Des Moines, Iowa, April, 1923.
>
> "CHILD WELFARE
>
> "Standards recommended, all or any part of which may be made active at any time:
>
> "I. Adequate appropriations for the Federal Children's Bureau.
> * * *
>
> "IV. Study of other minimum standards of child welfare adopted by the Children's Bureau in 1919 and indorsement of these standards as a guide in formulating and administering legislation." (Page 8.)

"INTERNATIONAL STANDARDS" TO BE MODEL FOR AMERICA

Not only are the "minimum standards" drawn up by the Children's Bureau, with the assistance of numerous foreign social workers, to serve "as a guide in formulating and administering legislation," however.

Miss Grace Abbott, in a signed article in the radical New Majority of September 1, 1923, and in the New York Call (Socialist), September 23, 1923 (being Miss Abbott's Labor Day plea for this amendment), declares:

> "A large part of the civilized world has adopted not only a national standard but an international standard with reference to the employment of children. The most important nations of Europe have joined in the child-labor conventions drafted at the International Labor Conference (of the League of Nations). * * *
>
> "Ought it not to be possible for Congress to say that in no section of this country will children be allowed to work below standards now established by international agreement among many nations?"

Miss Abbott was unofficial American observer on the Commission on International Traffic in Women and Children of the League of Nations last year. (Woman Citizen, August 25, 1923, p. 18.)

A dispatch from Geneva to the New York Times, March 16, 1924, reports:

> "Henceforth the children of the world will be under the protection of the League of Nations. * * * The council of the league, with the consent of the interested parties, has authorized the concentration of all child-welfare activities here. A special department will be created by the league to handle all matters concerning the protection of children."

In 1920 it was asserted that the League of Nations would guarantee "the political independence and territorial integrity" of every member nation; that there would be no interference in domestic and local affairs.

What would become of these solemn guaranties if the right of a boy to help milk his father's cows on a North Dakota farm is to be governed by "international standards" framed by "interested parties" (salaried bureaucrats) at Geneva?

CENTRALISM AND BUREAUCRACY AS FACTORS IN REVOLUTION

Bureaucracy was a factor in the American Revolution in 1776, and Communists count on it to operate similarly to-day.

One of the indictments of George III in our Declaration of Independence was:

> "He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance."

The communists now contend:

> "The American Government * * * has grown into a mammoth monster of centralization, similar to that of the old European governments. * * * A centralized government, which interferes in the daily affairs of the working class, is the basic condition * * * the fundamental condition for the formation of a nation-wide political mass party—the birth of a (communist) labor party." ("For a Labor Party," issued by Communist Workers' Party of America, p. 22.)

The above official communist campaign handbook was issued in October, 1922, as an explanation of why the communists considered the time ripe to emerge into the open and establish a radical third party.

This communist handbook explains that former third-party movements had failed, because:

> "There has never been in this country a centralized government power as they understand it in Europe. The United States has never been such a centralized country * * * as Germany, England, or France. The 48 States, * * * according to the original Constitution, are separate sovereignties. * * * The administration of public business, the greater part of the judiciary, the police, the militia, the educational work, the major part of legislation, remained in the hands of the separate States. * * *
>
> "The American labor movement could not organize a political struggle on a national scale against the central Government for securing political power as the workers of Europe do. They could not do so, because there has been no permanent centralized government in the United States." (Ibid., pp. 17–22.)

The present development of bureaucracy, which the revolutionists count upon to help them form a third party, is described in this communist handbook as follows:

> "By means of the World War the centralized government acquired power unequaled, either in the War of Independence or the Civil War. * * * More and more departments of activity came under the control of the National Government. * * * Not only has the number of employees grown but also the composition of this army of employees has greatly changed. The number of those subject to civil-service examinations has steadily grown. The number of civil-service employees in 1884 was 13,780. * * * At the peak of the war, in 1918, the number increased to 917,760.
>
> "This government-examined corps of employees, not affected by changes of administration, and which is constantly growing, has become a government bureaucracy in the European sense of the word." (Ibid., p. 21.)

In short, American communists themselves admit that it is impossible to promote revolution in this country unless the rights of the States are destroyed, and a centralized bureaucracy, under an intrenched caste of bureaucrats similar to those of Europe, gives communists the "basic condition" for revolution.

> "The attitude of the Communist Congress toward democracy is especially interesting. Beginning with Lenin's first speech, running through the following debates, and much of the newspaper comment is an obvious fear of democracy. * * * They recognize very clearly that their real enemy, against which they must marshal their most formidable attack, is that spirit of democracy to which this Nation is dedicated." (State Department memorandum, Second Congress of the Communist International, October 25, 1920, p. 5.)

AMERICAN BUREAUCRACY NOT PRUSSIANISM

American centralism and bureaucracy is frequently called "Prussianism." They are as far apart as the poles.

Nothing could be less like the system of expert central control and direction of prewar Prussia, every department of its huge overhead in charge of scientific specialists indoctrinating the German nation in the policy of their Government, than the uncontrolled, undisciplined, unsupervised activities of a Washington Federal bureau in charge of settlement-house workers disseminating any propaganda they please—socialism, pacifism, or what not—and operating as a political machine in defiance of civil-service rules, with lobbies in Congress and State legislatures for the promotion of the bureau's interest.

Bureaucracy is an integral part of autocracy—its mechanism, or "apparatus," as communists call it, for mental and political direction of its subjects, to carry out its purpose of a unified citizenry in a common mold.

On the other hand, bureaucracy is hostile to every purpose of American democracy, based on free individualism and local self-government.

A democratic bureaucracy is a contradition in terms.

At best, it is a system of spoils and graft. At worst, it is a nucleus of revolution.

Bureaucracy can never in the nature of things be a coordinate part of the body politic of a democracy, but must always be a malevolent growth, a cancer fatal to a republic.

That American bureaucracy, when it regulates the domestic affairs of the people, is worse than Prussianism was pointed out by the late President Harding:

> "I am inclined to think that as between a bureaucracy of a military power which paid little attention to the regulation of domestic affairs and a bureaucracy of social rules and regulations the latter would oppress the soul of a country more." (Warren G. Harding, speech of October 1, 1920.)

HOUSE-TO-HOUSE PROPAGANDA

House-to-house and farm-to-farm searches for youthful workers would also furnish an opportunity for propaganda of any kind and for political pressure upon Congress to increase the bureau's appropriations.

The communists themselves declare:

> "It was necessary to create a special technical mechanism for work among women. * * * The most difficult task is that of getting at the housewives. * * * The petty bourgeois psychology of the peasant woman, her ignorance, her dependence on her husband and her family, all these are obstacles which must be overcome. * * * The work in the village among the female farmers and women workers * * * plays a great part in revolutionary work. (Soviet Russia, New York Communist Magazine, March 26, 1921, p. 307.)

One of the secret communist documents captured at Bridgman, Mich., was Instructions on Organizing Women in America, in part as follows:

> "Contacts must be established at all maternity and infant welfare centers. In this connection it is recommended that communist women should be trained for first aid and home nursing. This training should serve the useful purpose of enabling our members to gain the confidence of larger and larger circles of women by practical assistance in time of need." (Portland Press-Herald, January 30, 1923.)

The "special technical mechanism" for getting at the housewives in this country, which was supplied in part by the Sheppard-Towner Maternity Act, will be completed if this amendment is adopted.

At its best, nation-wide propaganda will be carried on under this amendment for increased appropriations. While the burdened taxpayer is at work trying to earn a living for his family the busy bureaucrat will be at his back door begging his wife to write or telegraph Congressmen demanding the adoption of some bill to further increase his taxes.

At its worst, propaganda can be carried on under this amendment to secure "maternity benefits," doles for children, "wages for mothers"—in short, to promote any form of socialism, communism, or pacifism.

In any event, the enforcement machinery for this amendment would be the greatest engine of propaganda any Federal bureau has ever had, and it can not be overlooked that the former exhibit expert of the Federal Children's Bureau has spent the last three years at Moscow and has become the greatest American eulogist and propagandist for the soviet system glorifying Nicolai Lenin as "The greatest man of our time."

Respectfully submitted.

THE WOMAN PATRIOT PUBLISHING CO.,
By MARY G. KILBRETH, *President.*

[NOTE.—Attention of Senators is respectfully invited to the self-evident hypocrisy of many newspapers employing boys between 8 and 14 at early hours in the morning and late at night to sell papers in every sort of weather, while publishing propaganda news articles and editorials in favor of a child-labor amendment under which the farmers' 17-year-old sons and daughters may be prohibited from doing chores, etc.]

APPENDIX

OWEN LOVEJOY'S LETTER TO EUGENE V. DEBS

Owen R. Lovejoy, socialist, general secretary of the National Child Labor Committee since 1907, wrote a letter to Eugene V. Debs immediately after Deb's conviction for obstructing the draft had been upheld by the Supreme Court of the United States, published in the New York Call, socialist organ, March 13, 1919, editorial page, under the title "Good night, comrade, and good morning," with the following editorial introduction:

"This letter was sent by Owen R. Lovejoy, one of the world's greatest fighters against the iniquity of child labor, to Eugene Victor Debs. We are proud of the privilege of printing it."

Extracts from Lovejoy's letter follow:

"You are the first of my own personal friends to be put behind the bars of a penitentiary. Your going fills me with a new strange emotion, and I can not see how you can be so calm about it; * * * to realize that those larger multitudes who have thronged to hear your charming message of human freedom and just government are to hear your voice no more; that while we whose natures are less ardent, whose sense of duty is less keen, whose vision is less clear, whose hearts are not so warm and tender, and whose love of God is less intense—to think that we are to be at liberty while you are confined, that we may speak while you are silent, that we may enjoy sunshine and flowers and the contact of friends while you are bound within the narrow dungeon walls. What outrage cloaked in legal technicalities could prove so clearly the bankruptcy of the present social order?

"* * * You have openly defied the law of the jungle and brazenly conducted a vendetta of universal brotherhood. * * * You came to earth too soon. We aren't ready for you yet. You are as premature as Lincoln was, or Huss, or Wickliffe, or Jesus. Well might you say as you pass us in the shadows of your Gethsemane, 'Sleep on now and take your rest; behold the hour is at hand.'

"* * * We shall awaken by and by. Henceforth liberty will seem less precious to us, now that you may not share it. Prison walls will partake of the glow of the walls of the Holy City, now that we know your radiant soul is within. Thousands of little children who to-day shrink from a 'convict' as an unclean thing will begin to look deeper into his face to discover whether, after all, he may not be a Savior, wearing the robes of derision and crowned with thorns. I am pouring out only the poor tribute of my personal love in this letter, yet I believe I voice the thought of many thousands to whom you have been a help and inspiration in turning your own beautiful words back upon yourself—that while you are of the lower class, we also are of it; while you are branded a criminal, we also are criminals; while you are in prison, we are not free.

"Good night, comrade, and good morning.

"OWEN R. LOVEJOY."

WORLD COURT

Mr. SWANSON. I desire to sumbit the views of the minority members of the Committee on Foreign Relations upon Senate Resolution 234, commonly known as the Pepper plan for creating a permanent court of international justice.

The PRESIDENT pro tempore. The views of the minority will be printed. (Rept. No. 634, pt. 2.)

REPORTS OF COMMITTEES

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 8687) to authorize alterations to certain naval vessels and to provide for the construction of additional vessels, reported it without amendment and submitted a report (No. 664) thereon.

Mr. LODGE, from the same committee, to which was referred the bill (S. 1187) to commission Capt. William Rees Rush as a rear admiral on the retired list of the Navy, reported it without amendment and submitted a report (No. 665) thereon.

Mr. PEPPER, from the Committee on Banking and Currency, submitted a report (No. 666) to accompany the bill (S. 3316) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes, heretofore reported by him from that committee.

Mr. HARRELD, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 369) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913 (Rept. No. 667);

A bill (S. 875) to provide for the reservation of certain land in Utah as a school site for Ute Indians (Rept. No. 668);

A bill (S. 876) to provide for the disposition of bonuses, rentals, and royalties received under the provisions of the act of Congress entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, from unallotted lands in Executive order Indian reservations, and for other purposes (Rept. No. 669);

A bill (S. 877) to provide for exchanges of Government and privately owned lands in the Walapai Indian Reservation, Ariz. (Rept. No. 670); and

A bill (S. 879) providing for the reservation of certain lands in Utah for certain bands of Paiute Indians (Rept. No. 671).

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 3416) to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army, reported it without amendment and submitted a report (No. 672) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7269) to authorize and direct the Secretary of War to transfer certain materials, machinery, and equipment to the Department of Agriculture, reported it with amendments and submitted a report (No. 675) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2950) to define and determine the character of the service represented by the honorable discharge issued to John McNickle, of Company L, Seventh Regiment New York Volunteer Heavy Artillery, under date of September 27, 1865 (Rept. No. 676); and

A bill (S. 3408) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918, and for other purposes (Rept. No. 677).

Mr. BURSUM, from the Committee on Military Affairs, to which was referred the bill (S. 1543) for the relief of George E. Harpham, reported it without amendment and submitted a report (No. 673) thereon.

Mr. SWANSON, from the Committee on Naval Affairs, to which was referred the bill (S. 747) for the relief of Joseph F. Becker, reported it with an amendment and submitted a report (No. 674) thereon.

Mr. CAMERON, from the Committee on Irrigation and Reclamation, reported an amendment proposing to appropriate $200,000 for operation and maintenance and completion of construction of the irrigation system on the Yuma irrigation project, Arizona, required to furnish water to all of the irrigable lands in part 1 of the Mesa division, otherwise known as the first Mesa unit of the Yuma auxiliary project, authorized by law, etc., intended to be proposed to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WARREN, from the Committee on Appropriations, to which was referred the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, reported it with amendments and submitted a report (No. 663) thereon.

ENROLLED BILL PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on May 29, 1924, that committee presented to the President of the United States the enrolled bill (S. 2169) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes.

PRINTING OF CODE OF LAWS FOR THE DISTRICT

Mr. MOSES, from the Committee on Printing, reported a concurrent resolution (S. Con. Res. 12), which was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the laws relating to the District of Columbia and the laws of former municipal governments in said District, as recompiled, indexed, and annotated in codified form up to and including March 4, 1923, under authority of a Senate resolution of January 3, 1924, be printed as a Senate document and that 500 additional copies be printed and bound for the use of the Senate, and 1,000 copies for the use of the House of Representatives.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STERLING:

A bill (S. 3422) to extend the provisions of the civil service act to the Prohibition Enforcement Service and to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department and to define its powers and duties; to the Committee on the Judiciary.

By Mr. SHEPPARD:

A bill (S. 3423) to establish a landschaft system of rural credit in the United States; to the Committee on Agriculture and Forestry.

By Mr. FERRIS:

A bill (S. 3424) to change the title of the Bureau of Naturalization, Department of Labor, and increase the scope of its activities, and for other purposes; to the Committee on Immigration.

By Mr. JONES of Washington:

A bill (S. 3425) to amend section 4426 of the Revised Statutes of the United States, as amended by the act of Congress approved May 16, 1906; to the Committee on Commerce.

By Mr. COLT:

A bill (S. 3426) granting an increase of pension to Lucie A. Hicks (with an accompanying paper); to the Committee on Pensions.

By Mr. McCORMICK:

A bill (S. 3427) for the relief of Mildred Lane (with accompanying papers); to the Committee on Claims.

By Mr. STANLEY:

A bill (S. 3428) authorizing the construction of a bridge across the Ohio River to connect the city of Portsmouth, Ohio, and the village of Fullerton, Ky.; to the Committee on Commerce.

By Mr. SHEPPARD:

A joint resolution (S. J. Res. 134) authorizing a survey and examination of the Rio Grande border of the United States to determine the advisability of constructing a highway for military or other Government purposes either along the entire Rio Grande border or certain sections thereof; to the Committee on Military Affairs.

By Mr. PEPPER:

A joint resolution (S. J. Res. 135) granting permission to the Roosevelt Memorial Association to procure plans and designs for a memorial to Theodore Roosevelt; to the Committee on the Library.

REGULATION OF CHILD LABOR

Mr. FLETCHER submitted two amendments intended to be proposed by him to the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States, which were ordered to lie on the table and to be printed.

CORRECTION OF ERROR IN SENATE BILL 381

Mr. LADD. I submit a concurrent resolution and ask unanimous consent for its present consideration. I may say that it is simply to correct an error in the engrossment of a bill. There was an error on the part of the conferees in not striking out a portion of a line.

The concurrent resolution (S. Con. Res. 13) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed in the enrollment of the bill S. 381 to amend section 2 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (39 Stat. L. p. 862), to strike out on page 2, in lines 21, 22, and 23 of the engrossed copy of the bill, the words "after application for designation under this act, the applicant establishes and maintains residence on the land" and insert in lieu thereof a semicolon and the word "and."

PROPOSED BUREAU OF MANUFACTURES

Mr. SHEPPARD submitted the following resolution (S. Res. 243), which was referred to the Committee on Manufactures:

Whereas the further development of manufacturing processes is one of the most important and powerful means of increasing the Nation's efficiency, wealth, and prosperity; and

Whereas the distribution of knowledge among the people as to the practicability of conducting manufacturing processes, both with and without machinery, on the cooperative plan and otherwise, will open up new channels of popular occupation and achievement; and

Whereas the adaptation of modern machinery to small factories in rural districts, villages, and small towns will open up avenues of economic independence of incomparable value to the people; and

Whereas the farm is itself a factory, and its higher profits and possibilities will be unrealized until its processes are carried to the finished state as nearly as practicable within its own limits, or as near thereto as practicable; and

Whereas the conversion of raw materials into finished products should be effected as near the place of production as may be consistent with access to markets for finished products: Now, therefore, be it

Resolved, That the Committee on Manufactures is hereby requested to investigate the practicability of establishing a Bureau of Manufactures at the seat of government for the purpose of studying manufacture in all its forms and diffusing information relating thereto among the people of the United States.

The said committee is hereby authorized and directed to report to Congress the result of its investigation during the present Congress; and if the committee finds such a bureau desirable, to submit a plan and bill to Congress therefor.

COMMERCIAL PACIFIC CABLE CO.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 709) for the relief of the Commercial Pacific Cable Co., which was, on page 1, line 13, to strike out "$30,490.38" and to insert "$26,490.38."

Mr. WADSWORTH. I move that the Senate concur in the House amendment.

Mr. ROBINSON. I understand the amendment diminishes the amount.

Mr. WADSWORTH. That is the only effect of the amendment.

The motion was agreed to.

F. A. MARON

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 799) for the relief of F. A. Maron, which was, on page 1, line 6, to strike out "$3,000" and to insert in lieu thereof "$1,500."

Mr. LODGE. I move that the Senate concur in the amendment of the House. I was requested to make this motion by the Senator from Minnesota [Mr. SHIPSTEAD], who had the bill in charge.

The motion was agreed to.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on May 31, 1924, the President had approved and signed acts and a joint resolution of the following titles:

S. 2431. An act conveying to the State of Delaware certain land in the county of Sussex, in that State;

S. 2450. An act to amend section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894; and

S. J. Res. 105. Joint resolution authorizing the President to detail an officer of the Corps of Engineers as Director of the Bureau of Engraving and Printing, and for other purposes.

PROHIBITION AND CIVIL SERVICE LAWS

Mr. SHIELDS. Mr. President, some time ago I made an address in the Senate on the subject of prohibition and the civil service laws, which I have corrected, and I ask that it be reprinted in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. SHIELD'S corrected speech is as follows:

SPEECH OF HON. JOHN K. SHIELDS, FEBRUARY 17, 1923

On the bill (S. 3247) to transfer to the classified service agents and inspectors in the field service, including general prohibition agents and field supervisors appointed and employed pursuant to the national prohibition act, and for other purposes

Mr. SHIELDS. Mr. President, there is a bill upon the calendar of the Senate—No. 927, S. 3247—entitled "A bill to transfer to the classified service agents and inspectors in the field service, including prohibition agents and field inspectors appointed and employed pursuant to the national prohibition act, and for other purposes," which I believe concerns legislation of great importance and ought to be enacted into law as soon as possible. The public interest and the proper and efficient enforcement of the Federal prohibition laws require that the agents and employees engaged in this service should be placed under the civil service law and subject to its provisions and regulations. These employees were by section 38 of the Volstead law expressly excepted from the civil service law because that was claimed

to be a war or emergency act, but with the understanding and expectation, as I am informed, that after the eighteenth amendment to the Constitution, known as the prohibition amendment, should become effective, they would be covered into the classified service as other employees of the Federal Government, but in the supplemental Volstead law thereafter passed it was not done, and they yet remain open to political influences under the demoralizing spoils system.

The propriety of placing these employees under the civil service law is recognized by the public, and especially by the good men and women throughout the country who favored prohibition as a great moral and economic reform and wish to see the laws for its enforcement executed justly and efficiently and in a manner to obtain and maintain the respect of the people. These men and women favored and worked for prohibition because they believed that it would advance the material interest and promote the prosperity of the people and remove a great cause of distress, suffering, depravity, and crime, without pay or compensation for their time and services. The necessity of placing these employees under the civil service law has been called to my attention by a number of these faithful workers, and I have been asked to urge upon Congress proper legislation for that purpose. Some time since I received a letter upon the subject from the president of the Tennessee Woman's Christian Temperance Union, Mrs. Minnie Alison Welch, of Sparta, Tenn., one of the most devoted women of my State, which so well states the merits of this legislation that I can not do better than read it:

> Hon. JOHN K. SHIELDS,
> *Washington, D. C.*
>
> MY DEAR SIR: We notice that Senator STERLING'S civil service bill (S. 3247) has been reported favorably to the Senate. We believe that this is the best remedy we can procure for the enforcement of the eighteenth amendment and Volstead law. While it may not eliminate all the bad elements that have gotten in, time will eliminate them, and this bill will afford us a better opportunity for getting more efficient prohibition agents.
>
> We are hoping that you will see fit to use your influence and vote for this bill. The public welfare demands it and white-ribboned women of our State and many other good women are hoping that you will stand for the measure.
>
> Thanking you for your interest in the same for prohibition, I beg to remain,
>
> Cordially yours, MINNIE ALISON WELCH,
> *State President.*

Mr. President, there is no class of Federal employees which the public interest demands should be under the classified service more than those whose duty it is to enforce the prohibition laws. They come closer to the people, their persons, their effects, and their homes than any other class of employees. They perform duties which bear directly upon a great change in the habits, usages, and customs of the people in their private life resulting from the enactment of the Volstead law and which closely and intimately affect the great and sacred rights of personal liberty, private property, and the sanctity of home. None but the best, most intelligent, and law-abiding men should be intrusted with such duties. Every precaution for the protection of the people from oppression and maltreatment should be taken and go hand in hand with proper measures for the efficient and just enforcement of these laws. We know by common report that when the Volstead law was passed that there was appointed some prohibition officers in perhaps every State who misconstrued their power and duties and enforced the law in an oppressive, rude, and offensive way, without search warrants or evidence that would justify the issuance of a search warrant, searching the persons of men and even of women and of the effects and houses of the people, and assaulting them on the highways in a most outrageous manner. Some of them have been charged with accepting bribes from bootleggers, brutal assault, and murder, and some of them indicted for these offenses, but I know nothing of the facts and will not attempt to state them. Generally speaking, these practices have been abandoned and forbidden, but occasionally we still hear of cases of this kind. There is no question but what the conduct of these officers aroused opposition to the enforcement of the law and generated disrespect for it which otherwise would not have existed. Proper examination by the Civil Service Commission of applicants for this service and an ascertainment of their character, their intelligence and prudence, as well as of their efficiency and courage, will be of inestimable benefit and protection to the people in their dearest rights as well as contribute to the thorough and efficient enforcement of the law.

Mr. President, that the Federal Government is meeting with considerable difficulty in enforcing the laws enacted by Congress for the execution of the prohibition amendment can not be denied. The President of the United States recently called together the governors of the States and asked their aid and cooperation in suppressing the manufacture and sale of intoxicating liquors for beverage purposes. When the Chief Executive hangs out a signal of distress of this kind we must know the situation is real and serious. The cause or causes creating these conditions must be ascertained and examined and removed, which I think can be done. While it may take some time, yet I have confidence in the supremacy of the Government, the ability and integrity of the courts, and the efficiency of law officers. If we find that a law made to enforce the Constitution of our country is not effective, it should be amended, but we should never run up the white flag or surrender to lawlessness. Every provision of our Constitution must and shall be enforced reasonably and justly and consistent with every other provision of that great instrument.

I wish to discuss briefly some of the causes which, I think, have brought about and encouraged this lawlessness and the disrespect which it must be conceded exists for the Federal laws for the enforcement of the eighteenth amendment and many of the officers and employees engaged in that service.

Mr. President, the eighteenth amendment to our Constitution, ratified by the States January 28, 1919, ordained that after one year from the ratification of that article the manufacture, importation, transportation, or sale of intoxicating liquors within the United States for beverage purposes, be prohibited.

When the amendment was proposed it seemed to meet with the approbation of a majority of the people of the United States, and it was promptly ratified by the States. Public sentiment favored it. It was the result of long and patient labor and education of the churches of all denominations and such philanthropic and beneficent organizations as the Anti-Saloon League, the Young Men's Christian Association, the Woman's Christian Temperance Union, and others, and of the Federal and State Governments, the great railway and other corporations employing thousands of men and women, and the manufacturers and other business men, demanding for the protection of the public and their own interest that their employees be sober and free from the vice of drunkenness. All these influences, religious, moral, and business, combined in demanding sobriety, temperance, industry, and efficiency, and their united efforts were irresistible and resulted in the eighteenth amendment.

I do not controvert the fact that there was a respectable minority of the people opposed to the amendment and that there are some who are still opposed to it and would have it abrogated, but abrogation is a vain hope, and their efforts will not succeed. The amendment is in the Constitution, a part of our supreme law, supported by the expressed will of a majority of the people of the United States, and it is there to remain permanently. I voted for the amendment, and I can conceive of no conditions under which I would vote for its abrogation.

Although the amendment, which conferred upon Congress the power of controlling the manufacture and sale of intoxicating liquors for beverage purposes, provided on its face that it should not be effective for one year from its ratification by the States, within that year overzealous persons, not willing to abide by the provisions of the constitutional amendment they had aided to make a part of the fundamental law of the land, before the expiration of that year pressed through Congress the Volstead law, precipitating prohibition suddenly and prematurely upon the country.

The time when the amendment should take effect was deferred to allow the people to prepare themselves to conform to the great change made in their habits and to permit those who had been theretofore engaged in the manufacture and sale of intoxicating liquors for beverage purposes legitimately and under the protection of Federal laws to arrange their business so that as little loss as possible might fall upon them and those to whom they were indebted, a practice that had been pursued in the prohibition laws in practically all of the States and which was deemed reasonable and just.

This provision was disregarded; the Volstead law was passed before the amendment became effective, under the pretense that it was a war measure and came within the extraordinary war powers of Congress, although the armistice had been signed nearly a year before and our Army, with the exception of a few thousand men in prohibition territory, had been demoralized and peace reigned throughout the land.

President Wilson vetoed the Volstead law, and I voted to sustain his veto, but the Congress passed it over the President's objections.

> The President in his veto message said, "I object to and can not approve that part of this legislation with reference to war-time prohibition.
>
> * * * * * * *
>
> In all matters having to do with the personal habits and customs of large numbers of our people we must be certain that the established processes of legal change are followed. In no other way can the salutary object sought to be accomplished by great reforms of this character be made satisfactory and permanent."
>
> * * * * * * *

After the constitutional amendment became effective a further prohibition law was passed by the Senate, with an amendment offered by Senator STANLEY to protect persons, their effects, papers, and houses from unreasonable searches, as provided by the fourth amendment to the Constitution, which was accepted by the Senate. The conferees

modified the Stanley amendment so as to practically destroy it, in my opinion, and for this reason I spoke and voted against the conference report. I regret that the notes of my speech were mislaid and that the speech failed to reach the RECORD, as it stated clearly my objections to this law on constitutional grounds.

I had voted for the law prohibiting the sale of liquor in the District of Columbia, the eighteenth amendment, known as the prohibition amendment, and had supported all of the numerous laws passed under the war powers during the pendeny of the war to prohibit the sale of intoxicating beverages to soldiers and sailors, and my objections to the Volstead law were those stated by the President in his veto of the same and to the latter law upon the constitutional grounds just stated.

I have always favored proper laws for the execution of the eighteenth amendment, and believe in its enforcement, as I do in all other laws. This is consistent with my course as a citizen and a public official in Tennessee, as I had, previous to coming to the United States Senate, favored and enforced the prohibition laws of my State.

Mr. President, it is impossible arbitrarily to legislate morality or religion into men and women, especially those of a free and independent people like Americans. You can not change the habits, the passions of men overnight by man-made law. It has been tried in all ages, and while in some instances outward conformance has been achieved, yet inwardly there was no change in those sought to be controlled. God alone can effect such changes in man. It must be done by patient labor, education, example, and appeals to the higher and nobler impulses of men and women, their love of humanity and justice, their patriotism, and, finally, by their love and fear of their God. Bishop Woodstock, in a splendid address delivered some weeks ago, spoke upon this subject as follows:

> "We can not regulate a world spiritually nor reform it morally by law and compulsion. What the world now most sorely needs is not reformers but spiritual leaders, not regulation but moral and spiritual redemption. This redemption never has been promoted on a political basis only. It must be supported on a higher basis to give it motive and inspiration."

I also have an editorial from the Journal and Tribune, of Knoxville, written by its able and venerable editor, who has for 50 years fought for the cause of prohibition in Tennessee and aided much to crown that struggle with splendid success both in the law enacted by the general assembly of the State and its enforcement by the constituted authorities intrusted with its administration, suggested by a statement in the inaugural address of Gov. Austin Peay, the present distinguished executive of my State, which I will read:

"THE PURPOSE OF MAN-MADE LAWS

> "In his inaugural address delivered Tuesday, Governor Peay, addressing the membership of the State general assembly, gave utterance to these sentences:
>
> "'I beg its membership to studiously refrain from the consideration of moral, social, temperance, or other legislation of distracting character until the ways and means have been found and effected to restore sound and orderly government in this State. The statute books are now filled with laws on those subjects which are not being enforced, and merely to impose penalties in acts which juries will not impose in practice is to waste time and lower the lawmaking authority in public estimation.'"

It never was intended that in the matter of individual morality the State should take the place of the church. If the church stands in need of any protection in the performance of its duties, that it must have, it is provided for in a statute that makes it a misdemeanor for anyone to disturb public worship. We fail in recalling a single case in which that statute has been violated the offender escaping the penalties fixed.

The principles fully support the views I have advanced about man-made laws, concerning moral conduct and religious beliefs of men, and, to my mind, are incontrovertible. They illustrate and account for the troubles the Federal Government is now having in enforcing the Volstead law. The discontent and resentment from these causes will disappear with the lapse of time and are already much abated.

Mr. President, it was unfortunate, in view of the manner in which the Volstead law was precipitated upon the country with such unseemly haste, that the agents and employees appointed to execute it were excepted from the civil service, and their offices became the prey of political patronage. It was unfortunate that too many of these appointees could not grasp the delicate duties intrusted to them and proceeded to enforce the law in many cases rudely, oppressively, and unlawfully, thus increasing the discontent and resentment of the people. How much better it would have been had these employees been subjected to a civil-service examination and none but proper men appointed. There would have been less antagonism to the law and a more efficient execution of it. This can all now be remedied by placing these agents and employees under the civil service law.

Mr. President, another cause of the difficulty in the successful enforcement of the Volstead law is the resentment of the people growing out of the arrogant and insolent assumption of certain parties, and especially some here in Washington, implied from utterances and actions, that they placed in the Constitution the eighteenth amendment and enacted the laws for its execution and that they are now enforcing it. They assume a personal proprietorship of all these measures and their execution to the exclusion of the Government and the people. These men got into the limelight as the officers, agents, and lobbyists of the Anti-Saloon League; and, although the prohibition amendment has become an accomplished fact and the laws to enforce it have been enacted, they are unwilling to forego the pleasures of prominence on the front pages of papers, the exercise of the power of that organization, and, above all things, to relinquish the salaries upon which they have fattened for so long a time. They assume that they are prohibition, and attempt to usurp the functions of the constituted authorities, duly elected and responsible to the people, in enacting laws and appointing officers to execute them; and they are in this way doing the organization, composed of good men and women which they are misrepresenting, a great injury.

Mr. Wayne B. Wheeler, who, I understand, has been on a salary paid by the Anti-Saloon League since his early manhood, now poses as its general counsel and legislative agent here in Washington, is perhaps the most arrogant of these men. His pretensions to the control of the Congress of the United States are unprecedented, so far as I am informed, in the history of the Government. Mr. Wheeler and others with him have not hesitated to interfere in the election of Senators and Representatives in Congress and denounce them and attempt to defeat their election when they fail to be governed by their dictation.

They denounce judges, district attorneys, and other officers whose duty it is to administer and enforce the laws of the country, and they interefere constantly in the appointment of all Federal officers, attempting to establish and enforce as the first qualification of such officers that they support such legislation and measures as to them, in their limited and narrow vision, may seem proper. Give them their way and prohibition framed and administered according to their dictation would become the sole provision of our Constitution and the sole object of the Federal Government and its administration, a condition inconceivable, disastrous to the people, and intolerable.

Some time ago my attention was called to a circular, broadcasted by Mr. Parker Shields, the field superintendent of the league in Tennessee, a man who had recently been imported from Illinois, soliciting contributions for the support—that is, payment of salaries of local and national agents, containing brazen statements of the activities of Mr. Wheeler in these words:

> "A number of Congressmen who hold the balance of power and pile up majorities in Congress come from the Southern and Western States, where money for organization and educational purposes is scarce. They have always had to have help from the national league. * * *
>
> "In addition to the above, the amount from Tennessee for the national league helps to provide for the maintenance of the entire national organization. It also helps to provide for the maintenance of our national office at Washington, D. C., under the very successful management of Hon. Wayne B. Wheeler, one of the greatest diplomats and attorneys in America."

And again:

> "From this office—that of Mr. Wheeler—needed legislation is initiated, a constant watch is kept on the actions of Congress, and when opposition appears danger signals are flashed to every State in the Union.
>
> "The success or failure of national enforcement depends upon the power of our national organization and its Washington headquarters, backed by the States, to defeat the nomination and appointment of enforcement officials, such as United States district attorneys, Federal enforcement officers, and agents, United States district judges, and many other applicants for office who are out of sympathy with the enforcement of prohibition. Every State logically must carry its proportionate burden of this expense."

There was a meeting recently connected with prohibition enforcement in the city of New Orleans, at which Mr. Wayne B. Wheeler and Dr. Perley A. Baker made assaults upon the courts of the country and the Congress.

What I shall read appeared in the New Orleans papers and has heretofore been placed in the CONGRESSIONAL RECORD, December 12, 1922. I read from the RECORD:

> "These scoundrels who sit on the bench—and I use the term advisedly," said Doctor Baker, referring to the 20 per cent of the Federal judges who he said were obstructing enforcement of the prohibition law—"are drunkards themselves. I hold them responsible for the shooting down of 300 splendid law-enforcement officers during the last year."

Mr. Wayne B. Wheeler is reported as making at the same meeting these misleading and outrageous statements:

"We have no fear of Congress nullifying the dry legislation. The Anti-Saloon League controls Congress.

"Out in my State, Oregon, the prosecuting attorney who made himself infamous by thus prosecuting a Federal prohibition officer was rewarded by the pusillanimous governor with a position on the circuit bench of his State. I should, for the honor of my State, say that the people of the State attended to the governor's case on the 7th of November last."

Mr. President, these arrogant and intolerant men do not hesitate to assault and criticise the highest and the lowest Government officials of the executive, legislative, and judicial departments of the Government when in the discharge of their duties they do not conform to their individual views of constitutional or statutory law. They attack judges for exercising their judicial powers and discretion without knowing the facts upon which their judgments are pronounced. They hold over these officers implied threats of political defeat if they do not yield to their dictation or criticise them for unwarranted interference in governmental matters. When the Senate was considering what is known as the judges' bill, providing for the creation of some 24 Federal judges last year, if I can be allowed to refer to a personal matter, I had occasion to criticise Mr. Wheeler for officious and pestiferous interference in that legislation, and the field secretary, to whom I have referred as a recent importation into Tennessee, I am informed, in a published statement unscrupulously and untruthfully charged that I was opposed to all law enforcement, notwithstanding that as a lawyer and as a judge I had always advocated and aided law and order and the enforcement of all the laws of the land in a just and reasonable manner, a record known to all the people of the State and of which he must have been informed—evidently because of my proper criticism of Mr. Wheeler.

When the time comes when I must abdicate the functions of the high office of United States Senator to any man, associations of men, or corporate interests and be governed by their dictation, I will no longer deserve to hold that high office. I have always conformed my views to the caucus determinations and platform pronouncements of my party, not involving constitutional questions, and have kept faith with my campaign pledges, but in all other things I have been, and will continue so long as I am here to be, governed by my best and conscientious judgment of my duty as God has given me the light to see the right, without considering what effect such action will have upon my political fortunes. I certainly will not submit to the dictation of those who claim to control the Congress, and their misrepresentations and forecasted opposition have no terrors for me.

The limit was reached, I think, when recently the President had under consideration the promotion of a United States district judge of my State, a man above reproach in his private and official conduct, to be a justice of the Supreme Court of the United States. Mr. Wheeler, who was supporting another applicant for the place, insinuated things against him in a conversation with the President which he afterwards withdrew as unfounded, doubtless because he knew the President did not believe what he said, as well as because there was no truth in what he had said, and proceeded to compliment the distinguished jurist.

And yet these gentlemen talk about law enforcement when they are assaulting and making statements, without evidence and without facts to support them, against the courts of the country and the officers of the law, which will shock the confidence of the people in the judiciary of the country, the very citadels of good government and law enforcement, and bring them into disrepute. The courts of the country are the sanctuaries of the law and the bulwark of the personal, civil, and property rights of the people, and no good and patriotic citizen will be guilty of conduct which tends to weaken and destroy them.

Mr. President, the prohibition amendment is a part of the Constitution, and the statutes to enforce it have been passed and are in full force now. Where is the necessity of the activities of the gentlemen I have referred to? Can not the President, the Congress, and the courts of the United States, duly elected, appointed, and sworn, be trusted to execute the laws? Are they less trustworthy and competent than those gentlemen, self-constituted lawmakers and enforcement officers, unsworn and without the color of authority from the people?

Mr. President, I recently read an address by a great man whose brithday the whole country has recently celebrated, and I was so impressed with a statement therein concerning obedience to the laws of our country that I desire to read it here. It will do every citizen good to read it and ponder and follow it:

"LINCOLN'S APPEAL FOR LOYALTY TO LAW

"Let every American, every lover of liberty, every well-wisher to his posterity swear by the blood of the Revolution never to violate in the least particular the laws of the country and never to tolerate their violation by others. As the patriots of '76 did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, his property, and his sacred honor. Let every man remember that to violate the law is to trample on the blood of his father and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and almanacs; let it be preached from the pulpit, proclaimed in the legislative halls, and enforced in courts of justice."

Mr. President, the prohibition amendment is a part of the fundamental law of our country, and the Volstead law was enacted by the Congress for its enforcement. This statute is the law of the land, and it must be obeyed so long as it remains unamended and unrepealed. The constitutional amendment, as I have said, will, in my opinion, never be abrogated. Those who are opposed to it might as well accept it and be resigned to the will of the majority of the people. The Volstead law may be amended to relieve it of some of its drastic provisions, but I know of no movement in the Congress for that purpose. The amendment chiefly agitated is to legalize the manufacture and sale of "light wines and beer." What these terms mean I do not know, as they have never been defined by those favoring them. If light wines and beer mean intoxicating liquors to be sold for beverage purposes, legislation for that purpose would be in violation of the Constitution and should not be passed. If this agitation has anything to do with the return of the saloon, the hotbed of moral and political corruption, it will fail. I would never support an amendment that would provide for these things, nor do I believe that any Congress will favor such an amendment to the present laws. I believe the Federal prohibition laws when relieved of the present hurtful influences surrounding their administration will be accepted by the people, and they can and must be enforced. We can not tolerate lawlessness of any character. The General Assembly of Tennessee some years ago passed laws for the prohibition of the manufacture and sale of intoxicating beverages, and, although there was some opposition in the beginning, in a few years they were accepted by the people and were reasonably enforced as all other penal laws of the State, and the people of Tennessee are a law-loving and law-abiding people. I regret to say that this condition has been somewhat changed since the Federal prohibition laws were passed and under the circumstances attending their administration, but I hope that soon again we will have a reign of the law.

Mr. President, while the Federal Government is having some difficulty in enforcing the Volstead law, prohibition is not a failure, as claimed by some. Abolishing the saloon and otherwise removing the facility for obtaining intoxicating liquors, and the accompanying temptation to the young men of the country and those addicted to the drinking habit, has greatly reduced the consumption of such beverages and removed widespread dissipation, poverty, distress, and criminal conduct immeasurably; and any law which has accomplished this for humanity can not be said to be a failure.

I believe that covering of the prohibition officers and employees under the civil service and making every effort to procure the very best men to fill those places and execute these laws will contribute much to remove the prejudice against them and to their just, reasonable, and efficient enforcement; and if I have said anything that will contribute to that result, I think I will have done a service to my country.

CLAIMS OF THE CHOCTAW AND CHICKASAW INDIANS (S. DOC. NO. 124)

Mr. REED of Pennsylvania obtained the floor.

Mr. HARRELD. Mr. President, will the Senator yield to me to call up a conference report?

Mr. REED of Pennsylvania. I yield to the Senator from Oklahoma.

Mr. HARRELD. I renew my request that the Senate proceed to the consideration of the conference report on House bill 5325.

Mr. ROBINSON. What is the request?

Mr. HARRELD. I ask unanimous consent for the immediate consideration of the conference report on House bill 5325.

Mr. ROBINSON. To what does the bill refer?

Mr. HARRELD. It is the Choctaw and Chickasaw claims bill, allowing them to go to the Court of Claims.

Mr. ROBINSON. I have no objection to the consideration of the report.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oklahoma?

There being no objection, the conference report was read and agreed to, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5825) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes, having met, after full

and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, and 6, and agree to the same.

That the Senate recede from its amendment numbered 7.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out the language proposed to be inserted by the Senate and in lieu thereof insert the following: "*Provided, however*, That the attorney or attorneys employed as herein provided may be assisted by the regular tribal attorney or attorneys employed under existing law under direction of the Secretary of the Interior, with such additional reasonable and necessary expenses for said tribal attorneys, to be approved and paid from the funds of the respective tribes under the direction of the Secretary of the Interior, as may be required for the proper conduct of such litigation"; and the Senate agree to the same.

J. W. HARRELD,
CHARLES CURTIS,
JOHN B. KENDRICK,
Managers on the part of the Senate.

HOMER P. SNYDER,
FREDERICK W. DALLINGER,
W. W. HASTINGS,
Managers on the part of the House.

AMENDMENT OF COTTON FUTURES LAW

Mr. DIAL. I ask unanimous consent to call up the motion I submitted to discharge the Committee on Agriculture and Forestry from the further consideration of the bill (S. 3197) to amend section 5 of the United States cotton futures act to enable the buyer of a cotton-futures contract to demand actual delivery in fulfillment thereof prior to the close of the delivery month.

Mr. REED of Pennsylvania. I am unwilling to yield for the consideration of such a motion.

Mr. DIAL. I do not think it will lead to any debate.

Mr. REED of Pennsylvania. Does the Senator merely ask unanimous consent to call up the motion?

Mr. DIAL. I do.

Mr. REED of Pennsylvania. I thought he was making a motion.

Mr. DIAL. The chairman of the Committee on Agriculture and Forestry has no objection to the motion.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of Senate bill 3197. Is there objection?

Mr. WARREN. I object.

The PRESIDENT pro tempore. Objection is made.

LEGISLATIVE APPROPRIATIONS

The PRESIDENT pro tempore. Morning business is closed.

Mr. WARREN. I move that the Senate proceed to the consideration of House bill 9429, the legislative appropriation bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

ADMINISTRATION OF VETERANS' BUREAU

Mr. REED of Pennsylvania. Mr. President, I want to speak very briefly on the matter of the present management of the Veterans' Bureau. I fancy that most of the Senators in the Chamber have been gravely disturbed by charges that have been made, not only on the floor of the Senate but in the newspapers, against the present management of the bureau which has to do with the relief of disabled veterans. I suppose that many of the Senators feel that where there is so much smoke there must be a lot of fire, and must feel that the affairs which we have intrusted to that bureau are being gravely mismanaged. If Senators do feel that way, I hope they will give me their attention for a very few minutes.

Mr. President, we had 4,500,000 men, in round numbers, in our military forces in the last war. At the close of the war Congress had created a temporary makeshift organization for veterans' relief, and it had outlined four different kinds of veterans' relief for which the men might apply if they were disabled.

They might apply for money compensation for disabilities received; then they might apply for hospital treatment for disabilities under which they were suffering; or they might apply for vocational training to equip them to go back into civil life relieved of those disabilities; or, finally, they might make claim on the insurance policies which practically all of them carried during the World War.

Mr. President, there were over a million claims made by veterans who were disabled or who claimed to have been disabled; over a million cases were thrown into the Veterans' Bureau, which was, as I have stated, hastily gathered together, which had had no previous experience in the handling of this work, and which was about as poorly equipped for the handling of a task of that magnitude as could well be imagined. Thirty-four thousand employees had been gathered together to manage the affairs of that bureau, and most of them had had no experience whatever in claims work or in insurance work. There were a good many doctors, who, of course, had had technical training that helped them, but, with the exception of the doctors who were included in those 34,000 employees, there was practically nobody in the Veterans' Bureau who knew anything about the sort of business which it was going to have to conduct.

The law under which the Veterans' Bureau was operating was similarly defective. It was a makeshift creation of the war time. We had originally created what we called a Bureau of War Risk Insurance to take care of the insurance of ships and their cargoes; and into that bureau we threw the task of administering all of the personal insurance of the men who were in our military forces. We also piled on them the task of administering the other kinds of veterans' relief.

To make matters as bad as possible, at the head of that organization was a man who, in my judgment, failed to appreciate the gravity of the trust that was reposed upon him, who viewed the questions that he had to administer frivolously, it seemed to me; who allowed, if he did not participate in, wanton extravagance, and who seemed to be thinking least of the care of the men for whom Congress intended him to think first. That was the condition of affairs in the Veterans' Bureau up until the 1st of March of last year.

General Hines was appointed to be the new director of the bureau. He came in to find the machine running at top speed. It has been suggested that he ought to have shattered it and built it up anew; but if he had done so——

Mr. DALE. Mr. President, will the Senator yield to me?

Mr. REED of Pennsylvania. I yield to the Senator.

Mr. DALE. In the reference the Senator has made to the man in charge of the Veterans' Bureau, does he mean Cholmeley-Jones?

Mr. REED of Pennsylvania. No; I mean Colonel Forbes. I thought the Senator from Vermont and everybody else knew that. There is no reason for withholding the names, for we have publicly criticized Mr. Forbes.

Mr. NORBECK. Mr. President, I desire to ask the Senator from Pennsylvania a question merely for information. Was Colonel Forbes in charge of the Veterans' Bureau from the time of its creation?

Mr. REED of Pennsylvania. Colonel Forbes was put in charge of the Bureau of War Risk Insurance, according to my recollection, in April, 1921, and he became Director of the Veterans' Bureau when the Veterans' Bureau was created in August, 1921. I think I have the dates correctly.

Now, when General Hines——

Mr. DALE. Mr. President, if the Senator from Pennsylvania will pardon me, I take no exception to the reference he has made, but I should like to explain the reason why I asked him to allow me to interrupt him. I have a very high regard for the management of Cholmeley-Jones during the time he was director.

Mr. REED of Pennsylvania. I did not intend to reflect on Colonel Cholmeley-Jones. I thought that everybody who heard me knew that I was speaking of Colonel Forbes, or I should have mentioned him by name.

When Colonel Hines took charge of the office there was an investigation pending in the committee of the Senate which had been created by a resolution which was passed in the closing days of the last Congress. That committee, which consisted of the Senator from Massachusetts [Mr. WALSH], the Senator from Nevada [Mr. ODDIE], and myself, was just beginning to get to work at the time when Colonel Hines came into office and began to direct the affairs of the bureau. Naturally, with the thousands of inquiries that we were addressing to him, we did not make his task any easier, because we kept calling on him for reports and special investigations and information of all sorts on all subjects, and I know that we were a thorn in his side for about a year.

One result of our investigation was that we stirred up the personnel of the bureau, and it was inevitable that we should do so, because we were criticizing many of the principal officers of the bureau, and I think that during the time of our hearings, especially during that time when so much scandalous matter was coming out about the administration of the director's office, the clerks in the Veterans' Bureau were spending as much time reading the newspapers for the reports of those hearings as they were in doing their own proper work.

Another bad result our investigation had for the time being was that it caused the beneficiaries of the bureau, the soldiers who were depending on the bureau for aid, to become very much excited. They gained the impression that in some way most of them had been defrauded, and it was natural that they should, because our committee had to investigate hundreds, even thousands, of cases where the bureau had acted unfairly toward the disabled men, and the impression spread abroad, I think as the result of our work, that the bureau had not acted fairly toward any men. That, however, was unfair and wrong.

In the vast majority of the cases the bureau has been fair. In most of the cases, I think, they have given the disabled man the benefit of the doubt; but there are some cases where they have done cruel injustice, and such cases have been mentioned here on the floor from time to time.

Another effect of our investigation was that we stirred up the veterans' organizations to an even greater aggressiveness than they had theretofore exhibited, and they saw the principal wrong they had to remedy was the bad treatment that their men were receiving from the Veterans' Bureau.

Those troubles were bad enough for General Hines; but he had not been in office more than a few months before the President who appointed him—President Harding—died, and it must have seemed to General Hines as though everything he was trying to do disappeared before his eyes because of President Harding's death, the continuing investigation of the committee, and the unquiet among his personnel. He had 30,000 employees, remember, and they were all of them in a turmoil over the investigation, and it was no easy task that he had during the year 1923 in trying to keep the bureau functioning.

And now let me present to the Senators, if I may, the situation that General Hines had on his hands as to vocational training. He found that 644,242 men had applied for vocational training, and every one of them who did not get it thought that he had been harshly treated; but the law which we have passed limited vocational training to those men who were susceptible of improvement and of rehabilitation. It did not authorize the director to give a training allowance and free education to every veteran who asked for it; and yet that is what the veterans thought, and every one of the 644,000 men who did not get it when he asked for it felt that he had been cruelly dealt with.

On the 1st day of last month there were in training in Veterans' Bureau institutions or in other institutions of learning 59,352 disabled men still undergoing courses of rehabilitation to fit them for new occupations. Those men were in more than 2,000 different institutions, and their welfare and the success of their rehabilitation is directly charged to the Director of the Veterans' Bureau, General Hines. That is only one branch of his work.

He has charge of granting compensation under the act of 1917 to the men who were disabled as a result of their military service, and up to the first day of last month there had been presented to him 947,347 claims for compensation, of which approximately one-half were allowed and one-half disallowed. Of that half, 470,000 men, whose claims for compensation were disallowed, it is safe to say that practically every one of them thinks that he has been unfairly treated either by the doctors who rated him or by the authorities here in the bureau who have ratified the rejection of his claim. Yet the bureau in rejecting the claim was doing what we required it to do in limiting compensation to those disabilities which could be shown to have resulted from war service. It is not enough, in other words, for a man who fought in the war to bob up now with some kind of a physical ailment. That does not get him compensation, and Congress never meant that it should. The causal relation between the military service and the disability must be shown, and that is where so many of these claims, pitiful as they are, fall down, because the man can not show, and no doctor can show for him, that it was his military service which caused his disability.

Mr. REED of Missouri. Mr. President——

Mr. REED of Pennsylvania. I yield to the Senator from Missouri.

Mr. REED of Missouri. I do not rise in a controversial spirit; but what has the Senator to say about the fact that in numerous cases reputable physicians have said that in their opinion there was a causal connection, and yet such cases have been rejected by the thousand?

Mr. REED of Pennsylvania. All I can say about them is that if the preponderance of the evidence showed that the service caused the injury, then they ought not to have been rejected; and if they were rejected where there was such substantial proof of the cause, then they ought to be reopened, and they will be reopened at any time on application.

Mr. REED of Missouri. I have used the term "thousands of cases." That of course is merely the roughest kind of an estimate and is based upon the number of cases that have been reported to me, and I assume I have had reported to me only my natural share. As I understand the rules of the bureau, they have almost closed the door to all that vast number of cases where there can not be shown with absolute certainty direct relation between the condition of the patient and the injury, thereby excluding the cases where, in the opinion of the physicians, the condition did result from an injury. In other words, they seem to apply much the same doctrine that the courts apply to proximate and remote damages, and they have applied it, I think, with great severity and with great injustice in many cases.

I do not want to interrupt the Senator, but I should like to direct his attention to that question.

Mr. REED of Pennsylvania. I am glad the Senator asked about that, because that is partly our fault. We made the law pretty rigid originally, and we have very much liberalized it in the bill which has passed the Senate, and which I hope will pass the House next week.

Mr. OVERMAN. Mr. President——

Mr. REED of Pennsylvania. I yield to the Senator from North Carolina.

Mr. OVERMAN. From my experience I want to commend most heartily the administration of this office by General Hines. Since he came in I have had action, and I have had no complaint to make of it. Prior to that time I did have great complaint from every source.

I think the trouble is not with the director but in these subdistricts. That is where my trouble has been—for example, in Atlanta. All my claims had to go to Atlanta, to be passed upon down there. They were turned down, and then there was trouble in getting action on an appeal. Since General Hines has been in office, however, he has administered the office faithfully, honestly, in my opinion, and very ably, and I am glad to say that.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. REED of Pennsylvania. I yield to the Senator from Utah.

Mr. SMOOT. I want to call the Senator's attention to the fact that the original act requiring proof of service origin was taken absolutely from the act under which the Civil War veterans had to do exactly the same thing in exactly the same way, and prove the exact facts. That act may have been a little rigid, as the Senator says, but the Civil War veterans had followed it from the very first, when they were given a pension of $6 a month; and it never has been changed up until the present time, I think.

I was very glad to hear the Senator from North Carolina speak of General Hines as he did. I have known General Hines all my life. He is a soldier himself. He has heartfelt sympathy for the soldiers, and I believe that no human being could manage the office better than he; and, I may add, no human being can stand at the head of the Veterans' Bureau and escape criticism. It is an absolute impossibility. I have not any doubt in my mind that he is doing everything possible for the soldiers under the law, and no one would want him to violate the law.

Mr. CARAWAY. Mr. President, may I interrupt the Senator, since everybody else is making a speech in his time?

Mr. REED of Pennsylvania. I am glad to yield to the Senator. He is not interrupting me.

Mr. CARAWAY. Personally, I have no disposition to criticize General Hines. I do not know him. I have thought that the first care of the Senate was to see that the men who were disabled got decent treatment. I hope the Senator from Pennsylvania—and that is what I wanted to direct his attention to—will discuss some of the things that have occurred there. There are evidently some people in charge down there who are not intelligently discharging their duty. Does the Senator hold out any hope that General Hines is going to correct that evil?

Mr. REED of Pennsylvania. I do, indeed, and that is what I am coming to.

Mr. CARAWAY. That is what I want to hear. Personally, I have never seen General Hines. He may be an elegant gentleman; but I have a few cases in mind, and I hope the Senator will discuss them, that were so outrageous, and I have called his personal attention to them and have received no kind of redress, that I am frank to say that I am very impatient. I called attention to the case of a negro that they let die in the street, and it took a year to find out why they did not give him some relief; and then I had a letter absolutely in conflict with the fact. I have the correspondence here, and if it becomes necessary I should like to put it in the RECORD. The record they finally made up and sent out to me reflected, I will not say an intentional falsehood, but a falsehood. I did not know the negro, but I have the correspondence. First they said his application had been denied, and that it would be necessary to make a motion to reopen it. As a matter of fact, he never had made an application. Where they ever got the idea of saying that his application had been denied, when no application had been made, I can not imagine.

Mr. SMOOT. Probably it had been made in the district office.

Mr. CARAWAY. Oh, no; there was no application anywhere. No; it came from here. Then I called attention the other day to a case that they held up entirely, and said they were waiting for The Adjutant General to make a report, when the record showed that the man was a sailor.

Mr. REED of Pennsylvania. If the Senator will let me proceed in my own feeble way, I was coming to those particular cases, because I think the Senator is entitled to an answer, and I have asked the bureau to let me have their side of the matter. First, however, I hope the Senators will let me present the situation that is confronting the bureau now. I do want, within a very few minutes, to answer the Senator's question responsively.

Mr. CARAWAY. That is all right. I want to get the record here so that I can read the letters after we have heard the Senator's answer, because I think they will be rather interesting.

Mr. REED of Pennsylvania. The cases of which the Senator is speaking are those, I think, that he mentioned at page 7212 of the CONGRESSIONAL RECORD.

I started to tell just the size of the job that is confronting the present director. He has had 644,000 applicants for training, and 59,000 of them are to-day in training in more than 2,000 institutions. That is the first item of his business. He has had 947,000 claims for compensation, and there are still active to-day 234,882 of such claims.

Mr. President, I can hardly hear myself talk, and I am sure no one else can hear me.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. REED of Missouri. Mr. President, without complaining at all of the galleries, about nine-tenths of the confusion in the Chamber is being made in the galleries. They are large numbers of people who are being marched in and marched out, and all kinds of conversation are going on in the galleries. I do not want to complain; people are naturally interested and feel like talking; but I am sitting only 15 feet from the Senator from Pennsylvania and I find difficulty in hearing him.

The PRESIDENT pro tempore. It is the observation of the Chair that very little of the disorder is found in the galleries. It is all found on the floor of the Chamber itself. It is brought about by audible conversation.

Mr. REED of Missouri. The Chair's observation is too limited. I happen to have been observing the galleries, and have passed along them this morning, and I say to the Chair with all respect that a vast amount of the confusion is in the galleries. There is some on the floor, and it ought to be stopped everywhere.

Mr. REED of Pennsylvania. Ordinarily I would not care, because I think I could talk down the galleries; but I have not much voice left this morning.

Those are only two of General Hines's tasks—that vast number of applications for training and the vast number of applications for compensation.

In addition to that, General Hines is the head of one of the biggest insurance companies in the world, because the bureau has practically $3,000,000,000 of outstanding insurance on which most of the policyholders pay premiums each month—a perfectly tremendous task in itself, of which most of us hear very little; and all that has to function under him.

Finally, General Hines is at the head of a great hospital system in which he has to-day, or had on the first day of last month, 23,914 patients. He has under his charge some 27,000 employees of all kinds, more than an Army division, and they have charge of these four great groups of activities for veterans' relief.

They told us last summer that the mail coming into the Washington office amounted to more than 75,000 letters a day. You can imagine what opportunity there is for occasional stupid replies like the one to the Senator from Arkansas, which spoke of an inquiry in the War Department about a disabled seaman.

Mr. CARAWAY. What I should like to say to the Senator is that they have done nothing with it yet.

Mr. REED of Pennsylvania. I have the facts here, and perhaps I had better give them to the Senator.

That was the case of Giles L. Matthews, who was an apprentice seaman in the United States Navy. The Senator from Arkansas wrote to find out why his case was not being taken care of, and the answer that came back said that they were waiting for a report from The Adjutant General's office. Of course The Adjutant General has charge only of Army matters, and they would have to wait until eternity before they would ever learn from him about the service record of an apprentice seaman; and the Senator from Arkansas was very properly wrathy at such a reply. At least, if he was not wrathy, I was wrathy when I heard about it. Now, here is the way it came about.

Mr. CARAWAY. What I want to say is that that was a month or six weeks ago, and they have done nothing yet. I suppose they are still waiting on The Adjutant General.

Mr. REED of Pennsylvania. This report is dated May 7. There are over 5,000 letters of inquiry of that sort coming in every day, and it is physically impossible for Colonel Mulhearn to see them or do more than sign them. That of itself is something of a job.

The actual inquiry in that man's case had been sent to the Navy Department. It went to the Bureau of Navigation in the Navy Department, and that was the proper bureau to make a report on that man; but the clerk who prepared the reply to the letter of the Senator from Arkansas stupidly wrote that they were waiting for an "A. G. O. report," as he called it, which meant a report on the man's service record from The Adjutant General. That was wholly erroneous. No report had been asked of The Adjutant General. As a matter of fact, the report was inquired of from the proper office, and the mistake, and the only mistake, lay on the part of this clerk in dictating the reply to the Senator from Arkansas.

Mr. CARAWAY. May I suggest to the Senator that that looks very much to me like loading off a mistake on some unknown person. Nothing as yet has been done in that case. If they had done something with it after I again called their attention to the fact that he was a sailor and not a soldier there would be some excuse for that sort of an alibi being made here in the Senate for the Veterans' Bureau.

Mr. REED of Pennsylvania. I will have to get another report to find out why something has not been done.

Mr. CARAWAY. That case, while it was rather striking, disclosed action no more stupid than that in the Dwight Ledbetter case or the Baker case or the Brown case or the Milton Young case; and I have just said that I could find a half dozen others where the action was just as stupid as in that, though our attention was directed more to the absurdity in that case. I can not approve of this action of coming back to the Senate and laying the stupidity off on some inefficient, unknown clerk, when you can never find anybody who will take any responsibility for the action.

In the other case—the Giles case—Major Smith, I believe he calls himself, called me up and told me that he and the director had had a conversation about that case that morning, and that they were going at once to set it right; it was so stupid that he could not account for those facts having escaped them; yet nothing has ever been done with it up to this time.

Mr. REED of Pennsylvania. Mr. President, with nearly a million claims for compensation, and 600,000 claims for training, it would be an incredible thing if there were not literally thousands of stupidities like that. The point I am trying to make is that General Hines went into a department that was running at top speed, that was overloaded with work, that had made a rotten record in the performance of its duty up to that time. Of course, he could not correct all the mistakes at once. What I am leading up to is that, considering the circumstances and bad conditions he found, considering the trouble we made for him with our investigation, Director Hines has done an admirable piece of work since he went into office in March, 1923.

Mr. CARAWAY. I want the Senator to tell us what he has done. I find the same old crowd in power. If he has changed any of it, I have never heard of it. There is the same stupidity and the same absolutely wanton disregard of the soldiers' rights. I would like to know just what the general has done except to raise the salary of everybody who was blocking the work of the whole bureau before he came in.

Mr. REED of Pennsylvania. I will tell the Senator a few of the things the general has done.

Mr. CARAWAY. Do not lay all the mistakes off on some unknown clerk. Tell us something the general did.

Mr. REED of Pennsylvania. I am about to tell the Senator something he did.

The bureau is practically current, as they call it, in all of its work. They dispose of their work promptly and effectively, and the average time per case in delay has been very greatly reduced. The bureau is functioning better to-day than it was functioning when General Hines came in. He has reduced the number of employees there by 3,200 persons, and he would have reduced it more than that if we had not built a lot of new hospitals that he had to man. What he has actually done has been to reduce the number of administrative employees by 4,742 persons, and that at a saving in his annual pay roll of $6,500,000.

Allowing for the additional personnel assigned to the new hospitals which we have built, there is still a net reduction of 3,265 employees in the past year, and I claim that that of itself is a great exploit.

Next, by economies, by the elimination of unworthy cases, he has cut down the cost of running the Veterans' Bureau, so that this year it will cost $90,000,000 less than last year.

Mr. CARAWAY. Mr. President, he has probably cut down the cost by cutting off the compensation of men, has he not? I have in my hand the statement of a case of a man who has a citation for gallantry in action, who was wounded in action, and who was getting $80 a month. The affidavits of everybody who know him, including that of a gentleman who sits in this Chamber—not myself, and not a Member of the Senate, but an employee who knows the man—and the affidavits of all the doctors show that he is physically unable to make a living. Now he is getting $8 or $9 a month. Of course they effect an economy on him.

I have a statement of the case of James T. Brown right here. He received a citation and a silver star for bringing in 12 German prisoners single handed. It took him a year and a half to get his case straightened out. He had compensation of $50 or $60 a month, I think, but I believe he is now getting $9. He is unable to work. There are two cases which are striking examples of the economies in cutting down expenses. But somebody is starving. If that is the only record the director has made, I am curious to know why the Senator is defending him.

Mr. REED of Pennsylvania. It is possible to take every one of the 474,000 claims that have been rejected and, by telling something of the circumstances, make out a case of merit. But if there is a single one of these statements that is not as erroneous as the two the Senator from Arkansas has just outlined, all the Senator has to do is to call the attention of the director to those cases and they will be corrected.

Mr. CARAWAY. I have the director's letter right here in my hand. He paid seventeen or eighteen hundred dollars that belonged to a minor to some person who had no right to receive it. I took the case up individually and personally with the director, and I have his letter right in my hand, which I will read when the Senator has concluded.

Mr. REED of Pennsylvania. I am glad the Senator mentioned that, though the Senator goes from one case to another, and I am afraid I do not follow him as well as I should.

Mr. CARAWAY. I beg the Senator's pardon. I should not interrupt him——

Mr. REED of Pennsylvania. I want the Senator to interrupt me.

Mr. CARAWAY. But I get so enthusiastic about these cases.

Mr. REED of Pennsylvania. As to the last case about which the Senator has spoken, here is the situation: In that case it was a matter of insurance, as I recall it. The man had died. His will was probated, and there was nothing on the record to show that the probated will was irregular, or that it was not his will. The bureau paid the money to the person entitled under that probated will. Then there was an appeal taken, the action of the court was set aside, and some relative who benefited by the action on the appeal came in and claimed the whole amount of the insurance money, incuding what the bureau had innocently paid on the faith of the earlier probate.

Mr. CARAWAY. May I ask the Senator a question?

Mr. REED of Pennsylvania. Certainly.

Mr. CARAWAY. Does not the Senator know that the probation of a will is not final until the time has elapsed within which an appeal may be taken?

Mr. REED of Pennsylvania. That is true.

Mr. CARAWAY. They paid this money without giving the minor a chance to appeal. He did appeal. The circuit court promptly set aside the probation of the will, and the Supreme Court affirmed that action. Everybody who knows anything knows that the mere offering of a will for probate and the probate court accepting it does not mean that that is a conclusive judgment, and it is not conclusive until the time shall have run within which an appeal may be taken.

Never waiting, they paid the money to a literally irresponsible person, and now a little child is compelled to bear the loss. I have the record right here, and I shall be glad to put it in. The director says he thinks the action in that case was entirely proper.

Mr. REED of Pennsylvania. I am willing to admit, and I suppose the whole Senate will, that the Senator from Arkansas is exactly right in his contention that the bureau should not have been in such a hurry to pay to the persons entitled under this will, but it is an amiable fault, perhaps, on their part, to want to pay the beneficiary promptly, and they did it, and that is where the trouble came. Let me tell the Senator just what the result is.

Mr. CARAWAY. I know what the result is.

Mr. REED of Pennsylvania. While the Senator from Arkansas is most effectively finding fault with the bureau for paying on a probated will where they did not know there was going to be any appeal, the Senator from Florida [Mr. FLETCHER] is complaining of the bureau—and the Senator will find it at page 7213 of the CONGRESSIONAL RECORD—because in a case coming up from his State the bureau refused to pay on a probated will because they had had notice that an appeal was to be taken. There, in almost the same number of the CONGRESSIONAL RECORD, is the Senator from Arkansas lambasting the bureau, if Senators will forgive the word, for paying on a probated will where they did not expect an appeal, and the Senator from Florida with similar force taking the hide off them because they would not pay on a probated will where they knew there was going to be an appeal. It is pretty hard to run a Veterans' Bureau to satisfy both Arkansas and Florida where they differ on precisely the same point at the same time.

Mr. CARAWAY. I presume the Senator wants to be accurate about it, but in the case mentioned by the Senator from Florida the Government itself appealed. No individual appeal was made at all, and therefore the Senator is wholly mistaken in his facts. In this case there is a little child. The mother and father are dead, and the bureau paid the money to a wholly irresponsible person, and now insists that this penniless, helpless child shall bear the loss occasioned by the mistake of the bureau; and that case receives the approval of the director himself, because I called it to his attention. I did not want the alibi to be made that somebody did this without his knowledge. Therefore the Senator is wholly mistaken in both of his explanations about these two cases. I know, of course, that he has not intentionally made a mistake.

Mr. FLETCHER. Mr. President, may I suggest that the main objection I had was that the bureau put itself in the attitude of conducting a contest, all expenses borne by the Government, summoning witnesses, employing agents and detectives to go out and gather up testimony, hunt up parties and witnesses, and waging the contest on its own responsibility for the benefit of other people, and undeserving people, at that.

After the case had been tried in court, after the judge had charged the jury, and the jury had found the verdict, and the judgment had been finally entered, then the bureau continued to prosecute the case to the United States circuit court of appeals at its own expense, thus relieving all contestants of all expense, taking upon itself the burden of overcoming the finding of the jury and the judgment of the court.

Mr. CARAWAY. And that was in the interest of a worthless negro who had abandoned his wife 20 years ago.

Mr. FLETCHER. Abandoned his children, including this soldier, who has a small child, and he had not been heard of again until he appeared to get the Government to make the contract for him over the insurance left by the boy he had deserted in his infancy.

Mr. CARAWAY. A grown man; and this case to which I called attention is that of a helpless baby, the orphan of a soldier, where they so hastily paid the money out.

Mr. REED of Pennsylvania. If the Senator will permit me, the case in Florida, as I understand it, was a claim by an aunt of the half blood under a letter, which she said was a will, to the exclusion of the father, the sister, and four brothers of the full blood of the soldier. I think the Government may have been overzealous in carrying on its appeal, but it must have been right, because the appeal was finally successful.

Mr. FLETCHER. In this respect, that the circuit court of appeals held that in the application for probating this letter as a will, notice had not been given to these people who after-

wards turned up as father and brothers and sister, and so forth.

I happen to know personally about this case, though I do not care to go into it at length. I know this old woman, who nursed my children. She is a most worthy woman, so honest and so trustworthy that when I came to Washington, leaving my residence with all the furniture, silverware, library, and everything else in it, I turned the key of my house over to this old colored women, and she was in possession of the place for four years.

She could have taken everything out of the house if she had wanted to and charged it up to robbery or what-not. She was faithful to her trust as I knew she would be. When I went back there was not a pin missing. It is a vile slander to intimate that she is capable of dishonesty or fraud. That is the character of woman who stood in loco parentis to this boy who enlisted in the Army and who died, and wished her to have the insurance benefit. Before he died he wrote the letter to her in which he said he wanted everything that he might leave to go to her and her daughter, calling the daughter his sister. I saw that letter, and I know that there was nothing wrong, no fraud, no error, no mistake, no anything about it but absolute justice and right and truth. I know that to be the fact.

Consequently when the Government officials undertake the burden of trying to show that the will was a forgery or a fraud and employ agents and for months and months contest the case, sending special counsel from Washington to Jacksonville to try it, after losing it, as they should, appealing it, I say they are assuming a good deal of responsibility. The boy's father had not been heard of for 20 years. The boy was abandoned when he was a child and had been cared for and reared by this old woman who took the place of his mother. He treated her as his mother and she treated him as her son. He grew up in the family. He was not married, and when he made his application for insurance he could not specify beneficiaries, so his insurance went to his estate, and he wrote this letter when he was dying of pneumonia, expressing a desire that the insurance should go to this woman who had been his mother and reared him and in whose family he had lived all those years, and her daughter whom he regarded as his sister. The Government undertakes to show that there was fraud and takes the responsibility of conducting the fight in behalf of the sister or brother who turns up and about whom nobody knew anything, and an alleged father no one had heard of for over 20 years. Nobody knows now whether he is the father or not, but the Government represents their alleged interests in the contest.

When the will was probated the suit was brought in the United States court, the judge charged the jury and the jury found for these claimants. Then the bureau persisted and determined to take the case to the circuit court of appeals and there, after months and months of time, imposing expenses, attorneys' fees, and loss upon the plaintiff who had been adjudged entitled to the benefits of the insurance; it reversed the case on some technical matter in connection with the giving of notice with respect to the application to probate the will. Of course, they will proceed now to give the notice. They never knew there was anybody to give notice to, but they will give any sort of notice that may be required and will proceed to probate the will as well, and eventually the case will be decided again just as it was decided before.

There was a decision by a court of full and competent jurisdiction and that seems to me as far as the Government ought to go in a matter of that kind. Certainly that would have protected the Government.

Mr. REED of Pennsylvania. Of course I can not undertake and would not pretend to think that the action of the bureau in every case has been along lines of best judgment or that in every case justice had been done. It would be absurd for me to claim that. All I claim is that there has been a very marked improvement in the bureau under General Hines.

Now, I want to turn to a statement made by the Senator from Nevada in his remarks on Thursday which I can hardly believe to have been reported correctly.

Mr. CARAWAY. Mr. President, before the Senator gets away from the other matter I wish he would express an opinion. Does he think the bureau ought to pay this soldier's child down in Arkansas or let it bear the loss? I refer to the Giles case.

Mr. REED of Pennsylvania. I understand they have already paid the child.

Mr. CARAWAY. When did they do that?

Mr. REED of Pennsylvania. I believe they did it a few days after the Senator called their attention to it.

Mr. CARAWAY. They were very thoughtful not to tell me about it.

Mr. REED of Pennsylvania. I thought the Senator knew it.

Mr. CARAWAY. Oh, no.

Mr. REED of Pennsylvania. I did not know it until yesterday.

Mr. CARAWAY. I feel very much interested to know they paid it, because they did not inform me of that fact.

Mr. REED of Pennsylvania. I suppose I get 25 cases of this kind in my office every day. It is impossible for me to do any other work if I try to look into each of the cases that come to my office asking help. I know that my office is only typical of the offices of all the other Senators. We ourselves can not give attention to the particular cases, and obviously we can not expect General Hines himself to give personal attention to each one of the million cases that have come into the bureau.

Mr. CARAWAY. If the Senator will permit me to interrupt him, I will not do so again. The thing that is so astounding is that here is the general's letter saying it was entirely the proper thing not to pay the minor, but to pay it as they had. I have his four-page letter defending that course. If he ever changed his mind about it, he neglected to say anything to me about it.

Mr. REED of Pennsylvania. I do not know the details of it, but I was told that it had been paid.

Mr. CARAWAY. I shall feel very much interested to know about it.

Mr. REED of Pennsylvania. I want to turn to a statement on page 9838 of the RECORD, where the Senator from Nevada on Thursday stated:

> In the division of rehabilitation as at present conducted there is a wholesale waste of public funds, and this with the full knowledge and approval of the director.

Then the Senator illustrated that or proved it by referring to a contract between the Veterans' Bureau and the New York Institute of Photography and the Lexington Vulcanizing School, or adduced those two cases as proof of his assertion that General Hines knows and approves of waste in the bureau. I beg the Senate to listen to me for a couple of minutes until I tell them what the facts are about those two cases.

Neither of those contracts was made by General Hines. Both of them were made long before he came into the office. The Senator from Nevada points to those two contracts as evidence of General Hines's knowledge and approval of waste, and yet I say that both of those contracts—and they are only two out of 2,000 similar contracts, because there are 2,000 pending contracts of that kind—were made before General Hines came into office, both of them have been under suspicion by General Hines, both of them have been investigated, and one of them, the Lexington Vulcanizing School, is a case that General Hines thought was so fraudulent that he sent it to the Department of Justice for prosecution. The papers were recalled from the Department of Justice at the request of the Senator from Nevada in his letter of April 4, 1924, asking that the papers in the Empire Linotype School and the Lexington Vulcanizing School cases be returned. He requested—

> that proper steps may be taken to secure the papers in these cases from the Department of Justice and the general counsel of the bureau for my immediate use.

Although he knew that the case was started by Forbes, found fraudulent by Hines, and had been put in the Department of Justice by Hines for further prosecution, he cites that as an instance of Hines's knowledge and approval of waste and graft. I submit the Senator was not fair to General Hines when he did that.

Mr. ODDIE. Mr. President, in reply to what the Senator from Pennsylvania has just said I should like to state that from information I have received these two matters were called to General Hines's attention about a year ago and when the agitation was started a few weeks ago action was taken. I understand, further, in the case of one of these schools, that permission has been granted to continue these operations for some months to come.

Mr. REED of Pennsylvania. The other one, the New York Institute of Photography, was another contract made by Forbes, suspected by Hines, investigated by Hines's inspection division last year, and the inspection division on December 7, 1923, recommended that the contract, which expired in June of this year, should not be renewed, and it has not been renewed. All payments have been held up by the director pending further investigation of what that school did under its old contract.

That is the kind of thing that is brought out and charged against General Hines in proof of the general accusations that he is not running the bureau properly, but when we run down the separate charges they all blow up like that one. I feel that it is only justice to General Hines for me to stand here and say publicly that the charges that have been made against him disappear like the snow in the sunshine when they are once looked into.

Mr. FLETCHER. May I interrupt the Senator just to say that I have no idea of making any further reference to the case mentioned this morning, but it was brought up and I felt like saying what I did. I want to say now that so far as I know General Hines had nothing to do with it. I think all that program was marked out and was under way at least before General Hines ever came into the service.

Mr. REED of Pennsylvania. I thank the Senator for making that statement.

Mr. FLETCHER. I do not claim that General Hines is responsible for what has been going on there.

Mr. REED of Pennsylvania. I know that General Hines was ready to give up his own leisure to work on particular cases, to give up his Sundays to make inspections of hospitals, to work nights on the task, and I do not know a Government official who is more devoted in carrying out the great work that is intrusted to him than is General Hines. I beg for tolerance for him, because it is perfectly obvious that no man at the head of a vast business like that can get decent results if his employees are going to spend a large part of their time reading condemnations made on the floor of the Senate and printed in the daily papers.

Mr. CARAWAY. May I ask the Senator a question? I wonder if the Senator thinks we will get good results by apologizing for what a man does that is wrong instead of asking him to correct the wrongs?

Mr. REED of Pennsylvania. I do not mean to apologize for what is done that is wrong.

Mr. CARAWAY. I got that impression from the Senator when he said we ought to let the bureau go ahead with its injustice and excuse it because calling attention to it interferes with the general in the discharge of his duties.

Mr. REED of Pennsylvania. Not a bit. I am glad to make it clear that if the Senator knows of a single case or any general policy that is wrong I hope he will call it emphatically to General Hines's attention, but the way to do it is not to get up in the Senate and make speeches about it.

Mr. CARAWAY. Every case I have referred to I have first taken up with the general in person—the Milton Young case, the Gilles case, and the Brown case—and waited until he should himself approve the wrong before I even mentioned it on the floor of the Senate. I wrote him and gave him every chance. I called attention to the Gilles case three different times and got three different letters after I asked him to look into it. I said to him, "I think you can not approve of these things if you know about them," and yet he did.

Mr. REED of Pennsylvania. The Senator might just as well take any other great department of the Government and pick out particular cases. Of course, there will be hundreds of them where we do not agree with the department in what it does, but we will have to expect that. I have sent dozens of cases——

Mr. CARAWAY. If we have to expect wrongs, of course we will never get them righted.

Mr. REED of Pennsylvania. I do not think they are wrongs. They are disagreements.

Mr. CARAWAY. Why did they pay the Gilles child after I mentioned it on the floor of the Senate?

Mr. REED of Pennsylvania. The minute the Senator called attention to something that was wrong they corrected it.

Mr. CARAWAY. But I had done that over and over again without getting any result. The whole record was made up a month or six weeks or two months before and presented to them, and they would not correct it.

Mr. REED of Pennsylvania. I have sent dozens of cases to the Veterans' Bureau which they have rejected. They did not agree with me. I thought they were deserving cases. I thought and still think that in many of those they were wrong. I have thought that about courts which decided against my client when I was practicing law, but it does not do any good to get up on the housetop and denounce the whole judicial system.

Mr. CARAWAY. I evidently did good by denouncing them in this case. They would not pay the claim as long as I undertook merely to discuss it with them. Just calling their attention to it personally and not publicly, they would not pay it. That is a confession, it strikes me, that publicity was the only way to get the director to change his viewpoint.

Mr. REED of Pennsylvania. We are all working to the same end. We want the Veterans' Bureau to function properly and efficiently and fairly. What I wish to submit for the thought of the Senate, however, is, first, that there has been a great improvement; and, next, that the way to secure further improvement is not to keep that bureau in hot water all the time by public denunciation here to which the bureau is powerless to reply. Except for my poor words to-day, there has been practically no reply for months, while criticisms of particular cases have been made publicly against the bureau. It will not be possible for us to get the right kind of men to continue to work in that bureau if their service is to be made the target of attacks in the Senate day after day.

For the sake of the Veterans' Bureau, for the sake of the men themselves, who are the beneficiaries of the work of the Veterans' Bureau, I wish to plead that Hines be given a chance. In what I say I am not alone. The veterans' organizations feel the same way; the American Legion and the Veterans of Foreign Wars, and, with the exception of one outbreak before our committee, I think I can say that the disabled American veterans feel the same way. They all believe in Hines, and believe he is doing his level best. I know I am speaking the sentiments of the American Legion and of the other veterans' organizations when I say that the thing to do is to give him a chance. He has already made important changes in the chief administrative offices immediately under him. For us to get up here in the Senate and demand that he "fire" every assistant director is a preposterous thing. He would stall all the machinery of the Veterans' Bureau if he were to do any such thing as that; and the sufferers would not be so much the men who were discharged as they would be the former soldiers, for whose relief we are all eager to work together.

Mr. CARAWAY. Mr. President, I had hoped that instead of coming here and lecturing us, who were doing what we could to see that the wounded and disabled soldiers might have decent treatment, the Senator from Pennsylvania, who is the spokesman for the Director of the Veterans' Bureau, would have some suggestion of possible relief.

Mr. REED of Pennsylvania rose.

Mr. CARAWAY. Had the Senator concluded his remarks?

Mr. REED of Pennsylvania. Yes; but I shall be glad to answer any questions.

Mr. CARAWAY. I was not desirous of asking the Senator any questions; but I thought perhaps I was interrupting him.

I have never indulged in criticism of the Veterans' Bureau so long as I had felt there was a possibility of getting relief. I have confined my efforts solely to presenting the case to the director of the bureau.

I will take the Milt Young case. I thought—and I think yet—that something ought to have been done with reference to that case. The bureau sets out its side of it and the correspondence presents the other. Milt Young was a disabled negro soldier; he had no application pending for contributions from the Government's bounty, but when he was stricken with a fatal malady the doctor took him to a hospital at Memphis and tried to have him admitted. The hospital authorities refused to admit him, and wanted him to take up the question of his disability so that he could be regularly admitted. His was an emergency case. He did wire, I think, to the bureau, and it replied his application had been denied. This when he had made none. He died. Then for a year I could not get an intelligent reply from the bureau in reference to the case. I was shifted from one official to the other. Finally the director, with all the facts before him, if he cared to read the correspondence—for I sent it to him and marked it "personal" and have his letter signed in person—approved of the action which had been taken. I complained about that in the Senate. I still complain.

Take the Gilles case, which the Senator from Pennsylvania apologized for a minute ago. When the soldier died he left a little child. Its mother died and the bureau gave his pay to a relative, who was financially irresponsible. Then when the bureau found out that the court had decreed otherwise it insisted the child must bear the loss, although it was just a few years old and had neither mother nor father and had nobody on whom it could depend. A stranger had to take up this case and fight it through the courts.

I called that to the attention of the director, and he approved what was done. I again called it to his attention, and said, "I am certain the director does not intend to approve that when he knows all the facts." He then wrote me a four-page letter and approved it. What was I to do with reference to that? The man who committed that unpardonable offense—and it seems to me to be so—was started in the bureau in 1920 at a salary of $4,000; in 1921 he got $4,500, in 1922 he got $5,000,

in 1923 he got another raise to $5,500; in 1923 he got still another raise to $5,600. Since he committed this blunder he has received two other increases and now gets $7,500 a year. Of course, it would be somewhat difficult for me to say that his conduct was disapproved when every time he made a mistake his salary was raised.

Mr. REED of Pennsylvania. Mr. President, will the Senator from Arkansas yield to me?

Mr. CARAWAY. I yield.

Mr. REED of Pennsylvania. As to the Milton Young case, I find a memorandum which I have before me——

Mr. CARAWAY. I myself have one.

Mr. REED of Pennsylvania. I think the Senator from Arkansas said he was a colored soldier, who was allowed to die on the street.

Mr. CARAWAY. I think the doctor, from his own means, had him placed in a charity ward in a hospital.

Mr. REED of Pennsylvania. Does not the Senator understand that the law does not permit the Veterans' Bureau to take men who are suffering from disabilities that are not connected with service? Under the law as Congress passed it, the Veterans' Bureau hospital has no right to admit a soldier under such circumstances.

Mr. CARAWAY. Of course, it is interesting to hear the Senator from Pennsylvania say that, but that was not the reason the Veterans' Bureau gave to me. I have the director's letter here, and I shall be glad to put it in the RECORD, stating that if it had been known he was in as bad shape as he was it would have taken care of him, but inasmuch as it did not think he was very sick it let him go. That was the excuse, but now the Senator has a new idea which was never advanced in the correspondence.

Mr. REED of Pennsylvania. It is not anything new; I assumed that everybody knew it; but in the law we have recently passed we have allowed hospitalization to all such veterans. But, Mr. President, will the Senator from Arkansas yield to a question?

Mr. CARAWAY. Of course; I shall be delighted to do so.

Mr. REED of Pennsylvania. I understand that this man Young went to a private hospital to be operated on for hemorrhoids and died there of pneumonia, and that there was no possible connection between his service and his illness.

Mr. CARAWAY. That just happens not to be the fact. I know the Senator from Pennsylvania thinks he is dealing with the facts, but those do not happen to be the facts in the case at all.

Mr. REED of Pennsylvania. I asked it as a question, and I was told by the bureau that such was the fact.

Mr. CARAWAY. The bureau is telling the Senator something entirely different from what it told me, but what is the use of wrangling about it? I am perfectly willing that the Senator shall apologize for the bureau at any time.

I will refer again to the case that was mentioned a moment ago, in which the bureau said it was waiting for The Adjutant General's report. The Senator says that that was the work of an irresponsible, ignorant clerk. The case of Gilles was not the fault of an ignorant clerk. Mulhearn was the man who wrote me the letters, and a man named Smith called me up to talk to me about it, and said he was the head of the legal department. There is the Baker case, where the bureau is refusing to pay Mrs. Baker and her children, although every penny the Government claimed that Baker owed on his insurance was paid before he died; there is another case where it is holding up an insurance policy because, after auditing the account, it says 7 cents is owing to the Government, and the bureau wants to beat the heirs out of $5,000 because of that.

Of course, such economies as that may meet the entire approval of the director of the bureau and his apologist, the Senator from Pennsylvania. I had an idea that I would burden the RECORD with some other matters, but I will not do so. A large number of such cases have come to me, and I do not know that more have come to me than to other Senators. Take the Whittington case; that illustrates one of the economies the bureau effected. Whittington was cited for bravery in action. He was helpless and was receiving $80 a month for total disability, but his allowance was reduced to $8 a month.

Another man, with a silver star, is to-day cooking in a boarding car on a railroad because he is so crippled physically that he can not do the work men ordinarily do. He was a strong, healthy man when he went to France; on one occasion he brought in unassisted 12 German prisoners; he was decorated, as I have said, with a silver star. He is now cooking in a camp because he is physically disabled to do the work a man prefers to do, and his compensation has been reduced from $80 to $8 a month. Yet these are the economies which they are practicing in the bureau, but when it comes to raising the salaries of employees of the bureau, what has been done? Take Mulhearn, for instance, who in 1920 got $4,000, and who gets $7,500 now. There is no economy there. Take another employee who went in in 1923 at $6,000, and on January 16, 1924, got a raise to $6,600, and on February 1, 1924, just 14 days later, was increased to $7,200. Take another man who was appointed at $3,000 in 1919; raised in 1920; raised in 1920 again; raised on February 16, 1921, to $4,000; and on October 1, 1921, to $4,500; on June 1, 1922, to $6,000; and on January 1, 1924, to $7,500. That is the economy that is practiced in the administration of the bureau—a constant increase month after month of salaries until six and seven thousand dollars are paid. However, when it deals with a disabled soldier who shed his blood on the fields of France, his compensation is cut from $80 to $8 a month, and he is compelled to become a cook because he is physically unable to do anything. That sort of economy I can not indorse.

Mr. WARREN. Has the Senator concluded?

Mr. CARAWAY. Yes; I have concluded.

Mr. ODDIE. Mr. President, will the Senator from Wyoming yield to me for a moment?

The PRESIDING OFFICER (Mr. LADD in the chair). Does the Senator from Wyoming yield to the Senator from Nevada?

Mr. WARREN. I yield.

Mr. ODDIE. Mr. President, referring again to the statement made by the Senator from Pennsylvania with regard to the New York cases, I secured those cases on request I made to the director from, as I understand, the files of the legal division of the Veterans' Bureau, and I received no papers from the Department of Justice.

The statements that I made in my remarks on Thursday I believe to be correct. I refer anybody to those statements, and I stand here to reiterate them. My whole concern and that of the Senator from Pennsylvania is to improve the condition of the disabled men. I may have something to say later on this subject, but I want to keep the discussion of this question on a high plane, as it has been kept and debate questions that should be debated that relate to the disabled ex-service men that are of interest to the whole American people.

LEGISLATIVE APPROPRIATIONS

Mr. WARREN. I ask that the Senate resume the consideration of the appropriation bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes.

Mr. WARREN. I ask that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "office of the Vice President," on page 2, at the beginning of line 3, to insert "assistant clerk, $2,080"; and at the end of the same line to strike out "assistant clerk, $2,080," so as to read:

Salaries: Secretary to the Vice President, $4,200; assistant clerk, $2,080; clerk, $1,940; messenger, $1,310; in all, $9,530.

The amendment was agreed to.

The next amendment was, under the heading "office of secretary, document room," on page 3, line 4, before the word "two," to insert "second assistant, in lieu of employee heretofore paid under Senate Resolution No. 90, $2,100," and at the end of line 5 to strike out "$11,440" and to insert "$13,540," so as to read:

Salaries: Superintendent, $3,500; first assistant, $2,880; second assistant, in lieu of employee heretofore paid under Senate Resolution No. 90, $2,100; two clerks, at $1,770 each; skilled laborer, $1,520; in all $13,540.

The amendment was agreed to.

The next amendment was, under the subhead "Committee employees," on page 5, line 20, after the words "assistant clerk," to strike out "$1,080" and to insert "2,040," so as to fix the compensation of the assistant clerk to the Committee on Public Buildings and Grounds at $2,040.

The amendment was agreed to.

The next amendment was, on page 6, at the end of line 7, to increase the total appropriation for committee employees of the Senate from "$367,970" to "$368,170."

The amendment was agreed to.

The next amendment was, under the heading of "Office of the Sergeant at Arms and Doorkeeper," on page 7, line 3, before the word "stenographer," to strike out "storekeeper, $2,740" and to insert "Deputy Sergeant at Arms and Storekeeper, $3,600."

The amendment was agreed to.

The next amendment was, on page 7, at the end of line 19, to increase the total appropriation for the Office of Sergeant at Arms and Doorkeeper from "$195,695.30" to "$196,555.30."

The amendment was agreed to.

Mr. ASHURST. Mr. President, I wish to ask the chairman of the committee in charge of the bill whether it is the desire to consider the committee amendments first?

Mr. WARREN. It is.

Mr. ASHURST. I have an amendment, but as it is to the text of the bill I shall have to wait and present it later.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Folding room," on page 8, line 2, after the word "Superintendent," to strike out "$1,940" and to insert "$2,400," and at the end of line 4, to strike out "$24,280" and to insert "$24,740," so as to read:

Salaries: Superintendent, $2,400; foreman, $1,940; assistant, $1,730; clerk, $1,520; folders—seven at $1,310 each, seven at $1,140 each; in all, $24,740.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent Expenses of the Senate," on page 8, line 15, to increase the appropriation for driving, maintenance, and operation of an automobile for the Vice President from "$3,000" to "$3,500."

The amendment was agreed to.

The next amendment was, on page 9, at the end of line 3, to increase the appropriation for miscellaneous items, exclusive of labor, from "$100,000" to "$125,000."

The amendment was agreed to.

The next amendment was, on page 9, at the end of line 9, to strike out "$100,000" and to insert "$200,000," so as to make the paragraph read:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, $200,000.

The amendment was agreed to.

The next amendment was, on page 9, at the end of line 18, to strike out "$30,000" and to insert "$35,000," so as to make the paragraph read:

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate under the supervision of the Committee on Rules, United States Senate, $35,000.

The amendment was agreed to.

The next amendment was, on page 15, under the subhead "Office of doorkeeper," in line 19, after the word "session," to insert "including," so as to read:

Forty-one pages, during the session, including 10 pages for duty at the entrances to the Hall of the House, at $3.30 per day each, $16,371.30.

The amendment was agreed to.

Mr. WARREN. Mr. President, I have here an amendment that the House has asked me to offer.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 18 it is proposed to strike out lines 25 and 26, and on page 19 it is proposed to strike out lines 1 to 3, inclusive, and to insert in lieu thereof the following:

For furniture and repair of furniture for the House Office Building, including floor coverings and bookcases, $7,500.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "Joint Committee on Printing," on page 20, line 23, after the figures "$2,490," to strike out "stenographer, $1,740," and to insert "assistant clerk and stenographer, $2,100," and on page 21, line 1, after the words "in all," to strike out "$9,830" and to insert "$10,190," so as to read:

For clerk, $4,000; inspector, under section 20 of the act approved January 12, 1895, $2,490; assistant clerk and stenographer, $2,100; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $10,190, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

The amendment was agreed to.

The next amendment was, on page 21, line 4, to strike out "legislative drafting service" and to insert "office of legislative counsel," so as to make the heading read:

Office of legislative counsel.

The amendment was agreed to.

The next amendment was, on page 21, line 6, after the words "of the," to strike out "legislative drafting service" and to insert "office of legislative counsel," and at the beginning of line 9 to insert "as amended by the revenue act of 1924," so as to read:

For salaries and expenses of maintenance of the office of legislative counsel, as authorized by section 1303 of the revenue act of 1918 as amended by the revenue act of 1924, $40,000, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

The amendment was agreed to.

The next amendment was, under the subhead "Capitol Building and Grounds," on page 23, at the end of line 15, to strike out "$72,368" and to insert "$81,368," so as to read:

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $81,368.

The amendment was agreed to.

The next amendment was, under the subhead "Printing and binding," on page 29, at the end of line 13, to increase the appropriation for printing and binding for the Library of Congress, including the copyright office and the publication of the Catalogue of Title Entries of the Copyright Office, binding, rebinding, and repair of library books, and for the Library Building, from "$225,000" to "$250,000."

The amendment was agreed to.

The next amendment was, in section 2, on page 36, line 24, after the word "maintenance," to strike out "storage," so as to make the section read:

SEC. 2. No part of the funds herein appropriated shall be used for the purpose of purchasing by or through the stationery rooms articles other than stationery and office supplies essential to and necessary for the conduct of public business; nor shall any part of such funds be expended for the maintenance or care of private vehicles.

The amendment was agreed to.

The PRESIDING OFFICER. The committee amendments have been disposed of. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. MOSES. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 32, line 7, after the semicolon, it is proposed to insert:

for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding $1,000).

Mr. MOSES. Mr. President, this amendment requires no addition to the sum appropriated under the general items contained in that paragraph. It simply provides that not exceeding $1,000 of the sum of money may be used for the expenses of agents of the Joint Committee on Printing in going to navy yards, cantonments, and various places to inspect the printing material which is there and which under the law may be transferred to and made use of at the Government Printing Office or in some other branch printing office, as provided by statute.

Mr. WARREN. There is no objection to the amendment.

The amendment was agreed to.

Mr. MOSES. Mr. President, I offer a second amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 36, after line 18, it is proposed to insert:

The Public Printer is hereby authorized to close Jackson Alley in Square 624, between G and H Streets, NW., in the District of Columbia, to the extent that said alley is abutted on both sides by the property

of the Government Printing Office, and upon the closing thereof the land so embraced shall be transferred to the Public Printer for the use of the Government Printing Office.

Mr. MOSES. Mr. President, in explanation of this amendment I will say that this also involves no expenditure of money. As is well known, the Government Printing Office, and the old Printing Office, which is used as a storage building for supplies and material——

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. MOSES. Certainly.

Mr. ROBINSON. Has the amendment been considered by any standing committee of the Senate?

Mr. MOSES. It has not.

Mr. ROBINSON. Does not the Senator think that the question of closing a street or an alley should be submitted to the Committee on the District of Columbia or some other committee?

Mr. MOSES. Mr. President, this amendment comes to me from the Printing Committee of the House, which, for some reason or other, did not offer it in the House. I will state the conditions as to the property ownership there.

The two buildings—the Government Printing Office and the old Printing Office—cover the whole length of this portion of the alley which it is desired to close, and there are two cross alleys which fully serve the purposes of all the surrounding property in that square. It so happens that in bringing material from the storage warehouse into the Government Printing Office, the Printing Office practically fills up this portion of the alley all day long; and they want to make some better arrangement, so that they can have a freer access.

Mr. ROBINSON. Mr. President, I shall not make any point of order against the amendment, and under the statement the Senator has made it appears to be a proper amendment.

Mr. MOSES. I am quite sure it is.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

The amendment was agreed to.

Mr. ASHURST. Mr. President, I send to the desk an amendment which I offer and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 7, line 5, it is proposed to strike out the figures "$1,770," and insert in lieu thereof the figures "$2,100."

On page 7, line 6, it is proposed to strike out the figures "$1,520" where they first appear in said line, and to insert in lieu thereof the figures "$2,100."

On page 7, line 6, it is proposed to strike out the figures "$1,390," and to insert in lieu thereof the figures "$1,800."

So that, if amended, it will read:

Upholsterer and locksmith, $2,100; cabinetmaker, $2,100; three carpenters, at $1,800 each.

Mr. ASHURST. Mr. President, Senators will refer to the bill and see that on page 7, line 5, the man who is the upholsterer and locksmith receives now a salary of $1,770 per annum, the cabinetmaker receives $1,520, while the three carpenters receive $1,390 each. My amendment proposes to increase the compensation along the lines and to the amounts stated in the amendment.

I need not repeat what I said the other day. These men are trained, high-grade workmen. They work at all hours. They prepare these seats. They do the upholstering. They could go into the market and receive $10 per day. They are trained, skillful men. One is an upholsterer and locksmith. He now receives $1,770 per annum. The cabinetmaker is receiving $1,520. The three carpenters each receive $1,390. I am proposing that they be granted an increase. I respectfully challenge any contradiction of my statement that they could leave the Senate and get their $10 per day and not work as much as they do now.

It seems to me that at this time, when the cost of living is so high, we are increasing everybody's wages but the carpenters. The amendment means that the carpenters will receive $150 a month. It means that the cabinetmaker and the upholsterer and the locksmith will receive $175 a month under my amendment; and I hope the distinguished chairman of the committee will see his way clear to accept it and let it go to conference. The chairman of the committee knows these men probably as well as I do, and I think he will vouch for the excellent character of their work.

That is all I care to say.

Mr. WARREN. Mr. President, I can vouch for the work of these men, and I want to say to the Senator that that matter will receive attention at some time; but I do not think we ought to put the amendment on this bill, because these are all classification rates, which have to be gone over with more time and more care. We have done nothing of the kind in the bill so far, and the bill is now finished as far as committee amendments are concerned.

I hope the Senator will not ask me to consent to the amendment. In fact, I can not consent to it. I agree perfectly that these men are in every way good, and, as the Senator says, they could get more by the day; so could many of us; but, of course, these are steady jobs, and they have had them a good while. We have raised their compensation considerably, and my judgment is that in due course they will receive more. I explained the situation to them a few days ago when they came to us; but the bill had already been considered, so I ask that the Senator will not press the amendment now.

Mr. TRAMMELL. Mr. President, I very much hope this increase will be granted at this time. There has been more or less rearranging of the salaries of employees connected with the Capitol, and I dislike very much not to see the carpenters get some little increase at this time.

I hope it will not complicate matters to have the amendment adopted, and let it be considered by the conference committee. I am heartily in favor of the amendment, and would like to see prompt action upon it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Arizona.

Mr. WARREN. I hope it will not be agreed to.

On a division, the amendment was rejected.

Mr. McCORMICK. Is the bill now open to amendment?

Mr. WARREN. It is.

Mr. McCORMICK. On page 6, lines 22 and 23, following the words "Assistant Doorkeeper," I move to strike out "$4,200" and to insert "$5,000."

Mr. WARREN. I hope the Senator will not undertake now to have that kind of an amendment put on the pending bill. The bill has been built in accordance with the classification we have adopted, and if it were opened up to this kind of an amendment, every Senator who has some one whose salary he wants increased will propose an amendment along that line.

Mr. McCORMICK. If the Senator will bear with me for a moment, I have two amendments in mind, to make the salaries of the Assistant Doorkeeper and the Acting Assistant Doorkeeper $5,000, and of the two floor assistants $4,000. Senators very well know the responsibility which those four officers of the Senate bear.

Mr. ROBINSON. Mr. President, will the Senator yield to a question?

Mr. McCORMICK. I yield.

Mr. ROBINSON. There must be some proportion maintained with respect to the salaries of the Senate employees. The clerks at the Secretary's desk are in attendance in the Senate all the time. The journal clerk of the Senate, for instance, receives only $3,600, and this bill does not increase his salary. A slight increase was made last year.

In no sense depreciating the value of the services performed by the Assistant Doorkeeper and the Acting Assistant Doorkeeper, in view of the salaries paid to the journal clerk and to the reading clerk as compared with the salaries which the Assistant Doorkeeper and the Acting Assistant Doorkeeper are now receiving, I suggest to the Senator from Illinois that there already exists a disproportion, and if increases are to be made, increases in the salaries of these clerks should first be agreed to.

I have been told that it will not be practicable in this bill to enter upon a policy of general increases, and the Senate seems to have taken that view of the matter. I have refrained from presenting matters which I think the evidence justifies if we are to enter upon the policy of increasing the salaries of Senate employees generally. I do not wish to put myself in the attitude of objecting to the increases the Senator proposes.

Mr. McCORMICK. Certainly, if the Senators who have given this matter such study as the Senator from Arkansas appears to have given it insists upon the view that the amendment which I have offered is not in consonance with the whole bill, and that it will bring forward other amendments to redress the balance, as it were, I shall not press my amendment.

Mr. ROBINSON. I do not ask the Senator not to press his amendment. I am submitting a statement of facts, which I think the Senator himself will find beyond a question to be accurate. Of course, the Senator is at liberty to pursue whatever course he desires in regard to the matter, but I do think that in proposing increases of salaries of Senate employees Senators should look into the merits of the proposals and have due consideration for the salaries which they are proposing to increase as compared with other salaries.

The journal clerk of the Senate, who receives $3,600 a year, performs more work and is at his desk oftener and is a more valuable clerk than perhaps any other employee of the Senate, and I see Senators about me nodding all the while I make the statement.

If the Senator thinks that it is wise to open up this question of increases in salaries generally and pay the Assistant Doorkeeper and the Acting Assistant Doorkeeper $5,000, it will make necessary a revision of the salaries of all the Senate employees, and my information is that the employees involved have not requested it.

The PRESIDING OFFICER. Does the Senator withdraw his amendment?

Mr. McCORMICK. I will not press it.

Mr. McKELLAR. What was the Senator's amendment? I was out of the Chamber when he offered it.

Mr. McCORMICK. I had proposed, on page 6, lines 22 and 23, to increase the salaries of the Assistant Doorkeepers and their assistants, but in the light of the objections raised I shall not press the amendment.

Mr. WARREN. I thank the Senator for withdrawing the amendment.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

TUITION OF INDIAN CHILDREN IN PUBLIC SCHOOLS

The PRESIDING OFFICER (Mr. LADD in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 4835) to pay tuition of Indian children in public schools, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HARRELD. I move that the Senate insist on its amendment, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. HARRELD, Mr. CURTIS, and Mr. KENDRICK conferees on the part of the Senate.

POTEAU RIVER DAM

Mr. HARRELD. I move to reconsider the vote by which the bill (S. 601) granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River, was passed day before yesterday. I do not care to press the motion at this time, but I must make it within two days. I therefore enter the motion and give notice that I shall ask for action upon it later.

The PRESIDING OFFICER. The motion to reconsider will be entered.

Mr. HARRELD. As the bill has been sent to the House, I move that the House be requested to return the bill to the Senate.

The motion was agreed to.

SOUTH BRANCH OF CHICAGO RIVER

Mr. McCORMICK. Mr. President, I ask unanimous consent for the present consideration of Senate bill 3188, Order of Business 719. If it leads to any debate, of course I will not ask for any further consideration of it.

I will describe the measure briefly as a bill to authorize the Secretary of War to close a bend or branch of the Chicago River when the city has canalized a short cut straightening the river. It is a measure which the Secretary of War himself has approved, and which is unanimously supported by the representatives of the city government and of the city in the Congress.

Mr. OVERMAN. Let it be read, Mr. President.

The reading clerk read the bill (S. 3188) for the abandonment of a portion of the present channel of the south branch of the Chicago River, as follows:

Whereas the city of Chicago has requested a permit of the Secretary of War to straighten the south branch of the Chicago River between West Polk Street and West Nineteenth Street in the city of Chicago as a part of a project which comprises the construction of a new channel and the abandonment of the old channel between said West Polk Street and said West Nineteenth Street, as shown on drawings transmitted by the city of Chicago to the Secretary of War in connection with the aforesaid request for a permit and which are on file in the office of the Secretary of War; and

Whereas it is proposed to fill up and abandon a portion of the present channel of the south branch of the Chicago River between said streets as soon as said new channel shall have been constructed: Therefore

Be it enacted, etc., That as soon as the city of Chicago, or any other governmental agency or any corporation thereunto duly authorized by the Secretary of War, shall have constructed a new channel for the south branch of the Chicago River between West Polk Street and West Nineteenth Street in said city of Chicago, then, and in that event, so much of the present channel of the south branch of the Chicago River as shall be superseded and replaced by said new channel in accordance with the permit of the Secretary of War shall be discontinued and abandoned.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The principal clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Fernald	Ladd	Robinson
Ashurst	Ferris	La Follette	Sheppard
Bayard	Fletcher	Lenroot	Shields
Borah	Frazier	Lodge	Shipstead
Brandegee	George	McCormick	Smith
Brookhart	Glass	McKellar	Smoot
Broussard	Gooding	McKinley	Stanley
Bursum	Harreld	McNary	Stephens
Cameron	Harris	Moses	Sterling
Capper	Harrison	Neely	Swanson
Caraway	Heflin	Norbeck	Trammell
Colt	Johnson, Calif.	Oddie	Wadsworth
Couzens	Johnson, Minn.	Overman	Walsh, Mass.
Cummins	Jones, N. Mex.	Phipps	Walsh, Mont.
Curtis	Jones, Wash.	Pittman	Warren
Dale	Kendrick	Ransdell	Watson
Dial	Keyes	Reed, Mo.	Weller
Dill	King	Reed, Pa.	

Mr. McNARY. The senior Senator from Nebraska [Mr. NORRIS] is unavoidably absent on official business.

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, there is a quorum present.

REGULATION OF CHILD LABOR

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, House Joint Resolution 184.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. BAYARD. Mr. President, I desire to submit a few remarks upon the pending joint resolution.

Mr. LENROOT. I call the attention of the Senator from Delaware to the fact that when we adjourned Thursday evening I was making some remarks upon the joint resolution. I had concluded some general observations and inquired whether it was the desire to adjourn, and stated that if it was I would not perhaps be able to finish that evening, and therefore yielded the floor with the understanding that I was to continue to-day. Of course, technically, the Senator is entitled to the floor, but I was in the midst of some remarks and I supposed I would be recognized immediately when the unfinished business was laid before the Senate to-day. It was so understood.

Mr. BAYARD. Let me read the RECORD for the benefit of the Senator. The Senator's speech winds up in this way:

I did intend to discuss the measure in some other aspects, but it would take me some time, and I would a little prefer not to go on to-night.

Mr. LENROOT. That is exactly the language I used.

Mr. BAYARD. Then follows a whole column of procedure by the Senator and no statement made by the Senator from Wisconsin that he desired to retain the floor or intended to resume his remarks at another time, nor does it appear that he agreed to cease from his remarks that a motion might be put for adjournment or anything of the kind. While I would like to grant the Senator every courtesy, I do not admit that the RECORD discloses that my insistence upon keeping the floor at this time would be discourteous.

Mr. LENROOT. Of course, if the Senator insists upon it, very well; but it was understood by every Senator that I had not concluded my speech.

Mr. CURTIS. I should like the attention of the Senator from Delaware. The Senator from Wisconsin yielded to me to enable me to move an executive session.

Mr. BAYARD. May I ask the Senator if he will yield the floor to me at the conclusion of his address?

Mr. LENROOT. As far as I have the power to do so, I will yield as the Senator suggests.

Mr. BAYARD. I do not mean to be discourteous to the Senator. Do not misunderstand me in that way.

Mr. LENROOT. Oh, no; but may I say to the Senator that two speeches of some length have been made in opposition to the amendment, one very long one by the Senator from New York [Mr. WADSWORTH], and thus far no speeches, except the remarks I made on Thursday, have been made in favor of it.

Mr. BAYARD. Could the Senator tell me how long he will take to conclude his remarks?

Mr. LENROOT. If I am not interrupted, I expect to conclude in 30 minutes, certainly not to exceed an hour. I shall ask not to be interrupted except for questions.

Mr. BAYARD. Very well. I yield the floor to the Senator.

Mr. LENROOT. I thank the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Wisconsin will proceed.

Mr. LENROOT. Mr. President, when I yielded the floor Thursday evening I had been making some general observations with regard to the obligations of the two great political parties respecting the question that is now before the Senate. I read from the platform of the Republican Party expressly pledging the party to legislation of this character, and I also read the plank in the platform of the Democratic Party in making a like pledge. I have just one observation to add to what I said with respect to the matter, and that is that while I do not claim to have the gift of prophecy, yet I know that the Republican Convention at Cleveland, whether the amendment be defeated or whether it shall be agreed to, will contain a plank expressly committing the party to the constitutional amendment and pledging its support. I do not know what action the Democratic Party may take upon the subject, but I venture to say that the Democratic Convention at New York will also have an express pledge in favor of such an amendment or it will suffer to the extent of half a million votes and the Republican Party will be the gainer thereby, because let it not be forgotten that the women of America regard this question as one of the major questions before the American people to-day.

Mr. President, is the amendment necessary? The Senator from Delaware [Mr. BAYARD] the other day undertook to suggest that while the promises of the two great parties in 1920 might have been well founded at that time, conditions have so greatly improved since that time, or facts have been disclosed since that time, making it apparent that the amendment was no longer necessary. Upon that point Senators are aware that there meet in annual convention State officials representing the activities of the respective States upon labor questions. Not all of the States are represented, but many of them are. In the 1918 convention this declaration was made:

> That this convention hereby expresses the firm conviction that it is to the best interests of the Nation that an adequate Federal child labor law providing for prompt and effective enforcement be speedily enacted by Congress.

At that convention there were represented the States of Arizona, Colorado, Connecticut, Iowa, Kansas, Michigan, Missouri, Nebraska, North Carolina, Rhode Island, South Carolina, Utah, Washington, and Wisconsin. In 1923 a similar convention was held—the year 1923, when the Senator from Delaware stated that the facts now available disclose that the amendment is no longer necessary. In the convention held on May 4, 1923, just a year ago, this declaration was adopted:

> Whereas recent decisions of the Supreme Court in child labor and minimum wage laws for women seem to justify the opinion that constitutional amendments are necessary to make such laws constitutional: Therefore be it
>
> *Resolved*, That this association favors and urges the incoming Congress of the United States to submit constitutional amendments upon these subjects.

At that convention there were represented 21 of the States, as follows: Arkansas, Connecticut, Delaware, Georgia, Illinois, Louisiana, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Virginia, West Virginia, and Wisconsin. So, Mr. President, the State officials of the 21 States are evidently of the opinion still that the amendment is necessary in order properly to regulate the subject.

I am sorry the Senator from Delaware [Mr. BAYARD] has left the Chamber, for we have at least some evidence from the little State of Delaware that the amendment is still regarded as necessary in that State. I read from the Wilmington (Del.) News of January 10, 1923, as follows:

> The number of children between 14 and 16 years of age granted employment certificates during the year 1922 increased 252 compared with the number for the year 1921, according to the report made by Charles A. Hagner, State child labor inspector, at the annual meeting of the State labor commission in their offices in the Du Pont Building yesterday afternoon. During 1922 certificates were issued to 423 children compared with 171 in the previous year. This increase, according to Mr. Hagner's report, resulted from the nullification of the Federal child labor law by the Supreme Court in May.

Mr. President, what are the facts with reference to the existing prevalence of child labor and the necessity for Federal action upon the subject? Senators have been cited to the United States census report and the fact has been emphasized that during the past three decades the evils of child labor have been constantly decreasing. That is so. We are glad that it is so. But aside from the fact that it still is a great evil, aside from the fact that only 18 States of the Union have to-day brought their State standards up to the standards under the Federal laws that were pronounced unconstitutional by the Supreme Court, it is very clear that one reason for the improvement in child-labor standards made by the States themselves was the existence upon the statute books from 1916 to 1918 of the first law, which was then held unconstitutional, and from 1919 to 1922 of the second law, which was then held unconstitutional. During that time the States in a very remarkable degree brought their standards up in harmony with the Federal act.

It is easy to see why that should be so. The constant argument before any State against high standards of child labor is that it would submit the manufacturers of that given State to unfair competition, would penalize them, would handicap them, if that State should raise the standard of child labor and adjoining States should have a lower standard, so that the State having low standards could produce a commodity at less cost than the State having the higher standard. But when the Federal act was in force and when there was cooperation between the Federal and State Governments, no such argument would have any weight, and the States were perfectly willing to bring up their own standards to the Federal standard. In support of that argument I point to the fact that during the interval of time since the Federal child labor tax law was found to be unconstitutional, and therefore not upon the statute books, not one State brought its own State standards up to the standards embodied in the Federal act.

What is the situation with reference to child labor? We are told there were only a little over a million children between the ages of 10 and 15 years who were engaged in gainful occupations when the census was taken in 1920. That was a very great reduction; a reduction of about 46 per cent over the census of 1910; that is encouraging, Mr. President; but two things must be borne in mine as accounting, in part, for that result.

One of them is that about 600,000 of those children fell into the classification of agricultural pursuits; and in 1920 the time of the taking of the census was changed from April, the date when it had previously been taken, to January, so that, unlike the census of 1910, the census of these children in 1920 was taken in January, at a time when a very much smaller proportion or percentage of children was engaged upon the farms than there would be after the school year. With reference to nonagricultural pursuits, also, we all know that the winter season is the slack season, and that there would always be a lesser number employed, either men, women, or children, in January than there would be in April or May or June.

However, granting all that, Mr. President, there were still in 1920, 413,549 children between the ages of 10 and 15 years who were engaged in nonagricultural pursuits. More than 50,000 of them, Mr. President, were working in the textile industries of this country at that time. I ask unanimous consent to place in the RECORD a table taken from the census report showing by occupations, in so far as the census has covered the occupations, the various occupations of those 413,549 children.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table is as follows:

Number and per cent distribution, by occupation, of children 10 to 15 years of age, inclusive, engaged in selected nonagricultural pursuits, for the United States, 1920 [1]

Occupation	Number	Per cent distribution
All nonagricultural pursuits	413,549	100.0
Messenger, bundle, and office boys and girls [2]	48,028	11.6
Servants and waiters	41,580	10.1
Salesmen and saleswomen (stores) [3]	30,370	7.3
Clerks (except clerks in stores)	22,521	5.4
Cotton-mill operatives	21,875	5.3
Newsboys	20,700	5.0
Iron and steel industry operatives	12,904	3.1
Clothing-industry operatives	11,757	2.8
Lumber and furniture industry operatives	10,885	2.6
Silk-mill operatives	10,023	2.4
Shoe-factory operatives	7,545	1.3
Woolen and worsted mill operatives	7,077	1.4
Coal-mine operatives	5,850	1.8
All other occupations	162,722	39.7

[1] Fourteenth Census of the United States, 1920: Children in Gainful Occupations not yet published; figures furnished by courtesy of United States Bureau of the Census).

[2] Except telegraph messengers.

[3] Includes clerks in stores.

Eighty-eight per cent of the children engaged in agricultural pursuits in 1920 were employed on the home farm.

Mr. ROBINSON. Mr. President, may I ask the Senator from Wisconsin a question?

Mr. LENROOT. Yes.

Mr. ROBINSON. How long was it after the act went into effect before the Supreme Court decision in the Hammer case, holding the act unconstitutional, was rendered?

Mr. LENROOT. The first case was that of Hammer against Dagenhart. The act was passed in 1916, became effective in 1917, and was found to be unconstitutional in 1918. The next act went into effect in 1919, and was found to be unconstitutional in 1922.

Mr. ROBINSON. So that the first child labor act which Congress passed—the one which did not invoke the taxing power but undertook to deal with the products of child labor in commerce—and which was finally held to be unconstitutional, was actually in force for approximately two years. Was there any widespread complaint in the country that it proved to be oppressive?

Mr. LENROOT. I heard of none, and I do not think anyone else heard of any, except that there was some complaint on the part of some of the textile manufacturers of the United States.

Then, Mr. President, when we are told that this situation is so rapidly improving that there is no reason for Federal action, let us see just how much the decrease in child labor has been. Speaking of children from 10 to 15 years of age who were engaged in nonagricultural pursuits in 1880, there were 396,504; in 1890 there were 686,213; in 1910 there were 537,797; and in 1920 there were 413,549. So, giving the opposition the benefit of every doubt, there was during the previous 10-year period a reduction of about 25 per cent, saying nothing about the time of the year the census was taken, saying nothing about the influence of the Federal act which was then upon the statute books and which had not at that time been found unconstitutional by the Supreme Court.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. LENROOT. Yes.

Mr. FLETCHER. The Senator from Wisconsin has made a comment that both political parties had made pledges in their platforms to sustain this proposition. I find in the Republican platform that the pledge was:

> The Republican Party stands for a Federal child labor law and for its rigid enforcement. If the present law be found unconstitutional or ineffective, we shall seek other means to enable Congress to prevent the evils of child labor.

The Democratic platform states:

> We urge cooperation with the States for the protection of child life through infancy and maternity care; in the prohibition of child labor and by adequate appropriations for the Children's Bureau and the Women's Bureau in the Department of Labor.

Neither of those platforms pledges the parties to a constitutional amendment, which is quite a different proposition.

Mr. LENROOT. Let us see whether they do or not. The Republican platform indorsed the child labor law then upon the statute books, and stated that if it should be found unconstitutional the Republican Party would seek other means by which to accomplish the same object. There is only one other means that can accomplish the object now since the decision of the Supreme Court has been rendered, and that is by a constitutional amendment. The platform of the Senator's own party, the Democratic Party, "urged cooperation with the States for the protection of child labor through infancy and maternity care." In view of the decision of the Supreme Court holding Congress to be without power to pass such an act, how can the Congress of the United States cooperate with the States in the prohibition or regulation of child labor except through a constitutional amendment?

Mr. FLETCHER. Mr. President, this proposal is to permit the Federal Government to take entire control of the situation; it is not to cooperate with the States, but it is to supersede the States.

Mr. LENROOT. No; it is cooperation, because the amendment does not deny to the States any power that the States may choose to exercise so long as they do not conflict with the Federal legislation in harmony with the amendment.

Mr. FLETCHER. But I call the Senator's attention to the fact that section 2 of the proposed amendment states that the State laws shall be suspended if they conflict with any laws enacted by Congress.

Mr. LENROOT. Yes; if they conflict with such laws.

Mr. FLETCHER. There is no cooperation there.

Mr. LENROOT. Speaking about cooperation, we will suppose, if you please, that this proposed amendment becomes a part of the Constitution, and Federal legislation is enacted prohibiting, we will say, a child under 14 years of age from working in a factory. That will not prevent the State of Florida or any other State, if it chooses to do so, from passing a law to prohibit any child under 16 years of age working in a factory. Is not that cooperation? Of course it is.

Mr. President, I said that the number of children gainfully employed had been reduced to 413,000 under the circumstances that I have mentioned and according to the census of 1920, but the last child labor act was found unconstitutional in May, 1922, and some surveys have been made as to conditions since the census of 1920.

The Secretary of Labor has reported that figures secured by the Children's Bureau of the Department of Labor indicate that since the middle of 1922 the number of children between 14 and 16 going to work has steadily increased, and that the decrease in the employment of such children during the industrial depression of 1920 and 1921 was only a temporary one. In 1921, out of 35 cities furnishing statistics to the Children's Bureau, more children under 16 years of age were given permits to go to work in 1922 than in 1921, and in 29 out of 34 cities more children received permits for 1923 than in 1922. In these 34 cities——

Mr. BAYARD. Mr. President——

Mr. LENROOT. I yield to the Senator from Delaware.

Mr. BAYARD. May I ask the Senator if the figures he is reading give the number in detail and show at what period of the year the permits were issued and whether it was during the school year or otherwise?

Mr. LENROOT. I have not those figures.

Mr. BAYARD. I thought not.

Mr. REED of Missouri. Mr. President, may I ask the Senator a question?

Mr. LENROOT. I yield.

Mr. REED of Missouri. I ask whether, in every instance where permits have been given under State laws, it is not required that there shall be special reasons shown to some board, bureau, or officer that passes upon the necessities of the case?

Mr. LENROOT. Not in all cases; no, sir.

Mr. REED of Missouri. Is not that the general rule?

Mr. LENROOT. I think that may be said to be the general rule.

Mr. REED of Missouri. Is it not the rule in every case where it is necessary to have a permit?

Mr. LENROOT. I think not. I think there are some States where some board is given plenary power to issue permits, and they are merely required to be satisfied that the permit is proper.

Mr. REED of Missouri. Exactly; but in every case there is the guardianship of some official board thrown around the employment of the child when he gets a permit; otherwise there would be no necessity for a permit.

Mr. LENROOT. I wish to correct my answer to the Senator from Delaware when he inquired with reference to whether the permits were issued during the school year. I will say the comparison is made for the entire year 1922 with the entire year 1923, so that it would include both the school year and the vacation.

Mr. REED of Missouri. May I ask the Senator a further question?

Mr. LENROOT. I yield.

Mr. REED of Missouri. What proportion of the children that the Senator has named who were employed in gainful pursuits were working in factories?

Mr. LENROOT. Of the 413,000 that I have named over 50,000 were working in textile mills.

Mr. REED of Missouri. All of the year or only part of the year?

Mr. LENROOT. I do not know. The statement is taken from the census report as to children employed in gainful occupations.

Mr. REED of Missouri. Exactly; and it gives no information as to how many hours a day they were employed or the period of the year during which they were employed.

Mr. LENROOT. No; but I do know, Mr. President—and Senators may examine the table put in the RECORD by the Senator from New York [Mr. WADSWORTH]—that in some States children of 15 years of age are permitted to work——

Mr. REED of Missouri. And they certainly ought to be permitted to work.

Mr. LENROOT. Let me finish my sentence—in factories 11 hours a day and 60 hours a week.

Mr. REED of Missouri. I will undertake to ask the Senator to furnish us some details of those figures. I want to ask him, further, if it is not true that the very figures he gives cover a period when the Federal act was presumed to be valid?

Mr. LENROOT. Yes.

Mr. REED of Missouri. So that whatever increase of employment there was occurred under that Federal act with all of its safeguards.

Mr. LENROOT. No; the figures that I was last reading were the figures of increases occurring after the court found the second child labor act unconstitutional.

Mr. REED of Missouri. Well, they were almost inconsequential. A few in each State were given; but the large figure, the one of four hundred and some——

Mr. LENROOT. Let me see whether or not they were inconsequential. In 19 of the cities reporting in 1923 there was an increase over 1922 of at least 20 per cent, and in 9 cities the increase was approximately 50 per cent.

Mr. REED of Missouri. Fifty per cent of what?

Mr. LENROOT. Over that of the previous year, when a part of that year the Federal law was supposed to be effective.

Mr. McCORMICK. Mr. President, will the Senator pardon me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further; and if so, to whom?

Mr. LENROOT. With the permission of the Senator from Delaware [Mr. BAYARD], I will yield just as freely as he is willing to have me.

Mr. REED of Missouri. I just want to have this one proposition cleared up; that is all.

Mr. LENROOT. But I told the Senator from Delaware I would conclude as soon as possible.

Mr. REED of Missouri. The large figure which the Senator gave as to child-labor employment embraced the period which was covered by the Federal act, and therefore the employment must have been in conformity with that act; and it must, therefore, embrace children in those employments where the act did not exclude them, or where the act excluded them only from particular occupations; so it seems to me that that leaves us in this sort of situation——

Mr. LENROOT. In justice to the Senator from Delaware, I can not yield for an argument, unless he is willing to have me do so; then I will.

Mr. REED of Missouri. Well, that is part of the question. Does not that leave us in this sort of situation: The enormity the Senator complains of existed under the congressional child labor act?

Mr. LENROOT. All right. Now, let us actually get the facts.

In 1916 the first child labor law was enacted. It was found unconstitutional, as I recollect, in the spring of 1918. As every Senator knows, that act attempted to regulate the employment of child labor through the interstate-commerce clause, through the prohibition of the transportation in interstate commerce of commodities that were the product of child labor. That act was held unconstitutional in 1918.

In 1919, as I recollect in the latter part of the year, the second child labor law was enacted by Congress, and that undertook to regulate through the taxing power. In the first place, the administration of the first act had completely ceased, because for a period of nearly two years the law had been found to be unconstitutional. With reference to the enforcement of the second act, when the 1920 census was taken, the force and effect of that act was because of its being upon the statute books, but the Government's administrative officials had not yet had the time or the opportunity to enforce it, because it had just barely gone into effect when this census was taken.

Mr. McCORMICK. Mr. President, may I ask the Senator from Wisconsin a question?

Mr. LENROOT. Yes.

Mr. McCORMICK. Is it not true that during the decade 1910 to 1920, despite the unusual incentive to employ child labor, there was a very great diminution, as far as the return of the census showed, in child labor employed?

Mr. LENROOT. Yes; 25 per cent for nonagricultural occupations.

Mr. McCORMICK. If the Senator will allow me to continue a moment, it is the most amazing thing that during that period, when the demand for labor was greater than it had ever been in the history of the country, when the employment of adults, especially women, incidental to the war increased, the employment of children decreased not only relatively but actually.

Mr. LENROOT. Now, Mr. President, I must go on, and I must request that I be not interrupted except for a question, because I do want to assist the Senator from Delaware in getting the floor this afternoon.

Mr. REED of Missouri. Will the Senator permit an interruption which is pertinent to what he has just said?

Mr. LENROOT. I yield.

Mr. REED of Missouri. The first child labor law was approved on September 1, 1916, and was to go into effect on September 1, 1917. It was declared unconstitutional on June 3, 1918. The second child labor law was approved February 24, 1919. It was declared unconstitutional on May 15, 1922.

Mr. LENROOT. That is right.

Mr. REED of Missouri. So it was in existence from February, 1919, to May, 1922; and that embraces the very period of time covered by the Senator's figures, or approximately covered by them.

Mr. LENROOT. Now, Mr. President, just one other statement regarding this particular point. I want to read from the letter of Secretary of Labor Davis, addressed to the Senator from California [Mr. SHORTRIDGE], dated January 6, 1923. I will read just one paragraph:

> Recent publications of this department show children engaged in industry unprotected by regulations governing wages, hours, and working conditions. Children, according to these publications, were found in oyster and shrimp canneries, some as young as 5 or 6 years—

And let me observe in passing, Mr. President, that if any child—and there were such—under 10 years of age was working in any factory, the census report did not show it.

Mr. REED of Missouri. Mr. President, will the Senator please read that statement again? I could not catch it.

Mr. LENROOT. This was an interpolation. I made the statement that if there were children under 10 years of age working in factories they would not show in the census report.

Mr. REED of Missouri. I heard that. I refer to the paragraph the Senator read about their being unprotected.

Mr. LENROOT. I will read it again:

> Recent publications of this department show children engaged in industry unprotected by regulations governing wages, hours, and working conditions. Children, according to these publications, were found in oyster and shrimp canneries, some as young as 5 or 6 years, working in cold, damp sheds, their hands cut by oyster shells, shrimp thorns, and the knives with which they work. Over 500 boys under the age of 14 years were found to have been employed as breaker boys in the coal industry in violation of several laws, and 137 below the age of 16 were found working underground.

Mr. REED of Missouri. If the Senator will pardon me, the point on which I rose was the statement "Children unprotected by any law." I should like to know the State where laws for the protection of children of tender years are not on the statute books.

Mr. LENROOT. Oh, yes.

Mr. REED of Missouri. As to the rest of the statement the Senator read the employments were clearly violative of statutes, and it is quite as readily to be believed that if we had a Federal statute it might be violated as a State statute.

Every State has a minimum law of 14 years for children in factories—every State of the Union, without an exception.

Mr. LENROOT. I think that is true, but, Mr. President, I make the general statement that any child 15 years of age that is permitted under any State law to work 11 hours a day and 60 hours a week is not protected.

Mr. REED of Missouri. But is there any such law?

Mr. LENROOT. Yes; there is.

Mr. REED of Missouri. Where is the State which has a law that permits a child 14 years of age to work 11 hours a day in a factory?

Mr. LENROOT. I did not say 14. I said 15.

Mr. REED of Missouri. Well, 15?

Mr. LENROOT. They may get a permit.

Mr. REED of Missouri. Oh!

Mr. LENROOT. Is not that permissive?

Mr. REED of Missouri. Under a governmental safeguard, of course, where there is a peculiar condition shown, as, for instance, that a child has no other means of support. What do you want to do—turn him out to starve?

Mr. LENROOT. We will take the case of North Carolina. There children under 14 years of age are prohibited from working. Under certain conditions they may work under 16 years of age, but an employment certificate has to be issued under such conditions as each State welfare commission may prescribe.

Mr. BAYARD. Mr. President, will not the Senator state those conditions?

Mr. LENROOT. Those are conditions made not by the law but by the will of the commission.

Mr. BAYARD. But does not the Senator understand that in those exceptions cases of this kind arise—that they may be in summer time, they may be out of school hours, they may be because of the financial condition of the child or the financial condition of the parents?

Mr. LENROOT. I am reading now: "Under such conditions as certain commissions may prescribe." That is not the fixing of a condition by law.

Mr. OVERMAN. Mr. President, I think if the commission were here I could prove by them that North Carolina has the best child labor law in the United States.

Mr. LENROOT. The Senator from Missouri asked for a case. I will say to the Senator from North Carolina that it may be that you have a commission which, while having authority to permit almost anybody to work between 14 and 16, might be such a commission that they would have the very highest standard and the most tender care for the child.

Mr. OVERMAN. We have a child-welfare commission, presided over by a good woman, and nobody can work who has not been examined by a physician. They are examined before they are allowed to work at all; and, as I say, the law is known to be one of the standard laws of the country.

Mr. LENROOT. The Senator merely corroborates my statement. I am asked with reference to the laws of the States. I say that any law that gives to any commission unconditional authority with reference to the employment of children is not a law that in itself protects the child. It all depends upon the nature and the kind of your commission.

With reference to this State, I find in North Carolina, "Hours of labor under 16 and over 14 when permitted." They may be compelled to work 11 hours a day and 60 hours a week; and there are other States likewise.

So, Mr. President, shall it be said that when we find a condition like this, which does exist; when we find that since this child labor law has been found unconstitutional not a single State of the Union has brought its own standards up to the standards of the Federal act; when we find the fact to be that only 18 States out of the 48 to-day have child-labor standards up to the standards provided for in the Federal act which was found unconstitutional—with those facts staring us in the face, who shall say there is no necessity for Federal action upon this subject?

Now, I want to devote just a few moments to the very able speech made by my good friend the senior Senator from Florida [Mr. FLETCHER] the other day upon this subject. It was not my good fortune to hear the speech, but I read it with great care, as I always do everything the Senator from Florida says. The Senator from Florida is one of the most conscientious, high-minded men in this body, and I was very much amazed at some of the things I found in the able Senator's speech.

As I read the speech it occurred to me that it could not be that the Senator from Florida had given to this question his usual careful thought and his usual sober reflection, for he said some things in it which I am sure upon mature consideration he himself would not approve.

Just in passing, our good friend from Florida undertook to quote Scripture as against this amendment. He quoted from the Bible:

> Six days shalt thou labor and do all thy work.
> Come unto Me all ye that labor.
> The laborer is worthy of his hire.
> The laborer is worthy of reward.

Then he said, "The holiness of labor is to be effaced" by this amendment.

Surely, Mr. President, the able Senator from Florida did not mean, could not have meant, to have the Senate or the country understand that he thought that the working of a child of 15 years of age in a factory 11 hours a day and 60 hours a week was a holy thing.

The able Senator might have quoted some Scripture more to the point, but it would not have been in support of the position he took. Much more to the point, Mr. President, is that saying of the Man of Nazareth:

> Whoso shall offend one of these little ones which believe in me, it were better for him that a millstone were hanged about his neck and he were drowned in the depths of the sea.

Mr. BAYARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Delaware?

Mr. LENROOT. I yield.

Mr. BAYARD. May I suggest to the Senator, while he is quoting incidents from the life of our Savior, that he might also remember the fact that as a boy of 12 Jesus worked in a carpenter shop. He might also recollect the fact, and it is a fact, that He received no detriment from doing so, and He grew up to be the most wonderful man in the world.

Mr. LENROOT. Let me understand, then, the position of the Senator from Delaware. Do I understand the position of the Senator from Delaware to be that because Jesus worked as a carpenter at 12, he is in favor of all boys in the United States——

Mr. BAYARD. I did not say that.

Mr. LENROOT. What is the point of the Senator's argument?

Mr. BAYARD. I was calling the Senator's attention to another incident in our Savior's life; that was all.

Mr. LENROOT. Of course, there could have been but one inference the Senator desired to have drawn from that fact.

Mr. BAYARD. Does not the Senator feel it to be a fact that if our Savior had been handicapped, or felt that He had been handicapped, in His wonderful experience and knowledge, He would have known, when He grew up, whether or not He should warn other little boys from going into carpenter shops, or warn parents from taking little boys into carpenter shops at the age of 12? We find nothing of that kind in the teachings of our Saviour, I am sure.

Mr. LENROOT. I want to ask the Senator a plain question. Does the Senator think that the employment of a boy or girl of 15 years of age in a factory 11 hours a day and 60 hours a week is conducive either to health or to the intellectual and mental development of that child?

Mr. BAYARD. No; not for every boy, and I imagine very few girls. I say that very frankly. That is a question of physical endurance. It is an individual operation entirely. The Senator takes these thousands of figures and undertakes to make us believe, by glossing them over, that the whole operation runs along that basis, when a study of the details shows that is not the fact.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. LENROOT. I yield.

Mr. FLETCHER. May I say to the Senator that in my judgment the worst injury that could be inflicted upon the youth of the land, the worst disservice that could be rendered these boys and girls under 18 years of age, would be to prohibit their useful employment and to dictate how the fathers and mothers of the country are to control and manage their children. That is my view of it.

I say that if you prohibit the youth of the country from performing labor until they are 18 years of age they will never perform any labor, and you will add to the number of inmates in the prisons of the country.

Mr. LENROOT. In the first place, I do not know of anyone who proposes to prohibit the labor of all boys and girls under 18 years of age.

Mr. FLETCHER. But this amendment would give the authority to do that very thing.

Mr. LENROOT. I understand; and I will come to that in a moment. In the second place, so far as the Senator's argument that that is a matter for the parents to decide is concerned, I call attention to the fact that the Senator's own State has undertaken to enter that domain. Does he criticize it, does he condemn it, because it interferes with the authority of a parent over the child in that respect?

Mr. FLETCHER. No; I say we should leave the whole question to the State.

Mr. LENROOT. That is another question.

Mr. FLETCHER. Florida has prohibited the labor of children under 14 years of age in factories. They have a State inspector. There is no complaint about the enforcement of the law; and the Constitution places the whole subject in the States.

Mr. LENROOT. But now the Senator is getting off on another branch of this case. He was just talking about the authority of parents and taking from the parents their authority. In the next breath he approves of somebody compelling the parents, if they do not do it voluntarily, to safeguard the health, the morals, and the education of their children.

In that connection, Mr. President, my friend from Florida, in the speech referred to, said:

> The idea of regulating, much less prohibiting, the labor of a person 17½ years of age is absurd.

I find the Senator's own State of Florida prohibits from employment as messengers for telegraph, telephone, or messenger companies, between 10 p. m. and 5 a. m., any child under 18 years of age. Does the Senator say the action of his own State legislature was absurd? I find, further, that his own State of Florida prohibits children under 18 years of age from cleaning machinery while it is in motion. Does the Senator say that the action of his own State of Florida was absurd in that regard? Again, I ask the Senator would he be willing to intrust his life to a boy 17½ years of age as engineer of a passenger train carrying him from here to his home?

Absurd! If it be absurd, then 41 States out of the 48 of the United States have enacted absurd legislation, because 41 of them have regulated in some occupations the labor of children under the age of 18 years.

Mr. President, the most serious criticism I have to make of the able speech of the Senator from Florida is of that portion of his address in which he discussed the decision of the Supreme Court finding unconstitutional the first child labor law in the Dagenhart case. He quotes the court correctly as saying:

> Thus the act in a twofold sense is repugnant to the Constitution. It not only transcends the authority delegated to Congress over commerce but also exerts a power as to a purely local matter to which the Federal authority does not extend. The far-reaching result of upholding the act can not be more plainly indicated than by pointing out that if Congress can thus regulate matters intrusted to local authority by prohibition of the movement of commodities in interstate commerce, all freedom of commerce will be at an end, and the power of the States over local matters may be eliminated, and thus our system of government be practically destroyed.

Then the Senator proceeds to this observation:

> That is precisely what is proposed to be accomplished by this suggested amendment to the Constitution. If the joint resolution proposing this amendment be passed by Congress by the requisite vote and the amendment be ratified by a sufficient number of States, then we shall see what Justice Day predicted in his opinion—"our system of government will be practically destroyed."

Surely the Senator from Florida would not have the Senate understand that Justice Day, who wrote that opinion, ever intimated for one single moment that if Congress were given the power to regulate or prohibit the employment of child labor our system of government would be destroyed.

What Justice Day did say was that if Congress should be held to have absolute power over all commodities in interstate commerce, should have the right to prohibit in interstate commerce the transportation of any commodity, irrespective of its character, irrespective of its use, then, he said, this system of government would be destroyed, because the Congress would have the power to destroy it. But it had nothing to do with the question of child labor at all. On the contrary, the same Justice Day said:

> That there should be limitations upon the right to employ children in mines and factories in the interest of their own and the public welfare all will admit. That such employment is generally deemed to require regulation is shown by the fact that the brief of counsel states that every State in the Union has a law upon the subject.
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> It may be desirable that such laws be uniform, but our Federal Government is one of enumerated powers; "this principle," declared Chief Justice Marshall in McCulloch against Maryland, "is universally admitted."

Justice Day never intimated for a moment that Federal regulation of child labor would not be desirable. He simply held that the power had not been delegated to the Congress. The amendment proposes to delegate such power to the Congress, and it does nothing more.

While upon this subject let me say that I was one who was much interested in the passage of the first child labor law. I believed at that time that the constitutionality of the act should be sustained under the interstate commerce clause upon the ground that unfair competition existed where one State had very high standards and another State had very low standards, and it would be unfair competition to the State that had high standards to permit its industries to be handicapped and perhaps destroyed through the shipment in interstate commerce of commodities from a State having very low standards. The court discussed it at considerable length, and I want to refer to that for a moment. The court said:

> It is further contended that the authority of Congress may be exerted to control interstate commerce in the shipment of child-made goods because of the effect of the circulation of such goods in other States where the evil of this class of labor has been recognized by local legislation and the right to thus employ child labor has been more rigorously restrained than in the State of production. In other words, that the unfair competition thus engendered may be controlled by closing the channels of interstate commerce to manufacturers in those States where the local laws do not meet what Congress deems to be the more just standard of other States.
>
> There is no power vested in Congress to require the States to exercise their police power so as to prevent possible unfair competition.

I think every lawyer, when he comes to reflect upon it, must concede that the decision of the court was correct in that respect, that while we may have and do have the right to deal with unfair competition in interstate commerce we can not under the power to regulate commerce compel a State to do or refrain from doing anything that is within its power to do. So here again the amendment delegates to the Congress of the United States the power to deal with the subject in the way that the language of the amendment itself provides.

My friend the Senator from Florida [Mr. FLETCHER] paid a very eloquent tribute to the forgotten man, the man who is never heard of, whose name never gets into the press, who goes along his daily way from the cradle to the grave.

A very eloquent tribute it was that the Senator from Florida paid that forgotten man, but I wonder if it occurred to the Senator from Florida that there are some of those forgotten men who are forgotten because at a time when they ought to have had the normal pleasures and duties of youth, when they should have had opportunity for the development of body and mind, they were denied that development, their growth, physically and mentally, was stunted, and they had not the equal opportunity for life that ought to be the fortune of every man and woman, of every boy and girl in the United States.

The only object of the proposed amendment is to pay some attention to the forgotten child of the Nation, to the forgotten child who to-day, either because the law permits it or in violation of law, is denied that opportunity to make the best of his or her life as manhood is attained, is denied the normal pleasures and recreations of children, is denied the opportunity to physically develop the body so that he and others may be men and women physically and mentally of the highest type of citizenship of the country.

That is one of the objects of the legislation. This country, this Federal Government, is interested in the kind of citizenship, the kind we have to-day, the kind we shall have to-morrow, the kind we shall have a quarter of a century hence, because the kind of a government that we shall have 25 years from now depends not upon any of us who are here this afternoon, because nearly all of us then will have passed from the stage of life. The kind of government that we shall have in the United States 25 years from now depends upon the boys and girls who are between the ages of 10 and 16 years to-day. That is the reason why it ought to be and is a matter of Federal concern upon the basis of citizenship.

Mr. President, much has been said about upholding the Constitution of the United States, and I want to take this opportunity to say that I am not one of those who would destroy the Constitution by making laws passed by Congress of equal force as a constitutional provision, with no judicial power to have the right to say whether or not a law passed by Congress is in violation of the fundamental law of the land. But those who would prevent that movement of destroying the Constitution of the United States that they so highly praise to-day can not do it by taking the position that the Constitution was a perfect instrument when framed by the fathers of the Government, that it must not be touched, that it must not be changed, that all wisdom died with the fathers, and that the changing processes of society can not call for any modification, addition, or amendment of that document. On the contrary, I say, sir, that the best friends of the Constitution of the United States are those who, as society progresses, as conditions change, as the years pass, are willing, when amendments are necessary in view of the changed conditions, to do their part to save the Constitution of the United States in all its essentials by favoring amendments that will improve it, but not destroy it.

Mr. President, there was read into the RECORD the other day a letter purporting to give the views of the American Farm Bureau Federation in opposition to the amendment. I called up Mr. Gray Silver, who is the secretary of that federation, an organization which has my highest respect and esteem, an organization which I believe has done perhaps more for farmers, so far as legislation is concerned, than any other farm organization represented here in the Capital. I was amazed to find an expression undertaking to give the attitude of that federation in opposition to the amendment. I called up Mr. Silver and asked if it had ever been submitted to a referendum, and he said it had not. I asked if it had been brought up at their national convention, and he said that it had not.

I undertake to say now that the American Farm Bureau, at least in my section of the country, is heartily in favor of the amendment, and this letter purporting to express the views of the American Farm Bureau does not represent the attitude of the farmers of the Northwest at all. All of the Northwestern States, if the amendment be adopted, will be found ratifying the amendment, practically unanimously. I realize very well that there has been a great deal of propaganda among the farmers of the country trying to make them believe that if the amendment shall be adopted Congress will undertake to prohibit the employment of boys and girls under 18 years of age upon the farm. There is no Senator who seriously thinks that any Congress of the United States would ever for one single moment attempt to enact or even think of legislation prohibiting the labor outside of school hours of children upon the home farm. But an amendment to the Constitution of the United States when ratified is not for to-day, or to-morrow, or next year, alone. An amendment of the Constitution, once ratified and finding a place in the Constitution of the United States, stands as long as this Government stands unless repealed or modified. The time may come half a century hence or 100 years from now when certain forms of our agriculture may be industrialized, where it may be carried on in the same way as to certain forms of agriculture as great industries are now being carried on. When that time comes it may be that the farmers of the United States would be unwilling to meet the competition where great corporations, perhaps with a lowering of the doors of immigration, may employ, not as farmers do their children upon their farms, but in exactly the same way as factories do, little children for a mere pittance of wage, having no interest and having no concern for their welfare. The time may come when the farmer himself may be asking the Congress of the United States to deal with that subject in the interest of the farmer.

Let me say just a few words upon the subject of the age limit of 18 years. If there be any attempt to amend the proposed amendment so as to make the maximum 16 years of age, I call attention to the fact that 41 States and the District of Columbia now have regulations covering child labor extending to 18 years of age, and 32 States and the District of Columbia have regulations extending to minors under 21 years of age. I shall not take time to discuss those regulations, but will merely name the States. They are Alabama, Arizona, Arkansas, California, Connecticut, Delaware, the District of Columbia, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey—of course Senators will understand these regulations apply only as to some occupations—New York, North Carolina—where the maximum hours for employment in factories and manufacturing establishments are 11 per day, 60 per week, with certain exceptions—Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

Of course every Senator who opposes this proposed constitutional amendment does so conscientiously and because he believes it to be his duty to the public and to the people whom he represents to oppose it; but it is worth while in this connection to make a little comparison of the organizations that favor this amendment and those which are opposed to it. Supporting the amendment we find the American Association of University Women; American Federation of Labor; American Federation of Teachers; American Home Economics Association; commission on the church and social service, Federal Council of the Churches of Christ in America; Democratic National Committee—I hope every Democratic Senator heard that—General Federation of Women's Clubs; Girls' Friendly Society in America; National Child Labor Committee; National Council of Catholic Women; National Council of Jewish Women; National Council of Mothers and Parent-Teacher Associations; National Council of Women; National Education Association; National Federation of Business and Professional Women's Clubs; National League of Women Voters; National Woman's Christian Temperance Union; National Women's Trade Union League; Republican National Committee; Service Star Legion; and Young Women's Christian Association. The State legislatures of six States—California, Massachusetts, Nevada, North Dakota, Washington, and Wisconsin—have petitioned Congress to submit an amendment.

Mr. President, the attempt is sometimes made to make us believe that this proposed amendment is favored by only a few sentimentalists, a few impractical "highbrows," who know nothing about the practical affairs of life, but I say that a more representative list of the men and women of America who really accomplish things in our country, who really stand for the best things in American life, can not be found than in the list that I have enumerated.

Then, Mr. President, for just a moment let us turn and examine the character of the organized opposition to this amendment. The principal opposition to the amendment, so far as activity and propaganda are concerned, is the National Manufacturers' Association. Mr. President, does anybody believe that the National Manufacturers' Association of the United States is attempting to defeat this amendment because of its concern for the welfare of the children of America?

Mr. OVERMAN. Mr. President, where does the Senator from Wisconsin get the idea which he advances? I live in a manufacturing State, a big manufacturing State; in fact, one of the leading manufacturing States of the country, and I have not received one single, solitary letter from my State from a manufacturer in reference to this subject.

Mr. LENROOT. Why should the Senator have received such a letter? Every manufacturer knows the position of the Senator from North Carolina on the question.

Mr. OVERMAN. And I venture to say that no other Senator has received such a letter from my State.

Mr. LENROOT. The fact appears in the House hearings. That the attorney of the National Manufacturers' Association appeared there is sufficient, is it not?

Mr. OVERMAN. I do not think that the manufacturers of my State had any attorney, and I do not think such an attorney appeared there. A man by the name of David Clark appeared there, who was the editor of a little textile journal.

Mr. LENROOT. I said the National Manufacturers' Association. That organization is a national one.

Mr. OVERMAN. I do not think any representative from North Carolina appeared.

Mr. LENROOT. Representatives of that association appeared before the House committee, not the Senate committee.

Mr. OVERMAN. I read the House hearings, and I did not see that anybody from my State appeared there. I do not know whether anybody representing the manufacturers from other States appeared or not.

Mr. WADSWORTH. If the Senator from Wisconsin will yield to me, I should like to observe that this is news to me. I have not had a letter from a single manufacturer, and I represent in part a State that has more factories and manufacturers than all New England combined.

Mr. LENROOT. I have before me the House report.

Mr. OVERMAN. I doubt whether any Senator had a letter from North Carolina on this subject. I do not think so.

Mr. REED of Missouri. Mr. President——

Mr. LENROOT. I wish to clear this matter up now. I read from the House report as follows:

The principal opposition to the amendment came from the National Manufacturers' Association, the Pennsylvania Manufacturers' Association, the Southern Textile Bulletin, the Sentinels of the Republic, the Moderation League of Pennsylvania, the Women's Constitutional League of Maryland, an organization with 50 active members formed to oppose the maternity and infancy act, and the Woman Patriot Publishing Co., first established as the organ of the Antisuffrage Association.

Mr. OVERMAN. That is what the man who wrote that statement says, but I did not see anything in the testimony to bear that out. I have great respect for the Senator, but I question whether he can show me where any North Carolinian appeared, except the editor of a paper, who made a rather bad showing, I confess.

Mr. LENROOT. I do not know anything about the manufacturers of North Carolina.

Mr. OVERMAN. I am speaking of these particularly.

Mr. LENROOT. I am frank to say that I supposed the editor of the Southern Textile Bulletin did represent the attitude of the majority of the textile manufacturers of the Senator's State.

Mr. OVERMAN. I do not know whether he did or not, but I am frank to say that he did come here and make an appearance.

Mr. REED of Missouri. Mr. President, if the Senator will permit me, I should like to say that there are some manufacturers in my State, and I have not heard a word from any one of them, although I have been flooded with a lot of high-priced propaganda in favor of the proposed constitutional amendment that somebody paid for; and I have had some letters in opposition from men who have studied the Constitution and the character of our Government, who can not be condemned either as manufacturers or as included in any other wicked category of those who possess money.

Mr. LENROOT. Mr. President, let us examine this aspect of the case for a moment. Any organization favoring this proposed amendment could not be actuated by any thought of possible financial profit to them. Their only object, whether mistaken or otherwise, in favoring it could be because of their concern for the welfare of the child.

Mr. WADSWORTH. Mr. President, will the Senator yield at that point?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. LENROOT. I yield.

Mr. WADSWORTH. As I recollect, the Senator read among the associations supporting the amendment the Federation of Teachers?

Mr. LENROOT. Yes.

Mr. WADSWORTH. Does not the Senator know that that same Federation of Teachers has been urging for some time some Federal aid to education; and is it not a fact that under this proposed amendment Congress could take charge of the education of children?

Mr. LENROOT. It certainly is not. I am very glad the Senator spoke of that, because if he had not done so I should have forgotten to make any reference to it. I wish at this point to digress for a moment to discuss that subject. I listened with very great interest to what the Senator said in his speech on Thursday last to the effect that if this amendment were adopted the Federal Government could regulate all education in the United States.

Mr. WADSWORTH. By limitation.

Mr. LENROOT. By a limitation?

Mr. WADSWORTH. Yes.

Mr. LENROOT. Now let us see. Does the Senator think for a moment that if this amendment should be adopted Congress could enact valid legislation which would provide that no child under 18 years of age not educated in the public schools should be permitted to engage in labor?

Mr. WADSWORTH. No; I do not think that Congress could attach that limitation as to education in the public schools, but I think that Congress, very logically under this amendment, could say that no child should be permitted to labor until he had had a certain number of years of education and a certain kind of education. Congress can put any limitation on the labor of children that it wants to; any condition may be attached to it.

Mr. REED of Missouri. And that for the very reason that the Congress is by this proposal given the power absolutely to prohibit labor, and the power absolutely to prohibit labor carries with it the power to name every condition upon which it may be performed.

Mr. LENROOT. Mr. President, the decision in the Dagenhart case settled that very proposition. If Congress shall ever undertake by means of this proposed amendment, in fact, to regulate education, the Supreme Court would do with such a law just exactly what it did with the first child labor law. It would say with reference to such a measure what it said with reference to that law and with reference to the second law invoking the taxing power; that while Congress ostensibly undertook to regulate commerce in the one case and undertook to exercise the taxing power in the other case, the real purpose was to regulate the employment of child labor, which was not within the Federal power. If at any time any Congress should attempt to regulate education through this proposed amendment, the fate of such a law would be exactly that which befell the first child labor law.

Mr. GEORGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LENROOT. I yield.

Mr. GEORGE. If the Senator will examine the child labor law of any State, he will find that one of the regulations embraces certain educational requirements. I dare say that such a provision is in the child labor law of every State of the Union. It is the one way by which regulation is undertaken.

Mr. LENROOT. Certainly. I have not any doubt, Mr. President, that Congress under this amendment would have the power to say that children shall not engage in labor unless they shall attend school.

Mr. GEORGE. For so many months.

Mr. LENROOT. For so many months.

Mr. GEORGE. Or for so many years.

Mr. LENROOT. I have not any doubt about that, nor have I any doubt that the Congress might provide that no child should labor unless he had attained, perhaps, the fifth grade or the sixth grade in education; but when it comes to an attempt to regulate education—that is to say, supposing it should be provided that children should not engage in labor unless they were proficient in some foreign language or in geology or in the sciences—the court would in a moment say: "You are attempting to do something that is beyond your control; it is not regulation of child labor; it is a regulation of education."

Mr. GEORGE. Yes; but if Congress can regulate conditions under which the child shall labor it can effectively impose any condition on educational requirements.

Mr. LENROOT. Under this proposed amendment Congress could not compel a child to go to school.

Mr. REED of Missouri. Mr. President, with reference to the authority to which the Senator has just referred, it is true that in the child-labor decisions and also in the decision in the Nebraska case, which was aimed at the teaching of foreign languages, the Supreme Court did say that a power granted for an express purpose could not be distorted into a power to be employed for an entirely different and separate purpose; but it is also true that, beginning with the decision in the national bank currency case, where the taxing power was employed to destroy the right of State banks to issue currency, down to the narcotics act, in which the Government employed the power to levy a tax so as to regulate the sale of narcotics——

Mr. LENROOT. I must beg the Senator to make it short.

Mr. REED of Missouri. Let me finish the sentence. And including the oleomargarine act, the courts have held that they will not look back of the declared purpose of Congress for the real purpose, and that if a power is granted it can be used for whatsoever purpose Congress sees fit to employ it. They have gone practically to that length; and the point of distinction between the two lines of cases is that the Supreme Court in two or three recent cases have held that where it is perfectly plain that the power is being employed for a purpose entirely outside of the rights granted to Congress by the Constitution, in those perfectly plain cases they will hold the law to be unconstitutional; but in this case, where the right to prohibit the labor of anybody under 18 years of age absolutely exists, clearly Congress can name the conditions under which labor can be performed.

Mr. LENROOT. Mr. President, I am not going to spend further time upon that phase of the matter. I want to say to the Senator from Missouri that up to the time of the decision in the second child-labor case I was firmly of the opinion that the court would hold just as they had held in the oleomargarine and other cases; but we can no longer say that the court will

not inquire into the real purpose of Congress with respect to legislation, because they did it in the second child-labor case; and while we passed a law invoking the taxing power exactly as we did in the oleomargarine cases and exactly as we did in the phosphorus match law, the court in this case undertook to inquire into the motives of Congress, and, notwithstanding we imposed a tax, they found that our real purpose was to regulate child labor; and that is what would happen in case Congress should, under this amendment, ever attempt to regulate education.

Mr. FLETCHER. Mr. President——

Mr. LENROOT. I can not yield further, because I must let my good friend from Delaware have the floor in just a moment.

To get back to the question of these manufacturers' associations. I now have before me the hearings in the House, and I find that Mr. James A. Emery, general counsel, National Association of Manufacturers of the United States, appeared personally before the committee and opposed this amendment.

The question was asked:

> Where is your residence—where are you from?
> Mr. EMERY. Washington.

He said:

> I appear here, Mr. Chairman, on behalf of the National Association of Manufacturers of the United States and the following State associations of manufacturers throughout the United States: California Manufacturers' Association, Manufacturers' Association of Connecticut, Manufacturers' Association of Delaware, Associated Industries of the Inland Empire (Idaho), Indiana Manufacturers' Association, Iowa Manufacturers' Association, Associated Industries of Kansas—

I am not going to take the time to read the long list of them, but I want to be fair enough to these State associations to say that I do not believe that any very considerable number of these State manufacturers' associations ever authorized the National Manufacturers' Association to appear in opposition to this amendment, because I do not believe they are opposed to it; but, Mr. President, somebody in the National Manufacturers' Association is opposed to it, and the Pennsylvania Manufacturers' Association appeared before the House committee in opposition to this amendment.

Mr. Henry W. Moore, of Philadelphia, Pa., said:

> I am here representing the Pennsylvania Manufacturers' Association.

Mr. President, did you ever know of the National Manufacturers' Association or the Pennsylvania Manufacturers' Association appearing before any committee of Congress interested in humane legislation, having their attorneys appear here for any measure to advance the social welfare?

Mr. REED of Missouri. Mr. President, will the Senator allow me to remark in passing that they have appeared before many Republican conventions and financed many a Republican campaign.

Mr. LENROOT. Whether they have or not has nothing to do with the statement I have just made. My good friend to my left [Mr. CURTIS] makes the observation that they have appeared likewise before Democratic conventions and helped finance Democratic campaigns.

Mr. REED of Missouri. If so, they brought us pennies where they brought you dollars.

Mr. LENROOT. Mr. President, why is it that these manufacturers' associations are appearing here in opposition to this amendment? Is there any Senator who thinks they are here because they are interested in the health and the education and the development of the little children of our country? No. Only one conclusion can follow the appearance of these gentlemen, and that is that they want to coin into dollars and accumulate into profits the lives of some of these children. No other inference can be possibly drawn, and that is why they are here—because they think there are more dollars for them in profits that will be taken from them in case this amendment is adopted and the Federal Government has some control over this subject.

Mr. OVERMAN. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LENROOT. Yes.

Mr. OVERMAN. I think the Senator is unfair to these manufacturers. I know it is so in my State. When the child labor law went into effect agents were sent all over this country to spy upon the manufacturers. To give an example, if the Senator will yield to me for that purpose, these agents were sent down to my State, and they would go to a boy and say, "How old are you?" "I am 15 years old." "You are not 15 years old. Where is your mother? Where does your mother live? Where is her house?" They invaded the sacred precincts of her home to ask for the birth certificate or to ask for the Bible. That is what makes the people mad. Then they came back here to Washington, and in several instances assessed our people $50,000 or $100,000 for violating the second child labor law.

I went to those men before the department and showed them clearly—so much so that they abated the fines—that misrepresentations had been made. The manufacturers, of course, do not like these agents to come down and be disputing their word and going into the homes of their employees and spying upon these people, and they resent that. There is something in what the Senator says, but there are other reasons why they are opposed to the amendment, and that is one of the reasons—because these people were troubled and assessed immense sums when there was no excuse for it. The lady who presided over that great department is opposed to this legislation because this thing took place, and I have the record here showing that she thinks it is a vicious piece of legislation.

Mr. LENROOT. Mr. President, it is not necessary for a manufacturer to undergo the penalty of which the Senator speaks; not at all. A manufacturer can protect himself from the employment of children. Of course, if he is so eager to make profits out of those who come right along the line that he is willing to take a chance, he may incur it.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. WADSWORTH. The Senator has delivered himself of a wholesale assault upon the manufacturers of the United States.

Mr. LENROOT. No; I have not.

Mr. WADSWORTH. Oh, yes; the Senator says that no manufacturers' association or manufacturer has come here with any other motive than that of keeping his hand upon these little children and grinding dollars out of them, or words to that effect. He has made no exceptions at all.

Mr. LENROOT. I said those who came here. In my own State, for instance, I do not believe there is a manufacturer who is opposed to this amendment, and I am sure the Manufacturers' Association of my State is not opposed to this amendment.

Mr. WADSWORTH. I was about to make the same observation about the manufacturers of my State. I would not have made that observation had not the Senator indicted, wholesale, all manufacturers.

Mr. LENROOT. No; I did not; and the Senator must not misquote me, because every Senator will know that I stated in reading this list that I did not believe that Mr. Emery, in appearing here purporting to represent all these State associations, did in fact represent them, because I said I did not believe that was their attitude.

Mr. WADSWORTH. Well, Mr. President, we get different impressions from what people say.

Mr. LENROOT. If the Senator will look at the RECORD he will see that that is exactly what I said.

Mr. REED of Missouri. Mr. President, will the Senator furnish us a bill of particulars as to what manufacturers he is indicating? He has now exculpated nearly everybody.

Mr. LENROOT. No; Mr. Emery appeared personally before the House committee in opposition to this amendment. Mr. Emery is counsel for the National Manufacturers' Association. He must have had authority from somebody to appear to represent somebody.

Mr. REED of Missouri. Does not the Senator remember that Mr. Emery is the gentleman that we drove out of Washington during the lobby hearing; that we exposed his methods at that time, and that it was very plain that he did not represent the decent and responsible element of manufacturers in this country at all; that he was just a faker down here getting some money by pretending to furnish information, if that is the same Emery?

Mr. LENROOT. What the Senator now states is not at all inconsistent with the statement I have made. I have repeatedly said that I did not believe that the majority of the manufacturers of this country were in accord with the position taken by Mr. Emery; but Mr. Emery came to this committee representing somebody, and I have a right to assume that that somebody was some manufacturers who desired and were interested in continuing to employ little children for their own profit in dollars.

Mr. OVERMAN. Mr. President, that is the reason why I interrupted the Senator, because I thought he had made a wholesale charge against all manufacturers.

Mr. LENROOT. The Senator knows now that I did not, does he not?

Mr. OVERMAN. I know the Senator started out by denouncing Emery, and what Emery had done, and I said: "Do not be unfair to all manufacturers, because that is not true as to all of them."

Mr. LENROOT. Will not the Senator agree that I said I did not believe that Mr. Emery represented the attitude of these State associations?

Mr. OVERMAN. I do.

Mr. LENROOT. But, Mr. President, we have one State association that also expressly appeared, and that was the Pennsylvania Manufacturers' Association, in the person of Mr. Moore.

Mr. WADSWORTH. Has the Senator read the testimony in regard to that?

Mr. LENROOT. I have.

Mr. WADSWORTH. I have not, myself. I am wondering if their testimony indicates an inhumane attitude; whether they have something to point out about the age of 18. It would be an extraordinarily serious consideration if enforced to the full letter, and more serious to the employee than to the employers themselves.

Mr. LENROOT. This is what he said, representing the Pennsylvania association:

> Now, then, if all the amendments, with the exception of the eighteenth, which I feel was an innovation, and amendments of that nature are in the nature of a wedge, tending to open wider the split which has occurred, and if followed by other similar amendments, it will tend to open that rift so wide there may be a flood of poor legislation which, in our opinion, would have no place in a frame of government which should be strictly limited to its purpose, to control legislation and not to speak it; if that occurs it seems to me there is danger that the Federal Constitution may be open to the same criticism which so many State constitutions are now subject to, in the attempt to regulate everything, and the adoption of State legislation, which at the time is popular, or supposed to be important, they have loaded them down to the point where they are digests of the law.

It was a general condemnation of this amendment and did not relate to any particular point.

Mr. WADSWORTH. Does the Senator mean that that indicates an inhumane attitude? There are people who believe there should be some limit to the powers of the Federal Government.

Mr. LENROOT. I will say that I know something of Mr. Emery, as the Senator from Missouri has indicated, and so does the Senator from New York.

Mr. WADSWORTH. I never heard of him before.

Mr. LENROOT. That gentleman has never appeared before any committee of Congress I have been aware of where there was not some selfish purpose to serve for somebody he was representing.

Mr. WADSWORTH. Was the Senator reading from his testimony?

Mr. LENROOT. Just now I was reading from Mr.——

Mr. WADSWORTH. The Pennsylvania man?

Mr. LENROOT. Yes.

Mr. WADSWORTH. That is the man about whom I asked the question.

Mr. LENROOT. He is a man I do not happen to know anything about.

In conclusion, this constitutional amendment, as has been frequently pointed out, prohibits nothing. In itself, if adopted and ratified by the States, unless there shall be subsequent legislation upon the subject, it will not be effective for any purpose. All that it does is to give to the Congress the power to do what Congress in 1916 supposed it had the power to do under one clause of the Constitution and in 1919 supposed it had the power to do under another clause of the Constitution.

If Congress was right in 1916, if it was right in 1919, in believing that that legislation was desirable and necessary, then this amendment ought to be adopted and submitted to the States for ratification; and may I suggest that if three-fourths of the States shall ratify this amendment if submitted, surrendering a portion of their own rights, will not that be the strongest kind of evidence that the arm of the Federal Government is needed in those States to cooperate with them in the suppression of this evil? If, on the other hand, it shall not be ratified by that number of States, the matter will rest exactly where it is.

In closing, Mr. President, I again emphasize the character of the support this amendment has. It has the support of organizations throughout the United States representing all that is best in the life of the United States. It has the support of the Republican Party officially, and it has the support of the Democratic Party officially. As I said in the beginning of these remarks, it will have the support of the Republican Party on the 11th day of June next in the Cleveland convention. Whether this resolution be adopted Monday or rejected, that convention, sir, is going to favor the amendment, and I hope the Democratic Party will do likewise at its New York convention. If it does not, the Republicans will profit by the omission to the extent of several hundred thousand votes.

HOUR OF MEETING ON MONDAY

Mr. CURTIS. Mr. President, we are to vote on the pending constitutional amendment on Monday at 5 p. m., and several Senators have asked me if I would not request that when the Senate concludes its business to-day it take a recess until Monday morning next at 11 o'clock. I make that request.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent that when the Senate concludes its business to-day it take a recess until 11 o'clock on Monday. Is there objection? The Chair hears none, and it is so ordered.

Mr. OVERMAN. I understand that the pending joint resolution will be the unfinished business, and that the debate may go on?

The PRESIDENT pro tempore. That is correct.

MAJOR THOMAS JAMES CAMP

Mr. WADSWORTH. Mr. President, I report favorably from the Committee on Military Affairs, without amendment, the bill (S. 3416) to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army, and I submit a report thereon (No. 672). I ask for the immediate consideration of the bill.

The PRESIDENT pro tempore. The Secretary will report the bill for information.

The reading clerk read the bill as follows:

> *Be it enacted, etc.*, That upon the occurrence of the next vacancy in the grade of major in the Regular Army such vacancy may be filled by the appointment by the President, by and with the advice and consent of the Senate, of Thomas James Camp, if found physically qualified, as a major of Infantry in the Regular Army: *Provided*, That no pay or allowances antedating an acceptance under an appointment pursuant to this act shall accrue thereunder.

Mr. ROBINSON. Mr. President, I understand that this officer tendered his resignation, but promptly thereafter sought to withdraw the same, and that for some time afterwards it was in doubt in the War Department as to whether his resignation had actually been accepted and he was out of the service.

Mr. WADSWORTH. The question was, Which arrived at the department first, the original resignation or the request for leave of absence and the withdrawal of the resignation? It was finally determined, and had to be determined, that the resignation arrived first, and that it had already been accepted. There was an error of intent on the part of the officer, who did not realize his privilege, under the statute, of taking a leave.

Mr. ROBINSON. I understand that the report is unanimous.

Mr. WADSWORTH. It is unanimous, and the bill has the approval of the Secretary of War.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. FLETCHER. Mr. President, I have just received two letters bearing on the measure pending before the Senate, which I desire to have printed in the RECORD. One is from a great lawyer, for years a judge of the State circuit court in Florida, Judge W. B. Young. I ask to have that letter printed in the RECORD.

The other letter is from Mr. D. H. Petree, who is a member of the Florida Legislature, has four sons, and has a word to say on this subject.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the letters were ordered to lie on the table and to be printed in the RECORD, as follows:

JACKSONVILLE, FLA.,
May 23, 1924.

Hon. D. U. FLETCHER.

MY DEAR SENATOR: I have just received the copy of H. J. Res. 184, which you were kind enough to send me. If this proposed amendment is adopted then they should adopt another amendment abolishing all State governments. It will not be worth the cost thereof to continue

under State governments. The fears of those who opposed the ratification of the Constitution, as expressed in the convention to which its ratification was submitted, are being realized. This joint resolution could never pass either House of Congress, if all those elected as Democrats are true to Democratic principles, by the requisite majority. The attempt in section 2 to say that the powers of the States is not impaired by the article is absurd, for this very section says that State laws shall be suspended to give effect to the enactments of Congress.

Yours truly,

WM. B. YOUNG.

D. H. PETREE REALTY CO.,
Callahan, Fla., May 29, 1924.

Hon. DUNCAN FLETCHER,
Washington, D. C.

MY DEAR SENATOR: I have read with much interest this morning your strong, reasonable and timely protest against the proposed amendment to regulate and prohibit the labor of persons under 18 years of age. I hasten to congratulate you on the stand you have taken in the matter, and wish to say that you not only have my own unqualified personal approval of your position, but believe you also have, in this matter, the approval of every right-thinking father and mother in Florida.

I am amazed and humiliated to think that there are some pretended statesmen in Congress that are so lacking in farseeing range of vision as to favor this amendment. I do not believe that a more dangerous thing could happen to our country than the enactment of such a law. I firmly believe that a revolution and the speedy downfall of our Government will follow the adoptment of such an amendment.

If I am anything to-day, if I am of any use to my fellow man, I attribute it to the fact that my parents taught me to labor in my youth. They taught me how to do things—even required me to do them, and but for this discipline on their part, God only knows what I might have turned out to be.

I have raised four sons. I taught them to labor while young, and discouraged idleness. Although I sent them to school, I required them to work when not in school. To-day they are all sober, clean, and honorable and have the confidence of all who know them. One of them, a very young man, is a member of the city council in Jacksonville. I shudder to think what they might have been if I had allowed them to grow up in idleness.

When the right of a father to govern his own family is taken away from him, God pity our Nation and the world!

I will be a member of the next Florida Legislature, from Nassau County. Will be elected without opposition. I only wish that there was something that I could do in that body against such dangerous laws.

Keep up the fight against it, Senator, and may God hold up and strengthen you. With very best wishes, and my highest regards, I am,

Respectfully,

D. H. PETREE.

Mr. BAYARD obtained the floor.

Mr. REED of Missouri. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Fletcher	McKellar	Sheppard
Bayard	George	McKinley	Shields
Brandegee	Gerry	McNary	Shipstead
Brookhart	Glass	Moses	Shortridge
Broussard	Gooding	Norbeck	Smith
Bursum	Harreld	Oddie	Stanfield
Cameron	Heflin	Overman	Stanley
Colt	Jones, N. Mex.	Owen	Swanson
Cummins	Jones, Wash.	Phipps	Trammell
Curtis	Kendrick	Pittman	Wadsworth
Dial	Ladd	Ransdell	Walsh, Mont.
Ernst	Lenroot	Reed, Mo.	Warren
Ferris	Lodge	Robinson	Wheeler

The PRESIDENT pro tempore. Fifty-two Senators having answered to their names, a quorum is present. The Senator from Delaware will proceed.

Mr. BAYARD. Mr. President, the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States provides as follows:

Resolved, etc., That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ARTICLE —

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article, except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

I may say in passing that I have submitted and there lies upon the desk an amendment to which I shall refer later in my remarks.

The advance by legislation making for the amelioration of conditions touching child labor between 1910 and 1920 shows a tremendous stride forward, and the figures disclose that of the little over 1,000,000 children under 16 years of age employed, as shown by the 1920 census, 61 per cent were employed on farms, and that even on the farms this was a 50 per cent reduction of the children employed over the census of 1910. Further consideration should be given to the fact that a very small percentage of those working on the farms were working for persons other than their parents.

In 1912 the child labor laws of 21 States were below the standard set up for uniform child labor drafted by the national labor committee at that time, but now statistics and facts plainly show that only 3 States are below those standards in important particulars, and that these are not industrial States.

It is interesting to note further that under the 1920 census it appears that of the children below 16 years of age engaged in gainful occupation two-thirds of all of them were in their fifteenth and sixteenth years, and of those employed in manufacturing and mechanical industries all but 10,000 had passed their fourteenth birthday.

Another phase of the matter which is totally misconstrued and misrepresented by the proponents of the proposed legislation is in regard to the number of children working on part time. Many thousands of the children engaged in the manufacturing industries, and also fruit packing and canning establishments, only work during the summer months, and this would apply to many other industries as well; so that while the number of children employed in the course of a year would appear to be great, the actual period of employment and the character of employment and the age of the children so employed are not fairly presented. If detailed evidence were given of this, it would appear, first, that not only a vast majority of such children are covered by the State laws in regard to the minimum age but, second, that the period of employment only lasts over a few months, which in actual effect does not either harm the children physically or prevent their school attendance during the winter months.

Just why the age of 18 years is taken does not clearly appear in any of the discussions generally presented to the public, and yet every thinking person must know that children between 16 and 18 are capable of work, if the laws of the several States governing the employment of minors provide for reasonable rules and regulations; and it is submitted that they do generally so provide. Why, then, is the age of 18 placed in the resolution?

It is apparent that the proposed measure would put under Federal control a boy of 17 years and 10 months as a person to be supervised by the Federal official merely on account of his age, yet we forget, apparently, that our draft law in the recent war authorized the taking of boys who had reached their eighteenth birthday and placed them in the Army. If they can not work at manual labor at 17 years and 10 months, by what metamorphosis can they be transformed into soldiers immediately upon their eighteenth birthday?

I desire to read some statistics, and I say very frankly that I take them from the House majority report, which was in favor of the adoption of the joint resolution, and therefore I shall assume the statistics are more favorable to the proponents of the measure than to the opponents. When I shall have finished reading from the short table I shall ask that it be incorporated in my remarks.

I call attention first to the fact that in 1910 there were 10,828,365 children from 10 to 15 years of age, inclusive, in the United States. Of this number, 557,797 were engaged in nonagricultural pursuits; that is, 5.2 per cent of all the children under 15 years of age in the whole country. In 1920, despite the fact that the total increase in the number of children ran the number to 12,502,582, only 413,459, or 3.3 per cent, were engaged in nonagricultural pursuits. The balance, of course, were engaged in agricultural pursuits.

I would call attention to the fact that in 1920 the total number of children from 10 to 15 years of age engaged in any gainful occupation was 1,060,858, and of those 647,300, or 61 per cent, were engaged in agricultural pursuits, while 413,540, as I have already mentioned, were engaged in nonagricultural pursuits.

I further call attention to the figures in the table showing in detail how these children engaged in nonagricultural pursuits were employed. A short time since we listened to the junior Senator from Wisconsin [Mr. LENROOT], and, as I

understood it, he meant it deliberately to appear, and when he mentioned this whole number of four hundred thousand and odd children engaged in nonagricultural pursuits, he wanted us to believe and the people who read his speech to believe that those children were all being engaged in pursuits which were detrimental to their health and to their welfare.

The detailed data shows that those employed as messengers for handling bundles and messenger service, office boys and girls, were 48,028, or 11.6 per cent of the more than 400,000 engaged in nonagricultural pursuits. All of the figures which I shall read in the next few minutes will have reference to that element of labor.

Servants and waiters, 41,586, or 10.1 per cent. That is, over 10 per cent of the whole number engaged in nonagricultural industries were engaged in House service, and yet my good friend from Wisconsin would have it appear from his remarks that they were being ground down and their lives squeezed out of them by reason of the nature of their occupation.

Salesmen and saleswomen in stores 30,370 or 7.3 per cent.

Clerks, except clerks in stores, 22,521 or 5.4 per cent.

Cotton-mill operatives. I want to call attention to this particularly, because there was great stress laid by the Senator from Wisconsin upon this point. The total number of cotton-mill operatives in the country from 10 to 15 years of age was 21,875 or 5.3 per cent. I pause here for a moment to say that when we come to the figures which I shall present later and which were presented in large detail a day or two ago by the senior Senator from New York [Mr. WADSWORTH], it will be perfectly apparent that due regard is had and due provision made to see that children under 14 years do not work in those factories except a State permit is granted by an officer appointed by law for that purpose.

Newsboys 20,706 or 5 per cent of the total. We all know that the newsboy does not spend all of his time selling newspapers. We all know that in nearly all of the States the newsboys themselves are supervised by a labor inspector.

Mr. REED of Missouri. How many of those were there?

Mr. BAYARD. There were 20,706.

Iron and steel operatives, 12,904 or 3.1 per cent; clothing industry operatives, 11,757 or 2.8 per cent; lumber and furniture operatives, 10,585 or 2.6 per cent; silk mills, 10,023 or 2.4 per cent; shoe factories, 7,545 or 1.8 per cent; woolen and worsted mill operatives—and we have heard a great deal about the woolen mills—7,077 or 1.7 per cent; coal-mine operatives, 5,850 or 1.4 per cent; all other occupations 162,722 or 39.03 per cent.

Number and per cent distribution, by occupation, of children 10 to 15 years of age, inclusive, engaged in selected nonagricultural pursuits, for the United States, 1920 [1]

Occupation	Number	Per cent distribution
All nonagricultural pursuits	413,549	100.0
Messenger, bundle, and office boys and girls [2]	48,028	11.6
Servants and waiters	41,586	10.1
Salesmen and saleswomen (stores) [3]	30,370	7.3
Clerks (except clerks in stores)	22,521	5.4
Cotton-mill operatives	21,875	5.3
Newsboys	20,706	5.0
Iron and steel industry operatives	12,904	3.1
Clothing-industry operatives	11,757	2.8
Lumber and furniture industry operatives	10,585	2.6
Silk-mill operatives	10,023	2.4
Shoe-factory operatives	7,545	1.8
Woolen and worsted mill operatives	7,077	1.7
Coal-mine operatives	5,850	1.4
All other occupations	162,722	39.3

[1] Fourteenth Census of the United States, 1920: Children in Gainful Occupations (not yet published; figures furnished by courtesy of United States Bureau of the Census).

[2] Except telegraph messengers.

[3] Includes clerks in stores.

I do not know why, but the proponents of the joint resolution certainly in this House, although, from reading the RECORD, I can not find that they did so in the House at the other end of the Capitol, absolutely failed to call attention to the fact that the percentages given are not of the whole number of children in the country and not of the whole number of children engaged in gainful occupations, but of the whole number of children engaged in nonagricultural operations. So if we take, for instance, the woolen and worsted mill operatives, of whom we have heard a great deal, the children so employed constitute 1.7 per cent of the four-hundred-and-odd thousand children employed in the nonagricultural pursuits. Think of what an infinitesimal per cent they are of the 12,502,582 children below the age of 15 years! Yet if we listen to the arguments it is attempted to make it appear that the percentages apply to the whole number of children throughout the country who are below the age of 15 years.

Turning now to the facts in the case, which seem from all reports on the subject to be glossed over or avoided on the sentimental, unfair, and untrue plea that the States are not doing their duty by their minor children, it may be well to look into the absolute facts of the situation. I have here a table, showing, in brief, the laws of the several States relative to employment of children in factories.

I shall not read the table in detail, but it shows conclusively that not one single State in the Union fails to have a law relative to the employment of children in factories under which no child under 14 years of age may be employed except by a special permit issued by the proper State official. The senior Senator from New York [Mr. WADSWORTH] discussed this question very ably the other day, but it is interesting to note that in not all of the States is the age limit 14, but in some it is 15 and in some it is 16. Exceptions are provided for by the law, and those exceptions are to be taken care of by the State labor inspector or whatever official may have charge of the matter. I ask that the table may be incorporated in my remarks without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The table referred to is as follows:

STATE LAWS RELATIVE TO EMPLOYMENT OF CHILDREN IN FACTORIES

Alabama, prohibited under 14.

Arizona, prohibited under 14. (Exception, boy 10 to 14 may, upon license, outside school hours work at labor not harmful.)

Arkansas, prohibited under 14.

California, prohibited under 15. (Exception, child 12 during school vacation.)

Colorado, prohibited under 14. (Exception, child 12 during summer vacation.)

Connecticut, prohibited under 14.

Delaware, prohibited under 14. (Exception, child 12 outside school term on special permit.)

Florida, prohibited under 14.

Georgia, prohibited under 14. (Exception, child 12 on permit if orphan or has widowed dependent mother.)

Idaho, prohibited under 14.

Illinois, prohibited under 14.

Indiana, prohibited under 14.

Iowa, prohibited under 14.

Kansas, prohibited under 14.

Kentucky, prohibited under 14.

Louisiana, prohibited under 14.

Maine, prohibited under 15.

Maryland, prohibited under 14.

Massachusetts, prohibited under 14.

Michigan, prohibited under 15.

Minnesota, prohibited under 14.

Mississippi, girl prohibited under 14, boy 12.

Missouri, prohibited under 14.

Montana, prohibited under 16.

Nebraska, prohibited under 14.

Nevada, prohibited under 14.

New Hampshire, prohibited under 14.

New Jersey, prohibited under 14.

New Mexico, prohibited under 14.

New York, prohibited under 14.

North Carolina, prohibited under 14. (Exception, boy 12 on special permit outside school hours. Only 66 so employed during 1923.)

North Dakota, prohibited under 14.

Ohio, prohibited under 16. (Exception, child 14 outside school term.)

Oklahoma, prohibited under 14.

Oregon, prohibited under 14. (Exception, child 12 outside of school term.)

Pennsylvania, prohibited under 14.

Rhode Island, prohibited under 14.

South Carolina, prohibited under 14.

South Dakota, prohibited under 15.

Tennessee, prohibited under 14.

Texas, prohibited under 15.

Utah, prohibited under 14.

Vermont, prohibited under 14.

Virginia, prohibited under 14.

Washington, prohibited under 14. (Exception, child 12 on permit of superior court judge in case of poverty.)

West Virginia, prohibited under 14.

Wisconsin, prohibited under 14. (Exception, child 12 during school vacation.)

Wyoming, prohibited under 14.

Mr. BAYARD. Mr. President, taking into consideration the fact of the tremendous increase in legislation on this subject during the past 10 years, with the resultant benefit to children, in whose favor these laws are passed, it will be found that in 1920, roughly speaking, of the about twelve and one-half million children in the country under 15 years of age 1,000,000 are engaged in gainful pursuits, and that of this number 61 per cent are engaged in farm labor; so that the remainder are engaged either in household occupations or factories or stores, and so forth.

It needs no recapitulation or reference to the individual laws of the several States to bring home to the Members of this body the known fact that of recent years great advance has been made in legislation caring not only for minors but for persons over 21 years of age in factories, stores, and household service. I call attention to the fact that only recently the Supreme Court of the United States was called upon to render a decision in regard to a law passed by the State of New York limiting the employment of women at night. That is an instance I had in mind where State laws have gone into the field of safeguarding health and have covered people regardless of age. Great advance has been made in that direction.

There does not now seem to be a serious complaint based on fact of neglect by the several States of the minor children, although, of course, there must be breaches of the law in scattered cases. It may be that the laws are not satisfactory to those who deem this legislation necessary, because, forsooth, in their opinion, occasional injury may be done to children through neglect of enforcement of the laws; but it does not appear certain, judging from the discussions in the House of Representatives, that the State laws themselves are either inoperative or do not fairly measure up to a proper standard for the safeguarding of the health and welfare of minor children.

I have before me another table touching the employment of children and even adults, which I ask may be incorporated in my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The table referred to is as follows:

PROHIBITION OF WORK IN CERTAIN OCCUPATIONS OR UNDER CERTAIN CONDITIONS DANGEROUS OR INJURIOUS TO LIFE, LIMB, HEALTH, OR MORALS

(Occupations specified in the laws vary. Examples of the places of employment and occupations in which work is prohibited are: Work in mines, quarries, coal breakers; oiling or cleaning dangerous machinery, such as laundry machinery, power presses, crosscut saws; operating dangerous machinery; running elevators; occupations in which poisonous acids are used or in which injurious gases or dusts are produced; manufacture of tobacco; work in or about docks or wharves; erection or repair of electric wires; work which may be hazardous to morals, as employment in night messenger service; any employment dangerous to life or limb or injurious to health or morals.)

I. Minor under 21 (most of these are prohibitions of night messenger service): Alabama, Arizona, Delaware, Indiana, Kentucky, Louisiana, New Hampshire, New Jersey, Rhode Island, Utah, West Virginia, Wisconsin, and Wyoming (13 States).

II. Minor under 18: Alabama, Arizona, Connecticut, Delaware, Florida, Indiana, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Washington, West Virginia, and Wisconsin (23 States).

III. Boy under 18: Michigan, Minnesota, and New York (3 States).

IV. Girl under 18: California, Iowa, Missouri, and Ohio (4 States).

V. Minor under 17: Louisiana, Rhode Island, Texas, and Wisconsin (4 States).

VI. Girl under 21: Michigan, Minnesota, New York, Ohio, Virginia, and Wisconsin (6 States).

VII. Any female: Michigan, Minnesota, New York, and West Virginia (4 States).

B. NIGHT-WORK PROHIBITIONS

(Excluding prohibitions in night messenger service, which are included under dangerous or injurious, etc., occupation prohibitions.)

I. Minors 16 to 18: Arkansas, California, Kansas, Minnesota, Ohio, and Washington (6 States).

II. Boys 16 to 18: Massachusetts, New Jersey, and New York (3 States).

III. Girls 16 to 18: Arizona, District of Columbia, Indiana, Louisiana, Michigan, Mississippi, New Hampshire, Oklahoma, Oregon, and Pennsylvania (9 States and District of Columbia).

IV. Girls under 21: Massachusetts, New York, Ohio, and Pennsylvania (4 States).

V. Females: California, Connecticut, Delaware, Indiana, Kansas, Massachusetts, Nebraska, New Jersey, New York, North Dakota, Oregon, Pennsylvania, South Carolina, and Wisconsin (14 States).

C. HOURS OF LABOR

I. Minors under 21: North Carolina (1 State).

II. Minors 16 to 18: Arkansas, California, Kansas, Louisiana, Massachusetts, New Hampshire, New Jersey, Ohio, Oregon, Washington, and Wisconsin (11 States).

III. Boys 16 to 18: Massachusetts, Michigan, and New York (3 States).

IV. Boys 16 to 17: Wisconsin (1 State).

V. Girls 16 to 18: Arizona, Indiana, Mississippi, Nevada, and Pennsylvania (5 States).

VI. Girls under 21: Massachusetts and Ohio (2 States).

Mr. BAYARD. Mr. President, I shall not detain the Senate unnecessarily by more than a reference to this last compilation, but I do beg the Senators, individually and collectively, to read with care the tables which I have presented in my remarks, in order that they may see for themselves the actual facts now at hand regarding this situation, and that they may not be carried away and undertake to force from the several States a police power over a subject which confessedly, under the spirit of our American institutions, belongs to the States.

Again I call attention to the great proportion of minor children employed in gainful occupations who merely work on the farms of their parents. It is shown by the record that, under date of March 18, 1924, the Director of the Census Bureau in a letter to the chairman of the Judiciary Committee of the House stated:

> It is generally recognized, of course, that the great majority of the children reported by the Bureau of the Census as engaged in agricultural pursuits probably were not, as a matter of fact, working with any high degree of regularity or continuity. Of the 647,309 children 10 to 15 years of age reported as engaged in "agriculture, forestry, and animal husbandry" in 1920, 569,824, or 88 per cent, were farm laborers on the home farm, and it is very probable that a majority of the remaining 77,485 worked either for, with, or under the direction of their own parents. The work of these children doubtless varied from a few weeks or months' work each year to regular employment throughout the year.

It is within the knowledge of all of us that most of this labor by the children on the farms takes place during the summer months, and that all those of school age are by the local laws compelled to attend school for at least a minimum period, unless the local State official from time to time under a certificate allows to the contrary.

The fact should not be lost sight of that, in spite of the tremendous increase in our population in recent years, the census of 1910 showed 2,000,000 boys and girls under 16 years of age worked in that year, while the census of 1920 showed only a little over 1,000,000 under 15 years; that is, a proportionate reduction of 18 per cent of all minor children in 1910 as against 8.5 per cent in 1920.

In the administration of this proposed amendment when disputes arise between parents and the Federal officials, they must necessarily be settled eventually in the Federal courts.

Let me state here, Mr. President, that in the argument of this question we were met all the way through, inside and outside the Halls of Congress, with the statement that this is not a law; it is merely an amendment. If it is merely an amendment, it will be futile unless the laws shall be passed to make it operative; and, inasmuch as the whole includes the parts and the greater includes the less, it must be assumed that it is intended to pass laws in consonance with the terms of this proposed amendment; otherwise the amendment itself is meaningless and useless. The Federal courts, relatively speaking, are few and far between, and it is not unfair to picture the tremendous expense which will not only be entailed upon the Federal Government—and that means the taxpayers all over the country—but upon the parents who, to assert their rights, must, in attending upon the court proceedings, be subjected to heavy financial disbursements. Furthermore, in the event that the parents are unable, through stress of financial circumstances, to attend court for the purpose of protecting their rights grave injustice may occur at the hands of an ignorant, vicious, or venal Federal official.

It is too much the custom to-day that anybody with a personal ill, or anybody whose imagination draws an unhappy picture and often an untrue one regarding the ills of others, seeks not a remedy in the State legislatures, but comes bustling post-haste to the National Capitol for a supposed remedy. One result of this method of procedure is that the sovereign States themselves are seldom, if ever, represented at the hearings of the committees of either House of Congress when such matters are under discussion; and, worse than that, it would appear that the committees themselves are willing to conduct what amounts to ex parte proceedings, and seem unwilling to make

any substantial effort to secure from the States information as to the conditions in the States on the subject matter then up for discussion.

The committees only take what is given to them—and that generally is given by partisans—and, as I have just stated, the committees never seem willing of their own motion to send for the State officials in order that a fair presentation of both sides of the question may be had.

To those Senators on this side of the aisle who boast the Democracy of Thomas Jefferson, it is inconceivable to my mind that they should have any doubt in refusing their support to this pending measure. The doctrine of State rights has been and should be their rallying cry; and yet I fear there will be Senators on this side of the aisle who will, regardless of the actual facts, regardless of their political faith, find their way to vote in favor of the measure.

Taking up the State rights theory, it is interesting to note that almost without exception the advocates of the adoption of the Federal Constitution, whether of the so-called Jeffersonian school or the so-called Hamiltonian school, appear to be together on this point.

We find Jefferson, among other things, stating:

> When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another, and will become as venal and oppressive as the government from which we separated.

And Hamilton tells us—

> The State governments possess inherent advantages which will ever give them an influence and ascendancy over the National Government and will forever preclude the possibility of Federal encroachments. That their liberties, indeed, can be subverted by the Federal head is repugnant to every rule of political calculation.

And again we find Hamilton stating:

> This balance between the National and State Governments ought to be dwelt on with peculiar attention, as it is of the utmost importance. It forms a double security to the people. If one encroaches on their rights, they will find a powerful protection in the other. Indeed, they will both be prevented from overpassing their constitutional limits by a certain rivalship which will ever subsist between them.

Unquestionably these two great leaders of political parties and leaders of political thought are thus shown to be of one mind regarding the police power reserved to the several States and the necessity for that reservation.

The patent purpose of the pending resolution is to say to the several States:

"We, the Members of both Houses of Congress, say to you, the peoples of all of the several States, that in our opinion you are not qualified or capable to make and enforce proper laws upon the subject of child labor. Being of this opinion, we are taking this opportunity, given us by the Constitution, to seek to deprive you of your just powers reserved to you; so that we, the Members of both Houses, who compose the National Congress, will use every proper means in our power to take entire charge of this matter, notwithstanding the spirit of our institutions is directly contrary to such a movement."

There can be no question that reflection will demonstrate to every Member of the Senate that, while the apparent reason given is the ultimate benefit and protection of minor children engaged in manual labor, the real effect of the resolution, if adopted by Congress and thereafter ratified by the necessary number of States, will be a very radical change in our structure of government; and if this proposed resolution should become a part of our basic law it requires no prophet to foresee the speedy enactment of other measures not only impinging upon State rights but upon the ultimate liberty of the citizens of this country.

The Congress has just passed and sent to the President a law of the greatest importance to the citizens of this country, to wit, the taxation bill. Yet in all the discussions which have heretofore arisen on this subject of this proposed Federal amendment no apparent, if any, attention has been paid to the heavy increase in cost that will be entailed upon the taxpayers if the Federal Government is to be endowed with the power sought. In the first place, it must necessarily duplicate the machinery covering this question which now exists in all the States. The people of the several States are now taxed for the State machinery covering this operation, and the passage of this amendment means an even greater, and, if consideration is given to the subject, a substantially greater tax upon the same citizens for the operation of a law in which they individually, as citizens of a sovereign State, will have no voice in the application and enforcement.

Pause for a moment, Senators, and imagine this amendment passed and statutes in consonance therewith on the Federal statute books. You will then see some Federal official appointed, perhaps from California, Oregon, or the State of Washington, determining the status of a minor child under this law in some State or States 3,000 miles away from the State of this official's birth and upbringing.

Imagine, if you please, a sturdy youth of 17, of independent spirit, of good physical ability, who never before has been brought directly in contact with the Federal Government, receiving orders from a man about whom his only knowledge is that he is a citizen of a State some 3,000 miles away. Imagine his resentment if he himself, as he sees it, is unfairly treated; and still further imagine the possibility of cruel treatment at the hands of this Federal officer merely because the boy has shown a human spirit of resentment under the circumstances. Under a local State law and under the local administrator thereof some sense of adjustment and responsiveness would be in the boy, and he would be readily amenable to either suggestion or positive order of the State official; but because he is a liberty-loving being, one can readily imagine his unwillingness to accord with the views and orders of an utter stranger.

Not only boys, but young girls as well, who would come within this proposed legislation, would have the same feelings as the boys, for they, too, are American citizens, with the same ideals, aspirations, and love of liberty.

Relatively little difficulty is found by the State officials under the present State laws in securing accommodations with the parents of minor children regarding the hours of labor for minors, and this is largely so because of the personal acquaintance and local relation of the parties in interest; but when a stranger from a far-distant State steps in—and it will happen under the proposed legislation—and tells the parents just what their children shall or shall not do, resentment is bound to occur; for the parents, like the children, are liberty-loving Americans. It is not unfair to imagine a case where a Federal official might so direct or prevent the employment of a minor that the parent or parents, who might be dependent to a vital degree upon the labor of the minor child, would be grieviously handicapped in supporting life. It is not unfair to look to the future and see the possibility of legislation providing appropriations for parents whose children, under Federal control, will not be allowed to aid in the support of their parents.

It seems to me that such a measure would follow at once, and there is nothing to prevent our doing that under our present law. It is merely an opportunity for another addition to our national tax burden.

If the Federal Government is to have control of the hours of labor of all children under 18 years of age, it can if it so wishes lengthen or shorten the time or the hours for labor. I want to read again section 1 of this proposed article:

> The Congress shall have power to limit, regulate, and prohibit the labor of persons—

It has absolute, full, and complete control of every phase of labor from the moment of birth until the eighteenth birthday. It follows that it can thus lengthen the hours so as to interfere with the school hours, which vary in the different States. In other words, the power given can readily be so used as to impinge upon the reserved power in the States that care for the education of their children. If it can limit the hours of labor, Congress can then provide when those hours of labor shall start and stop. That is to say, Congress will be empowered not only to state the length of hours a child may labor but it may, if it chooses, establish seasonal periods for those hours.

As suggested the other day by the senior Senator from New York [Mr. WADSWORTH], this amendment, passed and transformed into statutory power, gives really complete control of the educational system of this country, whether public schools or private schools, and one can not get away from it.

If this amendment should be adopted, then all the members of these many associations or societies who are advocating the measure will rush down here to Washington to get a job, claiming that they have superior knowledge of the subject because, forsooth, they have been able to secure the adoption of this resolution. Surely the Senators have not forgotten the argument advanced by Wayne B. Wheeler regarding the persons to be employed in the enforcement of the Volstead Act. It will be remembered that the question arose as to whether the civil-service rules should be conformed to in selecting the officials to administer this Volstead Act, and to this Mr. Wheeler objected, because—

> It is an absolute necessity that enforcement agents be prohibitionists by conviction and in practice, and under the impersonal civil service law there can be no guaranty they will meet this requirement.

No one can forget that as one of the results of Mr. Wheeler's request the civil-service regulation was not made a part of the Volstead Act, and the conduct of the persons appointed to administer this act is to a large extent the cause of the great and admitted scandal in connection with the administration of the Volstead law.

I submit that it is not an unfair thing to suppose that the advocates of this resoution may have ideas similar to those of Mr. Wheeler, and, if their ideas prevail, unqualified or even disqualified persons would be appointed to administer the law, with the unquestioned result of gross scandal and inefficiency.

True, the subject matter of the eighteenth amendment is not the same as that of the pending resolution; but facts are facts and precedents are precedents, so the future may in part be easily foreseen.

The attitude adopted by the proponents of this measure is that nobody but themselves knows all the inward details of this proposition, and therefore that they, and they alone, are the repositories of knowledge necessary to put into effect the laws to be passed in the event of the adoption of this amendment.

Incidentally—and I am not talking about prohibition when I say this or the Volstead Act—we all know it to be a fact that Mr. Wheeler and his organization sought to fasten the officials of his Anti-Saloon League upon the Federal Government as Federal officials under the terms of the Volstead Act, and by the same token—and we have had the experience—these good people will come rushing down here and tell us that we do not know what we are doing; that they alone have knowledge on this subject; and therefore that their people shall be put in power so far as the provision for officials under these proposed acts is concerned.

The power to regulate, limit, and control could be so used that the hours of labor of a child could be made dependent upon the hours of labor of adults on the same class of work. Again, the hours of labor of a child under such a proposition could be made to depend upon the character and amount of hours contributed by an adult upon the same job. In other words, the labor of adults where children are engaged upon the same job can and will be regulated, limited, and controlled by the Federal Congress.

This opens up another field which the proponents of this law do not seem to have touched upon, and that is this: If, as this amendment proposes, you can limit, regulate, and control the hours of labor of a child, you can make that limitation enter into every single suggested piece of work on which child labor is used which will impinge upon and control the labor of adults. I submit that the proposition is perfectly logical, perfectly plain, and I further submit with regret, but as a fact, that it will be so utilized.

Mr. GEORGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Delaware yield to the Senator from Georgia?

Mr. BAYARD. I do.

Mr. GEORGE. If the Senator will permit me, I call his attention to the fact that that is the undoubted foundation of the decision of the Supreme Court in many cases, and notably in the case dealing with the eighteenth amendment, the Volstead Act. If there is power given to the Federal Government to do a particular act, it may do everything reasonably intended and adapted to that end. If this amendment is passed and becomes a part of the Constitution, the power to regulate and to limit and to prohibit the labor of persons under 18 years of age will necessarily carry with it the power to regulate any industry in which they labor——

Mr. BAYARD. Unquestionably.

Mr. GEORGE. And the labor of adults in the industry in which they are permitted to labor. Under the line of decisions heretofore laid down by the Supreme Court that will be the necessary ruling of that court and the correct decision of the court so far as that goes.

Mr. BAYARD. Let me cite to the Senator an instance of a possibility under this law. Do not forget that up to the eighteenth birthday the labor of young men and young women, assuming that they are between 16 and 18, can be so controlled that the law may say that unless certain things occur in a factory manufacturing a most important article of commerce, those young people between 17 and 18, we will say, can not be employed as messengers to work even five hours a day. It is really tremendous when you stop to think of it.

Mr. REED of Missouri. Mr. President——

Mr. BAYARD. I yield to the Senator from Missouri.

Mr. REED of Missouri. May I call the Senator's attention to the fact that the right to prohibit labor altogether embraces the right to name every condition upon which labor may be performed? That is, Congress can say it is prohibited unless certain things are done.

Mr. BAYARD. Unquestionably.

Mr. REED of Missouri. And that would involve the right to provide that labor should not be performed for less than a certain wage; so that the power to fix wages is involved in the power to prohibit.

Mr. BAYARD. Undoubtedly the Senator is correct. The power given by this proposed amendment is absolutely limitless.

Mr. REED of Missouri. Likewise, the power follows to say that a child might labor, and yet that it could not learn the work of an apprentice at a trade until after 18. Is there any limit to the employments which may be given to the power to prohibit absolutely? Is there any limit to it?

Mr. BAYARD. As I see it, I will say to the Senator, it is absolutely limitless. This must present to anyone who will give reasonable thought to the subject the possible use and abuse by congressional legislation of power over our whole economic situation in this country; for we will be able to so condition the hours of child labor as to impinge upon every phase of every industrial and agricultural pursuit in the country. This applies to agriculture as well as to industry.

One industry may advance at the cost of another industry, and one industry may be handicapped or depressed to the advancement of another industry. The opportunity thus sought to be created is absolutely limitless and would be clothed with such a far-reaching potency that if put into effect would destroy every vestige of individual liberty in industrial or agricultural pursuits.

I hesitate to go into the details in regard to this, Mr. President; but, if one will only stop and think for a moment, the situation which will confront us if this amendment becomes part of our basic law and statutes are passed under it can be described by no other word but the word "frightful." "Tyranny" would be a mild misnomer for the powers exercised by Congress in the utilization of the authority granted under this amendment.

Besides this the resolution in its terms is so broad that laws may be passed thereunder which would allow the taking of the almost physical possession of the infant child of a few months old to its eighteenth birthday and so arranging the hours of labor for the children of every single parent in such a way as not only to break up the entire economic relation but unquestionably with a further and frightful result of severing the family relation founded upon natural love and affection. Parent would be set against child, and child would be set against parent; and if anybody had given years to the study of it they could not have evoked a better means of disrupting the Government of this country.

If, as I say, parents and children are to be set at enmity with one another from early childhood, disrespect for law and order will not only be ingrained in the children, but placed there by the operation of Federal statutes. What hope can there be for law and order in the several States, or for respect for government in the several States, much less respect for the Federal Government.

In seeking to accomplish their ends, these good people call to mind one of Æsop's Fables. It will be recollected that a man once befriended a bear, and thereafter, the bear accompanied the man in his wanderings and sought to give him every comfort and help in his power. One day, the man fell asleep, and as the bear sat watching and guarding him, he saw a fly walking across the man's nose. The bear in his eagerness to show his affection for the man picked up a huge stone and crushed the fly. Just as the bear in his mistaken effort to show his affection to the man killed him, just so the proponents of this measure in seeking to ameliorate the condition of children engaged in labor will crush the very spirit of the institutions of our country and create such a chaos in our body social and our body politic as will make even the worst phase of child labor appear like a beautiful dream.

If this resolution is passed, there will necessarily follow statutory provisions for putting it into effect. Under these enabling statutes will come provisions for the appointment of persons to administer the same. These persons will be appointed with or without advice or consent of the Senate, as the statutes may provide. And now I desire to present to the Senators some possibilities which may arise:

Assuming that the officials to administer the enabling statutes, or at least some of them, are to be appointed by the President, with the advice or consent of the Senate, recent actions in this body has shown not only the possibility, but the probability of such appointments that would create race antagonism

in the administration of the law, with results which can readily be foreseen.

Assuming, if you please, that the appointments of the administrators of these laws would not require the advice and consent of the Senate, then immediately preceding a campaign for delegates to a national political convention a wholesale series of such appointments could, and I doubt not would, be made for purely political purposes, with results which many of the Senators and their millions of constituents would resent in no uncertain manner. This suggestion which I make, and it can not be glanced over and put to one side, creates a possibility in every State of the Union for the arousing of race antagonism. I, therefore, beg of the Senators to deeply ponder before they give their assent by their votes to this proposed measure.

I did not mean to paint an unhappy picture when I made those last few statements, but there is the possibility. We saw brought about the other day the appointment of Walter Cohen to a fairly high position under the Treasury Department down in New Orleans for one purpose only, and everybody knew it. It was not for his beauty, it was not for his ability, it was not for his character and reputation; it was because he is a political adjunct. It could be only one thing. In the State of Louisiana he was powerless to help the Republican Party to administer the laws either efficiently or ably, or in any way touch the Republican Party's reputation for the administration of laws, but he was of most valuable assistance in securing delegates to the national convention. That can be multiplied as many times as you please, particularly so if the appointments do not require the advice and consent of the Senate.

As I said, with the power given these people, they can, white or black, come into the household, and from the infant on up to the child of 18 years of age, regardless of sex, in their official capacity they can lay the hand of the law upon them. It is not a very pretty picture, but it is a fact, and has to be met.

The junior Senator from Wisconsin [Mr. LENROOT] referred to the tremendous number of very respectable organizations throughout the country which are advocating this measure. I, in common with other Senators, I suppose, have received communications from some of them. I have one in my hand, signed by the proper officials on behalf of these organizations, some 19 in number.

I would suggest this, that all of these organizations seem to get their information entirely from the National Child Labor Bureau; that none of them speak of their own knowledge. They all speak by secondhand knowledge, and they speak vehemently, and are very aggressive.

For instance, I hold in my hand a communication dated May 10, 1924, signed, as I said, by some 19 of these organizations. The letter is addressed to me personally, and among other things they state:

> One misconception seems to be that the amendment itself is a prohibitory or a regulatory measure.

If the words of the amendment itself mean anything, they mean exactly that. It is both prohibitory and regulatory. But they go on and say:

> On the contrary, the measure is an enabling act. Its first section reads:
>
> "The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age."

I state this, that these good people—and most of them are ladies, and I think these organizations for the most part are ladies' organizations—evidently had that fed to them. They have taken the thing for granted because they were told that it was so; but on the face of it, it shows two things. In the first place, they did not examine what was given to them. In the second place, what they said is absolutely untrue—and I do not think they knew it to be untrue, but, nevertheless, it is untrue. In the next place, it shows their absolute ignorance in regard to the purport, intent, and the result of the adoption of this amendment.

In other words, they are taking everything on faith given them by other persons, and they themselves have not looked into the matter at all.

I have also received a number of copies of a magazine called "The American Child," published by the National Child Labor Committee of New York. That committee seems to be the backbone and the clearing house for all the information gathered together and put out. I find in the number of June, 1924, a table showing the vote in the House, the names of all the Members of the Senate, their addresses, and the statement:

> Now write to your two Senators.
> The Senate has not yet passed the amendment.
> Write or wire your Senator.
> See pages 7 and 8 for the names and addresses of all Senators.

I find also in other copies of this publication some very interesting things. In the April number for 1924, which was sent to me by the American Child Labor Committee of New York City, I find on page 2 an article entitled, "What the Shortridge-Foster constitutional amendment is not."

That is the amendment now under consideration. Then they give six statements as to what this amendment is not. I desire to read some of those and to comment on them, because if they come from intelligent people my only answer is that they do not know anything about the subject. If they come from intelligent people who do know about the subject, then my answer is that they are making deliberate misstatements in regard to this matter for the purpose of deceiving. I read:

> 1. The Shortridge-Foster constitutional amendment is not a child labor law—its purpose is simply to declare that Congress shall have the power to do the very thing that Congress has twice undertaken to do.

Simply to declare that Congress has the power. If it simply were the purpose to declare that Congress had the power, we might stop there; but that is hopelessly misleading. It does not undertake at all to show, in this reason No. 1, the tremendous power sought to be given.

Mr. FLETCHER. Mr. President——

Mr. BAYARD. I yield.

Mr. FLETCHER. If Congress twice undertakes to cover this whole field without any constitutional power, what does the Senator suppose Congress will do if we vest it with unlimited power?

Mr. BAYARD. That is what I am coming to.

> 2. It is not a reflection on the United States Supreme Court. It undertakes to remove a limitation on the power of Congress which the Supreme Court declares exists.

In other words, the court has said that the laws which were brought up before it for examination as to their constitutionality did not come within the terms of the Federal Constitution, and therefore were inoperative.

> It undertakes to remove a limitation on the power of Congress which the Supreme Court declares exists.

That is really true. I do not think it is meant to be a reflection upon the Supreme Court, but it does more than that. You might think it would stop there. It undertakes to give Congress and the Supreme Court of the United States a chance at the law, because after all these laws will come up, and this thing is so broadly drawn that I venture the statement that the Supreme Court of the United States will have no difficulty whatever in passing upon almost any law that you can conceive of, under the broad terms of this amendment, which would cover the question of labor and other questions as well, as I stated a moment ago.

> 3. It does not propose to forbid child labor under 18.

By its very terms the amendment says "to prohibit." What does "prohibit" mean unless it means forbid? I continue reading:

> It merely intends to give Congress discretionary power regarding the labor of children up to 18, but not beyond. In other words, while every State has unlimited powers (within the bounds of reasonableness) over labor conditions, it is proposed to give Congress similar power except that it shall not apply to any person beyond 18 years of age.

That is not so, because by its very terms, in section 2, and, as a matter of fact, by the potency of the Federal Constitution, every Federal provision will override every State provision. That in itself is a misstatement, to call it by no harsher term. But it is worse than that. It is a bitter deception on the part of this body of the good people who publish this paper.

> 4. It is not expected that Congress under this grant of power will pass legislation affecting children up to 18, although it might be considered wise to forbid boys under 18 to operate railroad locomotives or mine elevators, for instance.

"It is not expected." Why in the name of Almighty God do they put in the words "up to 18 years"? Why do they try to clothe Congress with power unless they expect Congress to utilize that power? Why do they present this very matter here before us as a subject of the utilization of this power

unless they expect the Congress to utilize it? That is a misstatement on the face of it.

5. There is no point to the objection that this gives Congress power to forbid young people working on the home farm until they are 18.

It includes everybody, every female and male under the age of 18 years. From the time they are a minute old up until they are 18 years of age, Congress has complete control of these children, and there is no gainsaying that.

Mr. KING. And all kinds of labor.

Mr. BAYARD. Oh, all classes, of course.

Since only two or three States now attempt in any way to control child labor in agriculture, the fear that Congress would go beyond the prevailing sentiment of the people is without foundation.

Experience is a pretty stern school, and experience has shown that Congress, where it had the power, has enacted legislation on almost every conceivable subject, and many times it has enacted legislation upon subjects over which it had no power. This was one of the subjects, and the Supreme Court determined the question very properly.

Mr. KING. Mr. President, will the Senator yield?

Mr. BAYARD. I yield.

Mr. KING. I suppose the Senator is aware of the fact that many of the socialists, like Mrs. Kelley, who is a follower of Karl Marx in communism, and others who have been promoting this legislation, originally designed to have the amendment cover persons up to 21 years of age, and doubtless would have urged it before the committee if they had believed they could succeed.

Mr. BAYARD. But does not the Senator see how cunning this is? They undertake to take child labor up to 18, but as a matter of fact they affect the labor of the Senator and myself and everybody else, no matter how old we may be.

Mr. KING. Of course it is obvious that under the guise of the amendment they will in time take charge of children the same as the Bolsheviks are doing in Russia, and control not only their labor and their education, but after a time determine whether they shall receive religious instruction or not, the same as the Bolshevists do in Russia. It is a scheme to destroy the state, our form of government, and to introduce the worst form of communism into American institutions.

Mr. REED of Missouri. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Delaware yield to the Senator from Missouri?

Mr. BAYARD. I yield.

Mr. REED of Missouri. The Senator from Utah, I believe, made a trip to Russia and studied its institutions and is acquainted perhaps with some of the propagandists who are back of the pending measure. Something has been said to-day about some manufacturers being against it. I would like to ask him what he knows about people being in favor of the pending measure who believe in the Russian Bolshevik idea of the State taking charge of the children?

Mr. KING. If the Senator from Delaware will pardon me, every Bolshevik, every extreme communist and socialist in the United States is back of the measure. The Bolsheviks of Russia were familiar with the scheme that was about to be launched to amend our Constitution. In conversation with one of the leading Bolsheviks in the city of Moscow, one of the educators, when I was there last September and October, I was remonstrating with him about the scheme of the Bolsheviks to have the state take charge of the children. "Why," he said, "you are coming to that," and he called my attention to the statutes in many of the States in regard to compulsory education. Then he said, "A number of socialists in the United States," and he mentioned a number of names, but I shall not mention them here, "are back of the movement to amend your Constitution of the United States, and it will be amended, and you will transfer to the Federal Government the power which the Bolshevik Government is asserting now over the young people of the state."

Of course, this is a communistic, Bolshevistic scheme, and a lot of good people, misled, are accepting it, not knowing the evil consequences which will result and the sinister purposes back of the measure.

Mr. BAYARD. The sixth reason they give, showing what the constitutional amendment is not, is as follows:

6. The 20 or more national organizations favoring this amendment do not want Congress to include employment of children on the home farm, and would oppose such national legislation.

Well, that is what this paper says. I have been reading from the April number, and I shall have occasion in a few minutes to read from the June number, and Senators will find a wonderful change has come over them. There is nothing here beyond the bald statement that "the 20 or more national organizations favoring this amendment do not want Congress to include employment of children on the home farm."

I do not believe that is true and for this reason: Human nature is human nature. We will find brutes anywhere, and it may be that on a home farm we would find some brute whom God Almighty has bereft of his wife and left with some little children. He may be a very brutal fellow with those children in the work he requires them to do. Can anybody persuade me that these people would not step in there in half a minute and undertake to stop that man's brutal use of those children by overworking them on the farm? I would not criticize them if they should do that properly, but the point I make is that what they would do, as shown by the presentation of their case, would be to tell us that 600,000 children are working on the farms, and they would say they found this condition on one or more farms, and then talk about all the farms and attempt to lead us to believe that the 600,000 children working on home farms were all subject to such cruel treatment, and therefore they should have the right to invoke the power of the amendment, and they would then step in and have particular legislation touching the operation of farms.

Mr. REED of Missouri. May I ask the Senator a question?

Mr. BAYARD. Certainly.

Mr. REED of Missouri. The Senator is an accomplished lawyer. Does he know of a State in the Union where there are not now plenty of laws to punish any parent for the abuse of his children by overworking them or by any other means?

Mr. BAYARD. Oh, unquestionably so.

Mr. GEORGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Delaware yield to the Senator from Georgia?

Mr. BAYARD. I yield.

Mr. GEORGE. I dislike to interrupt the Senator from Delaware, but I would like to commend to him and to the Senator from Missouri, because I understand he expects to discuss the question, one additional illustration of what the amendment is not, as sent out by the National Child Labor Committee of New York, which the Senator from Delaware has very correctly appraised as a clearing house for information on this question. That additional reason is that the child labor amendment is not a law to wipe out the labor of all persons under 18 years of age, and the choice of 18 years as a limit was selected by the proponents of the measure for the following reason, and it is a reason which I wish to commend to the Senator:

The 18-year limit was set because of the supreme importance of permanence in the Constitution of the United States.

After prophesying the growth of industry and of machinery that should not be handled by exceedingly young persons, it is reiterated:

It is because of our reverence for the Constitution that we want to avoid this experience in connection with the Federal child labor amendment.

That is to say, this committee which is now actuated by a regard for the "supreme importance of permanence in the Constitution" have selected the high age of 18, according to their statement, because they do not want to amend the Constitution later, and give to the Federal Government power to prohibit the labor of any person without regard to age.

What I wanted to emphasize was the apparent lack of frankness on the part of this committee when they said that they have selected the 18-year period out of their reverence and regard to the "supreme importance of permanence in the Constitution."

It is the most marvelous statement that I have read on this question—"permanence in the Constitution"—and they now place it at 18 and give warning that they might extend it to 50 if it becomes necessary in their judgment. But the committee assures us that Congress will never exercise the power conferred, and it is reassuring to have the National Child Labor Committee give us assurances like that. One may rest in perfect confidence upon the assurance of the committee, especially after the frank and very commendable regard that they displayed to the "supreme importance of permanence in the Constitution"—a committee which, unless I had seen this statement, I would have been inclined to believe had no sort of reverence for the whole American system of government; but they assure us they have selected now a high age in order to preserve the supreme importance of permanence in the Constitution. That I think is a matter which ought to be commended to the consideration of the Senate.

Mr. BROUSSARD. Mr. President, with the permission of the Senator from Delaware, I would like to supplement the remarks made by the Senator from Georgia, which I think may be an explanation of their accepting less than 21 and agreeing on 18 years of age. As a member of the Committee on Naval Affairs I know that we were petitioned to increase the age of enlistment to 21. The law is that young men of 18 years of age may, without the consent of their parents, enlist in the Navy and Army, and the Government has already agreed that that is a valid enlistment, although the age fixed in the respective States as the age of majority is usually 21 years. Therefore the plan and theory, I am convinced, is that the National Government shall have supervision over those under the age adopted by the respective States, that is, 21 years, for the National Government has already accepted and is now enforcing the control by the National Government of those under the age of 21 and as young as 18. Why should not those who want to take control over the baby from the cradle accept 18 years as the limit, so as to deprive the parents entirely of all control over their children, and when they turn them loose let the Government take them and put them in the Army or Navy before they come to 21 years of age?

Mr. BAYARD. During the latter part of the month of April, when I received the bulletin to which I have referred, I also received a leaflet giving five other statements of what the child labor amendment is not. I shall not read them all, but I shall read some of them:

2. It does not prohibit the employment of children under 18 years of age.

Why, the amendment itself is said to be for the purpose of prohibiting, regulating, and controlling. It merely gives to the Congress the limit of its authority. It does give the limit, and I think it goes beyond the limit.

Mr. BROUSSARD. I think the Senator said it limits employment; but if the Senator will read the hearings, he will find that the word "employment" is purposely left out, and the reason given was that "employment" meant remuneration, and therefore that the father or mother might permit the child to work. They have eliminated that and used the word "labor," so that the child can not be permitted to do anything at all.

Mr. BAYARD. It merely gives Congress that limit on its authority, if, for instance, it should be deemed necessary to regulate or prohibit the employment of boys and girls in certain occupations involving moral or physical strain.

I had called attention to a part of the sentence, the remainder of which is as follows:

Since the amendment is for all time, it must be general in its terms.

Anyone can see what they really meant. They run that one poor little sentence, or one vicious sentence, at the end of the second statement, and that is the gist of the whole thing:

Since the amendment is for all times, it must be general in its terms.

God knows this amendment is general in its terms!

3. It does not interfere with girls helping their mothers with the housework nor with boys helping their fathers with the chores.

Mr. REED of Missouri. Why?

Mr. BAYARD. They give no reason; but full power is given to break families into pieces if they want to do so.

Mr. OVERMAN. A good woman called me out in the lobby just now and asked me whether, under this amendment, power would be given to Congress to prohibit her daughter helping her in the kitchen to do the cooking or to act as a maid servant. I told her that the Senator from Delaware was just now arguing that question and contending that it would apply to everybody—to children in the home, to domestic servants and to everybody else.

Mr. BAYARD. Paragraph 3, after reciting or pretending to state that this proposition does not interfere with the household work and the relations between children and parents in the household, goes on to state that—

The two child labor acts which Congress formerly enacted included only employment in mines and quarries, mills, factories, workshops, and manufacturing establishments.

In other words, they desire us to believe, if they can by making this statement, that the whole purpose of the pending measure is to be confined to manufacturing or mining operations, as the case may be, but will not impinge at all upon any other relations in life which children under the age of 18 may have.

4. It is not a leap in the dark.

No, I do not think it is a leap in the dark when one stops to think of it. I think if we go into this thing we can go into it with our eyes open; and if we had the most tremendous imagination ever given to man we could not begin to paint the frightfulness of the picture of what could and would happen if this proposed amendment became part of our basic law. The statement proceeds:

We know from experience what the effect of a Federal child labor act has been. The first and second child labor acts gave protection to thousand of children who are now without it.

They seem to discount the fact that in the meantime, since the passage of those two acts, the States have swept up underneath and have taken the place by their legislation of the very subjects which the Federal laws were supposed to cover.

National interest in the Nation's children, instead of resulting in indifference on the part of the States, either in enforcing the existing State laws or in raising State standards, actually increased State interest and State responsibility.

Then, if they did that, and they got what they wanted, why should they come to Congress and ask for an amendment to the Federal Constitution, when they admit that the States, on their own initiative, have gone ahead and raised their standards in regard to this particular matter?

The extraordinary part to me, Mr. President, is that so many of these organizations are composed of women. That in itself is not startling, but the point I am coming to is that these good women who are so interested in this subject have the power of the vote, and if they would go ahead and exercise that power of the ballot in the several States they would come very close to getting anything they wanted in reason in connection with laws of this character. That has been demonstrated in times gone by.

I myself live in a small State, and it is so closely coupled up that we are all pretty much neighbors. So when the legislature meets we all know to a great extent what goes on; every measure there is discussed to a considerable extent throughout the length and breadth of the State. I myself, from experience, have known for the last 25 or 30 years that it has been infinitely easier, even before the nineteenth amendment was passed, to get results by having some good women interested in a measure to go down, say, a half dozen or a dozen of them, and secure a joint session of the Delaware Assembly and let them present their own case in their own way. I know from experience we would get that measure on the statute books ten times faster than if the men themselves undertook to secure its enactment. If there be merit in their contention, what is there to prevent them from going before the State legislatures to-day? Now they have the power of the vote, if you please. Previously they could only appeal and come in righteousness, but now they can threaten politically and get what they want. But, no; they prefer to come down here, because they know that the States will not give them this broad power which they ask, and they must know that the States will not give them such broad power because the States should not do so.

5. It does not impair the power of any State to give greater protection to its children than that which Congress may see fit to embody in future Federal legislation.

Well, that is rather absurd when one stops to think of the fact known to everybody, or which should be known to everybody, that of course a law of Congress passed under such circumstances is absolutely paramount to the laws of the State.

In the June number of this magazine they seem to have gone back on their original statement with regard to agriculture. I find in the June number several statements from which I will quote; I will not read the whole article. On page 2 it is said:

The National Child Labor Committee has no intention of trying to secure any Federal action to regulate the work of children in agriculture under the direction of their own parents on their own farms.

Again:

We believe that the employment of children in general agriculture by their parents or guardians on the home farm differs so materially from that found in manufacturing, mining, and commercial pursuits that its control and correction require different methods.

But note the fact that though "its control and correction require different methods," they have not let go of the power of exercising whatever methods they please.

The National Child Labor Committee seeks to protect the interests of the child, and it can not remain true to its past traditions without recognition of the fact that thousands of children are now and are likely to be in the future exploited by an industrialized agriculture.

And yet they have stated, as I read here a moment ago, that they had no intention of trespassing upon the field of agriculture. That was in the April number, while now I am reading from the June number. Again:

Whenever conditions inimical to the welfare of the child appear in agriculture—

And I assume this committee is to determine when they appear—

this committee stands ready to reveal such conditions and to strive for their elimination and correction.

That means further congressional action by way of legislation.

When this goal can be achieved without legislation nonlegal policies of correction will be pursued. When legislation appears to be the only means of establishing principles of general justice this committee will strive to create a public opinion favorable to such legislation, which under normal conditions would probably be State or local legislation.

In other words, what they mean, as I see it, is this: They will go to the States and say, "You may think you have a perfectly good law, but we have set a standard which we think is the best one; now you come across and come up to our standard or we are going down to Washington, and we will have a Federal law passed from which you can not get away, and we will be appointed to administer that law. That is a fine American spirit, is it not?

Further:

It is now clearly evident that where children are forced to work under contract in industrialized forms of agriculture some form of legislation is needed to protect their interests.

And yet they said in the April number of the magazine that they were not to go near the farm. I might state that this particular article was gotten out in a leaflet form just before the issue of the June number and was released on May 26, 1924. The official statement as to agriculture is the one I have previously quoted. The one from which I am now reading is in two columns and is in regard to the twentieth anniversary of the Child Labor Committee in connection with which they state—and this is an interesting statement—

The National Child Labor Committee is gratified by the progress of child-labor reform during its 20 years of work. We believe much of this reform has been due to the aggressive yet considered policy of the committee, but still more to the constant growth of public intelligence on this subject.

I think they are absolutely right in regard to that; I think they have done a splendid work in agitating this question; but they do admit, unwillingly and haltingly, that there has been good progress made by the natural intelligence of the American people, when they have considered this subject in the State legislatures.

What I object to about the publication which I have just been reading is that it is not a fair presentation of the case; it is partly a suppression of evidence; it is a distortion of the evidence and a distortion of the facts; it is a deliberate attempt, as I see it, to conceal from the public the real potency and far-reaching result of this proposed constitutional amendment.

RATIFICATION BY CONVENTIONS

Mr. President, I have sent to the desk an amendment to the joint resolution, and, if this be the proper time, I should like to offer it, as I understand the joint resolution is pending before the Senate. I ask the Secretary to read it.

The PRESIDENT pro tempore. The Senator from Delaware offers an amendment, which will be stated.

The READING CLERK. On page 1, line 5, it is proposed to strike out the words "the legislatures of" and to insert in lieu thereof "conventions in."

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the Senator from Delaware.

Mr. BAYARD. I should like to discuss that amendment. I do not think it can be acted upon at this time.

Mr. ROBINSON. The Senator wishes to discuss the amendment. I do not understand that it is his desire to have a vote at this time?

Mr. BAYARD. No; that is not my purpose or expectation. There are not enough Senators present to act upon it. I merely want to offer it for action when it may be properly voted upon. My purpose in offering the amendment is to provide that the proposed constitutional amendment, assuming that it shall receive favorable action by the Senate, will be submitted to conventions and not to the legislatures of the States.

The original Federal Constitution was adopted in the several States entirely by conventions elected for that purpose, and when the first 12 amendments were adopted there were then living, to a great extent, the men who had framed the Constitution or had been in close touch with it or perhaps had been in the conventions which had ratified it. So that there was a positive knowledge at that time of what those amendments meant. As a matter of fact, we all know that many of those amendments were conditions precedent to some of the States adopting the Federal Constitution in the first place. So at that time, even if the States did not act upon the amendments by conventions in all instances—and some of them did it by legislatures—yet, as I have said, there was general knowledge of our form of government and what an amendment to it meant.

So the Constitution remained until the Civil War, and then we had this tremendous rush and hurry growing out of that, with the result that the thirteenth amendment—and this was ratified by legislatures—was passed by Congress on the 1st of February, 1865, and was ratified by the necessary number of States on December 18, 1865. It is impossible to conceive that the legislators in the several States, many of whom must have been elected prior to the passage of this amendment, had the slightest idea of what it meant, or that the people who sent them by their votes to the State legislatures knew that they were sending them there to vote on this amendment.

The fourteenth amendment was passed on the 16th of June, 1866, and ratified July 28, 1868. It is needless to go into the reconstruction days; but we all know absolutely that the matter was seen from such a point of view at that date that no fair consideration was given. It went as a matter of course.

The fifteenth amendment was submitted to the legislatures on the 27th day of February, 1869, and was ratified and declared by the proclamation of the Secretary of State on March 30, 1870. In the ratification of that amendment by the several States we know of one instance, anyhow, where a State legislature ratified it before it passed Congress.

Had any one of these matters, from the thirteenth, fourteenth, or fifteenth amendment up, been sent to the several States for ratification by conventions, I question if the thirteenth, fourteenth, and fifteenth amendments would have been ratified. The sixteenth, I think, probably would. The seventeenth, I think, would. I question very much whether the eighteenth and nineteenth would; and I am not undertaking to animadvert upon the purpose or the form of these amendments. I merely state exactly what the facts are.

Let me call your attention, Senators, to the last two amendments.

In Missouri and California, the legislatures which voted to ratify the eighteenth amendment, were elected at the same time that a popular referendum was had in those States on prohibition. The popular referendum voted down prohibition by large majorities, yet when the matter was presented before the legislatures thus elected the legislatures voted to ratify the eighteenth amendment. That shows what it is like. There you have the people speaking by their referendum on this one subject on the same day that they elect legislators to their State legislature. To that legislature, so elected—and you must assume that the same people voted at that election—is submitted the ratification of the eighteenth amendment. These States, having voted against prohibition, have these legislators, elected on the same day, vote for prohibition by ratifying the amendment, so far as that State is concerned. The point I am trying to make is that in matters of affirming or rejecting amendments proposed to the Federal Constitution, the legislatures do not fairly reflect the sentiment of the people of the States.

In Ohio, on a referendum had after the legislature had ratified the eighteenth amendment, the people voted to repudiate the ratification. The legislature was not elected on that issue at all, and when it was submitted to the people of Ohio themselves they said their legislature did not represent them so far as that was concerned. Curiously enough, at the same referendum election the people of Ohio, by a large majority, voted to adhere to local prohibition. Now, note that distinction. When the matter was put up to them the people were keen enough to say, "Yes; we want local prohibition in Ohio, but we do not want national prohibition"; and yet the people elected to the legislature at the same time this voting was going on turned around and gave them national prohibition.

I submit that the facts show that the people elected to the legislatures do not reflect the calm, considered judgment of the people of the States.

Mr. ROBINSON. Mr. President, will the Senator yield for a question in that connection?

Mr. BAYARD. I yield.

Mr. ROBINSON. Has there been any instance in which a proposed amendment to the Federal Constitution has been submitted to conventions in the several States?

Mr. BAYARD. I will state very frankly to the Senator that, beyond the fact that there is a provision for such conventions in the original Constitution itself, I do not know. I think some of the first 10 were submitted.

Mr. ROBINSON. Is it not true—I am asking for information, but my impression is that the first 10 amendments were all submitted for ratification to the legislatures of the several States, and, in fact, submitted at the same time, or substantially at the same time? They were all, unless I am mistaken, submitted to the legislatures of the several States. Now, if it is true that the legislatures do not as a rule reflect the popular will in their acts of ratification, why is it that throughout the history of the country no other method of ratification has been resorted to?

Mr. BAYARD. I think I can answer that question fairly and state this to the Senator: I tried to make it plain a moment ago that a great many of the conventions which ratified the Federal Constitution ratified it with the distinct understanding and condition, although it is not expressed in the terms of the ratification, that as soon as Congress got going further amendments would be submitted under the plan set up in the Federal Constitution, and then that they would come back to the States; and nearly all those men, as I said a minute ago, were concerned in the Federal convention or in the State conventions which ratified, or in the Federal Congress down here. The whole thing was close coupled, and they all are charged with the same knowledge and reflected the immediate desires of the people of their States.

Mr. OVERMAN. Mr. President, if the Senator will allow an interruption, if you will read the debates of the Constitutional Convention you will find that Mr. Madison and others took the position that as to matters of detail, which did not affect the substance of the Constitution, the amendments should be submitted to the legislatures. Therefore, their idea was, as expressed in the debates, to submit to conventions of the States matters of principle, matters that went to the substance of things, and this is one of them.

Mr. ROBINSON. Mr. President, there is no distinction in the Constitution between an amendment which may be ratified by the legislatures and one which may be ratified by the States in conventions. Whatever may have been the motive of the framers of the Constitution in providing a double process for ratification, the fact is that in every instance in which an amendment to the Federal Constitution has been submitted for ratification the process of submitting it to the legislatures of the several States has been pursued.

Upon an examination of the record I find that my memory respecting the first 10 amendments to the Constitution is right. They were all submitted to the legislatures of the several States in a single resolution, and every amendment that has been submitted for ratification since that time has been acted upon by the legislatures of the several States. The convention plan never has been employed at all. What I am interested in knowing is, if the convention plan is such a good one and so thoroughly calculated, as the Senator states, to reflect the popular will, and the legislature plan is such a bad one and so calculated to reflect the contrary of the popular will, why the people have never insisted upon having ratifications through conventions but have always acquiesced in ratifications through State legislatures.

Mr. BAYARD. I shall have to repeat to the Senator what I said a moment ago, in part at least, and that is this: In the first 10 amendments the same general crowd or aggregation of men had control of the whole situation, if you please. They were instrumental in getting people to the convention of 1787 in Philadelphia. They all came in contact in their several States with the people who represented them in that way.

They went to their own State conventions which were called to ratify the Constitution; and the political body, so to speak—I mean by that more or less politicians, not the political body in the general, broad sense—was a relatively small one in each State, where everybody knew everybody else, and all knew about these great measures at that time; and, if you please, as I conceive the situation, they all knew about these things even before they came off; so there was a real reflection of an expressed desire, so far as the several States were concerned, when the first 10 amendments were ratified.

I call further attention to the fact that 30 of the legislatures were called into special session for the sole purpose of passing upon the nineteenth amendment, and were not at the time of their election confronted with the possibility of having to pass upon this measure. It was an exhibition of indecent haste, for purely political purposes, in order to secure the women's vote. Everybody knows that—that the nineteenth amendment was put up as a bait to the women, and as party bait. I may be using a very crude term, but it was; and I want to submit here a sheet, which I ask permission to insert in the RECORD, showing the vote on the nineteenth amendment.

The PRESIDENT pro tempore. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

THE RECORD OF WOMAN SUFFRAGE

WOMAN SUFFRAGE STATES (15)

(By grant at polls)

Arizona, 1912; California, 1911; Colorado, 1893; Idaho, 1896; Kansas, 1912; Michigan, 1918; Montana, 1914; Nevada, 1914; New York, 1917; Oklahoma, 1918; Oregon, 1912; South Dakota, 1918; Utah, 1896; Washington, 1910; Wyoming, 1890.

Total, 15.

Total majority for, 244,380.

PARTIAL SUFFRAGE STATES (14)

(By act of assembly)

"Presidential" suffrage States (12): Illinois, 1913 (upheld, Illinois Supreme Court, October, 1914, Scown *v.* Czarneki, 264 Ill.); Indiana, 1917 (held unconstitutional, Indiana Supreme Court, Indianapolis *v.* Knight, October 26, 1917, 117 N. W. Reporter 561); Kentucky, 1919; Maine, 1919; Minnesota, 1919; Missouri, 1919; Nebraska, 1919; North Dakota, 1917; Ohio, 1919; Rhode Island, 1917; Tennessee, 1919 (upheld, Tennessee Supreme Court, Vertrees *v.* Election Board, July 26, 1919, 214 S. W. Reporter, 747); Vermont, 1919 (vetoed by Governor Clement, and veto upheld, March 28, 1919).

"Primary" suffrage States (2): Arkansas, 1918; Texas, 1918 (upheld, Texas Supreme Court, Koy *v.* Schneider, January 29, 1920).

MALE SUFFRAGE STATES (33)

Voted against suffrage (14): Arkansas, 1918; Iowa, 1916; Louisiana, 1918; Maine, 1917; Massachusetts, 1915; Missouri, 1914; Nebraska, 1914; New Jersey, 1915; North Dakota, 1914; Ohio, 1912, 1914, 1917; Pennsylvania, 1915; Texas, 1919; West Virginia, 1916; Wisconsin, 1912.

Total, 14.

Not voted (19): Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Minnesota, Mississippi, New Hampshire, New Mexico, North Carolina, Rhode Island, South Carolina, Tennessee, Vermont, Virginia.

Total, 19.

Total majority against, 990,868.

Total States against or not voted, 33.

ACTION ON FEDERAL SUFFRAGE AMENDMENT

STATES WHICH HAVE RATIFIED (38)

In special sessions, male-suffrage States (30)

Ohio, June 10, 1919; Texas, June 29, 1919; Iowa, July 2, 1919; Missouri, July 3, 1919; Arkansas, July 20, 1919; Nebraska, August 2, 1919; Minnesota, September 8, 1919; New Hampshire, September 10, 1919; Maine, November 5, 1919; North Dakota, December 1, 1919; Indiana, January 16, 1920; New Mexico, February 19, 1920; West Virginia, March 10, 1920; Tennessee, August 19, 1920; Connecticut, September 20, 1920.

Total, 15.

In regular sessions, male-suffrage States (8)

Wisconsin, June 10; Illinois, June 10; Pennsylvania, June 24; Massachusetts, June 25.

With new legislatures

Rhode Island, January 6, 1920; Kentucky, January 6, 1920; New Jersey, February 10, 1920; Vermont, January 28, 1921.

Total, 8, of which 4 were "hold-overs" and 4 were new legislatures.

Total ratifying in special sessions, 30.

Total ratifying, 38.

STATES WHICH REJECTED (9)

Georgia, July 24, 1919; Alabama, September 17, 1919; Mississippi, January 21, 1920; South Carolina, January 24, 1920; Virginia, February 12, 1920; Maryland, February 17, 1920; Delaware, June 3, 1920; Louisiana, June 15, 1920; North Carolina, August 19, 1920.

Florida, not acted (1).

Ratified, 38.

Rejected, 9.

Not acted, 1.

Total, 48 States.

All 15 suffrage States ratified in special sessions.

[NOTE: Twenty-three of the ratifications were by male-suffrage States in violation of State constitutions restricting suffrage to men (listed above, 15 in special sessions, 8 in regular sessions). Thirteen of the States also ratified against the vote of their people, listed

above in "voting against," except Louisiana, the only one of the 14 States that voted "no" at the polls, which rejected the nineteenth amendment. Thirty-four of the 38 ratifications were by "hold-over" legislatures elected in most cases two years before the nineteenth amendment was submitted. The remaining 4 ratifications were by new legislatures in male-suffrage States, deliberately violating State constitutions.]

Mr. BAYARD. Of course, I do not mean to be discourteous to the members of the legislatures of the several States, nor to the States in their sovereignty; but it does seem to me that the facts disclose that there was, as I said a moment ago, an indecent haste, for purely political purposes, in passing upon this question of the suffrage amendment, and what would have happened if the amendment had been submitted to conventions I do not know. It is impossible to say, but I venture the assertion that a number of those States which did vote to ratify the amendment would not have done so if the other plan had been pursued. I think that is a safe assertion. The fact is that some of the States refused to ratify it. Here is a curious thing. I call your attention to this, Senators: In 1918 Arkansas had voted against suffrage; Iowa in 1916; Louisiana in 1918; Maine in 1917; Massachusetts in 1915; Missouri in 1914; Nebraska in 1914; New Jersey in 1915; North Dakota in 1914; Ohio in 1912, 1914, and 1917; Pennsylvania in 1915; Texas in 1919; and yet the Texas Legislature turned around and in June, 1919, in spite of the vote of the people of the State, ratified the nineteenth amendment. West Virginia had voted against it in 1916, and Wisconsin in 1912.

I do not desire to take up the time of the Senate longer on this matter, but I ask Senators to read carefully the tables which I have submitted, and, if they will, to look further into the matter of hasty approval by the State legislatures, certainly in recent years, with a distinct expression by the people through their proper instrumentality in the way of a convention or a referendum, as the case might be, upon certain subjects. Having declared their voice on that subject, almost immediately the legislature, which has not been elected for that purpose, but which has the constitutional power, I will admit, turns around and overrides the expressed will of the people of the State.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. BAYARD. I yield.

Mr. ROBINSON. I understand that the Senator's proposal is intended to give reflection to the popular will in the ratification of amendments to the Constitution, and he takes the position that the legislatures, for some reason, uniformly fail to reflect the popular will, or at least frequently do so, even though their members may have adequate information respecting the same, and that the conventions would be more responsive to public opinion.

Mr. BAYARD. That is quite right.

Mr. ROBINSON. If it is desired to reflect the opinion of the people touching matters of that nature, why would not a referendum more accurately ascertain the public opinion than submission either to legislatures or to conventions? It has been said many times that conventions during the last quarter of a century, and prior to the coming on of the primary system of elections, had grown so indifferent to actual public sentiment as to make necessary the replacement of them by a method through which the people give expression to their will directly. It was the unpopularity of conventions, and the alleged unfairness of their nominations and political decisions, that brought about their repudiation, in large part, and the substitution of the primary system.

Mr. BAYARD. The Senator is speaking almost entirely of purely political conventions now.

Mr. ROBINSON. Yes.

Mr. BAYARD. Does the Senator want us to assume that the State legislature of recent years has been a political convention?

Mr. ROBINSON. No; but I am speaking of the convention system. I make the suggestion to the Senator that there is little more assurance that a convention would reflect the popular will than that a State legislature would do so.

Mr. WADSWORTH. Mr. President, at least in this case the delegates to the convention would be elected solely on this issue. There would be no other issue before the people in the selection of the delegates to a State convention to pass upon a Federal amendment.

Mr. BAYARD. That would be the sole purpose of the convention.

Mr. ROBINSON. A convention empowered to ratify an amendment to the Federal Constitution, or to pass upon the question of the ratification, would not necessarily have its jurisdiction confined to that subject. But the point I am making is that if it is desirable and necessary that a body, to ratify, should express the popular will, the best way of ascertaining the popular will is through a referendum.

Mr. WADSWORTH. That is no doubt true, but we have not the right to submit this amendment in such a form.

Mr. ROBINSON. I understand that, but we had before the Senate recently a proposal to amend the Constitution so as to provide for the substitution of a process of popular vote upon the subject in place of the two methods now authorized, namely, ratification by legislative assemblies and ratification by conventions, and we sent the resolution proposing that amendment back to the committee and have taken no action on it.

Mr. WADSWORTH. It has been reported again, and is now on the calendar.

Mr. ROBINSON. Where it will likely remain until the end of the session.

Mr. REED of Missouri. Unfortunately, that is not the rule now. If it were the rule now, and this amendment had to go to a direct vote of the people, while it would involve some work, I have not much doubt about what the people would do.

Mr. ROBINSON. The Senator assumes that this amendment is obnoxious to the popular sentiment?

Mr. REED of Missouri. I have not the slightest doubt that upon a debate, through which the people would understand what is in this amendment, it would be utterly repudiated. I have not the slightest doubt of that. I distinguish between a propaganda which has been financed and has been conducted by a limited number of people, creating a temporary sentiment, and the sentiment of the people when they have been advised with reference to what is really before them.

Mr. ROBINSON. If the Senator will pardon me, of course, I realize that we can not enter into a full discussion at this time, but my judgment is that there has been a sentiment in the United States for the last quarter of a century favoring Federal legislation affecting the subject of child labor, and to suggest some of the grounds upon which I base that judgment, it may be recalled that almost 10 years ago the Congress by an overwhelming vote passed a statute providing for Federal regulation of child labor. The constitutionality of that statute was at the time challenged in this body by able Senators. I myself, as the Senator may recall, took the view that the act should be sustained. By a divided vote in the Supreme Court, by a majority opinion, the act was not sustained, but was held unconstitutional.

Subsequently the Congress passed another child labor act. It sought in the second act to invoke the taxing power as a means of regulation. The Supreme Court held that act unconstitutional. Certainly the overwhelming votes by which these two statutes, afterwards held unconstitutional, were passed through the Congress indicate the existence of popular sentiment in favor of the Federal child labor legislation, unless the Senator from Missouri espouses the doctrine apparently asserted by my friend the Senator from Delaware [Mr. BAYARD] that legislative bodies habitually and persistently reflect the contrary of the public will touching legislative matters, which I do not believe to be the case.

I do not believe a member of a legislature or a Member of Congress would willingly, persistently, and frequently vote for what he knew to be in direct conflict with popular sentiment touching a matter of legislation. I believe that members of legislative bodies usually seek by their votes to reflect the will of their constituencies, and sometimes they do so when they ought to resist the popular will, because the popular will at times may be based on misinformation; but I do not think it is the habit of Members of Congress or the members of State legislatures, like willful, bad boys, to vote to ratify a constitutional amendment when at the time they know that the act of ratification is obnoxious to the constituencies they represent.

I think there is a fundamental fallacy in that assumption, one that is contrary to human experience and human reason. Anyone who hears me will agree that the habit and practice of members of the legislatures is to yield their own views to the will of their constituencies. I believe that Senators will agree with me that Members of Congress and members of State legislatures sometimes cast what they believe doubtful votes, in the abstract, because of a real or fanciful public sentiment in support of their votes; but the doctrine can not be maintained that State legislatures may be relied upon to ratify an amendment of the Federal Constitution if they know that the sentiment of their constituencies is opposed to such ratification. I think they rather seek to reflect the popular will.

Mr. REED of Missouri. Mr. President, I think just about nine-tenths of all the argument in this world arises over a failure of the contestants to discuss the same question. I said that I believed this proposition would be rejected upon debate if it were submitted to a popular vote. The Senator meets that by stating that child-labor legislation by the Federal Government is popular, and cites the two laws which were passed by this body. But those two laws bore no resemblance whatever to the measure now before this body. Those two laws were limited in their operation to a regulation of the labor of children. This proposition seeks to empower the Congress to absolutely prohibit and regulate and limit, not the labor of children but the labor of the youth of the land as well as the children of the land. Therefore when I say I believe this measure would be rejected it does not imply that I would say that a Federal law limiting the labor of children is necessarily unpopular. Neither does it imply that I am opposed to the regulation of the labor of children.

Mr. BAYARD. Mr. President, I would like to have the privilege of finishing my remarks.

The PRESIDENT pro tempore. The Chair desires to observe that in view of the fact that the time for debate is limited upon the pending joint resolution it will feel it to be a duty to enforce the rule, which all Senators understand. The rule to which I refer is that providing that no Senator may speak more than twice upon the same subject upon the same legislative day, and that when he yields to another Senator for more than an inquiry he yields the floor.

Mr. ROBINSON. Mr. President, I hope the Chair will not voluntarily invoke the rule against the Senator from Delaware, who now has the floor, because both the Senator from Missouri and I have interrupted him.

The PRESIDENT pro tempore. The rule to which the Chair has referred has been violated so constantly that it should not be enforced unless due notice has been given that it will be enforced.

Mr. BAYARD. Mr. President, the facts I submitted a moment ago in regard to constitutional conventions were submitted because I thought the matter was a most important matter, and that if this legislation should be passed by the Congress and submitted to the States, growing out of our recent experience with the last two amendments—and I make no comment whatever upon them—we have demonstrated beyond a doubt that our votes do not reflect the thought of the people of the States.

Mr. President, there is but one United States of America, and it belongs to all of us; each has his or her whole right therein, which can not be gainsaid by any or all of the others. The basis of this right grows out of individual citizenship in the several States, for no one is a citizen of the United States at large. If we are to continue the modern and present trend of forsaking the State-rights doctrine and our State rights as well and surrendering to the Federal Government the police and other powers which have been reserved to us, the solidarity, the efficiency, and the continuance of our Government become a matter at stake, and we should well pause before taking any step such as that suggested by this pending measure.

Mr. REED of Missouri. Mr. President, I desire to offer several amendments to the pending measure, and I ask that they be printed in the RECORD in the numerical order indicated.

The amendments were ordered to be printed and to lie on the table, and to be printed in the RECORD, as follows:

To strike out the word "eighteen" and insert in lieu thereof the word "fourteen";

To strike out the word "eighteen" and insert in lieu thereof the word "fifteen";

To strike out the word "eighteen" and insert in lieu thereof the word "sixteen";

To strike out the words "and prohibit" in the tenth line thereof;

To strike out the word "limit" and insert in lieu thereof the word "reasonably," and to strike out the words "and prohibit," so that said section as amended will read:

"SECTION 1. The Congress shall have power to reasonably regulate the labor of persons under 18 years of age";

To strike out section 1 and insert in lieu thereof the following:

"SECTION 1. Congress shall have power reasonably to limit and regulate the labor of persons under 18 years of age and to prohibit such labor in pursuits involving special hazard to health, life, or limb";

To add, after the word "persons," in the tenth line, the words "other than persons engaged in agriculture or horticulture," so that section 1 shall read:

"SECTION 1. The Congress shall have power to regulate and prohibit the labor of persons, other than persons engaged in agriculture and horticulture, under 18 years of age";

To add at the end of section 1 the words "who are engaged in occupations other than agriculture and horticulture"; and

To add at the end of section 1 the words "who are engaged in occupations other than labor performed in homes or upon farms under the direct supervision of their parents."

Mr. REED of Missouri. Mr. President, at this time I give notice that on Monday morning, as soon after the assembling of the Senate as I can obtain the floor, I shall discuss the pending joint resolution.

Mr. KING. Mr. President, a number of Senators have expressed a desire to speak upon the pending joint resolution. Today several were ready to speak, but considerable time was occupied in a discussion of the Veterans' Bureau. Day before yesterday much of the time was taken up by a discussion of the Veteran's Bureau and other matters, to the exclusion of the consideration of the pending resolution. It is quite apparent that with the limited time which is allotted now under the unanimous-consent agreement, many who desire to address the Senate upon the pending measure will be denied the opportunity. I do not know the modus operandi, but I give notice now that on Monday, when the Senate meets, I shall ask unanimous consent that the time for voting upon the joint resolution shall be postponed until the following day at 4 o'clock.

Mr. LODGE. That, I am sorry to say, I do not think can possibly be done.

Mr. KING. It seems to me that any order resulting from a unanimous-consent agreement may be vacated by another unanimous-consent agreement; so I shall ask the Senate for unanimous consent at that time.

Mr. ROBINSON. Mr. President, will the Senator from Utah yield?

Mr. KING. Certainly.

Mr. ROBINSON. This matter has been the unfinished business for several days. Senators have refrained from speaking, as they frequently do in such cases, until the time for a vote is approaching. Any Senator has had the right to take the floor and discuss the joint resolution at any time. I do not think it will be possible to change the unanimous-consent agreement.

Mr. REED of Missouri. In regard to that I wish to say that I have sat in my seat here all day trying to get the floor. The time of the Senate was taken up all day——

Mr. LODGE. It was taken up by other matters, some of which ought not to have been brought up.

Mr. REED of Missouri. It was taken up by the consideration of an appropriation bill and a discussion of the Veterans' Bureau. We have been afflicted with lack of numbers and things of that sort. I think it is a perfectly reasonable request that the Senator from Utah proposes to make. If it is opposed, we are forced to a vote when the Members have not had a chance to address themselves to the measure. Of course, that is an action that will have an effect on future unanimous-consent requests.

Mr. KING. I only want to say that I regard this as perhaps the most important matter that has been brought to the attention of Congress since the thirteenth, fourteenth, and fifteenth amendments were adopted. It may be that the Senate may prefer to consider appropriation bills or unimportant matters instead of one which involves a change in our form of government. Nevertheless, I shall ask unanimous consent on Monday that the time for voting be postponed until the following day.

CLAIMS FOR DAMAGES TO FOREIGN VESSELS (S. DOC. NO. 127)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State in relation to the following claims presented by the Governments of Denmark, Sweden, and Norway against the Government of the United States on account of damages sustained by vessels owned by their nationals in collisions with vessels in the public service of the United States:

1. The claim presented by the Government of Denmark on account of losses sustained by the owners of the Danish steamship *Masnedsund* as a result of collisions between it and the U. S. S. *Siboney* and the United States Army tug *No. 21* at St. Nazaire, France.

2. The claim presented by the Government of Sweden on account of the losses sustained by the owners of the Swedish steamship *Olivia* as a result of a collision between it and the U. S. S. *Lake St. Clair*.

3. The claim presented by the Government of Norway on account of the losses sustained by the owners of the Norwegian steamship *John Blumer* as a result of a collision between it and a barge in tow of the United States Army tug *Brittania*.

4. The claim presented by the Government of Norway on account of the losses sustained by the owners of the Norwegian bark *Janna* as a result of a collision between it and the U. S. S. *Westwood*.

I recommend that appropriations be made to effect a settlement of these claims in accordance with the recommendation of the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE, *May 31, 1924*.

EXECUTIVE SESSION

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and the Senate (at 6 o'clock and 15 minutes p. m.), under the order previously entered, took a recess until Monday, June 2, 1924, at 11 o'clock a. m.

CONVENTION WITH NORWAY TO PREVENT SMUGGLING OF INTOXICATING LIQUORS

In executive session this day, the following convention was ratified, and on motion of Mr. LODGE the injunction of secrecy was removed therefrom:

To the Senate:

To the end that I may receive the advice and consent of the Senate to ratification, I transmit herewith a convention between the United States and Norway to aid in the prevention of the smuggling of intoxicating liquors into the United States, signed at Washington on May 24, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, *May 26, 1924*.

THE PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention between the United States and Norway, to aid in the prevention of the smuggling of intoxicating liquors into the United States, signed at Washington, May 24, 1924.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, May 24, 1924.

The President of the United States of America and His Majesty the King of Norway, being desirous of avoiding any difficulties which might arise between them in connection with laws in force in the United States on the subject of alcoholic beverages, have decided to conclude a convention for that purpose, and have appointed as their plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States;

His Majesty the King of Norway: Helmer H. Bryn, his envoy extraordinary and minister plenipotentiary to the United States of America;

Who, having communicated their full powers, found in good and due form, have agreed as follows:

ARTICLE I

The high contracting parties respectively retain their rights and claims without prejudice by reason of this agreement with respect to the extent of their territorial jurisdiction.

ARTICLE II

(1) His Majesty agrees that he will raise no objection to the boarding of private vessels under the Norwegian flag outside the limits of territorial waters by the authorities of the United States, its territories or possessions, in order that inquiries may be addressed to those on board and an examination be made of the ship's papers for the purpose of ascertaining whether the vessel or those on board are endeavoring to import or have imported alcoholic beverages into the United States, its territories or possessions, in violation of the laws there in force. When such inquiries and examination show a reasonable ground for suspicion, a search of the vessel may be initiated.

(2) If there is reasonable cause for belief that the vessel has committed or is committing or attempting to commit an offense against the laws of the United States, its territories or possessions, prohibiting the importation of alcoholic beverages, the vessel may be seized and taken into a port of the United States, its territories or possessions, for adjudication in accordance with such laws.

(3) The rights conferred by this article shall not be exercised at a greater distance from the coast of the United States, its territories or possessions, than can be traversed in one hour by the vessel suspected of endeavoring to commit the offense. In cases, however, in which the liquor is intended to be conveyed to the United States, its territories or possessions, by a vessel other than the one boarded and searched, it shall be the speed of such other vessel and not the speed of the vessel boarded which shall determine the distance from the coast at which the right under this article can be exercised.

ARTICLE III

No penalty or forfeiture under the laws of the United States shall be applicable or attach to alcoholic liquors or to vessels or persons by reason of the carriage of such liquors when such liquors are listed as sea stores or cargo destined for a port foreign to the United States, its territories or possessions, on board Norwegian vessels voyaging to or from ports of the United States, or its territories or possessions, or passing through the territorial waters thereof, and such carriage shall be as now provided by law with respect to the transit of such liquors through the Panama Canal, provided that such liquors shall be kept under seal continuously while the vessel on which they are carried remains within said territorial waters, and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

ARTICLE IV

Any claim by a Norwegian vessel for compensation on the grounds that it has suffered loss or injury through the improper or unreasonable exercise of the rights conferred by article 2 of this treaty or on the ground that it has not been given the benefit of article 3 shall be referred for the joint consideration of two persons, one of whom shall be nominated by each of the high contracting parties.

Effect shall be given to the recommendations contained in any such joint report. If no joint report can be agreed upon, the claim shall be referred to the Permanent Court of Arbitration at The Hague described in the convention for the pacific settlement of international disputes, concluded at The Hague, October 18, 1907. The arbitral tribunal shall be constituted in accordance with article 87 (chapter 4) and with article 59 (chapter 3) of the said convention. The proceedings shall be regulated by so much of chapter 4 of the said convention and of chapter 3 thereof (special regard being had for articles 70 and 74, but excepting articles 53 and 54) as the tribunal may consider to be applicable and to be consistent with the provisions of this agreement. All sums of money which may be awarded by the tribunal on account of any claim shall be paid with 18 months after the date of the final award without interest and without deduction, save as hereafter specified. Each Government shall bear its own expenses. The expenses of the tribunal shall be defrayed by a ratable deduction of the amount of the sums awarded by it, at a rate of 5 per cent on such sums, or at such lower rate as may be agreed upon between the two Governments; the deficiency, if any, shall be defrayed in equal moieties by the two Governments.

ARTICLE V

This treaty shall be subject to ratification and shall remain in force for a period of one year from the date of the exchange of ratifications.

Three months before the expiration of the said period of one year either of the high contracting parties may give notice of its desire to propose modifications in the terms of the treaty.

If such modifications have not been agreed upon before the expiration of the term of one year mentioned above, the treaty shall lapse.

If no notice is given on either side of the desire to propose modifications, the treaty shall remain in force for another year, and so on automatically, but subject always in respect of each such period of a year to the right on either side to propose as provided above three months before its expiration modifications in the treaty, and to the provision that if such modifications are not agreed upon before the close of the period of one year the treaty shall lapse.

ARTICLE VI

In the event that either of the high contracting parties shall be prevented either by judicial decision or legislative action from giving full effect to the provisions of the present treaty

the said treaty shall automatically lapse, and, on such lapse or whenever this treaty shall cease to be in force, each high contracting party shall enjoy all the rights which it would have possessed had this treaty not been concluded.

The present convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Norway; and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the present convention in duplicate in the English and Norwegian languages and have thereunto affixed their seals.

Done at the city of Washington this 24th day of May, in the year of our Lord 1924.

[SEAL] CHARLES EVANS HUGHES.
[SEAL] HELMER H. BRYN.

PRESERVATION OF HALIBUT FISHERY OF THE NORTHERN PACIFIC

In executive session this day, the following convention was ratified, and on motion of Mr. LODGE the injunction of secrecy was removed therefrom:

The Senate:

I transmit, with the view to receiving the advice and consent of the Senate to its ratification, a convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea.

WARREN G. HARDING.

THE WHITE HOUSE, *March 2, 1923.*

THE PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, to receive the advice and consent of that body to its ratification, if his judgment approve thereof, a convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, March 2, 1923.

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of securing the preservation of the halibut fishery of the Northern Pacific Ocean, have resolved to conclude a convention for this purpose, and have named as their plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States; and

His Britannic Majesty: The Hon. Ernest Lapointe, K. C., B. A., LL. B., Minister of Marine and Fisheries of Canada;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

The nationals and inhabitants and the fishing vessels and boats of the United States and of the Dominion of Canada, respectively, are hereby prohibited from fishing for halibut (Hippoglossus) both in the territorial waters and in the high seas off the western coasts of the United States, including Bering Sea, and of the Dominion of Canada, from the 16th day of November next after the date of the exchange of ratifications of this convention to the 15th day of the following February, both days inclusive, and within the same period yearly thereafter, provided that upon the recommendation of the International Fisheries Commission, hereinafter described, this close season may be modified or suspended at any time after the expiration of three such seasons by a special agreement concluded and duly ratified by the high contracting parties.

It is understood that nothing contained in this article shall prohibit the nationals or inhabitants and the fishing vessels or boats of the United States and of the Dominion of Canada from fishing in the waters hereinbefore specified for other species of fish during the season when fishing for halibut in such waters is prohibited by this article. Any halibut that may be taken incidentally when fishing for other fish during the season when fishing for halibut is prohibited under the provisions of this article may be retained and used for food for the crew of the vessel by which they are taken. Any portion thereof not so used shall be landed and immediately turned over to the duly authorized officers of the Department of Commerce of the United States or of the department of marine and fisheries of the Dominion of Canada. Any fish turned over to such officers in pursuance of the provisions of this article shall be sold by them to the highest bidder, and the proceeds of such sale, exclusive of the necessary expenses in connection therewith, shall be paid by them into the treasuries of their respective countries.

ARTICLE II

Every national or inhabitant, vessel or boat of the United States or of the Dominion of Canada engaged in halibut fishing in violation of the preceding article may be seized, except within the jurisdiction of the other party, by the duly authorized officers of either high contracting party and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel, or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be mutually agreed upon. The authorities of the nation to which such person, vessel, or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of the preceding article or of the laws or regulations which either high contracting party may make to carry those provisions into effect, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other high contracting party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

ARTICLE III

The high contracting parties agree to appoint within two months after the exchange of ratifications of this convention a commission, to be known as the International Fisheries Commission, consisting of four members, two to be appointed by each party. This commission shall continue to exist so long as this convention shall remain in force. Each party shall pay the salaries and expenses of its own members, and joint expenses incurred by the commission shall be paid by the two high contracting parties in equal moieties.

The commission shall make a thorough investigation into the life history of the Pacific halibut, and such investigation shall be undertaken as soon as practicable. The commission shall report the results of its investigation to the two Governments and shall make recommendations as to the regulation of the halibut fishery of the North Pacific Ocean, including the Bering Sea, which may seem to be desirable for its preservation and development.

ARTICLE IV

The high contracting parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this convention, with appropriate penalties for violations thereof.

ARTICLE V

This convention shall remain in force for a period of five years, and thereafter until two years from the date when either of the high contracting parties shall give notice to the other of its desire to terminate it. It shall be ratified in accordance with the constitutional methods of the high contracting parties. The ratifications shall be exchanged in Washington as soon as practicable, and the convention shall come into force on the day of the exchange of ratifications.

In faith whereof the respective plenipotentiaries have signed the present convention in duplicate, and have thereunto affixed their seals.

Done at the city of Washington the 2d day of March, in the year of our Lord 1923.

CHARLES EVANS HUGHES. [SEAL.]
ERNEST LAPOINTE. [SEAL.]

NOMINATIONS

Executive nominations received by the Senate May 31, 1924

COAST AND GEODETIC SURVEY

To be aids, with relative rank of ensign in the Navy, by promotion from deck officer

Harold John Peterson, of Iowa, vice G. T. Gilman, resigned.
Virgil Alfred Alexander Powell, of Oregon, vice W. I. Brown, resigned.
Byron Williams, of Kentucky, vice B. E. Lancaster, promoted.

To be aid, with relative rank of ensign in the Navy, by promotion from junior engineer

Alexander Francis Jankowski, of Nebraska, vice E. M. Denbo, promoted.

PROMOTIONS IN THE REGULAR ARMY

To be captain

First Lieut. Reynold Ferdinand Melin, Ordnance Department, from May 28, 1924.

To be first lieutenant

Second Lieut. Horace Speed, jr., Coast Artillery Corps, from May 28, 1924.

POSTMASTERS

ARKANSAS

George E. Crosby to be postmaster at Pangburn, Ark., in place of L. H. Smith. Incumbent's commission expired August 5, 1923.

CALIFORNIA

Belle Hicks to be postmaster at Armona, Calif., in place of G. C. Coggin, deceased.

COLORADO

William V. Kerr to be postmaster at Eads, Colo., in place of J. I. Norris. Incumbent's commission expired February 18, 1924.

ILLINOIS

Robert R. Davis to be postmaster at Equality, Ill., in place of W. S. Bunker, resigned.

Walter E. Dimick to be postmaster at Rosiclare, Ill., in place of W. C. Karber. Incumbent's commission expired March 9, 1924.

Edwin B. Gardner to be postmaster at Mazon, Ill., in place of J. R. Lewis. Incumbent's commission expires June 5, 1924.

John H. Wehrley to be postmaster at Beecher, Ill., in place of W. J. Hinze. Incumbent's commission expired March 9, 1924.

INDIANA

Charles A. Baker to be postmaster at Knox, Ind., in place of E. H. Taylor, resigned.

Ernest C. Hefner to be postmaster at Roanoke, Ind., in place of W. F. Wake. Incumbent's commission expires June 5, 1924.

IOWA

John J. Ethell to be postmaster at Bloomfield, Iowa, in place of K. F. Baldridge. Incumbent's commission expires June 5, 1924.

KENTUCKY

James T. Davis to be postmaster at Sunnydale, Ky., in place of Peter Crowder. Office became third class July 1, 1923.

Ruby M. Wood to be postmaster at Salt Lick, Ky., in place of H. O. Razor. Incumbent's commission expired February 19, 1922.

LOUISIANA

Esther E. Harlan to be postmaster at Swartz, La., in place of S. F. Nettles. Office became third class October 1, 1923.

Aimie B. Garrett to be postmaster at New Roads, La., in place of C. M. Cazayoux. Incumbent's commission expires June 4, 1924.

MAINE

Jabez M. Pike to be postmaster at Lubec, Me., in place of John Durgan. Incumbent's commission expires June 5, 1924.

MICHIGAN

Emma Moote to be postmaster at White Cloud, Mich., in place of Fred Gibbs. Incumbent's commission expires June 4, 1924.

Benjamin W. Somers to be postmaster at Hesperia, Mich., in place of A. D. Himebaugh. Incumbent's commission expires June 4, 1924.

MINNESOTA

Ernest A. Schilling to be postmaster at Cottonwood, Minn., in place of E. A. Schilling. Incumbent's commission expires June 5, 1924.

MISSOURI

Amos E. Jennings to be postmaster at Miami, Mo., in place of Z. T. Casebolt. Incumbent's commission expires June 5, 1924.

William Vogel to be postmaster at De Soto, Mo., in place of William Vogel. Incumbent's commission expires June 5, 1924.

Margaret M. Enis to be postmaster at Clyde, Mo., in place of Joseph A. Voelker. Incumbent's commission expires June 5, 1924.

NEBRASKA

Charles E. Zink to be postmaster at Sterling, Nebr., in place of G. M. Sandusky. Incumbent's commission expires June 4, 1924.

Frank A. Bartling to be postmaster at Nebraska City, Nebr., in place of F. H. Marnell. Incumbent's commission expired April 9, 1924.

Clifton C. Brittell to be postmaster at Gresham, Nebr., in place of S. A. Tobey. Incumbent's commission expires June 4, 1924.

Frank G. Smith to be postmaster at Ashton, Nebr., in place of G. H. Lorenz. Incumbent's commission expires June 4, 1924.

NEW HAMPSHIRE

Lilla B. Sargent to be postmaster at Canaan, N. H., in place of E. M. Allen, deceased.

Ralph E. Messer to be postmaster at Bennington, N. H., in place of M. M. Cheney, deceased.

Silas C. Newell to be postmaster at Newport, N. H., in place of E. J. Maley. Incumbent's commission expired February 20, 1924.

James P. Farnam to be postmaster at Hanover, N. H., in place of E. T. Ford. Incumbent's commission expires June 5, 1924.

Alice M. Sloane to be postmaster at Conway, N. H., in place of F. L. Marston. Incumbent's commission expires June 5, 1924.

NEW MEXICO

Edward H. Hemenway to be postmaster at Carlsbad, N. Mex., in place of J. W. Wells, removed.

NORTH CAROLINA

Joseph B. Sparger to be postmaster at Mount Airy, N. C., in place of G. K. Snow. Incumbent's commission expires June 4, 1924.

OHIO

Edward P. Harker to be postmaster at Rossford, Ohio, in place of R. S. DeMuth. Incumbent's commission expires June 4, 1924.

David J. Thomas to be postmaster at Niles, Ohio, in place of A. L. Richar. Incumbent's commission expires June 4, 1924.

Edwin H. Garver to be postmaster at Navarre, Ohio, in place of D. A. Muskoff. Incumbent's commission expires June 4, 1924.

OKLAHOMA

James F. Bethel to be postmaster at Muldrow, Okla., in place of I. K. Turnham, deceased.

Lee Hilton to be postmaster at Barnsdall, Okla., in place of S. H. Wilson, declined.

PENNSYLVANIA

Oscar G. Darlington to be postmaster at Radnor, Pa., in place of O. G. Darlington. Incumbent's commission expired April 13, 1924.

Clarence G. Welker to be postmaster at Pennsburg, Pa., in place of E. J. Wieder, jr. Incumbent's commission expires June 5, 1924.

Stanley L. Campbell to be postmaster at New Albany, Pa., in place of P. W. Shepard. Incumbent's commission expired December 23, 1922.

John H. Lyter to be postmaster at Elizabethville, Pa., in place of M. A. Miller. Incumbent's commission expires June 5, 1924.

Mertie T. Gillies to be postmaster at Devon, Pa., in place of M. T. Gillies. Incumbent's commission expires June 5, 1924.

Nelson O. Smith to be postmaster at Blawnox, Pa., in place of N. O. Smith. Incumbent's commission expires June 5, 1924.

William H. Harper to be postmaster at Avondale, Pa., in place of W. H. Harper. Incumbent's commission expired February 4, 1924.

SOUTH CAROLINA

Thomas B. Madden to be postmaster at Columbia, S. C., in place of T. B. Madden. Incumbent's commission expired January 21, 1924.

Samuel B. Cartledge to be postmaster at Batesburg, S. C., in place of W. S. Hite. Incumbent's commission expired January 21, 1924.

SOUTH DAKOTA

Howard R. Mortenson to be postmaster at Viborg, S. Dak., in place of J. M. Rasmussen. Incumbent's commission expires June 4, 1924.

Raymond B. Breed to be postmaster at Brookings, S. Dak., in place of R. B. Breed. Incumbent's commission expires June 4, 1924.

TEXAS

John W. Stegall to be postmaster at Holliday, Tex., in place of J. M. Hawley. Office became third class January 1, 1924.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 31, 1924

MEMBER OF THE FEDERAL TRADE COMMISSION

Charles W. Hunt.

MEMBER OF THE MISSISSIPPI RIVER COMMISSION

Edward Flad.

IN THE NAVY

William R. Shoemaker to be Chief of the Bureau of Navigation.

POSTMASTERS

CALIFORNIA

Lulu F. Thornton, Durham.

IDAHO

Ned Jenness, Nampa.
Elmer C. Hull, Wilder.

KENTUCKY

Ronald S. Tuttle, Bardstown.
Clyde Burton, Stone.

MONTANA

Lucile D. Knight, Twin Bridges.

NEW YORK

Herbert J. Crandall, Silver Creek.

NORTH DAKOTA

Myron B. Fallgatter, Kintyre.
Michael Coyne, Starkweather.

OHIO

Fred M. Hopkins, Fostoria.

OREGON

Olof O. Follo, Westport.

PENNSYLVANIA

Robert T. Barton, Meadowbrook.

SOUTH DAKOTA

Sidney H. Dains, Marion.

HOUSE OF REPRESENTATIVES

SATURDAY, *May 31, 1924*

The House met at 12 o'clock noon and was called to order by the Speaker.

Mr. BARKLEY. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order that no quorum is present. Evidently there is no quorum present.

Mr. BEGG Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper closed the doors and the Sergeant at Arms was directed to bring in the absentees, the Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Fish	MacLafferty	Scott
Anthony	Free	Magee, Pa.	Seger
Bacharach	Frothingham	Mead	Sites
Beedy	Gallivan	Michaelson	Snyder
Boies	Garber	Miller, Ill.	Sproul, Kans.
Boylan	Geran	Moore, Ill.	Sullivan
Britten	Gibson	Morin	Sweet
Brumm	Glatfelter	Mudd	Swoope
Buckley	Goldsborough	Nelson, Wis.	Tague
Byrnes, S. C.	Graham, Pa.	O'Brien	Taylor, Colo.
Campbell	Howard, Okla.	O'Connell, N. Y.	Temple
Carew	Hull, Tenn.	O'Connor, N. Y.	Tilson
Casey	Jost	Oliver, N. Y.	Tucker
Celler	Kahn	Park, Ga.	Upshaw
Clark, Fla.	Kent	Patterson	Vinson, Ky.
Cole, Ohio	Kindred	Peery	Ward, N. Y.
Connery	King	Perlman	Weller
Connolly, Pa.	Kunz	Phillips	Welsh
Cullen	Langley	Porter	Wertz
Curry	Lilly	Prall	White, Me.
Davey	Lindsay	Quayle	Wilson, Miss.
Dickstein	Linthicum	Reed, W. Va.	Winslow
Doughton	Little	Robsion, Ky.	Yates
Drane	Logan	Rogers, N. H.	Zihlman
Eagan	Luce	Rosenbloom	
Edmonds	McSwain	Sanders, Ind.	
Fairchild	McSweeney	Sanders, N. Y.	

The SPEAKER. Three hundred and twenty-eight Members have answered to their names. A quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, the Shepherd of our souls and the Father of us all, we turn to Thee again. Grant us all to feel that we are in the holy presence of One who is above all and over all. Thou alone canst make even the night to shine as the day. With us may life be definite and full of thoughtful meaning. Make us calm in the presence of difficulty, patient in the face of opposition, and strong and compelling when honor is in question. Enable us to remember that the highest reach of manhood is the protection of the weak, the poor, and the unfortunate. At the close of the week may we take love, joy, and peace to our homes, in the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

The SPEAKER. The Chair would like to state that the present Speaker ruled in a previous Congress that a point of no quorum could not be made before the Chaplain had offered prayer, and that opinion was sustained by the House by a vote of nearly 3 to 1. The Chair wishes to state that he has not departed from that decision, that admitting the point of order to-day was accidental.

ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Mr. Speaker, it seems to me quite evident that the consideration of this bill would be hastened if we could reach an understanding as to when a final vote is to be had. When that was suggested to me yesterday by the gentleman from Kentucky [Mr. KINCHELOE], I thought that we ought to have a final vote to-night. I, however, have become convinced that it would be in the interest of a speedy consideration of this bill if we were to have an understanding that we would reach the stage of the previous question this evening and then adjourn, in which case the final vote would be had on Monday or Tuesday. It seems to me that nothing would be lost. The Senate is considering precisely the same bill, and if the bill is to become a law there would be no delay if we proceed as far as the previous question this afternoon. I am very certain that it would be for the interest of the consideration of the bill if that was understood now.

Mr. KINCHELOE. I will say as far as I am concerned that that would be satisfactory.

Mr. LONGWORTH. Of course, it would not require unanimous consent, because it is in the power of the gentleman from Iowa to move that the committee rise. I think it would be wise to reach an understanding now, however, so that the consideration of the bill shall be completed in the Committee of the Whole and that the committee shall rise, the previous question be ordered, and then the House adjourn, in which case the final vote will come on Monday or Tuesday.

Mr. BARKLEY. Which would it be, Monday or Tuesday?

Mr. LONGWORTH. That would depend on the gentleman from Kentucky.

Mr. BARKLEY. We might as well have an understanding about it now, that it will be Tuesday.

Mr. LONGWORTH. The gentleman from Kentucky would be opposed to having it on Monday?

Mr. BARKLEY. I do not want to make any agreement now.

Mr. LONGWORTH. It would be unfinished business, and if it did not come up on Monday, it would come up on Tuesday.

Mr. ASWELL. Why can not we make the agreement now and have it on Tuesday?

Mr. LONGWORTH. I would be glad to have an understanding. Mr. Speaker, I ask unanimous consent——

Mr. GARRETT of Tennessee. Will the gentleman yield to me?

Mr. LONGWORTH. Certainly.

Mr. GARRETT of Tennessee. Of course, that is presuming that this bill will be completed to-day.

Mr. LONGWORTH. I think we must preface this with the understanding that the bill will be completed in Committee of the Whole before the committee rises to-day. That ought to be done. It seems to me that it is only fair both to the proponents and the opponents of this bill. If the bill should go over until next week before it is completed it is impossible to tell what might happen. I think it is only fair that we should have a definite understanding that we should complete its consideration in Committee of the Whole to-day.

Mr. GARRETT of Tennessee. Mr. Speaker, so far as I know, there is no objection to that. I do not know how many amendments are to be offered. I assume this; that in the temper

the House is in now, there will be dilatory tactics pursued in the consideration of the bill.

Mr. LONGWORTH. Certainly there would not be, if it were understood that a vote would be had a little later.

Mr. BARKLEY. Mr. Speaker, reserving the right to object further, there has been a rumor about the House for some time that there is in process of fecundation some kind of a substitute that somebody is going to offer to this bill at some stage of the proceedings. Can the gentleman inform us whether that is true or not?

Mr. LONGWORTH. So far as I know, no such substitute is proposed. I have no knowledge of any contemplated proceeding of that nature.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. MADDEN. Of course, as chairman of the Committee on Appropriations, I am anxious to conform to any plan that may be outlined or agreed upon. It ought to be understood that we have two important appropriation bills that are yet to be considered by the House. Any agreement that is entered into ought to take that into consideration, because if they are postponed until the end of next week, there will not be any adjournment at that time.

Mr. LONGWORTH. Of course, I have in mind what the gentleman from Illinois says, and I think that this is in the interest of the speedy passage of necessary legislation by this House.

Mr. RUBEY. Does the gentleman mean the speedy passage or the speedy defeat?

Mr. LONGWORTH. I mean speedy action. I have no knowledge as to the ultimate fate of this measure. My idea is to give a fair show on this legislation to both the opponents and the proponents.

Mr. RUBEY. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. RUBEY. Yesterday afternoon after we closed here and got through with the work, Members on the gentleman's side of the House assured me that we would meet here to-day, and that we would put this bill through before we adjourned to-day, and they come in here this morning with this proposition.

Mr. HAUGEN. Oh, the gentleman's conference——

Mr. RUBEY. I met with the gentleman from Iowa [Mr. HAUGEN.]. The gentleman was there.

Mr. HAUGEN. I was there, but we are not proposing this proposition of the gentleman from Ohio.

Mr. RUBEY. Then the gentleman is not in favor of delay. Mr. Speaker, I object.

Mr. BURTNESS. Mr. Speaker, will the gentleman from Ohio yield?

Mr. LONGWORTH. Yes.

Mr. BURTNESS. Mr. Speaker, the gentleman from Illinois [Mr. MADDEN], the chairman of the Committee on Appropriations, suggested that if we are going to adjourn a week from to-day, it is necessary to get the appropriation bills through. I want to assure the gentleman that it is more necessary to get farm-relief legislation enacted.

Mr. LONGWORTH. I say to the gentleman that in my judgment it would speed up action on this bill if such an arrangement as I have suggested is made.

Mr. BURTNESS. I do not agree with the gentleman as to that, but I want to make it plain that there are a good many that will not vote to adjourn without some farm-relief legislation.

Mr. LONGWORTH. Mr. Speaker, if my time has not run out——

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. Then, Mr. Speaker, I ask unanimous consent to proceed for two minutes further.

The SPEAKER. Is there objection?

There was no objection.

Mr. LONGWORTH. I think an amicable arrangement can be made here. There is no necessity for any temper to be shown.

Mr. RUBEY. A man must show temper when he comes in here and has a thing reversed on him.

Mr. LONGWORTH. I do not know what the gentleman means by some understanding being reversed. I have had no understanding. I made my suggestion in the interest of what I believe to be the speeding up of the action on this bill. I do not know what understanding the gentleman may have had with others.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. CRAMTON. It seems to me, and I am friendly to the legislation, that we are in a situation where a final vote could not be forced to-night, whatever the gentleman from Iowa [Mr. HAUGEN] or others desire. We are facing a reality that a vote could not be forced, and it seems to me if the gentleman from Ohio can bring about a situation so that we can complete consideration of everything else down to a final vote it would advance the legislation in the most rapid way it can be advanced.

Mr. SCHAFER. I understand the gentleman from Ohio wants to bring about speedy action on this bill. Will the gentleman assure us that he will help bring about speedy action on the Barkley bill on Monday next?

Mr. LONGWORTH. I am speaking of the agricultural bill at this moment. I have no knowledge about what will occur on Monday. I think what the gentleman from Michigan [Mr. CRAMTON] says presents accurately the situation to-day. If we have an understanding now that the bill will be completed to-day in the committee and a final vote taken early next week, action upon this bill will be very greatly speeded up.

Mr. RUBEY. If I may say a word, I shall withdraw my objection.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the consideration of this bill in Committee of the Whole House on the state of the Union shall be completed to-day, and that when reported to the House the previous question shall be considered in order on all amendments to final passage, and that the House shall thereupon adjourn.

The SPEAKER. There may be other business after that.

Mr. LONGWORTH. I mean so far as this bill is concerned.

Mr. RUBEY. Mr. Speaker, reserving the right to object, let me say this: If this agreement is entered into, you can mark my word that this bill will not pass this House on next Tuesday. If the gentlemen on the Republican side of the House want to take the responsibility for the defeat of this legislation, well and good, but I want the country to know where the responsibility is in the proposal of this unanimous-consent agreement to-day. You put off the vote on this bill until next Tuesday morning, and those who make the proposition know that at that time there will be 40 or 50 or 60 gentlemen in this House who are not here now, everyone of whom will be against this legislation.

Mr. LONGWORTH. I have no knowledge of that fact.

Mr. RUBEY. The gentleman has not any knowledge, but he has been conferring with the chairman of the committee and with others—the gentleman from Iowa.

Mr. LONGWORTH. I have made this request without conferring with the gentleman from Iowa.

Mr. RUBEY. The gentleman had a conference this morning with the gentleman from Kansas.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. RUBEY. I yield.

Mr. CRAMTON. Does the gentleman from Missouri believe that the bill is now in a situation, only one-third of it having been passed over, where there is any reasonable possibility that without such an understanding as the gentleman from Ohio suggests we can get a final vote to-day?

Mr. RUBEY. I will say to the gentleman, if Members of this House who are favorable to this legislation will stay here on the floor, we can put this legislation through before midnight to-night. [Applause.]

Mr. CRAMTON. Suppose that would happen, suppose you speed its consideration, which I do not believe to be possible, and then when it comes to the last step some one demands a reading of the engrossed copy?

Mr. RUBEY. The engrossed copy will be ready to be read.

Mr. CRAMTON. How do you know what it will be?

Mr. RUBEY. There will be no amendments adopted if the friends stand by it.

Mr. CRAMTON. I hope the gentleman has a proper basis for his confidence that a majority of the House is with him on this bill, to the extent he says.

Mr. DYER. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Missouri demands the regular order. The regular order is——

Mr. DYER. I withdraw the demand for a moment but not for any prolonged debate.

Mr. HAUGEN. Mr. Speaker, in conference with a number of Members last night a number of Members indicated a desire to leave the city and would be out of the city next week, and asked that this bill be taken up to-day and disposed of to-day, and I feel on insisting that the bill shall be taken up at this time. This is to accommodate Members who are obliged to leave the city, and it is just as fair to those gentlemen as to the gentlemen who are away at the present time.

The SPEAKER. Is there objection?

Mr. SUMMERS of Washington. I object.

Mr. LONGWORTH. Then I merely desire to say that a motion will be made to adjourn when the previous question has been ordered on this bill in order to have a vote later on.

THE CAUSE OF THE TOILER

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks on the cause of labor.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SCHALL. Mr. Speaker, in the history of other governments the man that toiled used to be held in dishonor, but today not only in this country but pretty well distributed throughout the world it is a badge of dishonor not to have an occupation. Doing nothing is not done any more, and this situation has come about through persistent champions of labor in all walks of life; and to continue such progress, when the people find a man who will stand by them year after year, under any and all stress, it is the part of wisdom to reciprocate. It is an ill thing when they allow themselves to be led astray, to desert those who at all costs have fought their battles. There are no rewards to be picked up by the man who keeps a true course for the ordinary folks. It is not a smooth road. The dislike of those who see no merit in the common man's cause is recorded in daily unpleasantnesses. There is a silent pressure of disapproval that is palpable and cold and opposing. It takes real stamina to go up against it. It is the thing that changes weak men after they breathe a long time the atmosphere of Washington. There are party rewards to the amenable, the man who can be relied upon to stay within the reservation, and party discipline for the man who abides by his own conviction regardless of party. It is a fine thing to be able to get jobs for your friends and favors for your constituents; but the wise constituent will look beyond the small personal advantage to the principle. If by the granting of a little job to him his Member has to forego, to make any concessions of judgment, better far be without political plums to distribute.

It is a hard thing for the people to get the truth about their champions. In general the avenues of the press are closed, which the purse strings of selfish interest are able to open for their trusted tools. The people do not hear anything of the good work done; a chorus of abuse is raised as a smoke screen to hide the record of accomplishment. The greatest danger to the cause of labor and the common man is in its own ranks, those self-appointed leaders who for some motive of personal gain or fancied party advantage attempt to lead the people to abandon the tried and trusted champion. Anyone who has followed my record knows that it has been 100 per cent for labor, 100 per cent for the farmer, and 100 per cent for the common people, and anyone who attempted to deceive the people as to a public man's record is not fair with them and does not deserve their confidence.

Anyone who objects to the people's right to the frank for their information of their public men's record is not square with the people, and his motive is ulterior and deserves careful scrutiny, for what chance would the poor man in Congress have to defend his record? Those that would tear down the privilege of the frank for getting information to the people are playing the game of the enemies of their country.

I am offering a reward of $1,000, sufficient amount to warrant any in doubt looking it up, to anyone who can point out in my 10 years' service one place where I have voted against labor or the interests of the farmer or the ordinary people, and this is collectible, legally, under the law, and should be sufficient answer.

There is no justification for an attack on my record by those pretending to be friends of the common people. It is really not my record that they find fault with, but the fact that I refuse to come under their bossism. Men who had the interests of the people at heart would surely advocate standing by men who have been proven true. What difference does label make? It is the man that counts. Parties make promises easily, but whether they are kept or not depends upon the character of the men who hold the office.

The type of self-appointed labor leader, who in his zeal to look for flaws neglects 10 years of faithful public service and pounces gleefully upon an unavoidable absence and hails it to to the world as a gross fault, is unfair, willfully malicious, and not trying to serve the cause of the people. But it is not facts or truth these men want; just a basis for attack.

Ten years is a long time. I have kept the faith. Is not 10 years of performance worth more than promises when compared with a record absolutely adverse to labor for years? And in these 10 years, the most strenuous in the history of our country, I have acquired an understanding of our international problems as well as our domestic ones, which experience should be of great value to the people when compared with inexperience.

I have earned my own way since a little boy. I have made my living by the use of my hands and the sweat of my brow. I know the troubles of the common people. I am one of them.

The danger to the cause of the common man is false leadership by men who can be reached through their cupidity and their ambitious desires. Such men become ready tools in the hands of plunder gangs, who through their power of allurement to personal advantage induce some of these so-called leaders to plunge a knife into the back of the people's cause by injuring the men who are carrying their banner.

The rank and file should easily be able to pick these fellows out. The men who in the face of 100 per cent record attempt to villify are certainly not advocating the interests of labor but some secret and selfish motive. It is these traitors to the cause that are doing more than anything else to destroy its progress. Public men fighting in behalf of the common people become discouraged and disheartened in trying to counteract the unfair, unsportsmanlike and assassinating methods, and the wide publicity they can easily secure for an attack upon a friend of the people gives such an advantage over the honest friend of the people whose votes bring him no financial help at election time and leaves him, because of his poverty, unable to answer the malicious and damaging charges spread broadcast through press and hireling mouthpieces.

The great selfish interests of this country, with the best brains that money can hire, with their newspapers, their organizations, and their endless chain of propaganda are constantly at work to tear down the people's friends. If they can not do it straight out, they do it by indirection, and when the people can no longer be fooled in one way they are quick to get upon the crest of any new wave through which the people hope to get relief, and by preelection promises and proffered aid secure control of the men such a movement would put in power and defeat the purpose of the cause upon which the people have placed their hope; not only is this true of the specific cause of labor, but it is true of the common people generally. It is true of the cause of the farmer. It is true of the cause of the clerk, the little business man, the little banks, the little everything who are outside the pale of the great selfish monopolistic interests who seek to farm the farmer and all the trade currents which rest upon this basic industry.

Frank Morrison, secretary American Federation of Labor, says:

Representative SCHALL has proved most aggressive in fighting reaction in Congress. He has a 100 per cent legislative record on measures of interest to labor and to the people; not only does he vote for whatever is for the best interests of our country, but he is active in committees, on the floor of the House, and in every other way in defeating any legislation proposed by the reactionaries as well as in supporting measures beneficial to labor and to the people.

And W. N. Doak writes, in answer to an unwarranted and unfair attack made on me by a so-called labor paper:

Mr. W. A. MCDONALD,
General Chairman Soo Line System,
501 Globe Building, Minneapolis, Minn.

DEAR SIR AND BROTHER: I am just in receipt of your letter of the 15th, inclosing editorial clipped from the Minneapolis Labor Review of Friday, April 14, 1922, which deals with Congressman THOMAS D. SCHALL's labor record in Congress.

I am inclosing herewith a clipping of Congressman SCHALL'S record as compiled by the legislative bureau of the four railroad brotherhoods, which record is taken from the CONGRESSIONAL RECORD exactly as it appears in the record. The four legislative representatives sent out this record without any comment, but inasmuch as it seems Congressman SCHALL has been attacked on account of not voting on the Adamson 8-hour law, and his having not voted on February 21, 1920, on the motion to recommit the railroad bill, and on the final passage of the so-called Esch-Cummins bill, at which time the record shows he was "paired"; also, according to the record, Mr. SCHALL did not vote on the so-called Cannon amendment limiting the right of strike on March 6, 1918, at that time being "paired."

At the time the Adamson 8-hour law was before Congress it is my understanding that Congressman SCHALL was in a hospital in Maine unable to be in attendance at sessions of Congress, but unquestionably he was in favor of the Adamson 8-hour law, and would have voted favorably had he been present. I also understand that on March 6, 1918, Mr. SCHALL was "paired" in favor of labor when the so-called Cannon amendment was unexpectedly sprung in Congress. This being the case, it is unfair to Congressman SCHALL to have him recorded as opposing labor in this instance. On February 21, 1920, Congressman SCHALL was again "paired" in favor of labor, and did not vote on the

railroad bill and the motion to recommit; therefore this action was just as favorable by being paired as if he had voted.

On all other measures since his term in Congress, which commenced with the Sixty-fourth session, down to the present time, he has been recorded as favorable to labor; therefore we consider his record as 100 per cent favorable to labor, according to our records in this office.

No one could legitimately accuse Congressman SCHALL of being in favor of the Esch-Cummins bill when you consider that on November 17, 1919, when the Anderson amendment was before the House of Representatives, he voted in favor of same; he also, on that date, voted to recommit the proposed railroad bill to the committee with instruction to strike the guaranty provision out, and on the same date voted against the proposed railroad bill on its final passage. Therefore, it is safe to say that he was opposed to the final passage of this bill when it came up for final action on February 21, 1920, and was unquestionably "paired" against this bill.

Trusting that this will answer you fully and convey to you the attitude of myself and my associates with reference to Congressman THOMAS D. SCHALL, and would assure you that we believe his record and past action during his term of Congress deserves the support of the railroad men.

Fraternally yours, W. N. DOAK,
Vice President, National Legislative Representative,
Brotherhood of Railway Trainmen.

A few unavoidable absences on questions where there is no doubt of my attitude because I am on record before and after on these same questions, and upon these questions am paired. Anyone attempting to use this subterfuge is on the face of it not a real friend to the cause of the toiler.

Thomas Flaherty, secretary treasurer of the National Federation of Post Office Clerks, says:

I want to take the opportunity to thank you for your earnest and effective advocacy of readjusting postal pay rates and for the splendid support given at all times.

The National Federation of Post Office Clerks is deeply indebted to you.

And again he says:

I want to thank you for your effective cooperation as a member of the House Rules Committee in securing early consideration of the postal employees' pay bill.

We are again deeply indebted to you. In this instance, as on so many occasions in the past, you have shown a sympathetic interest and a clear understanding of postal employment problems.

We want you to know of our sincere appreciation of your valued services to the postal workers as a Member of Congress.

And Robert H. Alcorn, chairman of the joint conference committee on retirement, says:

Mr. SCHALL has always been our friend on all matters of legislation. I know of no time he has failed to vote right on all bills. He is a 100 per cent friend of the people.

Luther Steward, president of the National Federation of Federal Employees, says:

During your service in Congress the National Federation of Federal Employees has had ample reason to look upon you as a sincere friend, not only of the organized Federal employees but of all workers.

Division 357, Brotherhood of Locomotive Engineers, writes me:

At a regular meeting of Division 357, Brotherhood of Locomotive Engineers, held on April 21, 1924, a motion was made and unanimously adopted that the secretary be instructed to convey a special letter of thanks to you for your effective work in behalf of one of our members, Fern Selle. As expressed in the lodge room, we know that we could depend on you, our faithful servant, in this case of emergency. We have watched your 10 years of effective work in the Halls of Congress and we are of the opinion that we should not turn down an old friend for a new.

So it gives me great pleasure to convey to you the heartful thanks of Division 357, Brotherhood of Locomotive Engineers, and wishing you every success, and also granting you the privilege of using this letter, should the same be of any benefit to you, I am,

Respectfully yours,
W. E. HARMON,
Secretary of Division 357, 2007 Seventeenth Avenue, South.

Arthur J. Lovell, vice president and national legislative representative, Brotherhood of Locomotive Firemen and Enginemen, says:

Even during my short acquaintance since assuming the duties of national representative of our brotherhood, beginning July 1, 1922, I have had occasion to call on Congressman SCHALL and have received most courteous and considerate treatment, which has merited my respect and confidence.

National legislative representatives of all legitimate labor organizations here in Washington consider Congressman SCHALL 100 per cent good.

H. E. Wills, assistant grand chief, Brotherhood of Locomotive Engineers, says:

All legislative representatives from all the fields of labor, without exception, so far as my knowledge goes, claim Representative SCHALL as "100 per cent good," and many of us claim him as a personal friend.

ADMINISTRATION AND ENFORCEMENT OF TARIFF ACT

Mr. GREEN of Iowa. Mr. Speaker, I present a privileged report from the Committee on Ways and Means.

The SPEAKER. The gentleman from Iowa presents a report from the Committee on Ways and Means on a bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9076) to amend sections 2 and 5 of an act entitled "An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws."

The SPEAKER. Referred to the Union Calendar.

Mr. DYER. Mr. Speaker, I call up the conference report on the bill H. R. 9041.

Mr. LONGWORTH. I trust the gentleman will not do that.

Mr. CRAMTON. I shall be obliged to oppose the gentleman's motion.

Mr. LONGWORTH. Will the gentleman withdraw that?

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union——

Mr. DYER. Mr. Speaker——

The SPEAKER. The Chair has just been informed that this conference report has been rejected by a point of order, and the gentleman is not entitled to bring it up.

M'NARY-HAUGEN BILL

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9033.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9033.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. ASWELL) there were 210 ayes and 35 noes.

Mr. ASWELL and Mr. CLARKE of New York. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Twenty-three gentlemen have arisen, not a sufficient number, and the yeas and nays are refused.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9033, with Mr. GRAHAM of Illinois in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9033, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 9033) declaring an emergency in respect to certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes.

Mr. TINCHER. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, I take the floor at this time for the purpose of gaining some facts. I think that an agricultural relief bill ought to be absolutely free from politics. I do not think there should be any party lines when we are considering a great agricultural relief bill. I personally would try to make no party lines. Now, on yesterday the gentleman from Louisiana [Mr. ASWELL] took the floor and said to the House—

The President has clearly intimated to the majority party leaders that he would veto the McNary-Haugen bill. He appeals to you to kill it in Congress and not permit it to come to him.

If that is true, as a member of the Committee on Agriculture, I am entitled to know it.

If such a message as that has come from the White House, I am entitled to know it. If it is not true, it is unfair to the President and unfair to the Congress. As I say, I do not play the agricultural relief legislation from the party standpoint, but I am willing to take advantage of this time as a Republican

and as a Member of the House to ask my leader, the gentleman from Ohio [Mr. LONGWORTH], if he has received any such word as that from the White House?

Mr. LONGWORTH. I will say to the gentleman that I have had no intimation whatever. So far as I know, there is not a word of truth in the statement that the gentleman just read. If any word has come of that nature, it has not come to me or to anybody that I know.

Mr. TINCHER. Mr. Chairman, I believe men are honest. I am not criticizing the gentleman from Louisiana [Mr. ASWELL] for drawing his deductions. He drew them from the headlines in a certain newspaper published in Washington, and he stated so on the floor. Other gentlemen yesterday who took the floor against this bill said, "You are going against the President and voting for something that he does not want and something that he will veto." If there is any Member here who has a message from the President to the effect that he does not want this bill passed, I think he owes it to the Congress and to the President to stand up like a man and say, "I have a message." I believe if the President of the United States had any message to send to Congress, he would send it to the majority leader. [Applause.]

Mr. KINCHELOE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KINCHELOE: Page 7, line 6, after the word "than" strike out the word "five" and insert in lieu thereof the word "two."

Mr. KINCHELOE. Mr. Chairman, before discussing this amendment I want to reply to the gentleman from Kansas [Mr. TINCHER] about the attitude of the President. I want to say that of course I belong to the minority party, and I am on the outside looking in. If anyone knows the attitude of the President on this bill it ought to be the gentleman from Kansas, who, I think, is one of the "autocrats of the breakfast table" at the White House. If anyone knows it ought to to be the gentleman from Kansas, and if he does know he ought to tell this House. But I will say this, that if the President signs this bill, he will eat every word that he uttered on farm legislation in his December message.

I want to call your attention to section 23, which provides that this emergency shall not extend beyond five years. The proponents of this bill have been arguing all the time that this is merely a temporary measure. They say, "We would not vote for this bill for one minute if it was not a temporary measure." If this is ever enacted, and it is ever in effect for five years, you will never repeal it, and you know it.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield there?

Mr. KINCHELOE. In just a second.

Why do I say that? If it is going to work in the beautiful way that the proponents of this bill say it is going to work, if it is going to help the farmer in the way they say it is going to do, then you will build up the great superstructure in five years here by voting $200,000,000 at the first shot out of the Treasury. For what? To build up by artificial stimulants the prices of the agricultural products set out in this bill.

It was asked of the Secretary of Agriculture, who had to come before the committee twice to tell us how he stood on this bill—he was asked if he did not know that when this great artificial superstructure had been built at a cost of hundreds of millions of dollars, not only out of the Treasury, but out of the farmers' pockets, if you cut the props out from under it in five years if there would not be such a panic as the world had never seen before, and the Secretary of Agriculture admitted or intimated that if it had run for five years it would be an absolutely permanent matter.

Mr. BRAND of Ohio. Mr. Chairman, will the gentleman yield.

Mr. KINCHELOE. Not now.

Now, if you adopt my amendment and put it at two years, you will then see whether it is going to work or not. But if you take five years and raise the ratio price of these commodities, then your all-commodity index price, to wit, the 404 commodities, is going to increase in price, and then the laboring man, on account of the increase in the cost of living, is going to come and demand more wages, because he will have the right to; and then if it is to continue in operation, these sweet-scented tariff barons, sitting behind a tariff wall now, will come before you and say, "We want a greater tariff on our products"; and then if you grant that, and cut out the props from under this bill, you will have a catastrophe that will shake this country from center to circumference, and everyone knows it.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. SHALLENBERGER. Will it not fall at the end of two years instead of five years? You will only have it fall quicker.

Mr. KINCHELOE. No. At the end of two years I think you will find out that it will not work, and the sooner the farmer finds it out the better it will be for him, and he will be at you asking for its repeal.

Mr. SUMMERS of Washington. Do you not want it for five years?

Mr. KINCHELOE. Oh, the gentleman from Washington would make it a million years. He is bleeding inwardly anyway, because he tearfully admitted the other day he was now sorry he ever voted for the Fordney-McCumber tariff bill.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate on this section and all amendments thereto close now.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on this section and all amendments thereto close in one hour.

Mr. NEWTON of Minnesota. Mr. Chairman, the request was on the amendment, not on the section.

Mr. HAUGEN. If objection is made, Mr. Chairman, I will move.

The CHAIRMAN. Does the gentleman from Iowa restrict his unanimous consent to one hour?

Mr. HAUGEN. To one minute.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on the amendment close in one hour.

Mr. PURNELL. Oh, no, Mr. Chairman; not in one hour, but immediately.

The CHAIRMAN. Let the Chair state this for the benefit of the committee. It is extremely difficult for the Chair to hear requests of the chairman unless he states them clearly.

Mr. HAUGEN. I ask unanimous consent that all debate on the pending amendment close in two minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the pending amendment close in two minutes. Is there objection?

Mr. KINCHELOE. Mr. Chairman, reserving the right to object, I do not think the chairman ought to shut off debate on this amendment if anyone desires to speak on it.

Mr. HAUGEN. The gentleman would like to have us stay here until after adjournment?

Mr. KINCHELOE. No; I want a straight shot on your bill, that is all I want.

Mr. HAUGEN. The gentleman served notice yesterday and to-day that he proposes to filibuster. Mr. Chairman, I move that all debate on the pending amendment close in two minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on the pending amendment close in two minutes.

Mr. ASWELL. Mr. Chairman, I offer an amendment to make it 20 minutes.

The CHAIRMAN. The gentleman from Louisiana moves to amend the motion of the gentleman from Iowa by making the time 20 minutes.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 49, noes 100.

So the amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to amend the motion of the gentleman from Iowa by having all debate on the pending amendment close in 10 minutes.

Mr. KNUTSON. Mr. Chairman, I make the point of order that it is too late to offer that amendment.

The CHAIRMAN. The Chair does not think so. The gentleman from Minnesota moves to make the time 10 minutes.

The question was taken; and on a division (demanded by Mr. NEWTON of Minnesota) there were—ayes 44, noes 95.

So the amendment was rejected.

Mr. BLANTON rose.

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. I ask recognition, Mr. Chairman.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa, which is not debatable. The question is on the motion of the gentleman from Iowa to close debate on the pending amendment in two minutes.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 97, noes 15.

So the motion was agreed to.

Mr. BLANTON. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas is recognized for two minutes.

Mr. BLANTON. Mr. Chairman, I am in favor of this amendment. It makes the bill three-fifths less objectionable than it is now, and that is my only reason for being in favor of it.

The gentleman from Kansas says the President has given out no opinion to the public on this bill, and nothing to the leader, and nothing to the steering committee. This is one of the most important bills that has been before Congress. It takes $200,000,000 out of the Treasury; it adds another $1,000,000,000 in bonds to the debt of the United States, and yet the President of the United States as yet has said nothing about the bill, and I think the President ought to give us his position on it.

Mr. TINCHER. Mr. Chairman, I make the point of order that the gentleman is not discussing the amendment.

The CHAIRMAN. The gentleman must confine himself to the amendment, which is to change the word "five" to the word "two."

Mr. BLANTON. I will. That is, to make it two years instead of five years. This is after all a $1,200,000,000 bill that is to run for five years, and the President ought to send us a recommendation to adopt the amendment of the gentleman from Kentucky [Mr. KINCHELOE] [applause], because it would then run for only two years, and then we would have a chance to salvage something from this $1,200,000,000 project that is to be a burden on the farmers and other taxpayers of this country.

I wish the gentleman from Kansas [Mr. TINCHER], the gentleman from Ohio [Mr. LONGWORTH], and the distinguished gentleman from New York [Mr. MILLS], who run to the President on every other piece of business in the House, would go down to the White House and have a breakfast, a supper, a dinner, or a luncheon, or something down there, and come back with the message that the President says, "Kill this bill." It will give no relief to the farmers, and it ought to be killed.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on the amendment offered by the gentleman from Kentucky [Mr. KINCHELOE].

The question was taken and the amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 7, line 6, after "1," insert "unless the President shall otherwise determine and proclaim."

Mr. NEWTON of Minnesota. Mr. Chairman, we have just heard something with reference to the attitude of the President in connection with this legislation. I do not know that it makes very much difference what the President may have said to some individual Member of the House, but it should make a great deal of difference when he appeared before us, as he did on the 6th day of December, called our attention to agricultural relief and there warned us against complicated schemes of relief and legislative price fixing. That message is good enough for me. [Applause.] It was plain enough so that I could understand it and it certainly applies to this bill or the principles of this bill.

The general principles were under discussion all over this country at the time that message was delivered, but apparently in the drafting of this bill there has not been very much consideration given the Chief Executive of the Nation. If this bill is enacted as it is the President will be a sort of appendage of the Department of Agriculture. He is to act when the corporation says he can act.

Congress declares the general emergency, but the only agency which can really effectively act to declare the emergency at an end is this corporation of which the Secretary of Agriculture is the head. This was called to the attention of the committee during the consideration of section 1 and the committee refused to have it changed. It was again called to the attention of the committee yesterday, and again did the committee say, "Well, it is all right. Let the President be the ministerial agent to put this into effect."

Mr. WILLIAMSON. Will the gentleman yield?

Mr. NEWTON of Minnesota. In just a moment. I think this ought to be corrected. I believe when we enact section 23, which says the corporation shall continue until the termination of the emergency as ascertained and proclaimed by the President, that we ought to change that so the President is not restricted to terminating this at the will of the five men whose jobs depend upon the existence of the emergency; but we ought to give him the right to terminate it himself whenever he finds conditions warranting it and whenever he is willing to assume the responsibility. Therefore after section 1 I move to insert this clause, "unless the President shall otherwise determine and proclaim that the corporation is no longer needed."

I yield now to the gentleman from South Dakota.

Mr. WILLIAMSON. I was about to remark to the gentleman, what use is there in establishing this corporation to function on behalf of the farmers as an exporting corporation and then leave it in such condition that the President can absolutely veto any action the corporation sees fit to take?

Mr. NEWTON of Minnesota. Has not the gentleman confidence in the President of the United States?

Mr. WILLIAMSON. If the gentleman has the attitude toward the bill you say he has, I think it ought to be left with the corporation.

Mr. NEWTON of Minnesota. I am not willing to change the governmental structure of this country even to afford agricultural relief, important as that is.

Mr. CRAMTON. Will the gentleman yield?

Mr. NEWTON of Minnesota. I yield to the gentleman from Michigan.

Mr. CRAMTON. Has the gentleman from Minnesota such complete confidence in the President that if this amendment he has offered should be agreed to he would support this bill? [Applause.]

Mr. NEWTON of Minnesota. No; the gentleman could not have been on the floor of the House yesterday when I made the statement that I am opposed to the general principles of this bill; but if it is to pass, I want it to pass freed from as many objectionable features as possible.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto do now close.

Mr. WINGO. I would like to have five minutes.

Mr. HAUGEN. Then I will ask that the debate close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. RAINEY. Reserving the right to object, Mr. Chairman, I would like to have five minutes also.

Mr. HAUGEN. Will it not suit the gentleman just as well to speak on the next section?

Mr. RAINEY. No; I would rather have the time now.

Mr. HAUGEN. Then I ask unanimous consent that debate on this section and all amendments thereto close in 10 minutes.

Mr. ASWELL. I can not agree to closing debate on the entire section in 10 minutes, and I object.

Mr. HAUGEN. Mr. Chairman, I move that debate on this section and all amendments thereto close in 10 minutes.

Mr. GRIFFIN. Mr. Chairman, I make a point of order that the gentleman can not make such a motion after time has been allotted and the gentleman has been recognized.

Mr. WINGO. I have not been recognized.

The CHAIRMAN. The gentleman from Arkansas has not been recognized.

The question is on the motion of the gentleman from Iowa.

The motion was agreed to.

Mr. MOORE of Virginia. Mr. Chairman, a parliamentary inquiry. Is it to be understood that when a motion is carried to close debate upon any proposition that then recognition is to be confined to certain gentlemen who are designated by the chairman of the Committee on Agriculture?

Mr. HAUGEN. Oh, no.

The CHAIRMAN. No.

Mr MOORE of Virginia. That seems to be practically the thing we are doing here now.

The CHAIRMAN. The Chair will state to the gentleman from Virginia that the Chair has no knowledge of such an agreement, and is not bound by it if there is one. The gentleman from Arkansas is recognized.

Mr. WINGO. Mr. Chairman, I want to suggest now to those who are friends of this bill that it might be wise to consider seriously this amendment giving greater discretion to the President, especially in view of the statement of the gentleman from Kansas [Mr. TINCHER], who is one of the leading members of the Committee on Agriculture and also a member of the steering committee, which has just been made to the House, that he does not know whether the President will accept this bill or not. If anybody knows, the gentleman from Kansas should certainly know, a member of the steering committee, and by common repute the gentleman takes breakfast with the President frequently, and surely if he is such a friend of the farmer he has discussed this bill with him. [Laughter.]

I want to submit to you a practical proposition. I am talking to men who really want to get practical relief for the farmers. You know your situation here. A bill that the President of the United States is not in favor of has not any more show at this session of Congress than a snowball in hell, and you know it. Why fool yourselves? I am not talking about whether it is wise to let the President dictate or not.

The Republican Party has got but one leader, and that is Calvin Coolidge, and you know it [applause on the Republican side], and the trouble Cal is having is that he can not get you Republicans to follow him. [Laughter and applause on the Democratic side.] He has got the whip hand on you in this matter. You Republicans are going home. You are going to run away. They could not hold you here. You are going home, like a bunch of studhorses out of a burning barn, on the 7th of June. Do not leave this on Calvin Coolidge's doorsteps, knowing he will veto it, and then go out to the country and try to tell the farmers that Calvin is to blame. They have more respect for Calvin than they have for you.

What the steering committee ought to do, or what the gentleman from Kansas [Mr. TINCHER] ought to do, is to go to the White House and find out how the President stands and then get the best bill for the farmers that you can get.

Oh, the President is not mealy-mouthed. If you will ask him, he will tell you. He told this Congress how he stood on the bonus. He told you how he stood on the tax bill, the Mellon plan. He told you how he stood on pensions for the old Civil War veterans, the Bursum bill, and I do not think he will hesitate one minute to tell you how he stands on this bill.

You have no right to throw away the only opportunity you have at this session to get relief for the farmer by frittering away the time on a bill which the President's closest advisers say he will veto. The leader, the distinguished sage of Medicine Lodge [Mr. TINCHER], says he does not know how the President stands. You had better send him to the White House while this debate is going on, and let the sage of Medicine Lodge ask the President what bill he will sign. I will go so far, if you will get Calvin Coolidge to agree to a bill, I will override my judgment and vote for any farm bill he will sign if it does not violate the Constitution. I will go on with you; but my plea is, do not fritter away the only opportunity you have to do something for the farmer.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. SHALLENBERGER. Does the gentleman wonder at the opinion people have of the Congress when our leader on the floor asks that Congress shall creep to the door of the White House and say, "Please, can we legislate on this question?"

Mr. WINGO. That is the position of our Republican friends. You know the practical situation that exists. The brains, courage, and guts of the Republican Party is in the White House, and the only chance the farmer has is to make some terms with the President. The farmer can not hope for real relief from this disorganized, badly scared, despondent, disconcerted, leaderless group that makes up the Republican majority in the House of Representatives. [Laughter and applause.]

Mr. RAINEY. Mr. Chairman, the driving power back of this bill is not the President of the United States. On the 6th day of last December, referring to the agricultural situation, he expressed himself in language that can not be misunderstood against any bill of this character and suggested to the farmers that the relief they sought did not lie in price-fixing measures. The driving power back of this bill is the farm organizations of the United States, through their officials. They have declared for this bill; they have conducted the major part of the propaganda for it, and that is the reason why so much interest in this bill is being taken by the Members of this body.

Now, in order to determine just how all the farmers really feel about a measure of this kind I want to call attention to a declaration in which all the seven great farming organizations in the United States join with reference to legislation of this very kind. On the 28th of January, 1920, all the great farmers' organizations—seven of them—the American Farm Bureau Federation, the National Farmers' Union, the National Milk Producers' Federation, the American Cotton Association, the National Grange, and the International Farm Congress, held a convention here in Washington. It was the only convention that all the farmers' organizations ever had. They issued this declaration of principles. It was in the form of a memorial to Congress.

It is headed, "Where the farmer stands." I will read a part of it:

The object of the memorial is to correctly express the sentiment of the farmers of the United States concerning the various matters of national concern now pending. It is also designed to correct erroneous statements that have been persistently made recently either by parties who are uninformed or by those who seek to accomplish a political or selfish end by deliberate misrepresentation.

This memorial is not merely the expression of the executives who drafted it. It is in substance a correlated restatement of the resolutions adopted at the last annual meetings of the organizations represented.

Then follows the memorial. I read an extract from it:

The attempt to thwart natural economic laws by legislation is useless. The laws of supply and demand should have full sway.

Government price fixing interferes with the operation of the law of supply and demand and disturbs the equilibrium established by that law. If a price so fixed is higher than justified by supply and demand, it is unjust to the consumer; if lower, it is unjust to the producer.

We are therefore opposed to Government price fixing. And in the event that the State does fix the price of any essential commodity, we insist that it shall at the same time fix prices on all other essential commodities. To compel any group of citizens to sell their products in a regulated market and to buy their supplies and necessities in an unregulated market is an unjust and dangerous discrimination.

The application of price fixing in an effort to reduce the cost of living has militated against the producer without giving the anticipated relief to the consumer. This is resulting in a reduction of the production of wheat, pork, and other farm products, so that a serious shortage of food in 1920 is threatened.

At the end of the memorial, which was addressed to Congress, and you all got copies of it, is a note stating that more than 30 other officials and representatives of the seven organizations signing assisted in the drafting of the memorial. It is dated January 28, 1920.

Mr. WEFALD. That was before the time the farmers were deflated and things have changed since then.

Mr. RAINEY. In 1920 we had circulation of $20 per capita and now we have much less.

Our circulating medium to-day will probably not exceed $36 per capita. All this deflation has occurred under the present administration. I do not think it affects farmers more than it affects other industries, but if it is deflation that has injured farmers this administration is chargeable with that offense. However that may be, the deflation that has occurred has not changed economic laws. Statements contained in this memorial, signed by the American Farm Bureau Federation and the other organizations, are as economically correct to-day as they were then. The position taken by the American Farm Bureau Federation shows the remarkable versatility of the officers of that organization. In 1920 they were proclaiming that high tariff rates would bring to farmers the prosperity they needed, and farmers believed what they told them and turned over the control of the Government to the high tariff party. The Fordney bill was immediately passed and the emergency tariff bill gave them this kind of alleged relief, but it did not work. Farm bureau officials were absolutely wrong about it, and now they propose the pending measure which will not only fail to furnish the relief promised farmers, but will bring with it disaster if it could be enacted into law.

The American Farm Bureau Federation officials have also declared in favor of a ship subsidy and have insisted that this will bring to farmers a measure of relief. Have they abandoned their position now as to a ship subsidy? Do they still think a high tariff protection is what farmers need?

The Illinois Agricultural Association following the leadership of the American Farm Bureau Federation has indorsed more strenuously the bill we are considering than other States. They have sent highly paid lecturers throughout the State. Petitions have been circulated and sent here to Congress, and the president of the Illinois Agricultural Association has been photographed for the newspapers holding in his arms a great bundle of petitions. Two or three years ago we had a constitutional convention in Illinois. We needed a new constitution. Our constitution dated back to 1871 and was out of date. The Illinois Agricultural Association took a hand in the making of a new constitution for Illinois. They sent highly paid lecturers over the State. Petitions were circulated and were sent to delegates to the convention. Largely as a result of this propaganda and the influence exerted by the officials of this organization, a constitution was finally submitted for ratification which was really the constitution of the Illinois Agricultural Association. Its provisions, however, were so bad that members of the bar in rural sections found it necessary

to go out and without compensation explain to farmers the provisions of the constitution, and how much more taxes it would mean for them, and how much more burdensome the machinery of the government in the State would become under the new constitution, and as a result the farmers of Illinois defeated the constitution which had been so strenuously indorsed in their name by officials of the Illinois Agricultural Association.

I am calling attention to these things to indicate that farmers think for themselves. This year the Illinois Agricultural Association has at its disposal in Illinois $300,000, and out of this large fund the extensive propaganda of its officials has been carried on. The American farmer thinks for himself and acts for himself and a measure as bad as this can not and will not meet with his approval when he studies it for himself.

Mr. Chairman, I ask unanimous consent to extend my remarks by printing the memorial from which I have read.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks by printing the memorial. Is there objection?

There was no objection.

The memorial is as follows:

WHERE THE FARMER STANDS

The following memorial to the Congress and the people of the United States was unanimously adopted at a joint meeting of the executive officials of seven of the largest and most representative national agricultural organizations at Washington, D. C., January 28, 1920.

The organizations joining in the memorial are the International Farm Congress, the National Grange, the American Farm Bureau Federation, the National Farmers' Union, the National Milk Producers' Federation, the Farmers' National Congress, and the American Cotton Association.

The object of the memorial is to correctly express the sentiment of the farmers of the United States concerning the various matters of national concern now pending. It is also designed to correct erroneous statements that have been persistently made recently, either by parties who are uninformed or by those who seek to accomplish a political or selfish end by deliberate misrepresentation.

This memorial is not merely the expression of the executives who drafted it; it is in substance a correlated restatement of the resolutions adopted at the last annual meetings of the organizations represented.

Memorial to the President, the Congress, and the people of the United States:

The executives and accredited representatives of the various organizations subscribing hereto respectfully submit for your consideration the following memorial, certifying that it well and truthfully sets forth in substance the views of the members of said organizations and declaring that it reflects the attitude of the great majority of the farmers of the United States.

THE FARMERS' INTEREST IN GENERAL INDUSTRIAL AFFAIRS

Agriculture is the basis of all commerce and industry. The great world need of to-day is production. Production is dependent upon labor. The solidarity of labor is such that the wages and hours of work prevailing in other industries are reflected upon the farm. Prices of food products will be determined accordingly. Under present conditions agriculture production must materially decline and thus react against the entire industrial system. In view of this recognized economic law we submit that it will be wise to consider the farmer in any industrial plan adopted.

The theory that farming must be reduced to a basis whereon each farmer does all his own work, dispensing with hired help as something beyond his means, is untenable. It implies working hours so long and tasks so arduous that no man other than one compelled by necessity to protect his investment at the expense of his health and the sacrifice of well-earned hours of rest and recreation will perform them. Society has no right to exact or expect such service from any class of citizens.

COUNTRY AND FLAG FIRST

The first and constant obligation of every citizen and of every organization of citizens is undivided loyalty to our country. Its institutions must be protected and its traditions preserved and respected. No conflicting obligations can be tolerated.

ADEQUATE PRODUCTION

The farmers of the United States are continuing their best efforts to produce abundant foodstuffs; and, contending that production in the factories, mines, and mills is second in importance only to that of the farms, they demand of both labor and capital that they, too, shall earnestly and consistently speed up their part of the production so urgently needed.

We have reached the critical point in regard to shorter hours of labor. A 44-hour week will neither feed nor clothe the world.

BASIC PRINCIPLES UNCHANGED

The frequent assertion that the war has brought fundamental economic and industrial changes and that we are "born into a new world" is without foundation. The same principles of right and wrong, the same social standards and economic laws, will continue to prevail. We are not being ushered into any new era wherein the rights of the individual or his obligation to society are changed.

OBSERVE ECONOMIC LAWS

The attempt to thwart natural economic laws by legislation is useless. The law of supply and demand should have full sway.

Government price fixing interferes with the operation of the law of supply and demand and disturbs the equilibrium established by that law. If a price so fixed is higher than is justified by supply and demand, it is unjust to the consumer; if lower, it is unjust to the producer.

We are therefore opposed to Government price fixing. And in the event that the State does fix the price of any essential commodity, we insist that it shall at the same time fix prices on all other essential commodities. To compel any group of citizens to sell their products in a regulated market and to buy their supplies and necessities in an unregulated market is an unjust and dangerous discrimination.

The application of price fixing in an effort to reduce the cost of living has militated against the producer without giving the anticipated relief to the consumer. This is resulting in a reduction of the production of wheat, pork, and other farm products, so that a serious shortage of food in 1920 is threatened.

PROTECTION OF PRIVATE PROPERTY

It is only in the safeguarding and protection of every right of private property that there can be perpetuated the full measure of individual initiative and emulation upon which a democracy is based and by which its future is assured.

PROFITEERING

We condemn in unmeasured terms those who, ignoring the distress their actions cause, and unmindful of the danger signals that are only too apparent, continue to exact excessive profits in dealing with the necessities of life. The sharing of such profits with employees does not correct the evil.

The purchasing public itself is largely to blame for the existing high prices and high cost of living, by reason of its unchecked orgy of useless and senseless buying.

We favor the greatest possible degree of official publicity not only regarding the cost of producing farm products but also the cost of producing, manufacturing, distributing, and selling, wholesale and retail, of all commodities, to the end that the consuming public may be able to determine who are the profiteers.

OWNERSHIP OF RAILROADS

The Government ownership or continued operation of railroads is most emphatically opposed. It is against good public policy and the principles of sound Americanism. We are convinced that any possible emergency calling for such operation has passed; that its continuance is costly, inefficient, and inadvisable. We urge Congress to expedite legislation providing for the proper reorganization, reequipment, and control of the railroads under private ownership; that this legislation be as plain as possible, and providing as few restrictions and complications as will properly protect the superior interests of the public. We are opposed to a Government guaranty of dividends or a Government subsidy.

GOVERNMENTAL ECONOMY

Strict economy in public expenditures for all departments of Government is essential, as is the elimination of such customs in the transaction of public affairs as add expense and delay in rendering efficient service, and the discontinuance of all departments and the dismissal of all employees not rendering such service.

COLLECTIVE BARGAINING

We urge such amendments of laws, both State and Federal, as will restore to farmers the clear right of collectively marketing their products in accordance with the principles of the Capper-Hersman bill now pending in Congress.

COMPULSORY MILITARY TRAINING

We are opposed to compulsory military training and a large standing Army in time of peace.

DAYLIGHT SAVING

We commend the act of Congress in repealing the so-called daylight saving law, and oppose any action to revive such legislation by Federal, State, or municipal action.

THE RIGHT TO STRIKE

The right to cease work, individually or collectively, for adequate reasons, is unassailable; but the practice of indiscriminate striking, for trivial causes or regardless of the distress or damage caused, is

indefensible. No right exists to compel men to strike or to prevent others from working. Neither does the right to strike or cease work in unison extend to those in Federal, State, or municipal service.

APPRECIATION OF COUNTRY

This is the best country the sun shines on. Its opportunities are boundless and are open to every individual who cares to avail himself of them. Its Government is the best in the world. There is nothing fundamentally wrong with it. A people who would not appreciate and defend it would be unworthy to exist as a nation. A man who would injure or destroy it is unfit to live under the protection of its flag.

Adopted at Washington, D. C., this 28th day of January, 1920.

THE INTERNATIONAL FARM CONGRESS,
By W. I. DRUMMOND, *Chairman Board of Governors.*
THE NATIONAL GRANGE,
By T. C. ATKESON, *Washington Representative.*
AMERICAN FARM BUREAU FEDERATION,
By J. R. HOWARD, *President.*
NATIONAL FARMERS' UNION,
By R. F. BOWER, *Washington Representative.*
NATIONAL MILK PRODUCERS' FEDERATION,
By JOHN D. MILLER,
Representing President Milo D. Campbell.
THE FARMERS' NATIONAL CONGRESS,
By O. G. SMITH, *President.*
THE AMERICAN COTTON ASSOCIATION,
By ——— ———.

[NOTE.—More than 30 other officials and representatives of the seven organizations signing assisted in the drafting of the memorial.]

Mr. GRIFFIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRIFFIN. When the motion was made to close debate in 10 minutes it is my recollection that the gentleman from Arkansas [Mr. WINGO] was on his feet and had been recognized by the Chair. In that event debate would have five minutes further to go. If the Chair decides that that is not the case and all debate is closed on this section, is it in order to offer an amendment without debate? I have an amendment.

The CHAIRMAN. The gentleman from Arkansas had not been recognized at the time the time was fixed. The Chair will first put the motion on the amendment of the gentleman from Minnesota. The question is on the amendment offered by the gentleman from Minnesota [Mr. NEWTON].

The question was taken, and the amendment was rejected.

Mr. GRIFFIN. I offer the following amendment.

The Clerk read as follows:

Page 7, line 6, after the word "than," strike out "five years" and insert "three years."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

TERM OF OFFICE—VACANCIES—QUORUM

SEC. 24. The directors shall hold office during the corporate existence. Vacancies in the board shall not impair the power of the remaining directors to execute the functions of the board, and shall be filled in the same manner as the original appointment. Three directors shall constitute a quorum for the transaction of the business of the board.

Mr. MILLS. Mr. Chairman, I move to strike out the last word. I have not spoken on this bill and had not intended to do so, because I felt that perhaps the gentlemen from the agricultural districts would feel that a New York City man did not have much to offer in the way of agricultural relief. Yet in view of the character of the debate and the information that has been submitted to the House, it seems to me that on the whole perhaps it would be well to call certain facts to the attention of the House.

In the first place, throughout this debate agriculture and the agricultural problem has been treated as a whole, as if there were a single agricultural problem. I deny that that is the case. There is no single agricultural problem, and there is no single agricultural cure.

The problem of the cotton grower is very different from the problem of the wheat grower. Therefore, it seems to me that it is an economic mistake to treat agriculture as a whole in discussing agricultural relief. However, if you insist upon discussing agriculture as a whole, what do you find? You find that the condition of agriculture as a whole in the course of the last three years has very greatly improved, and if you insist on treating the agricultural problem as a whole, then the figures show unmistakably that the problem is in a fair way to solve itself. Take the three months of April, 1921, 1922, and 1924. Curiously enough, in all three months the general commodity index stands at 148. Why does it stand at 148 in view of the fact that many commodities have decreased in price? Because agricultural commodities have so risen in price as to counterbalance the decrease in other commodities. Farm products in April, 1921, stood at 117, and in April, 1924, at 139, or an increase of 22 points. Cloth and clothing stood at 176 in April, 1921, and 1924 at 189, or an increase of 13 points. Due to what? Due to the increased cost of cotton and wool in the main. Practically every other commodity, with one exception, in the general commodity index has come down, and so you find that the very desirable process is taking place of having farm products gradually going up while the price of other commodities are coming down.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I should like to complete this statement. Here is a very interesting proposition. The price of food stood at 144 in April, 1921, and at 137 in 1924, or a decrease of 7 points. Farm products are going up, but the price of food is coming down. In other words, the great margin between the price paid to the farmer and the price paid by the ultimate consumer is gradually being narrowed, a most desirable tendency.

Mr. KETCHAM rose.

Mr. MILLS. I can not yield. With the consent of the committee, I insert at this point the following two tables:

Wholesale price index numbers, by groups, for three periods at which all-commodities index stood at 148

Group	April, 1921	May, 1922	April, 1924
Farm products	117	132	139
Foods	144	138	137
Cloth and clothing	176	175	189
Fuel and lighting	205	216	179
Metals and metal products	138	119	139
Building materials	167	160	182
Chemicals and drugs	126	123	128
House furnishings	216	176	173
Miscellaneous	130	116	115
All commodities	148	148	148

Data from Bureau of Labor Statistics, United States Department of Labor.

Price, index numbers, and average prices of important farm products, based on data from the Department of Labor, 1905–1914, average equals 100

Years	All commodities index	All farm products index	Wheat, No. 1 Northern		Hogs, heavy		Cattle, steers, good to choice		Corn, contract grades		Cotton, middling upland, New York	
			Price, bushel	Index	Price, 100 pounds	Index	Price, 100 pounds	Index	Price, bushel	Index	Price, pounds	Index
1905–1914	100	100	$0.998	100	$7.090	100	$6.853	100	$0.602	100	$0.120	100
1913	106	108	.913	95	8.365	118	8.507	123	.625	104	.128	107
1914	103	111	1.041	108	8.361	118	9.039	132	.695	115	.121	101
1915	107	112	1.344	139	7.131	100	8.702	127	.730	121	.102	84
1916	134	139	1.417	147	9.615	135	9.573	140	.825	137	.145	121
1917	187	204	2.321	241	15.705	221	12.809	187	1.637	272	.235	197
1918	205	235	2.235	232	17.600	247	16.424	239	1.606	267	.318	265
1919	218	249	2.563	256	18.244	256	17.496	256	1.597	265	.325	271
1920	229	236	2.601	270	14.187	200	14.486	211	1.414	234	.339	283
1921	153	133	1.466	152	8.473	119	8.780	128	.580	96	.151	126
1922	167	143	1.282	133	9.393	132	9.438	138	.623	104	.212	177
1923	163	152	1.155	120	7.690	108	9.952	145	.821	136	.293	244
Price if fixed at 1923 index number			1.627	163	11.571	163	11.170	163	.981	163	.195	163

Price, index numbers, and average prices of important farm products, based on data from the Department of Labor, 1905–1914, average equals 100—Continued

Years	Butter, creamery, extra, New York		Cheese, whole milk, New York		Weighted index on dried fruits [1]	Tobacco, burley, dark red		Wool, fine		Wool, medium	
	Price, pound	Index	Price, pound	Index		Price, 100 pounds	Index	Price, pound	Index	Price, pound	Index
1905–1914	$0.285	100	$0.145	100	100	$14.118	100	$0.680	100	$0.492	100
1913	.323	113	.154	106	98	13.202	93	.589	86	.471	95
1914	.299	105	.152	105	122	14.654	103	.579	85	.440	89
1915	.290	105	.151	105	101	13.789	97	.665	98	.571	116
1916	.341	120	.181	124	99	15.231	107	.775	114	.680	138
1917	.427	149	.241	166	131	22.302	158	1.471	206	1.164	232
1918	.516	181	.268	185	144	30.567	239	1.804	253	1.440	288
1919	.605	213	.315	217	204	32.346	229	1.738	342	1.189	237
1920	.614	216	.274	189	202	34.183	242	1.673	235	.971	194
1921	.434	152	.204	140	202	29.293	207	.791	111	.508	101
1922	.406	143	.218	150	169	27.500	194	1.219	171	.782	157
1923	.468	162	.241	167	124	27.779	196	1.376	193	.979	195
Price if fixed at 1923 index number	.465	163	.236	163		23.012	163	1.166	163	.802	163

[1] Includes evaporated apples, currants, prunes, and raisins.

If, however, you do not treat the agricultural problem as a single unit, but treat it as it should be treated, as a series of problems, varying with the locality and the character of the products, what do you find in 1923? You find that wheat, hogs, and cattle were below the general commodity index number, but you find that butter, cream, cheese, tobacco, wool, and cotton were all well above the general commodity index number. In other words, a large proportion of farm products are all commanding an adequate price, while three are very obviously commanding a totally inadequate price. The gentlemen representing agricultural communities come before the people of the United States, and in order to remedy this situation which exists in respect of two or three agricultural commodities propose to tamper with the whole price structure of the United States.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MILLS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon this section and all amendments thereto close in 15 minutes.

The motion was agreed to.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. MILLS. Not now.

Mr. McKEOWN. I want to know why 1920 was not included?

Mr. MILLS. Let me make this observation, not of course as a representative of agriculture, not as a representative of the consumer, though I represent a district of consumers, but simply as an individual who has dabbled somewhat in economics, and has made a study of this bill with an entirely free and open mind. In order to raise the price of these commodities you gentlemen propose to create this machinery which will for all practical purposes permit a Government unit to fix prices of agricultural commodities in this country. Agricultural commodities represent 49 per cent of the commodities that compose the general index number of the Bureau of Labor Statistics. You propose to raise the price of those products that are below the general index number, but you do not propose to touch the price of agricultural commodities that are above the general index number. Therefore, when you undertake to bring up the general price of farm products from 152 to 163, or increase it 11 points, you will not only increase the general commodities index number by 40 per cent of those 11 points, but you will increase it an additional number of points because you do not propose to bring down the farm products above the general index number while bringing up to the general level those that are below it. Therefore, in that process you will probably raise the general commodity index number to somewhere near 171, 172, or 173. But you can not pull the commodity index number up 10 points without raising the cost of living.

If we raise the cost of living, you inevitably start a wage-increase movement. If you increase wages, you will in turn increase the price of commodities. Let us assume that that means a further increase of the commodity index number by 5 or 6 points; the first thing you know you have a general commodity index standing at 179. Then you have again to go back and pull the backward agricultural products up to that point, and you can repeat the process indefinitely.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. MILLS. Yes.

Mr. KINCHELOE. In view of the fact that in this bill the President has the power to put an embargo, if necessary, on all of these products, their derivatives or substitutes, how many items in the present tariff law does the gentleman think would become involved?

Mr. MILLS. I saw an analysis made, and there were scores of them.

Mr. KINCHELOE. Does the gentleman remember the number?

Mr. MILLS. No; I do not. As this process takes place you are going to raise the cost of manufacturing and producing in this country and at the same time, by giving cheap foods to the foreigners, you are going to decrease the cost of manufacturing and producing abroad, and the first thing you know manufacturing products are going to begin to flow in over the existing tariff barrier and our economic prosperity is going to be threatened.

Just one further observation, gentlemen.

Men do not wait until this kind of crisis hits them. If my analysis is correct, then I venture to say that the analysis will be the precise analysis that will be made by the business men of this country, and if their conclusion is the same as my conclusion the minute this bill becomes law you will see them pulling in, you will see business slowing up, you will see every man in business taking every precaution he can to save himself from the crash, and you will see inside of six months the biggest business depression you have ever seen in the United States. The very man you are trying to help will not escape the general disaster. Talk as you may about exports, the home market is the important one; and the farmer is directly interested in the prosperity of our industrial centers. Good times increase the consumption of farm products; poor times decrease it. Study the table which I insert and you will see how this is illustrated by the history of the last three years. Take meat products, for instance. Home consumption has increased 3,000,000,000 pounds, while total exports only amount to 2,000,000,000 pounds. The country must have a prosperous farmer, but the farmer must have a prosperous country. It is because this bill, while seeking to cure a specific ill, threatens the general prosperity that I am compelled to oppose it.

Apparent domestic consumption of principal farm products

Commodities	Units	Consumption (000 omitted)	
		1921	1923
Wheat	Bushels	572,642	648,803
Rye	do	15,940	11,611
Corn	do	3,607,491	2,960,466
Oats	do	1,077,834	1,284,543
Barley	do	134,489	179,992
Potatoes	do	360,269	409,983
Beef and veal	Pounds	6,982,000	7,791,000
Pork	do	7,857,000	10,113,000
Lard	do	1,214,000	1,804,000
Mutton and lamb	do	673,000	574,000
All meats	do	15,512,000	18,481,000
Tobacco	do	639,802	638,040
Cotton	Bales	5,407	6,514
Wool	Pounds	635,398	769,920

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KVALE. Mr. Chairman, I do not dispute the right of the gentleman from New York to talk economics to this House, nor do I question the correctness of the figures he has adduced here. I want to take exception to the threats that he has uttered in the name of big business in this country that business will pull in and that inside of six months we are going to have the biggest business depression ever known in the United States. We are familiar with those threats. It is not the first time they have been uttered in this House, and it is not the first time they have been uttered by the representatives of that class of business. I think this House should show the gentleman that we refuse to be terrified; that we refuse to be intimidated by the threats of big business. If anyone is still in doubt as to what attitude he should take toward this bill, I think the very threat of a representative of big business should help him to decide.

Mr. McKEOWN. Will the gentleman yield?

Mr. KVALE. I will.

Mr. McKEOWN. Does the gentleman think that business in some parts of this country can be hurt any worse than now?

Mr. KVALE. In my section of the country the farmers are in more dire straits than they have ever found themselves. I will undertake to say to the gentleman from New York that while he may know a great deal more about business and about economics than I do, I have lately been out West and can tell him that the situation is not improving out there. On the contrary, it is getting worse, and I do not know where he obtained the figures that he has given to the committee.

Mr. MILLS. I will tell the gentleman those figures are compiled by the Bureau of Labor Statistics.

Mr. KVALE. Very well, the figures may be all right for the whole country, but conditions are worse out West instead of better. I want to say this, that for three years we have read in the papers that conditions are improving and are going to improve, and we have been fed up on Babson's statistics for three years out West. It reminds me of the young lady, considerably beyond her teens, who was reported to be engaged to be married. Her friends said to her: "Miranda, the rumor is out that you are to be married. Is there anything in it?" And Miranda answered, "No, there is not; but thank the Lord for the rumor anyway." [Laughter.]

That is the case with the farmer reading Babson's statistics. He is thankful even for the rumor, only he is too serious just now to laugh about it. I have as much faith in Babson's prognostications as I have in the brand of Christianity he is advocating. So much for that matter.

I would like to say a few words on the price-fixing part of this bill. I do not believe in price fixing as a matter of sound policy, and I said so in the price-stabilizing meetings that we held out in our section of the country last summer. But, as a matter of emergency, I believe in balancing the price fixing we have had here for years by the tariff and the so-called guaranty section of the Esch-Cummins Act, and many other things.

Mr. SUMNERS of Texas. Are not the farmers being victimized by the price fixing of a high tariff, and is not business going to the bad, as indicated by——

Mr. KVALE. I believe the farmers have been victimized by price fixing, and I say in this case we should, as a matter of emergency, help him by continuing the policy, even if it is not sound economics, and——

Mr. SUMNERS of Texas. The gentleman is trying to apply to agriculture what all other industries already have applied to them?

Mr. KVALE. Precisely. I agree with every syllable the gentleman has uttered. The trouble with the gentleman from New York is that he is very willing to have the price-fixing tariff apply to the people he represents. They have been safeguarded by a high wall of protection these many years. The tariff has been price fixing with a vengeance. But now, when this same principle—sound or unsound—is to be applied for the protection of prostrate agriculture, he immediately objects and utters his dire threats.

Now, I would like to read from a book, the report I hold in my hand; it should prove most interesting for every Member of this House. It is as exciting as Robinson Crusoe to a boy, and to anyone interested in having a government corporation handling our grain exports it reads as musically and rhythmically as George Eliot's novels. It is a report of the Federal Trade Commission on the methods and operation of trade exporters and grain speculators, and gives an insight into their methods of price-fixing which is exceedingly interesting.

If time would permit, I would read to you several extracts and excerpts which would establish conclusively in your minds the fact that this measure we are now considering is a needed measure, and one that would ameliorate and supplant the disgraceful conditions now obtaining.

Take Volume II of the report I have called to your attention entitled "Speculation, competition, and prices," under date of June 18, 1923, and turn first to page 15 of the introduction. Victor Murdock, the then chairman of the commission, in his letter of submittal of the report to the President of the Senate, states that "there were two distinct price agreements in 1921"—referring, mind you, to the secret agreement between grain buyers—and the statement is verified by 48 pages, in the report, of incontrovertible evidence in the form of correspondence between officials of the exporting concerns.

Then turn to page 199 and you will find statistical information in tables 33 and 34 to show, in the words of the report, that "50 per cent of the wheat purchased for export by the six concerns in the year ending June 30, 1920, and over 54 per cent the following year, were graded as No. 2 wheat when it was taken into the elevator, while, after mixing, 96 per cent in the former year and 88 per cent in 1921 were sold as No. 2 wheat."

Do you see the significance? You need not look far. The exporters pay the producer for cheap grades, and market it for the higher No. 2 grade by mixing it. The report goes on to say that "in both years wheat grading as low as No. 5 and 'sample' was included in the mixture."

I say it would be better for us as a country to have a government corporation, one where these profits, even though the demands of foreign trade make this mixing a necessary evil, would accrue to the farmer himself. And I am also glad that no amendment is carried granting any more power to the President. I would leave it with the corporation.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. KVALE. Mr. Chairman, may I have one minute more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KVALE. While not always a safe guide it often helps us to decide for or against a measure to know who are advocating it and who are opposing it.

We have one man in this country, a brainy business man, fighting this measure tooth and nail, who is in love with the farmer, truly and deeply interested in the farmer. That is, he loves the farmer in much the same way that the farmer loves his sheep—if that is not slandering the farmer, who actually is interested in his sheep entirely aside from the wool and mutton they bring him. This man, Julius H. Barnes—and I speak not of the human being, but of the sheepshearing, soulless corporation, Julius Barnes & Co.—has a wool and mutton interest in the farmer. And he is opposing this measure with all his might.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. KVALE. I yield.

Mr. KINCHELOE. Does not the gentleman believe that Otto Kahn, who is sponsoring this bill, is just as good a friend to the farmer as Julius Barnes?

Mr. KVALE. I am not now talking about the bankers and the packers. I leave that to the gentleman. But I do know how the grain speculators of this country feel about this bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CARTER. Mr. Chairman, I trust I may have the undivided attention of the House, for I want to address myself to a subject which I am sure is much more serious than most of you realize. I want to impress upon you, as I have undertaken to do before—the Agricultural Committee and other branches of this Congress and administration—the extremely deplorable condition to which the agricultural producers in Oklahoma and other Western States have for the past four years been subjected.

Born and raised, as I was, on a farm on the western frontier, and intimately associated with the farmers of Oklahoma for all my past life, I believe I understand their problems and trials as well as anyone, and depending throughout all the years of my life on the income from my Oklahoma farm for a portion of my living, I know I am in as full sympathy with the present deplorable condition of the Oklahoma farmers as any living man. But the difficulty is that the "powers that be" in this administration, and, in fact, the leaders of this House, do not seem to even remotely realize the desperate condition to which the farmers in many sections of the West have been reduced. Crop failure has followed crop failure, and the price of farm

products has been reduced and deflated with no corresponding reduction in the price of things they have to buy until our farmers have about lost heart and courage.

Most of the formerly prosperous Oklahoma farmers and stockmen have been forced into bankruptcy, while many others having mortgaged their all for a little place on which to live and subsist have been foreclosed and driven from their little homes. Still others not fortunate enough to own a home, while perhaps not yet quite actually facing hunger, have been reduced to almost destitute circumstances, have become disheartened, discouraged, and almost reached the limit of despair. And yet there are those who attempt to brush this serious matter aside by saying, "Oh, the farmer is just seeing red." Is it any wonder if he is seeing red? Is it any wonder that a man forced into bankruptcy with his home and all being swept away might have his vision somewhat discolored? Is it any wonder that a man who thinks he can scent the gaunt wolf of hunger menacing him and his loved ones in the not very distant future might fall into a "slough of despond"?

This depression in agriculture is now in its fourth year, with a national administration functioning through all this time and a Congress in session for most of the time. It seems to me bordering on a tragedy that these conditions have been permitted to drift along with no substantial aid extended to the suffering. Ah, but some one of you will say, "CARTER, we can not legislate to relieve the farmer without indulging in class legislation, and you know that would be a violation of the Constitution." Let me ask my friends what became of your objections to class legislation when you passed through this House the so-called ship subsidy bill, intended to give millions of dollars of the people's money to a class known as ship operators, all living and doing business along the coast of our country? Where were your principles on class legislation? Where were your constitutional objections when you passed the McCumber-Fordney tariff bill forcing farmers and all others in the country to pay tribute to the manufacturing interests of this country? If it be class legislation to respond to the present distress of the farmers in this country, then why was it not class legislation to respond to the demands of the shipowners and tariff barons?

Legislation to relieve this situation should not, in my opinion, be rightfully styled as class legislation for the reason that this depression has reached the point where it affects not only the agricultural producers alone but the entire business fabric of the country. Agriculture is the basic industry of our Nation. More than 40,000,000 people depend directly on the agricultural industry for a livelihood, and it must be admitted that any permanent prosperity of our Nation, in the last analysis, must rest entirely upon the prosperity of our Nation's farmers. Present conditions fully justify this statement, for this depression in agriculture has finally reached out to all business lines west of the Allegheny Mountains, and you are at last beginning to feel the effects here in the East. Merchants and tradesmen are on the verge of bankruptcy, and failure of State and National banks has come to be the order of the day. In the State of Oklahoma alone almost 100 State and National banks have closed their doors during these abnormal times. So, I repeat, the problem has ceased to be the farmers' problem. It is no longer a problem of the West. Such a serious general situation must necessarily be considered the problem of the entire Nation, and legislation to relieve same can no longer fairly be denominated as class legislation.

We have had considerable discussion the past few days about the attitude of the President of the United States in case this bill should reach him for approval or veto. Some gentlemen profess to believe that he would sign the bill. Oh, gentlemen, let us be honest with ourselves. Deep down in our hearts I do not believe there is a reasonable doubt in the minds of a single one of us as to what that hard-boiled Yankee down in the White House will do if the responsibility of signing this bill is put right up to him. [Laughter.] But that responsibility will never be placed before him. The majority leaders in the House and Senate will see to that. They are a foxy bunch and they are not going to permit this bill to come before the President for veto before the next November election.

Mr. WEFALD. I think he would sign it.

Mr. CARTER. Oh, my friend lets his optimism overwhelm his better judgment. I would like to see this bill passed through both branches of this Congress and then put right up against the vest buttons of that reactionary New Englander down in the White House, and I would like to see that done before the next election, because he is a politician first, last, and all the time, and the bill would not have a ghost of a chance to get his approval after the election is over. [Applause.] If the President should sign this bill before the election, it would turn the East against him, and if he should use that very significant little Latin word in returning it to Congress he would offend the farmers in the Northwest. Therefore why kid yourselves about a thing as obvious as this. I am going to vote for this bill. [Applause.] Not that I hope it is going to benefit the farmers in my district to any considerable extent, but I am going to vote for it because it is the only farm-relief measure that has been offered during all these six months of our session, with the hope that it may help the farmers in other sections.

Mr. YATES. The gentleman believes, all things considered, that this is the best thing for the farmer at the present time, does he not?

Mr. CARTER. I consider that it is the one, single, solitary piece of legislation that has been offered during this administration with the intent to relieve the sad condition of the farmers of the country, and we all know it is the only measure we will have an opportunity to vote on before adjournment, but this bill does not meet my ideas of the necessary steps for relief.

I gave strict attention to the remarks of the gentleman from New York [Mr. MILLS]. His economic analysis was directed to the necessity of reducing the prices of the things the farmer has to buy, rather than increasing the prices of things he produces, and there is much food for thought in that suggestion. I do not often find myself in agreement with the gentleman from New York, but I admit my interest in his practical suggestions. He is an able debater and practical, but like all other advocates of the protective policy he often meets himself coming back. He professes a belief in reducing the price of things the farmer has to buy, yet he must admit that the McCumber-Fordney high tariff rates have contributed effectively to the high prices which the farmers now have to pay, and yet the gentleman from New York was one of the most ardent advocates in favor of the McCumber-Fordney tariff bill with all its high schedules. When a revision of the tariff is undertaken again we will find the gentleman from New York strongly and ably defending the necessity for high protective rates. If that is the way to reduce the price of things the consumers have to buy, then it is a logic and analysis I fail to understand.

I believe this situation might be relieved and prosperity gradually restored to our agricultural interests without resorting to anything that even smacks of class legislation. I think by now that no one will deny that one of the principal causes contributing to our present agricultural depression was the radical deflation of our currency. That, however, is water that has gone over the wheel. The only thing we can do about that is to take steps to see that such a calamity does not recur in the future; but even that has not been done.

Another thing I think will now be generally admitted, and that is that one of the most serious menaces confronting our farmers has been the collapse of foreign markets for surplus agricultural products. This has come about on account of the vacillating foreign policy of the present administration. The Wilson administration had a well-defined foreign policy which, if carried out, in my opinion would have substantially stabilized and maintained the world's market for farm products. But the policy of isolation pursued by this administration since the war has completely negatived those plans, and if this administration has any foreign policy with reference to stabilizing the world's markets nobody has ever been able to ascertain just what it is. Steps should have been taken long ago for the restoration, maintenance, and stabilization of foreign markets for surplus American foodstuffs. This great Nation should have continued the plans of practical national cooperation with respect to finance, exchange, credit, and the trade situation generally. Such a policy would have assisted the hundreds of millions of short-rationed people in Europe to purchase every surplus ounce of our foodstuffs and raw material, thereby maintaining a market level for agricultural products in America on a parity with that of other commodities.

Second. We should have a reasonable readjustment downward of freight rates, especially as they relate to transportation of agricultural products.

Third. Every legitimate aid and encouragement should be extended by the Federal Government in every practical way to cooperative marketing and all other farm cooperation, including transportation and distribution at the cheapest possible cost to the consumer. This is the purpose of H. R. 8108. In connection with this there should be some assistance rendered in the building of warehouses for storage purposes.

Fourth. We should continue every possible and legitimate agency for supplying adequate credit to agriculture.

Fifth. We should have a general reduction and readjustment of high tariff rates, and this reduction should be based on a

revenue basis, including an extensive farmers' free list, thus facilitating an exchange of our products with foreign countries, for remember this: We can not hope to sell our surplus farm products abroad unless we also purchase things from foreign nations in return. It has been admitted during this discussion by many Republicans that the present high tariff rates prevent the exchange of these products. Not only has the present high tariff contributed to the collapsed condition of our foreign market for farm products but it has also resulted in increasing the domestic price of commodities the farmers and other consumers had to purchase, thereby laying an additional burden and tax on the American farmer.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent that the gentleman from Oklahoma may have five minutes more.

The CHAIRMAN. That has to be done by motion.

Mr. HUDSPETH. Then, I move that the gentleman from Oklahoma may have five minutes more, not to be taken out of the time allotted.

The CHAIRMAN. The gentleman from Texas moves that the gentleman from Oklahoma may have five minutes more. The question is on agreeing to that motion.

The motion was agreed to.

Mr. WHITE of Kansas. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. WHITE of Kansas. Does the gentleman from Oklahoma think that the duty on wool should be greatly reduced?

Mr. CARTER. We would naturally expect to hear from our friend from Kansas on the subject of wool, and this accentuates the declaration of a former great statesman that the tariff is a local issue. I can not say offhand just how much the tariff on wool might be reduced. I understand the price of wool is higher in the world market to-day than it is in the United States.

Mr. WHITE of Kansas. I do not think it should be reduced.

Mr. CARTER. As Kansas is a wool-growing State the gentleman from Kansas would naturally hold that opinion. On that account the gentleman might be considered a biased witness and his statement must be taken as entirely ex parte.

Mr. WHITE of Kansas. I am trying to find out what the gentleman from Oklahoma thinks, and I hope my question was both pertinent and polite.

Mr. CARTER. It was a very pertinent question and not impolite; but wool was not the subject I had in mind. The gentleman knows there are many things which the farmer has to buy that are practically excluded from this country on account of the present high tariff laws. The tariff on iron and steel, for instance, is practically prohibitive and iron and steel enter into the manufacture of all farm machinery, and many other things the farmer needs. The same thing might be said of the manufacture of textiles. But let me finish the statement of my program for the relief of the farmers.

We should further have a drastic retrenchment and economy in Federal, State, county, and municipal affairs, with a corresponding tax reduction. Reduction of taxes in one branch of the Government while being increased in another branch gets us nowhere. Any tax reduction relief to be effective must be inaugurated all down the line.

Early in this session our Members from Oklahoma succeeded in having placed on the House Calendar House Joint Resolution 202, authorizing an appropriation of $1,000,000 to be loaned to Oklahoma farmers for the purchase of seeds, and so forth, to assist them in making the coming crop; but, exert ourselves as we would, we have been unable to induce the leaders of the House to give consideration to that measure. Congress has found ample time for adequate consideration and favorable action on $160,000,000 increase to our Navy. You did not hesitate to appropriate $10,000,000 to supply the wants of the destitute citizenship of foreign countries, but you have no time, you have no money, and no opportunity for consideration of this small measure of relief for the bankrupt farmers of the State of Oklahoma.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

The Clerk read as follows:

SALARIES OF DIRECTORS

SEC. 25. The appointed directors shall receive a salary of $10,000 a year, and shall not actively engage in any other business, vocation, or employment.

Mr. BEGG. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, a number of gentlemen have in their speeches undertaken to lay the blame for the economic condition which affects the farmers to-day on the tariff. Now, that kind of a statement is in line with the average antitariff speech made by Democrats in a regular political campaign, but if you check up on the facts, you find that the facts do not justify such a statement.

Now, what are the facts? Immediately after the signing of the armistice in 1918 we had an influx into this country of 250,000,000 pounds of wool, and wool dropped in this country from about 60 or 65 cents a pound down to 19 cents and even as low as 11 cents to the farmers.

Mr. MORGAN. Will the gentleman yield?

Mr. BEGG. No; I do not want to yield now to anybody. As soon as the emergency tariff act was passed the drop in the price of wool ceased and it gradually began to increase until to-day, under the tariff provisions, wool is not out of joint economically with other prices, even the prices of the farmers.

Now, then, I want to show something about the tariff on wheat. It seems to be a stock argument that the farmer has to pay a tariff on everything he buys, and that on everything he sells he gets no tariff. Now, these are not my figures, but they are the figures of the Department of Agriculture, and if they are wrong you can blame the Department of Agriculture and not me. For five years the United States has sold an average of 711,000,000 bushels of wheat, and every single time, and under every kind of a condition, when there was no tariff on wheat the differential in favor of the Canadian wheat was 5 cents or thereabouts, and with a tariff on wheat the differential in favor of the United States has been in the neighborhood of an average of 25 cents.

Now, I admit there have been months when that differential in favor of the United States has run down to as low as 3 or 4 cents, but, on the other hand, it has run as high as 35 cents. But the average differential in favor of the American wheat has been around 30 cents a bushel. Now, 30 cents a bushel on 711,000,000 bushels would amount to approximately $250,000,000; that is in the pockets of the American farmer because of the tariff, and it is not there for any other reason in the world, and if you take the tariff off of wheat that $250,000,000 will not be there.

Now, then, does the farmer pay a tariff on everything he buys? I will challenge any man who is arguing that the economic trouble to-day is due to the tariff to show me an item which the farmer buys, exclusive of clothes—and you can run the whole gamut of the things purchased by the farmer and there is not 10 cents worth of cost by reason of the tariff in a single item he buys.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BEGG. I ask unanimous consent to proceed for five minutes more.

Mr. SUMNERS of Texas. Reserving the right to object, will the gentleman permit me to ask him a question?

Mr. RUBEY. I object.

Mr. HAUGEN. Reserving the right to object, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

Mr. JONES. I would like to have five minutes. I have not used any time to-day.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. JONES. Mr. Chairman, reserving the right to object, I do not think all debate should be on one side of this subject. I would like to have five minutes.

Mr. HAUGEN. I have nothing to do with the time. The Chair will recognize whomever he pleases.

Mr. KINCHELOE. Mr. Chairman, the gentleman from Texas [Mr. JONES] is a member of the committee, and he ought to have five minutes.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Iowa modifies his request and asks unanimous consent that debate on this section and all amendments thereto close in 10 minutes. Is there objection?

Mr. NEWTON of Minnesota. Mr. Chairman, reserving the right to object——

Mr. WOODRUFF. I object.

Mr. HAUGEN. Mr. Chairman, I move that debate on this section and all amendments thereto close in 10 minutes.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to amend that by making it 15 minutes.

The CHAIRMAN. The gentleman from Minnesota moves as an amendment that debate close in 15 minutes.

The question was taken and the Chair announced that the noes seemed to have it.

Mr. BEGG. A division, Mr. Chairman.

Mr. KINCHELOE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and sixteen Members present, a quorum.

The question is on the amendment offered by the gentleman from Minnesota to the motion of the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. BEGG) there were—ayes 22, noes 61.

So the amendment was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from Iowa limiting debate to 10 minutes.

The motion was agreed to.

Mr. JONES. Mr. Chairman, I was surprised at some of the statements made by the gentleman who just left the floor, when he said there was hardly a single item on which the farmer was compelled to pay a tariff. There are several thousand such items in the bill and every time the farmer buys any of those items he, of course, must pay the prices produced by the tariff.

I just want to read a few of them under the present tariff bill and the tariff levies thereon;

Shingles, $1.50 a thousand; on baling wire, chains, saws, shovels, scythes, corn knives, wire rope, and the like, 30 per cent; on harness and hardware, 35 per cent; copper and brass, 48 per cent; aluminum kitchen utensils, 71 per cent; cutlery, 40 to 60 per cent; sewing needles, 40 to 60 per cent; window glass, 28 per cent; and a number of other items which I might read if I had the time.

Anybody who knows anything knows that you can not materially help the farmer much by levying a tariff. On the other hand, under the present law, he must pay a tariff and the prices produced by the tariff on practically everything he buys.

The troubles—or at least in considerable measure—of the farmer to-day were produced or contributed to by the Fordney-McCumber tariff measure, and the thin veneer is off. One of the fine things which I think will be produced by this bill, whether it is voted up or down, is to forever doom the theory of a high protective tariff. There was a time maybe in the early history of the Republic when there could be some argument for it, but the whole structure is going down, the foundation is crumbling, the walls are cracked, the pillars leaning, and the great dome is swaying to its fall. Public opinion has written across the whole superstructure of the high protective tariff scheme as embodied in the Fordney-McCumber Act, "Thou art weighed in the balance and found wanting."

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. JONES. I regret I have not the time.

I believe that will be true whether this bill is voted up or down, because if it is voted down the farmer will realize that he is getting the worst of the deal. If it is voted up, the absurdity of the whole thing is going to be brought to the attention of the farmer and everybody else within a limited period of time.

Understand, I do not blame the farmer or the farm organizations for taking the position that if there is any way in which they can be brought within the terms of any advantages to be gained by a tariff policy, so long as they have one saddled upon them, that that should be done; nor do I blame them for taking advantage of any chance they may have along that line; but I want to tell you that the idea of this great, big, rich country, the richest and most powerful in the world, believing and feeling that it is necessary to protect its industries with a high tariff, such as we are now laboring under, is absurd. The amount of revenue that we are forced to raise in this country is so great that a revenue tariff can be placed at the point where it will produce the most revenue. It can be made on a uniform basis, and that is the idea and the theory and the only one which will work out practically for everybody, and I simply want to predict that the day of the fattening of some of the industries of this country at the expense of all the people is rapidly passing. I believe the bringing out of this bill, if it can be justified at all, can be justified on the theory that it will bring before the American farmer and the American people generally the disadvantages to the producer and to all the people of such a policy, and that ultimately the whole scheme will be repealed. I regret I have not more time.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CROWTHER. Mr. Chairman, I am getting rather tired of hearing this constant charge from the Democratic side of the House, reiterated day after day, that the present condition of the farmer is due entirely to the Fordney-McCumber Tariff Act.

You know that the men on that side who talk against tariff are just naturally what I call calamity howlers. They get into that habit because during the period when their administration is in power they do not face anything ordinarily but calamity, and when the Republicans are in they howl just the same. As calamity howlers, they are at least consistent.

I want to say, contrary to the statements of the gentleman from Texas [Mr. JONES] and the gentleman from Virginia [Mr. MOORE] yesterday, who suggested that we should stay here and have a revision of the tariff, if it is necessary to have any revision of the tariff at the present time for the benefit of the people of the United States, we had better revise the rates upward and not downward. [Applause.]

The condition of distress existing in the cotton manufacturing industry to-day is due to the fact that the English manufacturers are bringing goods into this country to an extent that would almost warrant the functioning of the antidumping clause that we enacted in 1921. The remedy and consequent relief can be undertaken by the Treasury Department under existing law.

Now, there has been considerable discussion about things the farmer has to buy on which there is a tariff. My colleague from the city of New York [Mr. OLIVER] introduced a bill in the House authorizing the President under the flexible clause or section in the other tariff bill—the Fordney-McCumber bill—to remove the tariff rates or reduce them 50 per cent on farm essentials.

Mr. BLANTON. Mr. Chairman, I make the point of order that the distinguished gentleman from New York is out of order in that he is attempting to give his party's policies on tax revision upward and is not speaking to the amendment.

The CHAIRMAN. The point of order is overruled.

Mr. HASTINGS. Perhaps he is not giving expression of his party's policies. I wonder if he is.

Mr. BLANTON. Oh, yes; he is one of the spokesmen of the party.

Mr. CROWTHER. Paragraph 1504 of the tariff act, agricultural, contains plows, tooth or disk harrows, headers, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, threshing machines, cotton gins, machinery for use in the manufacture of sugar, wagons and carts, cream separators, and all other agricultural implements of any kind or description are on the free list. [Laughter and applause.] So the Democratic friend of the farmers, Mr. OLIVER, would reduce zero by 50 per cent.

One of my constituents wrote me about it, and after I told him these articles were on the free list he then laid the cost to ferromanganese, which enters into the manufacture of steel. Ferromanganese is used in the proportion of three-quarters of 1 per cent, or about 15 pounds to a ton. It would add 24.3 cents to a ton of steel, or 12 mills to the cost of an agricultural implement that weighs 100 pounds. [Laughter and applause.] Now, who are the gentlemen who are setting up this calamity howl? You know them. Enough crocodile tears have been shed by CORDELL HULL, COLLIER, OLDFIELD, GARNER, and others over the calamity that would overtake the country under the Republican tariff bill to float any battleship that was ever built in the United States. In spite of all the calamity that has been howled by the Democrats on that side they always vote against the tariff bill with their fingers crossed, praying that it will pass. [Laughter and applause.]

THE PROTECTIVE TARIFF

It is claimed that the protective tariff of 1922 has not benefited the farmers because it has not arrested the decline in the price of wheat and some other farm products. It is a misapprehension of the broad purpose of a protective tariff to claim that its sole mission is to advance prices. Primarily, neither a low nor a protective tariff have any effect on prices save as they may increase or decrease the supply of imported commodities in the domestic markets.

Prior to the World War—1910 to 1914—imports of wheat and wheat flour averaged about 2,000,000 bushels; in 1921 imports of foreign wheat and wheat flour were 57,398,000 bushels, in 1922 were 17,251,000 bushels, and in 1923 about 15,000,000 bushels. Imports of foreign corn from 1910 to 1912 averaged 50,000 bushels; in 1920 they were 10,283,000 bushels, in 1921 they were 5,792,000 bushels, and in 1923 they were only 120,000 bushels. Prior to 1913 the average importations of wool were 190,000,000 pounds; in 1921 they were 314,624,000 pounds, in 1922 they were 250,840,000 pounds, and in 1923 they were 240,000,000 pounds. Protection tends to reduce the competition in the domestic markets.

Import duties on farm products are not intended, primarily, to advance the prices of those products only in so far as imports affect the supply in the domestic markets.

HIGHEST PRICES UNDER LOW TARIFF

Other factors may and do affect the range of prices. If a protective or so-called high duty results in higher prices, then a low duty must result in lower prices; yet it is well known the highest prices within the last 15 years were between 1913 and 1919 under a low tariff. Recital of these facts demonstrates that a tariff, high or low, does not necessarily determine the range of prices. A decline in the price of wheat or any other farm product on the protected list by no means proves that the tariff on those farm products is a failure.

What is the range of prices since 1900?

	1900	1910	1918	1920	1923
Wheat	$0.75	$0.96	$2.36	$2.31	$1.32
Corn	.40	.56	1.87	1.38	.98
Beef, barrel	6.35	7.65	19.50	17.25	22.00
Hogs	4.90	8.60	19.50	15.10	8.00
Eggs	.19	.34	.53	.72	.25

This list might be increased to scores of farm products, with the one result, namely, while average wholesale prices in 1923 and 1924 are lower than in 1915 to 1920, they are higher than prior to 1913; and the highest level was under a low tariff.

FARMERS DEMAND PROTECTION

The protective tariff of 1922 has nothing to do with the decline in prices since the war period, except in so far as it affects the domestic supply. On this basis it is perfectly obvious that a removal or lowering of the import duties on farm products would increase the volume of imports and tend to depress prices all the more. The complaint of the defenders and opponents of the McNary-Haugen bill that a protective tariff does not adequately help the American farmers is without foundation. Examination of the hearings before the Ways and Means Committee of the House and the Finance Committee of the Senate reveals a preponderance of expert opinion that import duties on farm products help the American farmers. The president of the New York State Farm Bureau Federation, speaking for 700,000 members in the State of New York, urged an import duty on all dairy products. A representative of the farmers of the western slope of Colorado urged a protective duty on farm products. A representative of the American Farm Bureau Federation said "these American farm products forced to meet competition in our home markets with products raised on cheaper land with cheaper labor and under a lower standard of living must have protection." The federation in assembly at Indianapolis December 8, 1920, requested Congress "to enact a tariff law at once which will give to the farmers that measure of protection necessary to equalize the difference in costs of production at home and abroad."

A representative of the National Grange asked for "tariff protection from the cheap products of foreign agriculture." The bean and rice growers asked for adequate protection and received it. Representatives of the American National Livestock Association asked for adequate protection on livestock and received it. They said "we ought to have a substantial tariff that will enable us to produce in this country with some degree of certainty without being made the subject of an influx of competing articles that will destroy the business."

Mr. S. H. Cowan, representing the American National Live Stock Association was asked directly—page 1692, House hearings—if he thought the tariff of 1913 had anything to do with the decline in the prices of hogs. He replied:

> I can not say that it had anything to do with this specific decline, but I do say that if there is not placed upon the meat products of this country a tariff that will be sufficient to insure the fact that we produce the meat we consume in this country the livestock producers must continually be in a bad condition.

Congress gave the livestock producers what was considered an adequate tariff.

LIVESTOCK ASSOCIATIONS

The Kansas State livestock commissioner asked for adequate protection for the industry. He said:

> I represent 12,000 stock raisers who are not blaming Congress, not blaming anybody; only the situation.

Colorado stock raisers asked for adequate protection. Representatives of the National Dairy Products Association urged a protective duty and received it. Creamery companies of Illinois, of Wisconsin, and other western States asked for protection and received it. Growers of onions, of potatoes, of peas, and beans asked for protection and received it. Growers of wheat in the Northwest asked for protection and received it. In the face of these requests, even demands, all granted, how can it be said that protection does not help the farmers? Because prices of some products have declined since 1914–1918 does not prove that import duties on farm products do not help the farmers.

It is urged that the McNary-Haugen bill will make up to the growers of wheat and other farm products the excess they are compelled to pay for what they buy by reason of the protective duties on manufactured articles. It is assumed, therefore, that protection is a one-sided affair, increasing the prices of the manufactured goods and failing to increase the prices of farm products. This assumption has no basis of fact.

AGRICULTURAL MACHINERY

Defenders and opponents of the McNary-Haugen bill state that it is astonishing to know that agricultural machinery costs now twice as many bushels of wheat as in 1913. In other words, the exchange value of agricultural machinery in wheat, they say, is now twice what it was in 1913.

Certainly the protective tariff has nothing to do with this, since there is no import duty on agricultural machinery. As a matter of fact, the protective tariff does not add anything to the prices of any of the ordinary articles the farmer buys. Here are some of the articles the farmer uses, all on the free list: Agricultural implements, binding twine, brick, cement, gloves (undressed), guano, boots and shoes, crude potash, seeds (some), stone and sand, logs and timber (unfinished), paving posts and pickets.

Why does it take so many more bushels of wheat to purchase any manufactured article now than in 1913? First, because the labor cost of manufactured articles has advanced enormously; second, because of high taxes in the several States, cities, and towns, entirely separate from the Federal taxes. The great bulk of the Federal direct taxes comes from income and profits; and the great majority of the people, especially the average farmers, pay little or no income or profits tax.

REPETITION OF 1896

The principle involved in this measure is precisely what was undertaken in 1896 by the promoters of the cause of free silver coinage at the ratio of 16 to 1. It was then believed that if the dollar was given 50 per cent additional fictitious value by an act of Congress, the price of wheat would be raised 50 per cent—from 50 cents to $1 per bushel.

The claim was made that wheat was 50 cents a bushel because of the gold standard, and that wheat would advance to $1 per bushel if the Government would enter upon a program of free coinage of silver at 16 to 1; that is, coin silver dollars freely at the ratio of 16 ounces of silver to 1 of gold. It was claimed that money was too dear; that the dollar was too scarce; that there was need of more money; and that the farmer had one kind of a dollar and the capitalists and Wall Street had another and better dollar. (See Coin's Financial School, by Harvey.)

Coin's Financial School, a little pamphlet written by William H. Harvey and circulated by the millions among the farmers of the West, captivated thousands and millions of farmers, particularly wheat growers, and confused the thought of many otherwise sound in their thinking and solid in their economic theories.

"Coin" Harvey undertook to demonstrate to the farmers that it took twice as many bushels of wheat to buy what they needed in 1896 as it took in 1873; that everything the farmers had to pay for was high and what they sold was low. It was precisely the same argument that is made now. The remedy suggested in 1896 was more money, more silver dollars coined freely by the Government at the ratio of 16 to 1. The silver in a silver dollar was worth then about 50 cents in gold. The effect would have been to cut the dollar in two and inject into the silver dollar 50 per cent value that did not exist. In these 50-cent silver dollars wheat would nominally have advanced to $1 a bushel; but it was forgotten that it would require twice as many 50-cent dollars as before to exchange for any article purchased. While the price of wheat would have doubled apparently, its exchange value for other commodities would not have altered.

The Republicans in 1896 pointed out the fallacy of this 16 to 1 idea, stuck to the single gold standard, and in four years the price of wheat advanced from a range of 53 cents and 94 cents in 1896 to a range of 61 cents and $1.22 per bushel. This demonstrates that the alleged cause of the low price of wheat, the gold standard and "dear money," had no foundation in fact.

RAISING PRICES BY LEGISLATION

The proposed McNary-Haugen bill is brought forward as a plan to artificially raise the price of wheat and other agricultural products. It is proposed that the Government "fix" a minimum price for wheat—$1.25 per bushel, for example—and buy up all the "exportable surplus" at that figure and store it, the Government furnishing the capital. The purpose of this plan is precisely the same as the purpose of the free silver coinage of silver at 16 to 1, namely, to artificially raise the price of wheat and other farm products.

This phase of the situation involves the old money problem that has disturbed so many and turned the heads of not a few otherwise straight-thinking men. In time of depression, when men in financial straits are catching at rhetorical straws, when the diminishing purchasing power and consuming power of the people is narrowing the demand for products and therefore abnormally reducing prices, the opportunity for crossroads financiers with infallible quack remedies for every financial misfortune are multiplied.

A FALSE CLAIM

It is not true that the tariff of 1922 has added billions of dollars to the prices of manufactured articles, to the injury of the farmer. The tariff on manufactured articles simply undertakes to give the American manufacturer a better opportunity to sell his own wares in the American market. He has a square deal by having the Government compel the foreign competitor to pay toll for the opportunity of getting into the American market. The American manufacturer has just as much of a "surplus" as the farmer at times and receives no more and no less benefit than the American farmer by reason of the protective tariff. The grower of wheat is exactly on the same broad basis as the manufacturer so far as protection is concerned. How can the tariff of 1922 be responsible for higher prices of manufactured goods and at the same time be responsible for the low prices of agricultural products?

It is just as impossible for the Federal Government to permanently increase the price of wheat by paying $1.25 for a bushel of wheat that has an exchange value of $1 as it is to increase the exchange value of a bushel of wheat by simply cutting down the standard dollar to 50 cents. The fallacy is the same in both instances. They violate all economic laws and all human experience.

While the situation of the wheat growers and some others in the West is unfortunate—yes, deplorable in some sections—it is due not to lack of legislation but to natural law—supply and demand. Prices were abnormal from 1914 to 1917. They declined more rapidly as to wheat and some other farm products than as to manufactured products, for the reason that the supply of the former exceeded the demand, while the demand for the latter exceeded the supply until recently.

For the 10-month period ended April 30, 1914, we imported $1,572,000,000 worth of merchandise, or a little over half the value of the 1923–24 imports. Exports for the 1914 period totaled $2,046,000,000, or $1,600,000,000 less than 1923–24.

For the 10-month period ended April 30, 1922, before the Republican general tariff law became effective, and while the Democratic law was in force, we imported $2,095,000,000 worth of merchandise. This was $882,000,000 less than for the 10-month period ended April, 1924. Exports for the 1922 period totaled $3,128,000,000, or $542,000,000 less than in 1924.

It is quite apparent from these figures that there is nothing prohibitive in the Republican tariff law; that imports are coming in in volume which should be satisfactory to the less greedy of the importing fraternity; and exports are showing good returns.

The attempt of the Democrats to extract any political capital from such figures as these is futile, and it is noteworthy that any attacks they now make on the tariff law are couched in the most general terms, with no desire to face the statistical facts but a keen determination to avoid them.

The CHAIRMAN. All time has expired and the Clerk will read.

The Clerk read as follows:

SEC. 26. The board shall meet upon the call of the chairman——

Mr. ROMJUE. Mr. Chairman, I ask unanimous consent for one minute to ask the gentleman who has just left the floor a question.

The CHAIRMAN. All time has expired.

Mr. BEGG. Mr. Chairman, I want to offer an amendment to the section.

The CHAIRMAN. The gentleman is too late.

Mr. BEGG. Debate is ended but I want to offer an amendment.

The CHAIRMAN. Is there objection to returning to section 25?

Mr. BEGG. I do not think it is necessary to ask unanimous consent to return to the section.

Mr. BLANTON. Mr. Chairman, the gentleman was on his feet and the Clerk is a swift reader and he reads fast.

The CHAIRMAN. The Clerk will proceed with the reading of section 26.

Mr. BEGG. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Ohio makes the point of no quorum. The Chair will count. [After counting.] One hundred and nineteen Members present, a quorum, and the Clerk will read.

The Clerk completed the reading of section 26, as follows:

MEETINGS OF THE BOARD

SEC. 26. The board shall meet upon the call of the chairman and at least once every three months.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 7, line 24, strike out lines 24 and 25.

Mr. NEWTON of Minnesota. Mr. Chairman, I want to preface my remarks by saying that it is my purpose from time to time during the progress of this debate to consider on the merits each section as we come to it and to discuss it. I have had amendments to two preceding sections pertaining to the sections and have been unable to get time, but time has been granted where Members have not spoken on matters pertaining to the section. We have this provision, we have a board of directors in this corporation paid $10,000 a year. They are to have in charge the directing of the affairs of this great corporation, with a capital of $200,000,000. We pay them $10,000 a year. I do not think it is going to be possible to get the brains to run this corporation at a salary of $10,000 a year. If this becomes a law, I want to say to my friend from Illinois [Mr. MCKENZIE] that I want to see it work the best way it can work. I doubt whether men can be obtained with the requisite ability to run the corporation at a salary anywhere near $10,000 per year.

Further, I am wondering what is the reason for the language in section 26. I want to ask the gentleman from Iowa in the best of faith why it is provided that the board shall meet at least once every three months?

Mr. HAUGEN. They ought to meet at least once every three months.

Mr. MADDEN. They ought to meet twice every day, if they are to run a big corporation like that.

Mr. NEWTON of Minnesota. Does the gentleman think that this board of five members—directors of this organization—paid out of the Treasury of the United States, drawing $10,000 a year, charged with the duty of marketing in the world's market wheat, corn, hogs, and every one of these basic commodities, need to be instructed that they must meet every three months?

Mr. HAUGEN. They must at least have the authority, and should be directed to meet, and unless this is operating it is not necessary to meet.

Mr. NEWTON of Minnesota. They do not need any authority to meet other than the authority contained in the act, and just as the gentleman from Illinois [Mr. MADDEN] suggested, if they have a job as big as this job is they should meet every morning and every afternoon. I think the section might as well go out of the bill. I think it is a sort of invitation for them to meet only four times a year.

Mr. WOODRUFF. The gentleman makes the statement that these directors are paid out of the Treasury.

Mr. NEWTON of Minnesota. Certainly.

Mr. WOODRUFF. I wish the gentleman would point out something in the bill to that effect.

Mr. NEWTON of Minnesota. Why, it is a $200,000,000 corporation, and the money is to be supplied by the Treasury.

Mr. HAUGEN. Mr. Chairman, I move that debate upon this section and all amendments thereto do now close.

Mr. LOZIER. Mr. Chairman, I move an amendment to that, that debate close in five minutes.

Mr. HAUGEN. Mr. Chairman, I accept the amendment.

Mr. KINCHELOE. Mr. Chairman, I offer as a substitute for that that debate close in 10 minutes.

The CHAIRMAN. The gentleman from Kentucky offers as a substitute that debate upon the section and all amendments thereto close in 10 minutes. The question, first, is on the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on the substitute, that debate close in 10 minutes.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 22, noes 66.

Mr. KINCHELOE. Mr. Chairman, there does not seem to be a quorum here, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-one Members present, a quorum. The question now is on the motion of the gentleman from Iowa that debate upon the section and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

The Clerk read as follows:

QUALIFICATIONS OF DIRECTORS

SEC. 27. (a) Not more than two of the appointed directors shall be members of the same political party.

(b) Appointments to the office of director shall be made with due regard for the appointees' knowledge of and experience in the marketing of agricultural products.

(c) Directors, officers, and employees of the corporation shall take the oath of office provided in section 1757 of the Revised Statutes.

Mr. BURTNESS. Mr. Chairman, I move to strike out the last word. I rise particularly to make just a few observations with respect to the remarks made by the gentleman from New York [Mr. MILLS] a few minutes ago. He called attention to the fact that the tendency now is for agricultural products on the whole to approach in the price index the same point as nonagricultural products. If you look at the chart found on page 9457 of the RECORD, you will find that that is partially true; but how long has it taken to get to the point even of the slightest sort of approach? The situation has continued now for almost four years, and yet the difference between the agricultural products and the nonagricultural products in items of purchasing power of one as against the purchasing power of the other is still a difference of 60 points. Four years ago there was a difference of 80 points. That means that if the convergence is carried along at the same rate, it will take 12 years more for these lines to meet, or until 1936.

But, as the gentleman so well pointed out, that included all agricultural products, including those like cotton, wool, tobacco, and others where the price is above the ratio price, as well as those whose prices are below the ratio price. The gentleman from New York admitted that obviously the price of wheat, hogs, and cattle has been totally inadequate during these past years. What does this bill do? It does not touch the price of all agricultural commodities, but is intended to reach only such commodities as are now not in the basement but which are in the subbasement of price, such commodities as cattle, hogs, and wheat. The gentleman carried the inference at least that if you increase the prices of these commodities you will raise the whole commodity index by at least 10 points. What are the facts? I have ascertained how much wheat and cattle and hogs are weighted in the figures used by the Bureau of Labor Statistics, and I find that wheat is rated at 3.26, cattle at 3.27, and hogs at 4.07, or a total of 10.6; that is, about 10 per cent of all commodities used by the Bureau of Labor Statistics. Assuming that the prices on hogs, wheat, and cattle should increase even 50 per cent, you can not possibly get a situation where the all-commodity index would be increased more than about 5 points.

In other words, there is a possibility that the present index to-day of 148 might be increased to 153, but that is all that it could be; and is there anyone here who would say that that is not fair when hogs are now at only 62 as compared with normal times, cattle at 68, and wheat at 71? As I said, the commodities covered are not all agricultural commodities in general but only those that are not now getting the price level of agricultural commodities in general but only those where prices are such that they hold a position in what I call the subbasement. Surely there ought to be no objection to that sort of a raise when you find that wages in general as compared with normal in terms of purchasing power are to-day 103 and union wages 134. Why, then, should this start a vicious circle which would raise wages and all other commodities? It seems to me that it does not come with very good grace on the part of anyone—and I am not now referring to the gentleman from New York particularly—for gentlemen to make the argument that their people can not afford to pay increased prices for their bread and meat. The whole question is this in regard to such people: Are they going to insist that the wheat farmer and the raiser of hogs and the raiser of cattle must for all time continue to produce these food commodities for less than the cost of production? That can not continue, and the longer it continues just so much worse will be the effect upon all parts of the country.

The gentleman from New York also argued that the passage would mean cheaper foodstuff to foreigners in competition with American industry. Of course, it would not affect the world's market in any possible way unless possibly in just the opposite direction. It is quite within the range of possibility that the corporation in control of the exportable surplus of a crop like wheat might have a strong effect upon the foreign market; that is, be in a position to drive a much better bargain with the foreigner than scattered private persons can do. In any event there is no possibility under this bill of the foreigner getting these foodstuffs for a lower price than otherwise.

Permit me also to make a prophecy that most of us will be surprised at the ease with which this law can be put into effect if enacted. Oh, they will not need men to drive hogs from one packing plant or from one town to another. American business will be as ready to buy for resale and for profit as now. On the exported products the corporation must, of course, stand the loss. They may incur it on their own purchase and resale or they may arrange with exporters to pay the difference between the world's market and the ratio price without handling the product at all.

In fact, it may well be that all the corporation would have to do would be to stand ready to buy what is actually exported to foreign countries. In the case of beef this would amount to practically nothing; in the case of pork, about 10 per cent. In the case of wheat and flour, is it not possible that the matter could be handled by the corporation simply standing ready to pay an export bounty on all exports; that is, a bounty equal to the difference between the world price and the ratio price? These are all possibilities which are not at all remote.

The gentleman from New York feared that business would slow up if the bill is enacted. Let me assure him that it will slow up if not enacted. The business interests of the West already realize this to be the fact. Farm-machinery concerns can no longer sell machinery due to the depressed condition of the farmer. We see Mr. Peek, head of the Moline Plow Co., devoting time, energy, and money on behalf of this measure. We see the head of the Great Northern Railway Co., realizing the importance of rehabilitating agriculture in the corn and wheat and stock belts, supporting this bill. I believe that if the gentleman from New York and others opposing this bill knew the situation in the West as well as these business men do, they would be supporting instead of opposing this bill.

In the final analysis our interests are nearly identical. We must find markets for our western crops in the industrial centers of the country. You in turn must find markets for your manufactured products on the farms of the Nation. Pass this bill and we can afford to buy a fair share of your products to the benefit of the industrial and transportation interests of the Nation as well as for our benefit.

Many object that we have an exportable surplus. Since when did it become a crime to raise more than we can eat at home? We have always been proud of a balance of trade in our favor. It has helped in years past to build up our great Nation. These are not new surpluses. They bother us, it is true, but that is not the fault of the farmer. It is rather due to European conditions. This is emergency legislation to tide us over till European conditions can become more stable. We will all then want a surplus. If we ever get to the point where we raise less foodstuffs than we consume, it will be consuming centers and not the farming sections which will suffer the most. There is no serious danger of encouraging overproduction when the ratio price is barely sufficient to cover the cost of production.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto do now close.

Mr. LOZIER. And I move an amendment that the debate close in five minutes.

The CHAIRMAN. This is a unanimous-consent request.

Mr. LOZIER. Then I object to it.

Mr. HAUGEN. Then I will make it five minutes. The gentleman has been on his feet for about a day and is entitled to time, I think.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate upon this section and all amendments thereto close in five minutes.

Mr. KINCHELOE. Mr. Chairman, there are several gentlemen here who desire time to speak on this bill.

Mr. HAUGEN. Very well; if you want to stay here until 12 o'clock to-night or 3 o'clock to-morrow morning, that is up to the House.

Mr. KINCHELOE. I am just calling the attention of the chairman to the fact——

Mr. HAUGEN. Oh, the gentleman has taken four months at this, and still is not satisfied.

Mr. KINCHELOE. Mr. Chairman, reserving the right to object, I say to the chairman, to show how fair he is about this matter, that there are three gentlemen who are for the bill, who have been wanting to speak all day.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

Mr. KINCHELOE. Mr. Chairman, I move as an amendment that debate close in 10 minutes.

The question was taken; and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 21, noes 58.

Mr. KINCHELOE. I ask for tellers.

The CHAIRMAN. Ten Members have arisen, not a sufficient number, and tellers are refused. The question is on the motion of the gentleman from Iowa, to close debate in five minutes.

The question was taken, and the motion was agreed to.

Mr. LOZIER. Mr. Chairman [applause] and gentlemen of the House, in the haste with which this bill is now being considered the Members who favor its passage are finding difficulty in securing recognition, as most of the time is being taken by those opposed to the bill. I recognize that it is important to get a vote to-day, if possible, and therefore I have not been inclined to consume much time available for general debate; but I do desire now to make a few observations which I hope may be helpful.

I have learned that the way to get recognition in this House quickly and often is to offer amendments. And it seems that it makes no difference how meaningless and senseless an amendment may be, the Member who proposes it, under the rules of the House, is entitled to recognition and to speak in support of his motion. So we are to-day being deluged with a flood of amendments, and while many of these amendments are not offered in good faith or for the purpose of perfecting the bill, they enable the enemies of this measure to delay a final vote and may possibly defeat the bill by talking it to death. Strange as it may appear, practically every amendment has been offered by enemies of the bill, who will vote against the bill whether it be amended or not. The Members who are offering these amendments and consuming time in labored debate remind me of a cuttlefish, a certain rapacious, carnivorous mollusk, which in order to escape capture muddies the waters by emitting an inky fluid, under cover of which Mr. Cuttlefish escapes. I am convinced that some of these gentlemen prefer to confuse rather than clarify the situation.

I represent a great agricultural district. I have a Democratic and Republican constituency. I earnestly desire to vote for some measure that will afford the farmers of my district substantial relief from existing economic ills. Since I entered this body I have on numerous occasions addressed the House, but on every occasion I have avoided partisanship and have at all times discussed policies and principles, particularly relating to agricultural conditions. I have declined to inject partisan politics into my speeches, because I do not consider that farm relief legislation is a political or partisan question. I believe that the Members of this House, Democrats and Republicans, should unite in passing the pending bill, or some other honest-to-goodness farm-relief measure, because the interest and welfare not only of the agricultural classes but of the entire Nation is involved in the rehabilitation of American agriculture.

May I in the few minutes at my command answer briefly some of the objections to the pending measure? It is urged that in this national emergency instead of trying to increase the price of farm products we should legislate to bring down all other commodities to a level with the prices of farm products. Manifestly this can not be done, and if it could be accomplished it would result in practically doubling the purchasing power of the money of the Nation. Those whose wealth consists of money would be able to purchase twice the commodities with a dollar than could be purchased with that dollar if the price of farm commodities is advanced to a parity with the price of other commodities at the present time.

This plan would very largely increase the fortunes of the capitalists. The proposal to bring all other commodities down to the level of farm products comes, no doubt, from Wall Street or from the capitalistic class. In bringing about this result you will double the value of money, and materially reduce the purchasing power of farm products and other commodities, and you thereby automatically increase the wealth of those whose possessions consist of money, stocks, bonds, or liquid securities. Under such a plan the income from the farms would be materially reduced, and, of course, the value of all farm lands, livestock, and farm commodities would be thereafter maintained at a very low level. This means nation-wide agricultural distress and the destruction of agriculture as a profitable vocation.

One trouble to-day is an unfair distribution of the wealth of our Nation. According to Secretary Hoover, the wealth of the United States on December 31, 1922, amounted to $320,803,862,000 as compared with $186,299,664,000 in 1912; but says Secretary Hoover, "It should be borne in mind that the increases in money value are to a large extent due to the rise in prices which has taken place in recent years, and so far as that is the case they do not represent corresponding increases in the quantity of wealth."

In other words, when we consider the present value of the dollar, it is questionable whether there has been any increase in the actual wealth of this Nation in the last two years. The present national wealth, as computed by the Department of Commerce, when reduced to terms of prices of 1913, is approximately $210,000,000,000. In other words, the computation by Secretary Hoover refers to "bookkeeping values" or an increase in values of properties rather than the production of new or additional wealth. In reality, there has been a severe deflation in our national wealth since 1921.

According to the Department of Commerce, our national wealth in 1916 was $228,000,000,000. In 1920 O. P. Austin, a financial expert connected with the National City Bank of New York, in an article in the Journal of Commerce, estimated our national wealth at $350,000,000,000. The Government loan organization in 1921 estimated our national wealth at $300,000,000,000. In September, 1921, the committee on statistics and standards of the United States Chamber of Commerce estimated our national wealth at $288,464,000,000. Reduced to its last analysis, I am quite confident that on a fair basis our national wealth is now many billions less than it was in 1920 and 1921. If farm products are kept at the present prices and other commodities brought down to the same level, there will be another tremendous shrinkage in the wealth of the agricultural classes and it will require the rehabilitation of agriculture to maintain the economic life of the Nation on a healthy basis.

But you say this bill is paternalistic. It is easy to make this charge, and, perchance, some who make it never read a work on political economy and have but little knowledge of what is and what is not paternalistic legislation. Many of those who are opposing this bill because it is paternalistic, as they charge, have been voting, year in and out, for legislation that is much more paternalistic than the pending bill. The agricultural appropriation bill recently passed by this House contains scores of provisions appropriating money for purposes which, in truth and fact, are purely paternalistic. Millions of dollars for roads; millions of dollars for experimental stations, weather bureaus, extension service, animal industry, plant industry; millions of dollars for the bureaus of chemistry, soils, entomology, biological survey; for the enforcement of the insecticide act, watershed fire protection, foot-and-mouth disease, pink bollworm, date scale, citrus canker, white-pine blister, diseases of cotton, broomcorn cultural methods, diseases of sugar beets, Argentine ant, cigarette beetle, Mexican bean beetle, and gypsy and brown-tail moths. In other words, every Congress for more than a generation has been appropriating millions of dollars annually for purposes that are paternalistic in the fullest sense of that term.

A protective tariff is paternalistic legislation. The Adamson law is paternalistic. The transportation act is paternalistic, and many other legislative policies of the Nation. After the commercial and manufacturing classes have swallowed scores of paternalistic camels, they now gag at a little paternalistic agricultural gnat. Paternalism is a good thing, they say, for the manufacturer, the capitalist, the carrier, and other special-privilege classes, but they say the country will go to ruin if the agricultural classes are given the benefit of the little paternalistic legislation represented by the pending bill.

But the enemies of this bill say it is not workable. Every great legislative reform has been opposed by the same interests and was condemned as unworkable. They said the same thing when the Federal Post Office system was established. They said the Adamson law would not work; that the Interstate Commerce Commission would not work; that the Federal reserve system would not function; that the antipooling laws, the Sherman antitrust law, and the transportation act would

not work. This is the stock objection offered by the railroads, the protected manufacturers, Wall Street, the Steel Trust, and big business to every legislative act having for its object the equalization of the burdens and benefits of Government among the classes and masses.

But the opponents of this bill, after saying that it will not work, turn around and say that it will raise the price of farm commodities to such an extent that the cost of living will be increased one billion and a half dollars annually. If that be true, will not the farmer get the benefit of that increase? Of course, the purpose and object of this bill is to increase the price of farm commodities. Suppose the consumers of the Nation, as a result of this legislation, should pay next year one and one-half billion dollars more for farm commodities than in the past year, the farmers would only be getting back about one-twentieth of their losses since 1921, resulting from the artificial, precipitate, and unjust deflation in values.

In the past three years very little net wealth has been created. During that period the business has been largely the manipulation or transfer of wealth from the masses to the classes. While in the last three years there has been very little new wealth created, there has been an abnormal manipulation of wealth for the benefit of the special-privilege classes. In other words, the wealth for three years has been steadily flowing from the farms to the cities; from the masses to the classes; from the West to the East; from the rural communities to the great centers of wealth and population. The New England and Middle Atlantic States and the great cities have increased their wealth by leaps and bounds, but this increase has been at the expense of the agricultural classes and at the expense of the great productive West. While the capitalistic and specially favored classes have very substantially increased their wealth, it is not new wealth created by them, but wealth transferred to their coffers from the western agricultural classes, largely because of unjust economic conditions, which are the manifest result of legislative favoritism.

The blood in the human body in order to perform its functions should circulate freely and be distributed over all parts of the body. If the blood be congested in the brain, apoplexy results. If the blood is congested in the lungs we say the patient has pneumonia. If its virility be impaired, anemia follows. Now what blood is to the human body, wealth is to the business and economic life of the nation. If wealth be withdrawn from certain sections of the country, and congested in certain other sections, financial apoplexy will result; and if wealth be not fairly and justly apportioned among the people, but be concentrated in a few favored classes, nation-wide financial anemia is inevitable. The purpose of the pending bill is not to wrong the other classes but to undo the wrong that agriculture has suffered.

But some one says that the McNary-Haugen bill is a price-fixing measure. I think it is a price-adjusting measure. But suppose we concede that it is a price-fixing measure; should that frighten these Members who are opposing the bill? Most of the opposition to this bill comes from Representatives of constituencies that have enjoyed, and are now enjoying, the blessings and benefits of price-fixing legislation. The Representatives from the manufacturing districts and from the great commercial districts are viciously opposing this bill. The protective tariff system is a price-fixing system, because artificial conditions are created by tariff laws which enabled the manufacturer to charge higher prices for his commodities than could be charged without a protective tariff. The transportation act and the law creating the Interstate Commerce Commision are price fixing laws, designed to fix and regulate the price of freight and passenger service. Telephone and telegraph rates are fixed by bodies created by law, and those laws are price fixing laws. The Federal reserve system is a price-fixing system as to interest rates and credit. The Federal land bank and joint-stock land bank laws are price fixing laws, and the rate of interest is therein fixed. Interest and credit, freight service, passenger service, telephone and telegraph rates, and wages are all commodities the price of which is regulated and definitely fixed by these Federal laws. The Adamson law is a price fixing law as to wages; and many other laws, the validity and wisdom of which have not been challenged, are in the last analysis price fixing laws.

The American people are now living under Federal laws which are price fixing laws as to freight and passenger service, telephone and telegraph service, interest rates and credit, and wages, and price fixing as to many manufactured commodities, in view of which I do not believe this Nation would go to ruin if this bill should be enacted and if it is a price fixing bill.

According to the argument of the opponents of this bill it is all right for the capitalist, the manufacturer, the railroad, and other special-privilege classes to get the benefit of price-fixing legislation, but they hold up their hands in holy horror when the farmers of America ask for this little Federal aid in stabilizing prices of farm commodities.

Frankly, I am opposed in principle to all price-fixing or special-privilege legislation, but as long as the manufacturers, the railroads, and other special-privilege classes get the benefit of price-fixing legislation I see no reason why the American farmer should not be shown similar consideration, especially in view of the national emergency that now confronts our farming classes, for which the Government and the special-privilege classes are largely responsible.

Time will not permit me to discuss this bill in detail. I hope its enemies will not talk it to death. As for me, I will vote for the measure and I will vote against adjournment of this Congress until this or some other worth-while legislation for the benefit of the farmers be enacted or until it is evident such legislation can not be passed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOZIER. I ask unanimous consent that I may revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

MANAGEMENT

SEC. 28. The board shall direct the exercise of all the powers of the corporation.

Mr. HOWARD of Nebraska. Mr. Chairman, I move to strike out one or two last words. [Applause.] Mr. Chairman and gentlemen, if anybody has been in doubt about how Nebraska is going to vote on this bill, I will instantly remove all doubt. But first, before getting to that, Mr. Chairman and gentlemen, I want to protest against the inhuman treatment that has been accorded certain of my colleagues here to-day. This morning one gentleman, the distinguished gentleman from Kansas [Mr. TINCHER], stood here and demanded that his own floor leader tell him the mind of the President of the United States. Gentlemen, it can not be done. The mind of the President of the United States is a "ghehe." I can prove it by citing you to his three separate messages on the subject of agricultural legislation, and I challenge any man on either side of the House to rise now, after the manner of the challenge of the gentleman from Kansas, and tell me the mind of the President of the United States with reference to agricultural legislation, basing his calculation upon the three messages to the Congress on that subject. There are no risers. [Laughter.] The President has a mind, all right, but it is desperately uncertain. If you need any further proof on that score, please read his words when he so harshly and cruelly vetoed certain pension bills and when he vetoed the adjusted compensation bill for the ex-service boys. You remember how he even challenged the patriotism of those ex-service men who asked for an adjustment of their compensation, and yet only yesterday he went over here to Arlington and heaped the most beautiful eulogy on all of those whom so lately he had decried.

Gentlemen, there is no such thing as a presidential mind that is known to mortals, and I protest that it is unkind on the part of anybody to stand here and ask any gentleman on the administration side to perform the impossible.

Now, a good deal has been said here with reference to this legislation; certain men have said that they would vote for this legislation if they knew that the President would approve it. Again I take this opportunity to say to all my colleagues on either side that that is not good Democratic doctrine. I am not preaching any other kind. The Democratic doctrine is that it is the business of a legislative body to legislate, and let the head of a government in the guise of a President do the executing.

Only yesterday the most brilliant man that I believe we have among us here occupied this place and practically said he was afraid the President would veto the bill. I would like to have Judge MOORE tell me: Suppose we were discussing now a bill to reduce the tariff. Would Judge MOORE fail to vote for that bill lest the President might not approve it? I think not.

You Republicans over here—may I take that back? I mean you administration folks—if you administration folks had a force bill here, wanting to put soldiers of the United States at the polling places in all the Southern States, and you were afraid the President would veto it, do you think you would stop one minute before voting for it simply because it had been said that the President would veto it?

A MEMBER. Will you vote for it—the McNary-Haugen bill?

Mr. HOWARD of Nebraska. I hope to vote for it, but I doubt if I will have the chance to vote for it. I think the ad-

ministration leaders will kill it by parliamentary tactics before it can reach a vote.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The time of the gentleman from Texas has expired. The Clerk will read.

The Clerk read as follows:

CAPITAL STOCK

SEC. 31. (a) The capital stock of the corporation shall be $200,000,000, and all of such amount is hereby subscribed by the United States. The amount of such subscription shall be subject to call by the corporation (in amounts of $5,000,000 or multiples thereof and after 30 days' notice of each call to the Secretary of the Treasury). Payment of an amount so called shall be made by the Secretary of the Treasury, and stock in such amount, without voting privileges, shall be issued by the corporation to the United States and delivered to the Secretary of the Treasury. Receipts for payments of such amounts by the United States for such stock shall be issued by the corporation and delivered to the Secretary of the Treasury and shall be evidence of the stock ownership of the United States.

(b) There is hereby authorized to be appropriated the sum of $200,000,000 or so much thereof as may be necessary for the purpose of purchasing stock of the corporation in accordance with the provisions of subdivision (a).

Mr. BRAND of Ohio, Mr. JONES, and Mr. HARRISON rose.

Mr. JONES. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair is advised that the gentleman from Ohio [Mr. BRAND] has an amendment pending and has had it pending for some time. The gentleman from Ohio will be recognized.

Mr. BRAND of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. BRAND of Ohio: Page 9, after line 7, insert the following new subdivision:

"(c) The corporation shall pay to the United States interest at the rate of 4 per cent per annum upon the amounts so paid for the stock of the corporation. The corporation shall receive interest at the rate of 4 per cent per annum upon its funds temporarily deposited in the Treasury of the United States."

Mr. BRAND of Ohio. Mr. Chairman and gentlemen, this is an amendment which is absolutely sincere. It is offered with the intention of strengthening the measure, and it is offered by one who is absolutely in favor of the measure. Perhaps you gentlemen did not catch it, but it is for the purpose of having the corporation pay 4 per cent interest on whatever money it uses from the Government out of the Treasury. I have submitted this proposition to the man whom Secretary Wallace asked to write this bill, and I asked him for his opinion as to whether we should pay 4 per cent interest on the money supplied by the Government. And he stated to me that in his opinion that was an absolutely sound principle. I have talked to the chairman of the Committee on Agriculture, and I have talked to other members of the committee, and I have heard no objection to this policy except that they are not disposed to accept any amendment of any kind, and that is their only possible objection to this one.

Now, I do not believe the farmers of the country want any bounty. I believe all they want is a square deal, and I believe they want their products up on a level with the products of their city fellow citizens.

Mr. WILLIAMSON. Will the gentleman permit an interruption?

Mr. BRAND of Ohio. Yes.

Mr. WILLIAMSON. Does the gentleman think it would be quite fair to insist that this corporation should pay 4½ per cent interest on this money when the Government made $50,000,000 on wheat during the war?

Mr. BRAND of Ohio. This is 4 per cent interest, and I am willing to throw aside all the past and begin with a fair deal for the farmers, and that is what we are going to get by this bill. [Applause.]

Now, time is the essence of things here to-day, and I do not think this needs any discussion.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

Mr. JONES. Mr. Chairman, I am a member of this committee and I have been trying to get recognition for the last 20 or 30 minutes. I do not think it is in very good grace for the chairman to keep members of the committee from talking.

Mr. BLANTON. Mr. Chairman, I move to amend the motion of the gentleman from Iowa and make the time 10 minutes.

The CHAIRMAN. The gentleman from Texas moves as an amendment that debate close in 10 minutes.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question is now on the motion as amended.

The question was taken, and the motion as amended was agreed to.

The CHAIRMAN. The gentleman from Virginia [Mr. HARRISON] is recognized.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause]. The Chair hears none.

Mr. HARRISON. Mr. Chairman, I think it is conceded on every side that the agricultural interests in every section of the Union are operating at a loss. President Coolidge has given consideration to the situation in his annual message and the best solution he could find was advice to the farmer to limit the acreage of cultivation. In other words, that the farmer must cease to operate in order to make a profitable livelihood. On the other hand, we have this proposition before the House which, I feel certain by its own advocates, is admitted to be economically unsound and only sought to be justified because of existing emergency, and to counteract the effects of legislation which has been enacted prejudicial to agricultural interests. My own theory is that the three things of which the farmer has had occasion to complain most are:

First. Class legislation which has enhanced the price of all his necessary supplies and which has limited the area of his markets. It would seem the most logical thing to do to remove the distress of the farmer is to repeal these unfair laws instead of making them a justification for placing further burdens upon industry with the prospect, if not the foregone conclusion, of producing confusion in agricultural industry and ultimate loss. An analysis shows costly machinery and impracticability of operation. This contemplates the placing of agricultural interests in the hands of a commission to virtually operate a business worth billions of dollars and followed by twenty millions of our population.

The individual does not have his business placed in the hands of a commission until his imbecility is established. Surely there can come nothing practical in the propostion to place a great industry in the hands of such a commission as this bill proposes.

Second. There can be no question in my mind that the farmer needs financial credit at certain periods in order to profitably buy and sell. One of the greatest injuries inflicted was deflation at a time when the farmers' necessity for credit was at its peak, and which dealt a serious blow to the farmers' capacity to face the emergency. This has been greatly remedied, however, at the present time by legislation which extends rural credits to the agricultural classes. The farm-loan banks and the fairer administration of the Federal bank reserve system has furnished to the farmer a source of credit which approaches probably his present needs so far as the same is coupled with financial safety.

Third. Another burden that the farmer has been required to bear has been the excessive transportation charges on his outbound products and inbound supplies. Freight rates on the railroads and all other methods of transportation have become excessively burdensome and in many instances and in various localities are an absolute denial to the farmer of his market. So far as I can see, nothing has been done to alleviate this situation. On the contrary, the purpose for which I address myself to the House at present is to call attention to the recent action of the Interstate Commerce Commission which imposes a heavy increase on the transportation charges of a necessary agricultural supply and which is a large industry in the district I represent. I refer to the increase of rates on agricultural lime. While we are discussing here this bill which has for its object the relief of agricultural depression, the Interstate Commerce Commission has undertaken to lay an exceedingly heavy burden upon lime transportation, which is a necessity in southern and eastern territory, for the productiveness of the soil.

Heretofore lime has been classed either as agricultural lime or lime for other purposes. Agricultural lime had a reduced rate; as an instance, from Baltimore to Pittsburgh the rate was $83 a car. Under the ruling of the Interstate Commerce Commission, which has just been put in operation, the transportation charges from Baltimore to Pittsburgh have been raised to $111 a car, making an increase of 42 per cent in the charges. The injustice of such a rate charged is shown in comparison with the charges made on carloads for other articles of commerce. A carload of lime is worth, in round numbers, about $300.

The charge per carload is, as I have said, under the present ruling $111, a very large per cent of the value of the cargo. I have before me a table from the Agricultural Department, and this table shows that on a commodity of commerce valued at $13,000 the car charge differs but little from the car charge on lime valued at $300. It is gross injustice of this character against which the farmer utters his protest. It appears that the charges authorized and directed by the Interstate Commerce Commission on lime is excessive. In the district I have the honor to represent there are a great many of these lime plants. It is a peculiar burden on that district as well as on all the southern and eastern territory. This increased rate is made to apply immediately to the following States: Virginia, West Virginia, Maryland, Pennsylvania, New York, Vermont, and perhaps some other States. All States will be eventually affected and its necessary tendenecy is to embrace wherever lime is a necessary agricultural lime. The necessity of lime is given in a great many bulletins issued by the Agricultural Department.

A very feeble attempt at legislation along the line of protection to agricultural shipments is proposed in Senate Joint Resolution 105, and it was hoped that by a proper amendment lime and other agricultural fertilizers could be brought within its influence. This Senate joint resolution has been tacked upon a House bill known as the Hoch bill, but it still does not include the lime product or the necessary agricultural fertilizers. Even this legislation has a very poor prospect of consideration. So far as I know, the Rules Committee has taken no step to bring it before this House, and if it should be brought before this House and proper amendments included, it is probable that it will not be possible to pass it through the Senate before the day of adjournment. I can not help but think that the agricultural interests are receiving poor consideration when the only proposition of relief is this one of very doubtful constitutionality, wholly unjustified except upon the ground of prejudicial legislation against the farmer, which in all probability will be found impracticable in operation and ultimately bring loss to the agricultural interests.

Congress should remain in session until real relief is afforded the agricultural interests by wise and sound legislation, which is economical and practical in operation.

Mr. JONES. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. JONES. Mr. Chairman, I just want to say a word with reference to some of the statements made by my friend and colleague from New York a few moments ago.

I well recall that when the general tariff measure was up the gentleman predicted that after we passed the Fordney-McCumber tariff measure this country would blossom like the Rose of Sharon, and that the people would flourish like a green bay tree. By his recent speech he now in effect admits that in so far as the farmer is concerned it not only was a rank failure but that the farmer's condition has been made infinitely worse. He seems to think he has made a complete answer to all the farmers' problems in so far as the tariff is concerned when he states that certain farm implements are on the free list; just a part of them. That seems to be the attitude of a lot of those who do not live in agricultural sections, who think that all the farmer needs is farm implements. I suppose the gentleman thinks that the farmer ought to wrap his free hides around him and get on his free cultivator and that is all he should need.

As a matter of fact, I read you in my former speech a number of articles that the farmer buys and that he has special need for. Here is a copy of the tariff bill which has several thousand different items and in them are included items like galvanized wire, which he sometimes uses, forgings of iron or steel, axles, bolts, cut nails, horseshoe nails, rivets, plated wire, table, household, and kitchen furniture, especially of the aluminium variety. I presume the gentleman from New York thinks that because the farmer gets certain implements free of duty it is all right for him to pay a 70 per cent tariff on aluminium if he buys it, and also on knives and cutlery and all the other and many different articles which he needs and must have.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. JONES. I regret I have not the time. I suppose he does not think he ought to use any clothes and ought to be willing to have the price of even live farm implements raised by a duty on the component parts thereof. He seems to think that because he gets some of his farm implements free he ought to be perfectly willing to pay a tariff of from 10 per cent up to several hundred per cent on the various other articles he uses. But I want to call attention to certain provisions even in the free list that he mentions. After it sets out the different farm implements that are placed on the free list it has some reservations. I understand, as a matter of fact, that we import very few farm implements as such, but we do import the component parts of those farm implements, fabricated iron, steel, and so forth; but, listen, it names certain of those implements and says:

All other agricultural implements of any kind or description not specifically provided for, whether in whole or in parts—

And—

whether specifically provided for—

And then it winds up the whole provision with reference to farm machinery being on the free list with this provision:

Provided, That no article specified by name in Title I shall be free of duty under this paragraph.

Here is the joker. Title I contains all the thousands of items covered by the tariff. In other words, every component part, even, of farm machinery, everything that is listed in Title I, regardless of whether it is named in the free list, is still on the dutiable list, and the different articles I read to you a while ago—chains, saws, shovels, scythes, corn knives, wire rope, and the like—take a 30 per cent duty, and copper and brass a 48 per cent duty; aluminum utensils, 71 per cent. There are hundreds of other everyday articles which I might read.

I simply state this in answer to what the gentleman said about the tariff not affecting the farmer. As a matter of fact, it is practically impossible to render the farmer any service by a straight tariff, because the principal articles which he produces he produces in surplus quantities. He exports rather than imports, whereas a great many of these articles that he buys, the prices of which have been very materially increased, he must buy in a protected market. Therefore, under a straight tariff measure, he must buy in a protected market and sell in a free market. Therefore I say I do not blame some of the farm organizations in their desperation for wanting any measure that they even think may tend to give them some of the advantages.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on the amendment offered by the gentleman from Ohio [Mr. BRAND].

The amendment was rejected.

The Clerk read as follows:

ISSUANCE OF SECURITIES

SEC. 32. The corporation may borrow money and issue its notes, bonds, or other evidences of indebtedness therefor, except that the corporation shall not have power to issue or obligate itself in an amount of notes, bonds, or other evidences of indebtedness outstanding at any one time in excess of five times the amount of its authorized capital stock. The rate of interest, the maturity, and the other terms of the notes, bonds, or other evidences of indebtedness, and the security therefor, may be determined by the corporation.

Mr. KINCHELOE and Mr. MACLAFFERTY rose.

The CHAIRMAN. The gentleman from Kentucky [Mr. KINCHELOE], a member of the committee, is recognized.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the House, I want to call your attention to this section as another evidence of how sound this bill is, and especially from a financial standpoint of operation.

In buying the export surplus of the products mentioned in this bill, in the preceding section you appropriate right out of the Treasury $200,000,000, and that is the only capital this corporation can have with which to buy anywhere from $850,000,000 to $1,000,000,000 worth annually of exportable surplus of the commodities mentioned in this bill.

Never lose sight of the fact that this corporation has got to do the buying of this exportable surplus, because no other concern is going to buy it at the ratio price and sell it at the world's market price and take the loss, unless this corporation

guarantees such individual or corporation against loss. So you have $200,000,000 as the only capital that the corporation has or ever will have, because this corporation is not a profit-making corporation but is a losing corporation, and in order for the proponents of this bill to hide their faces on the economic soundness of this bill, they put in this wonderful section 32 giving this corporation the right to issue notes and bonds of five times the amount of capital, $200,000,000, to wit, $1,000,000,000; but the two subsequent sections show you that the United States assumes no obligation in the payment of them. The other sections show that these notes and bonds and the income derived from them are not exempt from Federal and State taxes. So can not you imagine this corporation with only a capital of $200,000,000 in a losing business will interest the bankers and financiers, including the gentleman from New York [Mr. MILLS], to go out and sell a billion dollars' worth of bonds and notes with only $200,000,000 of capital subject to taxes, both State and Federal, when at any time the $200,000,000 may be invested in wheat bought at the ratio price, and before it can be sold in the world's market have the price go down and wipe out the whole $200,000,000?

Mr. HAUGEN. Mr. Chairman, I would like to ask the gentleman if he has read the section that provides for the equalization fee to cover the loss.

Mr. KINCHELOE. Oh, yes; I have read all the sections. It provides that they shall levy an equalization fee, and if it is big enough it will take care of the loss; but the point I am making is that no human mind can tell whether the equalization fee will be big enough, no human mind can tell whether the world's price will fall before they get it into the world's market, and if it does fall beyond the amount of the equalization fee the additional loss will come out of the capital. And yet they are going to sell bonds and notes to the extent of five times the capital stock which is subject to Federal and State taxes.

Mr. BEGG. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. BEGG. If a man sues the company and he gets a judgment, is not the capital stock liable for the judgment?

Mr. KINCHELOE. That depends on the cause of action.

Mr. BEGG. In a suit against the corporation, if they get judgment against the corporation, would not the capital stock be liable?

Mr. KINCHELOE. The capital is liable except in two contingencies.

Mr. BEGG. What are those contingencies?

Mr. KINCHELOE. An equalization fee is levied for two purposes, to stand the exportable loss and pay expenses. In any other action it would be liable.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. MACLAFFERTY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 9, line 17, after the word "corporation," add the following: "*Provided, however,* That neither the money subscribed for the capital stock as provided in section 31 of this act nor the additional funds raised by the issuance of obligations as provided in this section shall be used for the purpose of exporting surpluses of agricultural products by sea during emergencies unless the exportation is carried out in ships of American registry."

Mr. DICKINSON of Iowa. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MACLAFFERTY. Mr. Chairman and gentlemen, when the debate began on the bill my mind was open and as unprejudiced as I would ask the mind of a juror before whom I was being tried. As I have listened to the debate my mind has begun to slip away from the idea that there is real merit in this bill. I have listened as consistently to this debate as I have to any that has taken place since I have been a Member of the House.

I am offering an amendment to the bill in good faith, one which I believe will bring votes and support to the bill. I recognize the fact that the American farmer is sick, and every man in this room wants to do something to help him if it can be made known what there is to be done.

I can not help seeing the picture of the American farmer somewhat as a cartoonist might draw him; I can see him propped up in bed with his head bandaged, with a table at the side holding a thermometer, the room full of nurses, not trained nurses but what one might call "practical" nurses, men wearing big shoes, rather clumsy, every one of them holding in one hand a nostrum with a big wooden ladle in the other hand and insisting that the patient take his particular kind of a nostrum. I feel sure that some one of them is going to kick the bed and cause the patient increased discomfort, and they may hit the table, upset the lamp, and burn up the house. [Laughter.]

If the bill passes, there will be sometimes four to seven hundred ship loads of wheat to be sent abroad, and I am calling attention to the fact that there are 900 American ships idle to-day. If the corporation is not going to use any part of 700 ships, I want to make sure that the wheat will not be shipped in British or in Japanese ships. I have offered the amendment in perfect good faith and hope it will be carried, and if it does more men will vote for the bill than there will otherwise be.

Mr. DICKINSON of Iowa. Will the gentleman vote for the bill if the amendment carries?

Mr. MACLAFFERTY. I do not want to promise that.

Mr. DICKINSON of Iowa. Mr. Chairman, I make the point of order that the amendment is not germane.

Mr. MACLAFFERTY. Mr. Chairman, might I call attention to page 14, subsection (b), line 9, which reads as follows:

(b) The corporation shall sell the amounts of any such commodity, purchased in accordance with the provisions of subdivision (a) of this section—

(1) In the foreign market at such times as it deems advisable and at the highest prices obtainable;

(2) In the domestic market at such times as the corporation deems advisable and at not less than the purchase price, except as otherwise provided in this section; and

(3) In the domestic market at such times as the corporation deems advisable and at the highest prices obtainable, for exportation or for processing for exportation from the United States, under such regulations as the corporation may prescribe (including, in the discretion of the corporation, the giving of a bond, in a penal sum of not more than one and one-half times the value of the commodity, conditioned upon the compliance with such regulations and the terms of such sale).

The CHAIRMAN. The section just read—section 32—is a grant of power to the corporation to borrow money and issue bonds, and it contains nothing further than that grant of power. The amendment is as follows:

Provided, however, That neither the money subscribed for capital stock as provided in section 31 of this act nor the additional funds raised by the issuance of obligations as provided in this section shall be used for the purposes of exporting surpluses of agricultural products by sea during emergencies, unless the exportation is carried out in ships of American registry.

The rule is that an amendment to be in order must be not only germane to the bill but germane to the particular section to which it is offered. This amendment is not germane to the particular section to which it is offered. The Chair expresses no opinion as to whether it is germane to the bill itself, but as to this particular section the point of order is sustained.

Mr. ROACH. Mr. Chairman, will the gentleman hear me for a moment on that?

The CHAIRMAN. Certainly.

Mr. ROACH. Section 32 is one of the methods for providing capital stock of this corporation, and of course, the capital stock is to be used for the purpose of exporting agricultural products. This amendment of the gentleman from California [Mr. MACLAFFERTY] is merely a limitation upon that money thus provided for in section 31 and in section 32. The two sections, 31 and 32, provide for the capital stock and are inseparable, because that is a method by which the capital stock of this corporation is created, and it certainly would be germane and in order to place a limitation upon the expenditure of the money for this capital stock of this corporation.

The CHAIRMAN. The gentleman misconstrues the rule of limitations. It is only applicable as ordinarily understood to appropriation bills. This is not an appropriation bill. This is a legislative bill, and, therefore, the only test as to whether this amendment is in order is the test of germaneness. It is not germane to the particular subject matter in this section. It may be to the bill, but not to the particular section; and the Chair sustains the point of order.

The Clerk read as follows:

LIABILITY OF THE UNITED STATES

SEC. 33. The United States shall assume no liability, directly or indirectly, for any notes, bonds, or other evidences of indebtedness issued by the corporation, and all such evidences of indebtedness shall so state on their face.

Mr. BEGG. Mr. Chairman, some of the proponents of this bill think that some of us are only talking to waste time. I am not, and so far as this bill is concerned, and what we are able to do with it, I would just as soon discontinue reading it and vote on the whole thing in toto. I wish you would read lines 4 and 5, on page 9. It is there provided that "there is hereby authorized to be appropriated $200,000,000 out of the Treasury of the United States." What for? To buy the capital stock of this company. The next paragraph, lines 9 and 10, I wish you would also read. Then this company is authorized to issue notes and bonds and other evidences of indebtedness. There never was so wild a scheme of high finance in the crooked game ever foisted on the American public unless you intend to hold the United States responsible back of it. What are the assets of this company? It has no assets other than its capital stock, and if it wishes another hundred million dollars worth of bonds and funds, and anybody is willing to take them, that second issue of bonds will come in as a lien against the capital stock of $200,000,000. There is nobody who knows anything about a bonding company or a stock company that does not know that that is the fact under the laws of every State in the Union and the United States, and there is no use of laughing it off and there is no use of trying to ridicule it. You are either going to make it a gift of $200,000,000 under the guise of a loan, or else you have hamstrung your corporation and you can not raise a hundred thousand dollars.

Mr. GREEN of Iowa. I think the gentleman misquoted himself. He said that the bonds would be a lien upon the stock. The gentleman means the assets?

Mr. BEGG. I mean the assets, and the assets are the stock. If the bondholders throw this company into insolvency, I say to you that the United States Government would fork over the stock that represented the capital outstanding.

Mr. TINCHER. Does the gentleman know what the capital stock of the Shipping Board and the Emergency Fleet Corporation paid for by the Government was?

Mr. BEGG. And how much is it worth? The Shipping Board did not issue other outstanding evidences of indebtedness. The Shipping Board never was foisted on the American people under the guise of a loan and did not cost the Government anything. Everybody knew that the Shipping Board was a direct appropriation out of the Government, and they come in every year and ask for a deficit appropriation, and they get it. This corporation is allowed to keep only enough for operating expenses, and if they have any losses, where do those losses come from? They come out of your capital stock, out of the Federal Treasury, and any man that buys a bond of this corporation or any kind of a certificate of indebtedness of this corporation and the corporation goes up has a claim against the Government, and just as sure as we are in this Congress every last one of us will be called upon to vote for some claim in order to make up the losses of the men who took the bonds, and the proponents of the bill, if they are here, will stand on the floor and argue that it is a moral obligation of the United States, because we are morally back of this corporation. I am not that kind of a man who is afraid to go out and vote for $200,000,000 as a gift to the farmers of the Northwest, if they can not keep out of bankruptcy in any other way, but I certainly am not going to try to fool my taxpayers in Ohio by telling them it is only a loan to them, when there is not an asset under God's shining sun for this corporation other than the money raised by taxation to give it an asset.

Mr. HAUGEN. I believe the gentleman is an officer of the joint-stock bank.

Mr. BEGG. The gentleman used to be, and he lost a good wad of money under private operation.

Mr. HAUGEN. The gentleman is familiar with it.

Mr. BEGG. I think I know something of that kind of a game.

Mr. HAUGEN. The joint-stock banks borrow fifteen times, three times as much as this corporation.

Mr. BEGG. And what do they get back of it. They get 15 mortgages for 50 per cent of the appraised land value, and those 15 mortgages plus a double liability of stock that every man holds of $250,000.

Mr. HAUGEN. Back of this there will be the basic agricultural products.

Mr. BEGG. There is not a thing back of these bonds, not a nickel of security.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

Mr. HAUGEN. Will the gentleman permit, Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 19, after the word "liability," strike out the comma and insert "whatever."

Mr. NEWTON of Minnesota. Mr. Chairman, in view of what has been said, not only by the gentleman from Ohio [Mr. BEGG] but what was said some several days ago, that there would be a demand upon the Government later in the event of a loss for the Congress to make up this loss, I have thought it advisable to offer this amendment so that there may be no misunderstanding about it whatever, that the United States shall assume no liability whatever, directly or indirectly. Now, I think it is the intention of the members of the committee in reporting this bill not to have the Government of the United States liable in any sense at all; and if so, I take it that they will agree to this amendment, and if they feel that the Government ought to come in later and take care of it they will, of course, oppose the amendment.

Mr. DICKINSON of Iowa. Has there ever been a claim put in on account of any loss occurring in regard to a joint-stock land bank or a farm-loan bank? Has the Government ever been called upon to pay anything on these?

Mr. NEWTON of Minnesota. I will say this to the gentleman: The situation is entirely different with relation to the joint-stock land bank and the farm-loan bank. This was brought out by the gentleman from Ohio.

Mr. DICKINSON of Iowa. The same principle is involved exactly.

Mr. KINCHELOE. The joint-stock banks and the farm-loan banks do business at a profit and have security upon which they are loaning the money.

Mr. NEWTON of Minnesota. The situation is not at all analogous.

Mr. SHALLENBERGER. What is the meaning of section 33? Does it not state exactly what the gentleman has in mind?

Mr. NEWTON of Minnesota. I am making it even stronger than that which is contained in section 33.

Mr. SHALLENBERGER. What does the gentleman offer?

Mr. NEWTON of Minnesota. To insert the word "whatever."

Mr. WILLIAMSON. I do not think the word "whatever" will add to it or take anything from it.

Mr. NEWTON of Minnesota. In view of what has been said and in view of the position announced by the committee that there was no intention to hold the Government liable at all upon any of this indebtedness, it does not seem to me there ought to be any objection coming from the committee to my making it even stronger than what it is in the bill.

Mr. WILLIAMSON. It is as strong as language can make it.

Mr. NEWTON of Minnesota. Well, assuming $200,000,000 has been paid in. According to the gentleman from Wisconsin [Mr. VOIGT] the packers have in cold storage to-day products upward of $200,000,000 to $250,000,000. Now, there is an emergency to-day in reference to pork products. The domestic price is below the ratio price. It is the business of this corporation to raise the domestic price to the ratio price. They have to go out and buy pork products until that point is reached. By the time they bought the available exportable surplus of wheat, and by the time they bought the available exportable surplus of pork, including the cold-storage products, the capital of $200,000,000 will have been more than exhausted. They will then have to rely upon the capital obtained from the sale of these bonds. I agree with the gentleman from Ohio it is going to be some job to get any financier or anybody who knows anything about it to come in and buy bonds having no assets behind them.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. SUMMERS of Washington. In view of the fact the language reads, "The United States shall assume no liability, directly or indirectly," does not the gentleman think it might be strengthened by adding "I cross my heart and hope I may die if I do"? [Laughter.]

Mr. NEWTON of Minnesota. My purpose is to make it stronger——

Mr. SUMMERS of Washington. I do not think the language used will make it any stronger unless you use language with

which a small boy pledges himself to do something, and I suggest this seriously now——

Mr. NEWTON of Minnesota. Does the gentleman want this Government to become liable at all for any of this indebtedness?

Mr. SUMMERS of Washington. Not at all. This says, "The United States shall assume no liability, directly or indirectly," and you can not get language stronger unless you put in the language I have suggested.

Mr. NEWTON of Minnesota. I have suggested that putting in "whatever" makes it stronger, and I had supposed that the forces behind the Haugen-McNary bill would surely be with me in support of this amendment.

Mr. SUMMERS of Washington. I insist that my amendment is stronger than the one the gentleman suggests.

Mr. SHALLENBERGER. And to be sure that nobody might possibly be misled we are going to print on the face of them that the Government is not responsible at all.

Mr. NEWTON of Minnesota. If the gentleman will put that in plain, good old English type possibly I can understand it.

Mr. SHALLENBERGER. It is declared that they shall be so printed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTNESS. Does not the gentleman think it would be a sensible amendment to provide that it shall be printed in red?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART 4.—POWERS

GENERAL POWERS

SEC. 41. The corporation—

(a) Shall have succession in its corporate name during its existence.

(b) May sue and be sued in its corporate name.

(c) May adopt a corporate seal, which shall be judicially noticed, and may alter it at pleasure.

(d) May make contracts.

(e) May acquire, hold for any lawful purpose, and dispose of property.

(f) May appoint, fix the compensation of, and remove without prejudice to contract rights such officers, employees, and agents as are necessary for the conduct of the affairs of the corporation. Such employees and agents may be either individuals, partnerships, corporations, or associations. Each officer, employee, or agent responsible for the handling of money or property of the corporation shall give bond in such amount, with such penalties and upon such terms, as the corporation may determine.

(g) May adopt, amend, and repeal by-laws.

(h) Shall have such powers not specifically denied by law as are necessary and proper to conduct, under this act and in accordance with approved business methods, the business of trading in basic agricultural commodities, or such further business as is necessary and incidental thereto.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kentucky moves to strike out the last word.

Mr. KINCHELOE. Mr. Chairman, I just want to call the attention of the committee to subsection (f), where it gives the corporation plenary power to appoint employees, officers, and subordinates and fix the compensation of such officers, employees, and agents as are necessary in the conduct of the affairs of the corporation. They have the right to employ as many men in the Government service as they want to. They have a right to fix the compensation of those Government employees in their discretion.

Now, can you not imagine the situation that will ensue when this corporation has employees in these various stockyards buying the surplus livestock on foot, at various elevators buying the surplus wheat, with their thousands of employees, where they have to have their buyers, and where they have to have their graders, and their bookkeepers there, and their paymasters; and then, with another drove of them running over the country, invading everybody's home to see that nobody violates the law, to see that no farmer fails to take the receipt, and that the buyer does not fail to give him a receipt, because if either happens they will take them to jail and imprison them for not over a year or fine them not over $5,000 for each offense, or both? Then, when they grade this stuff, they have to see to it that it is placed on the docks and loaded on the ships; and then they have got to have employees on the other side to see that it lands, and they have to have agents in Europe to create a market for this export surplus; and with the horde of Federal officers running all over the country, invading everybody's home in the district of my friend from Illinois [Mr. MCKENZIE], fixing whatever salaries they want to, it will amount to millions of dollars, every dollar and every cent of which will come out of the pockets of the farmer in this equalization fee. I can imagine, after the officers shall have had their salaries paid and their expenses paid, including even big beefsteaks at the best hotels, the equalization fee will be so big that when my farmer and your farmer pays it, I am sure he will rise up and make the Sixty-eighth Congress blessed for passing this wicked bill giving these people a joy ride all over the world at the expense of the farmer.

Mr. MCKENZIE. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Certainly.

Mr. MCKENZIE. I may have a wrong impression as to this bill. I am just as much opposed to an army of Federal inspectors and officeholders as is the gentleman from Kentucky [Mr. KINCHELOE], but my understanding is that all the expenses entailed under this bill will be paid by the farmer. And if so, why complain?

Mr. KINCHELOE. Of course they will all be paid by the farmer, and if the gentleman will read section 204 he will find that before anything is realized by the farmer on the receipts, by reason of the buyer holding out the equalization fee—after all expenses are paid, including the expenses and salaries of this horde of officers, then if anything trickles down in the way of profit, of course that goes to the farmer. [Applause.]

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. HUDSPETH. My friend is complaining that Reuben will have to pay the bill?

Mr. KINCHELOE. Yes. My contention is that with all these expenses paid, the ratio price will be wiped out and the farmer will pay the bill.

Mr. HUDSPETH. Why is the farmer clamoring for an opportunity to pay the bill?

Mr. KINCHELOE. On account of the propaganda that has misled him. [Applause.]

The CHAIRMAN. The committee will rise informally to receive a message from the Senate.

Mr. BLANTON. Before you do that, Mr. Chairman, I make a point of order that there is no quorum present.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. BEGG having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had insisted upon its amendment to the bill (H. R. 4835) to pay tuition of Indian children in public schools, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HARRELD, Mr. CURTIS, and Mr. KENDRICK as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate No. 14 to the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, with an amendment as follows: After the words "military posts," insert the words "including Camp Lewis, in the State of Washington."

The message also announced that the Senate had passed the following resolution:

Resolved, That the House of Representatives be requested to return to the Senate the bill (S. 601) entitled "An act granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 13

Resolved by the Senate (the House of Representatives concurring) That the Secretary of the Senate be, and he is hereby, authorized and directed in the enrollment of the bill (S. 381) to amend section 2 of the act entitled "An act to provide for stock raising homesteads, and for other purposes," approved December 29, 1916.

Mr. BLANTON. Mr. Speaker, I appeal from the decision of the Chair. If the Speaker does not want to obey the rules and laws of the House, I can not enforce them.

M'NARY-HAUGEN BILL

The committee resumed its session.

The CHAIRMAN. All time has expired.

Mr. CHINDBLOM. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. There is no time sufficient.

Mr. CHINDBLOM. I rise, Mr. Chairman, in opposition to the pro forma amendment.

Mr. HAUGEN. Mr. Chairman, I desire to be recognized.

The CHAIRMAN. The time does not seem to have wholly expired.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

Mr. BLANTON. I want three minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto be now closed.

Mr. CHINDBLOM. Mr. Chairman, I move to amend the motion by making it five minutes.

The CHAIRMAN. The gentleman from Illinois amends the motion to make it five minutes.

Mr. BLANTON. Mr. Chairman, I move a substitute to make it eight minutes.

The CHAIRMAN. The gentleman from Texas moves a substitute, to make it eight minutes. The question is on the substitute amendment of the gentleman from Texas.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BLANTON. Mr. Chairman, I ask for a division. I want to pay my respects to the gentleman from Ohio [Mr. BEGG].

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 39, noes 65.

So the substitute was rejected.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and thirty Members are present, a quorum. The question is on agreeing to the substitute offered by the gentleman from Texas [Mr. BLANTON] that debate close in eight minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 14, noes 67.

So the substitute was rejected.

The CHAIRMAN. The question is now on agreeing to the motion of the gentleman from Iowa that all debate on this section and all amendments thereto be closed.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 72, noes 3.

So the motion was agreed to.

The Clerk read as follows:

SPECIAL POWERS

SEC. 42. (a) The corporation is authorized—

(1) To acquire the rights of operation of storage warehouses for basic agricultural commodities, facilities for transportation (otherwise than as a common carrier) in connection with the storage of such commodities, and facilities for processing such commodities.

(2) To make contracts for the processing of basic agricultural commodities held by the corporation.

(3) To conduct the business of furnishing storage facilities for basic agricultural commodities.

(4) To make advances directly to any person if the notes and bonds or other evidences of indebtedness representing such advances are secured by warehouse receipts and/or shipping documents covering such commodities and/or mortgages thereof. Such advances shall be subject to such conditions as the corporation may impose, except that no advance shall be for a period in excess of one year, and except that the amount of the advance shall not exceed 75 per cent of the market value of the basic agricultural commodities covered by such warehouse receipts, shipping documents, or mortgages. The date of the maturity of any such advance may be extended once for a period not in excess of one year. The corporation may, in its discretion, sell any notes, bonds, or other evidences of indebtedness representing advances made under this section, with or without its indorsement.

(5) To acquire, hold, and dispose of certificates of indebtedness or interest of any person received as security for advances upon basic agricultural commodities or received in payment of the purchase price of such commodities sold by the corporation.

(6) To buy and sell foreign money for the purpose of avoiding the risk of fluctuations in exchange.

(b) The corporation shall utilize, so far as practicable, existing facilities and agencies, including associations of producers, in the exercise of its powers, and shall exercise the powers granted it in paragraphs (1) and (3) of subdivision (a) only if the existing agencies or facilities can not be used or obtained on reasonable terms.

(c) Inasmuch as operations under this act will not continue for more than five years, the corporation shall cooperate with and encourage formation of associations of producers of agricultural commodities, so that during such period producers may perfect marketing associations for procuring the objects to be accomplished by operations under this act, and after the termination of the general emergency such associations of producers will be prepared to assist in procuring orderly and efficient production, distribution, and marketing of agricultural commodities.

Mr. BLANTON. Mr. Chairman, I offer an amendment. I move to strike out, in line 9, page 11, the words "special powers."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 11, line 9, strike out the words "special powers."

Mr. BEGG. Mr. Chairman, I ask unanimous consent to speak for two minutes.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

Mr. FAIRCHILD. Mr. Chairman, I offer an amendment making it 10 minutes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York to the motion made by the gentleman from Iowa.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is now on the motion of the gentleman from Iowa.

The question was taken, and the motion was agreed to.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. CABLE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 112) providing for a comprehensive development of the park and playground system of the National Capital.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes.

M'NARY-HAUGEN BILL

The committee resumed its session.

The CHAIRMAN. Without objection, the pro forma amendment of the gentleman from Texas is withdrawn.

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: On page 11, line 16, strike out the words "make contracts" and insert in lieu thereof the word "contract."

Mr. NEWTON of Minnesota. Mr. Chairman, the present price of wheat is around $1, the domestic price, and it is figured by the proponents of the bill that when this goes into effect the domestic price will be somewhere around $1.50 and that the surplus will sell abroad for whatever it will command. In addition to having an exportable surplus of wheat we also export a good many million barrels of flour every year. The miller, of course, is the farmer's best customer, and the nearer the mills are to the farmer the better customer the miller is, and I take it that in drawing up this bill there was no intention whatever to in any way handicap the miller either in his domestic trade or in his export trade. It is perfectly clear that the miller can not buy at the domestic price of $1.50 and then sell flour abroad and compete with foreign manufactured flour bought where the wheat was bought at $1. So some sort of an arrangement must be made in order to take care of that or the miller is going to be without his export business.

I would like to ask the gentleman from Iowa just what the purpose is and just how it is planned to handle the export flour business under the terms and provisions of this bill?

Mr. HAUGEN. The corporation will sell to the miller for export at the highest available price.

Mr. NEWTON of Minnesota. That is, the highest domestic price?

Mr. HAUGEN. The highest available price—the world price. To-day, if the price of wheat is $1, the price for export would be $1 and the price for domestic consumption would be $1.50.

Mr. NEWTON of Minnesota. Then, as I understand it, the corporation will sell the wheat that they purchase at the domestic price to the miller at the world's price?

Mr. HAUGEN. At the highest available price.

Mr. NEWTON of Minnesota. That meaning, the world price.

Mr. HAUGEN. Whether it is $1 or $1.10.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

Mr. BLACK of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: Page 12, after line 10, insert: "(a) To use such commodities in the production of cereal beverages to be obtained by the alcoholic fermentation of an infusion or decoction of barley malt, cereals, and hops in drinkable water, containing not more than 2.75 per cent of alcohol by volume, to be sold in foreign or domestic markets or transported for sale in original packages for consumption in homes and places other than the place of sale."

Mr. TINCHER. Mr. Chairman, I make a point of order against the amendment that it is not germane.

Mr. BLACK of New York. Will the Chair hear me on that?

Mr. TINCHER. The time was fixed and all time has expired.

Mr. BLANTON. The amendment is not germane.

The CHAIRMAN. The time for debate is restricted, but, of course, if the gentleman cares to be heard on the point of order, he can be heard.

Mr. BLACK of New York. Mr. Chairman, the bill starts off by declaring the emergency and proceeds to declare certain commodities in which this emergency may obtain. Among the commodities in which the emergency may obtain is the commodity known as rice. I find from an inspection of various official records that the commodity known as rice is largely used in the making of beer.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is not discussing the point of order. He is discussing the advisability of evading the Constitution of the United States.

The CHAIRMAN. The Chair thinks the gentleman is right. The question here for the gentleman from New York to argue, if he cares to, is how this amendment happens to be germane.

Mr. BLACK of New York. It is germane on the theory that rice is a commodity provided for in the bill. Rice is a commodity that may be processed under this section of the proposed act. It may be processed with what? With other materials. Now, it is surely not the intention of this bill to process any of these things all by themselves. They have got to take into consideration other things that may make them usable. Among the other things are the commodities I have set forth in my amendment. On the germaneness of a prohibition question coming into this bill, let me say that when the Lever Act came into this House Mr. BARKLEY offered an amendment calling for prohibition as an aid to the agricultural situation.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is discussing prohibition, which has no connection with this bill.

Mr. BLACK of New York. I am trying to show its connection.

The CHAIRMAN. The Chair understood the gentleman was about to cite a precedent.

Mr. BLANTON. I have no objection to the gentleman taking up two hours, if he wants to.

The CHAIRMAN. The Chair does not intend to listen to the gentleman for two hours. However, the Chair thinks a decent observance of the rules should permit the gentleman to present any argument or precedent he may have.

Mr. HAUGEN. The debate here has taken a wide range, and I think the gentleman should have reasonable time to discuss the proposed amendment, and I trust the gentleman from Kansas will simply withhold the point of order, so that the gentleman may have a reasonable time.

Mr. BLACK of New York. The chairman of the committee has been very kind to me.

The CHAIRMAN. That is entirely within the discretion of the gentleman from Kansas.

Mr. TINCHER. I am not withholding the point of order, but I am willing to be very liberal in the discussion of the point.

Mr. BLANTON. Mr. Chairman, I make the point of order the amendment is not germane either to the bill or to the paragraph, and that it is an attempt to place on this bill an evasion of the Constitution and the law with respect to prohibition.

Mr. TINCHER. Mr. Chairman, I made the point of order. I did not reserve any point of order, but I am patient and I am not in any hurry, if the Chair wants to hear the gentleman discuss the point of order.

Mr. BLANTON. Well, I am in a hurry. I do not think we ought to take up time discussing its merits.

Mr. BLACK of New York. Mr. Chairman, when I was broken in on by the gentleman from Texas with his dry speech I was addressing myself to the parliamentary question. I was about to cite certain precedents, and those precedents peculiarly apply to this bill. I was saying that the prohibition question arose in the agricultural act known as the Lever Act, and on that act there was offered an amendment as a rider to meet an emergency, as this is to meet an emergency, and it was decided that the prohibitory feature was germane to the food control act. Now we have a food control act and I am taking the converse of that situation.

I think if there is any virtue at all in the prohibition question, writing it in on a bill for agricultural food control in an emergency, that my amendment offered to cure a like situation is germane to a food proposition. Moreover, the pending bill sets forth special powers that are just within the limits of our constitutional powers, and I think I am within the rule of germaneness by calling in all our police power. Its germaneness might be determined by the power of the committee to report the bill under consideration and consider the amendment. I think the agricultural committee would have the right to consider this amendment, because the Lever Act came from the Committee on Agriculture, and to it was attached an amendment containing a prohibition feature.

The CHAIRMAN. The Chair can not see how this can be considered germane on any reasonable ground either to the bill or the section. The Chair sustains the point of order.

Mr. BLACK of New York. Mr. Chairman, I ask unanimous consent to extend my remarks on the substantial features of the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

PURCHASES AND SALES BY THE CORPORATION

SEC. 44. (a) The corporation shall purchase the basic agricultural commodity in amounts necessary to maintain at the level of the ratio price the domestic price of such commodity or any class or grade thereof, in respect of which a ratio price is established. Purchases of such commodity, class, or grade in the basis market shall be at such ratio price. Purchases in such market of any other class or grade, and purchases in any other domestic market, shall be at prices, based upon such ratio price, which reflect the normal and usual commercial differences in the prices of such commodity, class, or grade. In making any such purchases the corporation may, from time to time, make allowances to cover storage and other holding costs.

(b) The corporation shall sell the amounts of any such commodity, purchased in accordance with the provisions of subdivision (a) of this section—

(1) In the foreign market at such times as it deems advisable and at the highest prices obtainable;

(2) In the domestic market at such times as the corporation deems advisable and at not less than the purchase price, except as otherwise provided in this section; and

(3) In the domestic market at such times as the corporation deems advisable and at the highest prices obtainable, for exportation or for processing for exportation from the United States, under such regulations as the corporation may prescribe (including, in the discretion of the corporation, the giving of a bond, in a penal sum of not more than one and one-half times the value of the commodity, conditioned upon the compliance with such regulations and the terms of such sale).

(c) After the special emergency in respect of any such commodity has been terminated, the corporation, in order to wind up its operations in respect of such commodity, may sell its surplus thereof in either the domestic or foreign market at the highest prices obtainable.

Mr. KINCHELOE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 13, line 23, after the word "price" insert the words "plus 10 per cent"; on page 14, line 2, after the word "price" insert the words "plus 10 per cent"; on page 14, line 4, after the word "price" insert "plus 10 per cent."

Mr. KINCHELOE. Mr. Chairman, I am offering this amendment because it is going to help the farmer. The ratio price is the average price between 1905 and 1914. The farmer never did get what was due him from 1905 to 1914 because the Dingley tariff bill and the Payne tariff bill were on the statute books doing the same thing to him that the Fordney-McCumber bill is now doing. So I want to fix the ratio price plus 10 per cent.

It is admitted that the farmer has been losing 50 cents a bushel on wheat. All this bill is going to do, gentlemen, is to say to the farmer, "True you have been losing 50 cents a bushel on wheat, but now we are going to fix it so you will not lose but 25 cents a bushel." I want to call attention to what Gray Silver, of the Farm Bureau, said about this:

Mr. KINCHELOE. Your idea is that instead of basing the ratio on 1905 to 1914, that it should be based on 1905 clear on up to the present time?

Mr. SILVER. No; use the same ratio, but after the ratio has been found, find what relation his indebtedness and the losses he has sustained bear to the former position and add a percentage there to the ratio so as to make it a true ratio instead of an arbitrary ratio fixed in a way which, in our judgment, will not be a true ratio.

Mr. SINCLAIR. Wouldn't you also include increase in taxes?

Mr. SILVER. Yes.

Mr. SINCLAIR. That is a very important element.

Mr. SILVER. It is an element that can be shown. This is a matter which technical men can definitely arrive at, just as definitely as they arrive at the ratio, and they should add that percentage, whether it be 5, 10, or 15 per cent, so that they will make the ratio a true ratio.

Mr. PURNELL. Is it your idea that this added percentage would ultimately, when the farmer gets back on a favorable basis, be eliminated, and simply be added as an emergency percentage to tide him over during his period of rehabilitation?

Mr. SILVER. It would be a part of the bill and would automatically retire when the sale price of the crop came above the ratio. It would disappear like the other would. It would only be making the ratio considering all elements, and thereby making a true ratio, instead of considering the conditions that existed, the relations that existed, between one group and another before the war.

Mr. PURNELL. In other words, the basis of ratio under the bill as now written would not be the true ratio?

Mr. SILVER. It would not make a true ratio, pre-war instead of post-war; this amendment would make it a post-war ratio, which is a true ratio.

Listen to what the chairman of the Committee on Agriculture admitted:

The CHAIRMAN. I fully agree with you that this does not give the full measure of relief, but this bill has been drafted on the principle that part of a loaf is better than none, and that is the position the farmers take.

Mr. SILVER. But you don't want to take the view that because a drowning man grasps at a straw or a hungry man takes a small amount of food, that he is going to be contented with it. In other words, we must not permit a bill to go by here that would fool the farmers, under which they would get less than they believe they are getting. We must not permit a measure to get by here that would keep the children out of school and that would make it impossible for the farm home to be reasonably comfortable, that would prevent equipping the farm in the proper way and economically operating it, because that means peasantry. There is only one step in the start between peasantry and the upstanding, self-respecting farmers of to-day. And what is that? That is just the step in the economic life that begins the downhill road toward illiteracy and doing away with up-to-date equipment, less comfortable homes, etc. You will be right in the road to peasantry, and I do not think the American farmer would stand for it, and I do not believe the other classes in this country want such a thing to come to pass. Even the people who do not approve the bill do not wish the farmer to get into a state of peasantry. They might have some other idea in their minds.

But in the absence of anything that is concrete and effective, this is a concrete thing, and let's use it; and when we do use it, let us make it real; let us make it do what we are telling the farmers it does do; let us make it the true ratio rather than saying it gives the ratio when in its terms it fails to give the ratio.

If you want to do something for the farmer in this bill, you are not going to do anything by giving him the ratio price under the bill and just that alone; but if you want to help him, go ahead with your ratio price and then put 10 per cent profit on it—that he may be raising something not at a loss. It says here that the average price the farmer received for No. 2 hard winter wheat from 1905 to 1914 was only 93.6 cents a bushel, and he was not receiving what he was entitled to then. Take the ratio price, and he is not receiving what he ought to get now, and he will not receive the cost of production. As I said in my speech the other day, quoting from a Tariff Commission report, where they made an estimate of the cost of wheat, the average cost was $1.47 a bushel. Your ratio price is only $1.50; but out of that has to come the equalization fee, which includes the cost on the exportable surplus and the cost of the operation of this corporation. Let us hand the farmer something that will do him some good by adopting this amendment.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon the section and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 21, noes 51.

Mr. KINCHELOE. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. KINCHELOE and Mr. HAUGEN to act as tellers.

The committee again divided; and the tellers reported—ayes 23, noes 59.

Mr. KINCHELOE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and sixteen Members present—a quorum.

So the amendment was rejected.

The Clerk read as follows:

PART 5.—MISCELLANEOUS PROVISIONS

DISPOSITION OF ASSETS

SEC. 51. Upon the termination of the existence of the corporation all moneys in its treasury shall be covered into the Treasury of the United States as miscellaneous receipts, and all unliquidated property of the corporation shall be transferred to the United States in such manner as the President may by Executive order determine.

Mr. JACOBSTEIN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question.

Under this bill, if you establish a price, let us say, of $1.50 on cash winter wheat, No. 1, at Chicago, what price do you intend to establish on No. 2 cash winter wheat at the same market?

Mr. HAUGEN. The commercial difference.

Mr. JACOBSTEIN. How much, for the sake of example?

Mr. HAUGEN. Probably about 2 cents a bushel.

Mr. JACOBSTEIN. Let us say that it is 2 cents a bushel. What are you going to do if the conditions in the market are such that grade No. 2 is selling at a higher rate than grade No. 1?

Mr. HAUGEN. That would not be likely.

Mr. JACOBSTEIN. I am going to show you it is likely in order to bring out one of the difficulties in the administration of the bill.

Mr. HAUGEN. There is no change in the grades. The grades will be made exactly as in the past, and, as I stated to the gentleman, it is the commercial difference. No. 2 is not worth as much as No. 1.

Mr. JACOBSTEIN. I call the committee's attention to this difficulty in the administration of the law. At Chicago on May 10 of this year, according to the market record, grade No. 1 cash winter wheat was selling for $1.07 up to $1.13 on some cars. No. 2 was selling for $1.13 and $1.14. In other words, there are times when this occurs. There are about 21 official different grades of wheat at Chicago market.

Mr. CLARKE of New York. Nearer 100.

Mr. JACOBSTEIN. At least 21 different grades of wheat graded by the Government officials. At Minneapolis there are over 30 official grades. So you have grade No. 2 selling for a higher price than grade No. 1, and if the Government establishes the price of $1.50 on grade No. 1 to-day, then grade No. 2 would have to be marketed by the Government at, say, $1.46 or $1.47. And yet, as we have seen, the farmer can get more money for grade No. 2 by selling it to the miller. Is the farmer going to bootleg his grain?

Mr. HAUGEN. The grading changes are ordered to be made by the Secretary now. That part will be taken care of.

Mr. JACOBSTEIN. I do not think the gentleman has answered the question. Are there not conditions in the market in which it is impossible to arbitrarily grade the price of 21 grades of wheat at Chicago and of more than 30 at Minneapolis, since the market conditions frequently make it possible that a farmer can get more for grade No. 2 because of the gluten content of the wheat or the milling quality of the wheat than he can for grade No. 1?

I am calling attention to the difficulty of this bill in arbitrarily fixing the price of commodities, and if you answer that question to your satisfaction, well and good. I can not.

Mr. VOIGT. Let me call the gentleman's attention to a difficulty in the administration of the bill. If he will look at line 2, on page 14, he will see that this corporation has a right to make purchases in the market at a price which has not been established as a ratio price. That is, this corporation can buy without making public the price at which it buys under the provision that I have called attention to. It buys at something which is not a ratio price. It makes a private contract.

Mr. JACOBSTEIN. That being so, then the public officials or the directors of this corporation could really pay more at any time for grade No. 2 than for grade No. 1, regardless of market conditions. This illustrates again not only the difficulty but the possible injustice and danger of letting a semigovernmental institution fix prices arbitrarily.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon this section and all amendments thereto do now close.

The motion was agreed to.

The Clerk read as follows:

DETERMINATION OF AMOUNT OF FEE

SEC. 202. (a) The corporation shall for such operation periods, not in excess of one year, as it deems necessary, prepare estimates in respect of each agricultural commodity (unless it is of opinion that a special emergency in respect of such commodity will not be ascertained and proclaimed during the ensuing year or any part thereof), as to (1) the probable prices obtainable for the exportable surplus determined under section 44; (2) the probable losses of the corporation from its transactions; and (3) the expenses of the corporation.

(b) Having due regard to such estimates, the corporation shall determine, as nearly as may be, the total amount of such expenses and losses which will be incurred or sustained as a result of, and fairly and properly attributable to, the operations of the corporation in respect of each agricultural commodity during each operation period.

(c) The corporation shall ascertain the standard unit of weight or measure by which each such commodity is commonly sold or traded in, in the terminal markets of the United States, and shall determine the amount to be collected in respect of each sale or other disposition (as defined in section 206) of such unit, as hereinafter provided. Such amount is hereinafter referred to as the "equalization fee." The corporation shall publish, in each terminal market, the amount of the equalization fee, at the same time and in the same manner as it publishes the ratio price for each basic agricultural commodity.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the last word. This bill is of vital interest to the wheat grower and of equal interest to the miller. The flour mills of the United States now grind 125,000,000 barrels of flour each year. Figuring 4½ bushels of wheat per barrel the millers of this country buy and grind 560,000,000 bushels of wheat each year. Of this amount 15 per cent finds its way into foreign markets. In terms of wheat our flour exports are equivalent to 83,000,000 bushels annually. Furthermore, if our flour mills were to work to capacity the year around they would be able to grind three times the quantity of wheat that they now grind. Here is the situation that I want to call attention to. The millers can not buy wheat at the domestic price (assuming this bill to go into effect) and grind that wheat for export where it would have to come into competition with flour ground from wheat purchased at the low export price. The corporation must make some sort of an arrangement with the exporting miller. It will only be by reason of some such arrangement that the miller can grind for export. He must either buy through the corporation at the world market price or enter into a contract to grind for the corporation or something akin to that. Now, then, only 15 per cent of the wheat ground into flour is exported. It seems to me that the plan proposed here would permit favoritism in the making of arrangements for the manufacture of flour for export. This should be safeguarded in some way. It should not be left to the whim of some individual connected with the corporation. The corporation might sell wheat to one mill at one price and to another mill at another price. They could turn the export business of the country from one milling district to another milling district. Such favoritism ought not to be shown or discriminations practiced, but politics is politics, and this ought to be carefully safeguarded so far as it can be.

Here is another situation pertaining to the miller. Here is a miller engaged in both the manufacture and sale of flour for both domestic and export trade. If this miller is doing business in a prudent and businesslike manner, before he sells his flour he will either have a sufficient stock of wheat on hand or a contract to purchase that wheat. He must know what the wheat is going to cost him. If he does otherwise he is speculating and sooner or later is bound to come to grief. Furthermore, no miller can tell in advance just what his sales are going to be in any given month. They will be 100,000 barrels one month and the next month he may have but little business. The result is that the average miller doing any considerable business will often have an excess quantity of wheat on hand. This will happen when there is no desire whatever on his part to speculate. If this miller is prudent he will protect himself against loss due to a drop in the market by making a contract for the sale for future delivery of a quantity of wheat equal to such excess. In other words, he will hedge his excess stock of wheat. This hedging contract is a perfectly legitimate transaction and he can legally be called upon to deliver the wheat specified therein. If he has hedged on 50,000 bushels, then, when the time comes for him to deliver, he must either deliver the 50,000 bushels of wheat or make a settlement. I think it can be said that every careful, prudent miller makes hedging contracts to protect himself in situations of this kind.

The first effect of this bill, if it becomes a law, will be to raise the price of wheat in the domestic market from the present price of about $1 to $1.50. The wheat that the miller has on hand will advance in price equally with the wheat which the farmer has. This has been criticized by some, but I do not see how you can draw a law which will raise the price of wheat belonging to the farmer and deny it to anyone else. We could not legally discriminate. So what wheat the miller has on hand will advance in price. This he purchased to grind into flour and he will grind it into flour. Now, this miller, and this is the particular situation to which I want to call attention, has been prudent and has hedged his wheat so that he is obligated to make delivery in the future. Following the making of that hedge this bill becomes a law.

The miller finds himself obligated to deliver wheat in the future upon which the market price has increased from $1 to $1.50 per bushel. In our part of the country the miller would not ordinarily use the wheat that he had on hand for making delivery on this future contract, because the wheat he has purchased is of the particular kind and quality which he needs for milling purposes. It has taken him time and expense while operating upon the cash market to acquire this and in many instances it would be difficult to replace. So he must use it for milling purposes. To perform on his future contract he must go out into the market and buy wheat at the new domestic price of $1.50 per bushel, instead of the $1 price which prevailed when the hedging transaction commenced. As a result of this the miller will stand to lose on the outstanding contract the amount by which the then domestic price at the time of settling has increased over the price in effect at the time the contract was entered into. A settlement on this basis might very well prove to be disastrous, and bankrupt the miller. Will not the effect of this transaction be that the cost to the miller of all wheat on hand or under contract to purchase will be increased by the extra amount, due to the increase in the market price over the contract price of the wheat sold for future delivery paid by the miller on the outstanding contracts of sale for future delivery?

When the miller makes flour out of such excess amount of wheat, the title to such wheat not having been transferred pursuant to a contract made before the declaration of the special emergency, will not the miller have to pay the equalization fee to the United States Grain Export Corporation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. Now, I am unable to understand from the bill as it is drawn just how that particular transaction would be met in the bill, and I would like to have any member of the committee answer it if he can answer it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. I ask for a couple of minutes, just to have some one answer the question.

The CHAIRMAN (Mr. CHINDBLOM). The gentleman asks for two additional minutes.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. DOWELL. Mr. Chairman, I object.

Mr. HAUGEN. Mr. Chairman, I move that all debate on the section and all amendments thereto do now close.

Mr. NEWTON of Minnesota. The gentleman from Minnesota will ask the question again at another part of the bill.

Mr. BLANTON. I make the point of order that the motion is out of order because there has been no debate against it. I ask recognition against the amendment.

The CHAIRMAN. There has been debate.

Mr. BLANTON. Only five minutes' debate.

The CHAIRMAN. That is sufficient.

Mr. BLANTON. We are entitled to five minutes for and five minutes against an amendment under the rule, and there has been only five minutes of debate.

The CHAIRMAN. The rule as set out in the manual states that a motion to close debate is in order until such debate has been taken, which means that a Member may proceed for five minutes, and there has been such debate.

Mr. BLANTON. I move to amend by making debate close in five minutes.

The CHAIRMAN. The gentleman from Texas moves to amend the motion of the gentleman from Iowa that all debate shall cease after five minutes.

The question was taken, and the Chair announced that the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 13, noes 47.

So the amendment was rejected.

Mr. BLANTON. I offer a substitute that debate close in two minutes.

The CHAIRMAN. The gentleman offers a substitute that debate close in two minutes.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 11, noes 55.

So the motion was rejected.

Mr. KINCHELOE. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fourteen gentlemen are on the floor of the House, and a quorum is present. The question now is on the motion of the gentleman from Iowa that debate on this section do now close.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 67, noes 6.

So the motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PAYMENT AND COLLECTION OF THE EQUALIZATION FEE

SEC. 203. (a) Whenever a special emergency in respect of any agricultural commodity has been ascertained and proclaimed and until the termination thereof, under section 2, the equalization fee shall be paid, under such regulations as the corporation may prescribe, by every producer (or the person making the sale on his account) upon every sale or other disposition (as defined in section 206) of such agricultural commodity by or on account of such producer.

(b) The corporation may by regulation require the purchaser of any such agricultural commodity to collect such equalization fee from such producer, and may require such purchaser to issue to such producer a receipt therefor, which shall be evidence of the participating interest of the producer in the equalization fund for the commodity. The corporation may, in such case, prepare and issue such receipts and prescribe the terms and conditions thereof. The Secretary of the Treasury, upon request of the corporation, is authorized to have such receipts prepared at the Bureau of Engraving and Printing, but the cost thereof shall be paid by the corporation.

(c) The corporation may by regulation require any purchaser or producer to file returns under oath and reports, in respect of his purchases or sales of a basic agricultural commodity, the amount and the disposition of the equalization fees paid or collected, and any other facts which it may deem necessary for carrying out the provisions of this section.

(d) Every person who, in violation of the regulations prescribed by the corporation, fails to pay or collect any equalization fee shall be liable for such fee and to a penalty equal to one-half the amount of such fee. Such fee and penalty may be recovered together in a civil suit brought by the corporation.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota:
Page 18, strike out lines 22 and 23.

Mr. NEWTON of Minnesota. Mr. Chairman, there being an objection to the request that I made for two additional minutes in order that the gentleman from Iowa [Mr. HAUGEN] or the gentleman from Minnesota [Mr. CLAGUE] or some one else on the committee might answer the question, I would like to have it answered at this time.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes; for that purpose.

Mr. SHALLENBERGER. Of course, the gentleman, who is familiar with the grain business, knows that every buyer and miller and elevator man, as soon as he buys from the farmer, protects himself by hedging and selling it on a future market to protect himself. No matter whether the price goes up or down, he protects himself. So long as they have an open market in which the miller or grain buyer can sell, he can protect himself and hedge himself. This does not protect that market. However it may vary under this bill, yet the miller or grain dealer will protect or hedge himself under this bill.

Mr. NEWTON of Minnesota. I do not agree with the gentleman. I do think this does away with the open market. I do not think there will be any fluctuation during the month period on grain, excepting cash wheat, and of course the premium wheat has but little relationship to the futures market.

Mr. SHALLENBERGER. Will the gentleman yield for one other question?

Mr. NEWTON of Minnesota. Yes.

Mr. SHALLENBERGER. I have just discussed this very question with two of the leading grain dealers from Nebraska, who listened to the debate on the floor. I put this question up to them, and they insist to me that so long as they have an open market they can protect themselves in that way. They assure me that if the corporation maintains an open market they can hedge and protect themselves.

Mr. NEWTON of Minnesota. Assuming that the gentleman is right about that, that does not meet the situation of the miller who in a prudential way has protected himself by hedges, but he must deliver, after the market has risen, at the advanced price.

Mr. SHALLENBERGER. If you have made a contract and the price has advanced, the other fellow has to deliver to you; and you protect yourself at one end of the proposition or at the other.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. BURTNESS. Of course, the gentleman realizes that the fluctuations in commodities will be so small that the danger will be slight, so that the elevator man or anybody else will not be in danger, as he is now, from the hedging process; and I am sure that no elevator company or miller or anyone else can hedge to a degree of absolute perfection or certainty.

Mr. NEWTON of Minnesota. I am sorry I can not yield further. The gentleman does not meet the situation. I referred to the initial advance made in the first instance, when the present price is raised to the ratio price, so that the miller on his hedging contract will have to deliver or settle upon the advanced domestic price. I propounded the question as to whether he would be protected by this legislation; and if so, where?

Mr. BURTNESS. You are referring to contracts not made after the law goes into force but contracts made now?

Mr. NEWTON of Minnesota. Yes. Here is a miller who prudently hedges his transactions so that, we will say, he must deliver or settle on his contract on the 1st of July.

We will assume the bill passes, say, at the end of this week. Now, he must deliver on his hedged contract or settle on that basis at the new market price of it, $1.50; is not that so?

Mr. HAUGEN. Well, if there is a sale, he pays the equalization fee. He does that whenever the sale takes place, but the contract is not a sale.

Mr. NEWTON of Minnesota. No; but he must deliver his wheat, which he does not want to do, because he bought it not for speculative purposes but to mill; so he has got to settle, and if he settles he must settle by then buying wheat which costs him $1.50, instead of wheat which costs him $1. If the bill becomes a law, it should be so amended that from the wheat the producer has on hand or has contracted to buy when the emergency is declared there should be deducted, when the same is sold in the form of wheat or flour, the amount of any commodity, such as wheat, sold on future contracts or the amount of flour that the wheat sold on future contracts would produce.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto do now close.

Mr. JONES. Mr. Chairman, I move to amend that motion by having it close in five minutes. I have an amendment I would like to offer.

Mr. BLANTON. Mr. Chairman, I offer a substitute, that debate close in 10 minutes.

The CHAIRMAN. The gentleman from Texas moves as a substitute to the motion of the gentleman from Iowa that all debate close in 10 minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 8, noes 64.

So the substitute was rejected.

Mr. BLANTON. Mr. Chairman, I ask for a recapitulation.

Mr. ASWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ASWELL. How much time has been used on this section?

The CHAIRMAN. There have been five minutes of debate.

Mr. ASWELL. It is very extraordinary that the very heart of the bill can not be discussed.

The CHAIRMAN. That is hardly a parliamentary inquiry.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventeen Members are present, a quorum.

The question is now on the amendment offered by the gentleman from Texas [Mr. JONES] to close debate in five minutes.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 32, noes 51.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I move as an amendment that debate close in two minutes.

Mr. DOWELL. Mr. Chairman, I make the point of order that the gentleman's amendment is dilatory.

Mr. BLANTON. It is not dilatory. We want some debate on this section. I have moved that debate close in two minutes, and that is a legitimate motion. We have had only five minutes of debate on this section.

Mr. MOORE of Virginia. Mr. Chairman, I think we are entitled to debate that point of order.

The CHAIRMAN. The Chair does not care to hear any debate on it. If this matter were continued very long, the Chair might hold it dilatory, but for the present the point of order is overruled. The question is now on the amendment to the motion of the gentleman from Iowa offered by the gentleman from Texas that debate close in two minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 14, noes 67.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I move that the committee do now rise.

Mr. DOWELL. Mr. Chairman, I make the point of order that the motion is clearly dilatory, and that it is made for the purpose of filibustering and defeating the bill.

Mr. BLANTON. The Chair can not hold that the motion is dilatory. It is now 10 minutes of 5 o'clock, and we should rise.

The CHAIRMAN. It is immaterial what the Chair thinks about it, but the Chair does not feel that he is justified in so holding. The question is on the motion of the gentleman from Texas that the committee do now rise.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 17, noes 70.

So the motion was rejected.

The CHAIRMAN. The question is now on the motion of the gentleman from Iowa that debate on this section and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 72, noes 5.

So the motion was agreed to.

The CHAIRMAN. The question is now on agreeing to the amendment offered by the gentleman from Minnesota [Mr. NEWTON].

The question was taken, and the amendment was rejected.

Mr. JONES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. JONES: Page 19, line 6, after the word "producer," insert the following: "*Provided*, That as to wheat, cattle, sheep, and swine the equalization fee shall be paid, under such regulations as the corporation may prescribe, by every purchaser (or the person making the purchase on his account) upon every sale or other disposition (as defined in section 206) of such agricultural commodity by or on account of the producer, provided the fee may be deducted from the price and receipt issued to such producer."

Mr. JONES. Mr. Chairman, I ask unanimous consent to proceed for three minutes to explain the amendment.

Mr. HAUGEN. I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

The Clerk read as follows:

EQUALIZATION FUND AND DIVIDENDS

SEC. 204. (a) In accordance with regulations prescribed by the corporation there shall be established in the treasury of the corporation for each basic agricultural commodity and for each operation period an equalization fund, into which the proceeds of all equalization fees for such operation period in respect of such commodity shall be deposited.

(b) From such fund there shall be disbursed—

(1) All operation expenses of the corporation in respect of such commodity attributable to such period; and

(2) All losses of the corporation from its transactions in respect of such commodity attributable to such period.

(c) At such times as the corporation deems advisable after the expiration of such operation period and under such regulations as it may prescribe, the corporation shall distribute ratably any balance remaining in such fund to the persons by or on account of whom such equalization fees have been paid. Any money remaining in such fund shall be transferred to the equalization fund of such commodity for the next operation period or, if the operations of the corporation in respect of such commodity have terminated, shall be transferred to the treasury of the corporation to be used until the termination of the existence of the corporation for such purposes as the corporation may direct.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have great respect for the Secretary of Agriculture, whom I have the honor of knowing fairly well, but the Secretary has not been in position to consider the questions that relate to the validity of this measure. The Solicitor of the Agricultural Department has furnished a letter which indicates his misgivings as to whether it is valid or not.

The equalization-fee provisions have just been read.

Up to this time the producer of wheat, for instance, has been able to make his own contract for the sale of his product in any manner he may think proper. The effect of these provisions that have just been read is to restrain him in the matter of selling his product and to interfere with his right to contract therefor. The common transaction as affected by this bill may be illustrated:

The producer has 1,000 bushels of wheat to sell. Unless he sells it for feed or seed, the equalization fee is a charge to which he has to submit, and if he does not submit to it he is subject to serious penalties. This is an absolutely new departure in any legislation that has ever been proposed to Congress, and I will ask any gentleman who is seriously considering the matter where he finds the warrant for such a step as that.

You gentlemen are familiar with the Constitution, many of you much more so than I am. You know the prohibitions contained in the fifth amendment, which apply to the Federal Government, and you know that those prohibitions prevent the Federal Government from interfering with the right of private contract. The courts have said so time and time again, and any gentleman who votes for the particular portions of this bill that have just been read does it with full knowledge of the fundamental law and with full knowledge of the construction which the court has placed upon that law.

Mr. TINCHER. Will the gentleman yield?

Mr. MOORE of Virginia. No, sir; not just now.

Mr. TINCHER. I thought the gentleman asked if any member of the committee had any legal justification for the position we have taken in this bill. I thought you challenged the committee.

Mr. MOORE of Virginia. I respectfully challenge the view of the committee, if the committee thinks that the provisions to which I am alluding are tenable.

Mr. TINCHER. I wanted to tell the gentleman wherein I think I can convince him by his own statements heretofore made that we are within the Constitution.

Mr. MOORE of Virginia. I have read the 52 pages of discussion of the constitutional aspects of the measure filed with the majority report. I do not know the authorship of that brief, but, as I said a moment ago, as soon as I read the letter of the Solicitor of the Department of Agriculture I realized the doubts which fill his mind.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. ASWELL. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia may proceed for five additional minutes.

Mr. HAUGEN. Does the gentleman from Virginia want more time?

Mr. MOORE of Virginia. I would like five minutes more.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes and that the gentleman from Virginia may have the five minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. RAINEY. Reserving the right to object, I would like to have five minutes.

Mr. HAUGEN. Can not the gentleman get in on the next section?

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Virginia. I am very much obliged to my friend, the chairman of the committee.

A little while ago Congress, in dealing with a matter in the District of Columbia, where the jurisdiction of Congress is much more complete than it is with reference to matters concerning the States, passed a minimum wage law for the District. It did not fix the price of agricultural products, but it fixed the wages of labor, which is equivalent action. That was what the legislation sought to accomplish. The court condemned the law on the ground that it was prohibited by the fifth amendment, and this was the view of the court according to the syllabus of the decision:

> That the right to contract about one's affairs is part of the liberty of the individual protected by the fifth amendment is settled by repeated decisions of the court.

Let me repeat that the authority of Congress over the District is more complete than over the States. For example, it has a police power in respect to the District, and can base legislation on the existence of an emergency, which it can not exert so far as the States are concerned.

And yet Congress is to say to the farmer, who wishes to sell his wheat for the ratio price or for more or less than the ratio price, that he can not do it unless he burdens himself with the equalization charge, and that if he fails to observe the provisions in respect thereto he is liable to fine or imprisonment or to both.

If there is anybody who can justify that, I think the seriousness of the matter entitles us to know the ground of justification, and I think the debate ought to be protracted sufficiently to give that opportunity.

Gentlemen say the equalization fee is a tax. Is it a tax? The Supreme Court said in the second Child Labor case, where a so-called tax was imposed, that it would scrutinize the law to determine whether it was in truth a tax, and it answered the question in the negative.

Mr. SINNOTT. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. SINNOTT. Was not the real comment of the court in that case that under the guise of a tax they were trying to regulate manufacturing in the State?

Mr. MOORE of Virginia. Yes; but the gentleman will not say that this equalization fee is a tax. It is not a tax of any kind, a license tax or a tax of any other character. It is not to be imposed by the Government; it is to be imposed by a corporation. It is not to be covered into the Treasury of the United States; it is to go into the coffers of the corporation and may be used to pay liabilities incurred by the corporation for which the Government is not to be responsible.

Mr. VOIGT. Will the gentleman yield?

Mr. MOORE of Virginia. I will.

Mr. VOIGT. I concur in the gentleman's argument, and it will be noticed that the bill on its face does not purport to be a taxing measure.

Mr. MOORE of Virginia. Of course not, and of course there is no man on the floor who would stand before the Supreme Court and contend that the bill proposes to regulate commerce among the States or with foreign nations. He would have to admit that it is a price-fixing measure, not authorized by the Constitution, and that the fifth amendment to the Constitution is palpably violated. [Applause.]

Mr. KINCHELOE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-eight Members present, a quorum, and the Clerk will read.

The Clerk read as follows:

> SEC. 205. It shall be the duty of any governmental establishment in the executive branch of the Government, upon request by the corporation, or upon Executive order, to cooperate with and render assistance to the corporation in carrying out the provisions of this title and the regulations of the corporation.

Mr. TINCHER. Mr. Chairman, I move to strike out the last word. I do it for the purpose of answering briefly the argument made by the gentleman from Virginia [Mr. MOORE] in which he simply states that there was not constitutional warrant for the passage of this bill. Of course the committee had the Constitution before us in acting on this law, and we do not have to go further than the gentleman from Virgina [Mr. MOORE] for convincing arguments that the act is absolutely constitutional. This act is based on the fact that an emergency exists and the Supreme Court of the United States has said in the Washington or District of Columbia rent act that so long as an emergency exists by reason of the war, or so long as an emergency exists, we can have regulations of that kind. It has been but two weeks since the gentleman from Virginia stood on the floor and begged this Congress, in the face of the decision which said the emergency had expired, to reenact the rent law and send it back to the Supreme Court. [Applause.] I said inasmuch as the court said the emergency had expired we could not pass it. I know that if this Congress can pass a law for the people of the District of Columbia by reason of an emergency it can pass it for the American farmer. I know the provisions of the Constitution as well as the gentleman from Virginia, although I have not the power to make it pliable to my wishes as he has. [Applause.]

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and amendments thereto do now close.

Mr. BEGG. Mr. Chairman, I move to amend the gentleman's motion by making it two minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on the section and amendments now close, and the gentleman from Ohio moves to amend by making it two minutes. The question is on the amendment of the gentleman from Ohio.

The amendment was considered and rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

DEFINITIONS

SEC. 206. As used in this title—

(a) The term "sale" means an exchange for money, other property, or money and other property, or an exchange for credit.

(b) In the case of wheat, rice, and corn, the term "sale or other disposition" means—

(1) The first sale of wheat, rice, or corn, after the declaration of a special emergency in respect thereof, for milling or other processing for market, for resale, or for delivery by a common carrier; and

(2) The milling or other processing for market of wheat, rice, or corn, if not acquired in pursuance of a sale described in paragraph (1) of this subdivision.

(c) In the case of cattle, sheep, and swine, the term "sale or other disposition" means—

(1) The first sale of cattle, sheep, or swine, after the declaration of a special emergency in respect thereof, destined for slaughter for market without intervening holding for feeding (other than feeding in transit) or fattening; and

(2) The slaughter for market of cattle, sheep, or swine, if not acquired in pursuance of a sale described in paragraph (1) of this subdivision.

(d) In the case of flour, wool, and food products of cattle, sheep, or swine, the term "sale or other disposition" means the first sale, after the declaration of a special emergency in respect thereof, by the producer.

(e) The term "sale" does not include—

(1) A transfer to an association of producers of agricultural commodities, whether or not incorporated, for the purpose of sale by such association on account of the transferor;

(2) A transfer of title in pursuance of a contract entered into before, and at a specified price determined before, the declaration of the special emergency;

(3) Sales, not exceeding in the aggregate $100 per year, between producers, which the corporation, under such regulations and upon such terms and conditions as it may prescribe, exempts.

(f) In the case of wheat, rice, corn, cattle, sheep, and swine, the term "producer" means the person who first makes a sale or other disposition thereof.

Mr. JONES. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 22, line 13, after the word "producer," strike out the period and insert a comma and the following: "and in case the same has passed from the hands of the producer prior to the declaring of such an emergency, it shall mean the first sale after the declaration of a special emergency in respect thereof by the owner; provided, the corporation may in its discretion exempt any portion or all of the commodities owned in good faith by retail dealers at the time of the declaring of such special emergency, from the operation of this clause."

Mr. JONES. Mr. Chairman and gentlemen of the House, I am not trying to delay matters, but this is a very important amendment, and I would like the attention of the House in relation to it.

If the gentlemen who are interested in this bill will notice, a great part of the argument leveled against the bill has been the fact that the packers have some $200,000,000 worth of processed products on hand. If the bill works out these products will, of course, have an increased value the moment an emergency is declared. This bill requires the payment of the fee on flour, wool, and food products of cattle, sheep, and swine, if they are in the hands of the producer. The packers control a hundred different other corporations and subsidiary organizations, and all they have to do to escape the payment of the fee is to transfer these products to the hands of some corporation and then the products will not be in the hands of the producer. Therefore, on this whole $200,000,000 worth of products, or $200,000,000 or $150,000,000 worth, whatever it may be, they will escape the payment of the fee. I provide, in addition to what is in the bill, that even though the products are not in the hands of the producer at the time the emergency is declared, the fee shall be paid by the corporation or company which owns them, even though that corporation or company be not the producer.

The owner will get the benefit of it, so if the corporation transfers $50,000,000 worth of meats to some other corporation, and the meats are not in the hands of the producer, they would still be in the hands of the owner, and if my amendment were adopted, would be subject to the fee. The owner of the processed products would get the benefits of the bill. Why should he not pay the fee? In order that there might not be a fee leveled on a little cross-roads merchant who happened to have $25 worth of beef, I give the corporation under the terms of my amendment the right to exempt a retail dealer, if he holds his stock in good faith; so that all this amendment would do would be to compel the packer or the processer, who has great stocks on hand, and who gets the benefit, whatever it may be, of the establishment of the ratio price, to pay that fee just the same as the producer, and why should he not? Can any man who sits on the floor of this House tell me a good reason why the farmer, the stock raiser, and the wheat grower should pay an equalization fee, and the packer, the miller, and the great wholesaler, who have great stocks of these goods on hand, should not pay the fee?

Mr. BEGG. Mr. Chairman, I rise in opposition to the amendment.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon the section and all amendments thereto do now close.

Mr. BEGG. I do not think that is quite fair. I was recognized once by the Chair.

The CHAIRMAN. That is true. The gentleman from Texas claimed the floor as a member of the committee, and following the usual practice the Chair then recognized him, but the statement of the gentleman from Ohio is correct.

Mr. BEGG. Does the Chair recognize me for five minutes?

The CHAIRMAN. No; the Chair will have to put the motion of the gentleman from Iowa if he insists upon it. The question is on the motion of the gentleman from Iowa that all debate upon this section and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. BEGG) there were—ayes 71, noes 34.

Mr. BEGG. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed Mr. BEGG and Mr. HAUGEN to act as tellers.

The committee again divided; and the tellers reported—ayes 77, noes 30.

So the motion was agreed to.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. BEGG] may proceed for three minutes.

The CHAIRMAN. The Chair will first put the amendment of the gentleman from Texas [Mr. JONES].

Mr. BLANTON. But the gentleman from Ohio wants to be heard upon it.

Mr. BEGG. I do not want any three minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from Ohio may proceed for three minutes. Is there objection?

Mr. DICKINSON of Iowa. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken, and the amendment was rejected.

Mr. BEGG. Mr. Chairman, I offer an amendment on page 21, line 17, to strike out the words "rice and corn."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 21, line 17, strike out the words "rice and corn."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. BEGG. Mr. Chairman, I offered another amendment, on page 21, line 19, to strike out the word "wheat."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 21, line 19, strike out the word "wheat."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BEGG) there were—ayes 12, noes 63.

So the amendment was rejected.

Mr. BEGG. Mr. Chairman, I offer another amendment; on page 21, line 24, to strike out the words "or corn."

Mr. BLANTON. Mr. Chairman, I make the point of order that that is plainly dilatory.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 21, line 24, strike out the words "or corn."

Mr. BLANTON. Mr. Chairman, that is plainly dilatory, in view of the fact that the gentleman from Ohio served notice that he would make it cost five minutes of time, because he could not get them.

Mr. DOWELL. Mr. Chairman, the gentleman has already demonstrated that he is filibustering against the bill, and the Chair can readily see that this is dilatory.

Mr. BEGG. Mr. Chairman, I desire to be heard upon the point of order.

Mr. WEFALD. Mr. Chairman, I make the further point of order that the amendment should be sent to the desk in writing.

The CHAIRMAN. The Chair sustains that point of order.

Mr. BEGG. Then, Mr. Chairman, I send an amendment to the desk in writing.

Mr. DOWELL. Mr. Chairman, I make the point of order that the amendment is clearly dilatory, and because the gentleman said that he intended to take up the time of the House.

Mr. BEGG. Oh, the gentleman is not stating it correctly. If the gentleman wants to state it accurately, he should stick to the truth.

Mr. DOWELL. I am stating the truth, and the gentleman knows that he is trying to defeat the bill.

Mr. CHINDBLOM. Mr. Chairman, I demand the regular order.

Mr. BLANTON. And besides, Mr. Chairman, this is an attempt to run a steam roller over the committee. [Laughter.]

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 21, line 19, strike out paragraph (1).

The CHAIRMAN. The amendment seems to be offered in the name of the gentleman from Minnesota [Mr. NEWTON].

Mr. BEGG. It has the wrong name on the top of it.

Mr. DOWELL. Mr. Chairman, I insist upon my point of order that this is dilatory.

The CHAIRMAN. In view of the particular situation which exists, and which it is not possible for the Chair to escape noticing, the Chair thinks that the amendment is dilatory, and so

holds. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

TITLE III.—MISCELLANEOUS PROVISIONS

ADJUSTMENT OF IMPORTS

SEC. 301. (a) Whenever, after the declaration of a special emergency in respect of any agricultural commodity, the President of the United States finds that the importation into the United States of any such commodity, or any derivative thereof or competitive substitute therefor, is increasing materially or is likely to increase materially the losses of the corporation in respect of such commodity, he shall by proclamation declare such fact.

(b) Except as provided in subdivision (c), it shall be unlawful, after such proclamation and until the termination of such special emergency, or until otherwise ordered by the President or Congress, to import into the United States any such commodity, or any such derivative or substitute specified in such proclamation, except under such regulations and subject to such limitations and exceptions as the President may prescribe.

(c) If the President ascertains what rate of duty added to the then existing rate of duty on such commodity, derivative, or substitute would be sufficient to prevent such losses, he shall in such proclamation declare such fact, and on and after the day following such proclamation and until the termination of such special emergency, or until otherwise ordered by the President or Congress, the rate of duty so ascertained shall be levied, collected, and paid upon such commodity, derivative, or substitute when imported, in addition to, and in the same manner as, the then existing rate of duty; but in no case shall any rate of duty under the then existing tariff law be reduced.

Mr. KINCHELOE. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. Earlier in the afternoon the gentleman from Arkansas [Mr. OLDFIELD] notified the Chair that he wanted to offer an amendment at this point, and the Chair thinks he ought to recognize the gentleman.

The Clerk read Mr. OLDFIELD's amendment, as follows:

Page 24, after line 8, insert the following new section:

"SEC. 302. (a) In order further to secure the equalization of prices between agricultural commodities and other commodities and to relieve the general emergency declared in section 1 of this act by a readjustment and lowering of the rates of duty under Title I of the tariff act of 1922 wherever the Secretary of the Treasury finds in the case of any imported article that the percentage of increase of the prevailing selling price of the corresponding domestic article over the pre-war selling price of such domestic article is greater than the percentage of increase of the current all-commodities price over the pre-war all-commodities price he shall determine the difference between such percentages of increase, and the amount of duty otherwise payable upon such imported article shall be reduced by a percentage thereof equal to such difference in percentage of increase.

"(b) The Secretary of the Treasury, in order to comply with the provisions of subdivision (a), shall from time to time, under such regulations as he may prescribe, ascertain—

"(1) The current all-commodities price list published by the Secretary of Labor in accordance with paragraph (3) of subdivision (b) of section 4 of this act;

"(2) The pre-war all-commodities price, computed by the Secretary of Labor, in accordance with paragraph (1) of such subdivision;

"(3) The American selling price (as defined in subdivision (f) of section 402 of the tariff act of 1922) of the corresponding domestic article (referred to in this section as the 'prevailing selling price'); and

"(4) The average American selling price of such domestic article during the years 1912-14 (referred to in this section as the 'pre-war selling price').

"(c) As used in this section the term 'corresponding domestic article,' when used in reference to any imported article means an article manufactured or produced in the United States of a class or kind similar to or comparable with the imported article.

"(d) This section shall not apply to (1) articles dutiable under paragraph 60 of Title I of the tariff act of 1922 (opium); (2) articles dutiable under schedule 6 of such act (tobacco and manufactures of tobacco); (3) articles dutiable under schedule 7 of such act (agricultural products and provisions); nor (4) articles dutiable under schedule 8 of such act (spirits, wines, and other beverages)."

Mr. TINCHER. Mr. Chairman, I make the point of order that the amendment is not germane to the agricultural relief bill and is an attempt to revise the tariff laws in the way of reduction. It deals with the tariff entirely and is not germane to an agricultural relief bill. If the gentleman desires, however, I will reserve the point of order.

The CHAIRMAN. The gentleman from Kansas reserves his point of order.

Mr. OLDFIELD. Mr. Chairman and gentlemen of the committee, this is a very complicated amendment. It was prepared by our drafting service, and I know of no better place to have an amendment prepared, especially if it is a complicated one. Now, the effect of this amendment, and the only effect, is to bring down the tariff on the products which the farmers have to buy and have to use. For example, suppose the index price on an article like cloth is up to 225, and you are trying to bring the farmers' products up to 150. The difference between 150 and 225 is 75. On that particular article, under this amendment, you would reduce the tariff by 75 per cent, and when you bring down the price of manufactured articles to the farmers of the country you automatically increase the purchasing power of the products which are produced on the farm. Now, that is all there is to this amendment. I would be very glad, indeed, very happy, to support this bill whole-heartedly if we could have this provision in it, because I believe that the eastern manufacturing districts of the country ought to be willing at this time to make some sacrifices for the farmers, and especially the farmers of the Northwest. I believe that we ought to get together here and pass this bill with this amendment, and then the business interests of the country, the manufacturing interests of the country, could say to the farmers, "We made sacrifices for you," and they ought not to hesitate to make those sacrifices, because you are calling on the people of other sections of the country, whom this bill is liable to hurt, to make sacrifices. In other words, the cotton farmers of the South will dislike very much to have to pay an additional $2.50 on a barrel of flour. They raise cotton and sell cotton and buy flour with it. Therefore, if the cotton farmers of the South can make that sacrifice it seems to me that the manufacturers of the East ought to make a sacrifice and say, "Yes; we will agree that you bring down the tariff on the things we produce and you buy," and that automatically increases the purchasing power of the farmer's wheat and the purchasing power of his hogs and of his cattle and everything that the farmer produces in the country. That is all I care to say, except I would like very much to extend my remarks in the RECORD in regard to this amendment.

Mr. RAKER. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The gentleman from Arkansas [Mr. OLDFIELD] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. OLDFIELD. I yield to the gentleman from California.

Mr. RAKER. How would that apply to shoes?

Mr. OLDFIELD. Of course, shoes are not on the dutiable list. They are on the free list. But clothing, hosiery, underwear, everything almost, is on the dutiable list.

Mr. RAKER. It would include harness?

Mr. OLDFIELD. All but some of the materials of harness, such as steel. It would help the farmers as to farming implements, because the things that go to make up the farming implements are on the dutiable list, while the implements themselves are on the free list. Steel is one of the elements that enter into articles that are on the dutiable list; things which have been increased in price by the tariff, all the things, almost, that the farmers have to buy. There are many things that it does affect which the farmers have to buy. It applies only to those things.

THE FARMERS AS SELLERS AND AS PURCHASERS

The following statement gives a list of 51 articles of common necessity with their relative prices before the war and in March last. (Taken from the report of the Government known as its "Index of Wholesale Prices of Commodities.") These prices are compared with the pre-war and present prices of farm products so that the present purchasing power of farm products as to these 51 articles may be found.

The third column of figures gives the present prices of such 51 articles in percentages of their prices before the war. That is, 100 cents worth of salt before the war now costs 244 cents; so in the Government index of prices the pre-war price is set down as 100, and the present price of a like amount at 244, for easy comparison by percentage. In the case of salt, then, the present price exceeds the pre-war price by 144 per cent. And so with each of the other 50 articles. Thus, knives and forks have gone up from the pre-war price of 100 to 260.9, or by 161 per cent.

The same Government report shows that prices moved from 100 before the war to 107.3 for the following 11 farm products, which represent well over two-thirds of farm production: Hides, hogs, barley, corn, rye, oats, lard, beef, cattle, rice, eggs.

Index prices, March, 1924; 1913=100

Corn	126.1
Hides	58.4
Hogs	87.5
Rye	107.9
Barley	120.3

Oats	127.9
Wheat	120.9
Beef cattle	122.7
Lard	104.9
Eggs	98.7
Rice	100.1
Average—simple	107.3

That is, the prices of these farm commodities, taken together, advanced from an average of 100 before the war to an average of 107.3 in March last, while the weighted average prices of all commodities advanced from 100 to 150. Meanwhile, the prices of the 51 articles set forth below advanced from 100 to the figures given in the third column of figures—generally much above the general average of 150.

The last column gives the proportion of each of such 51 articles which the farmer's present dollar will purchase as compared with what it would purchase before the war.

The second column of figures gives the ad valorem tariff rates on these 51 high-priced articles, such tariff rates having been enacted to maintain the prices of such articles.

Comparison of price indexes of certain commodities and 11 farm products, with their tariff rates under tariff act of 1922

[Commodity index for March, 1924. Average for all commodities, 150. Average for 11 farm commodities, 107.3. Average for highly protected commodities, 226.6]

Commodity	Tariff rate		Price index, March, 1924 (1913=100)	Exceeds index price of 11 farm commodities (107.3)	Purchasing power of 11 farm products
	Legal rate	Equivalent ad valorem			
				Per cent	*Per cent*
The kitchen:					
Cutlery—					
Carvers, 8-inch, per pair, factory	8 cents or 16 cents each plus 45 per cent.	65 to 69 per cent	180.0	67.8	59.6
Knives and forks, per gross, factory	do	do	260.9	143.2	41.1
Chair—					
Hardwood, per dozen, Chicago	35½ per cent	35½ per cent	276.9	158.1	38.8
Salt—					
American, medium, per barrel (280 pounds), Chicago	11 cents per 100 pounds	21.94 per cent	244.1	127.5	44.0
Sugar (per pound)—					
New York, granulated, in barrels	1.912 cents per pound	(1)	198.8	85.3	54.0
Vegetable oils—					
Soya bean, crude, in barrels, per pound, New York	2½ cents per pound	42.09 per cent	196.1	82.8	54.7
Clothing:					
Woolen and worsted goods, factory—					
Flannel, white, 4/4 Ballard Vale No. 3, per yard	45 cents per pound plus 50 per cent equals	71.92 per cent	215.8	101.1	46.7
Suiting, per yard—					
Clay worsted, diagonal, 16-ounce	do	do	218.2	103.4	49.2
Middlesex, wool-dyed, blue, 16-ounce	do	do	228.8	122.6	44.9
Serge, 9½-ounce	do	do	212.0	104.1	49.0
Underwear—					
Men's union suits, 33 per cent worsted, per dozen	do	64.61 per cent	299.5	179.1	35.8
Women's dress goods, per yard—					
French serge, 36-inch	do	71.92 per cent	234.9	116.9	45.7
Poplar cloth, cotton warp	do	do	192.1	79.0	55.9
Sicilian cloth, cotton warp, 50-inch	do	do	196.3	82.9	54.7
Yarn, per pound—					
Crossbred stock, two thirty-seconds	36 cents per pound plus 40 per cent equals	65.03 per cent	212.4	97.9	50.5
Half-blood, two-fortieths	do	do	197.1	83.7	54.4
Fine, domestic, two-fiftieths	do	do	232.4	116.6	46.2
Wool, Ohio, per pound Boston—					
Fine clothing, scoured	31 cents per pound clear content; if imported on skin, 39 cents per pound.	71 per cent	214.4	99.9	50.0
Fine delaine, scoured	do	do	242.5	126.0	44.2
Half-blood, scoured	do	do	244.8	128.1	43.8
One-fourth and three-eighths grades, scoured	do	do	208.8	94.6	51.4
Leather—					
Glazed kid, black, top grade, per square foot, Boston	For shoes, free; for gloves	20 per cent	289.6	151.3	38.6
The bedroom:					
Blankets, factory—					
Cotton, colored, 2 pounds to the pair, per pair	25 per cent	25 per cent	269.5	141.8	41.3
Woolen, 4 to 5 pounds to the pair, per pair	30 cents per pound plus 35 per cent equals	53.56 per cent	171.7	60.0	62.5
Chair, all gum, leather slip seat, per 6, factory	35½ per cent	35½ per cent	209.0	86.4	23.7
Sheeting, bleached, 10/4, factory, Pepperell, per yard	9.45 cents per pound	No imports	220.1	105.1	48.8
Wamsutta, P. L., per yard	9 cents per pound	do	294.5	174.5	36.4
Ticking, Amoskeag, A. C. A., 2.65 yards to pound, per yard, factory	7.7 cents per pound	do	208.0	93.8	51.6
Sitting room:					
Furniture—					
Rocker, quartered oak, per chair, Chicago	35½ per cent	35½ per cent	220.0	122.7	44.9
Carpets, per yard, factory—					
Axminster, Bigelow	40 per cent	40 per cent	247.2	130.4	44.9
Brussels, Bigelow	do	do	234.1	119.2	45.8
Wilton, Bigelow	do	do	209.3	95.1	51.3
Dining room:					
Tableware, per dozen, factory—					
Glass nappies, 4-inch	50 per cent to 55 per cent	50 per cent to 55 per cent	200.0	88.4	55.7
Glass pitchers, ½-gallon	do	do	312.5	191.2	38.3
Glass tumblers, ½-pint	do	do	166.7	55.4	64.4
Plates, white granite, 7-inch	45 per cent	45 per cent	226.6	111.2	47.4
Teacups and saucers, white granite	do	do	236.8	120.7	45.3
Furniture, factory—					
Chair, all gum, leather seat (slip), per 6	35½ per cent	35½ per cent	220.0	105.0	48.8
Building:					
Wire, per 100 pounds plain fence, annealed, Pittsburgh	¼ cent per pound	22.97 per cent	191.7	78.6	56.0
Lead, pig, per pound, New York	2½ cents per pound	45.06 per cent	211.1	96.7	50.8
Lead pipe, per 100 pounds, New York	2½ cents per pound	29.12 per cent	207.2	93.1	50.9
Pipe, cast-iron, 6-inch, per net ton, New York	20 per cent	20 per cent	207.9	149.7	40.1
Slate, roofing, per 100 square feet, f. o. b. quarry	15 per cent	15 per cent	227.0	111.6	47.3
Glass, plate, New York—					
3 to 5 square feet, per square foot	17½ cents per square foot	32.77 per cent	232.4	116.6	46.2
5 to 10 square feet, per square foot	20 cents per square foot	38.15 per cent	228.3	113.7	46.9
Window, American, f. o. b. works—Single A, per 50 square feet	1½–2½ cents per pound	26 per cent and 60 per cent	188.0	75.2	57.1
Linseed oil, per gallon, New York	3⅗ cents per pound	38.21 per cent	200.4	86.8	53.5
White lead, American, in oil, per pound, New York	2¼ cents per pound	27.26 per cent	221.9	106.8	43.4
The medicine closet:					
Epsom salts, U. S. P., in barrels, per 100 pounds, New York	½ cent per pound	64.45 per cent	227.3	111.8	47.2
Phenol, U. S. P. (carbolic acid), per pound, New York	55 per cent plus 7 cents per pound.	110.04 per cent	313.0	193.6	34.1
Alum, lump, per pound, New York	¼ cent per pound	38.81 per cent	209.0	90.4	52.7
Average		50.28 [2]	[3] 235.0	[3] 111.2	[3] 48.3

[1] Ad valorem rate on bulk of Cuban imports equals 50 per cent.

[2] Average of 46 commodities.

[3] Average of 51 commodities.

The average index prices, as stated, for all commodities rose from 100 pre-war to 150 in March, 1924. While the foregoing farmers' index price of 107.3 is 40 per cent short of this average of 150, the average index price, 226.6, of these 51 articles exceeds this farmers' average index price by 111 per cent and the general average of all commodities by 51 per cent. The average ad valorem tariff on these higher-priced articles is 50.26 per cent. Observe that the prices of these 51 articles exceed the general average of 150 by about the same percentage as the tariff, while this farm dollar can purchase less than one-half, 48.3 per cent, as much of them as before the war.

Let not complacent townsfolk think that these tariff-maintained high prices concern the farm folk alone. All persons whose salaries or wages have not gone up to match these high prices are similarly pinched. So also are the beneficiaries under pre-war insurance policies or superannuated persons living on pensions and all persons holding bonds or securities issued before the war.

The question is raised whether these high tariffs, designed to maintain these excessive prices, are not fundamentally unjust. Has the lawmaker the right to so greatly prefer or discriminate in favor of one set of producers at the expense of other equally worthy producers? Is not the lawmaker through such tariffs directly confiscating just so much of the farmer's labor and property in favor of the sellers of such high-priced commodities? Why should such "protection" tariffs be maintained in favor of these high-priced articles if such tariffs are not intended to maintain these very prices, although the farmer is compelled to accept European prices for his products even when selling to these high-price beneficiaries? Why should the lawmaker continue such tariff supports for exorbitant prices?

It should be noted, furthermore, that these price comparisons are based upon market prices in the principal cities. Because of the increase in freight rates and expenses of distribution, the spread between market and farm prices is considerably greater than it was during 1909–1913. A dollar at Chicago or New York, therefore, means much less at the farm than it did before the war. Thus, the freight rate upon wheat from Larimore, Minn., to Minneapolis in 1913 was 12 cents per 100 pounds, compared with 17.5 cents in 1923, an increase of 45.8 per cent; from Wichita, Kans., to Galveston it was 25 cents, compared with 44 cents, an increase of 76 per cent. The increase in freight rates upon other agricultural products ranges from 50 to 75 per cent.

This circumstance only infrequently applies, when at all, with the same force to the 51 articles with which the farm products are compared.

Mr. TINCHER. Mr. Chairman, I make the point of order, and I rely partly on the statements of the gentleman to show that the point of order is well taken.

The CHAIRMAN. The Chair is ready to rule. This bill is a bill "declaring an emergency in respect of certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes." It seems to set up a corporation to do business in a particular class of commodities, namely, agricultural products. The particular part of the bill to which the amendment is offered as an additional section is "Title III, Miscellaneous Provisions," and deals with the adjustment of imports, giving the President of the United States the right under certain circumstances to change customs duties on certain products which might be imported into the country. The first section under this title, section 301(a), provides—and the committee will note the language—

> Whenever, after the declaration of a special emergency in respect of any agricultural commodity, the President of the United States finds that the importation into the United States of any such commodity, or any derivative thereof or competitive substitute therefor, is increasing materially or is likely to increase materially the losses of the corporation in respect of such commodity, he shall by proclamation declare such fact.

But this section is limited to agricultural commodities. The amendment of the gentleman from Arkansas [Mr. OLDFIELD] is an additional section, but which, of course, must be germane to the subject matter of the bill. It provides:

> SEC. 302. In order to secure the equal division of prices between agricultural commodities and other commodities and relieve the general emergency declared in section 1 of this act, by a readjustment and lowering of the rates of duty under Title I of the tariff act of 1922, whenever the Secretary of the Treasury finds in the case of any imported article that the percentage of increase of the prevailing selling price of the corresponding domestic article over the pre-war selling price of such domestic article is greater than the percentage of increase of the current or commodity price over the pre-war or commodity price, he shall determine the difference between such percentages of increase, and the amount of duty otherwise payable upon such imported article shall be by a percentage thereof equal to such difference in percentages of increase.

Thus the amendment offered by the gentleman from Arkansas deals with any article of any kind that may be imported into the United States. The bill is restricted to certain specified commodities, namely, agricultural commodities. The amendment deals with all commodities. For that reason the amendment is not germane, and the point of order is sustained.

Mr. KINCHELOE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. KINCHELOE: Page 24, after line 8, insert: "(d) The corporation shall have power to an amount or amounts not exceeding its sales in foreign markets to purchase in such foreign markets any goods except farm products, and to enter such goods into the United States free of tax or duty for sale or distribution in the domestic market at the best price obtainable, and shall give preference in the sale of such goods to cooperative market associations."

Mr. TINCHER. I reserve the point of order against the amendment, Mr. Chairman.

Mr. KINCHELOE. I do not think a point of order will stand against this amendment. This is another amendment in a sincere attempt to really help the farmers. This amendment provides that with the proceeds which this corporation receives from the sale of this exportable surplus in Europe it may turn around and invest them in any products, except agricultural products, which will be useful and beneficial to the American farmer, and bring them into this country free of duty, sell them in this country and give the preference of purchase to the cooperative marketing associations of this country.

You will notice that this bill gives the President of the United States plenary power to declare an embargo or a prohibitive tariff on any of these products in the bill, their derivatives, or their substitutes. They talk about hides being on the free list. The packers of this country, I presume, control six-sevenths of all of the hides in this country. Now, the President of the United States—because hides are derivatives of meat—is given the power to declare an embargo on hides. Who will be the beneficiaries of that? Why, the packers, of course, who have the great bulk of the hides in this country. Therefore the price of hides will go up, and, therefore, the price of shoes will go up, so that the American farmer, and other wearers of shoes in this country, will pay the higher prices.

Under the amendment I have offered, instead of having an embargo on the articles—other than agricultural products—which this corporation wants to buy in the world's market, the corporation can go and buy these products for the American farmers, bring them to this country and enter them free of duty and thereafter sell them.

I submit that if you are going to permit, which you are under this bill, the consumers of European foodstuffs to buy the foodstuffs produced by American farmers at a cheaper price, because of the action of this corporation in throwing them on the world market and the American farmer standing the expense of that in the equalization fee, then the American farmer should have the privilege, as he will under this amendment, of letting that corporation, whose expenses he is paying, have the right to take the proceeds which the corporation receives from the surplus products and buy those other products in Europe and bring them into this country in order that the American farmer may receive some little benefit by letting them in at the port of entry free of duty.

If you really want to do something for the American farmer through this bill—and the proponents of it say they do—you should adopt this amendment, because then you will be doing something that is of value to the American farmer by reducing the price of things he has to buy and thereby increasing the purchasing power of his dollar.

Mr. TINCHER. Mr. Chairman, I make the point of order that the subject matter of this amendment, which proposes the purchase of goods in foreign countries and then bringing them into this country, is not contemplated by the bill, and that the amendment is not germane.

Mr. KINCHELOE. Mr. Chairman, I want to be heard on that point of order.

Mr. SINNOTT. And, Mr. Chairman, I make the further point of order that it is not germane to the section.

Mr. KINCHELOE. If the Chair will indulge me, I want to be heard on the point of order. This amendment, I think, is not only germane but it is in a sense a restriction. Under subsections (a) and (b) of this section the bill gives the President of the United States the power to declare an embargo or a tariff as high as he thinks is necessary, upon what? Upon all the commodities mentioned in this bill on which the ratio price has been fixed and their derivatives and substitutes. Now, this comes in the way of a restriction—or, rather, an exception—and says to the President of the United States, "you may do that on everything," except what? On everything except what this corporation buys in Europe, other than agricultural products, and bring them to this country and enter them free of duty. It is not only germane but in a sense it is a restriction upon the powers of the President of the United States, and certainly it is in order.

Mr. HAWLEY. Mr. Chairman, in addition to the point of order already made this proposed amendment changes or may effect a change in every duty in the tariff schedule and change articles on the tariff schedule from the dutiable list to the free list. It effects a thoroughgoing revision of the tariff law, and is absolutely not germane to this bill.

The CHAIRMAN. Let the Chair ask the gentleman another question. Does the gentleman know of any place in this bill where this corporation is authorized to buy and import anything?

Mr. HAWLEY. I do not; and it diverts the money, which is to be used for the payment of the expenses of the corporation and then distributed among the farmers who sold the product, to another purpose.

The CHAIRMAN. The Chair is of the same opinion as that just expressed by the gentleman from Oregon that this amendment is not germane to the purpose of the bill. The Chair can find nothing in this bill that authorizes the corporation to buy and import anything, and especially the Chair finds nothing in the bill to which a provision that they may buy and import free of duty would be germane. The Chair therefore thinks the amendment is out of order.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

Mr. CHINDBLOM. Mr. Chairman, I make the point of order that there has been no debate on the section so far. All the debate so far has been under a reservation of a point of order or on the point of order. The gentleman from Kentucky spoke under a reservation.

Mr. NEWTON of Minnesota. And so did the gentleman from Arkansas [Mr. OLDFIELD].

Mr. CHINDBLOM. I submit to the Chair that there has been no debate under the rules.

The CHAIRMAN. There has been debate on the merits of the proposition. After consultation with the parliamentary clerk, this is a rather novel question; but where a reservation is made on a point of order and then the person offering the amendment is permitted to debate the merits of the proposition it seems to the Chair, as a matter of common sense, that that ought to constitute debate.

Mr. CHINDBLOM. I want to submit to the Chair that that is not recognition under the rules to debate the section.

The CHAIRMAN. That may be true; but the Chair will rule that there has been sufficient debate.

Mr. NEWTON of Minnesota. Let me call the Chair's attention to this situation: An amendment was first offered by the gentleman from Arkansas [Mr. OLDFIELD], and it was then within the right of the committee to make a point of order. They chose to reserve it, permitting the gentleman from Arkansas to speak upon a proposition that was not in order, and so held by the Chair. Then the gentleman from Kentucky [Mr. KINCHELOE] received recognition from the Chair, offered his amendment, and again the committee could have made a point of order, but they chose to reserve it. The committee had it within its power to act differently from what they did, and the effect of their action is to preclude amendments here which are legitimate and which will be held in order, and to preclude debate upon them.

The CHAIRMAN. That may be the effect of it; but the Chair heard two gentlemen discuss the merits of this proposition, and it was debated. Whether that constitutes a recognition under the rules or not the Chair is not advised, but will hold for the present that there has been sufficient debate to justify the motion.

The pending motion is that debate now close on this section and all amendments thereto.

Mr. NEWTON of Minnesota. Mr. Chairman, there is an amendment to that motion pending to limit it to five minutes.

The CHAIRMAN. The gentleman from Minnesota offers an amendment that all debate on this section and all amendments thereto close in five minutes.

The question was taken; and on a division (demanded by Mr. NEWTON of Minnesota) there were—ayes 50, noes 87.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. HAUGEN and Mr. NEWTON of Minnesota as tellers.

The committee again divided; and the tellers reported that there were—ayes 50, noes 82.

So the amendment to the motion was rejected.

The CHAIRMAN. The question now is on the motion to close debate.

The motion was agreed to.

The Clerk read as follows:

INFORMATION FOR PRODUCERS

SEC. 302. The corporation is hereby authorized and directed to inform producers that any material increase in production will lessen the benefits of the operations under this act by causing a corresponding increase in the losses of the corporation and decrease in the amounts of dividends.

Mr. BEGG. Mr. Chairman and gentlemen of the committee, I am only going to consume probably half of my five minutes, and I do this for the purpose of asking each of you to turn back to page 21 and read section 5. I tried my best to get just two minutes to call your attention to that language:

It shall be the duty of any governmental establishment in the executive branch of the Government upon request of the corporation to cooperate with and render assistance to the corporation in carrying out the provisions of this title and the regulations of the corporation.

Now turn back and see what the provisions of this title are—apportionment of expenses and losses of the corporation.

Any man who votes for this measure with that paragraph in it can not be sincere when he says this corporation is not intended to cost the Government anything at all. Either this corporation must make money or you can under that provision have your corporation call on the Secretary of the Treasury to make up all losses; and you are not only morally obligated but you are legally obligated to pay the bill—I do not care whether it is $1,000,000 or $1,000,000,000.

Now, I simply wanted to call your attention to that.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in three minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto close in three minutes——

Mr. SEARS of Florida. Mr. Chairman, a parliamentary inquiry. How much time did the gentleman from Ohio consume?

The CHAIRMAN. The Chair is putting a motion.

Mr. GRIFFIN rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GRIFFIN. I rise to move to strike out the section.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa limiting debate.

The question was taken, and the motion was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, when the debate on this bill began, more than a week ago, it was repeatedly asserted by the gentleman on the other side of the House that those who failed to vote for this bill showed thereby that they were not willing to support any measure which would afford relief to the farmer. At that time I did not attach much importance to that statement, but the days are slipping by and now we find ourselves in a situation where probably there will not be a vote on this bill until some time next week. As the matter now stands it appears to me that if any measure is enacted for the benefit of the farmer at this session it must be under this title and enacting clause. I shall therefore vote for the bill, but I do it simply because I wish to have something done for the benefit of the farmer, and I am willing that this bill should go to the Senate, where I am assured it will be amended.

I feel, however, that I owe it to myself, and certainly to the House, to say that my vote on this matter should not be taken as any indication of an approval of the bill in its entirety, although I think it could be amended so as to make it a useful bill. To do so would require a change in some of its principal features, and the supporters of the bill have shown that no amendments that affect these features will be tolerated. As it has become impossible to make any amendments to the bill here I

do not propose to be put in the attitude of one that is opposed to granting any relief for the farmer, and therefore shall vote in favor of sending it to the Senate.

Mr. Chairman, I have every reason, both personal and political, to support this bill unqualifiedly if I believed it would work successfully. I am one of those unfortunate individuals who, at this time, is land poor, and I have a class of land which, if any would be benefited, would be benefited by value of returns therefrom by the bill if it accomplished what its proponents claim for it. I come from an agricultural region where the farmers are now struggling against adverse circumstances, caused by the high prices of everything which they have to buy and by the heavy local taxes which they must pay. I sympathize with them in their misfortunes. We can mutually condole with each other. I want to help them in every possible way, but after studying the bill most carefully I do not believe it to be based on sound economics. On the contrary, I believe it violates principles which have heretofore been regarded as absolutely necessary to the financial well-being of the country, and, if I am correct in this, the bill will do harm rather than good to the whole country, including the farmer. Running through the whole course of history down to recent times we find that whenever economic laws have been violated the result has invariably been to injure the very people whom it had been expected would be benefited, and I feel confident that would be the result if this bill should become a law. I admit that my confidence has been shaken somewhat by the number of Members of the House, for whose judgment I have much respect, who have taken a different view, which they have expressed without the slightest doubt, and I regret especially to differ with my esteemed colleague, the chairman of the Agricultural Committee [Mr. HAUGEN], whose honesty and integrity of purpose no Member can question. My regret is intensified due to the fact that I am indebted to him for many favors, and I wish it were possible for me to refrain from making any adverse comment on the bill, but I do not think that what I have said will affect the vote on it when the question arises with reference to its passage.

Mr. VOIGT. Has the gentleman any idea how the bill could be amended to make it acceptable and workable?

Mr. GREEN of Iowa. Yes; it could be amended so as to simply provide for the creation of an export corporation to take care of the export surplus and prevent its depressing the market. It would not have to buy all of this surplus to influence the market, nor would the Government lose any money, but it would prevent the market from being depressed by speculative influences. I can not go into details at this time, but I had the amendments all prepared and would have offered them, but I discovered that no amendments would be permitted. In this way we would have a bill that would, I believe, be approved by the President. As the matter now stands, it is perfectly idle to pass this bill. The statement made by the President in the first message which he sent to this Congress showed very clearly that a bill of this character would not meet with his approval, and that is one of the reasons why I want to see it amended. I think it was a mistake, in view of the well-known attitude of the President, for the committee to bring this bill to the House.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment to strike out the section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment of Mr. GRIFFIN: Page 24, strike out lines 9 to 14, inclusive.

The CHAIRMAN. The question is on the amendment of the gentleman from New York to strike out the section.

The question was taken, and the amendment was rejected.

Mr. CROWTHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD that I made to-day.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

COOPERATION WITH EXECUTIVE DEPARTMENTS

SEC. 303. (a) Any governmental establishment in the executive branch of the Government is authorized to act as agent of the corporation in the administration of functions vested in them by this act. The corporation may, in cooperation with any such Government establishment, avail itself of the services and facilities of such Government establishment in order to avoid preventable expense or duplication of effort.

(b) The President may by Executive order direct any such Government establishment to furnish the corporation with such information and data pertaining to the functions of the corporation as may be contained in the records of such Government establishment. The order of the President may provide such limitations as to the use of the information and data as he deems desirable.

(c) The corporation may cooperate with any State or Territory, or department, agency, or political subdivision thereof, or with any person.

Mr. GRIFFIN. Mr. Chairman and gentlemen, I am shocked that we have permitted Title III of this bill to pass by with so little attention.

If this bill passes both Houses in this form it will be tantamount to an abdication of our power to enact tariff legislation.

What do you do, gentlemen? Think! You surrender into the hands of a corporate body of five members the right and authority to alter, amend, increase, or decrease the tariff. Upon what? The most essential things that enter into our lives—foodstuffs. This bill should have emanated from the Committee on Ways and Means. I am surprised that this committee did not object to this interference by the Agricultural Committee with its functions in thus meddling with the tariff.

Do you realize the full import and significance of this part of the bill? It is revolutionary in our system of government.

First. It authorizes the President, under certain conditions, to issue a proclamation declaring that the importation of certain commodities into the United States is likely to increase the losses of the Agricultural Export Corporation.

Second. From the date of said proclamation it shall be unlawful to import such commodities into the United States, except under such regulations, limitations, and exceptions as the President may prescribe.

Third. It authorizes the President to increase the duties on such commodities—presumably to prevent their importation—but specifically prohibits the President from decreasing the duties on such commodities, even when the shoe is on the other foot and when such a decrease might be economically desirable.

AN ELASTIC TARIFF SHOULD WORK BOTH WAYS

Such a one-sided power was never contemplated in designing the so-called elastic provision of the Fordney-McCumber tariff.

I think I can take some credit to myself for, at least, foreseeing and advocating an elastic tariff. In my speech against the Fordney tariff bill as long ago as July 20, 1921, I said:

The tariff is a splendid instrument in the hands of the Government to regulate trade and prevent monopoly. It should be used by the Government for that purpose, and not put into the hands of special interests as an instrument to gouge the consumers. I would put the fixing of tariff rates in the hands of a competent commission familiar with the economic situation both at home and abroad. I would have this commission empowered to keep track of all imports and all exports. If it were found that any industries were engaged in profiteering, I would instantly let down the bars and invite foreign competition. If any industry gouged the American public by selling in the American market at high prices and in the foreign markets at low prices, the commission ought to be empowered to forbid all exports of that particular product until its price was at least made equal to that for which it was selling in foreign markets.

But I never contemplated, nor did any one else, I imagine, that an elastic tariff provision would ever be written so as to estop the President from using it both ways; that is, for lowering as well as raising the duties to meet economic exigencies.

Under Title III of the measure before us the entire tariff schedules covering foodstuffs, and their derivatives as well, are put practically at the mercy of this governmental export corporation which is created by this bill. It is obvious that if the President issues the proclamation referred to, he will do so at its instance. If he increases the duties on foodstuffs it will also be at its instance. So, the logical effect of this proposal is to have Congress surrender its control over tariff schedules, not to the President but to the Agricultural Export Commission.

CONSUMERS AT MERCY OF AN IRRESPONSIBLE COMMISSION

In other words, we, the Congress of the United States, are asked to tie our own hands and put the consuming public of the United States at the mercy of an irresponsible commission owing its allegiance primarily to an agricultural soviet; for such a commission, from the very circumstances of its appointment, is bound to consider only the welfare of the foodstuff producers and give a deaf ear to the appeals of the consumers of our Nation. Such a commission, being chiefly desirous of showing a good balance on the profit side of the ledger, will

necessarily take measures to create a food embargo by raising duties on competing foodstuffs at the slightest sign of danger to their bank balance. To put the entire Nation thus at the mercy of statisticians and accountants would be a veritable national calamity.

FARMERS NOW REALIZE THE INIQUITY OF THE FORDNEY TARIFF

In one respect I am glad that the protests of the farmers and food producers of the land have thus crystallized into this form, objectionable as it may be. It shows that they are at last aroused to the iniquity of the Fordney tariff. In other words, they know "what's biting them" on one cheek, but instead of getting rid of the pernicious insect they select another healthy specimen of the same genus and set him to work to fatten on their other jowl. This is poor sense and poor political economy.

Here is the situation briefly: The average price for all farm commodities is 107.3. The average price of highly protected commodities is 226.6. In other words, the dollar that the farmer gets for his wheat, or that the grazer gets for his cattle, is worth less than 50 cents, relatively speaking, when he tries to turn it into purchases of his other necessities. The relative value, for instance, of hardware and cutlery is about 200—farm commodities being at 107.3. The relative value of furniture is about 250; sugar, 198.8; clothing, 215; underwear, 300; women's dress goods, about 200; leather, 260; cotton blankets, 250; woolen blankets, 170; sheeting, 220; carpets, average, about 220; glassware, about 300; chinaware, about 230; wire, 191; alum, 200; and so on through the entire schedules of the existing tariff law. All of the duties seemed to have been specifically devised to discriminate against the farmer as well as all other consumers.

Is it going to do the farmers any permanent good to get into the band wagon with the other tariff looters and further irritate, aggravate, and torture the eventual consumers? No. The better plan, the most effectual plan, the squarest plan is to get on the side of the consumers of the Nation. Help them to get rid of the incubus of the tariff that is reducing the purchasing power of the wage earners' dollar. Remember, Mr. Farmer, that there are 30,000,000 heads of families and 95,000,000 people in the United States that are having the same trouble as you are having in trying to make their earnings meet their outlay.

Emancipate yourselves from the fetich of the tariff fallacy that only puts money in the pockets of a few profiteers at the expense of you and of all the other consumers of the country.

EMBARGOES ON FOOD INVITED

But Title III is not the only vicious and dangerous proposal in this bill. Take section 302. It is called "Information for producers," a rather harmless title; but let us read it:

SEC. 302. The corporation is hereby authorized and directed to inform producers that any material increase in production will lessen the benefits of the operations under this act by causing a corresponding increase in the losses of the corporation and decrease in the amounts of dividends.

Now, what does that mean? It provides that the corporation is to inform producers that any material increase in their production of wheat, corn, rice, wool, cattle, sheep, swine, or any food product thereof, will lessen the profits of this octopus export corporation.

The clear import of the warning, of course, is to intimate that the producers shall reduce their production. And the effect of that inevitably will be to create a scarcity in foodstuffs.

It seems almost unbelievable that sane, patriotic men could think of devising such a diabolical contraption to jeopardize the health and happiness of their fellow men.

Monopolies have been always held to be objectionable, but how much more so are they when they seek to deprive the people of the right to get foodstuffs and the necessaries of life? You practically invite these men to create a combination in order to promote a monopoly in foodstuffs.

Gentlemen, we are drifting too far into class consciousness. We have heard complaints as to class consciousness among labor unions and of their efforts to enhance their wages by strikes, but no strike ever inaugurated in the past or to be expected in the future could possibly effect the same ruin and devastation in our land as a strike or embargo such as would be possible under the vicious and malicious machinery provided in this insanely revolutionary measure. [Applause.]

Mr. HAUGEN. Mr. Chairman, I move that all debate upon this section and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. DENISON. Mr. Chairman, I am opposed to the amendment to strike out the last word. I am rising to ask a question for information. If this bill is enacted into law and an emergency is declared by the corporation as to wheat, for instance, and the price is increased to any considerable extent, say, 50 cents a bushel, I assume that it will become necessary to declare a substantial embargo upon the importation of wheat from Canada. Am I right about that?

Mr. HAUGEN. That is in the discretion of the President. He may raise the tariff or lower it.

Mr. DENISON. Well, it would amount to an embargo. Likewise, there would be embargoes declared on other substitute foodstuffs if the ratio price is fixed under the bill. If England resents that, and she probably will, because it will be placing an embargo upon the principal product of Canada—and it will be in a way dumping our surplus on foreign markets—if England should declare an embargo upon American wheat, what would the corporation then do?

Mr. HAUGEN. We could declare an embargo upon a number of things—dyestuffs and other things.

Mr. DENISON. And what would be the effect on the operations of this corporation with reference to the surplus wheat that it has on hand?

Mr. CHINDBLOM. Will the gentleman permit a suggestion?

Mr. DENISON. In a moment. I would like the gentleman from Iowa or some member of the committee to answer my question for the RECORD. I am asking the question in good faith for information.

Mr. HAUGEN. It is not possible for anyone here to state what is in the mind of Great Britain or others and what others may do or what the corporation may do.

Mr. DENISON. What would the corporation do with the wheat surplus it has on hand?

Mr. HAUGEN. There are other nations. I suggest that we would send it to Russia or Germany.

Mr. DENISON. But Russia is a great wheat-producing country.

Mr. BURTNESS. That is, where would the surplus go to? Let me answer the gentleman. What Great Britain buys from the United States is practically nothing as compared with what some other nations buy. If the gentleman wants to get the exact figures he will find them at page 9061 of the RECORD in the speech delivered by the gentleman from Indiana [Mr. WILSON]. From those figures he will see that only 54,000,000 bushels approximately were bought by the United Kingdom as compared, for instance, with 290,000,000 bushels by such a country as France over a similar period. There are a great many other nations who are greater buyers of flour and wheat than Great Britain and better customers of the United States.

Mr. DENISON. I mentioned Great Britain merely as an illustration. Suppose Great Britain and France do the same thing and declare an embargo on our wheat and flour. If other nations should treat us as we treat them and declare embargoes on our wheat, what would be the effect?

Mr. BURTNESS. Of course the gentleman forgets that practically every other nation, with the possible exception of Great Britain, who may want to favor her colonies, is interested in getting foodstuffs as cheaply as possible instead of as dearly as possible, and that there is no great likelihood of any of them desiring to cut out food products that would be imported to them from the United States, when their demand is for food products.

Mr. DENISON. That is stating what they might not do, but suppose they should declare an embargo, what would be the result on the corporation? I am asking for information.

Mr. CLARKE of New York. Mr. Chairman, may I suggest to the gentleman that instantly Canada would put an embargo upon the exportation from Canada of all wood pulp, amounting to over $90,000,000 worth every year. The second effect would be that Great Britain will never allow us to dump our wheat in any of the markets in competition with Canada and Australia, and what Great Britain will do other countries will do in the setting up of embargoes against us.

Mr. DENISON. I thank the gentleman from New York and the other Members of the committee for their very concise and lucid answers to my question, and for ample and splendid information they have given in response to my inquiries. I am sure the country can now feel relieved from any further anxiety on that question.

The CHAIRMAN. The time of the gentleman from Illinois has expired, and the Clerk will read.

The Clerk read as follows:

PENALTIES

SEC. 304. (a) That any person (1) who knowingly forges, counterfeits, alters, or falsely makes any receipt, bond, coupon, or other paper or document of the corporation, or uses, attempts to use, possesses, obtains, accepts, or receives any receipt, bond, coupon, or

other paper or document purporting to be issued by the corporation, knowing it to be forged, counterfeited, altered, or falsely made, or to be used unlawfully, or to have been procured by any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained; or (2) who, except under the direction of the Secretary of the Treasury or other proper officer, knowingly engraves, sells, brings into the United States, or has in his control or possession any plate in the likeness of a plate designed for the printing of any receipt, bond, coupon, or other paper or document of the corporation, makes any print, photograph, or impression in the likeness of any receipt, bond, coupon, or other paper or document of the corporation, or has in his possession a distinctive paper which has been adopted by the corporation for the printing of any receipt, bond, coupon, or other paper or document of the corporation shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

(b) No person acting as a voluntary or paid agent or as an officer or employee of the United States or of the corporation shall solicit, induce, or attempt to solicit or induce, any other such agent, officer, or employee to execute or direct the execution of any contract, or to give any order under this act for the furnishing of labor, services, material, supplies, or property, and no such agent, officer, or employee, or any member of his family shall execute or direct the execution of any such contract, or give any such order, if such agent, officer, or employee has any pecuniary interest in such contract or order, or if any firm or association of which he is a member, or any corporation of which he is a stockholder, or in the pecuniary profits of which he is directly or indirectly interested, shall be a party thereto. Any person violating the provisions of this subdivision shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

(c) The provisions of sections 123 and 124 of the Penal Code, approved March 4, 1909, as amended, shall apply to directors, officers, and employees of the corporation and persons acting for or on behalf of the corporation, to the imparting of information and the compiling of statistics and information in respect of ratio prices, estimates of surplus, and equalization fees for any basic agricultural commodity, and to speculating in any such commodity, to the same extent as such provisions apply to officers and employees of the United States and persons acting for or on behalf of the United States, to the imparting of information and the compiling of statistics and information in respect of any product of the soil, and to speculating in any such product.

(d) All laws relating to embezzlement, conversion, improper handling, redemption, use, or disposal of moneys of the United States shall apply to equalization fees and other moneys of the corporation while in the custody of any officer, employee, or agent of the United States or of the corporation.

Mr. MOREHEAD. Mr. Chairman, I move to strike out the last word. It is with a great deal of interest that I have watched and studied the present contemplated legislation. The bill as I view it should be termed a rebelous bill instead of a farmers' or agricultural relief bill. This sentiment has been accumulating for many years, owing to the fact that the agricultural sections of this country have been discriminated against. The far-reaching effect of this bill, in my judgment, is beyond human capabilities to determine. The expense of the administration of the law, if it should be passed, is my greatest objection to it. Economy talk that we have had does not appeal to me here, when I think of the liberal appropriations that have been made for the Army and the Navy, for organizing park boards to proceed to buy playgrounds that will cost the Government a great amount of money, and for the buying of canals and ditches, thereby relieving private parties of a bad bargain, which will cost a great amount of money and be of little benefit to the people in general.

I justify my vote upon this bill, which is an experiment, that it will bring relief to a degree, adjust the prices between what the agriculturists are getting and what the protective interests are getting, as my sole reason for voting for it. [Applause.]

The following item is taken from the Missouri Farmer:

The McNary-Haugen bill is to place the farmer on an even footing with organized industry and labor and to have the Government do for him in these premises what in his present organized condition he is not able to do for himself.

I also quote from the same author:

Is the condition of agriculture so desperate that Congress will be justified in time of peace in taking steps as far reaching as the one contemplated in its act?

I quote the author's answers to the questions asked:

My unequivocal answer is that it is; in fact, I will go further and say that American agriculture is to-day passing the greatest crisis in its history, and even if the McNary-Haugen bill is passed thousands of farmers will be sold out by the sheriff, and hundreds of country banks that are considered solvent to-day will close their doors before aid can possibly come from legislation or from any other source.

I am located in an agricultural section where diversified crops are raised without any additional expense for fertilizer. Our land produces corn and alfalfa as well as any section in the United States. Wheat, oats, and other small grains are an average crop. In addition to this we are livestock producers, much being shipped to market; and we are also successful in fruit raising, particularly apples and small fruits. This condition has enabled the farmer in my section to withstand the past several years of underproduction prices for farm products better than some, and while we are not prosperous, the condition is not as serious as described by the editor of the Missouri Farmer. However, as I stated, we are centrally located and I constantly meet people from surrounding agricultural sections who tell me the condition is as serious as stated by the editor quoted.

There are many farm organizations that help the farmer in many ways, and I believe the last few years have shown an unusual growth along many lines of usefulness and have helped to improve living conditions and community life. Cooperative buying and selling has also had a measure of success. The average farmer boy knows just how many bushels of corn it takes to make a pound of pork or beef; what rations are necessary to be fed in connection to produce the gain at the lowest cost; and much other necessary information along similar lines, which is essential that a good farmer should know, all of which the farm organizations have taught him. In time they may be able to control farm products and thereby secure a price in keeping with the prices paid for the necessary articles which he must buy.

Just why the farmer, who has the principal industry of the United States—in fact, the only industry which would create a panic if operations were suspended for one year—should be expected to sell for less than production price has never been explained. He has uncomplainingly for years contributed to all other protected industries, and this bill in no way differs from the protection given other industries by the Government.

It will operate the same as the steel trusts, prevent importation of wheat, and charge the home consumer more per bushel than the European price. The steel trusts sell to Europe for from two-fifths to one-half less than they charge the American purchaser.

Farm machinery is also shipped abroad and sold for a less price than our American farmer pays for a like article. Clothing and everything the farmer buys is protected. Why should he not be granted the same treatment as other industries? With a reasonable tariff, lower freight rates, and a lessening of the price charged the farmers the same results could be obtained and, from my viewpoint, is preferable. However, the latter course seems impossible to secure, as the wealthy corporations are exceedingly prosperous and powerful and object to lowering the tariff.

The present contemplated legislation for the relief of the farmer is entirely different from any former bill. The idea originated, as I believe, with methods adopted by the trusts protected by a tariff shutting out foreign competition.

The creation of the Interstate Commerce Commission with the purpose of adjusting the differences between the employer and employee, and to protect the people from exorbitant freight charges, in the minds of the people has proven a failure; if not prejudiced in the interests of the railroad, they are doing but little to adjust irregularities that exist.

The agricultural people are in a dissatisfied state of mind, and rightfully so. There seems to be a feeling in the East that their interests and those of the Southwest are exactly opposite. I do not agree with this. Take away the purchasing power of the rural population and it would only be a short time until the manufacturing districts would be bankrupt. Recently an Eastern paper published this article:

In this section we can afford to lose the Presidency. It is enormously important to our business security that the seat of power in the Nation should remain where it is, rather than be transferred to the Southwest, with all the effects which such a decision would have on the tariff and taxes and expenditures and policy. * * * Our business welfare, our future on the sea, our other industrial opportunities all hinge upon the outcome of this year's presidential election.

The Herald insists that if RALSTON, of Indiana, or a man of that type is elected and "a radical Democratic coalition" takes charge of the House and Senate, a new Democratic tariff in the interest of the Southwest and inimical to New

England will be the result. We confess we had not thought of such a dread possibility. The more we think it over the more correct appears the Herald's argument—certainly from its standpoint that the interests of New England and her manufacturers must and shall remain superior to those of any other section or group.

Sectional interests are very pronounced, as is also shown in this item from the New York Evening Post, which is one of the many similar articles being printed at this time:

> For three years or more the farm country, led by the political gentry who farm the farmer, has been lashing itself into a frenzy of self-pity. Not since 1896 have so many corn-fed demagogues been abroad in the land. * * * The farm bloc is straining to shove this price-setting measure, with its $200,000,000 appropriation, through before adjournment. * * * Every farm lobbyist and every State farm bureau president who can get to Washington is milling around Capitol Hill. All farm organizations are working through their permanent Washington lobbies for its passage. Country bankers have been cowed and whipped into line for it. * * * Not in years has a Treasury raid had more determined support. * * * A minority of States with a fraction of the national population are determined to impose their will on a majority of States and a vast majority of the population. * * * The East and New England will vote against the McNary-Haugen bill because of its vicious price fixing and its wicked economics. * * * It proposes a special grant to a minority, taken from the pockets of the country, either as a money grant or increased prices of both.

All of the above things are true, but of Wall Street and New England manufacturers instead of the farmer controlling the Public Treasury, for his private profit, driving 12-cylinder cars, trips to Europe, private yachts, special cars, trains, and millionaires.

Using the Government for private gain has never yet been traced to the farmer's door.

America has a large part of the gold of the world. It is admitted the farmers are not in control of this gold, so it must be the large corporations, as statistics show that a thousand corporations have added more than forty billions to their holdings in a period of seven or eight years. This fact in itself is evidence that our system is not functioning properly.

If America is to continue to prosper the people who are willing to give long hours of work, to deny themselves many of the comforts of life, and to make their home on the farms, must be made prosperous by at least giving them the same protection that other lines of business are given. It has been figured out that the farmer receives 21 per cent of the cost of bread for his wheat, so if they stop to think even though the farmer receives one-half more per bushel, making the price $1.50 per bushel, the cost would be only about 10 per cent more. The railroad, the baker, the middleman should charge no more for their services than at the present time, as their expense would be no more. The advance the farmer receives should be the only additional cost to the consumer, as those who assist in placing the wheat in the hands of the consumer are already well paid.

George Washington is recognized as our greatest general; but on my recent visit to Mount Vernon there was but little to indicate that he considered his military achievements his greatest success in life. However, many things indicated that he was a lover of nature and that his time when not serving the public was given to agricultural pursuits.

Owing to recent events which have happened within the very heart of our Government with which you are all familiar, one is led to believe that many of the things vital to the life of our Republic are jeopardized. Upon the acceptance of the Presidency Washington wrote to Lafayette:

> Nothing but harmony, honesty, industry, and frugality are necessary to make us a great and happy people. Happily the present posture of affairs and prevailing disposition of my countrymen promise to cooperate in establishing those four great and established pillars of public felicity.

Harmony by a group of people interested in robbing the Government still seems to live, but is used to the detriment of our country and not for its good as Washington intended. Industry and frugality are fast disappearing. The object of this day and age seems to be to give as little as possible in return for what is received. The majority of the people are still honest, but I believe we should see that only those who are absolutely known to be so are placed in positions of trust at the head of our Government, or the outcome means the fall of our great Republic.

On entering the great reception hall at Mount Vernon the first thing one sees is the marble mantle. The carvings of the first panel depicts a mother with her children busy about her home duties; the second, the rising run with the cattle and sheep on their way to pasture; the third, a man with a plow preparing for the day's work. At the four corners of the ceiling of the room are panels decorated with the tools necessary for the farmer. In the entire room there is no tribute to war or conquest. This alone convinces me that the founder of our great country placed the agricultural industry before all others.

Careful consideration of the McNary-Haugen bill with amendments, which I am satisfied will be made, leaves it free, in my judgment, of the viciousness or destructive elements that is claimed the bill contains by the corporation-owned press, an element that is not now and never has been in favor of the farmer receiving a fair return for his labor and capital invested.

One serious objection to the bill is its administration. It has been stated by a member of the committee that have the bill in charge that it will require as many men as is now employed by the Government in both the revenue and law enforcement departments. While this may be true, I believe there are bureaus that could be consolidated and still function as successfully as now, cutting the expense in half, the same as a successful business man would manage a private corporation. This is an age of specialization and seems to have reached its peak in governmental affairs and expenses; a time when heads of departments seem to feel that numbers under them increase the importance of the departments, while the fact is that it is men not numbers that mean efficiency. Public officials should take their duties seriously, giving time and thought and practicing the same economy that they would in their own personal business.

I believe the majority party at the convening of the Sixty-eighth Congress should have proceeded at once by lowering the tariff and thereby reducing the price of manufactured articles to conform with the price of the farmer's products. In my judgment it would have been more sound than the raising of the farm products by class legislation on a par with the manufactured article. The fear of the majority party as to the campaign contributions from the protected interests is without justification, as they can not and will not turn to the insurgents, and never have been friendly to the Democratic Party, that stands for lowering the tariff.

In my judgment the entire theory is unsound. A prohibitive tariff permitting corporations and individuals to control commodities and to fix the price of manufactured articles is the direct cause of the present discontent and the unfair price charged the farmers for the articles he must buy in comparison to the price he gets for the product he has to sell.

I feel that in voting for the McNary-Haugen bill I am only endeavoring to give to the American farmer the same legislation that the large industries have been receiving for a number of years.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto do now close.

Mr. CONNALLY of Texas. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CONNALLY of Texas. Why, the gentleman from Nebraska has not yielded the floor. He is asking the Chair for permission to extend his remarks.

The CHAIRMAN. The Chair did not hear the gentleman.

Mr. CONNALLY of Texas. He was on his feet continually asking for permission to extend his remarks.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Iowa to close debate.

The question was taken, and the motion was agreed to.

Mr. HILL of Maryland. Mr. Chairman, I ask unanimous consent to revise my remarks which I would have made if the motion had not been adopted.

The CHAIRMAN. Is there objection?

Mr. DOWELL. I object—on what subject?

Mr. HILL of Maryland. I would like to put in a letter from the American Wheat Growers Association.

Mr. DOWELL. I withdraw any objection.

The CHAIRMAN. The Chair hears no objection.

Mr. HILL of Maryland. Mr. Chairman, I have just received a letter from the American Wheat Growers' Association, stating that this McNary-Haugen bill will raise the price of wheat approximately 40 cents per bushel and the value of livestock about 30 per cent.

I think the committee should read carefully all of this letter, including the printed headings, before you vote on this bill. Here it is. Read it:

AMERICAN WHEAT GROWERS ASSOCIATION (INC.),
FRANKLIN SQUARE HOTEL,
Washington, D. C., May 29, 1924.

MY DEAR CONGRESSMAN: The statement has been made on the floor of the House that the McNary-Haugen bill would benefit only the Northwest. For your information kindly permit us to advise that the Fourteenth Federal census shows that for the year 1919, 56.8 per cent of the farmers in the State of Maryland raised 113,120 calves, 347,491 hogs, and 72,307 lambs. It is also shown that the farmers of Maryland sold in 1919 $17,000,000 worth of livestock and that they planted 664,295 acres of wheat which produced 9,620,526 bushels. Every census back to 1879 shows that Maryland averaged over 8,000,000 bushels of wheat per year.

It is our estimate that the passage of the McNary-Haugen bill would raise the price of wheat approximately 40 cents per bushel and the value of livestock about 30 per cent. From these figures you can readily see what the passage of the bill would mean to the farmers of your State.

Sincerely yours,

GEO. C. JEWETT, *General Manager.*

The Clerk read as follows:

SEC. 305. Any person who, in violation of this act, willfully (a) fails to pay, collect, or account for and pay over, any equalization fee; (b) fails to furnish any receipt, or make any return or report; or (c) attempts in any manner to evade the payment or defeat the collection of such fee shall, upon conviction thereof, be fined not more than $5,000, or imprisoned for not more than one year, or both.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 20, strike out section 305.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in three minutes.

The motion was agreed to.

Mr. BLACK of New York. Mr. Chairman and gentlemen of the committee, I have paid a great deal of attention to this bill with the hope that I would ultimately support it, but I am disappointed. I can not support it. [Laughter.] I have come to the conclusion after hearing everybody on this bill that this bill is actually a bill for the relief of the wheat farmers and the foreign workers by robbing the Treasury and picking the pockets of the consumer, and after hearing the distinguished chairman of the Ways and Means Committee I am honestly of the opinion that there is more politics in this bill than wheat [laughter], and that the emergency exists in the Republican Party having no surplus of votes. [Applause and laughter.]

Mr. CLARKE of New York. Mr. Chairman, I ask that the gentleman from New York be given a respectful hearing.

Mr. BLACK of New York. I will accept any kind of a hearing. I think we learned a great deal from Henry Ford. He was running for President. When Mr. Coolidge came out in favor of his Muscle Shoals proposition Henry Ford put on the four wheel brakes. [Laughter.] They had a third party started going the other day. Now, I think the White House will relent, and sign this bill, and the third party will die a-borning.

I am not speaking for any section of the country, North or South, East or West. I am just trying to speak for the people of the cities, who do not believe that there is any logic or political economy in the idea that when there is a surplus of food there should be higher prices. When you gentlemen go back to the farms and talk to the farmers about my prohibition amendment to this bill, I hope you will also call their attention to this economic fact, that under American prohibition the American farmer has become poorer, while on the other hand the Canadian farmer has become richer, and also the bootlegger. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEPARABILITY OF PROVISIONS

SEC. 306. If any provision of this act is declared unconstitutional, or the applicability thereof to any person, commodity, or circumstance is held invalid, the validity of the remainder of the act and the applicability thereof to other persons, commodities, and circumstances shall not be affected thereby.

Mr. BLANTON. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The gentleman will offer it.

Mr. BLANTON. I move to strike out the enacting clause.

Mr. CANNON. Mr. Chairman, I make the point of order on that. That motion is not in order.

Mr. BLANTON. It is in order at any time after the reading of the first section.

Mr. CANNON. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CANNON. Mr. Chairman, I make the point of order that the motion of the gentleman from Texas to strike out the enacting clause is not in order. It is not admissible under the rule providing for the consideration of this bill.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. CANNON. Mr. Chairman, the special order under which the House is proceeding, and under which this bill is being considered, provides that the bill shall be read for amendment under the five-minute rule. Not that a part of it shall be read and the remainder omitted on a motion to strike out the enacting clause or otherwise, but that the entire bill shall be read, which necessarily includes the last section of the bill.

The motion to strike out the enacting clause may be made only after the reading of the first section and before the reading of the last section. It is not in order after the completion of the reading of the bill. It follows, therefore, that if a special order requires the reading of the last section, it must perforce preclude the motion to strike out the enacting clause, because such motion is not in order after the reading of the last section.

That provision of the rule alone, Mr. Chairman, would be conclusive and would bar the motion to strike out the enacting clause of the pending bill. But even without that clause the rule is so phrased as to preclude that motion. For it provides further that at the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendment thereto to final passage without intervening motion except one motion to recommit. It is not discretionary. It is mandatory. The committee is left no choice in the matter. The language is emphatic and admits of no other interpretation. It means that if it means anything, and the rule so provides if it provides any order of business at all.

If any precedent is required, I cite to the Chair a decision in Hinds' Precedents on this identical point, and there are others which affirm it.

It may be urged that such procedure is not expedient; that the committee should not be bound to report as provided but should have the option of terminating consideration at any time it chooses to do so and of reporting any conclusion it might elect to reach. I sympathize with that suggestion, and fully concur in that view, but the remedy is not to violate the law of the House in order to effectuate it. The fault is not with the interpretation of the rule. If it was the purpose of the committee in reporting this rule, and of the House in adopting it, to admit the motion to strike out the enacting clause, then the rule should have so provided. But the rule does not so provide. The language and purport of the rule are plain and unequivocal. It provides that the entire bill shall be read, that it shall be reported to the House and voted on without any intervening motion of any kind except the one motion to recommit, and therefore clearly precludes a motion to strike out the enacting clause or any other motion except the motion to recommit, and the motion of the gentleman from Texas is not in order.

Mr. BLANTON. Mr. Chairman, will the Chair hear me a moment?

The CHAIRMAN. Yes. The Chair will hear the gentleman.

Mr. BLANTON. Mr. Chairman, the position taken by the gentleman from Missouri [Mr. CANNON] would be sound but for one fact. The Committee on Rules has the right to do away with any and all rules it may see fit to do away with; but whenever it does away with a rule, it must so expressly stipulate in the resolution itself.

If the Committee on Rules had determined on doing away with the general rule of the House which permits at any time the offering of an amendment to strike out the enacting clause as a preferential motion, then the Committee on Rules would have so stipulated in the resolution itself, which it passed giving a privileged status to this bill.

Mr. CANNON. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. CANNON. The gentleman states it should be so stipulated in the rule?

Mr. BLANTON. Certainly.

Mr. CANNON. I ask the gentleman if it is not provided in the rule that the previous question shall be considered as ordered without intervening motion except one motion to recommit.

Mr. BLANTON. Yes; but that in no way applies to an amendment to strike out the enacting clause.

Mr. CANNON. Does not that cut out a motion to strike out the enacting clause, or any other motion except a motion to recommit?

Mr. BLANTON. No. That motion to recommit is a motion in the House and not one that is made in the Committee of the Whole House on the state of the Union.

A motion to recommit is made in the House after the previous question has been ordered and after the third reading of the bill. Now, suppose the Rules Committee had provided that just as soon as this bill had been read under the five-minute rule and had been completed, it should be reported to the House and acted upon, and it had made no mention of the motion to recommit; that would not have cut off the motion to recommit, but the committee itself provided in the rule that all intervening motions in the House should be cut off except the motion to recommit, and no reference is made to the preferential amendment to strike out the enacting clause; and I submit to the Chair that when the Rules Committee leaves out all reference to that provision, the proper rule of this House should be that you can not deprive the membership of the right to make a motion to recommit, even though there are bad precedents to the contrary, where they leave it out of the resolution and make no reference to it. That is the reason the committee brought in this rule as it is written, because the committee did not intend to prevent an amendment to strike out the enacting clause, which restriction it could have made if it had seen fit to do so, but it did not so stipulate. I do not care to argue the question any further, but I submit, Mr. Chairman, that an amendment to strike out the enacting clause is an inherent right in the committee and always prevails.

Mr. SINNOTT. Mr. Chairman, the rule covering this bill provides that the bill shall be read for amendment and after having been read for amendment it shall be reported to the House. Now, I contend that a motion to strike out the enacting clause is not an amendment. The rules provide, section 804 of the Manual, under the head of amendments, four amendments—first, an amendment, then an amendment to the amendment, then a further amendment by way of substitute, and then an amendment to the substitute. If the motion to strike out the enacting clause were an amendment, it would be an amendment in the fifth degree.

At no place in the rules do you find the motion to strike out the enacting clause referred to as an amendment. Therefore, a motion to strike out the enacting clause is not such an amendment as is provided for in the rule covering the McNary-Haugen bill.

Mr. SNELL. Mr. Chairman, while this bill was brought in under a special rule, that part of the rule pertaining to the motion to recommit was not considered, as that is a standard clause which is always carried in every rule, because the Rules Committee is prohibited from bringing in a rule doing away with that privilege.

The Chair will probably remember that last year we brought in a special rule providing for the consideration of the migratory bird bill. After we had read a little way in the bill, the enacting clause was stricken out of that bill, and the rule under which it was considered was practically the same as this one. The Chair will also bear in mind that we brought in a special rule for the consideration of the tariff measure, and we provided in the rule that the bill should be read for amendment under the five-minute rule, but we never read the entire bill.

I do not believe it necessarily means that the entire bill must be read, but it simply means that the bill shall be considered for amendment under the five-minute rule, but not necessarily that the whole bill must be read any more than it means that the bill must be passed. The special rule simply puts the bill in possession of the House to be considered under the general rules of the House. Under the general rules it is in order to strike out the enacting clause at any time after the first section is read, and there is nothing in the special rule that controverts that.

I believe that to strike out the enactment clause is a simple proposition to amend, and is certainly in order at this time, and the point of order does not lie against the motion of the gentleman from Texas.

The CHAIRMAN. The Chair is ready to rule. The Chair is somewhat sorry this point was not presented sooner, so that he might have had some opportunity to look up the matter.

It is a very close question. At first blush the Chair was of the opinion, and still believes as a matter of right, that a motion to strike out the enacting clause must be considered as an amendment. But the Chair hesitates very much to overrule what seems to be the established precedents in this matter. I have some doubt, I may say to you very frankly, as to the soundness of some of the conclusions which have been made on similar questions in the past, but I think the gentleman from Missouri has followed what seems to be the line marked out by the decisions.

In the Manual, on page 387, we find the citation of a case which is found in the fourth volume of Hinds', section 3215, which holds:

> And where a special order provided that a bill should be open to amendment in Committee of the Whole, a motion to strike out the enacting words was held out of order.

That was afterwards referred to in another case, found in the CONGRESSIONAL RECORD of December 4, 1918, in which the Chair, in commenting on a similar motion, cited this decision with approval. However, the point was not directly raised and decided in this instance.

The Chair has not had an opportunity to look into this matter and is not at all sure of his ground, but for the present the Chair thinks he is bound by the only precedent he has, and sustains the point of order.

Mr. BLANTON. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Texas appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The committee divided; and there were—ayes 179, noes 15.

So the decision of the Chair stands as the judgment of the committee.

Mr. BARKLEY. Mr. Chairman, I have listened with a great deal of interest to the debate on both sides of this measure, and notwithstanding the ability displayed on both sides, or, perhaps, on account of it, I have been very much undecided as to how I should vote on this measure.

I have taken this time, not to convince anybody else how they should vote, but merely to explain my own attitude and the reason for the vote which I expect to cast.

During the war the Government came in direct contact with many divergent interests in this country. It took over the railroads and operated them during the war. It drafted our soldiers and it entered into relationships with various corporations from one end of the country to the other, and took over some of them entirely as a war measure. When the war ended and we had turned the railroads back to their owners, we said to them: "We have taken you forcibly for the use of the Government during the war, and we will legislate so that the roads shall not suffer any loss by reason of the war."

We have appropriated—and the country, apparently, has had no objection to the appropriations—enormous sums of money in order to carry out that pledge to the railroads of the country. After the war ended and the relationship between the Government and private corporations which were necessary agencies of the Government during the war was over and that relationship had been sundered we appropriated enormous sums of money—several hundred millions, if not a billion dollars—in order that the Government might see that the corporations with which it had contracts during the war should not suffer any financial loss by reason of that relation.

The Government reached its arm into all the homes of the Nation and took from them the strongest to fight the battles of the Republic, and we have only recently by an overwhelming vote said we desired as far as we could to adjust the compensation of the men who bared their breasts to the shot and shell in order that they might not be regarded as discriminated against compared to others with whom we had the dealings of which I have spoken. [Applause.]

I regard agriculture in its present condition as a war casualty, and in my judgment it is the duty of the Government to do just as much for agriculture, if it can do it, as it has done for these other interests to which I have referred [applause], and for that reason I expect to vote for this bill. [Applause.]

We have been told that this bill is uneconomic. There are about as many different opinions about what is economically sound as there are about the plan of salvation, and I doubt if very many of us are competent to pass on whether it is economically sound or not. I do not know whether as a sound, economic proposition this bill is according to the high standards of economics, but I do know that this measure is no more

economically unsound than the condition of the farmers of this country; and if it is to be a question of the difference between technical economics in Government and economic improvement on the farm, I will take my choice with the farms and with the farmers and try to help them. [Applause.]

I have undertaken to form an opinion as to whether there was more good than bad in this bill, and I have reached the conclusion that there is more good than bad in the bill and that I can afford to support it in the hope that it will offer some relief to agriculture. It is the only solution before us or that is likely to be before us. I prefer it rather than have nothing at all. [Applause.]

The Clerk concluded the reading of the bill.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9033) declaring an emergency in respect of certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question.

Mr. SINNOTT. A point of order, Mr. Speaker. I understand the rule provides that the previous question shall be considered as ordered.

Mr. VOIGT. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Oregon is right, the rule provides that the previous question shall be considered as ordered. The gentleman from Wisconsin moves that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. VOIGT) there were—ayes 142, noes 121.

Mr. TINCHER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 180, nays 136, answered "present" 3, not voting 114, as follows:

YEAS—180

Abernethy	Dominick	Lazaro	Sanders, N. Y.
Ackerman	Doyle	Lehlbach	Sanders, Tex.
Aldrich	Drewry	Lineberger	Sandlin
Andrew	Driver	Linthicum	Schafer
Aswell	Dyer	Longworth	Schneider
Bacon	Fairchild	Lowrey	Scott
Bankhead	Fisher	Luce	Sears, Fla.
Beck	Fitzgerald	Lyon	Sherwood
Begg	Fleetwood	McDuffie	Snell
Bell	Foster	McNulty	Spearing
Berger	Fredericks	McReynolds	Sproul, Ill.
Bixler	Free	MacGregor	Stalker
Black, N. Y.	Freeman	MacLafferty	Steagall
Black, Tex.	Fulmer	Magee, N. Y.	Stedman
Bland	Garner, Tex.	Mapes	Stephens
Blanton	Garrett, Tenn.	Martin	Stevenson
Bloom	Garrett, Tex.	Merritt	Strong, Pa.
Bowling	Gasque	Mills	Sumners, Tex.
Box	Gifford	Minahan	Taber
Boyce	Goldsborough	Montague	Temple
Brand, Ga.	Griffin	Mooney	Thatcher
Briggs	Hammer	Moore, Va.	Tinkham
Browne, N. J.	Harrison	Moores, Ind.	Treadway
Browning	Hawes	Murphy	Tucker
Brumm	Hersey	Newton, Mo.	Tydings
Buchanan	Hill, Ala.	O'Connell, R. I.	Underhill
Buckley	Hill, Md.	O'Connor, La.	Underwood
Bulwinkle	Hooker	O'Sullivan	Vaile
Busby	Huddleston	Oldfield	Vare
Butler	Hudson	Oliver, N. Y.	Vinson, Ga.
Byrns, Tenn.	Hull, Morton D.	Paige	Voigt
Chindblom	Jacobstein	Parker	Wainwright
Clarke, N. Y.	Jeffers	Parks, Ark.	Wason
Cleary	Johnson, Ky.	Peavey	Watres
Collier	Johnson, Tex.	Phillips	Watson
Connally, Tex.	Jones	Pou	Weaver
Corning	Kent	Quin	Welsh
Crisp	Kerr	Ragon	Williams, Mich.
Crosser	Kiess	Rainey	Williams, Tex.
Dallinger	Kincheloe	Rankin	Wilson, La.
Darrow	Kurtz	Ransley	Winslow
Davey	Lanham	Rayburn	Wood
Davis, Tenn.	Lankford	Rogers, Mass.	Woodrum
Deal	Larsen, Ga.	Rouse	Wright
Dempsey	Larson, Minn.	Sabath	Yates

NAYS—136

Allen	Browne, Wis.	Clague	Croll
Almon	Burtness	Cole, Iowa	Crowther
Arnold	Campbell	Colton	Cummings
Ayres	Canfield	Cook	Dickinson, Iowa
Barbour	Cannon	Cooper, Ohio	Dickinson, Mo.
Barkley	Carter	Cooper, Wis.	Dowell
Brand, Ohio	Christopherson	Cramton	Elliott
Evans, Iowa	Hull, Iowa	Moore, Ga.	Stengle
Evans, Mont.	James	Morehead	Strong, Kans.
Fairfield	Johnson, S. Dak.	Morrow	Summers, Wash.
Faust	Johnson, W.Va.	Nelson, Wis.	Swank
Frear	Kearns	Nolan	Swing
French	Keller	Oliver, Ala.	Taylor, Colo.
Fulbright	Kelly	Perkins	Thomas, Ky.
Fuller	Ketcham	Purnell	Thomas, Okla.
Funk	King	Raker	Thompson
Garber	Kopp	Ramseyer	Tillman
Gardner, Ind.	Kvale	Rathbone	Timberlake
Green, Iowa	Lampert	Reid, Ill.	Tincher
Greene, Mass.	Lea, Calif.	Richards	Vestal
Greenwood	Leatherwood	Roach	Vincent, Mich.
Griest	Leavitt	Robinson, Iowa	Ward, N. C.
Hadley	Lozier	Romjue	Watkins
Hardy	McClintic	Rubey	Wefald
Hastings	McKenzie	Schall	White, Kans.
Haugen	McKeown	Sears, Nebr.	Williams, Ill.
Hawley	McLaughlin, Mich.	Shallenberger	Williamson
Hayden	McLaughlin, Nebr.	Shreve	Wilson, Ind.
Hickey	Major, Ill.	Simmons	Wingo
Hill, Wash.	Major, Mo.	Sinclair	Winter
Hoch	Manlove	Sinnott	Wolff
Holaday	Michener	Smith	Woodruff
Howard, Nebr.	Miller, Wash.	Speaks	Wurzbach
Hudspeth	Milligan	Sproul, Kans.	Young

ANSWERED "PRESENT"—3

Graham, Ill. Morris Newton, Minn.

NOT VOTING—114

Allgood	Eagan	Logan	Reed, N. Y.
Anderson	Edmonds	McFadden	Reed, W.Va.
Anthony	Favrot	McLeod	Robsion, Ky.
Bacharach	Fenn	McSwain	Rogers, N. H.
Beedy	Fish	McSweeney	Rosenbloom
Beers	Frothingham	Madden	Salmon
Boies	Gallivan	Magee, Pa.	Sanders, Ind.
Boylan	Geran	Mansfield	Seger
Britten	Gibson	Mead	Sites
Burdick	Gilbert	Michaelson	Smithwick
Burton	Glatfelter	Miller, Ill.	Snyder
Byrnes, S. C.	Graham, Pa.	Moore, Ill.	Sullivan
Cable	Howard, Okla.	Moore, Ohio	Sweet
Carew	Hull, William E.	Morgan	Swoope
Casey	Hull, Tenn.	Morin	Tague
Celler	Humphreys	Mudd	Taylor, Tenn.
Clancy	Johnson, Wash.	Nelson, Me.	Taylor, W. Va.
Clark, Fla.	Jost	O'Brien	Tilson
Cole, Ohio	Kahn	O'Connell, N. Y.	Upshaw
Collins	Kendall	O'Connor, N. Y.	Vinson, Ky.
Connery	Kindred	Park, Ga.	Ward, N.Y.
Connolly, Pa.	Knutson	Patterson	Weller
Cullen	Kunz	Peery	Wertz
Curry	LaGuardia	Perlman	White, Me.
Davis, Minn.	Langley	Porter	Wilson, Miss.
Denison	Lee, Ga.	Prall	Wyant
Dickstein	Lilly	Quayle	Zihlman
Doughton	Lindsay	Reece	
Drane	Little	Reed, Ark.	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Morris (for) with Mr. Vinson of Kentucky (against).
Mr. Patterson (for) with Mr. Graham of Illinois (against).
Mr. Connally of Texas (for) with Mr. Little (against).
Mr. Wyant (for) with Mr. Howard of Oklahoma (against).
Mr. Rogers of New Hampshire (for) with Mr. Beers (against).
Mr. Newton of Minnesota (for) with Mr. Boies (against).
Mr. Gallivan (for) with Mr. Lilly (against).
Mr. Frothingham (for) with Mr. Robsion of Kentucky (against).
Mr. Graham of Pennsylvania (for) with Mr. Johnson of Washington (against).
Mr. Jost (for) with Mr. Moore of Illinois (against).
Mr. Swoope (for) with Mr. Wertz (against).
Mr. Tague (for) with Mr. Glatfelter (against).
Mr. Sweet (for) with Mr. McSweeney (against).
Mr. Mudd (for) with Mr. Davis of Minnesota (against).
Mr. Mansfield (for) with Mr. Taylor of West Virginia (against).

General pairs:

Mr. Burton with Mr. Kindred.
Mr. Kahn with Mr. Clark of Florida.
Mr. Cable with Mr. Park of Georgia.
Mr. Morin with Mr. Carew.
Mr. Curry with Mr. Drane.
Mr. Fish with Mr. Lindsay.
Mr. Morgan with Mr. Collins.
Mr. Fenn with Mr. Connery.
Mr. Seger with Mr. Gilbert.
Mr. Gibson with Mr. McSwain.
Mr. Magee of Pennsylvania, with Mr. Casey.
Mr. Madden with Mr. Byrnes of South Carolina.
Mr. Perlman with Mr. Reed of Arkansas.
Mr. White of Maine, with Mr. Allgood.
Mr. Tilson with Mr. Logan.
Mr. Anthony with Mr. O'Connell of New York.
Mr. McFadden with Mr. Clancy.
Mr. Reed of New York, with Mr. Humphreys.
Mr. Kendall with Mr. Smithwick.
Mr. Denison with Mr. Weller.
Mr. Cole of Ohio, with Mr. Boylan.
Mr. Michaelson with Mr. Lee of Georgia.
Mr. Taylor of Tennessee, with Mr. Wilson of Mississippi.
Mr. Bacharach with Mr. Mead.
Mr. Burdick with Mr. Celler.
Mr. McLeod with Mr. O'Brien.
Mr. Miller of Illinois, with Mr. Perry.
Mr. Porter with Mr. Cullen.
Mr. Sanders of Indiana, with Mr. Eagan.
Mr. Moore of Ohio, with Mr. Dickstein.
Mr. Reece with Mr. Favrot.

Mr. Hull, William E., with Mr. O'Connor of New York.
Mr. Snyder with Mr. Doughton.
Mr. Ward of New York, with Mr. Geran.
Mr. Beedy with Mr. Hull of Tennessee.
Mr. Reed of West Virginia, with Mr. Kunz.
Mr. Nelson of Maine, with Mr. Upshaw.
Mr. Britten with Mr. Quayle.
Mr. LaGuardia with Mr. Sites.
Mr. Anderson with Mr. Prall.
Mr. Knutson with Mr. Salmon.

Mr. MORRIS. Mr. Speaker, I voted aye. I am paired with the gentleman from Kentucky [Mr. VINSON]. I wish to withdraw my vote and answer present.

Mr. NEWTON of Minnesota. Mr. Speaker, I voted aye. I am paired with the gentleman from Iowa [Mr. BOIES], who was called home on account of important business. I desire to withdraw my vote of aye and answer present. If Mr. BOIES were here, he would have voted no.

The result of the vote was announced as above recorded.

THE M'NARY-HAUGEN BILL

Mr. FRENCH. Mr. Speaker, the other day in discussing the McNary-Haugen bill I called attention to the fact that no disaster can overtake one industry or one large group of our people that does not reflect itself upon our people everywhere. Our colleague from Massachusetts, Mr. LUCE, said as he discussed the pending measure that the people of his part of the country were not altogether prosperous. He pointed out that the spindles of mills in his home city were running four days a week instead of six.

The friends of the McNary-Haugen bill have constantly urged that the measure is of greatest importance because in benefiting agriculture it will bring benefits to industries and to people everywhere. With this thought in mind, I wired to one of the representatives of the farmers of the Northwest who was in Washington and participated in the plan that brought about concerted effort in behalf of the McNary-Haugen bill a few months ago, Mr. Gainford P. Mix, of Moscow, Idaho, asking him to give me definite figures on a situation with which I was generally familiar touching volume of business to-day in our agricultural communities in the West in comparison with volume of business a few years ago. I have a reply from Mr. Mix, under date of May 24, advising me that one of the largest merchandise stores in my home county in 1920 did a gross business of $387,000 and that its business had been reduced last year to $270,000.

The business of another in 1920 was $283,000, while in 1923 it had shrunk to $171,000. An implement house that in 1920 sold $60,000 worth of implements had reduced its sales to $27,000 last year. Another one that in 1920 had sales of $57,000 saw a shrinkage in business to $28,000. The business of another implement establishment shrank from $38,000 in 1920 to $20,000 in 1923.

These are figures from a few of the business houses in Latah County, Idaho. Mr. Mix wires me that, generally speaking, in northern Idaho general merchandising and the implement business show a decrease of practically 50 per cent from 1920 to 1923. These are figures that tell of the hardship that is being brought to our people and that is being reflected upon business everywhere in our country and contributing to the slowing down of the spindles in the mills of Massachusetts.

Again may I urge the importance of relief for the farmer, not only from the standpoint of agriculture but from the standpoint of people everywhere, and the welfare of our Nation.

Mr. DEAL. Mr. Speaker, the bill under consideration (H. R. 9033) provides for the creation of another bureau, with all of the expense incident thereto. Perhaps an entire new building must be placed at its disposal, with clerks and janitors, and heat, light, and water. It is supposed to exist for a period of five years, but we all know that a bureau once created is not likely ever to be abolished. It is much easier to keep such organizations in existence than to prevent them being created. This bill, if enacted into law, will add another barnacle to our ship of state to slow down its progress and in the end aid in her destruction.

EMERGENCY

It declares that an emergency exists. This declaration is as fictitious as is the proposal to maintain a price out of proportion to that warranted by supply and demand. What sort of emergency is there existing? There is no war; we are at peace; we have no famine, no particular distress; nothing other than that one class of people engaged in a particular operation have produced more than our market will absorb. They have food to eat, clothes to wear. There is a shortage of labor; hence it is commanding the largest return anywhere on the face of the globe or during any period in the history of the world. There is an overproduction of bread and meat for home consumption, and the foreigner either has no need or is unable to buy. The logical policy, therefore, is to stop raising that which is overproduced and apply the efforts in a remunerative field.

If this be an emergency we can find thousands of them in all kinds of occupations and industrial effort. Of course there are exceptions, always have been and always will be. Go into the urban centers and we will find the per cent of real distress greater, yet there is work for all. We can not expect affluence for all. We may under the strong arm of the law take from one and give to another. It would only shift the affluence, and that is the purpose of this bill—to take from four-fifths of the people and give to the one-fifth.

A CORPORATION IS TO BE CREATED

The bill provides that there shall be created a corporation of $200,000,000 capital, all of which shall be subscribed by the United States out of moneys taken from the pockets of the taxpayers of every State in the Union. The corporation is furthermore authorized to issue certificates of credit in an amount not exceeding five times its capital, that is to say, that the credit and money of all of the people of the United States is to be used in the interest of a privileged class.

PRICE FIXING

The commission is authorized to fix a price on wheat, flour, rice, corn, hogs, cattle, sheep, or any food product of cattle, sheep, or swine. However, the prime purpose of this bill is in the interest of the producers of wheat. Other farm products are evidently included to get away from the idea of a wheat subsidy and as a bait for votes. The method of fixing this "ratio" price is, as I understand it, to apply the price at which wheat, or other commodities embraced within the provisions of this bill, sold during the years 1905 to 1914 inclusive, and multiply by the average price at which all other commodities sold during 1923, and divide by 100. Since this legislation is proposed primarily in the interest of the wheat grower, we will illustrate the manner in which the ratio price is established by taking the average price of wheat in 1905 to 1914 inclusive, which we find to be approximately 98 cents, while all other commodities sold in 1923 at 62 per cent higher than during the pre-war period, or 1.62. Multiplying 98 by 162, and dividing by 100, we will evolve the ratio price at which the corporation shall determine the market to be. This will give us $1.59 cents per bushel, whereas, the approximate world market price is $1. It is proposed that the Government guarantee this fixed price and absorb such surplus amounts as can not be sold for home consumption. This surplus is to be sold on the world market in competition with the surplus from Argentina, Australasia, and other countries at a price which will probably be fixed in London.

EQUALIZATION FUNDS

In order that the producers of a basic commodity may pay ratably their share of the expenses of the corporation, and the losses that will accrue by reason of the sale of a surplus commodity, say wheat, in foreign markets, the corporation is authorized to establish the amount to be collected in respect to each sale, and the purchaser required to collect such equalization fee from the producer, issue to such producer a receipt therefor, such receipts to be provided by the corporation, and the seller is required to accept the same as a part of the ratio price fixed by the corporation. As this amount is to be calculated to cover the expense of operation, it would seem to protect the Government, provided the plan works out as its proponents anticipate.

Should it develop, however, that by reason of the inflated price of wheat the bread eaters of the country should consume less, and the producers should grow more, the actual figure that the farmer would receive will more nearly approximate the world market. To illustrate: If the annual consumption of wheat in America should be reduced to 500,000,000 bushels, which at $1.59 would be worth $795,000,000, and the stimulated production should increase to 1,000,000,000 bushels, 500,000,000 of which would have to be sold on the world market at $1, the total equalization fees for the loss in the sale would amount to $295,000,000, so that this deduction would bring the producer back to identically the world market price, and the farmers would not be benefited to the extent of one penny. At the same time there would have to be an additional deduction made from the price of the farmer's wheat with which to pay the operating cost of the corporation, and in that event the farmer would lose, while the American consumer would be required to pay 50 per cent more for the bread that he eats and the

benefit would accrue only to the foreign purchaser. This is certainly not an unreasonable assumption. Indeed, it is my opinion that the production of wheat, under the hope held out by this bill, would easily go beyond the billion bushel mark, until the farmer by actual experience realized the fallacy of the whole proposition, and again he would be forced to curtail his production or come back to the Government and ask for a direct subsidy to relieve the situation.

It seems to me that if we are justified in subsidizing agriculture it would be far better to go into those communities in which the distress is most keenly felt, pay a gratuity to the producer, and avoid the complicated and dangerous experiment of the Government going into the business of selling wheat. In 1893 the Sherman antitrust law was enacted, which, as interpreted by the courts, provides that no two or more persons shall combine to fix the price that a consumer must pay or to boycott the product of any individual or class of individuals. This is a general law and applies to all persons alike. There have been several attempts to exempt certain classes from the provisions of this law while having it applied to other persons. In 1912 Congress passed the sundry civil bill in which it was provided that no funds thus appropriated should be used for prosecuting agriculture or labor organizations that might combine in restraint of trade. President Taft vetoed this bill on the ground of its being class legislation and, as I now recall, unconstitutional. It was reenacted in 1913. This not being deemed sufficient by agriculture and labor, the Clayton bill, passed shortly thereafter, undertook to exempt these classes from the provisions of the Sherman antitrust law. I have not examined a decision of the Supreme Court that affects this provision of the Clayton law, but my impression is that that decision gave the exemptions a severe jar; and now we are asked to make the Government do an illegal act in the interest of agriculture and thus create a privileged class. The Haugen bill is a cleverly devised scheme to camouflage the real aim and purpose of certain interests for a direct subsidy from the Government.

Some of the proponents of this measure base their contentions for the bill in part upon the claim that the Government has subsidized manufactures, transportation, and labor. Were this true in its entirety, we would still not be justified in enacting this legislation, for two wrongs never made a right. Besides, this legislation, if enacted, would be a departure from any that has gone before.

It is true that manufacturing has been aided and large aggregations of capital have been built by taxing imports in kind, but such legislation has had the merit of justification as a means for raising the necessary revenue to defray the cost of government. The tariff is not a direct aid, but an incident growing out of a necessity. Prohibitive duties are wrong in principle and are an evil that the Democratic Party would correct and will correct when it is returned to power. I believe, and so has the Democratic Party expressed in every platform that it has ever written, in a tariff for revenue, because it is the least offensive tax that can be imposed, and I am perfectly willing that there should be a corresponding tax placed upon imports of farm production. While holding this view as to imports generally, I have the feeling that the time has come when iron and steel products should no longer be protected by duties upon imports of competitive production. Such a removal of duties upon imports of iron products would enable the farmer to purchase his implements at reduced figures, and more effectually meet the demand of those who believe that swollen fortunes are a menace to society than will high surtaxes on incomes which can be and undoubtedly are passed on to the consumer.

But fictitious values are to be established by the strong arm of the law, and after a proclamation which the President is practically ordered to make it shall be unlawful for any person to import into the United States a competitive commodity and to further fasten this indirect tax upon the American consumer, the President is authorized to fix import duties in such amounts as to prevent competition. There has been a great deal of bad legislation enacted by the Congress under pressure and threats, but I regard this legislation as the most vicious and dangerous of any that has yet been attempted.

The bill provides that the President shall by proclamation terminate the emergency declared when, and only when, the corporation determines that such conditions have ceased to exist, or are no longer controlling. This, of course, means the limit of time, for no Government official has ever been known, or probably never will be known, to declare that his days of usefulness are at an end. The five year limit provided only means that if sufficient strength can be found for the enactment of this law, it, like the rent act and the War Finance Corporation and other emergency war corporations, will be extended by Congress indefinitely. Few of the war emergency corporations have been allowed to die though nearly six years have elapsed since the war, and no possible reason can be advanced for their continuance, save and except to give employment to certain persons at large salaries. The Government is still in the real estate business, the hotel business, the ferry business, the transportation business, and each Congress is adding by law additional bureaus under the insidious urge of minority organizations seeking special privilege. The effect of ths Government ownership of business is to drive out competitive private capital. No individual will or can operate unless at a profit; therefore he will not enter a field occupied by the Government, which avowedly operates not to derive profit, but to supply at cost its product or service. The door of opportunity is by degrees being closed in the face of future generations. It approaches the same ideal as that upon which Russian Bolshevikism embarked only by a different route. The difference being primarily that the Russians adopted the brutal expedient of murder and confiscation while we apply slow poison to private ownership and endeavor. I have it from the Department of Justice that the communists of this country, cooperating with the proletariat of Russia, inject themselves into all kinds of organizations, even the church, and then bore from within.

Unable to overthrow our Government and apply the more drastic method, slow poison is being applied. Social organizations of every nature are encouraged and perfected and the seeds of communism are adroitly sown in these fertile fields. I must say, however, that the American route possesses some advantage over the Russian in that it does not in its incipiency take human life, and the confiscation is by degrees.

CONSTITUTIONALITY

The constitutionality of this legislation may well be questioned, but to mention this inhibition is merely to flaunt a red flag in the faces of some of the proponents of such legislation. Not being a lawyer, any discussion of this phase of the subject would perhaps be academic, and since I know it to be useless I shall not attempt it other than to say that under the provisions of this bill every meat and bread eater in the United States is to be held up by his own Government, to which he has a constitutional right to look for fair and just treatment, in order to pay a subsidy to a small class because of overproduction. The Agricultural Export Corporation, while empowered to declare an emergency in the interest of any agricultural product, will function particularly with respect to wheat, and it will scarcely be denied that the demand for this legislation has arisen primarily among the wheat growers of the Northwest. It is true, perhaps, that as a result of propaganda the wheat growers in other sections of the country have in some measure indorsed this proposition; but the demands through many years past, coming from the Northwest, for special legislation, has been so marked that we may with propriety feel that this movement had its origin in that particular section and is intended for its special benefit. As a warrant for this belief we point to the continual demand from this section for farm aid to the Rural Credits Corporation, the $25,000,000 revolving fund, the grain futures bill—declared by the courts to be unconstitutional—a loan of $2,000,000 for the purchase of seeds in 1919 because of a drought. Again in 1921, for the loan of $1,000,000, claiming another drought, and the consequent inability of the farmers to purchase seeds with which to replant, and I recall the statement made upon this floor at that time, that the average yield of wheat of those States was greater than the average yield of other States in the Union. I may say that these loans have only been repaid in part, and probably will not be repaid in full. It is not my purpose to reflect upon the good intentions of any person or group of persons, State or group of States. Self-preservation is the first law of nature, and naturally when suffering one looks for relief from whatever source it may be had, and I would not refer to the matter at all were it not that this legislation would require the people of my State to be indirectly taxed for the fundamental necessities of life that a subsidy may be given to the people of a section whose principal moneyed crop suffers temporarily from overproduction. The ease with which the Federal Treasury can be raided has prompted many classes exemplified by minority organizations to demand their share of the plunder, for the accomplishment of which Congressmen have been freely and unhesitatingly threatened.

Permit me to say that the greater part of my savings through 40 years of self-denial and toil have been invested in agricultural lands that are well adapted to the growth of wheat and stock, but those lands are now idle, the ditches are filling, the fences are decaying, and the houses in need of repair because

the cost of production exceeds the return from the product. Nor have I safe deposit boxes bulging with tax-exempt, interest-bearing securities to sustain these losses. Should this law be enacted, perhaps I could for a while raise wheat and pay the carrying charges of my investment; therefore, my personal interest might suggest support of this legislation.

This statement is of no interest to my colleagues, and I have made it only that they may carry the thought that personal interest does not enter into the equation of my opposition to this kind of legislation. On Tuesday, May 13, the gentleman from the tenth district of Wisconsin, with his usual energy, antagonized the purchase of the Cape Cod Canal at the sum of $11,500,000. He claimed that the few lives lost on the coast of Cape Cod which might otherwise be saved by the use of the canal in question did not amount to the number of lives lost in the city of Washington in one year through and by automobile accidents. He did not seem to consider this to be of moment, nor the loss of property incident to the dangers of this navigation, or of time and delays to the movement of our large coastwise trade. Whatever may be the value of this property, its owners have persistently refused to accept less than $11,500,000. The only other legal method, therefore, by which the property can be acquired is to condemn the same. Such proceedings have been instituted and a jury of citizens determined the value to be $16,000,000, and so the question of its value capitalized on its present earning capacity does not enter into the equation. This canal will be a connecting link in the intracoastal waterway from Boston to Florida, a project that has been entered upon by our Government. A large portion of the waterway has already been completed at the expenditure of many millions of dollars. Congress has a constitutional grant of power to control navigable waters and interstate commerce; the expenditures for this purpose therefore are entirely constitutional, and since the people along the Atlantic seaboard are, of one accord, desirous of developing this waterway, it would seem that they are entitled to have it.

When the gentleman from Wisconsin was asked if he favored the enactment into law of the McNary-Haugen bill—the constitutionality of which I question—with unusual vehemence he asserted that he did. We can readily understand the gentleman's attitude in advocating this measure, since it will add hundreds of millions of dollars of wealth to that section of the country from which he comes, and relieve frozen credits by taking $200,000,000 from the taxpayers of the Nation as a whole, to be used in functioning an operation that will beyond question place an additional burden upon the bread and meat eaters of this country of not less than $1,000,000,000 annually, or three billions, as stated by another Representative from Wisconsin. It was suggested that while the Cape Cod Canal purchase would require $11,500,000, that the McNary-Haugen bill carried $200,000,000, the gentleman from Wisconsin replied that "It will not carry anything like that amount," an error to which I respectfully call his attention. The gentleman reminded us further that "The people where I live are just as well to do as the people of Virginia, and just as able to take care of themselves." If this statement be true—and it is—it would seem inconsistent that the gentleman should demand the legislation in question at the expense in part of the people of my State, which, I readily confess, does not possess the wealth of the State of Wisconsin, and even of other States that are clamoring for this legislation. The population of the State of Wisconsin is 2,632,067. Its assessed valuation, subject to general property taxes as submitted by a bulletin released by the Bureau of the Census for the year 1922, was $4,166,885,816.

The population of Virginia is 2,309,187. Its assessed taxable valuation was $1,690,539,515. The State revenue and its subdivisions for Wisconsin were $127,889,640, while those of Virginia were $46,790,433, but when we come to the revenue paid to the Federal Government we find that Wisconsin paid for the year 1923, $37,466,336.57, while poor old Virginia paid $40,205,124.46. I submit that it is not quite fair, therefore, that the bread eaters of Virginia, who do not want this legislation, should be taxed in order to aid his bankers in liquefying the frozen loans of $455,000,000 on farm mortgages in the State of Wisconsin, which can hardly be termed a wheat-growing State, its production in 1923 being 1,950,000 bushels. With no intention, as heretofore stated, of reflecting improperly upon the people of any State, it will probably be interesting to carry these figures somewhat further. I shall select for the purpose of expressing my thought seven States in the Northwest which are particularly clamoring for this legislation and which will be more particularly benefited by the proposed legislation than the people of any other group of States, due perhaps to financial embarrassment as a result of exaggerated financing, viz, Montana, Idaho, North Dakota, South Dakota, Iowa, Nebraska, and Minnesota.

The aggregate debt of these States and their subdivisions in 1922 was $737,579,494. The farm-mortgage debt as estimated by the Bureau of the Census, 1920, was $2,778,320,000. The State revenues from all sources aggregated $431,308,140.

The average number of licensed automobiles is one to every 4.9 persons. These are staggering figures and indicate very plainly that the entire pecuniary distress of the people of these States is due not so much to the low price of wheat as to the extravagance of their people in the taxes laid, money borrowed by the States and subdivisions, farm mortgages, and in the luxury of automobiles. I do not object to every person in each of the States enjoying the luxury of an automobile, provided you do not take from my State, the people of which can afford only one automobile for each 10½ persons, to sustain this luxury. Whenever and wherever we spend more money than we have, financial distress is inevitable. We find that the wheat grown in these seven Northwestern States for the year 1923 amounts to 234,692,000 bushels out of 785,741,000 bushels grown in the United States, and in 1922, 347,185,000 bushels out of 867,000,000 bushels, or one-third of our entire production. Taking the average of these two years, 281,000,000 bushels, and multiplying the same by 59, the increased price that is to be placed upon wheat, we find that the American people would be giving an annual gratuity of $165,790,000 to these people in order that they may assist in an overproduction that we do not need.

These figures are very suggestive and apparently do not warrant us in taxing the people of the more frugal States to rehabilitate the unwise extravagance of others, and I find in no part of the Union such heavy expenditures and obligations per capita for public and private purposes as we find in these seven States and perhaps a few others bordering the Rocky Mountains.

There may be other grounds, however, for the intense agitation for this legislation. Judging from the letters which I have received from the western country I should say that the bankers are more interested even than the farmers. They have evidently departed from the ways of conservatism and reasonable banking methods as laid down by the experience of ages. The money of their stockholders has been loaned upon insufficient security. These obligations, owing to heavy taxes, automobiles, and other causes, have become frozen, and now the bankers are confronted with failure or help from some source to overcome the results of mismanagement, and so they are looking to the Government for relief. Let us compare the resources and obligations of seven of the Southern States to those just enumerated, namely, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, and Mississippi. The population of these seven Southern States is 14,555,131, as against 8,350,410 of the States previously mentioned. The aggregate State debt is $636,077,938, as compared to $737,579,494. The farm mortgage debt is $406,560,000, against $2,778,320,000. The State revenues are $272,201,041, as against $431,308,140. The assessed values are $8,470,052,194, as against $11,559,677,868. The number of automobiles in these States is 1 to every 10.6 persons, compared to 4.9; less than one-half of that in the Northwestern States.

While the assessed values of these seven Southern States is slightly over two-thirds as much as those of the seven Northwestern States, we find that the tax collected by the Federal Government is $231,404,202.13, or 8.8 per cent of the entire revenue paid to the Federal Government, while the revenue collected from the seven Northwestern States for the corresponding period was $67,911,191.93, or 2.4 per cent of the entire revenue collected. The revenue collected from the 17 States east of the Allegheny Mountains, including West Virginia, situated principally in the mountains, is 58 per cent of the total revenue of the Government, and the population amounts to 43,214,754.

It would seem, therefore, that the gentleman from Wisconsin is not overmodest in opposing an investment of $11,500,000 for the intracoastal waterways from Boston to Florida, of which the States directly interested will pay 58 per cent of the cost. Of the $200,000,000 that is to be taken from the Treasury as an operating capital to fix the price of wheat and other basic products, $116,000,000 will be taken from the taxpayers of the Atlantic seaboard, while only $5,000,000 will come from the seven States that are to be most benefited by the legislation. I am perfectly willing that the people of the Northwest shall enjoy every benefit and every advantage and every privilege that is given to the people of every other State or section of the Union. I am entirely willing to go even beyond this and support the expenditure of hundreds of millions of dollars for the devel-

opment of our inland waterways, in order to reduce the cost of transportation for that which they produce and upon the supplies which they must purchase in return, but I am unwilling to tax the people whom I represent and who do not need this legislation or want it in order to pay a subsidy to the people of any other State or group of States and place an additional indirect tax of $600,000,000 per annum upon the bread eaters of America; and if we add to this the meat consumed with the ratio price to be added by the corporation we will easily place a burden of $1,000,000,000 upon the bread and meat which must be consumed by the American public.

Mr. STRONG of Kansas. Mr. Speaker, in this debate we have heard our friends from cities where the grain exchanges and packers are located, tell us how this bill will hurt the farmers by raising the price of farm products on the people who live in cities, and advise us that farmers will grow rich if they will only diversify their crops.

I wish to present a statement prepared by P. T. Strom, of Republic City, Kans., who lives in a rich agricultural county of my district, where the farmers diversify their crops and produce cattle, hogs, poultry, cream, and eggs, which will show our city and New England friends what is the matter with the farmer and why of all the classes of this Nation he is unable to prosper as he deserves to prosper, and why the purchasing value of the farmer's dollar is worth only about 60 cents, as compared with the value of that of all other industries.

A comparison of the 1914 buying and selling prices, and 10 years later, 1924, buying and selling prices from the Kansas farmers' standpoint

Implements	1914	1924
Hand corn sheller	$8.00	$17.50
Walking cultivator	18.00	38.00
Riding cultivator	25.00	62.00
One-row lister	36.00	89.50
Sulky plow	60.00	75.00
3-section harrow	18.00	41.00
Corn planter	50.00	83.50
Mowing machine	45.00	95.00
Self-dump hay rake	28.00	55.00
Wagon box	16.00	36.00
Farm wagon	85.00	150.00
Grain drill	86.00	165.00
2-row stalk cutter	45.00	110.00
Grain binder	150.00	225.00
2-row corn disk	38.00	95.00
Walking plow, 14-inch	14.00	28.00
Harness, per set	40.00	75.00

Threshing wheat, per bushel, 1914, 5 cents; 1924, 8 cents.

Labor by day, week, or month, up about 60 per cent.

Freight rates on corn from Republic to Kansas City, 1914, 11 cents per 100; 1924, 16 cents per 100.

Wheat, 1914, 12 cents per 100; 1924, 17 cents per 100.

From the above you will see that the cost to the Kansas farmer of raising a crop has about doubled in the last 10 years, while the income from the sale of the crop remains the same and in some cases lower than in 1914.

Below are the local market prices on wheat, corn, hay, beef, cattle, and hogs, April, 1924, compared with 10 years ago. The 1914 prices are a part of my own record and the rest were taken from the State agricultural report for that year.

Wheat, per bushel, 1914, 98 cents; 1924, 95 cents.

Corn, per bushel, 1914, 60 cents; 1924, 60 cents.

Hay, per ton, 1914, $10; 1924, $6.

Cattle, per 100 pounds, 1914, $6.30; 1924, $6.

Hogs, per 100 pounds, 1914, $7.60; 1924, $6.50.

Mr. MAJOR of Illinois. Mr. Speaker, I shall avail myself of the few minutes at my disposal to make some observations with reference to the present agricultural situation. I suspect those of us who were reared on the farm and who have remained in close contact with those who till the soil have a more vivid understanding of their state of mind at this time than those of our colleagues who have spent their time and activities in the congested centers of our Nation.

The fact that 40 per cent of the population of this great country are engaged in agricultural pursuits—making it the greatest business of all—and that this mammoth industry is now on the verge of financial ruin and disaster surely is a proposition of such proportions as to challenge the most earnest consideration, not only of those in official responsibility but others as well, and this irrespective of sectional or local interest. It is not a local or sectional matter, but a national question of supreme importance and should be dealt with and considered as such. The impression seems to be prevalent here that this disturbing situation exists only in the West and Northwest, in the great wheat-growing regions of this land, and that the situation is occasioned largely by reason of the fact that the farmers of those sections do not practice diversified farming. That this is an erroneous conclusion, both as to the area affected and the cause, is quite evident to me. The President, in his message addressed to the Senate under date of January 23, evidently labored under a misapprehension both as to the extent of the affected area and the reason therefor. It is quite apparent from the tenor of his message that he referred only to the farmers of the Northwest, and suggested diversified farming as the relief. I quote from his message of that date:

> Great numbers of individual farmers are so involved in debt both on mortgages and to merchants and banks that they are unable to preserve the equity of their properties. They are unable to undertake the diversification of farming that is fundamentally necessary for sound agricultural reconstruction of the area. They are unable to meet their obligations and thereby has been involved the entire mercantile and banking fabric of these regions. Not only have there been large numbers of foreclosures on actual farms, but there are great numbers of farmers who are continuing in possession on sufferance from their creditors.

In the district which I have the honor to represent—one of the great districts of the State of Illinois—which includes within its boundaries the capital of that Commonwealth, with all its historic traditions, the climate is suitable and the soil adapted to the raising of all kinds of grain and stock, and these products are raised in abundance, and if the farmers of the great Northwest are in any worse circumstances financially or any more discouraged at the present time than those of my district, then, I say, God pity the farmers of that section. Diversified farming, where practical, is of benefit to the farmer in so far as it enables him to overcome the uncertainties of climatic and weather conditions, as well as attacks from insects and the many other contingencies with which he has to deal that limit or prevent him from producing certain crops during one season when he may be able to successfully produce others.

But the President's message, as well as the many able speeches which have been made upon this floor, leaves no ground to doubt that this is the most important proposition before the American Government to-day. The revenue question and the many other important matters with which this Congress has dealt, fade into insignificance when compared with this problem which we are now considering, and this is true for the reason that the very foundation of all prosperity and good times for all of our people rests primarily upon agriculture.

The first question that presents itself to my mind is, What has brought about this situation? Is it the fault of the farmer? This query needs no answer. A beneficent Creator sends the rain and sunshine as in times gone by. The farmer, his wife, and family toil from early morning until late at night, more effectively than formerly because of improved machinery and the modern methods employed. He harvests his crops and attends his stock and at the proper time places them upon the market to be converted into food and clothing only to discover to his chagrin, discouragement, and financial embarrassment that the proceeds from his efforts are not sufficient to provide for him and his family the bare necessities of life, to say nothing of the comforts and conveniences to which he is entitled, interest on his investment, or profits from his business. No other business in this land could long survive under such conditions, and neither can the agricultural business. We are told this condition might be expected to follow in the aftermath of the great World War and this may be true. At any rate there is no doubt in my mind that the condition may be attributed largely to the demoralized condition of the markets of the world.

Another condition which enters into the situation is the fact that the farmers are compelled to compete on all hands with organized industry, while they are not sufficiently organized to successfully compete with such efforts. The price of everything they buy is fixed, while they have practically nothing to say with reference to the price they receive for their products. With the considerable amount of attention I have paid to this situation, I am unable to conceive how the farmers will ever be able to hold their own, competing with organized effort on every hand, until they become organized in the same manner and to the same extent as those with whom they compete. Owing to the diversified nature of their business this is a difficult objective for them to achieve, but whether or not they are able to solve this proposition in the future, the fact remains that they are not sufficiently organized at this time, and as a result the situation with which they are confronted

does not merely concern them as a class, but must be of concern to the Nation as a whole.

Realizing the situation, as we do, how are we going to solve it? Many bills have been introduced during this session of Congress seeking to provide relief and, of course, were referred to the Committee on Agriculture. That committee, with its learned and distinguished members, after many weeks of hearings and consideration, have reported to this House with a favorable recommendation the measure now under consideration, known as the McNary-Haugen bill. It is not my purpose to go into any detailed discussion of this measure. For several days we have listened to the most able men of this House discuss its merits and demerits, and no one will question the statement that every conceivable objection has been made against it, some of which possess much merit, many of which are frivolous in their nature. It must be kept in mind that it is offered as an emergency measure to meet a drastic situation, and with that proposition in mind many of the objections made will not hold, which if made to a measure not designed for an emergency would be entirely tenable and worthy of serious consideration. Surely, no one will deny that the producer of agricultural products is entitled to receive the ratio price described in this bill or, in other words, to receive for his products a sufficient price as will enable him to purchase those things which he must have on the same basis that he did during the period from 1905 to 1914. That is a proposition, to my mind, so fundamental as to need no argument. It is a matter of plain justice, to which the farmer is entitled, and which he must have if he is to survive.

But we are told that this will increase the cost of living to all others of our population. This no doubt is true, to some extent, at least, but even conceding that it will, this does not alter the justice of it, and surely the consumers of agricultural products are willing to be charged on this basis. That they are willing to do this I am convinced by the large number of letters and telegrams I have received from my constituents who live in villages and cities and who are aware of the fact that the prosperity of us all depends upon the prosperity of the farmer.

And in this connection I desire to call particular attention to the attitude of organized labor with reference to this bill. I have in my possession a copy of a resolution passed by the joint labor legislative board of Illinois, representing seven different labor organizations, including the United Mine Workers of America and the Railroad Brotherhood, indorsing this measure; and I quote this very pertinent paragraph from that resolution:

> Inasmuch as the Government has seen fit in the past to protect and assist various business and financial institutions, it appears only fair that Congress would heed the plea of the farmers in giving them some measure of relief at this time.

The resolution then goes on and definitely indorses the measure now under consideration. I think I might say that this is the most unselfish act on the part of any organization I have had called to my attention during this session of Congress. It demonstrates that organized labor in this country concedes to the farmer what it has claimed for itself—that is, a price for his commodities that will make him a happy and contented citizen—and other elements of our population might well embrace this theory.

Another criticism which has been urged perhaps more forcibly than any other is that if this measure becomes a law it will greatly increase the production of farm products, but this does not strike me as being a very forcible criticism for several reasons. In the first place, if this law were in operation it would not place the farmer in even as good a position as he was during the period of 1905 to 1914, for the reason that, although it is said the purpose of the measure is to give the farmer's produce the same exchange value it had during the 10-year period above referred to, that is hardly correct, for there would have to be deducted from the price received for his products the operating expenses of the export corporation provided for in the act; yet if it were precisely true that the farmer would be placed in as good position as during the 10-year period, I do not believe that his prosperity during those days was such as to make the farming business more alluring now than it was then; and if this be true the question of overproduction now would be of no more concern than it was during that period. Another thing which will lessen the incentive for overproduction, if not entirely eliminate it, is the check provided for in the bill by reason of the equalization fund, which would increase as overproduction increased, the result of which, when properly understood by the farmer, would be to minimize production.

Our colleagues generally, who are opposing this measure on this ground, state they are supporting or willing to support bills, either now before the committee or any other reasonable proposition that might be devised to meet the emergency, but any proposition which meets the situation and puts the farmer on a level with other elements of our population would be subject to this identical criticism—that it would lead to greater overproduction than we now have.

These two objections—that is, that the measure would increase the cost of living and cause an overproduction of farm products—are the most potent objections made. There are others, of course, which may be regarded as serious by some, but are not generally so considered. For instance, it is said the measure is contrary to the laws of economics, a departure from the fundamental principles of government, is class legislation, is unsound in principle, and will prove detrimental to the farmers rather than beneficial. These objections must fall by the wayside in view of the emergency which exists and, further, in view of the fact that Congress has ignored these principles in legislating for other classes of our people. Does anyone claim that these same objections are not applicable to the present tariff law—the highest ever known—which protects the manufacturer and enables him to impose a burden upon the American consuming public to the extent of $4,000,000,000 a year; the transportation act, which enables the railroads to fix their rates at an amount that will allow them a decent rate of interest on their investment; or the immigration law, which is the great protector of organized labor and which enables them to protect themselves against the cheap labor of the Old World?

The theory of this measure, as I understand it, is to enable the farmer to do for himself what we permit the manufacturer, the railroads, and labor to do for themselves. It will enable the farmer to take advantage of the tariff, which he is not able to do at the present time for the reason he produces a surplus, which is sold abroad, and the price of his entire output, both that consumed at home and abroad, is fixed by the world market. In this connection I desire to quote from a letter relative to this situation which I received from the Hon. James M. Graham, a former Member of Congress from my district, who will be remembered by many of the Members here as one of the outstanding figures in this House for many years and who is noted for his sound judgment and thought. Among other things, Mr. Graham said:

> Of course, the scheme is unsound in principle, but sound principles hardly constitute a test of legislation any more, and the farmers are suffering so severely that they can not continue to stand for sound principles when every class in society is robbing them through methods based on unsound principles.
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> The protective tariff, which is based on thoroughly unsound principles, takes care of its beneficiaries, and the farmer is not and never has been one of its beneficiaries. The labor unions take care of their members through their organizations; secret understandings and agreements care for still others, and all these secure for the beneficiaries artificially high prices; but there is no scheme to care for the farmer, and he seems incapable of devising a practicable one.
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> The tariff beneficiary adds a large part of the customhouse duty to the price of his goods and passes it along down the line to the consumer. The employer of labor adds the increased wage cost to the product and passes the increase along to the owner of the building constructed or to the consumer.
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> The agricultural-implement manufacturer and the other manufacturers add the high wage costs and the other high costs to the price of the article and they fix the price on it. They all tell the consumer what he must pay, and the increased price is passed along the line until it finally reaches the farmer, who is the only producer of new wealth, the only one who converts sunshine and air and moisture and soil, etc., into food, etc. He has no one to pass the burden to, hence has to carry it, and the load is killing him. But his exploiters had better beware or they may duplicate Samson's feat of pulling down the building, to their detriment as well as the farmer's.
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> The farmer is the real foundation of the structure we call society. In the whole social fabric, as stated, he is the only original creator of wealth. The banker, the manufacturer, the merchant, the artisan, the professional man, and others rest ultimately on agriculture—on the farmer—and if he, the foundation, is crushed, what will become of the superstructure? Surely they are all interested in his welfare even though they show no sign of thinking so.
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> As to those farmers who have hugged the delusion that a protective tariff was helping them, one might almost say it serves them right. Some of them have been so deluded by the protection idea as to be wholly bereft of both perception and reason. It is hardly exaggeration to say that the tariff chloroformed them while it robbed them. Wage earners in the past—and to some extent yet—were sufferers

from it, but they discovered the situation and offset it by organizing unions and by securing legislation limiting immigration.

Then the wage earners placed themselves on a level with the tariff beneficiaries by securing, through organization, artificially high prices for what they had to sell—their labor. Indeed, with the exception of the farmer our whole economic scheme—if it can be fairly called an economic scheme—is purely artificial. Every class is "passing the buck" to the others until finally it reaches the farmers, and they have no one to pass it to.

It is folly or martyrdom to talk about the application of right principles and of sound economic laws in such a situation. The operation of economic laws is practically suspended by tariffs and by labor unions and by combinations and secret understandings as to prices. The farmer is practically the only exception to the rule. Through organization or understandings the other classes are, as it were, walking on stilts, taking about 10 feet to a stride, whereas the farmer is still walking on his natural legs, taking 2 or 2½ feet to a stride. Naturally he is getting left. Now, walking on stilts is not a natural form of locomotion, but if "everybody's doing it" but you, you will soon feel compelled to get on stilts too and fall in line, or fall by the wayside.

There is little hope that Congress can swing all the other interests to a truly economic basis very soon, but the farmer can not wait long. He must get relief quickly or it will be too late, and while, as I said in the beginning, this bill is unsound in principle, since that unsound principle is now receiving general application, I see nothing for the farmer but to get in the band wagon with the rest. Then maybe after a while they could all work around to a sounder and surer economic basis.

I agree that the result of this measure in operation is, to a considerable extent, a matter of speculation. In other words, I doubt whether any person knows just what the effect of the operation of this measure would be. But that statement can be made with reference to every measure enacted into law, and I think has been made concerning every question presented to this Congress. A few months ago we were told, and it was carried in headlines by the press throughout the country that the revenue bill as it passed the House would produce a deficit in the United States Treasury of $600,000,000, and this exclusive of an adjusted compensation for World War veterans. Since that statement was heralded throughout the land the adjusted compensation bill has been enacted into law, and now we are told by responsible men in both parties that the revenue bill as enacted will produce sufficient revenue to meet all the operating expenses of the Government, including the cost of adjusted compensation, with a surplus remaining. We were also told we could not have tax reduction and the adjusted compensation law, yet the present revenue bill provides for a greater reduction than the Mellon plan after caring for the expenses incurred by the enactment of the compensation bill. I seriously doubt whether Mr. Mellon or any man in this Congress can to-day come within $100,000,000 of estimating the amount of revenue this bill will produce.

I merely cite these instances in connection with my statement that the effect of all important legislation is, to a considerable extent, a matter of opinion and speculation. If responsible men who are informed and have made a long study of revenue and kindred questions differ as to the amount of revenue a certain bill will produce as widely as they have in this Congress, how can it be said that a serious objection to the measure under consideration is that the result of its operation is uncertain and speculative? Those who are experts on agricultural conditions, including Mr. Wallace, Secretary of Agriculture, who have given much serious thought and consideration to the matter, say that the plan is workable and will accomplish its intended purpose.

The farmers and people generally of my district in Illinois are for this measure in no mistaken terms. I doubt whether there are many congressional districts in this country where the farmers are better organized or better informed as to matters which concern them than they are in the twenty-first district of Illinois. They have not only rubber stamped this proposition, but they have given it serious study, are well posted as to its provisions, and their opinions as to its effect if it becomes a law are entitled to much weight. They are for it because they think it will help them. Can I do less, as their representative—vitally interested in their welfare—than to support the measure, hoping it may become a law and that we may learn from actual results that it will accomplish what its sponsors claim? If so, the farmers will be carried through the present emergency and landed in a position where they can take care of themselves.

It is being freely predicted in the newspapers and around this Capitol that this measure can not pass, and if it did the President would veto it. Notwithstanding this situation, and with nothing to offer in its place, Congress is preparing to adjourn on the 7th of June. That time is fixed so the Members may attend the national conventions at Cleveland and New York, where our platform makers will indulge in the quadrennial pastime of writing a plank announcing to the world what devoted friends of the farmers we are. It is inconceivable to me that the administration in power—in case the McNary-Haugen bill fails of passage—would even consider the matter of adjourning this Congress until the present emergency has been solved. We are told by some of our Democratic colleagues that this responsibility is entirely upon the party in power, but in this thought I can not concur. The responsibility is upon all of us, regardless of politics, and we are all going to be held responsible by the American farmers, and that irrespective of political affiliations.

It is said by some that no legislation can be passed that will meet this emergency. There may be some logic in this line of thought, but if there is, in view of the platform promises made in the last campaign and in view of the platform promises that are likely to be made in the near future, common honesty and good faith demands that this Congress stay on the job until we have exhausted every resource to enact legislation that will adequately meet the present emergency, or until such time as this Congress and this administration are willing to acknowledge to the American farmer that we are impotent to meet the situation. The proposition is of huge proportions, one that we can not escape by adjourning next week and going home, and one that demands we remain in session until we solve it, or until it is apparent it can not be solved. In the former event we might expect to receive the plaudits of not only the farmer but all those who believe in a square deal for him; in the latter event we would at least get credit for being honest and acting in good faith.

Mr. WILLIAMSON. Mr. Speaker, everybody recognizes that the price of farm products is disproportionately low. Thirty-five per cent of the American people are directly dependent upon the farm for a living. In many localities their buying power has practically disappeared. They can not pay their debts, and tens of thousands of them are losing their farms by foreclosure or by voluntary transfers to their creditors. In my own congressional district alone there were 2,496 foreclosures during the year 1923 and the first three months in 1924, involving the sale of more than one-half million acres of farm land. This record of forced sales is by no means an isolated one, but is common to the entire spring-wheat area. A situation closely paralleling this condition exists throughout most of the Middle West. The disaster that has overtaken our banks is directly due to the collapse of agriculture and not to inefficient banking, as is commonly charged.

A vast building program incident to the stopping of construction during the war and capacity production by our factories since the enactment of the Fordney-McCumber tariff law have kept labor busy at wages so high as to be without parallel in history. Outside of the agricultural industry there has been unbounded prosperity. This prosperity, however, can not continue a great while longer unless the buying power of the American farmer is restored. It can not be restored unless he be given the same protection as is given to industry and labor.

Where would our industries be to-day with free trade? Where would labor be with unrestricted immigration? Not only have capital and labor been protected by legislative enactments, but both are organized to take full advantage of their favorable situation thus created by limiting supply, output, and hours of work. The much-talked-of law of supply and demand has all but ceased to operate. Yet there are those who insist upon this floor that the law of supply and demand must control as to the American farmer. They forget that even the operation of this law is denied him. He buys in a fully protected market and pays artificially stimulated prices, and in many cases is compelled to sell his produce at artificially depressed prices. The middlemen and processors get the lion's share of what the consumer pays. Yet in spite of these well-known facts violent opposition is aroused by any constructive suggestion that involves Government aid in marketing. The McNary-Haugen bill does not interfere any more with the law of supply and demand than do the tariff, immigration, or some other laws that might be named.

The farmer is condemned for seeking relief through legislative means and is told to organize, to reduce production, and to limit supply. This all sounds very well as an alibi, but affords mighty little comfort to the fellow who follows the plow. To cut down production to the bare necessities of the Nation with no surplus to tide it over in the event of crop failure is to encourage a situation which is manifestly fraught with great danger to our people. Shall we invite here the

terrible calamities that have from time to time overtaken European and Asiatic States? The advice to cut down production to our bare necessities is insanity itself for the simple reason that there is no dependable source of supply from the outside of our borders. Cooperative marketing, to be really effective, must be sufficiently well organized and financed to completely dominate the supply sent to market. Manifestly such organization among agricultural producers can not be effected for years. That this will be the future development in agriculture can not be doubted, if the farmer is to continue to buy in a protected market.

In the meantime, I conceive it to be our duty to assist the farmer in securing a fair price for his products. The McNary-Haugen bill is the only concrete proposal that promises any immediate and real relief. It is no argument to say that it will increase the cost of living. If we can afford to pay artificially enhanced prices for manufactured goods and for labor, we can afford to pay the farmer a decent price for the essentials of our existence.

On February 2 I spoke at length upon farm relief and analyzed the provisions of the bill now under consideration. It is not necessary to repeat that analysis here as the purpose of the bill is now well understood by the Members of this House. All that the farmers are asking through this measure is to give agricultural commodities and livestock the same purchasing power in nonagricultural products as they had on the average during the years 1905 to 1014 inclusive. Is there anyone here who will contend that this request is unreasonable?

Gentlemen, this is the only request submitted by agriculture at this session. It ought to be granted by this Congress without further delay. It is due to that splendid hardworking portion of our people without whose continued production we can not live.

Mr. WINTER. Mr. Speaker, a nation can not continue half prosperous and half ruinous. Sixty per cent of our people can not be permanently and profitably engaged in their business when 40 per cent receive no return upon their capital investment and labor unprofitably. Where 40,000,000 people have practically no buying power, 40 per cent of the products of 60,000,000 will find no market.

For the last two years labor, commerce, manufacture, and transportation have flourished to an unprecedented degree. The charts and statistics so prove and it is an admitted fact. On the other hand the price of agricultural products in comparison has been and is at the opposite extreme. Agriculture as a whole is at the lowest ebb ever reached in the country's history. We are informed by the report of the Secretary of Agriculture that in 15 States 26 per cent of the wheat farmers are bankrupt or subject to bankruptcy. In six States an average of 50 per cent of the farmers are bankrupt. Because of agricultural distress in four years 1,357 National and State banks were closed, with liabilities of $500,000,000. Two hundred and sixty-five banks went under in the first three months of this year, with liabilities of $100,000,000. It can not be disputed that practically all of these failures were directly due to the depreciation of the value of farm lands, products, and livestock. All other industries show a price level and prosperity, indicated by an average of 170 as compared to a standard of 100 in 1913, whereas agriculture stands at 117.

For three years the farmer has suffered by reason of some cause or combination of causes until the industry is at a point of collapse and bankruptcy. No replacement of new people in ownership or operation by foreclosure of mortgages and sales on our farms would help even were it possible. Our agricultural population remains identical, so substitution is impossible. The cause of this ruinous condition lies not in the farmers themselves nor the remedy in anything they can do. Had there been a remedy within their power it would have been applied. The President has not overstated the severity of the emergency.

When we find the cause or causes it should be possible to provide the proper remedy. Diagnosis must precede treatment. There is and has been for many years in our history an American business policy, a national system designed to raise, and it has raised, by Federal legislation the standard of living above that of the people of other nations of the earth. We have protected our wage earner against the cheap, ignorant wage earner of the world; we have protected our manufacturers so they could pay an American wage and still make an American profit. This we have done by the tariff upon imported goods. We have protected labor further in its safety and its hours of work, by direct legislation such as the Adamson law, and by direct relief from competition at home by the restriction of immigration. Since 1922 labor has been universally employed at the highest permanent level of wages it has ever known. The manufacturer has been going at full speed. The builder has constructed and is still constructing hundreds of thousands of homes, apartments, and business buildings. Railroads have hauled the greatest of tonnage.

We have protected agriculture in the past and up to this time in a lesser degree by the tariff upon such products as are imported and by increasing the purchasing power of the wage earner by employment and high wages. While the farmer has been generally prosperous, as a rule in the past, under the amount of protection afforded him, his prosperity was not primarily out of the profit of his crops but out of the increase of the value of his lands by reason of a rapidly increasing population and a consequent demand for land. A large body of that increase of population was by immigration. We have cut off that cause and that profit. The profit on crops and livestock which was possible to the farmer in the pre-war and mid-war periods have been reduced to less than nothing by the aftermath of the war, which exposed him directly to the cheap world market on his export surplus of wheat, corn, cattle, swine, and their products. Some other year it may be some other product. Another time it may be cotton, rice, and dairy products, or other basic agricultural products.

There is no logical reason for omitting products which do not happen to be in the surplus-export class at this time and there is no logic in opposing the bill because such other products are included and named therein. When cause as to a given product exists the bill operates. When cause does not exist it does not operate.

The world price not only fixes the price of the surplus but it also fixes the price for the great bulk of the products consumed in the United States and this is the source of four-fifths of the depression. For this reason the manufacturing, transportation, commercial, and labor interests have been more prosperous in the last few years than in almost any period of our history, while agriculture has been sinking to ruin.

We have maintained all other lines of industry at a high American level. We have protected them effectively. We are now in all fairness and justice bound to give agriculture the same effective protection. We see that protection in part does not suffice; it must be complete; it must give the American farmer an American market and price for his crops of which there is a surplus.

It is probably true that in thus assisting 40,000,000 of our people the other 60,000,000 will pay to the American farmer a sufficient additional amount for our food products to make the difference between loss and profit. Why should they not? And why should they not be willing to do so? As a matter of justice and equity the consumer should be willing to pay a living price to the producer. That is a plain principle of American fair play. As a matter of common sense, as a matter of policy, aside from common justice, labor, transportation, industry, manufacture, and those dependent thereon should see the manifest fact that in the long run if things are not so adjusted as to enable the farmers to make a living and a profit the 60,000,000 will be dragged down to the level of the 40,000,000.

The New England manufacturer who owns the spindle and the wage earner dependent for work and wage on that spindle should recognize the inevitable consequence of a continuance of present farm conditions, which will be the stopping of that spindle. In the very nature of things it must stop if the farmer can not buy the product of the spindle. The gentleman from Massachusetts tells us that already spindles are stopping. And yet he opposes this bill. His viewpoint is so narrow that he does not perceive the cause. That cause we are trying to remedy by this bill. Let him realize that it is far better for the interest of his constituents, his mill owners and their employees, that they pay slightly more for their food products and keep the spindle spinning. The other alternative is stagnation and no money to buy food products even at the depressed, debased un-American world price.

The transition of producers into consumers, from the country to the city, from the field to the town, simply means the abandonment of farms and acres and congestion of labor at the counter, forge, and at the spindle. Let no man suggest that this is nature's remedy and that the situation will thus cure itself, for that involves loss, cut-throat competition, labor trouble, and ultimately an even higher living cost for food products for all. During the past year this movement has taken place to the extent of 100,000 per month, a total of twelve hundred thousand. This remedy means the loss and going back to wilderness conditions of thousands upon thousands of farms developed from the raw state by the brawn and toil, the self-denial and sacrifice of the pioneer. This is wrong economically, unthinkable, and unrighteous. There is a surplus of some products for consumption in the United States, but the world

needs every pound and bushel American soil can produce. There are many hungry mouths in many places of earth.

I am in favor of the passage of this McNary-Haugen bill, because there is an emergency, because it will elevate to its rightful and proper position the great agricultural industry, a universal industry, comprising nearly one-half of our total population; because it will give to the farmer the same effective protection we are granting to all other industries; because agriculture, as well as labor, manufacture, and transportation, is entitled to an American price for its products.

I believe that the bill will work; that it will achieve the intended results. It asks no appropriation, no subsidy, no charity from the American people. Because of the vast number of persons engaged in agriculture and the raising of livestock, making it impractical and impossible for them to organize and thus serve themselves, as is done by all other industries which can be and are organized, it is necessary that the Federal Government be made the instrument by which the farmer can act nationally.

The fund of $200,000,000 asked of the Government, under the supervision of boards including Government officials, is a necessary advance which is to be, and will be, repaid by the farmer out of the proceeds of his products. Not only is it to be returned to the United States Treasury, but all the costs of operation of the export corporation and the export commission which will constitute all of the operating machinery will be paid out of the same proceeds. Why should this relief be not granted? Who would deny this relief, and why? If the voice and the vote of the whole American people could be taken to-day it would authorize this legislation by an overwhelming majority. They would say by their ballots we are willing, not out of generosity, not out of sympathy, not out of charity, but because of equity and justice to pay this small increase in our living costs, this small percentage additional for our food products, in order that agriculture and 40,000,000 of our fellow Americans shall receive a profit upon their capital and their labor and enjoy that same degree of protection under our American system as is granted to us.

Mr. ROBINSON of Iowa. Mr. Speaker, agriculture is the world's best and most necessary business. Farming is the world's best and most necessary work. If agriculture does not succeed, what can succeed? Labor, capital, business, and the professions all depend upon the success of agriculture. If need be, we can get along without a great many things which we desire to have, but food and clothing are essential and necessary to our existence, and they must come from the farm.

When the Ruler of the Universe graduated Adam and Eve from the Garden of Eden and started them up in practical life, he set them at work tiling the land—farming. Land and labor, the fundamental factors in production, were thus brought into partnership and have so remained ever since.

Agriculture is not in a satisfactory condition, and as a business matter it must have our consideration. The very introduction of the bill which we are now considering and the entire discussion which it has developed proves beyond a question that this most important business of all is depressed and is not receiving its fair share of the prosperity with which our country abounds. This is no controversy between capital and labor.

The farmer is by the very nature of his business both laborer and capitalist. He must invest capital before he can become a farmer. If he is a tenant farmer, his investment of capital is considerable in livestock and the necessary farm equipment. If he is a landowner, then his investment of capital is large, covering both ownership of land and the livestock and equipment necessary in its operation. On this capital invested he is entitled to a living wage in some proportion to that enjoyed by other trades, professions, and fields of labor. It is apparent to the most casual observer that the farmer has not been receiving either one of these sources of income that are his due. He has not received an adequate wage for labor performed; nor has he received a fair return on his capital invested. If the capital invested in farming belonged in every instance to the one making the investment, the loss of income, while unfair, would not be so serious, as the owner could endure the hardship; but in the great farming section of America the history of agriculture has been that men with limited capital but with unlimited willingness to work and to make a home for themselves and their families have largely used their credit and gone heavily into debt and assumed large obligations for property in an effort to acquire homes of their own. The interest on this indebtedness must be paid or the homes lost. It is a first charge on the best endeavor and hard work of the farmer and his family. It becomes, therefore, necessary that the farmer shall receive for the product of his year's labor a price that will permit him to pay his operating expenses, his taxes, and his interest charge, or, if he be a tenant, his rental charge. Did every farmer own his land free from encumbrance the matter of return of interest on the investment would not be so serious. He would be entitled to it; but if he failed to receive it for a time it would not be so serious a matter. But under present conditions as they are throughout the great agricultural sections of our country, the crop produced from the land must command a price sufficient to pay the operating expenses, the taxes, and the interest on the indebtedness, or else the man operating the farm becomes still more heavily involved in an increasing debt with a larger interest charge and often final insolvency and failure.

I come from Iowa, the center of agriculture. Boasting and pride and the present agricultural conditions are not consistent or in harmony at this time; and it is with no thought of boasting but in very great humility that I call your attention to the unquestioned preeminent position of Iowa in its relation to agriculture, for certainly if anywhere in the world agriculture should be prosperous it is in Iowa. Populated as it is by men who love to work, consisting as it does of about 56,000 square miles of rich black productive soil, populated by two and a half millions of people who delight in making it more productive as the years go by, it is the garden spot of America, the happy home of a sturdy people who because of these natural advantages, because of their industry and thrift, should be among the most prosperous people in America and would be were they receiving for their products a price that is equitable and in right proportion to the returns enjoyed by other industries.

If, then, Iowa is, agriculturally speaking, the best State in the Union; if its people are the equal of those living in any other section of our country—and these facts are conceded by everyone—why is Iowa not prosperous?

Others have spoken for the great Northwest and other great sections of our country, and the remedies proposed have been many, including dairying, crop diversification, raising of livestock—but in all of these Iowa now excels. While there are a number of ways in which conditions can be improved, such as reduced taxation, lower interest charges, more saving, care, and economy, the one outstanding thing that agriculture in Iowa needs is a satisfactory and fair price for its products, and this is what the McNary-Haugen bill is attempting to bring about.

We have taken a 10-year period—1905 to 1914—prior to the war, prior to either deflation or inflation; a 10-year period when business conditions were normal, when all our industries, including agriculture, seemed to sustain a fair relation to each other. We have called this a normal period. We have assumed that it was a fair period; that agriculture was receiving its due share, although I think it would be a matter of rather easy proof that even during this period the wage return on the farm was considerably below that in other lines of industry. But forgetting this and assuming and conceding that agriculture during this 10-year period was receiving its fair share of prosperity, let us see what the present condition is and what the present relation of agriculture is to all other industries and to labor.

Statistics and information gathered by the Department of Labor during this 10-year period are the most reliable to be had and their correctness is questioned by no one, and they will show that the present price of agricultural products has advanced a little less than 18 per cent as compared with that period. They will show that about 400 of our principal and general commodities have advanced about 80 per cent; they will show that factory labor has advanced about 120 per cent, making the relation of one to the other as compared with this 10-year period about as follows:

Agriculture, about 118 per cent.
Manufactured products, about 180 per cent.
Factory labor, about 220 per cent.

This shows beyond any possible argument that agricultural products are not receiving a price in proportion to what they are entitled and what they must receive if the farmer is to continue in business. It is not a question of how many cents or dollars the farmer receives for a bushel of corn or wheat, for his hogs or cattle, or for any other farm product. It is entirely a question of the purchasing power of his wheat or corn or livestock. How much will what he receives buy of something else, and if his product will only buy one-half or two-thirds as much of the world's products as it would during the normal period, which is now true, the farmer's disadvantage is very apparent. The desire on the part of the Government to help agriculture has been clearly shown. During the past few years a number of laws have been enacted intended to assist agriculture. More credit has been extended. Cooperative marketing

has been encouraged. It is, however, no longer a matter of more credit but rather of assistance in paying the credit already obtained. True it is that cheaper credit with longer time of payment will be helpful, but the thing essential is the market. A better price for our products. The only alternative is the reduction of the price of other commodities to the basis of the price of agricultural products. This, however, is not our remedy. It is our desire that labor shall be well paid. This probably makes necessary about the present price of our manufactured commodities, for in the final analysis it is the cost of labor and the business man's profit that makes necessary the price for our general commodities, as the cost of the natural product back in the beginning, before it is associated with labor or business, is usually a very small factor in the final cost of the commodity. It is our desire that business and labor shall receive a satisfactory return for the service they render, and we also insist that agriculture is fairly entitled to and should receive a satisfactory return for its products, which are even more necessary to the common welfare.

Now, what does the bill propose to do? It might be summed up in this one statement: To equalize prices by bringing up the price of agricultural products to its fair proportion to the price of labor and general commodities. Who will say that this should not be done? How does the bill propose to do this? Very briefly—

First. By creating an agricultural export corporation under whose authority the surplus of any agricultural product shall be determined.

Second. By ascertaining the ratio or fair proportionate price of any agricultural product as shown by the 10-year period heretofore referred to.

Third. If any product is not bringing this fair ratio price, by declaring an emergency in this product and buying the existing surplus at this ratio price and selling it abroad to the best advantage possible, retaining from the purchase price a sum sufficient to cover the cost of operation and the loss in export of such product. Can anyone question the fairness of this procedure? Can anyone question the desirability, if not the absolute necessity, of agriculture receiving a fair price for its products? What will happen if those engaged in agriculture become convinced that this line of industry does not offer to them the opportunity afforded in other lines of business and industry? All that agriculture is asking is that it be given the same home market given to labor and given to our manufactured products. This is a preferential market. There is no doubt of that and we are proud of the fact that we give labor a preferential market; that labor conditions here are much better than in any other part of the world. We do this not only by our direct labor legislation, fixing hours, classification, and conditions of labor; we do it by restricted immigration, which present a surplus; and we do it by our tariff laws, which make possible the payment of wages by our manufacturers far in excess of wages paid in similar industry in other parts of the world. We give the manufacturer a preferential home market. Our tariff laws have been from the very beginning intended to assist him, not only in paying good wages but in building up and developing his business and making it profitable, because we keep the home market for him by our tariff on imports. Agriculture asks that it be given the same home market in no sense any more preferential than that given to labor and to factory. If the factory produces a surplus, it stands the loss. A surplus in labor is almost prevented by our immigration laws. A surplus in agricultural products will be shipped abroad and the loss charged directly back to the producer, where it belongs, which will have the natural effect of checking overproduction. As it now is, the world's market controls the price of our agricultural products at home. Labor is rightly protected in a preferential home market; manufactured commodities are rightly protected in a preferential home market. Agricultural products must meet the competition of a world market with its cheap labor and its cheap cost of production. This is unfair and this disparity is eventually bound to destroy agricultural prosperity, lessen production, and bring about an increased home market that might even become a hardship to the consumer. The question is raised, Will this increase the cost of living? Will this increase the cost of food to the consumer? And I think we should at once concede that it will, but not to the extent that it will increase the price of the raw product to the producer. The price now received by the producer is so small a part of the price paid by the consumer that a reasonable addition to the amount the producer receives should not have serious effect on the price paid by the consumer. There is a wide margin and difference between what the producer receives and what the consumer pays, and it is believed that a considerable part of the increased price made possible to the producer by reason of this legislation will be taken up and absorbed and not passed on to the consumer.

We are talking orderly marketing, cooperative marketing, a better system of bringing the products of the farm to the consumer in the city, and this should be brought about by legislation which will go hand in hand with the bill under discussion—not in opposition but in friendly cooperation with it.

Much has been said regarding price fixing, and there is, I think, among many of us a feeling that the fixing of a stated price on any product would be uneconomical and unwise. This bill attempts no such thing. Under its provisions the price of agricultural products may go up or down, and must go up or down, just as do the prices of general commodities; that is, each is kept in proportion to the other. It is easy to be seen that if we were to name a fixed stated price on some agricultural product without regard to its future proportion to the price of other commodities or other agricultural products that there might be overproduction and inequality. This bill proposes no such thing. It seeks to do away with the lack of equity and the inequality of the present market condition and to cause prices of our products to sustain a fair ratio or proportion to each other.

There is room for difference of opinion—honest difference—as to the cause of the tremendous deflation of farm products and farm values. One thing we know for sure; it came and it hit us very hard. Some will say that the factory and business of every kind suffered the same deflation, and at once we concede that deflation came to every line of business, although perhaps not to the same extent as to the farm. There is this tremendous difference—after business and the factory took their deflation and the adjustment was made they again became profitable in their operation. The farmer took his deflation and ever since has been operating at a loss. The difference between operating at a loss and operating at a profit since the period of deflation is very large and has been tremendously unfair to agriculture, and it is this that must be remedied. If something is not done to put agriculture back on a paying basis where it belongs, every other line of business will soon be harmfully affected; but when the farmer can sell his products at a price that gives him a fair profit above the cost of production and he in turn buys the goods of the merchant and the manufacturer at a price that permits the paying of good wages and a fair profit, then the business cycle is complete. It is the endless chain of producing and of selling and of buying that brings prosperity. We are all brothers in prosperity or else we will be brothers in adversity. Capital, labor, and agriculture must be fair to each other. Neither can long prosper in this country without the other.

If the principle of the McNary-Haugen bill is right, and if it is intended to bring about equality and fairness and a right adjustment of the price of the world's greatest and most essential need, food products, shall we not give it a trial; and if the machinery for its operation proves faulty in any respect is it not possible for us to correct the defects and make the machinery work in fairness to all our citizens and thereby give agriculture the prosperity due it as a great basic industry of this country?

I hope this bill will be enacted into law.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

A message in writing from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President of the United States had approved and signed bills of the following titles:

On May 23:

H. R. 8905. An act to authorize the settlement of the indebtedness of the Kingdom of Hungary to the United States of America.

On May 24:

H. R. 694. An act to amend an act entitled "An act for the relief of the Saginaw, Swan Creek, and Black River Bands of Chippewa Indians in the State of Michigan, and for other purposes," approved June 25, 1910;

H. R. 1629. An act authorizing the removal of the restrictions from 40 acres of the allotment of Isaac Jack, a Seneca Indian, and for other purposes;

H. R. 2881. An act to compensate three Comanche Indians of the Kiowa Reservation;

H. R. 3800. An act to cancel an allotment of land made to Mary Crane, or Ho-tah-kah-win-kaw, a deceased Indian, embracing land within the Winnebago Indian Reservation in Nebraska;

H. R. 3800. An act to cancel two allotments made to Richard Bell, deceased, embracing land within the Round Valley Indian Reservation in California;

H. R. 4462. An act to amend an act entitled "An act authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes";

H. R. 4494. An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government land purchases within the Fort Berthold Indian Reservation, N. Dak.;

H. R. 4647. An act for the relief of the Underwood Typewriter Co. and Frank P. Trott; and

H. R. 7913. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Creek Indians may have against the United States, and for other purposes.

On May 24:

H. R. 4122. An act to amend an act entitled "An act to revive with amendments an act to incorporate the Medical Society of the District of Columbia," approved July 7, 1838, as amended;

H. R. 6357. An act for the reorganization and improvement of the foreign service of the United States, and for other purposes; and

H. R. 8262. An act to fix compensation of officers and employees of the legislative branch of the Government.

On May 26:

H. R. 7995. An act to limit the immigration of aliens into the United States, and for other purposes;

H. R. 9192. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and for other purposes;

H. R. 6012. An act to confer jurisdiction upon the Court of Claims to ascertain the costs to the Southern Pacific Co., a corporation, and the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River, and to render judgment therefor, as herein provided;

H. R. 2665. An act granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River in the vicinity of One hundred and thirty-fourth Street in the city of Chicago, county of Cook, State of Illinois;

H. R. 6810. An act granting the consent of Congress to the Millersburg & Liverpool Bridge Corporation, and its successors, to construct a bridge across the Susquehanna River at Millersburg, Pa.;

H. R. 7063. An act granting the consent of Congress to the State of Illinois, and the State of Iowa, or either of them, to construct a bridge across the Mississippi River connecting the county of Carroll, Ill., and the county of Jackson, Iowa.

H. R. 7846. An act to extend the time for the construction of a bridge across the North Branch of the Susquehanna River from the city of Wilkes-Barre to the borough of Dorranceton, Pa.;

H. R. 8229. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River; and

H. R. 8304. An act granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River at or near One hundredth Street, in the city of Chicago, county of Cook, State of Illinois.

On May 27:

H. R. 5855. An act to fix the salaries of officers and members of the Metropolitan police force, the United States park police force, and the fire department of the District of Columbia;

H. R. 2887. An act to authorize the extension of the period of restriction against alienation on the homestead allotments made to members of the Kansas or Kaw Tribe of Indians in Oklahoma; and

H. R. 6628. An act to change the name of Jewett Street west of Wisconsin Avenue to Cathedral Avenue.

On May 28:

H. R. 3236. An act to regulate the practice of optometry in the District of Columbia;

H. R. 6820. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1925, and for other purposes; and

H. R. 8350. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1925, and for other purposes.

On May 29:

H. R. 498. An act providing for a recreational area within the Crook National Forest, Ariz.;

H. R. 4981. An act to authorize the Secretary of War to grant permission to the city of Philadelphia, Pa., to widen Haines Street in front of the national cemetery, Philadelphia, Pa.;

H. R. 7113. An act to establish a dairy bureau in the Department of Agriculture, and for other purposes;

H. R. 169. An act to amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1916," and for other purposes;

H. R. 6298. An act to authorize the leasing for oil and gas mining purposes of unallotted lands on Indian reservations affected by the proviso to section 3 of the act of February 28, 1891; and

H. R. 8050. An act to detach Reagan County, in the State of Texas, from the El Paso division of the western judicial district of Texas and attach said county to the San Angelo division of the northern judicial district of said State.

On May 31:

H. R. 1442. An act authorizing issuance of patent to Charles Swanson.

H. R. 2875. An act to provide for the addition of the names of certain persons to the final roll of the Indians of the Flathead Indian Reservation, Mont.;

H. R. 2882. An act to provide for the reservation of certain land in Utah as a school site for Ute Indians;

H. R. 2884. An act providing for the reservation of certain lands in Utah for certain bands of Paiute Indians;

H. R. 4437. An act to quiet titles to land in the municipality of Flomaton, State of Alabama;

H. R. 5169. An act authorizing the Secretary of the Interior to grant a patent to certain lands to Johann Jacob Lutsch;

H. R. 5218. An act granting the consent of Congress to the Pittsburgh Coal, Land & Railroad Co. to construct a bridge across the Tug Fork of Big Sandy River at or near Nolan, in Mingo County, W. Va., to the Kentucky side in Pike County, Ky.;

H. R. 5416. An act to authorize the setting aside of certain tribal lands within the Quinaielt Indian Reservation in Washington for lighthouse purposes;

H. R. 6207. An act authorizing and directing the Secretary of War to transfer to the jurisdiction of the Department of Justice all that portion of the Fort Leavenworth Military Reservation which lies in the State of Missouri, and for other purposes;

H. R. 7500. An act to authorize the sale of certain lands at or near Adger, Ada County, Idaho, for railroad purposes;

H. R. 8070. An act authorizing preliminary examinations and surveys of sundry streams with a view to the control of their floods;

H. R. 4820. An act to amend an act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922; and

H. R. 1475. An act for the relief of Luke Ratigan.

ADJOURNMENT

Accordingly (at 7 o'clock and 24 minutes p. m.) the House adjourned until Monday, June 2, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

539. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the District of Columbia, one for the fiscal year ending June 30, 1924, in the sum of $15,000, and five for the fiscal year ending June 30, 1925, amounting to $1,323,192.21; in all, $1,338,192.21 (H. Doc. No. 342); to the Committee on Appropriations and ordered to be printed.

540. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Executive office for the fiscal year ending June 30, 1925, for additional personnel and equipment for the White House police force required in accordance with the provisions of the act approved May 27, 1924 (Public, No. 148, 68th Cong.), amounting to $14,100 (H. Doc. No. 343); to the Committee on Appropriations and ordered to be printed.

541. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior of an amount required to be withdrawn from Indian tribal funds for the fiscal years 1924 and 1925, amounting to $100,000 (H. Doc. No. 344); to the Committee on Appropriations and ordered to be printed.

542. A communication from the President of the United Sates, transmitting a draft of proposed legislation for the relief of James W. Boyer, jr. (H. Doc. No. 345); to the Committees on Appropriations and Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GREEN of Iowa: Committee on Ways and Means. H. R. 9076. A bill to amend sections 2 and 5 of the act entitled "An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws," approved March 4, 1923; with amendment (Rept. No. 912). Referred to the Committee of the Whole House on the state of the Union.

Mr. EDMONDS: Committee on Claims. H. R. 9535. A bill authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes; without amendment (Rept. No. 913). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. J. Res. 61. A joint resolution authorizing the Director of the United States Veterans' Bureau to grant a right of way over the United States Veterans' Bureau hospital reservation at Knoxville, Iowa; without amendment (Rept. No. 914). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. S. 2745. An act to authorize the Secretary of War to convey to the States in which located Government owned or controlled approach roads to national cemeteries and national military parks, and for other purposes; without amendment (Rept. No. 916). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. 2848. An act to validate an agreement between the Secretary of War, acting on behalf of the United States, and the Washington Gas Light Co.; without amendment (Rept. No. 917). Referred to the Committee of the Whole House on the state of the Union.

Mr. REED of New York: Committee on Industrial Arts and Expositions. H. J. Res. 268. A joint resolution for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927; without amendment (Rept. No. 918). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. S. 3269. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; without amendment (Rept. No. 919). Referred to the House Calendar.

Mr. HULL of Iowa: Committee on Military Affairs. H. R. 6652. A bill to authorize the city of Los Angeles, in the State of California, to construct and operate a line of railroad across the Fort MacArthur Military Reservation, in the State of California; with amendments (Rept. No. 924). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McKENZIE: Committee on Military Affairs. H. R. 9553. A bill to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army; without amendment (Rept. No. 915). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. H. R. 1076. A bill for the relief of the State Bank & Trust Co. of Fayetteville, Tenn.; without amendment (Rept. No. 920). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on War Claims. H. R. 9131. A bill for the relief of Martha Janowitz; without amendment (Rept. No. 921). Referred to the Committee of the Whole House.

Mr. FREDERICKS: Committee on Claims. S. 1605. An act for the relief of Emma Kiener; without amendment (Rept. No. 922). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 1199. An act authorizing the appointment of William Schuyler Woodruff as an Infantry officer, United States Army; with an amendment (Rept. No. 923). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WATKINS: A bill (H. R. 9589) to create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes; to the Committee on Education.

By Mr. CANFIELD: A bill (H. R. 9590) to amend schedule 2 of the act entitled "An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes," approved September 21, 1922, and for other purposes; to the Committee on Ways and Means.

By Mr. MANLOVE: A bill (H. R. 9591) to establish the Ozark National Park in the State of Missouri; to the Committee on the Public Lands.

By Mr. CRAMTON: A bill (H. R. 9592) to establish a bureau of reclamation in the Department of the Interior and define its powers and duties, and for other purposes; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 9593) to provide safeguards for future Federal irrigation development, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. PORTER: Resolution (H. Res. 333) providing for the printing of certain reports and data submitted to the Committee on Foreign Affairs relating to the traffic in habit-forming narcotic drugs; to the Committee on Printing.

By Mr. REED of New York: Resolution (H. Res. 334) to provide for consideration of H. J. Res. 268, a joint resolution for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927; to the Committee on Industrial Arts and Expositions.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 9594) for the relief of Stanton & Jones, contractors, of Leavenworth, Kans.; to the Committee on Claims.

By Mr. BLACK of New York: A bill (H. R. 9595) for the relief of the State of New York; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 9596) granting increase of pension to Eleanora E. Seymour; to the Committee on Invalid Pensions.

By Mr. JACOBSTEIN: A bill (H. R. 9597) granting an increase of pension to Anna J. Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9598) granting an increase of pension to Martha M. Russell; to the Committee on Pensions.

By Mr. LARSON of Minnesota: A bill (H. R. 9599) for the relief of the widow of George A. Richey; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 9600) granting an increase of pension to Sarah A. Nelson; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 9601) granting a pension to Ellen Stout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9602) granting a pension to Sallie Cope; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 9603) granting increase of pension to Mary M. Files; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9604) granting a pension to Ella S. Curtis; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 9605) granting an increase of pension to Anna E. Wilsey; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 9606) for the relief of Karim Joseph Mery; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2969. By Mr. CAMPBELL: Petition of certain electors of the thirty-sixth Pennsylvania congressional district, opposing enactment of the Howell-Barkley bill (H. R. 7358); to the Committee on Interstate and Foreign Commerce.

2970. By Mr. CLEARY: Petition of employees of post office, Station Y, Brooklyn, N. Y., favoring postal wage bill; to the Committee on the Post Office and Post Roads.

2971. By Mr. FULLER: Petitions of the Sangamon County (Ill.) Farm Bureau, the Minnesota Wheat Growers' Cooperative Marketing Association, the Pullman State Bank, the Associated Organizations of Farmers and Business Men, of La Crosse, Wis., and sundry citizens, urging enactment of the McNary-Haugen bill; to the Committee on Agriculture.

2972. Also petitions of Manufacturers National Bank, Rockford Lumber & Fuel Co., Excelsior Leather Washer Co., and

sundry citizens of Rockford, Ill., urging passage of the bill to increase salaries of postal employees; to the Committee on the Post Office and Post Roads.

2973. Also, petitions of the Sycamore (Ill.) Chamber of Commerce and sundry citizens of Sycamore, Ill., urging passage of the McCormick-Hawes upper Mississippi River wild life and fish refuge bill; to the Committee on Agriculture.

2974. Also, petition of the American Field Seed Co., of Chicago, and sundry citizens of Morris, Ill., opposing any increase of parcel post or fourth-class postage rates; to the Committee on the Post Office and Post Roads.

2975. By Mr. GALLIVAN: Petition of Henry H. Carter, Boston, Mass., urging early and favorable consideration of legislation to repeal the 50 per cent surcharge on Pullman tickets; to the Committee on Interstate and Foreign Commerce.

2976. Also, petition of employees of the Post Office Department, Boston, Mass., respectfully requesting favorable action on House bill 9035; to the Committee on Rules.

2977. By Mr. MANLOVE: Petition of Joplin (Mo.) Chapter, Isaac Walton League, petitioning Congress to pass House bill 4088, known as the upper Mississippi River wild life and refuge act; to the Committee on Agriculture.

2978. By Mr. RAKER: Petition of Chicago District Ice Association, Chicago, Ill., urging support of bill permitting diversion of 10,000 cubic feet of water per second from Lake Michigan into the drainage canal at Chicago; to the Committee on Rivers and Harbors.

2979. Also, petition of Tanner-Stephenson Co., Oakland, Calif., urging support of the San Carlos Dam bill (S. 966); to the Committee on Indian Affairs.

2980. Also, petition of Unitarian Headquarters for the Pacific Coast (Inc.), San Francisco, Calif., and resolution urging participation in the International Opium Convention; to the Committee on Foreign Affairs.

2981. Also, petition of Medical Society of the State of California, San Francisco, Calif., relative to imposition of income tax at lower rates upon earned income as compared with unearned income; to the Committee on Ways and Means.

2982. Also, petition of Ed J. Cantwell, secretary National Association of Letter Carriers, Washington, D. C., urging support of House bill 9035 in re increase in salaries of postal employees; to the Committee on the Post Office and Post Roads.

2983. Also, petition of National Woman's Party, California Branch, San Francisco, Calif., urging support of the national equal rights amendment; to the Committee on the Judiciary.

2984. Also, petition of General Motors Acceptance Corporation, San Francisco, Calif., in re House bill 7179, providing that motor vehicles seized shall be sold and final proceeds paid over to the United States; to the Committee on the Judiciary.

2985. Also, petitions of Coffin Redington Co., San Francisco, Calif., in re House bill 6645, in re administration of prohibition law, and Langley & Michaels Co., San Francisco, Calif., in re House bill 6645; to the Committee on the Judiciary.

SENATE

MONDAY, *June 2, 1924*

(Legislative day of Saturday, May 31, 1924)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The PRESIDENT pro tempore. The Senate resumes the consideration of the unfinished business, House Joint Resolution 184.

Mr. OVERMAN obtained the floor.

Mr. CURTIS. Mr. President, will the Senator from North Carolina yield to enable me to suggest the absence of a quorum?

Mr. OVERMAN. I yield for that purpose.

Mr. CURTIS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Dial	Johnson, Calif.	Neely
Ashurst	Dill	Johnson, Minn.	Norbeck
Ball	Edwards	Jones, Wash.	Norris
Bayard	Ernst	Kendrick	Oddie
Borah	Fernald	Keyes	Overman
Brandegee	Fess	King	Owen
Broussard	Fletcher	Ladd	Pepper
Bruce	Frazier	La Follette	Phipps
Cameron	George	Lenroot	Pittman
Capper	Glass	Lodge	Ransdell
Caraway	Gooding	McCormick	Reed, Mo.
Colt	Hale	McKellar	Reed, Pa.
Copeland	Harreld	McKinley	Robinson
Cummins	Harrison	McLean	Sheppard
Curtis	Heflin	McNary	Shipstead
Dale	Howell	Moses	Shortridge
Simmons	Stanfield	Swanson	Warren
Smith	Stanley	Trammell	Weller
Smoot	Stephens	Wadsworth	Willis
Spencer	Sterling	Walsh, Mont.	

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Seventy-nine Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

H. R. 3143. An act for the relief of Bernice Hutcheson;

H. R. 6202. An act to amend sections 11 and 12 of the merchant marine act, 1920;

H. R. 7122. An act for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex.; and

H. R. 7220. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes.

PETITIONS AND MEMORIALS

Mr. ASHURST. I ask consent to print in the RECORD and have appropriately referred some resolutions adopted by the recent convention of the American Legion, at Yuma, Ariz.

There being no objection, the resolutions were ordered to be printed in the RECORD and referred as indicated below:

To the Committee on Finance:

Resolution 10

Be it resolved, That we, the American Legion, Department of Arizona, in convention assembled at Yuma, Ariz., May 8, 9, and 10, 1924, do hereby commend and approve the efforts of United States Senators ASHURST, ODDIE, CARAWAY, HEFLIN, and JOHNSON of California, to purge the United States Veterans' Bureau of those among its officials and employees termed by Senator ODDIE, one of the select committee of Senators which investigated the Veterans' Bureau, as the "ring"; and be it further

Resolved, That a copy of this resolution, accompanied by a suitable letter of thanks and appreciation for this work, to be prepared by the department adjutant, be promptly sent to each of the above-enumerated Senators.

Resolution 7

Whereas the disabled veterans of this district are so dissatisfied with the administration of Major Grant that his continuance in office in the twelfth district will have a seriously detrimental effect on their recovery: Therefore be it

Resolved, That the American Legion, Department of Arizona, in State convention assembled, do therefore petition that Major Grant be removed from the twelfth district; and be it further

Resolved, That any further action necessary to correct the inefficiency in the twelfth district as recommended by the Senate investigation committee be taken without delay; and be it further

Resolved, That copies of this resolution be sent to Director Hines, Senator ODDIE, Senator ASHURST, Senator CAMERON, and Representative HAYDEN.

To the Committee on Indian Affairs:

Resolution 1

Whereas there is now pending before Congress a bill providing for an appropriation for the building of the San Carlos Dam; and

Whereas the building of the San Carlos Dam would furnish water for the Pima Indians, who have at all times been friends to the white men in Arizona, and many of whom are ex-service men; and

Whereas we are advised the Pima Indians, true to their traditional friendship for the white race, have expressed an intention to release a portion of their reservation that it may be thrown open for settlement, which will give all ex-service men a preferential right of entry: Therefore be it

Resolved, That the American Legion, Department of Arizona in convention assembled, does hereby commend the action of Senators RALPH CAMERON and HENRY F. ASHURST, and the Hon. CARL HAYDEN already taken, and does hereby indorse and recommend the immediate passage of said bill; and be it further

Resolved, That a copy of this resolution be sent to the Hon. FREDERICK C. GILLETT, Speaker of the House of Representatives, to the Hon. CARL HAYDEN, Congressman from Arizona, to the Hon. HOMER P. SNYDER, chairman Committee on Indian Affairs, House of Representatives, and the chairman of national legislative committee of the American Legion, and Senators ASHURST and CAMERON.

Resolution 4

Whereas there is now pending before Congress Senate bill No. 203 that provides for the development of the lands within the Colorado River Indian Reservation for the benefit of the Indians and of veterans of the World War; and

Whereas the passage of the bill will develop many thousands of acres of arid lands to the benefit of all Arizona, and particularly the Indians of the Colorado River Reservation and the veterans of the World War: Therefore be it

Resolved, That the American Legion in convention assembled, does recommend the passage of this bill; and be it further

Resolved, That a copy of this resolution be sent to the Hon. RALPH CAMERON, the Hon. HENRY F. ASHURST, the Hon. CARL HAYDEN, the chairmen of the Committees on Indian Affairs of the Senate and House of Representatives.

To the Committee on Public Lands and Surveys:

Resolution 2

Whereas it is the duty and policy of the American Legion to interest itself in those matters concerning the welfare and prosperity of the United States of America; and

Whereas the Grand Canyon of Arizona, situated in the Grand Canyon National Park, is the greatest scenic wonder in the world and a benefit to the United States and the State of Arizona; and

Whereas it is to the benefit of the United States and the State of Arizona that as many citizens of the United States visit this wonder of the world with as much comfort and enjoyment as possible, that they may believe in "See America first": Therefore be it

Resolved by the American Legion, Department of Arizona, in convention assembled, That the Federal Government and the State of Arizona cooperate and construct as soon as possible a sufficient and proper highway, to be known as the President's Highway, beginning at a point on the National Old Trails Highway and extending to the Grand Canyon of Arizona in the Grand Canyon National Park; and be it further

Resolved, That a copy of this resolution be sent to the Secretary of the Interior, to each of the United States Senators from Arizona, to the Congressman and the Governor of Arizona, to the Commissioner of Indian Affairs, to the Chief Forester, United States Department of Agriculture, and to the chairmen of the Committee on Land Affairs of the United States Senate and House of Representatives.

Mr. HALE presented the memorial of members of the Woman's Christian Temperance Union of Oxford County, Me., remonstrating against the passage of legislation modifying the Volstead Prohibition Act so as to legalize the manufacture and sale of beers and wines, which was referred to the Committee on the Judiciary.

Mr. WILLIS presented a resolution of the Miami Valley Traffic Club, in the State of Ohio, protesting against the passage of legislation restricting the Interstate Commerce Commission in its handling of freight rates, etc., which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Columbus, Ohio, praying for the passage of House bill 6355, granting citizenship to Indians, which was referred to the Committee on Indian Affairs.

REPORTS OF COMMITTEES

Mr. NORRIS, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 518) to authorize and direct the Secretary of War, for national defense in time of war and for the production of fertilizers and other useful products in time of peace, to sell to Henry Ford, or a corporation to be incorporated by him, nitrate plant No. 1, at Sheffield, Ala.; nitrate plant No. 2, at Muscle Shoals, Ala.; Waco Quarry, near Russellville, Ala.; steam power plant to be located and constructed at or near lock and Dam No. 17 on the Black Warrior River, Ala., with right of way and transmission line to nitrate plant No. 2, Muscle Shoals, Ala.; and to lease to Henry Ford, or a corporation to be incorporated by him, Dam No. 2 and Dam No. 3 (as designated in H. Doc. 1262, 64th Cong., 1st sess.), including power stations when constructed as provided herein, and for other purposes, reported it with amendments and submitted a report (No. 678) thereon.

Mr. JOHNSON of California, from the Committee on Territories and Insular Possessions, to which was referred the bill (H. R. 2811) to amend section 7 of the act of February 6, 1909, entitled "An act authorizing the sale of lands at the head of Cordova Bay, in the Territory of Alaska, and for other purposes," reported it without amendment.

Mr. BAYARD, from the same committee, to which was referred the bill (H. R. 4985) to repeal the first proviso of section 4 of an act to establish a national park in the Territory of Hawaii, approved August 1, 1916, reported it without amendment and submitted a report (No. 689) thereon.

Mr. ERNST, from the Committee on Finance, to which was referred the bill (S. 3072) to refund taxes paid on distilled spirits in certain cases, reported it without amendment and submitted a report (No. 690) thereon.

Mr. SWANSON, from the Committee on Naval Affairs, to which was referred the bill (H. R. 8961) for the relief of Frank Stinchcomb, reported it without amendment and submitted a report (No. 693) thereon.

Mr. HARRELD, from the Committee on Indian Affairs, to which was referred the bill (S. 1705) for the relief of the heirs of Ko-mo-dal-kiah, Moses agreement allottee No. 33, reported with an amendment and submitted a report (No. 679) thereon.

He also, from the same committee, to which was referred the bill (S. 3346) to provide that jurisdiction shall be conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of any treaty or agreement between the United States and certain bands of Indians, and for other purposes, reported it with amendments and submitted a report (No. 692) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 994) to amend the act of March 3, 1885, entitled "An act providing for allotment of lands in severalty to the Indians residing upon the Umatilla Reservation, in the State of Oregon, and granting patents therefor, and for other purposes" (Rept. No. 680);

A bill (S. 1653) authorizing the expenditure for certain purposes of receipts from oil and gas on the Navajo Indian Reservation in Arizona and New Mexico (Rept. No. 681);

A bill (S. 1665) to provide for the payment of one-half the cost of the construction of a bridge across the San Juan River, N. Mex. (Rept. No. 682);

A bill (S. 1897) for the relief of Mrs. Benjamin Gauthier (Rept. No. 683);

A bill (S. 2838) to provide for expenditure of tribal funds of Indians for construction, repair, and rental of agency buildings and related purposes (Rept. No. 684);

A bill (S. 3036) to amend the law relating to timber operations on the Menominee Reservation in Wisconsin (Rept. No. 685);

A bill (H. R. 2977) for the relief of H. E. Kuca and V. J. Koupal (Rept. No. 686);

A bill (H. R. 4461) to provide for the payment of certain claims against the Chippewa Indians of Minnesota (Rept. No. 687);

A bill (H. R. 7249) for the relief of Forrest J. Kramer (Rept. No. 688); and

A bill (H. R. 7239) authorizing the Secretary of the Interior to pay certain funds to various Wisconsin-Pottawatomi Indians (Rept. No. 691).

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 3504) for the relief of Cornelia M. A. Tower (Rept. No. 694);

A bill (H. R. 3595) for the relief of Daniel F. Healy (Rept. No. 695); and

A bill (H. R. 4374) for the relief of the American Surety Co. of New York (Rept. No. 696).

Mr. CAPPER also, from the Committee on Claims, to which was referred the bill (S. 2503) for the relief of W. H. King, reported it with an amendment and submitted a report (No. 697) thereon.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 3420) granting the consent of Congress to the construction, maintenance, and operation by the Denver & Rio Grande Western Railroad Co., its successors and assigns, of a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado, reported it without amendment and submitted a report (No. 698) thereon.

Mr. GOODING, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 3372) to provide safeguards for future Federal irrigation development, and an equitable adjustment of existing accounts on Federal irrigation projects, and for other purposes, reported it with an amendment.

ENROLLED BILL PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on May 31, 1924, that committee presented to the President of the United States the enrolled bill (S. 3249) granting the consent of Congress to the construction of a bridge across the Niagara River and Black Rock Canal.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Massachusetts:

A bill (S. 3430) granting a pension to Esther Horth (with accompanying papers); to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 3431) for the relief of the State of New York; to the Committee on Claims.

A bill (S. 3432) for the relief of Patrick J. Byrne; to the Committee on Civil Service.

By Mr. SWANSON:

A bill (S. 3433) for the relief of Lieut. Richard Evelyn Byrd, jr., United States Navy; to the Committee on Naval Affairs.

By Mr. JONES of Washington:

A bill (S. 3434) for the protection of the Northern Pacific halibut fishery; to the Committee on Commerce.

By Mr. ASHURST:

A bill (S. 3435) to provide funds for reimbursing land owners on Yuma project, Arizona-California, and to provide funds to operate and maintain the Colorado River front work and levee system of Yuma project, Arizona-California; to the Committee on Irrigation and Reclamation.

By Mr. SMOOT:

A joint resolution (S. J. Res. 137) in respect of salaries of original appointees to the Board of Tax Appeals; to the Committee on Finance.

AGRICULTURAL RELIEF

Mr. STANLEY. I ask unanimous consent to introduce a bill and a joint resolution for reference to the Committee on Finance, and I also present a letter from Mr. Gray Silver. I ask that the letter, bill, and joint resolution may be printed in the RECORD and referred to the Committee on Finance.

The PRESIDING OFFICER. Without objection it is so ordered.

The bill (S. 3429) to facilitate the marketing of farm products, was read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 315–A of the tariff act of 1922, approved September 21, 1922, be amended as follows:

After the word "conditions" in line 4, insert the words "in trade or"; after the word "articles" in line 5, insert the words "or products"; after the words "shall find" in line 7 insert the words "as a result of such differences in trade or of competition in trade in the markets of the United States and in the markets of foreign countries that the relative or purchasing power of cotton, tobacco, grain, cattle, wool, or other agricultural products of the United States are being produced in the United States at less than the cost of production or at less than a fair profit"; so that said section 315–A when amended shall read as follows:

That in order to regulate the foreign commerce of the United States and to put in force and effect the policy of the Congress by this act intended, whenever the President, upon investigation of the differences of condition, in trade or of competition in trade in the markets of the United States, of articles or products wholly or in part the growth or product of the United States, and of like or similar articles or products wholly or in part the growth or product of competing foreign countries, shall find as a result of such differences in trade or of competition in trade in the markets of the United States and in the markets of foreign countries, that the relative or purchasing power of cotton, tobacco, grain, cattle, wool, or other agricultural products of the United States are being produced in the United States at less than the cost of production or at less than a fair profit, or shall find it thereby shown that the duties fixed in this act do not equalize the said differences in conditions of competition in trade, he shall, by such investigation, ascertain said differences and determine and proclaim the changes in classification or forms of duty or increases or decreases in any rate of duty provided in this act shown by said ascertained differences in conditions of competition in trade necessary to equalize the same in the markets of the United States; that 30 days after date of such proclamation or proclamations such changes in classification or in forms of duty, shall take effect and such increased or decreased duties shall be levied, collected, and paid on such merchandise when imported directly or otherwise from the country of origin into the United States: *Provided*, That until further provided by law the total increase or decrease of such rates of duty shall not exceed 50 per cent of the rates specified in this act, or in any amendatory act.

Be it further enacted, That, whenever any cooperative marketing association or associations doing business in the United States, as defined by the act entitled "An act to authorize associations of producers of agricultural products," approved February 18, 1922, not organized for profit, and engaged in the business of warehousing, selling, exchanging, or fabricating farm products, shall find that as a result of said differences in conditions of trade or of competition in trade between domestic and foreign markets, that tobacco, cotton, grain, cattle, wool, or other farm products are being produced at less than the cost of production or at less than a fair profit, that such cooperative marketing association or associations are hereby authorized to export such products and to sell, barter, exchange, or secure the fabrication of the same and to import all articles secured by the sale, barter, exchange, or fabrication of such products at 50 per cent of the duty now imposed as provided in the tariff act approved September 21, 1922, as amended herein.

That upon the importation of such articles such cooperative marketing association or associations shall immediately advise the President of the United States of the nature and quantity of the cargo, its value, and the country from which imported, the purpose of such importation, and thereupon, the President shall issue a proclamation reducing the duty as hereinbefore provided.

The joint resolution (S. J. Res. 136) for the relief of farmers, was read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Resolved, etc., Whenever the President, upon investigation of the differences in conditions of competition in trade in the markets of the United States, of articles or products wholly or in part the growth or product of the United States, and of like or similar articles or products of competing foreign countries shall find that the relative value of purchasing power of agricultural products grown in the United States is less than the relative value of purchasing power of similar products grown in foreign countries, and,

Whenever as a result of such differences in conditions of trade or competition, cotton, tobacco, grain, cattle, wool, or other such farm products are being produced in the United States at less than the cost of production or at less than a fair profit, then the various cooperative marketing associations now organized in the United States, not for profit but for the sale or storing and warehousing of such products, shall be authorized to export the same for sale, barter, exchange, or fabrication and to import the products secured by such sale, barter, exchange, or fabrication at 50 per cent of the duty now imposed.

Whenever such products shall be so disposed of in any foreign market for finished products such as cloth, cutlery, tools, or utensils or other articles necessary or essential to the domestic or industrial life of an agricultural community, and when the President of the United States shall have been notified of such importation and the nature and value of such articles, it shall be the duty of the President, by proclamation, to reduce the duty on such imported products by 50 per cent, as provided in the tariff act of 1922, approved September 21, 1922.

The letter presented by Mr. STANLEY was referred to the Committee on Finance as follows:

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., May 31, 1924.

Senator A. O. STANLEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Among the many bills and resolutions on behalf of agriculture I find Resolution 240 and bill 3411 offered by you and relating to markets for our exportable agricultural surplus and applying the flexible provisions of our tariff law in a direct and helpful way, to which I wish to call particular attention and to say that the intent and purpose of both the resolution and the bill are in line with the thought of the American Farm Bureau Federation on the subject.

Our people are very much interested in the flexible provisions of the amendment to the tariff bill, and passed the following resolution advocating that the Tariff Commission be given added authority to change schedules as conditions warrant:

> "*Resolved*, That the American Farm Bureau Federation, through its executive committee, favor a scientific tariff based on production and conversion costs to be determined by a nonpartisan commission and to become effective when announced by the President of the United States, together with a statement of the commission's estimates of revenues to be derived and the probable effects on prices, and to this end indorse the principles of the amendment to the pending tariff bill offered by Senator Frelinghuysen, of New Jersey, June 21, 1922."

Of course, their interest in this matter, as evidenced by the resolution, was based on the belief that they would be allowed to participate in the benefits that might arise thereunder.

In 1920, when the tariff bill was under consideration, among other things the Farm Bureau said in the hearing:

> "The farmers' interest in tariff questions in the past has been twofold.
>
> "(1) As a producer he desires protection in fair relation to the protection given to manufacturing industries from the competition of foreign products produced under conditions of natural advantage or very cheap labor.

"(2) As a consumer he is opposed to excessively high tariffs which would unduly increase the price of the supplies which enter into the cost of his product, and rates which unduly increase the cost of manufactured products which farmers use as a part of the general consuming public.

"At this time farmers have a third interest in the tariff and its effect.

"(3) As an exporter of over half of the Nation's excess balance of exports in foreign trade, he is interested in the effect of the tariff on foreign demands for his products and in maintaining the balance of exports over imports."

In 1922, in national convention assembled, the following resolution was adopted:

"*Resolved*, That the American Farm Bureau Federation favor the immediate and thorough investigation by the Tariff Commission of tariff rates on all imports which the farmers buy, and an immediate reduction of excessive rates to such lower levels as shall only equal the difference in the cost of production here and abroad."

In 1923 again there was an expression as follows:

"We believe that the making of tariff schedules is of such great importance that the United States no longer can afford to permit it to be subjected to political determination. We urge a vigorous continuous study by the Tariff Commission with added authority to change schedules as changing conditions warrant."

All of which support the viewpoint taken by you in the measures above referred to.

Certainly agriculture can not come back to its rightful place among the activities of our Nation so long as it sells in a world market and buys in an unfairly restricted market. Agriculture would not be in its present distress if it were buying and selling in the same markets, or at relatively the same price levels, consequently anything that tends to elimination of barriers across the path to market, either in selling or buying, is helpful in the present situation.

Many of the schedules of the present tariff bill being embargoes, although laid as tariffs, prevent the exportation of farm surpluses, for we are unable to bring back, owing to these embargoes, goods which we can use in our everyday business activities in producing, processing, and distributing agricultural products, consequently if when we have a surplus and can find a market abroad, a reduction of 50 per cent, as provided for in the flexible provision of the tariff, will enable the farmer to do two things:

First, contribute towards disposing of his surplus in the only natural market we have, namely, industrial Europe; and

Second, to secure such things as we may most sorely need for our purposes.

May I say that the Farm Bureau appreciates this action on your part in furthering what we believe to be a sound trade principle, and in addition at this time an economic necessity.

With very best wishes, I am,

Yours truly,

AMERICAN FARM BUREAU FEDERATION,
GRAY SILVER, *Washington Representative.*

YUMA PROJECT, ARIZONA-CALIFORNIA

Mr. ASHURST submitted an amendment proposing to appropriate $597,088 to reimburse landowners residing on Yuma project, Arizona-California, for all moneys with which they have heretofore been charged or have paid into the United States Bureau of Reclamation for the operation and maintenance of the Colorado River front work and levee system of said project, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Irrigation and Reclamation and ordered to be printed.

REGULATION OF SALE OF MILK AND CREAM IN DISTRICT

Mr. GLASS submitted an amendment intended to be proposed by him to the bill (S. 2803) to regulate within the District of Columbia the sale of milk, cream, and certain milk products, and for other purposes, which was ordered to lie on the table and to be printed.

NATIONAL BANKING ASSOCIATIONS

Mr. PEPPER submitted an amendment intended to be proposed by him to the bill (S. 3316) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes, which was ordered to lie on the table and to be printed.

BILLS INDEFINITELY POSTPONED

On motion of Mr. HARRELD, the following bills were indefinitely postponed:

A bill (S. 875) to provide for the reservation of certain land in Utah as a school site for Ute Indians; and

A bill (S. 879) providing for the reservation of certain lands in Utah for certain bands of Paiute Indians.

PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on May 31, 1924, the President approved and signed the act (S. 946) for the relief of Amy L. Fallon, mother of Lieut. Henry N. Fallon, retired.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. OVERMAN. Mr. President, inasmuch as many Senators desire to discuss this great question, and we have only a few hours in which to discuss it, I shall be brief. I shall not discuss nor attempt to analyze the great facts that have been so capably presented by the able Senator from New York [Mr. WADSWORTH] and the able Senator from Delaware [Mr. BAYARD]. The records and the analyses show clearly and indisputably that the reports with reference to child labor are very misleading. I wish to place in the RECORD, however, an analysis made by the good woman who presided over the Children's Bureau for two years, in which she makes a very clear presentation and showing that the records presented before the committee are not true. This good woman, Mrs. Allen, who so ably presided over the department, is bitterly opposed to this legislation. I ask Senators to read her statements.

The PRESIDING OFFICER. Without objection, the request of the Senator from North Carolina is granted.

The statement referred to is as follows:

The original intent of Federal child labor laws was to find a universal remedy for abuses only—to prohibit the labor of those of tender years and to protect others from dangerous labor, night work, and the evil effects of long hours. We have traveled far from the first Federal child labor law in the proposed amendment. The aim sought now is labor domination over everyone under 18—to spread Federal power over all children who work, regularly or occasionally, paid or unpaid, at domestic service, on the farm, in the home, on city streets, in the neighborhood industries, mines, or manufacturing establishments—in fact, to turn the child's entire labor life over to the control of the Federal Government. Is this either wise or best? The inclusion of children and industries was most rigidly restricted in the Federal laws. Neither had a tithe of the power conferred by the proposed amendment.

Educative effect of Federal child labor laws: Since the first Federal law was passed (September 1, 1916) every State but three (one already having satisfactory laws on these points) has passed laws on child labor or compulsory education, or both—the child can not work when compelled to go to school. The labor laws have increased the minimum age at which the child may commence work, lessened the number of working hours per day or week, prohibited employment in occupations morally or physically dangerous, and banned night work. (For detail, see summary attached.) Higher health standards have been imposed as a result of health legislation. The mothers' pension laws in 42 States, which provide for care of children in their own homes out of public funds, apply to children under 14 and usually to children under 16. The mass of social legislation on child labor, health, mothers' pensions, and compulsory education in the last seven years makes the proposed Federal amendment unnecessary and the purposes of the Federal child labor law have been met by almost all of the States. Many of the States far exceed the provisions of the former Federal laws. Children's code commissions have been provided for or are now functioning in most of the States where better child labor conditions are needed.

Statements that States do not equal Federal child labor laws are misleading: In some particular every such statement is true. For instance, Montana does not prohibit employment in mines of children under 16; therefore, is listed as not up to the standard of the Federal law. It does not need such legislation, for there were only 15 children in the whole State so employed in 1920. Delaware permits a child from 12 to 14 to work provisionally in establishments engaged in the preservation and canning of fruit in the vacation period. In all other respects the child labor laws of these States not only measure up to the standards of the Federal law but exceed them in some respects.

Present agitation is based on conditions in 1918 and prior thereto, which are nonexistent to-day. The public does not distinguish between

"child labor" and a child's work. "Child labor" implies that a child of tender years labors continuously for long hours at tasks beyond its capacity, to its physical or moral detriment. Thousands of children under 16 are gainfully employed for a short time daily during vacations at odd jobs, at home, etc., who are not child laborers, but who are included as such in the statements to the Senate committee.

[From 1920 census, "Children in gainful occupations"]

"Twelve million five hundred thousand children in United States 10 to 15 years of age, an increase of 15.5 per cent since 1910; 1,060,000 children gainfully employed, a decrease of 46.7 per cent since 1910; 413,549 of this number were employed in nonagricultural pursuits and 647,309 were employed in agricultural pursuits; 569,824, or 88 per cent of 647,309, were farm laborers on the home farm. This leaves for consideration as child laborers but 77,485 in agricultural pursuits, unless you wish to deny a parent the right to employ his own child at home on the farm."

On the basis of the child labor tax law, which was in effect at the time of the census of 1920, the children 14 and 15 years of age among the 413,549 employed in nonagricultural pursuits were, with few exceptions, legitimately employed. They numbered 364,444; consequently there is left only 49,105 who are 10 to 13 years old, or less than 50,000 children whose employment by reason of age is, presumably, a matter of grave concern. More than one-fourth of those 10 to 13 years old, or 12,789, were newsboys.

There were but 622 cotton-mill operatives in this group, 404 being employed in North Carolina, South Carolina, Georgia, and Alabama and 218 in other States. This fails to show any grievous condition or large employment of children of tender years in the cotton industry. Only 10 States, 3 of which are in the South, permit children to work in factories for longer than eight hours a day. Four States reduced the hours to eight per day just last year.

Out of 21,875 children 10 to 15 years of age employed as cotton-mill operatives in the United States the Northern and Western States employed 11,417, or more than 10,458, the number so employed in the Southern States. Massachusetts had the largest number, 7,264, or more than North Carolina and South Carolina put together. The children 10 to 15 in agricultural pursuits not working at home (77,585) and those 10 to 13 in nonagricultural pursuits (49,105), one-fourth of whom are newsboys, together number 126,690. The Federal amendment seems to be demanded because 10 States permit children 14 and 15 years to work for more than eight hours a day and because some part of 126,690 children out of 12,500,000 should not be permitted to work at all.

Before believing that 1 out of every 12 children in the country is the victim of child labor it would be well (1) to distinguish between child labor and child employment; (2) to study the figures given by the 1920 census on "Children in gainful occupations," which includes all kinds of intermittent work, work done by school children outside of school hours, and other perfectly legal employment under the Federal child labor tax law in force at the time; (3) to consider recent advances in social legislation by the States, and this evidence of their ability and intention to deal with child-labor and child-welfare questions; (4) to note that no interstate condition requires Federal intervention; (5) to realize that while there is a well-organized demand on the part of women for the cessation of child labor there is not a demand for the proposed amendment which gives State power over the labor of all under 18 years of age, or any demand whatever for the Federal policing which would follow upon such legislation.

In other words, there is no child-labor condition in any State that will not be handled easily by that State upon the demand of its citizens. There is every indication that all the States are now well informed on the subject of child labor and making rapid progress in dealing with it—a progress which is the more remarkable in view of the possibility of a constitutional amendment which would effectually destroy all the results of State initiative.

Mr. OVERMAN. I shall not discuss, Mr. President, the question of child labor per se. Every Senator, I have no doubt, is in favor of the restriction or prohibition of children working in our mills, and in our various industrial enterprises. But there is a question involved that is more momentous, more far-reaching than child labor itself. Why should I discuss the question of children working in mills? We know what the situation is. No one is opposed to legislation on that subject by the States. For myself I want to say that while good women and noble men have asked me to vote for the measure, and while I am as much in favor of the regulation of child labor as anyone possibly can be, yet I am in favor of the States doing it. I am in favor of it from a humane standpoint, and so are my people in North Carolina. They have shown their faith by their good works in enacting what is admitted by the committee to be the best child labor law in the United States.

So why should I vote for the pending measure? I say, and I mark my words, that the Senator who votes for the proposed constitutional amendment reflects on his own people and renders an indictment against his own people and the people of other States that they are not capable of local self-government, are not competent to take care of their own affairs, and that they want to create a club and put it in the hands of Congressmen to say how our children shall be controlled, enabling the Federal Government to enter the sacred precincts of the home and tell the farmer how and when he shall work his boys or his girls, prohibiting the daughters from assisting the mother in the house and the sons from assisting the father upon the farm. I can not vote for the submission of the proposed constitutional amendment, because it would effect a surrender of that glorious principle established by our fathers and for which they fought, bled, and died.

Mr. President, I am a progressive, but as to the Constitution of the United States I am reactionary. I would say to my fellow Senators, "Lay not your hands upon this sacred document." Much Scripture has been quoted here, but I shall take for my text the utterance made by one of the great prophets who in addressing his people said, "Walk in the ancient ways; keep in the old path; study and consider well these things, and consent not to change."

Mr. President, from a conscientious standpoint I can not vote for the pending joint resolution proposing an amendment to the Constitution giving to Congress the power to regulate child labor unless such an amendment be adopted to it as has been proposed by the Senator from Delaware [Mr. BAYARD] and also by the Senator from New York [Mr. WADSWORTH] or an amendment which I also shall present providing that the ratification of the amendment shall be submitted to the people of the country.

Mr. President, I shall move when it is in order to add the following additional section to the joint resolution:

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the conventions of the several States, as provided in the Constitution, within seven years from the date of the submission hereof by Congress.

Mr. President, I am pledged never again to vote for a constitutional amendment unless it shall be submitted to the people for their ratification. We all know the history of the adoption of the fourteenth, fifteenth, sixteenth, seventeenth, and eighteenth amendments. We know that in their ratification the people were not consulted; we know that the voice of the people could not be heard when some of them tried to recall the ratification of those amendments. We know the history of and the methods employed in the adoption of some of the amendments in Missouri, in Ohio, and in Massachusetts, where majorities of hundreds of thousands voted against the constitutional amendment which was submitted and afterwards adopted by the legislatures. If the Senate in passing the joint resolution proposing the amendment shall provide that the amendment shall be submitted to the people for their ratification, I shall be satisfied.

Consider the matter, Mr. President. Suppose this amendment shall be submitted now, will the people have any voice in its ratification? No. It will be railroaded through the legislatures which will meet next January; the people will not have the issues involved in this great question discussed before them; they will have no voice; but, moved and persuaded by good women and by propaganda that is sent down to them, the ratification of the amendment will be rushed through. Then what will happen? The people will have surrendered, through their legislatures, the provision of the Constitution which is most vital to them. We can not afford to do it.

Thirty-six States can adopt this proposed constitutional amendment. Less that 4,000 men out of 110,000,000 population can adopt it and will adopt it. Without any discussion before the people, 3,000 men out of 110,000,000 people are to say whether the people shall surrender the principle of home rule and local self-government.

Mr. President, I have stated that it was not a question of child labor per se, but the main and momentous question is, Is the amendment necessary? When I entered upon my duties in this Chamber I stood where you sit, sir [Mr. JONES of Washington in the chair], and took a solemn oath to support and maintain the Constitution of the United States. I find, Mr. President, in Article V of that document this provision for amending the Constitution:

ARTICLE V

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution when ratified by the legislatures of three-fourths of the several States,

or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

In other words, Senators, before you vote for this joint resolution proposing to submit this amendment to the people you must be satisfied in your minds, if you intend to obey the solemn oath which you have taken to support the Constitution, that the amendment is necessary.

Why is it necessary? It is admitted, Mr. President, that 48 States to-day have child labor laws; it is admitted that in the last seven years there has been wonderful advancement in many States along this line of legislation. Forty-eight States having child labor laws, many of them advanced almost to the highest standard now admitted by the proponents of this amendment, why is it necessary to give to the General Government this power and take it away from the people, with whom it has rested for 135 years? For 135 years the people have lived and grown great under this Constitution, and now at this time to ask them to surrender the great principle which was inspired and adopted by our fathers, that all powers not delegated to the General Government in this instrument are reserved to the States and the people thereof, is unjustified by anything in the present situation.

I ask to insert in my speech at this point a statement setting forth the fact which I have stated that all of the 48 States have adopted child labor laws.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The statement referred to is as follows:

STATE LAWS RELATIVE TO EMPLOYMENT OF CHILDREN IN FACTORIES

Alabama: Prohibited under 14.

Arizona: Prohibited under 14. (Exception—Boy 10 to 14 may, upon license, outside school hours work at labor not harmful.)

Arkansas: Prohibited under 14.

California: Prohibited under 15. (Exception—Child 12 during school vacation.)

Colorado: Prohibited under 14. (Exception—Child 12 during summer vacation.)

Connecticut: Prohibited under 14.

Delaware: Prohibited under 14. (Exception—Child 12 outside school term on special permit.)

Florida: Prohibited under 14.

Georgia: Prohibited under 14. (Exception—Child 12 on permit if orphan or has widowed dependent mother; 127 such permits issued during 1923.)

Idaho: Prohibited under 14.

Illinois: Prohibited under 14.

Indiana: Prohibited under 14.

Iowa: Prohibited under 14.

Kansas: Prohibited under 14.

Kentucky: Prohibited under 14.

Louisiana: Prohibited under 14.

Maine: Prohibited under 15.

Maryland: Prohibited under 14.

Massachusetts: Prohibited under 14.

Michigan: Prohibited under 15.

Minnesota: Prohibited under 14.

Mississippi: Boy prohibited under 12; girl, 14.

Missouri: Prohibited under 14.

Montana: Prohibited under 16.

Nebraska: Prohibited under 14.

Nevada: Prohibited under 14.

New Hampshire: Prohibited under 14.

New Jersey: Prohibited under 14.

New Mexico: Prohibited under 14.

New York: Prohibited under 14.

North Carolina: Prohibited under 14. (Exception—Boy 12 on special permit outside school hours; only 66 so employed during 1923.)

North Dakota: Prohibited under 14.

Ohio: Prohibited under 16. (Exception—Child 14 outside school term.)

Oklahoma: Prohibited under 14.

Oregon: Prohibited under 14. (Exception—Child 12 outside school term.)

Pennsylvania: Prohibited under 14.

Rhode Island: Prohibited under 14.

South Carolina: Prohibited under 14.

South Dakota: Prohibited under 15.

Tennessee: Prohibited under 14.

Texas: Prohibited under 15.

Utah: Prohibited under 14.

Vermont: Prohibited under 14.

Virginia: Prohibited under 14.

Washington: Prohibited under 14. (Exception—Child 12 on permit of superior court judge in case of poverty.)

West Virginia: Prohibited under 14.

Wisconsin: Prohibited under 14. (Exception—Child 12 during school vacation.)

Wyoming: Prohibited under 14.

Mr. OVERMAN. In view of that showing and in view of the advance which has been made in the protection of children employed in mills and factories and mines, again I ask why is it necessary to adopt this proposed amendment to the Constitution? Why take from the people this power which was reserved to them by the fathers?

Mr. President, when the Constitution was adopted my own State, for example, refused to go into the Union until the tenth amendment to the Constitution was adopted. Many of the States adopted the Constitution and joined the Union upon the promise being made that such an amendment would be adopted, but my people said, "We will not go in until it is written in the bond." The tenth amendment was written in the bond. It provided that—

The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people.

When that provision was written in the bond in 1789, old North Carolina, although the Republic had been established for more than a year and she did not vote the first time for George Washington, ratified the Constitution and entered the Union.

Mr. President, child labor laws have been enacted by Congress. A discussion took place here some eight years ago upon this great question, during which the horrors of child labor were portrayed upon the floor. I took the position at that time that the proposed legislation was unconstitutional, but it passed the Senate. Two years later the Supreme Court of the United States declared that enactment unconstitutional. Two years subsequently Congress adopted a clause in a taxing bill which was designed to regulate child labor, but that also was declared unconstitutional by the Supreme Court. However, during the interval before it was declared unconstitutional the child labor law which had been enacted by Congress was administered in the States by the General Government, and we know how it worked.

Mr. President, this proposed amendment to the Constitution does not only mean centralization of power in the General Government but it means control by the General Government of our homes and our children. The amendment goes further than any amendment ever heretofore proposed in that it provides a prohibition against labor by the sons and daughters of farmers and the sons and daughters of those in every walk of life up to 18 years of age. We have never gone that far heretofore. Are Senators willing to vote for such an amendment to the Constitution?

I tell you, Senators, the farmers are beginning to be heard from. They are protesting against this proposed amendment. If I had the time, I should like to read from the committee hearings the statement of the gentleman who is here in Washington representing the farmers of the country and who has vehemently protested against this proposed amendment. The testimony of Mr. Gray Silver is in the hearings. I shall ask that it may be printed in the RECORD, and I trust that Senators will read it. I should like to read it at this time, but I am afraid that it would occupy too much time and prevent Senators from speaking. His testimony embraces four or five pages of the hearings, beginning on page 248. He comes here in behalf of the farmers of the United States and says that this is a dangerous proposal and ought not to be adopted by Congress, and he protests against it. I ask that excerpts from his testimony may be inserted in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The excerpts referred to are as follows:

Mr. SILVER. The proposal to amend the Constitution giving Congress power to prohibit the labor of persons under the age of 18 years and to prescribe the conditions of such labor does not find a favorable response among the farmers. In making this statement it must be distinctly understood, however, that the farmers are adverse to child labor which interferes with the proper growth, development, and schooling of children. Farmers, of course, at the same time do not countenance idleness and believe that children are better off when fully employed at either work or play.

By far the majority of States already have laws regulating the labor of minors or of children less than 14 years of age. As a matter of fact, the conduct of children is so completely hedged about by State laws in most of the States that any Federal legislation which would follow this proposed amendment to the Constitution by Senator McCORMICK would coincide with the State legislation or tend to confuse it. Further, it seems to me because of the diversity of employment this is one of the matters which can be regulated most efficiently by the States themselves.

I am sure the farmers would be among the first to resent the activities of the Federal bureau if it would try to take the place of the parents in telling their children what duties they should or should not perform and what kind of work they should do. In fact, I believe such a proposal is unnecessary, especially as it might apply to the families on the farms. If a Federal law is needed to regulate child labor, it should be directed toward industry, where undoubtedly there is still some need for regulation. The farmers do not ask for exemption, for they are not in the offending class.

* * * * * * *

When questioned, some of these enthusiasts say that any Federal regulation or law on this subject would exclude the boys and girls on the farm. However, others are not so sure. The chances are that if unlimited authority is given to some bureau that it will grow until it becomes a nuisance.

A lot of propaganda has been sent out which is thoroughly resented by farmers. Certain syndicates have published the greatest lot of rot about young boys starting to work at 4 a. m., continuing late into the night, and being given insufficient food. It is always possible to find exceptions to every rule.

* * * * * * *

Those who cry out in our national weekly publications that there are "more than a million children who must be set free" grab off a lot of undigested statistics and hurl them at the public with their sob-sister methods. At the time of the last census there were recorded 1,060,959 children under age "regularly employed under unfavorable conditions," according to these statements. Of this number, 647,309 were employed on farms. This, of course, makes a very different picture, for everybody knows that 90 per cent or more of these children were working at home at the lighter tasks involved in farming—learning as they worked. Further, they probably are employed only part of the time. The census figures, however, showed that 63,990 were "working out." The unintelligent returns made by census takers open these figures to grave questioning. How many of these children actually were working out regularly month after month and how many really were working during vacation time or during periods when the crops of a community had to be saved? Thus there evaporates into thin air the bugaboo of children labor on the farms, who must be set free. If there are cases in which children on the farm are required to work too hard it is due to the pressure of economic conditions which should be righted and which in turn will bring better conditions generally on the farms.

I feel sure that no one on this committee is going to vote for a bill or resolution which might eventuate in some bureaucrat determining whether a community whose livelihood depends upon the raising of strawberries should not close school for a few weeks and thus permit the children to aid in the harvest upon which the financial returns of the whole year depend. Nor would the farmer relish regulations from Washington prohibiting children from aiding in the harvest of many other crops where light labor at reasonable hours is necessary, and rightly so, the capital which sensational magazines are making of the idea that he raises a family for the purpose of harvesting a cotton crop.

As a matter of fact, the movement for Federal regulation of child labor comes several years too late, for the States to a very large extent have already taken adequate action, and if the States do not control it sufficiently, frequently unemployment laws and regulations are enforced by the counties, not only from the standpoint of labor but as to requirement for attending school.

Mr. OVERMAN. Not only has Mr. Silver appeared before the committee and stated the position of those whom he represents, but a farmer from California, Mr. Walker, also gave testimony and protested against this proposal. So the farmers are arrayed against it. If the opportunity were afforded there would, I think, be an outpouring of protests on the part of the farmers upon this subject, and they would make plain that they do not desire to be interfered with by Congress in this matter so vital to them.

Do you think, Mr. President, that it is necessary for you to vote for an amendment to the Constitution of the United States that will give to Congress a club to force on the States such child labor laws as Members of Congress may want, as against the wishes of sovereign States of this Union? I say that the people of the States are just as humane as is the Congress. The people of the States can take care of their own affairs and will take care of their own affairs, and in time will enact legislation on this subject as advanced as any that Congress might enact.

It is said that the Democratic platform declares in favor of this proposed amendment to the Constitution. I deny it. The declaration of the Democratic platform says nothing of the kind. Let us see what it does say:

> We urge cooperation with the States for the protection of child life through infancy and maternity care; in the prohibition of child labor and by adequate appropriations for the Children's Bureau and the Woman's Bureau in the Department of Labor.

If the Democratic convention had been in favor of a constitutional amendment on this subject, they would have so declared; but, instead of that, they declared that the States should cooperate in this matter. The States are now cooperating in it. In my judgment, the question can be settled by adopting in the District of Columbia a standard child labor law, bringing it to the attention of the various States, and, as has frequently been the case, the States in all probability will see that similar laws are adopted in their jurisdictions.

I remember as a part of my legislative experience that a number of years ago Congress adopted what was known as the negotiable instrument law. Previous to that time every State had its own law, and there was great confusion in commercial affairs. The governors of the States were asked to recommend the passage of a uniform negotiable instrument law, and it was done. I had the honor of passing it through the North Carolina Legislature, and we have a uniform negotiable instrument law to-day. That could be done in this case. It could be done easily, Mr. President, by calling the attention of the governors to the matter; and the fact that it has been agitated in Congress has caused many legislatures to take cognizance of the fact that something ought to be done, and to pass wise laws upon this subject.

Seven great States have splendid laws that are up to the standard, and other States will follow if given time in this matter. Instead of taking away the power of the States, or clubbing some States for the power that they are asked to surrender to Congress, let the matter remain as it is. The country is not suffering. The country had grown great under this Constitution. Why is it necessary to amend it? That is the great question here. Ask yourselves, Is it necessary for me to vote for this amendment, to deprive the people of this power which they so love, which is the foundation stone of their liberties?

Mr. President, if I were a voice, a pathetic voice, and could travel over land and sea, I would travel over this land and appeal to the heart of every American voter and tell him to stop, to look, and to listen. Wither are we drifting? Where are we going? Centralization of power in Washington, paternalism, bureaucracy—that is the trend of things now, and the time has come to put a stop to it. This is one of the most far-reaching efforts to bring about paternalism in this country that has ever been proposed in Congress. Nothing has ever been proposed in Congress that tended more strongly in the direction of paternalism in this country.

Mr. President, I was criticized when I made a speech in the Senate a number of years ago about the conditions in my State. I state frankly that the conditions then were pitiful; but now we have compulsory education, we have inspection laws, and all those things necessary to protect the child, and so have other States. Then why is it necessary to compel my State to submit to such a thing as this, which is simply paternalism run mad? That is what it means.

So, I say, if I could I would whisper in the ear of every man to stop and look and listen and stop this sort of thing. It is going to destroy our Government. The very foundation stone of our liberty is home rule. The very foundation stone of this temple is self-government. This stone we propose to take from the temple; and when done, if done, down will go the temple, and what will be the end no man can predict. After that, Mr. President, what will we have in this country with hundreds of officers appointed to enforce this law?

Let me tell you how the former child labor law was administered in North Carolina; and if this amendment becomes a part of the Constitution, what the result was then will be the result in the future.

When the former child labor law was in force this good lady sent her inspectors down in my State to administer the law. They went to the factories, they went to the mines, they went everywhere to spy upon the people and see whether they were violating the law. An inspector went to a boy and asked him

how old he was. "I am 15 years old." "You are not telling the truth. Where do you live?" "Down there in that house, where the vines are growing in front of the house." The inspector went down to the house and asked the child's mother his age. She said, "Fifteen years of age." "Let me see your birth certificate." "I have no birth certificate." "Let me see your Bible." She ordered him out of her house. He turned back his lapel and showed the badge on his coat, showing that he was a Government officer. He went into the sacred precincts of that home to spy out possible violations of the law, and, as a result, that factory was assessed $100,000 and the mother was insulted. Another factory was assessed $50,000, another $10,000, another $25,000. The representatives of these factories were compelled to come here upon these reports and ask the Government to investigate and see if the reports were not false, they so alleged, and in each case the Government investigated and found that the report was false, and abated every one of these assessments.

That is the way the thing worked. Do we want these Government agents, thousands of them, going up and down our country, getting $10 or $15 a day, spying on our people? We have enough of that sort of thing now. It is a humiliation to our people, and we do not want that to happen again.

I want to read you what Miss Allen says. Miss Allen, as I said before, was the head of the great bureau here appointed to investigate this question and to administer the law. She is an able woman. She is a finished scholar. She took charge of this bureau and administered it as wisely as she could. Her eyes have been opened on this subject. She was the head of the child labor tax division of the Internal Revenue Department. Let us see what she says. I will not read all she says:

> In other words, there is no child-labor condition in any State that can not be handled easily by the State upon the demand of its citizens. There is every indication that all the States are now well informed on the subject of child labor, and making rapid progress in dealing with it—a progress which is more remarkable in view of the possibility of a constitutional amendment which would effectually destroy all the results of State initiative.

That comes from Miss Allen, a wise, good woman, who told me that 10 or 15 years ago she was a special agent of the Department of Labor, sent through the South to investigate the conditions of child labor, and she found pitiful conditions everywhere. Ten years after that she went down again, and she found wonderful improvement. Her report now is, as you will see from this statement that I am going to put in the RECORD, that being cognizant of all these facts, knowing more about the matter than anybody on this floor, she is strongly opposed to this amendment, but wishes the matter left to the States, where it ought to be, because she has found the States cooperating with her in passing laws for the protection of the children, prohibiting children working in the mills.

Mr. President, I have said about all I want to say. I do not want to discuss the question of child labor. What is the use? That is not the question. The question is, Is it necessary to pass this amendment? The question is, Shall we surrender a vital principle of the Constitution to the General Government, and take it away from the people? That is the great question here; and I hope, Mr. President, we shall follow the advice of the old prophet, who said, "Walk in the ancient ways; keep in the old paths; consider them well; consent not to change."

Mr. President, I have here a very able letter and a very wise statement from ex-Senator Thomas, one of the greatest Senators who has sat on this floor for years. We all admire him for his ability. He has written me a letter upon this subject which I desire to put in the RECORD as an appendix to my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

[See Appendix.]

Mr. OVERMAN. I also ask unanimous consent to insert in the RECORD a brief extract from the opinion of Mr. Justice Day in the case of Hammer v. Dagenhart (247 U. S. 151).

The PRESIDENT pro tempore. Without objection, it is so ordered.

[See Appendix.]

Mr. OVERMAN. I also ask unanimous consent to insert in the RECORD as an appendix to my remarks a statement by Miss Nila F. Allen, head of the child labor tax division, Bureau of Internal Revenue.

The PRESIDENT pro tempore. Without objection, it is so ordered.

[See Appendix.]

APPENDIX

WASHINGTON, D. C., *May 12, 1924.*

HON. LEE S. OVERMAN,
Senate Office Building, Washington, D. C.

DEAR SIR AND FRIEND: I inclose herewith letter regarding the child labor amendment, about which we had a short discussion a few days ago. I would suggest that if you desire to use it, you introduce it during the discussion of the measure, either as a part of or in connection with your own argument.

Faithfully yours, CHARLES S. THOMAS.

WASHINGTON, D. C., *May 10, 1924.*

MY DEAR SENATOR: In this emotional age, where clear thinking is a lost art and consequences are seldom considered or cared for, the pending child labor amendment to the Constitution will probably receive due congressional approval. Any dispassionate discussion of the subject is therefore apt to receive scant consideration if indeed it escapes the reproach of reaction. To be opposed to any feature of modern social, political, or economic reform, or to be lukewarm toward it is to invite the reproach of conservatism than which in these feverishly progressive days there is no deadlier sin.

Since Congress convened in December I have, in common, I presume, with my fellow men and women in general, been deluged with "literature" by the organized advocates of this proposed amendment and of the bill to create a department of education, and have read enough of the output to discover that the first is prompted by a most commendable spirit of humanitarianism, and the last by the usual combination of self-interest which assumes an insistent and indispensable need for one more encroachment upon the ancient principle of local self-government, coupled with the prospect of permanent emolument for another procession of place hunters. Neither branch of this propaganda greatly concerns itself with any feature of the subject save as it seems to support the assumption of the immediate need for enacting the favored measures into law because they are absolutely essential to "the general welfare." The profound, far-reaching, and, in my humble opinion, unfortunate consequences to the country of substituting the National for the State Governments as the custodian and administrator of these prerogatives are given scant consideration.

Both these movements, however, are compactly organized, evidently well financed, and equipped with that aggressiveness which characterizes all modern minority groups, which have learned by experience the effectiveness of militancy when trained upon the present-day legislator, especially on the eve of a general presidential election. The fact that these twin measures are designed to deliver the bodies and the minds of the Nation's child population into the arms of bureaucracy, there to be fashioned and standardized as the bureaucrat shall determine, and that the policy will impose a large and permanent increase of the public expenditure with a consequent increase of taxation, troubles these excellent people not at all.

I feel confident that before a final vote is taken upon this amendment you and your associates will examine the other side of the shield. It seems to be taken for granted that there is no other side; that the mass of American childhood is exposed to grim economic pressure actually operating upon a large proportion of them, and so menacing all of them as to require your immediate intervention by incorporating the amendment without further delay in the body of our organic charter. Yet Henry George deprecated hasty action upon his proposed land tax reform until it had been thoroughly discussed and dissected. He solemnly declared all political action to be worthless unless it was the expression of thought instead of impulse. Thought, however, has had but little to do with fundamentals since the World War began.

My view of the subject may be erroneous. It is the offspring, nevertheless, of some dispassionate reflection uninfluenced by prejudice or past impressions. May I give it to you for whatever it may be worth?

Fundamentally, it may, I think, be assumed that the labor of children is not objectionable. As contrasted with idleness, it is vastly to be preferred. A child with idle hands and normal energy rapidly develops mischief. If unrestrained, he generally becomes morally delinquent. If he is both restrained and forbidden employment, his condition is a pitiful one. He may be taught in the schools for part of the time, but he can not be instructed all the time, for that would be exploitation on other lines. His is the formative period of life. Being human, he is naturally indolent. Work is as naturally irksome; and, generally speaking, the child works under compulsion. This compulsion, properly and intelligently exercised, will establish the cult of industry with which thrift, integrity, obedience to the law, respect for the rights of others, and the value of property honestly acquired are inevitably associated. The Huck Finns and criminal delinquents of the juvenile world are invariably the idlers, whose energies are misdirected, to their own undoing and to the demoralization of companions remaining too long within their spheres of activity. "Train up a

child in the way he should go, and when he is old he will not depart from it," saith the Scripture; a profound truth, heeded until recently by all enlightened and Christian peoples. Its disregard, now painfully evident, may involve the ultimate extinction of our social and political systems.

Germany has fallen from her high estate. She attempted too much and failed. But her development from 1871 to 1914 was the economic marvel of the nineteenth century. It was grounded upon juvenile training and education. The child was neither left to its own devices nor excluded from the field of industry. It was kept employed in the school, in the workshop, in the field, and the laboratory. It was not exploited, but it was made to realize the importance of employment and the need for early economic training. Germany thus became the world's hive of industry, conducted by the busiest people in the world; and it is not recorded that in the great war she provoked, and due to which she faced a world in arms for four terrible years, her soldiers lacked the virility and stamina which are the heritage of temperance, good living, and culture. Their physical standards were indeed in grateful contrast to those of any other country, and far above our own. It may be contended that our inferiority was due to conditions which require the enactment of the proposed amendment; but I venture to affirm that the ranks of our unfit were largely recruited from the idle and the unemployed, from those who drifted through childhood and adolescence having neither occupation nor inclination for labor. I am prompted here to say that the subject of this amendment has for some time been much more exploited than child labor itself. The latter has been and is a serious problem in some localities. It never was and, until our civilization greatly changes, it never will be a widespread evil in America. And, thanks to State control, it is not at all the national evil so gruesomely pictured of late in the propaganda which confronts you.

As a boy I was required for a number of years to work on the farms for a living. My hours were from sunrise to sunset. It was nerve racking and wearisome, but I do not recall that it harmed me particularly. And I risk nothing in asserting that the majority of Senators now in office were required to work as children, with profit to their parents and benefits to themselves. Some of them, I doubt not, supported themselves in whole or in part by their labor.

Not child labor, therefore, but its exploitation, is the evil to be exorcised. All work and no play makes Jack both a dull boy and a machine, unhealthy, stunted, inefficient, short lived, and bestial, just as all play and no work makes a mere toy not only, but a parasite, a loafer or a criminal, or all of them combined. The one status is no antidote for the other. Yet the pending amendment, or the propaganda for it, proceeds largely upon that theory, just as instruction in sound morality has been tabooed in the public schools lest the teacher tread upon the toes of some religious denomination more concerned with dogma than with conduct. The child deprived of such instruction is not the beneficiary but the victim of a policy as vicious as it is apparently unchangeable.

It is contended that parents are responsible for child exploitation; hence the State must become its guardian and protector. The statement is perhaps true to some degree, but parents are also largely responsible for juvenile delinquency. Shall we then, by another amendment, invest the central authority with exclusive jurisdiction over that evil? On the other hand, many children, even as those of former generations, spurred by similar ambitions, all of them commendable, persist in working, some of them preferring it to instruction at the schools. Shall we curb these and bring them to the dead level of the whole, that some parents may be prevented from making merchandise of the earning power of their offspring?

The administration of criminal justice in some of the States is scandalously inefficient and socially demoralizing, while municipal government has so long been a stench on the public nostrils that its sense of smell has atrophied. Is the remedy to be found in the transfer of criminal and municipal activities to Federal administrative bureaus?

To say that these matters possess no element of nation-wide interest and should therefore remain within the province of the State authority is to beg the question. For it is equally true of child labor and of education. If these possess the general welfare feature to a degree requiring Federal control, the others do also. The national aspect, if it exists at all, is due to the fact that the evils complained of are peculiar to no one State, and if that be so, it must follow that every error or abuse, either in law or administration, affecting masses of people and common to all or a part of the State federation, should find its cure or control in a transfer of jurisdiction from the States to the National Government. The vital concern of the Nation in the physical and mental status of the individual who under the fourteenth amendment is a citizen of the United States, and its insistence that the welfare of the Republic should not be jeopardized by the impotence or derelictions of the States, should be equally aroused in his behalf, whether the fault lies in the direction of child labor, education, crime, municipal rottenness, hygiene, or marriage and divorce. Exceptions are illogical, if not odious, and we may be sure that fanaticism and misdirected zeal will, with perfect propriety, be applied in the end to every function of State activity before the crusade, if now successful, shall have ended. The remaining fragments of State control will inevitably tempt the palate of the reformer, who easily passes from things accomplished to things yearned for.

And inasmuch as each successful invasion of State control means another bureau with another staff of Federal officials installed for life as pensioners of the Public Treasury, he will have reason to expect a successful outcome of his efforts. That inspires him to attempt other conquests. Such has been his history since the thirteenth amendment was evolved from the events of the Civil War. From the cause of juvenile immunity from labor he will progress through that of adult immunity from toil exceeding six or eight hours a day, and from casualty and disease to the subjects of ventilation, light, heat, recreation, standardization of machinery, racial and sex exclusions, the closed shop, domestic relations, prison discipline and sanitation, municipal government and the regulation of descent. It will matter not that these subjects are amply provided for by local laws, some of which have been in existence for a century or more. These will be attacked as antiquated or inoperative, or out of harmony with the advanced liberalism of the present. Everything indeed which appertains to American industry or sociology will be ticketed, regulated, and prescribed by constitutional amendment and administered by Federal commissions ad libitum. The Constitution will thus be transformed from a great organic charter of general powers and limitations into a code of laws and procedure.

One enthusiast calls this movement "progressive humanitarianism"; a polysyllabic designation of what logically extended must ultimate in economic paralysis.

Virtually every State maintaining a manufacturing industry has its legislation regarding child labor. Whether this was due to State initiative or to the pressure of public opinion is of little concern. But it is reasonably certain that this sentiment will soon make local regulation of the subject a feature of State laws everywhere, just as the code of civil procedure originating in New York justified its establishment and then spread across the continent, and just as agitation of the subject has required the introduction and installment of safety appliances, sanitary conditions, and hours and means of recreation.

These facts are, of course, conceded, as they must be. But it is charged that State laws concerning child labor are not always enforced, and that State authority is apt to be unsympathetic with or hostile to them. Here again is the old contention that indifference, or incompetency or dereliction in State administration justifies if, indeed, it does not require national intervention; that the Federal power must in such case thrust the State aside and itself assume the discharge of the duty. This was one of the late Colonel Roosevelt's articles of faith. If it be sound, its operation should be limited only by the local delinquency. It should be applied all along the line, and that would wipe the States from the political map altogether, both those which have sinned and those which have kept the faith.

This argument, if it may be so dignified, presupposes a Federal efficiency which unfortunately is nonexistent. Efficiency seldom breathes the atmosphere of bureaucracy, which is the Federal method of administration. It has grown during the past 25 years like weeds in a neglected garden. If we except the Bureau of Standards and other scientific and marine organizations from the indictment, we may fairly charge that inefficiency and extravagance are the bureau's common characteristics. Most of them are overworked at the top and overcrowded below. They are asylums for the lame duck and hunting grounds for the placeman. And their cost exceeds that of the entire Government in 1914. At its worst State administration of child labor laws will compare favorably with that of the Federal bureaucracy. The fault is not so much with men as it is with systems. Moreover, one is justified in assuming that the treatment of an evil by the locality where it appears is more apt to be effective than that which is applied by a system originating with another organism, national in its scope and operating by machine methods from headquarters in Washington. And it is far less burdensome to the taxpayer.

The evil is likewise exaggerated as was the treatment accorded the negro by his owner in antebellum days, when the slave driver and the slave speculator, if we are to credit the hysteria of that period, overworked, underfed, and inflicted brutal punishment upon the helpless victims of the damnable institution until outraged nature relieved them by death from unbelieveable torture. But men do not in general treat their property that way. Selfishness would operate against it if humanity were silent. Nor do parents in general mistreat their children. The exceptions are being made the rule in the interest of a cause.

Mr. Atwood recently declared that American history for the past 50 years has largely consisted of a succession of discredited remedies.

His statement is verified by the outcome of virtually every reform movement punctuating that period. The evils aimed at have seldom been mitigated, much less suppressed. Most of them are quite as apparent as ever, while the cost of their experimental treatment has been prodigious. Let a single example suffice. The Interstate Commerce Commission was created in 1887 to restrain railway aggressions, arrest their consolidation, establish better service, enforce competition, prohibit discriminations, reduce rates, and therefore the cost of living. Few, if any of these ends have been realized. With public opinion now behind it, the commission encourages and seeks power to compel consolidations, regards competition as an unmixed public evil, and although it regulates and establishes rates and other phases of operation, results are more unsatisfactory than were the evils which called the commission into being. Rates have more than doubled; service has not materially improved; many lines have been scrapped or abandoned. But public clamor, ignoring the lesson which these conditions should teach, more loudly than ever vociferates its demand for both added regulation and public ownership. This clamor may be gratified with results yet more deplorable.

But these bureaucratic miscarriages do not affect bureaucratic vitality. Remedies may become discredited but they are seldom discarded. Once established, a bureau, like Tennyson's brook, goes on forever, with an ever-swelling volume of retainers and of expenditure. What wonder, therefore, that we are now governed by 3,400,000 civil servants—National, State, and municipal—who burden the taxpayer with an annual charge of $3,800,000,000. Shall we add to their number at this time whatever the appeal or the asserted need?

The indolence of our youth is a most sinister evil of the time. It stimulates the misdirection of purpose and of energy. The appalling increase of crime, and especially crimes of violence, challenges our apprehensions. Most of it is the work of young people of both sexes between the ages of 16 and 23. Freed from home influences and the restraint of the classroom, following no occupation and caring for none, unhindered in their quest for excitement and diversion, undisciplined in morals and virtually encouraged to abstain from toil, why wonder that they chafe under the curb of law and authority, defy the obligations and usages of society, and help themselves with claw and tooth to what seems the good things of life with little regard to the rights or the security of others? Why follow the respectable but prosaic life of the tradesman or the mechanic, whose thrift and industry they despise and whose accumulations may so easily become the spoil of adventure?

Compulsory idleness of the mass of childhood because some children are put at work too young or kept at work too long will, I fear, swell the ranks of the dissolute. Only the sober, hard-working people, sheltered by protective government and made secure in their lives and their belongings by the prevalence of those homely virtues which spring from temperance, industry, respect for order, and obedience to law endure through generations. They neither give license to their children nor relieve them from the reasonable exactions of labor, save to their ultimate undoing. Better for us and far better for them that we should continue to "walk in the ancient ways, keep in the old paths, observe them well, and be not given unto change."

We live in an age where legislation has become a fetich. We are trying to make men and women moral and God-fearing by multitudinous legal amendments. For every economic ill we encounter appeal is made for relief to the lawmaking authority. This impulse to eradicate evil by statute prompts intelligent and even thinking people to stage many reforms. Most of them are inspired by the best of motives. Apart from the fact that man was never yet made good by human law is the reflection that mushy sentimentalism, however sincere, supplies a poor foundation for practical and permanent reforms. Yielding to its demands for nearly 50 years, we have virtually ceased to be a self-governing people. We are under the dominion of the bureaucrat, whose rules and regulations, having the force of law, equal in bulk and in detail the United States Statutes at Large. These cover nearly all the economic, social, and political activities of the citizen, who must, at his peril, regulate his calling and his conduct by them. They obstruct his business, trammel his freedom, disturb his domestic affairs, begin their ministrations with his birth, waste his substance through life, tax his coffin, and then pillage his estate. This is not democracy. It is not representative government. If it does not display the physical aspects of tyranny, if it is the mildest, it is also the most searching of despotisms. Goethe was right when he said that there is no more terrible thing in this world than energetic ignorance.

A standing rule provides that Washington's Farewell Address shall be read to the Senate upon the 22d day of February of every year. I conclude this too lengthy note with the warning of the Father of his Country that "toward the preservation of your Government it is requisite that * * * you must resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect in the forms of the Constitution alterations which would impair the energy of the system and thus to undermine what can not be directly overthrown." The wisdom of this sentiment is strikingly illustrated by the amendment under discussion, which is only one of a brood now pending before the Judiciary Committee.

Very sincerely, etc.,

C. S. THOMAS.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

(From Hammer v. Dagenhart, 247 U. S. 251)

Thus the act in a twofold sense is repugnant to the Constitution. It not only transcends the authority delegated to Congress over commerce but also exerts a power as to a purely local matter to which the Federal authority does not extend. The far-reaching result of upholding the act can not be more plainly indicated than by pointing out that if Congress can thus regulate matters entrusted to local authority by prohibition of the movement of commodities in interstate commerce all freedom of commerce will be at an end and the power of the States over local matters may be eliminated, and thus our system of government be practically destroyed.

Commencing with the letter from Secretary Davis, Department of Labor, addressed to Senator SHORTRIDGE under date of January 6, 1923, and published on pages 18 and 19 of the Senate report of the Judiciary Committee on child labor amendment, the report is replete with erroneous and misleading statements.

The Secretary states that there can be no question that there is urgent need for legislation regulating employment of children in industry, and refers to the census figures of 1920 in the report on children in gainful occupations. The term "gainful occupations" includes the occupations of all child workers except those working at home merely on general household work, on chores, or at odd times on other work. This necessarily includes all children working regularly away from home, even though it be for only an hour or so daily. Comparatively few returns were made for children under 10 years of age, and because of the small number and probable high degree of error the census did not tabulate them.

According to the census of 1920 there were 12,502,582 children 10 to 15 years of age, and of this number 1,060,858 were gainfully employed, 647,309 in agricultural pursuits and 413,549 in nonagricultural pursuits. Of the 647,309 children engaged in agriculture, forestry, and animal husbandry, 88 per cent, or 569,824, were reported as farm laborers on the home farm, leaving but 77,585 in agricultural pursuits with which the proposed child labor amendment should be concerned, unless it is the intention of its advocates to prohibit a parent from employing his own child at home on the farm.

Of the total number gainfully employed 413,549 were employed in nonagricultural pursuits. On the basis of the Federal child labor tax law in effect in 1920 those 14 and 15 years of age were with few exceptions legitimately employed. As those 14 and 15 years old numbered 364,444, this leaves only 49,105 from 10 to 13 years old, or less than 50,000 whose employment outside of agricultural pursuits is presumably a matter of grave concern. An analysis of these figures later shows that it is only "presumably" so.

Secretary Davis states that more than one-third of the children gainfully employed (1,060,858) were "between 10 and 13 years of age," but the number includes those who are 13 years old, 328,958 being employed in agricultural pursuits and 49,105 in nonagricultural pursuits.

The Secretary then states:

> "While the census figures take no account of children under the age of 10 who may be classified as workers, it is a well-known fact that many children below the age of 10 are employed in agriculture, in street trades, domestic service, and industrial home work. A conservative estimate would place the number of children below the age of 16 years gainfully employed in the United States as one and one-half million."

From 1910 to 1920 there was a decrease of 46.7 per cent in the number of children 10 to 15 years of age who were gainfully employed, although the total number of children of that age showed an increase in the same period of 15.5 per cent, or more than a million and a half. It is true that the census does not report the children under 10 years of age who are gainfully employed. In 1910, however, 142,246 children 6 to 9 years of age were reported as gainfully employed, but even this number is believed to be excessive. Of this number 96 per cent were employed in agricultural pursuits. Assuming that the percentage of decrease for the decade for this age group was the same as that for the children 10 to 15 years of age, there would be but 75,817 children from 6 to 9 years of age gainfully employed in 1920. This statistical basis is hopelessly inadequate upon which to rear the Secretary's towering estimate of an additional half million gainfully employed children under 16 years of age.

In the next paragraph of the Secretary's letter he says that "about one-half" of the gainfully employed children 10 to 15 years of age reported by the census of 1920 were employed in agricultural pur-

suits. The statement should be that over three-fifths, or 61 per cent, was so employed, and it should also be kept in mind that 88 out of every 100 were employed on the home farm. He also states that "130,000 were employed in manufacturing and mechanical industries, in cotton, silk, and woolen mills, in cigar factories, clothing, and furniture shops, and in various canneries." The number should be 185,000, and none are reported as employed in canneries.

The statements respecting the number of States measuring up to the requirements of the Federal child labor law conveys a most misleading impression with respect to the minimum age of 14 years. That or a greater age is the minimum in every State except Delaware and Virginia (12 in canneries in vacation time), Florida (12 in stores), and Mississippi (boy, 12). Several States have some exception in which a child of 12 may be employed intermittently or during vacation time at seasonal employment, but the poverty provisions of State laws have lost their force with the passage of mother's pension laws.

The Secretary states that after the first Federal child labor law was declared unconstitutional (June 3, 1918) "large numbers of these little people in many States had received practically all their protection from the Federal act," and that the enforcement in some States with higher requirements than the Federal act reached a low ebb after the act was abrogated.

These statements are not questioned. The law lapsed in war time, and pressure was exerted throughout the country to spare no effort to increase production. But why should any reference be made to conditions in 1918? What were the facts more recently (May 15, 1922) when the Federal child labor tax law was declared unconstitutional?

During the fall of 1922 the Children's Bureau made an intensive study in the same territory investigated after the first law was nullified, to ascertain facts as to any increase of child labor due to the lapsing of the Federal law, but did not find conditions at all comparable with those in 1918. Some increase was found, to be sure, but it was not noticeable or general in character.

Senator MEDILL MCCORMICK was quoted as having said child employment had increased 20 per cent to 30 per cent since the Federal child labor tax law was declared unconstitutional. The National Child Labor Committee completed a canvass of the country to ascertain whether manufacturers were taking advantage of the decision, and reported in their publication, The American Child, for February, 1923, that their canvass failed to show any considerable increase in the number actually employed. In 17 States then (18 with the addition of Wyoming in 1923) the local laws were quite the equal of the nullified Federal law, thus preventing an increase. The article predicted that in the other 31 (now 30) States that it was not to be expected that immediate advantage would be taken, as it would increase the demand for a constitutional amendment, but this argument fails to explain why increased employment resulted immediately in 1918.

The first Federal law was in effect only nine months and three days, not long enough to allay the irritation it aroused at the beginning of its functioning. The child labor tax law was in effect 3 years and 20 days, had functioned smoothly, and had gained adherents to its standards in every State in the Union. Since the first Federal law every State but three (one of which already had the Federal standards) has legislated on child labor, compulsory education, or both, advancing child employment to much higher levels than ever before. The child labor tax law was tremendously educative, but much credit for the advance in this and other social legislation by the States is due to the revelation of illiteracy and physical defect as a result of the draft. States never before having compulsory education have passed such laws, and other States have extended the compulsory period and provided for better enforcement. Child welfare and children's code commissions have been established, and mother's pension laws, birth registration laws, and health measures which contribute to the physical excellence of children have been enacted. These are the reasons why there has been no such resumption of child labor in 1922 or since as there was in 1918.

The Secretary states that there were 24 States in 1918 which did not require the 8-hour day for children between 14 and 16 years of age and refers to an 11-hour day and 64-hour week. At present there are 15 States not providing an 8-hour day for children. Why not state the facts as they are now? No State to-day permits its children to work for a 64-hour week. Some of these States provide for a 9-hour day and 54-hour week. Others allow a 10, 10½, or 11 hour day, with a 54 to 60 hour week. Only five of the States allow so much as 60 hours' employment in one week. Four States adopted the 8-hour day, 48-hour week, after the child labor tax law was declared unconstitutional.

The Secretary's letter states that according to recent publications of his department children "were found in oyster and shrimp canneries, some as young as 5 or 6 years, working in cold, damp sheds, their hands cut by oyster shells, shrimp thorns, and the knives with which they work. Over 500 boys under the age of 14 years were found to have been employed as breaker boys in the coal industries in violation of several laws, and 137 below the age of 10 years were found working underground."

The study disclosing the condition stated in oyster and shrimp canneries is believed to have been made about 1918, and it is known that such conditions did not exist in 1921 and 1922 under the Federal child labor tax law. Whether or not those conditions exist in 1924 is open to question. It is believed the employment in mines has reference to West Virginia and Pennsylvania. West Virginia, it may be pointed out, now prohibits the employment of children under 16 in or about mines and quarries in conformity with the provisions of the Federal child labor law. Pennsylvania now provides for the issuance of age certificates to children employed in mines in order that none may secure employment by claiming to be 16 when they are not that old. So far as the present employment of children in mines is concerned, "The American Child," organ of the National Child Labor Committee, states in its issue for April, 1924, that only five boys under 16 in 100 collieries in the anthracite region of Pennsylvania could be discovered in an investigation just completed. It ascribes the small number to the use of mechanical devices which now do the work the boys were formerly required to do.

Some statistical basis should be advanced, in view of the erroneous nature of the figures cited elsewhere in the Secretary's letter, for the "vast army of babies engaged in so-called industrial home work, in the beet fields, in the cotton fields, in the cranberry bogs, and the truck farms of the land." Whether the need for remedial action is so great as is indicated by these words is certainly open to question. Three States have already legislated as to hours of employment for children in agricultural pursuits, and more should do so. There is no reason to believe, however, in view of the recent progress in child welfare legislation by the States, that they will not enact further legislation when assured that the onus rests squarely on their shoulders and that Federal child labor intervention is at an end until such time as the States show unfitness for or failure to realize their responsibilities.

To continue after the Secretary's letter with the excerpt from his tenth annual report, given on page 20 of the Senate report: If, as stated with reference to the census figures, approximately 660,000 children between 10 and 15 are engaged in sugar-beet fields, the cotton fields, and the onion fields of the land, we have an amazing number of farmers so engaged, inasmuch as 569,824 of the 647,369 children engaged in agricultural pursuits are employed on the home farm. These figures include children who are going to school and working at the same time. Obviously, the statement can not be true.

The census reports more than 50,000 children 10 to 15 years of age employed in textile establishments, but as the child labor tax law was then in effect it is not believed that any of these children were then working more than 8 hours a day or more than 48 hours a week. Two textile States in New England and three in the South permit a 60-hour week at the present time, but in actual practice usually work 55 hours a week. The children employed in the cotton mills of those States in 1920 numbered about 10,000. It might, therefore, be inferred that approximately that number, or one-fifth of the number stated in the Secretary's report, are working for longer than 8 hours a day or 48 hours a week.

As to the Secretary's estimate that "1,500,000 American children are now the victims of premature toil in the mines and mills and factories and fields and homes of this country" there is, as has been pointed out, considerable doubt as to the accuracy of his figure. Furthermore, few would define child labor and gainful employment of children, the term used by the census, as the same. The former expression refers to children of tender years, long hours of labor, night work, morally or physically dangerous occupations, and implies work at a time when the child should be in school. Gainful employment includes child labor plus all kinds of perfectly legitimate employment of children. For instance, it includes the work of a boy who delivers your newspaper, the high-school boy who stuffs newspapers for half an hour after school, or helping on the farm or clerking in the store or making deliveries on Saturdays. It would include the employment of John Coolidge, 14 years old, who received $4.50 for his labor in a neighbor's tobacco field on the day his father became President of the United States.

On page 26 of the Senate report it is positively asserted that the census figures of children working on the farm refer to children who are "working all the time." Reference to page 16 of the census report, children in gainful occupations, shows that instructions were given to the census enumerators to enter the occupations followed in the case of workers attending school and also to indicate the fact of school or college attendance. Also that "children who somewhat regularly assist their parents in the performance of work other than household work or chores should be reported as having an occupation." The number, 1,060,000, gainfully employed children, therefore, includes the boys and girls who were attending school and making a little money outside of school hours and in vacations.

To publish the table on page 32 of the Senate report under the title, "To show the prevalence of child labor," is both erroneous and mis-

lending. Much of the gainful employment of these children could not by any stretch of the imagination be claimed as child labor, nor would any present-day definition of child labor possibly include them.

NILA F. ALLEN.

SUMMARY OF CHILD LABOR AND COMPULSORY EDUCATION LEGISLATION FROM 1917 TO 1923, INCLUSIVE

1917. Legislative year (42 legislatures in regular session):
- I. Child labor laws (other than those relating to theatrical exhibitions and street trades)—
  - Minimum age: Delaware, Illinois, Kansas, Tennessee, Texas, Utah, Vermont (7 States).
  - Hours of labor or night-work regulations: Arkansas, Connecticut, Delaware, Illinois, Kansas, Massachusetts, Montana, Nevada, New Hampshire, Ohio, Tennessee, Texas, Utah, Vermont, Wisconsin (15 States).
  - I. Physical or education requirements for work certificates: Delaware, Illinois, Kansas (3 States).
  - Evidence of age requirements for work certificates: Arkansas, Delaware, Illinois, Kansas, Maine, Oklahoma, Tennessee, Vermont, Wisconsin (9 States).
  - Administration and enforcement: Connecticut, Delaware, Illinois, Kansas, New York, Oklahoma, Tennessee, Vermont, Wisconsin, Wyoming (10 States).
- II. Compulsory school attendance laws—
  - A. Continuation schools: Michigan, Wisconsin (2 States).
  - B. Day schools: Arkansas, Idaho, Michigan, North Carolina, Rhode Island (5 States).

1918. Legislative year (11 legislatures in regular session):
- I. Child labor laws (other than those relating to theatrical exhibitions and street trades)—
  - Minimum age: Maryland, New York, Virginia (3 States).
  - Hours of labor or night-work regulations: Massachusetts, Oregon, Virginia (3 States).
  - Physical or educational requirements for work certificates: None.
  - Evidence of age requirements for work certificates: Kentucky, Maryland, Virginia (3 States).
  - Administration and enforcement: None.
- II. Compulsory school attendance laws—
  - A. Continuation schools: None.
  - B. Day schools: Mississippi, North Carolina, Virginia (3 States).

1919. Legislative year (43 legislatures in regular session):
- I. Child labor laws (other than those relating to theatrical exhibitions and street trades)—
  - Minimum age: Maine, Missouri, Montana, New Jersey, New York, North Carolina, North Dakota, West Virginia (8 States).
  - Hours of labor or night-work regulations: Alabama, California, New York, North Carolina, North Dakota, Oklahoma, Utah, West Virginia (8 States).
  - Physical or educational requirements for work certificates: Alabama, Connecticut, Maine, Massachusetts, Montana, North Carolina, Oregon, Washington, West Virginia, Wisconsin (10 States).
  - Evidence of age requirements for work certificates: Alabama, North Carolina, West Virginia (3 States).
  - Administration and enforcement: Alabama, California, North Carolina, South Carolina, West Virginia (5 States).
- II. Compulsory school attendance laws—
  - A. Continuation schools: Arizona, California, Illinois, Iowa, Masachusetts, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, Oklahoma, Oregon, Utah, Washington, West Virginia (17 States).
  - B. Day schools: California, Delaware, Florida, Georgia, Kansas, Missouri, Montana, Nebraska, New Mexico, Oklahoma, Oregon, South Carolina, Tennessee, Utah, Washington, West Virginia (16 States).

1920. Legislative year (11 legislatures in regular session):
- I. Child labor laws (other than those relating to theatrical exhibitions and street trades)—
  - Minimum age: Virginia (1 State).
  - Hours of labor or night-work regulations: Virginia (1 State).
  - Physical or educational requirements for work certificates: Kentucky, New York (2 States).
  - Evidence of age requirements for work certificates: None.
  - Administration and enforcement: None.
- II. Compulsory school attendance laws—
  - A. Continuation schools: Kentucky (1 State).
  - B. Day schools: Kentucky, Mississippi, Virginia (3 States).

1921. Legislative year (42 legislatures in regular session):
- I. Child labor laws (other than those relating to theatrical exhibitions and street trades)—
  - Minimum age: Illinois, Indiana, Massachusetts, New Mexico, New York, Ohio, Wisconsin (7 States).
  - Hours of labor or night-work regulations: Connecticut, Indiana, Massachusetts, New Hampshire, New Jersey, New Mexico, Ohio, Wisconsin (8 States).
  - Physical or educational requirements for work certificates: Connecticut, Illinois, Indiana, Massachusetts, Missouri, Ohio, Wisconsin (7 States).
  - Evidence of age requirements for work certificates: Indiana (1 State).
  - Administration and enforcement: California, Indiana, Missouri, New York, Ohio, Pennsylvania (6 States).
- II. Compulsory school attendance laws—
  - A. Continuation schools: California, Connecticut, Delaware, Florida, Indiana, Ohio, West Virginia, Wisconsin (8 States).
  - B. Day schools: California, Delaware, Idaho, Indiana, Maine, Nebraska, Nevada, North Carolina, Ohio, South Dakota (10 States).

1922. Legislative year (11 legislatures in regular session):
- I. Child labor laws (other than those relating to theatrical exhibitions and street trades)—
  - Minimum age: Virginia (1 State).
  - Hours of labor or night-work regulations: South Carolina, Virginia (2 States).
  - Physical or educational requirements for work certificates: North Carolina, Rhode Island, Virginia (3 States).
  - Evidence of age requirements for work certificates: None.
  - Administration and enforcement: New York, Virginia (2 States).
- II. Compulsory school attendance laws—
  - A. Continuation schools: None.
  - B. Day schools: Maryland, Virginia (2 States).

1923. Legislative year (43 legislatures in regular session):
- I. Child labor laws (other than those relating to theatrical exhibitions and street trades)—
  - Minimum age: Delaware, Michigan, North Dakota, Oregon, Rhode Island, Wyoming (6 States).
  - Hours of labor or night-work regulations: Connecticut, Delaware, Maine, Missouri, South Dakota, Wyoming (6 States).
  - Physical or educational requirements for work certificates: North Dakota (1 State).
  - Evidence of age requirements for work certificates: North Dakota (1 State).
  - Administration and enforcement: New Jersey, New York, North Dakota, Wyoming (4 States).
- II. Compulsory school attendance laws—
  - A. Continuation schools: Pennsylvania (1 State).
  - B. Day schools: Kansas, Rhode Island, Texas, Wyoming (4 States).

Mr. REED of Missouri. Mr. President, I understand that a number of Senators desire to address the Senate on this question. We were rather crowded into an agreement to vote to-day, and that agreement was made, but in view of the developments and the interest which is now being manifested it seems to me the time is unfortunately short.

I believe that any unanimous-consent agreement can be modified by another unanimous-consent agreement. I desire the opinion of the Chair on that question. I do not want to consume any time in discussing it. If the Chair is of the opinion that the Senate can now by another unanimous-consent agreement fix a different time for voting, I desire to submit such an agreement.

The PRESIDENT pro tempore. Does the Senator from Missouri propound a parliamentary inquiry?

Mr. REED of Missouri. I was propounding a parliamentary inquiry.

The PRESIDENT pro tempore. Undoubtedly the unanimous-consent agreement can be modified by another unanimous-consent agreement, but it will require one day's notice in order to submit the modification.

Mr. REED of Missouri. That notice was given on Saturday by the Senator from Utah [Mr. KING].

Mr. McCORMICK. Mr. President, reserving the right to object, let me ask the Chair if he will rule again, if he has not already ruled, upon the question put to him by the Senator from Missouri?

The PRESIDENT pro tempore. The rule provides:

No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto

until, upon a roll call ordered for the purpose by the Presiding Officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given the same shall operate as the order of the Senate, but any unanimous consent may be revoked by another unanimous consent granted in the manner prescribed above upon one day's notice.

Mr. REED of Missouri. If the Chair please, the Senator from Utah [Mr. KING] gave that notice on Saturday, and I now suggest unanimous consent to postpone the vote upon this measure until 5 o'clock of to-morrow.

Mr. SHORTRIDGE. I feel it my duty to object, Mr. President.

Mr. REED of Missouri. Very well; then that settles it.

The PRESIDENT pro tempore. The Chair ought further to suggest that in the opinion of the Chair a sufficient notice was given by the Senator from Utah [Mr. KING] on Saturday.

Mr. REED of Missouri. Mr. President, in view of the objection, I shall proceed.

Mr. LODGE. Mr. President, objection has been made.

Mr. REED of Missouri. Objection has been made by the Senator from California.

The PRESIDENT pro tempore. The Chair understood that objection had been made.

Mr. LODGE. Yes; so did I.

The PRESIDENT pro tempore. But the Chair desired the Senate to know that in the opinion of the Chair the Senator from Utah [Mr. KING] did give the notice required by the rule on Saturday.

Mr. WALSH of Montana. Mr. President, allow me to suggest to the Senator from Missouri that by unanimous consent we limit debate from this time on. That might serve to accomplish the end of giving every Senator who desires to talk on the matter an opportunity to do so.

Mr. REED of Missouri. It might do so, Mr. President, but as far as I am concerned, I intend, in view of the objection that has been made, to proceed with my remarks without submitting myself to any limitation, except that I shall try not to impinge too deeply upon the time.

Mr. SHORTRIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from California?

Mr. REED of Missouri. I yield.

Mr. SHORTRIDGE. I merely wish, in view of the remark of the Senator, to say that while I would have felt it my duty to object, I did so somewhat because of an understanding that the Senator would be able to conclude his remarks within such time as would permit others to briefly express themselves on the measure.

Mr. REED of Missouri. Let the Senator not be under any misapprehension. If this unanimous-consent request, which I submit in the interest of fairness, is objected to by the Senator, I shall talk just as long as I want to hold the floor.

Mr. SHORTRIDGE. The Senator has that constitutional privilege, and he can exercise it——

Mr. REED of Missouri. Just as the Senator has exercised his.

Mr. SHORTRIDGE. But I understood the Senator to say that he would limit his remarks.

Mr. REED of Missouri. I want to be understood, because I want to be entirely courteous in this matter. I took it, from the Senator's statement, that he thought I had made some agreement to limit my remarks. I did not want him to be under a misapprehension. I have made no such agreement. I stated to the Senator from Wisconsin that I was going to try to bring my remarks within a reasonable limit, but I do not want anyone to conclude from that that I have made any hard-and-fast agreement with reference to how long I shall talk. I again submit the proposition that we agree to vote upon this measure at 5 o'clock to-morrow.

Mr. ROBINSON. May I make a suggestion to the Senator from Missouri?

Mr. REED of Missouri. Certainly.

Mr. ROBINSON. I think the advocates of the joint resolution might very well consent to a modification of the unanimous-consent agreement so that after 5 o'clock to-day no Senator may be permitted to speak more than once or longer than, say, 15 minutes upon the joint resolution or any amendment thereto, and that the final vote on the joint resolution and all amendments to it be taken at, say, not later than 9 o'clock to-night.

In view of the fact that many Senators desire to speak, and practically all of them will be denied the opportunity if we adhere to the agreement already provided, I do not see how the friends of the measure can object to a modification of the agreement made by unanimous consent. I want to say, however, that in efforts to expedite the business of the Senate great difficulty has been found in securing unanimous-consent arrangements, and, for my part, I am perfectly willing that the Senate shall take its own course without agreements of that sort if Senators feel that the arrangements which we from time to time make unduly restrict the freedom of action in the Senate.

I suggest, however, if the Senator from Missouri yields for that purpose, that the existing unanimous-consent agreement be modified as follows:

That after the hour of 5 o'clock to-day no Senator shall speak more than once or longer than 15 minutes upon the joint resolution or upon any amendment to the same which may be offered, and that at not later than 9 o'clock to-day the Senate proceed without further debate to vote upon the joint resolution and upon all amendments that may be pending.

Mr. SHORTRIDGE. Speaking for myself, Mr. President, I am entirely willing to enter into such an agreement, to that extent modifying the existing consent agreement.

Mr. LODGE. Mr. President, as I understand it, the rule applies only to cases like the present, where the unanimous consent is given in regard to a final vote on a bill or joint resolution, and is given under the provision of the rule after the roll has been called and the presence of a quorum ascertained. It does not apply to all unanimous-consent agreements indifferently. I think if we are going to enter on such a vital change as is proposed, we practically put an end to unanimous-consent agreements, because their very existence, it seems to me, depends, speaking generally of all unanimous consents, on their inviolability.

If a unanimous-consent agreement be made and certain Senators agree to that unanimous consent who are not here at the time it is changed, they can have no notice of a coming change, and Senators who have bound themselves by unanimous consent have no safety whatever as to when a bill will be disposed of. It may not be a bill; it may be something else. I think it is very dangerous to enter into such an agreement, even in the limited form proposed under this rule.

Mr. ROBINSON. Will the Senator yield?

Mr. LODGE. Certainly.

Mr. ROBINSON. The Chair has called attention to the rule itself under which unanimous-consent agreements for votes on bills and joint resolutions may be made. The rule expressly provides that any unanimous-consent agreement so made may be modified.

Mr. LENROOT. Upon one day's notice.

Mr. LODGE. Does it apply to final votes on a bill only?

Mr. ROBINSON. It applies to all unanimous-consent agreements.

Mr. LODGE. Or does it apply to agreements only for a final vote?

Mr. LENROOT. A unanimous-consent agreement for a final vote may be modified by another unanimous-consent agreement upon one day's notice.

Mr. ROBINSON. Yes.

Mr. LODGE. That applies only to a final vote on a measure. The rule is clear on that. I understand this is a proposition which would cover all unanimous-consent agreements.

Mr. ROBINSON. Does the Senator from Massachusetts make the point that, the roll having been called prior to entering into the unanimous consent now in force, no modification of that unanimous consent may be had even by a subsequent unanimous consent?

Mr. LODGE. Under the rule, of course, it can be done in this case. I am not making my suggestion at all against this particular case.

Mr. ROBINSON. I do not care at this time to enter into a discussion of a hypothetical case. I was discussing, of course, this case, and all other cases which fall within its class. I think any unanimous-consent agreement may be revoked by another. I believe that is the intention of the rule which provides:

> And when a unanimous consent is thus given the same shall operate as the order of the Senate, but any unanimous consent may be revoked by another unanimous consent.

I hold that that language is broad enough to include any arrangement entered into by unanimous consent.

Mr. LODGE. That is just what I was asking the Senator, whether in his judgment it would apply to any unanimous consent. I think the language indicates that it does.

Mr. ROBINSON. I think it does. But whether I think it or not is not important at present, because of the fact that unquestionably we can modify the existing unanimous consent.

Mr. LODGE. If we modify it, we must substitute another unanimous consent.

Mr. ROBINSON. Certainly. The only limitation on the right of the Senate to modify this unanimous-consent agreement is the requirement that a day's notice of the intention to do so shall be given. The object of that is apparent. It is to afford Senators who are not present at the time the notice is given, and who might not be present at the time the proposal is submitted, to appear in the Senate. It is to give publicity to it, to prevent advantage being taken of Senators who agreed to the original unanimous consent.

Mr. LODGE. That point has been covered in this case.

Mr. ROBINSON. The Chair has held that notice has been given. I say, as a friend of the pending joint resolution, I think the proposal is a reasonable one. Of course, there may exist some circumstance which would modify that opinion, but it has not been stated in the Senate. Nothing is brought to the attention of the Senate which would justify a refusal to grant this very reasonable request.

What is going to happen if the modification is not granted is that the opponents of the joint resolution will consume the entire time allotted for debate. They will consume the time up to 5 o'clock, and friends of the joint resolution will have no opportunity to speak. If the friends of the joint resolution want to take that attitude, of course they are at liberty to do so. A single objection will prevent a modification of this arrangement. However, there is not a question in my mind but that we have the right to enter into the unanimous consent, the Chair having held that the necessary notice has been given.

Mr. LODGE. I think it is clear from the language, which I now have before me, that the rule, in the last clause, applies to any unanimous consent. But it does require unanimous consent to make the change, of course.

Mr. ROBINSON. There is no question about that.

Mr. LODGE. I only wanted that made clear.

Mr. ROBINSON. It has been suggested to me that the request should be modified so as to fix the time for the final vote at 9 o'clock. I myself do not feel that that is very important, but if there is no objection to it, I will modify the request in that respect.

Mr. LODGE. To make it at 9 o'clock?

Mr. ROBINSON. I suggested in my first proposal that we vote at not later than 9 o'clock. The proposed change would prevent a vote until 9 o'clock, even though the debate were concluded.

Mr. REED of Missouri. Let us not make that change. It would simply mean that many Senators would go away and come back at 9 o'clock.

Mr. ROBINSON. I believe I will adhere to the original proposition.

Mr. LODGE. Will the Senator state it again?

Mr. ROBINSON. That after the hour of 5 o'clock to-day all debate be so limited that no Senator shall speak more than once nor longer than 15 minutes on the joint resolution or any amendment that may be offered, and that at not later than 9 o'clock this evening the Senate proceed to vote, without further debate, on the joint resolution and all amendments that may be pending. That, of course, will make it necessary for amendments to be offered prior to 9 o'clock.

The PRESIDENT pro tempore. The Chair is of opinion that the roll must be called before the proposed unanimous-consent agreement can be submitted. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Ernst	Lenroot	Sheppard
Ashurst	Fernald	Lodge	Shields
Balk	Fess	McCormick	Shipstead
Bayard	Fletcher	McKellar	Shortridge
Borah	Frazier	McKinley	Simmons
Brandegee	George	McLean	Smith
Broussard	Glass	McNary	Smoot
Bruce	Gooding	Mayfield	Spencer
Bursum	Hale	Moses	Stanley
Cameron	Harreld	Neely	Stephens
Capper	Harrison	Norbeck	Sterling
Carraway	Heflin	Norris	Swanson
Colt	Howell	Oddie	Trammell
Copeland	Johnson, Minn.	Overman	Wadsworth
Couzens	Jones, N. Mex.	Pepper	Walsh, Mass.
Cummins	Jones, Wash.	Phipps	Walsh, Mont.
Curtis	Kendrick	Pittman	Warren
Dale	Keyes	Ransdell	Willis
Dill	King	Reed, Mo.	
Edge	Ladd	Reed, Pa.	
Edwards	La Follette	Robinson	

Mr. GEORGE. I wish to announce that my colleague, the senior Senator from Georgia [Mr. HARRIS], is detained by illness.

The PRESIDENT pro tempore. Eighty-one Senators having answered to the roll call, there is a quorum present. The Clerk will state the proposed unanimous-consent agreement.

The reading clerk read as follows:

Ordered (by unanimous consent), That on the calendar day of Monday, June 2, 1924, at not later than 9 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States through the regular parliamentary stages to its final disposition; and that after the hour of 5 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 15 minutes upon the joint resolution or more than once or longer than 15 minutes upon any amendment offered thereto.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the agreement is by unanimous consent entered into.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DICKINSON of Iowa, Mr. VARE, and Mr. CARTER of Oklahoma, were appointed managers on the part of the House at the conference.

The message also returned to the Senate, in compliance with its request, the bill (S. 601) granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River.

ENROLLED BILLS SIGNED

The message further announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

S. 81. An act for the relief of the owners of the steamship *Lexington;*

S. 243. An act for the relief of Frank Vumbaca;

S. 598. An act for the relief of the United Dredging Co.;

S. 935. An act for the relief of Erie Railroad Co.;

S. 1013. An act for the relief of Gordon G. MacDonald;

S. 1213. An act for the relief of Harold Kernan;

S. 1330. An act for the relief of the estate of Ely N. Sonnenstrahl, deceased;

S. 1941. An act for the relief of Ezra S. Pond; and

S. 3395. An act granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River near Masontown, Fayette County, Pa.

LEGISLATIVE APPROPRIATIONS

The PRESIDING OFFICER (Mr. FRAZIER in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. WARREN, Mr. SMOOT, and Mr. HARRIS conferees on the part of the Senate.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. REED of Missouri. Mr. President, the amendment upon which we are asked to vote is the most important amendment to the Constitution ever proposed. It calls for, nay, it demands, the attention of every Member of the Senate. It should not be discussed, as it was on Saturday, to vacant benches, although at that time the Senator speaking was a very interesting speaker and was making a very interesting and instructive address. I remember looking across the aisle when the Senator from Wisconsin [Mr. LENROOT] was addressing the Senate presumptively, and there was not a single Senator for some considerable period seated upon that side of the Chamber, and only five or six on this side of the Chamber. I am not making these remarks to

try to induce Senators to listen to me, but Senators ought to listen to somebody upon the pending question.

I affirm that it is completely subversive of our form of government; that it is socialistic, bolshevistic, and, I would almost say, anarchistic. It has all the vices of socialism and none of its virtues. It is not a child-labor proposition. Any man who is in favor of the regulation of child labor, either by the States or by the Federal Government, can and ought to vote against the joint resolution, because it is not a child labor measure. It is no more a child labor measure than it would be if the limit of 18 years was stricken out so that the proposition would be one to regulate the labor of all human beings. I invoke the attention of the Senate to this revolutionary and dangerous proposition.

Mr. President, the term, "the child labor amendment," by which the pending proposal is designated, is a complete misnomer.

A child is a young person between infancy and youth. A youth is a young person who has passed childhood.

The scope of the pending amendment embraces every human being under 18 years of age and, therefore, includes both youth and childhood.

It takes from the several States the right to control the hours and conditions of labor of every citizen in the United States under 18 years of age.

It deprives all parents of the United States of the right to control and regulate the conduct of their children in matters of industry and labor.

It concentrates all of these powers in the Congress of the United States.

It is the greatest step toward centralization ever attempted.

It is the most undemocratic proposal yet advanced.

It is a march from liberty toward despotism.

It is not progression; it is retrogression.

It assassinates democracy, and upon its grave establishes a hybrid monstrosity embracing all of the vices and possessing none of the virtues of state socialism and communism.

It is as idiotic as it is destructive, and as wicked as it is imbecile.

It is supported by enthusiasts who are socialists without the ability to appreciate the character of their doctrines; by revolutionists who despise the Constitution and regard its precepts as inferior to the teachings of the Communist International; and by harebrained individuals who believe that governmental regulation can be substituted for the precepts of religion, the solicitude of parental love, and the common sense and judgment of people based upon the experience of the ages.

It is just now acclaimed by thousands of splendid men and women who are enthralled by a sort of nebulous notion that the proposed amendment is calculated to promote in some way the interests of children of tender years, but who have not paused either to read the amendment or to take thought of its consequences.

It has been fostered by a widespread propaganda based almost entirely upon false reasoning and gross misrepresentation of fact.

It will be voted for by cowards, who would rather hang on to their present offices than to serve their country or defend its Constitution. It would not receive a vote in this body were there not so many individuals looking over their shoulders toward the ballot boxes of November, their poltroon souls aquiver with apprehension lest they may pay the price of courageous duty by the loss of the votes of some bloc, clique, or coterie backing this infamous proposal.

My language may seem brutal. If so, it is because it lays on the blistering truth.

What is the question before us?

The population of the United States under 18 years of age exceeds 40,000,000. It is proposed to take the care, custody, and control of that vast multitude, embracing every human creature from the cradle of infancy to the workman in the field, in the shop, and in the office, and to the soldier at arms, from their parents and natural guardians and to vest that control in 435 Congressmen and 96 Senators.

Tradition, courtesy, and a proper sense of personal safety compels me, of course, to admit that these present Members of Congress and Senators are all men of the highest character, capable of passing legislation regulating the conduct of the youth of this land which will be vastly superior to the teaching of Holy Writ from the Ten Commandments of Moses to the Sermon on the Mount. I am, perforce of circumstances, obliged to concede that these present statesmen are patriots—patriots all.

But I rise to remark that it is quite possible in some dark day to come we may have a Congress a few of whom may occupy the sunlight heights of intellectuality, some may grope amidst the bogs of imbecility, whilst the great majority dully treading the highway of mediocrity answer like oxen to the voice of their masters and regard the lash laid on their tough hides as a stroke of knightly compliment.

Republicans, Democrats, Socialists, Farmer-Laborites—so they are branded. But have there not been found times past, may there not times future be found charlatans, demagogues, radicals, political bunko steerers, gold-brick men, and other varieties of the species "faker"?

To such a body it is proposed to grant a power unlimited over the life, the prosperity, the education, and the happiness of every human being born of woman living within the United States who is under 18 years of age.

Personally when the child labor law was before the Senate I voted for that measure. It was a child labor law, and it proposed to limit the labor of children in factories. I did not want to see the Federal Government assume that jurisdiction, but I was persuaded to vote for the measure by the claim and upon the belief that a police power or a power of that character might be found in the Federal Constitution, and by the further claim that gross abuse of children was going on in certain of the States. It was the one vote I ever cast here where I allowed sentiment very largely to control my judgment. The law was afterwards declared unconstitutional by the Supreme Court of the United States, and an examination of the reasoning of the court has convinced me that the court was right in its conclusion.

What I say now I say in order that it may be understood that, so far as the principle of protecting children is concerned, shielding them from working in unhealthful places, I marked my heart's sentiment upon that proposition by my vote. But, Mr. President, right or wrong in that vote, we have no such proposition before us to-day. The joint resolution that is before us not only proposes to control or to regulate the labor of children in factories or places dangerous and unhealthful but it proposes to regulate that vast multitude who occupy the position between childhood and manhood and womanhood which is known as youth. It proposes not only to do that, but let me emphasize to every Senator who gives me his attention that it proposes also to confer a power upon the Federal Government never possessed by any or all of the States under their police power.

The police power of the States, while a very broad one, has always been held to be a power circumscribed and limited; and every law which proposed to regulate the hours of labor of a child or the place of labor of either a child or an adult or their hours of labor was obliged to be buttressed upon the fact that the particular occupation or the particular character of labor was one where it could be fairly said the health or the morals of the individual were directly affected. No State ever had the power, and no State possesses the power under the Constitution of the United States, no State possesses the power under the principles of the common law, arbitrarily to say that a human being capable of work shall not be permitted to work; yet if we propose this amendment and it shall be ratified we shall confer upon the Federal Government not only the police powers which the States have hitherto exercised but we shall go beyond that and confer upon the Federal Government a power far beyond the power that any State has ever possessed or that any civilized government has ever dared to exercise.

Let us read the language of this proposed amendment:

> The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

To-day, a State has no power to prohibit the labor of a boy 17 years of age. If the State of Utah or of Missouri or of California were to pass a law to-day prohibiting the labor of boys under 18 years of age—broadly prohibiting it as this amendment proposes the Congress may do—such a law would be declared unconstitutional in five minutes. A State might pass a law under its police power in which it should provide that none of its citizens should be worked in a mine unless there were certain reasonable health regulations observed. It might pass a law that a boy or a girl under 18 years of age could not be worked 24 hours a day or 12 hours a day, because that would be connected with the health and development of the individual; but no State to-day can enact a law providing that a boy 17 years of age shall not be permitted to work at all under any circumstances. If a State were to amend its constitution, undertaking to assert such a power, and under a law passed in pursuance of that constitution were to arrest a boy 17

years of age for working, such a law would be declared unconstitutional, because it would interfere with the natural right of a human being to make his living; because it would interfere with the right that came to us with the blood of our ancestors; because it would interfere with the great fundamentals of human liberty; because it would be an iniquitous, abominable, and an impossible thing; because it would be slavery and not democracy.

Mr. McCORMICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Illinois?

Mr. REED of Missouri. I yield for a question, but I have been warned by the Chair that I must yield only for a question, or I shall yield the floor.

Mr. McCORMICK. It is only that I may ask a question of my friend from Missouri that I now interrupt him. Does he consider it liberty when sweated industry, which was forced out of New York, crossed over into New Jersey, and contracted with parents for the sweated labor of little children in New Jersey?

Mr. REED of Missouri. I thought the Senator would ask me some such question. It has no more to do with the question which I am discussing than the history of the fall of Sodom and Gomorrah has to do with the Constitution of the United States. I do not mean to be impolite to the Senator, but that is the kind of argument that we have been hearing here. I am not discussing the question of putting infants into factories to work; I have told the Senate that I voted for a law prohibiting that. The children to whom the Senator from Illinois refers are infants; they are children of tender age; they are incapable of taking care of themselves. The place where they work is an unhealthful place, and the police powers of the States exist to correct that condition; the police power of every State in the Union has been exercised in that behalf. If such laws are not sufficiently broad, they may be amended; but there is no power in any State to limit the right of a healthy boy or girl to work for a living in a perfectly healthful and proper place. There is no power in any civilized government worthy of the name to do it. It is proposed here to confer that despotic and destructive power upon the Congress of the United States.

That is the point I make. I say this is not a child labor amendment. You have here an amendment that embraces children, but also embraces youths. You have here an amendment that does not propose to regulate the labor even of children. It proposes to confer upon Congress the absolute power of prohibition. It is a power that never has been attempted to be exercised by any modern government except the Soviet Government of Russia, from which country it came, along with some other doctrines that are being adhered to to-day by gentlemen who call themselves great statesmen. It is not necessary to pass such an amendment.

Such an amendment as this presupposes that the States have not performed their duty, and yet there is not a State in this Union that has not passed a law for the protection of child labor.

There is not a State in this Union that has not passed laws more or less for the protection of adult labor. The powers of the States are abundant and ample, and extend far enough so that every dangerous occupation, every unhealthful occupation, every dangerous or destructive employment can be limited and regulated so that the health and morals of the people may be fully guarded. Every State has done that; and if these laws do not conform in every respect to the ideas or ideals of the Members of this body, bear in mind that the laws we or our successors here may pass may be equally obnoxious to the ideas of the people of the respective States.

Mr. President, I call attention again, and yet again, to this language:

The Congress shall have power to limit—

Not reasonably to limit, but to limit—

to regulate—

Not reasonably to regulate; and then, finally—

and prohibit the labor of persons under 18 years of age.

In the exercise of that power the Congress could condemn every person under 18 years of age able and willing to work to a life of idleness, of penury, of starvation, and, finally, to death. It strikes at the very fundamentals of the Declaration of Independence. If Congress were to enact a law, even if this amendment were adopted, that a healthy boy under 18 years of age should not be permitted to work to earn his living, I am in serious doubt whether the courts would not strike it down, because it is at war with our whole system of government. I want to take no such chance as that.

Mr. President, I have made some remarks which may sound a little harsh in regard to what Congress may do. One of the proponents of this joint resolution, a Senator, who asserts that it is a good measure and that it ought to be passed, that this vast power should be taken over by the American Congress, the control of children taken from their parents, the control of children taken from the States, proposes to put that power in a body which he has recently slurred in a great speech which he prepared. Notice, he is speaking of the present Congress, the Congress that he is asking to pass this amendment. I am reading the remarks of the Senator from Ohio [Mr. FESS]:

The conduct of the Senate as an open grand jury—into which by the agency of committees and through which by immunity of Members there have been pouring the slime and filth of perverted man and women, a character of testimony which would be excluded from any court in the Nation, but which is sought and received by the Senate under the excuse that it is an investigation and not a trial—to say the least, will be sharply scrutinized by the people.

To that body, which he asserts has sunk to that low estate, that is perverting its powers and abusing its privileges, he proposes to consign the care, custody, control, and destiny of 40,000,000 of God's creatures!

He continues:

This is the excuse for the shameful performances of what is alleged to be the greatest legislative body in the world.

Yet to that shamefully performing body he would consign the destiny of one-third of our population!

He continues:

And it is the procedure which has placed the Senate on trial before the people of the country, whose disgust is vocal and resentment bitter, so clearly displayed by every medium of communication of general intelligence.

Upon that kind of a body, which he thus characterizes, he proposes to confer the power hitherto exercised by the States and the jurisdiction hitherto enjoyed by the parents of the children of the land.

He continues:

In such a cycle of thinking now apparent in the Senate no public official is exempt from inuendo if not open charge. It is the boast that this campaign of vituperation is to include all Cabinet members.

The Secretary of the Treasury is the present object of attack. In the recent assaults upon this official the Senate reminded one of a minstrel performance with the end men leading in the gibes, amusing to themselves if to no one else.

To that body, sunk to that low and contemptible estate, the Senator from Ohio would consign every human being under 18 years of age, and give that kind of a body the right to deny that human being the God-given, God-inspired privilege and duty of work.

Complaint is heard everywhere against the quiescent attitude of Republican leaders for not rebuking such practices. But what is the use of rebuke under such a situation?

Even the eloquent tongues of the Republican statesmen have been silenced. They open not their mouths while this performance of infamy, iniquity, and disgrace proceeds, as detailed by the Senator from Ohio.

He continues:

The Senate has for the time being laid aside its legislative function and temporarily turned itself into a political training ground for partisan purposes. Its attention is not on the resolution, but the preamble. Its atmosphere is not one of deliberation, but of inquisition. Its oratory is addressed not to the Senate, but rather to the galleries and headlines. The importance of measures is lost in the necessity for votes. Party advantage as the dominant motive is not dangerous where majority control is possible. But it becomes serious where factional differences destroy party solidarity and all party responsibility by permitting minority control. * * *

In the midst of this orgy of slander, this spree of muckraking, this riot of vituperation and crimination, where stalwart statesmen seem to have lost their former poise, where a self-respecting minority has abandoned a test of political theories for a tryout of the mere vaudeville, to the disgust of Senators on both sides of the aisle, and to the amazement of the country at large, there looms one figure—

And then he speaks of the President of the United States.

Mr. CARAWAY. Mr. President, what statesman said all that?

Mr. REED of Missouri. The Senator from Ohio, Mr. FESS.

Mr. CARAWAY. When did the Senator get to be that way—since he became a Member of the Senate or before?

Mr. REED of Missouri. Mr. President, I want to deal with this matter fairly. I do not think the Senate much changed its general condition when the Senator came in. Perhaps it was improved; but I am calling attention to the remarks of the Senator from Ohio because he is the Senator who stood on this floor and assured us a few days ago of the wisdom of Congress, and that Congress never would exercise this great power except in the most humane, the most intelligent, and the most statesmanlike way. Yet he has given us his word picture of the Congress as he sees it. If the Congress ever sank to a point one one-hundredth degree as low as the Senator described it in his great speech which has been printed broadcast over this country, then it is not safe to confer upon it an arbitrary power not possessed by any modern despot on this earth—the power to say to human beings that they shall not work for a living.

Mr. President, while we are on that point, my statement that the power of the States has been destroyed by this amendment will be challenged, because the amendment itself, we will be told, provides:

The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

Mr. President, what does that mean? The courts of our country have uniformly held to the doctrine that when the Congress undertakes to legislate with reference to any proposition the laws of Congress are superior to and supreme over the laws of the States, and that in every instance the law of the State must give way to the superior law of Congress. So we are taking away from the States their present power by conferring that power upon Congress. Nay, more; I repeat, for I can not repeat it too often, we are conferring upon the Federal Government the power of life and death over every creature under 18 years of age, for the denial of the right to labor is the denial of the right to earn a living. The denial of the right to earn a living is to condemn the creature thus denied the opportunity to life itself and to condemn him to beggary, to want, and possibly to starvation.

So, Mr. President, let us discuss this amendment as it is. It is not a child labor amendment; it is revolution.

It is the creation of a new, a great, and a despotic power in the Federal Government over every creature under 18 years of age.

Mr. President, what does this mean? What can be done under this amendment? But I will come to that a little later.

Mr. President, how does this jump with the spirit of our country? Can such an infamy as this be perpetrated in a country which adopted the Declaration of Independence?

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights.

Rights that can not be granted away.

That among these are life, liberty, and the pursuit of happiness.

Yet you propose to confer upon the Congress of the United States the right to say that a boy, in the protection of his life and in the pursuit of his happiness, can be denied the God-given privilege of labor, the thing that is necessary to his existence, necessary to his development, necessary to the civilization of the land itself. There is no use trying to dodge. You have written into this proposal that Congress shall have the right to prohibit absolutely the labor of every one under 18 years of age without reason, without cause, without assigning any motive or purpose.

The Declaration asserts that these rights—to life, to liberty, and to the pursuit of happiness—were granted by God to his children, and whenever any government, whatever its form, destroys them the people have the right to destroy that government.

So far did our fathers go. The fathers knew the reason affirmed, that despotism of a republic may become as intolerable as that of a monarchy. To forfend against the tyranny of legislatures and executives and to preserve from their ambition, mistakes, and usurpation the God-given right of the people, they ordained and established this Constitution.

Thus the fathers erected upon the shores of the new world a temple of liberty, supported by the pillars of the Constitution, chief among which were these:

1. The perpetuation of independent States, each exercising complete sovereignty over all questions save those ceded to the Federal Government.

2. The express reservation to the States and the peoples thereof of all powers not expressly delegated.

3. The creation of checks and balances within the Federal Government itself.

4. The enactment of a bill of rights limiting the power of Congress, and providing against despotic practices under which the people of the world had suffered.

The founders did not contemplate a central body about which the States would revolve as satellites. Rather, they conceived a system composed of independent States, which, like so many suns, each generating its own energy, would revolve about a central body, contributing to it light, heat, and energy.

The entire design was calculated to promote and insure the liberty of the individual man. To do this, every device which intelligence could conceive was employed to prevent the Government from ever becoming a despotic power, capable of depriving citizens of those natural rights which the Declaration asserted were granted by God Himself.

We are now asked to strike down these safeguards and to confer upon that central government the unlimited power of life and death over one-third of the population of the United States. I say this because the right to limit or prohibit the labor of a human being is the power to condemn that human being to poverty and to death. This revolutionary proposal, as I have said, can not be justified on the theory that it is protecting children.

One proposition to which I challenge attention is that in taking this step, if we shall take it, we are treading upon every doctrine taught by Thomas Jefferson. Every man who votes for this proposition votes to repudiate the doctrine which Jefferson laid down. Let me read a few of his words; the words of this man, in the temple of whose brain there was more of statesmanlike wisdom, more of an understanding of what was necessary to preserve the liberties of the people, than was ever within the brain of any other man; this man, who knew that power granted is invariably abused; this man, who knew that the blood-stained pages of human history had not been written by men whose hearts were necessarily corrupt or bad, but by those who believed that a certain thing ought to be done, and believing that it ought to be done, sought to enforce it with fagot, torch and flame, with sword and bayonet, with instruments of torture. Therefore Jefferson declared that no great central government should ever be created, and that the rights and powers of the several States must be preserved if liberty was to live.

Moreover, he knew that you could not place confidence in the wisdom or self-restraint of those intrusted with great power; that the only way a free people could maintain its liberty was by placing limits and bounds upon the authority and power granted to their servants. So he said:

It would be a dangerous delusion if our confidence in the men of our choice should silence our fears for the safety of our rights. Confidence is everywhere the parent of despotism. Free government is founded in jealousy, not in confidence. It is jealousy and not confidence which prescribes limited constitutions to bind down those whom we are obliged to trust with power. Our Constitution has accordingly fixed the limits to which, and no further, our confidence will go. In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

There is not a liberty we enjoy we do not owe to-day to Thomas Jefferson and the other great men who thought as he thought, and who wrought as he wrought, to establish here a republic with powers so divided and separated and limited that we are not obliged to trust our destiny and our liberties to the confidence we might repose in any body of men selected temporarily by the people.

We are told that this power is asked for Congress to prohibit the right of human beings under 18 years of age to work, but that it will never be exercised. I look into the faces of men here, many of them grown old in the service of this country in the Congress of the United States, and I ask them upon their consciences when Congress has ever failed to go to the extreme limit of its constitutional power. I ask them to name the time when the Congress has not been crowding up to the constitutional line, when they have not been seeking, by subterfuges, to avoid the letter of the Constitution, when, impelled no doubt by motives which sprang from good hearts, they were inclined to impose their will and to legislate with reference to every sort of question, and have only been held in check by the Constitution itself.

If there had been no Constitution, every power of every State would have been taken away long prior to this. If there had been no Constitution, Congress would have set up its

will to govern the people and there would have been concentrated in Washington such a vast and illimitable authority as would have reduced us to a condition worse than was the condition of our British forbears.

Mr. President, I have said that the grant of the right to Congress to limit, to regulate, and to prohibit labor is a right which the States never possessed except in the limited sense that they could prohibit or limit labor in unhealthful or destructive avocations or under dangerous conditions. Always the police power of the States had to have back of it something aside from the arbitrary will of the legislative body. Police regulations were always required to be based upon some reasonable conditions of fact warranting and justifying a legislative interference.

The doctrine was well laid down in an opinion of the Supreme Court of the United States by Mr. Justice Peckham, in the case of Lochner v. New York (198 U. S.), as follows:

If the contract be one which the State in the legitimate exercise of its police power has the right to prohibit, it is not prevented from prohibiting it by the fourteenth amendment. Contracts in violation of a statute, either of the Federal or State Government, or a contract to let one's property for immoral purposes or to do any other unlawful act could obtain no protection from the Federal Constitution. * * *

It was further urged on the argument that restricting the hours of labor in the case of bakers was valid because it tended to cleanliness on the part of the workers, as a man was more apt to be cleanly when not overworked, and if cleanly then his "output" was also more likely to be so. What has already been said applies with equal force to this contention. We do not admit the reasoning to be sufficient to justify the claimed right of such interference. The State in that case would assume the position of a supervisor, or pater familias, over every act of the individual, and its right of governmental interference with his hours of labor, his hours of exercise, the character thereof, and the extent to which it shall be carried would be recognized and upheld. * * *

It is impossible for us to shut our eyes to the fact that many of the laws of this character, while passed under what is claimed to be the police power for the purpose of protecting the public health or welfare, are in reality passed from other motives. We are justified in saying so when from the character of the law and the subject upon which it legislates it is apparent that the public health or welfare bears but the most remote relation to the law. The purpose of a statute must be determined from the natural and legal effect of the language employed, and whether it is or is not repugnant to the Constitution of the United States must be determined from the natural effect of such statutes when put into operation and not from their proclaimed purpose. * * * It seems to us that the real object and purpose were simply to regulate the hours of labor between the master and his employees (all being men, sui juris) in a private business, not dangerous in any degree to morals or in any real and substantial degree to the health of the employees. Under such circumstances the freedom of master and employee to contract with each other in relation to their employment and in defining the same can not be prohibited or interfered with without violating the Federal Constitution.

In the case of Lawton v. Steele (152 U. S. 137) this doctrine is laid down:

The legislature may not under the guise of protecting the public interests arbitrarily interfere with private business or impose unusual and unnecessary restrictions upon lawful occupations. In other words, its determination as to what is a proper exercise of its police powers is not final or conclusive but is subject to the supervision of the courts.

Again, the doctrine that I want to apply here with whatever force I am capable of was laid down by Mr. Justice Brewer in the case of Keller v. United States (213 U. S. 149), as follows:

While the acts of Congress are to be liberally construed in order to enable it to carry into effect the powers conferred, it is equally true that prohibitions and limitations upon those powers should also be fairly and reasonably enforced. (Fairbank v. United States, 181 U. S. 283.) To exaggerate in the one direction and restrict in the other will tend to substitute one consolidated government for the present Federal system. We should never forget the declaration in Texas v. White (7 Wall. 700, 725), that "the Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States."

Yet this proposal takes away from the States and confers upon the Federal Government a control over every human being under 18 years of age which extends to the power of absolutely prohibiting the labor of such an individual.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER (Mr. SHIPSTEAD in the chair). Does the Senator from Missouri yield to the Senator from Georgia?

Mr. REED of Missouri. I yield.

Mr. GEORGE. The Senator said that the amendment would take away from the States the power and give it to the Federal Government. I think the Senator was mistaken, in view of the very admirable argument just made by him to the effect that no single American State can exercise the police power over a lawful business except in a reasonable way. It does not take the power away from every State, but takes it away from the people themselves, who have never delegated it either to the National Government or to the States.

Mr. REED of Missouri. I am obliged to the Senator for correcting my statement. My real meaning, however, is perfectly plain from my preceding remarks.

Mr. GEORGE. I thought so.

Mr. REED of Missouri. Of course the Senator states the rule exactly as it is. No State to-day, no government to-day, where flies the American flag, not the Federal Government, not an individual State, not a combination of all of them, to-day can take away arbitrarily from the human being the right to earn his living. But this proposal confers upon the Federal Government every police power to-day possessed by the States plus the additional power not possessed by the States, nor by all of the States together, of denying to a human being those rights which the Declaration of Independence declared were granted to us by God and that could not be alienated.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED of Missouri. I yield.

Mr. WALSH of Montana. I should like to understand clearly the Senator's position. Is it that the State can not prohibit a boy 10 years of age from taking employment offered to him in a factory?

Mr. REED of Missouri. No. I have already discussed that. The Senator was in the Chamber, but was very busy. I said that a State can limit the labor of either children or adults in those occupations which are peculiarly destructive of health or morals, or it can fix conditions in such occupations so as to compel the installation of proper conditions. That far the police power goes, and when we come to infants the power of the State goes further than that, because the police power there exercised becomes reasonable in proportion to the use of the child. But I do say that no State to-day can prohibit a boy 17 years of age from working at a perfectly healthful occupation, and that this proposal goes beyond any power the States have ever possessed and that that power has been defined heretofore by our courts in unquestionable terms.

But again, speaking of the effect of transferring this immense power, increased as I have already said, to the Federal Government, I venture to call the attention of Democrats, at least, to the language of Thomas Jefferson:

It is not by the consolidation or concentration of powers, but by their distribution that good government is effected. Were not this country already divided into States, that division must be made that each might do for itself what concerns itself directly, and what it can so much better do than a distinct authority. Each State is again divided into counties, each to take care of what lies within its local bounds; each county again into townships or wards, to manage minuter details; and every ward into farms to be governed each by its individual proprietor.

But this amendment, if adopted, would authorize the Federal Government to say to any farmer in the land, "You can not allow your boy to work on your farm." I continue reading:

Were we directed from Washington when to sow and when to reap, we should soon want bread. It is by this partition of cares, descending in graduation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all.

That is a sound doctrine by the soundest reasoner who ever advocated the cause of human liberty.

Now, Mr. President, let me clear away a few of the earthworks behind which Senators are defending their votes. The first is that we vote here only to refer the question to the State legislatures. We can not escape our responsibility by such a subterfuge. The spirit of the provision regarding constitutional amendments is that before such an amendment shall be submitted, both branches of the Congress shall by a two-thirds vote place the sign manual of their approval and recommendation upon it. It is mere dodging, it is mere cow-

advice, to undertake to escape that responsibility. We are supposed to be peculiarly the guardians of the Constitution. So true is that that the courts of the land when they come to consider any legislation of Congress indulge every presumption in favor of its constitutionality upon the doctrine that Congress, having been placed as especial guardians of the Constitution, will not wittingly violate that instrument; hence that all of their acts are entitled to the benefit of the presumption of regularity and constitutionality.

Second. We know from experience that State legislatures have rarely in recent years ever paused even to debate a proposed constitutional amendment. A member of a State legislature justifies himself in that attitude by saying that both branches of Congress have already approved the measure, and that he yields to their superior wisdom and judgment, and, therefore, he does not pause to investigate. I do not mean to say that rule is universal, but I do affirm it to be general.

What is there in the Constitution that imposes any greater responsibility upon members of the State legislatures than is imposed upon the Congress? If Congress can escape its responsibility by passing this measure over to the legislatures, why can not the legislatures equally escape their responsibility by saying that they pass the responsibiltiy back to Congress, and Congress has already enacted the measure? Hence we have the delightful situation of both legislative bodies, charged with the high responsibility of dealing with the fundamental law of the greatest Nation on earth, failing to exercise that care and that judgment which must be exercised before we should change the fundamental law of the land. Yet the intolerable argument is made that we are merely giving the States an opportunity to vote on the question. Under the Constitution we are charged with the duty of voting, under our oath of office and the responsibility of that great position which has been conferred upon us by the suffrage of a great people.

Mr. FLETCHER. Mr. President, may I interrupt the Senator for a moment in order to ask a question?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Florida?

Mr. REED of Missouri. I yield.

Mr. FLETCHER. Is not a vote to submit this proposed amendment to the States a vote in favor of the amendment?

Mr. REED of Missouri. Unquestionably, and a recommendation of it.

Mr. FLETCHER. We can not escape from that conclusion.

Mr. REED of Missouri. The second proposition is one which I have already discussed, but I mention it in order. It is argued that the States have been derelict in the duty of protecting children of tender age. That argument has been answered again and again upon this floor. Every State has passed child labor legislation, and if it had not, then the duty of these protagonists of the children—and I honor every person who tries to protect children—would be to go to the legislatures of the several States, where we know from experience there will be a ready response to every humane proposal that may be submitted.

Moreover, they would be much more likely to secure by that method the proper care and the proper legislation for the protection of children of tender age than they would be by submitting the question to this body, where, even when we are considering a change of the fundamental law of the land and a revolution in the structure of our Government, it is impossible to get Senators to sit and listen to argument.

What would be said if it were claimed that the laws against murder were not sufficiently drastic in some States, and, therefore, the Federal Government should take jurisdiction over that crime? What would be said if it were asserted that the laws were not sufficiently drastic against all other crimes, and that the Federal Government should absorb by constitutional amendment jurisdiction over all crimes? What then would happen to this Republic as we have known the Republic to exist in the past and as it was established by the founders? We would have concentrated all power in Washington. We would have deprived the people of the several States of the power to select their own judges. We would have placed the control of this entire Republic in the hands of a few men here in Washington. We would have centralized power and authority so that instead of a Republic composed of separate and independent States we would have here concentrated a body of power and authority greater than ever existed anywhere in the history of the world. Corruption, like a canker, would eat into its heart, and the liberties of the people of this land would be impaired if not destroyed.

We are told that the power will not be abused. I have already adverted to that, but let me for the sake of illustration—not because I am opposed to the law—call your attention to the fact that under the mere taxing power Congress absolutely destroyed the State banks of issue. I cite that merely to show how far we can go in the exercise of a power. Under the power to tax we have absolutely undertaken to regulate the sale of all narcotics. No man in the world abominates the sale of those drugs more than I do, and Congress was justified in that instance, if it ever could be, in extending its power to the most extreme limit; nevertheless, it serves to illustrate how powers granted for one purpose can be employed for many other purposes.

I have not the slightest doubt in the world that if this amendment shall be adopted Congress then can pass a law providing that no boy under 18 years of age shall work unless he has gone to school a certain length of time and gone to a particular kind of school. It will not do to answer this argument, as I know it will be sought to be answered, by saying that Congress will be wise and Congress will be prudent. The answer is that if it is not intended that this power should be used, then why do these people seek to have it granted? Why do they not write into this proposal limitations bounding and circumscribing the authority of the Federal Government?

Mr. GEORGE. Mr. President, is it not absolutely conclusive that the power would not be asked for unless it was intended to exercise it?

Mr. REED of Missouri. That follows, of course, as a matter of reason.

Mr. FLETCHER. Mr. President, may I suggest——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Florida?

Mr. REED of Missouri. I yield.

Mr. FLETCHER. May I also suggest the thought to the Senator that we must not fail to remember that without constitutional power Congress twice undertook to accomplish this thing by legislation which was twice held unconstitutional on two different theories. What does the Senator suppose they will do when they have unlimited power to act on such a question as this?

Mr. REED of Missouri. I will tell you, Mr. President, what I think they will do. I think there will be a lot of socialists—and I use the term in the worst sense of socialism—there will be a lot of internationalists; there will be a lot of revolutionists who will get together and circulate propaganda, and they will make first one demand and then another until a yielding Congress will bow to their dictates, just as they are bowing here, and, for the sake of reelection, enough votes will be obtained to pass the measures.

People are advocating this measure some of whom have been advocating birth control. They would like to vest in Congress the power to control maternity—childbearing. People are advocating this measure who have advocated everything socialistic and destructive; people are advocating this measure who have been going to school literally to those doctrinaires of Russia, who think that the child is the ward of the state; that it should be taken from its mother's arms and put under the tutelage and supervision of state officials. People are advocating this measure who believe that human beings from the cradle to the grave—aye, from the moment of conception—should be a statutory product regulated by official life and official authority and not regulated by parental direction.

There are other people advocating the joint resolution. I am not challenging the motives of any man who advocates it. When it is said, however, as we heard here Saturday, that factory employers are against this amendment, I answer, read the roster of those who advocate this kind of a measure. You will find included in it the classes of people to whom I a moment ago referred.

"Take the bridle off the Constitution." Where will Congress some day run to? In times of excitement we have already shown our ability to lose our heads completely.

I remember that many years ago there was a strike in the coal mines. It was of a few days' duration, and yet the demand was immediately made—and was loud and insistent—that this Government should immediately seize and take over all the coal lands of the United States, all the mines, and all the labor. That cry I heard repeated during the last coal strike.

I remember that we had the cry here, when railroad rates were then thought to be a little high, that we should take over the railroads.

If we have a little more trouble about the price of products of any kind, the cry will be raised at once; and, if the constitutional power exists, it will be exercised in favor of taking over the great industries of this land. All you need is a condition where for the time being there is suffering and imme-

diately the answer comes, "Regulate it by law," wholly regardless of the damage and evil that might flow from the action, which might far outweigh the evil existing.

If you answer that these powers ought not to exist, then let us be frank about it. Let us destroy this old Constitution. Let us say that everything lies within the power of Congress, and proceed at once to regulate everything—life, liberty, and property—by congressional action.

As illustrative of how powers can be abused and how Congress may act improvidently, I do not hesitate to call attention to the Mann Act, which was passed when Congress believed it was intended to prevent the enticement of innocent girls across a State line, interstate commerce being employed, but which has been extended to cover crimes committed entirely within a State and which, according to the statement of the greatest Attorney General we have had in recent years has become the most prolific source of blackmail in the United States.

Years ago we passed a conspiracy act. It was intended to protect the Federal Government against acts of certain conspirators who were then trying to prevent the Federal Government from exercising its proper jurisdiction. It has been extended and construed so that to-day it is the common form of indictment against many of the people charged with offenses, and the penalties of that act frequently outrun the penalties fixed in the law for the commission of the offense itself.

We have the power to regulate interstate commerce. That has been extended into a power to regulate the hours of labor of men engaged in interstate commerce. It may up to this day have been beneficently employed; but the power to limit the hours by cutting them down is the power to extend them, and some day—it may be a dark day—that power may be so exercised.

We passed a bill to license men engaged in the handling of grain. It was distorted into a power to fix the price of every bushel of grain raised in the United States. Under the power given to license certain lines of trade and industry, the power was exercised of forcing the fixation of prices upon every steer that grew upon the great plains of the Northwest. The granting of these powers was in every instance bottomed upon a good intention, but in many instances they have proven oppressive and destructive.

It is quite useless, however, to discuss the extension of statutory enactment by courts and by executives, except as it may have a bearing upon the general disposition of public officers to extend their powers to the limit. It is unnecessary to discuss it, because this amendment confers an absolute and unrestricted power.

What is the argument, now, for this joint resolution as to that part of our population included within it who are not children, the youth of the land—the boy from 14 to 18, the girl from 14 to 18? Why should the power be given to Congress to prohibit them from working—not merely to limit their work, not merely to regulate it, but to forbid it? Is the argument that some of them work too hard? Then why not extend this law to cover every human being, and leave it to Congress to say how long and when and where every one of God's children, old and young, shall work, where they shall work, and how they shall work? Why not give Congress the power to fix the wages of everybody? That power is involved in this amendment under the power of prohibition; for if Congress can prohibit the labor of everybody under 18 years of age, then it can provide that no person under 18 years of age shall work for less than a certain specified wage.

If we are to give way to our sentiments, if the State is to become the guardian of every human being, then, at the same time that you are taking care of the big, husky boy of 16 or 17 and approaching 18, why not take care of the old man and the old woman, and include them under our protecting wings? Why not provide that nobody shall work unless he feels well the morning he gets up? Why not provide, at the same time that the boy who is just under 18 is forbidden by law to follow the plow, that his father who is old and decrepit and half sick shall not follow the plow, either? The trouble with this amendment is that you are not dealing with children; you are dealing with people above childhood, and capable of taking care of themselves to a very large extent.

Why, Mr. President, under this joint resolution Congress could pass a perfectly effective law by which a farmer could be sent to jail for sending out his 17-year-old boy to milk a cow. Congress will be authorized to pass a law to prohibit the labor of anybody under 18 years of age, and hence a farmer could be sent to jail for sending out a boy to feed the stock.

There would be a good many good women, and some other folks, who would be weeping over the terrible idea of exposing a young man to labor, such as herding cattle, and if such a theory had been invoked I apprehend our good friend from Arizona [Mr. ASHURST] would never have been the accomplished cowboy he became.

Mr. KING. Or Senator.

Mr. REED of Missouri. And he probably would not have been fit to get into the Senate, if they had compelled him to idleness through all those years.

Mr. GEORGE. I call the Senator's attention to the two instances of the unfortunate young men in Chicago, who have just passed their eighteenth birthdays. I dare say they never worked a day in their lives.

Mr. REED of Missouri. Yes. The Senator, of course, refers to the sons of two millionaires who recently murdered the son of another millionaire. Whatever the argument may be worth—for that might have happened among others, and it does not follow that that is necessarily the result of a lack of labor—it is a certainty that the absence of labor is not necessarily an insurance against crime in the future.

Under this amendment, if it is ratified, Congress could pass a law so that if a farmer sent his boy out in the morning to put gasoline in the Ford, the farmer might be sent to jail and his Ford confiscated, and what other horrible penalties might be visited upon him would depend not upon Congress but upon a lot of agitators who would tear down the temple of human liberty any minute and out of its ruins erect a structure of socialism and Bolshevism.

Mr. OVERMAN. Mr. President, I see by the morning paper that 90 per cent of young criminals—juvenile offenders—are idlers who have no employment or work.

Mr. REED of Missouri. Mr. President, instead of amending the Constitution so that Congress shall have authority to prohibit labor, we would a good deal better amend the Constitution so as to authorize the Congress to pass a law commanding labor, for there is not a man who ever amounted to anything in this world who did not accomplish everything he ever gained by labor, and there never was an idler on this earth who amounted to anything to his State or to his country.

In a country where we are supposed to have a population dependent upon labor and industry for its progress, it would be much more consistent with the genius of our laws if we were to pass a law providing that everybody should do a reasonable amount of work, than to pass a law that boys under 18 and girls under 18 should never work.

Under this amendment, if the farmer were to send his boy out to run the cultivator or to plant corn, a law could be passed to send that farmer to jail.

Under this amendment, if it is ratified, Congress could pass a law to send the mother to jail who permitted her daughter to wipe the dishes while the old lady did the washing.

Under this idiotic and insane proposition a law could be passed under which a mother could be sent to jail for asking her daughter to assist in the family sewing.

Under this amendment the protection of the Constitution of the United States would be taken from every human being under 18 years of age, and such is its real purpose.

Mr. President, let us see how this will work. Let us suppose a widow left with six children, the oldest child 17 years and 6 months of age. Three of the children may be boys who are above 14 years of age. They are healthy, vigorous lads. She is in broken health. A living must be made. The nearly grown boys are offered work in a factory, but the factory boss says, "I can not employ you, for Congress has passed a law prohibiting anyone working here under 18 years of age." They go to the farm and ask for labor there, but the farmer gives them the same answer. So this mother, herself weak and unable to do hard labor, is required to work to support the entire family.

Is that fanciful? Conditions like that have arisen in the States that have laws regulating the labor of children under 14 years of age, and in those States it has been found necessary to provide boards or other public authority to study each particular case and to pass upon the necessity of exceptions to the rule.

I remember visiting a factory in North Carolina where the children were all above 14 years of age except one. The factory boss said to me, "I do not know but that I will be sent to jail, because, as a matter of fact, I have given work to a child under 14 years of age. The father died and left the mother with this one child, who is a boy 13 years of age They lived on a little brush farm, where they were tenants. They could not make a living there. The mother came to town and asked for work. She wanted some place for her boy to be under her surveillance. She asked me to give him work, and I told her I could not, but finally I concluded that working in my office might not be working in the factory, and the boy at-

tends to chores around the office and draws wages and helps his mother live. But some reformer may come along here some day and have me arrested."

All of that does not militate against the rule, which I admit is perfectly proper, that in the case of children of tender years the State has a perfect right to see to it that they are not herded together in factories or sweatshops and denied the opportunities of life. That is a very different proposition from this amendment, which the Senator from California [Mr. SHORTRIDGE] so ably sponsors.

Mr. President, I make another affirmation, that Congress has not as well performed its duties nor as wisely legislated as the several State legislatures have performed their duties and legislated. When did it come to be the case in this country that the Legislature of California became incompetent to look after the business of that State; that the Legislature of Oregon became incompetent to look after the business of that State; that the Legislatures of Ohio, or of Tennessee, or of New York could not be trusted, and so on, with all the States? When did it happen that the people were so debased in these several States that they could not be trusted? And if they can not be trusted to make laws in their States, can their Representatives be trusted to make laws here? If the fountain source, which is the people of the States, has become corrupt, indifferent, or poisoned by false doctrines, then that corruption, indifference, and deadly poison of false doctrines will be reflected in this body just as effectively as it is in their States. The difference, however, is that if a State legislature should pass a bad law, the people of that State within a very short time can rectify it by the electing of a new general assembly. Nay, if the law be especially oppressive, the governor of the State can be counted upon, at a general public demand, to call an extra session, and immediately the evil effect of the law is wiped out.

In like manner, if it be desirable to have a particular statute, the people, under the initiative and referendum, which exists in many States, and also under the general power of public will, can command and obtain the right, in their several States, to the enactment of the proper legislation. When you carry the power to this body the people of a State are powerless to cause the repeal of a law, and can succeed only when a majority of all the votes can be mustered to a proposition which has run the gantlet of the rules of both Houses and has finally survived to the point where a vote is taken.

Thus years may pass by, and the condition remain unchanged, although it may be obnoxious to the last degree.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER (Mr. FRAZIER in the chair). Does the Senator from Missouri yield to the Senator from North Carolina?

Mr. REED of Missouri. I yield.

Mr. OVERMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Ernst	Lodge	Shortridge
Ashurst	Fernald	McCormick	Simmons
Bayard	Fess	McKellar	Smith
Borah	Fletcher	McKinley	Smoot
Brandegee	Frazier	McNary	Spencer
Brookhart	George	Mayfield	Stanfield
Broussard	Gerry	Moses	Stanley
Bruce	Glass	Neely	Stephens
Bursum	Gooding	Norbeck	Sterling
Cameron	Hale	Norris	Swanson
Capper	Harreld	Oddie	Trammell
Caraway	Harrison	Overman	Underwood
Colt	Heflin	Owen	Wadsworth
Copeland	Howell	Pepper	Walsh, Mont.
Couzens	Johnson, Calif.	Phipps	Warren
Cummins	Johnson, Minn.	Pittman	Watson
Curtis	Jones, Wash.	Ransdell	Weller
Dale	Kendrick	Reed, Mo.	Wheeler
Dial	King	Reed, Pa.	Willis
Dill	Ladd	Sheppard	
Edge	La Follette	Shields	
Edwards	Lenroot	Shipstead	

The PRESIDING OFFICER. Eighty-five Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes.

The message also announced that the House had passed the bill (S. 2929) granting the consent of Congress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the St. Marys River at or near Wilds Landing, Fla.

The message further announced that the House had adopted the following concurrent resolution (H. Con. Res. 27), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 7th day of June, 1924, at 7 o'clock p. m.

PROPOSED BUSINESS OF THE SESSION

Mr. LA FOLLETTE. Mr. President, will the Senator from Missouri yield to me?

Mr. REED of Missouri. I yield to the Senator.

Mr. LA FOLLETTE. I desire to introduce a concurrent resolution and ask that it be read. I give notice that it is my purpose to offer it as a substitute for the House concurrent resolution proposing the final adjournment of Congress.

Mr. REED of Missouri. I yield for that purpose, if I do not have to yield the floor. I am nearly through with my remarks.

The PRESIDING OFFICER. The Clerk will read the concurrent resolution as requested.

The concurrent resolution (S. Con. Res. 14) was read, as follows:

Whereas the Secretary of Agriculture has reported that in the 15 wheat States alone more than 108,000 farmers have since 1920 lost their farms or other property through foreclosures or bankruptcy, over 122,000 have lost their property without legal poceedings, and nearly 373,000 have retained their property only through the leniency of creditors, making a total of 603,000 farmers, or 26 per cent of all, who are virtually bankrupt in these 15 States; and

Whereas the conditions are even more appalling in particular States, as, for example, in South Dakota, where, according to the Secretary of Agriculture, 40 per cent of all farmers are virtually bankrupt; Colorado, 42 per cent; North Dakota, 50 per cent; Wyoming, 51 per cent; and Montana, 62 per cent; and

Whereas as a result of this acute agricultural distress during the four years, 1920 to 1923, 1,357 State and National banks have failed, with total liabilities of more than $500,000,000; and

Whereas during the first three months of the present year 265 banks failed, with total liabilities of $100,275,600, or at the unprecedented rate of 1,060 bank failures for the year; and

Whereas this constitutes conclusive evidence that the alarming conditions in the agricultural States above described are not only increasing but threaten the financial and commercial stability of the entire Nation:

Resolved by the Senate (the House of Representatives concurring), That when the two Houses complete the business of the calendar day of Saturday, June 7, 1924, they shall stand adjourned until 12 o'clock meridian Monday, July 7, 1924; and

Resolved further, That when the Congress reconvenes on July 7, 1924, the two Houses shall proceed to consider and vote upon the following measures in the order named: (1) Emergency legislation for the relief of agriculture; (2) the Howell-Barkley bill for the settlement of disputes between carriers and their employees; (3) amendment of the rate-making sections of the transportation act; and (4) reclamation-relief legislation.

Mr. CURTIS. I presume the Senator from Wisconsin desires to have the concurrent resolution lie on the table until the House concurrent resolution is taken up?

Mr. LA FOLLETTE. I intended to so state. Perhaps I neglected to make the statement.

The PRESIDING OFFICER. The concurrent resolution will lie on the table and be printed.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. REED of Missouri. Mr. President, I had not expected to find a great constitutional amendment put upon the low basis of political expediency; but if I properly interpret the remarks of the junior Senator from Wisconsin [Mr. LENROOT], that is exactly the position he took. He stated among other things the platforms of the two parties, and argued, if he did not assert, that the two political parties had demanded the enactment of this particular amendment. I affirm that no political party on earth has ever approved of such an amendment as this. The Democratic platform declared:

We urge cooperation with the States in the protection of child life, through infancy and maternity care—

Through infancy and maternity care! That is while one is a baby "mewling and puking in its mother's arms"—

in the prohibition of child labor and by adequate appropriation for the Children's Bureau and the women's bureau in the Department of Labor.

The whole proposition deals with children and babies, not with big husky boys. The Republican platform, if it indeed constitutes authority anywhere on earth any longer, said this:

The Republican Party stands for a Federal child labor law and for its rigid enforcement.

For a Federal child labor law, not for a law covering forty millions of people and covering every creature below 18 years of age but child labor, and child labor has been defined and was understood because all of the laws enacted had related to children from 12 to 16 years of age, and the 16-year limit was put on only in dangerous occupations in any State with whose laws I am familiar. So that there is no political pledge for any such measure as this.

In the second place, it was urged that this proposal was not intended to attack the farmer. Mr. President, the main attack to-day is upon farm labor. In one of their official publications the third clause reads:

Agriculture is the only important field of work entirely uncontrolled by legislation.

The fifth clause reads:

Agriculture employs three-fifths of the million child laborers, and manufacturing somewhat less than one-fifth.

And at page 12 the iniquities and the evils of children working upon farms is dwelt upon and is given four pages of the book—more than is given to any other topic. It is stated:

Child labor in agriculture does not mean running errands, doing a few chores, or occasionally helping in the field.

The census counts as farm laborers all those children whose labor constitutes a material addition to the labor income of the farm.

Thousands of children besides those working on home farms are hired out as farm laborers or contract with other families to work on other people's land.

The 1920 census shows in all over 600,000 children 10 to 15 "gainfully occupied" in agricultural work.

Then they go on to tell about children working over 10 hours a day on the farms, children picking cotton on the farms, children picking berries on the farms, children doing other work in the hot sun on the farms.

So these reformers, most of whom were born with great fortunes that other people earned, are directly aiming not at the labor of children in factories, which is already regulated and the proportion of which they admit is small, but aiming at the great body of children who work upon farms. There, they say, these children have no protection. They make the argument for this joint resolution that over 600,000 of the million of children engaged in gainful occupations are upon the farms. They themselves exclude as small in number the children employed in factories, because such employment has been already regulated.

Mr. President, the day, of course, will come—the day is, indeed, here when these people will be found demanding that labor upon the farm by the children shall cease. Otherwise there is no great or crying necessity for this proposed amendment; and they can go out and weep salty tears over the boy who has to bend his back beneath the broiling sun; they can say, as has the Senator from Wisconsin [Mr. LENROOT], "All children are God's creatures, and they are entitled to an equal chance."

If the Senator from Wisconsin had been writing the Declaration of Independence, he would not only have said that "all men are created equal" but he would have put in a clause providing that they forever should remain equal.

The truth about the matter is that this clamor against labor and in favor of indolence is an argument in favor of vice and the multiplication of crime. The truth about the matter is that the best chance any boy has in this world is to have a parent who when the child is of tender age puts him to his little task and teaches him that labor is ennobling, that labor is necessary; who as the child develops in strength and activity teaches him to use his hands and his brain not in mere play, not in a mere waste of his hours, but in the accomplishment of something for himself and the laying of a foundation for the future.

The truth is that the most unfortunate child in this world is the child who has rich parents who raise it in luxury and supply its every want. You may take the sons of those parents; and if you find one of them survives his early training and environment and makes a man of himself, it is because he has had more natural ability and more natural judgment than has the ordinary child, and he has survived the adverse circumstance of the luxurious conditions of his youth. The truth is that the men and women who have accomplished things in this world have been the men and women who have been taught always that the pathway of work is the highway of humanity, and that it is the only course human beings ought to follow.

Let no man distort my words by the pretense that I argue in favor of the abuse of little children; that I argue that any boy or any girl should be made a work horse; but something may be trusted to parental care, something may be trusted to the love of the father and the mother who bring these children into the world. Whenever the father or the mother forgets his or her natural instinct and puts the child in an unhealthful place to work, or puts him into environment that is criminal or vicious, there the State has always had the right to step in; there the State by wise and provident laws has provided the means of relief. When it is proposed, however, that Congress shall prohibit the labor of every human being under 18 years of age we are not dealing with child problems, we are not dealing with the problem of infancy, we are not limiting ourselves to wise and prudential regulation, but we are proposing to confer upon the Congress the power, some day to be exercised or else it would not be asked, of saying to the children of this land, "We will pass a law that you need not work; and if your parents ask you to work, you can defy your parents; you can defy the teachings of the household; you can become as slothful and as indolent as you please."

To pass such an act as this would be to strike at the very foundations of our civilization; aye, to revolutionize the character of our Government. It would be to create a power here in Washington, which would be enforced by a horde of Federal agents, which can thrust itself into every home, question the right of the parent to have his child work; regulate the hours that the child shall work or the conditions of his labor, if, indeed, it should not prohibit it altogether; override the authority of the parents; trample upon the institution of the home; and establish an offensive and tyrannical socialism on the soil that was redeemed to freedom and that has been consecrated to individual liberty.

Mr. President, such a proposition ought to appall every Member of this body. This amendment has not been debated in the country; child labor laws have been debated but this proposed amendment has not been put before the country. It is being supported by newspapers whose editors have never read the proposed amendment but who favor child labor legislation. It is being thundered in favor of by editorial writers who have never read the amendment but write in favor of this proposal, presuming it to be a child labor amendment. I do not hesitate, sir, to say that if this amendment shall finally be adopted and if laws shall be enacted to enforce it, a swarm of Federal agents will go over this land, eat up the substance of the people, interfere in the home, and then, when it is too late, the people will wake up and discover the condition to which they have been brought.

I do not want what I have said to be taken especially as an attack upon the press; yet I do say that there is no class of men more inclined to pass hasty judgment upon matters of legislation than many of the great editorial writers of this country. That, perhaps, grows out of the fact that they are required to write on so many different subjects and to act with such alacrity and haste touching many of them. But whether my words be taken as offensive or not, I say that the majority of the editorial writers who have been thundering in favor of this proposition think they are supporting a mere child labor law and not a law that revolutionizes the very structure of our Government and the very character of our civilization. This body ought to pause and think that no greater calamity has befallen us in recent years than an agreement to vote upon a question of this kind without a proper opportunity for the views of those opposed to it to reach the country.

Mr. SHORTRIDGE. Mr. President, respecting the wishes of other Senators and desiring indeed to hear them, I promise that I shall not long detain the Senate in expressing my views touching the pending joint resolution.

The joint resolution immediately before the Senate is identical with Senate Joint Resolution No. 1, which I had the honor to introduce at the opening of the present session of Congress. Owing to matters engaging the attention of Members of the Senate who were employed in committee work, the Committee on the Judiciary, to which Senate Joint Resolution No. 1 was referred, were not able to take up, consider, and report it until the month of April of this year. That joint resolution was introduced, indeed, on December 6, 1923. Meanwhile a joint resolution covering the same subject matter was introduced in

the House of Representatives, and it is that joint resolution which comes before us to-day and upon which we have agreed to vote not later than 9 o'clock to-night.

It may be of some service to others, though not instructive to the Senate itself, for me, in as few words as possible, to review the steps taken which bring us to this hour. During the last session of Congress a number of resolutions concerning this matter were introduced in the Senate, and a number touching the same subject were introduced in the House of Representatives. The resolutions which were introduced in the Senate found their way to the Committee on the Judiciary, of which I was and am a member. Those resolutions were referred to a subcommittee made up by the Senator from Montana [Mr. WALSH], the Senator from Rhode Island [Mr. COLT], and myself. That subcommittee held hearings, received evidence, listened to arguments, and ultimately made its report to the full Committee on the Judiciary. In due time that committee reported in favor of submitting to the States an amendment concerning the subject matter of the measure now before us.

I have put these facts in the RECORD in order that others may see that we are not dealing with this question precipitately, in order that it may be understood that it has received the careful thought and careful attention of many Members of the Senate.

It may be asked, and, indeed, it should be asked, Why this amendment? Why is it proposed to submit it to the several States for their consideration, and, as for me, in the hope that it will be ratified?

Those who may desire to pursue the record will find the testimony printed as taken by the subcommittee of the Judiciary Committee. They will find much testimony in the proceedings held by the House committee. They will find a résumé of the testimony as it was prepared by Mr. FOSTER, from the Committee on the Judiciary of the House. They will find also something in the nature of a review or an analysis in the report which I prepared for the Senate committee, and which is upon the desks of Senators.

The form of this joint resolution has been the subject of very careful thought, not only during this session but at the former session, when the same matter was before the same members of the same committee.

Mr. President, in preparing this report we thought it would be helpful to all parties, Senators and others, if we carried into the record the first child labor law, which was approved September 1, 1916. By its terms it was to go into effect one year thereafter. We have also caused to be printed the first decision of the Supreme Court of the United States setting aside or nullifying that law, or finding that it was invalid, as being unconstitutional. We have also carried into the record—and those interested will find it in this report—the second child labor law, approved February 24, 1919, which in turn was held to be invalid for want of power in Congress under the Constitution to enact it. I think the Senator from Wisconsin [Mr. LENROOT] has given the citations of these decisions, so that those who are curious or interested in pursuing the matter may find them without difficulty.

The first child labor law, which was enacted as of September 1, 1916, and which in theory was based upon the commerce clause of the Constitution, was drawn in question and held to be invalid in the case where Mr. Justice Day wrote the opinion.

I call the attention of the Senate, then, to the fact that Congress has passed two so-called child labor laws, each of which was held to be invalid for reasons set forth in the opinions of the Supreme Court. I wish to arrest the attention of the Senate by adding that we have a right to assume that Congress thought it had the power to pass these laws. We must further assume that Congress thought it wise to exercise that power. We have a right further to assume—for I have respect for the House and the Senate—that those who voted for the first and the second so-called child labor laws were actuated by altogether worthy motives and having in view the welfare not of localities but of the Nation at large.

I proceed upon those assumptions, and I undertake now to say, and do state, that the reasons which actuated Members of the House and Senate in enacting the two statutes referred to remain and exist to-day. Those reasons have been strengthened by subsequently developed facts; and so I might for my own satisfaction say if it was right, if it was wise, to enact the two statutes referred to, if the facts then existing and prompting the vote of the House and Senate exist to-day, I might base my conclusions upon those then-existing facts and acts of thoughtful men; but without going curiously into the record of those days I do undertake to say broadly, speaking generally, that if those laws were then justified, warranted by facts, then, in so far as the present joint resolution is concerned, there are ample facts justifying it.

Mr. BAYARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Delaware?

Mr. SHORTRIDGE. I do.

Mr. BAYARD. Would not the statement made by the Senator a moment ago lead to the conclusion that merely because Congress had twice passed laws which it thought it had the power to pass on this subject, and the Supreme Court having found by its decisions that those laws were unconstitutional, Congress is of the opinion that it should have the power merely because it wants to exercise that power?

Mr. SHORTRIDGE. That is a very natural conclusion, and that is the one I reach.

Mr. BAYARD. Yes; now, then, it having been determined by the Supreme Court that Congress did not have that power—and therefore it must follow that the States alone had that power—why should Congress seek to take from the States power which the Constitution theretofore had denied to Congress?

Mr. SHORTRIDGE. That question, of course, opens the discussion. What I say is this: Congress assumed that it had the power. The Supreme Court held that it did not possess that power, and we are now proposing to delegate that power to the Congress of the United States. That is the proposition.

Mr. BAYARD. Then the proposition of the Senator is that whenever Congress discovers the fact that it lacks a power which it thought it had under the Constitution it is the province of Congress and the right of Congress and the proper thing for Congress to do to seek to secure from the States a power theretofore denied to Congress, and, therefore, to deny the States themselves the right to legislate upon it, if they can get that power from the States and pass the necessary statutes?

Mr. SHORTRIDGE. Oh, in a proper case, yes; in this case, yes. I thought—others thought, more learned than myself, and four of the Supreme Court judges thought—that Congress already possessed the very power in question; but the Supreme Court decided otherwise, and therefore we are here this day proposing to delegate the power necessary to pass a valid law upon this subject; and that brings me to the reasons which have actuated the Committee on the Judiciary to report this joint resolution favorably and which led me to support it with all my mind and with the conviction born of some study and reflection concerning the subject matter.

Mr. BAYARD. Then the Senator agrees to the proposition that when, by legislation which is thereafter upset by the Supreme Court, Congress finds that it has not a power, it is the duty of Congress of its own motion to seek to secure that power by presenting to the States for ratification an amendment to the Federal Constitution merely for the purpose of putting that power in Congress?

Mr. SHORTRIDGE. Oh, on the contrary; but if—and I do not want to pursue the matter beyond this rejoinder—if I think that a given piece of legislation is desirable, if I think it would be beneficial to my country, and I here vote in favor of that legislation, and it should ultimately be determined that Congress is without power to pass such a law, then, in such a case, the necessity for the law continuing, my views not having changed, I would favor delegating to Congress the power which I thought it possessed, but which, by virtue of decisions, I found it did not possess.

This proposition is very simple. The legal mind understands it, and I am sure the great Senator from Delaware understands me. We have taken up too much time in reviewing. But speaking plainly, we are brought to this situation: Congress passed these two laws. They assumed they had the power to do so. They assumed that it was wise to exercise that power. The Supreme Court held that they did not possess such power, and, as I said in drafting this report to submit to the committee, I now say in reply to the question of my friend from Delaware:

> Inasmuch as the Congress has twice considered it necessary and wise to enact a law for the protection of the child life of our Nation, it would seem to be the mature and deliberate judgment of the people that such a law would be beneficial. We must assume that the Congress considered that it had the power to enact such laws and thought it for the welfare of the Nation to exercise that power. But inasmuch as the Supreme Court of the United States, in Hammer *v.* Dagenhart (supra) and Bailey *v.* Drexel Furniture Co. (supra), decided that the Congress under the existing Constitution did not have that power, it is proposed to confer or delegate that power by way of a proposed amendment.

That is what we are here to consider, and unless the Senator thinks as I do, it may be for different reasons, but unless

he agrees with me, manifestly he will vote against this joint resolution, and he will justify it in such a manner as meets his satisfaction. That is the position the committee took when it submitted this resolution to the Senate. It is the position which I take, and, in brief, anticipating something I may say, manifestly I would not be standing here advocating the passage of this joint resolution unless I agreed with what we here say.

Mr. BAYARD. The Senator is reading from his report?

Mr. SHORTRIDGE. I am reading from the report, which I had the honor and privilege to draft.

Mr. BAYARD. In other words, if I may repeat my question of a moment ago, the Senator's general proposition is this, that Congress, after legislating, and thereafter discovering, by the action of the Supreme Court, that that legislation is void or impotent under the Constitution, is warranted on all occasions thereafter, as a general proposition, in seeking from the several States a constitutional amendment putting that power in Congress, and therefore taking it from the States?

Mr. SHORTRIDGE. Oh, no, Senator. As I said—and I undertook to speak clearly—that would depend altogether upon the facts, or the continuing facts, and the views entertained concerning the subject matter.

Mr. BAYARD. But it must necessarily follow from the Senator's last statement that Congress, in its opinion, under the circumstances I stated a moment ago, when and as it thinks fit, will seek to obtain this power from the States?

Mr. SHORTRIDGE. I do not know whether it will or not.

Mr. BAYARD. They are doing it in this case, are they not?

Mr. SHORTRIDGE. Of course we are doing it, and we propose to do it.

Mr. BAYARD. Certainly.

Mr. SHORTRIDGE. I have no doubt this joint resolution will pass to-day, and I have no doubt, born of an earnest hope, it may be, that the States will ratify the amendment, and looking to the future, I have no doubt but that Congress will pass an appropriate law upon this subject. But that is neither here nor there. I am here at this hour—and I promised not to detain the Senate too long——

Mr. BAYARD. I did not mean to take up the Senator's time, but I merely wanted to get his point of view.

Mr. SHORTRIDGE. I promised to hasten on.

Mr. FESS. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Ohio?

Mr. SHORTRIDGE. I yield.

Mr. FESS. I understand that the concern of some of our friends is that the rights of the States would be interfered with by this proposed amendment. All we are concerned about is the health and education and welfare of the child. If the States will take care of that, there will be no occasion for us to proceed, but since the States have not taken care of it, it appears to me that if we proceed so that we can, that will be a sufficient inducement to the States in time to do it. If they do not do it, then we will proceed to do it. Is not that the whole thing? So that if there is any fear of the Nation interfering with the child, all that is necessary to remove that fear is for the States to take care of it, and then Congress will pay no attention to it.

Mr. SHORTRIDGE. Undoubtedly. I quote now from the report, at page 15:

> It can not be questioned but that it is a paramount duty of government to guard and protect the welfare of its children to the end that they may have the utmost opportunity possible to attain the maximum development of their moral, intellectual, and physical beings. This is manifestly the due of all children, since they are brought into the world without their volition, entirely helpless and dependent. But this is not alone simple justice to childhood. It is also of the greatest importance to every State that its citizens should attain the highest development above indicated. And it may be observed that while under our dual system of government the power and duty to make adequate provision by law for the accomplishment of those most desirable ends is now vested in the several States, nevertheless it is as important to the National Government as it is to the government of every State that its citizenry be afforded every opportunity for legitimate development and that such development should neither be stunted nor destroyed by a neglect to pass adequate laws for the protection of childhood.
>
> Herein there lies the justification for asking of the States that upon the Government of the United States be conferred power to legislate upon this matter so vital to both. If the States shall have passed appropriate laws, it is safe to say that any legislation of Congress will march side by side with such laws. If a State has been unmindful of its duty, then such congressional legislation will work no injury but rather a positive benefit to the State itself as well as to the Nation.

I may add, Mr. President, that it was for these reasons, thus briefly indicated, that the committee concluded by saying:

> Hence your committee reports in favor of the submission to the legislatures of the several States of a constitutional amendment conferring power upon the Congress to legislate upon the subject.

The next matter which engaged the attention of the committee was, what is the proper form to be employed, what is the proper phraseology, what is the best word? How shall the amendment conferring this power, delegating this power, be framed? In a word, what is the language to be employed?

Upon that subject there was very considerable study and examination, not only of individual words, not only of sentences, but a study of those words as they had been interpreted by courts in the various States of the Union. If Senators will descend from oratorical heights to walk upon the earth and look at the etymology of words, it will be very clearly seen why the word "child" was not used and why the word "person" was used, and why there was an age limit fixed in the proposed amendment.

Mr. REED of Missouri. Will the Senator permit a question?

Mr. SHORTRIDGE. Certainly.

Mr. REED of Missouri. When was all this profound consideration given to this language? Not in the Judiciary Committee of the Senate.

Mr. SHORTRIDGE. Far from that. None there. But if the Senator will do me the honor to turn to page 125 of the report submitted, he will find there what I think is a rather thoughtful letter addressed to me by Prof. William Draper Lewis, of the department of law of the University of Pennsylvania, accompanied by a memorandum as to the definition of the word "child," and, second, judicial interpretations of the word "child." On other pages of the report my friend will find a memorandum submitted to the committee containing citations from many cases from our States defining or interpreting statutes and giving the legal meaning of the word "child."

I was disposed to think, I may add, that the word "child" was all-sufficient, and others so thought. Others thought the word "minor" would serve the purpose, but upon study the subcommittee came to the conclusion, for reasons here very briefly stated, that it would not be safe to use that word, and hence they used the word "person" and fixed the age at 18, to which many objected, and as to which I will say a word in a moment.

Mr. REED of Missouri. In other words, the word "person" was adopted because it was all-embracing and would include every human creature under 18 years of age?

Mr. SHORTRIDGE. Unquestionably. The word "person" was used because the use of the word "child" would give rise to contradictory definitions.

Mr. REED of Missouri. You wanted to go beyond children; you wanted to include youths as well as children, so you put in the word "person"?

Mr. SHORTRIDGE. Unquestionably.

Mr. REED of Missouri. Was not this amendment drawn entirely outside of Congress, introduced in the House of Representatives, and then introduced here?

Mr. SHORTRIDGE. If it is proper to answer, I answer it was the subject matter of much discussion by subcommittee members and other Members of the Senate, friends of the measure, and ultimately it was put in the shape in which it now comes before us.

Mr. REED of Missouri. Was it not introduced in this form?

Mr. SHORTRIDGE. I did not introduce it in this form.

Mr. REED of Missouri. Was it not introduced in this form in the House?

Mr. SHORTRIDGE. I introduced, if it be of any moment, Senate Resolution No. 1, which, it will be seen, is a broad statement, and is contained in one section. In point of truth, I did not think that the amendment need have been amended at all, but I had no strong objection to the form in which it is found, because it did not cut down or change or modify to any appreciable extent or degree the amendment as I had proposed it.

However, Mr. President, answering Senators, the subject matter, the question, before us has been exhaustively considered, elaborately debated, and conclusions reached by Senators after thorough study, I assume, and after mature reflection. I do not assume for one moment that any Senator who either favors or opposes this joint resolution has leaped to a conclusion, for the subject matter, the question, the problem, has been before the country, has been before the Senate, for years and years.

Mr. REED of Missouri. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Missouri?

Mr. SHORTRIDGE. I yield.

Mr. REED of Missouri. When was there ever a proposition to confer upon the Congress the power to prohibit the labor of all people under 18 years of age?

Mr. SHORTRIDGE. Never before.

Mr. REED of Missouri. Never before. Was there ever heard of, since the heavens were created, a proposition so monstrous that was brought before any legislative body in any country?

Mr. SHORTRIDGE. In the first place, I want to say to the Senator from Missouri that it is not a monstrous proposition. It is not favored by idiotic men. It is not a socialistic proposition, nor bolshevistic, nor anarchistic. There may be other words which my learned friend from Missouri may attribute to the proposition, but I shall not get into any controversy, and I shall not be further interrupted.

Mr. REED of Missouri. If the Senator can think of them, I hope he will insert them.

Mr. SHORTRIDGE. I was going to say, and I do say, with utmost good temper and with genuine admiration, that adjectives and adverbs, while they may sometimes beautify speech, do not necessarily condemn any proposition or any argument. We may pile Ossa on Pelion; we may indulge in metaphor; we may employ strong expressions; but, after all, they do not advance arguments. The proposition here is very simple, and as for myself, I discuss it with the utmost good temper, without fear, without apology, without any trembling as to the consequences which may come from the passage of the joint resolution or the ratification of the proposed amendment.

Of course, we know that the Constitution of the United States is a delegation of power. Of course, we know that a State constitution is a reservation of power. Of course, we realize here in the Senate and perhaps all realize that Congress can not enact any law unless it has the power so to do delegated to it through the Constitution of the United States. Wherefore, we know as lawyers, as Senators, that as of now Congress does not possess the power to enact a law such as was enacted and found to be invalid. We know that, and the proposition is to submit to the States the question, "Shall the States delegate to the National Government, delegate to the Nation, confer upon Congress, a power which it does not now possess, namely, a power to limit, to regulate, to prohibit the labor of persons under 18 years of age?" In framing or drafting the proposed amendment my desire was, in so far as I had to do with its phraseology, to use words plain, simple, unambiguous, so that the States speaking through legislatures or, if it should be, through conventions assembled or, if it should be, by direct vote of the people of the several States, might understand exactly what they were doing.

I think, of course, if the joint resolution passes and the proposed amendment is submitted to the several States, it will be clearly understood what the amendment means. I am very sure if there should lurk in it any unseen or dangerous thing, the learning and the earnestness of gentlemen here and elsewhere will uncover and expose any such hidden thing, so that ultimately the good men and the good women of Missouri, and of my State, and of the other States may understand exactly what they are doing, and what they are called upon to do, and what may be done if the amendment is ratified.

Mr. REED of Missouri. Will the Senator pardon me for suggesting that the good men and good women of Missouri will have nothing to do with the proposition? They do not get a chance to vote on it. If the Senator will delay this proposition until we can get an amendment adopted that would give to the people a chance to vote on such questions, I shall not worry about it. But it is to be voted upon by the legislatures.

Mr. SHORTRIDGE. I do not hold to the theory that legislatures misrepresent the people. I believe in a representative form of government in State and Nation, and if it be so that in a given case a State legislature misrepresents the matured judgment of a majority of the people of the State, that does not cause me to lose faith in representative government. I believe in a representative form of government as we have it in all our 48 States, and as we have it in our Federal form of government under the Constitution. Wherefore, while I might in this, that, or other case deplore or regret the action of a given legislature, that does not cause me to think or to say that legislatures are in the habit of running counter to the matured judgment of a majority of the people whom in theory and in fact they represent.

Mr. REED of Missouri. What I called the Senator's attention to was his language that the people of the States would have the right to vote on the question. Of course, they will not have, and therefore the measure, if it passes the Congress, can be enacted into the Constitution by something over three thousand people constituting members of the legislatures.

Mr. SHORTRIDGE. The fathers, I think, were rather wise when they provided that the Constitution might be amended in the method suggested; but as I have said here on the floor of the Senate and said in committee when various suggested amendments to the amending article of the Constitution were being considered, the Constitution as it stands provides a method for submitting a proposed amendment to the votes of the States.

Mr. REED of Missouri. If the Senator will pardon me further, he very properly stated that the fathers established this method of amending the Constitution. That is true. He appeals to the wisdom of the fathers, but he proposes now to wipe out a very large percentage of that wisdom by putting something into the Constitution that they left out.

Mr. SHORTRIDGE. I love to think that humanity is advancing. I love to believe that civilization is going forward, although there is a very interesting book written by Mrs. John Martin entitled "Is Mankind Advancing?" which causes me sometimes to question. But I think that in many respects we have advanced beyond the times of Washington, though with the distinguished and able and valiant Senator from Missouri I have many times stood obscurely by his side in upholding the wisdom of the fathers.

Mr. REED of Missouri. In that case the Senator found himself in excellent company.

Mr. SHORTRIDGE. I did, indeed, and I hope we are not going to part company now.

Mr. REED of Missouri. I can not understand that faith in the wisdom of the fathers, in one breath the expression of the thought that it is infallible, and in the next breath urging that we shall change and overthrow that wisdom which they enacted into the Constitution. Yes; we are advancing. When the wisdom of the fathers meets with our desires it is infallible, but when we go counter to it then we say we are advancing.

Mr. SHORTRIDGE. I reply to the Senator—but we are not advancing the argument very much by this colloquy.

Mr. REED of Missouri. We are having a good time.

Mr. SHORTRIDGE. Perhaps so. The fathers did not put on the first 10 amendments.

Mr. REED of Missouri. They agreed to them.

Mr. SHORTRIDGE. The fathers did not put on the eleventh amendment brought about by a decision which was eternally right. If anyone wants to read a noble opinion couched in logical language, let him read the opinion of Mr. Justice Wilson, of Pennsylvania, in the case of Chisholm against Georgia, which provoked the eleventh amendment. The fathers did not put on the twelfth, thirteenth, or other amendments.

We live. We go forward. We are no longer an agricultural people. Perhaps it is offensive to say that there are interests in America other than agricultural, but we have grown to be a mighty Nation, a manufacturing people, a commercial traveling people, a people spreading over a continent, 105,000,000 to 110,000,000 in number. We are not imputing unwisdom to the fathers, we are not departing from their teachings, we are not abandoning their principles when we set about to amend the Constitution which they framed, for they contemplated necessarily its amendment. And, by the by, when I speak of this method, I am reminded that I have upon my desk a very interesting work entitled "The Reasonableness of the Law," and I am sure the Senator from Missouri will find much in it to cause him, if not to change his views, at least to question its correctness when he turns to consider the word "prohibit," for example, or the word "limit," or the word "regulate," if carried into a statute.

Mr. KING. Mr. President, will the Senator yield for just a suggestion?

Mr. SHORTRIDGE. I yield.

Mr. KING. The Senator mentioned the fact that the first 10 amendments were not a part of the Constitution of the United States, implying that they announced something different from what was within the Constitution. Let me say to the Senator that it was the judgment of the ablest men in the Constitutional Convention that all of the guaranties contained in the first 10 amendments were within the Constitution; that is to say, they needed no Bill of Rights and no statement in the Constitution for the reason that they were reserved by the people and no amendment of the Constitution was necessary.

Mr. SHORTRIDGE. That is very true; but I am also aware of what the Senator knows—that while it was claimed by Washington, by Marshall, and others that the Constitution as it came from the hands of the convention was all-sufficient, it did not convince the immortal son of Virginia, Patrick Henry. It was given out authoritatively that immediately upon the ratification of the Constitution by the required number of States by conventions which were called, the 10 amendments which we speak of as the Bill of Rights would be by proper method added to the Constitution.

Mr. KING. May I interrupt the Senator?

Mr. SHORTRIDGE. Permit me to recall this interesting history. It did not convince that great man, Patrick Henry, and to-day when the eloquent Senator from Missouri [Mr. REED] was inveighing against this proposed amendment, expressing fears which he entertains, denouncing it in strong terms as having a tendency toward tyranny, consolidated tyranny, centralized tyranny, unconsciously he was using the very words expressing the thought of the great Governor and great orator and lawyer of Virginia, Patrick Henry.

Mr. KING. Mr. President, may I make a suggestion to the Senator with his permission?

Mr. SHORTRIDGE. Yes.

Mr. KING. I suggest that Patrick Henry, of course, foresaw in this age—I shall not say "degenerate age"—that able men, like the Senator from California and others, would so pervert the Constitution of the United States and so misconstrue its interpretation under the doctrine of implied power that, therefore, he insisted upon making assurance double sure by adding the first 10 amendments to the Constitution, but if he had believed in the intellectual integrity of the people who should follow him he never would have suggested that.

Mr. SHORTRIDGE. Oh, but let me say in defense of Patrick Henry, notwithstanding Washington's great voice and Marshall's great voice—and they were, of course, the most potent—Patrick Henry never was convinced to vote for the ratification of the Constitution. We are all familiar with his speeches yonder at Richmond. We all may know that if the news from Albany had reached Richmond before the final vote perhaps the Virginia convention would not have ratified the Constitution. Patrick Henry was opposed to it because he was afraid that the States were surrendering their liberty; that there would be centralization, consolidation, and that there would be set up a government which would be destructive not only of the sovereignty of the States but destructive of the liberty of the citizen.

Mr. REED of Missouri. In other words, he anticipated just what the proponents of this joint resolution are attempting to-day.

Mr. SHORTRIDGE. Ah, but, Senator, see how groundless were the fears of Patrick Henry.

Mr. REED of Missouri. I do not know about that.

Mr. SHORTRIDGE. See how mistaken he was. I never can think of him without a gush of emotion, because he loved liberty; he enthroned it in his heart; he believed in it; he would have died for it, but when the Constitution was ratified and he began to see how it was operating he said, as all will remember, "I am no longer a Virginian; I am an American"; meaning to express, if I may interpret him, whereas he had opposed the ratification of the Constitution, he had come to see that it was not charged with evil, that it was not to be an engine of destruction, but that it was to consolidate the strength of the 13 States as it has consolidated it. To-day with 48 States the liberty of every man in this Nation is safer because of the Constitution of the United States. Without any invidious distinction or without any desire to reflect upon any State in the Union, I say that the liberty of every man, woman, and child to-day in every State is safer because of the Constitution of the United States; and the liberty of no man will be cloven down, the rights of no man will be taken from him—I say it very earnestly to those who differ from me—if this proposed amendment shall be adopted.

I do not see in this proposed amendment the dangers which others see. Upon the contrary, I think it will result in wholesome laws which will aid the States. I do not see in the joint resolution, Mr. President, anything in the nature of an attack upon the States; I see no invasion of the States, for, after all, this is one Nation, not 48 nations; this is one people, not 48 peoples. I can not bring myself to believe that the Congress of the United States, speaking for the men and the women and the children of the Nation, will enact such laws as will invade the rights of a given State or attack a given State or rob any State of legitimate power over the subject matter of the joint resolution.

I return to the point where I digressed to say that it seems to me a waste of energy or of time here this afternoon to discuss this question in detail. Senators have read the reports; they have studied the case and perhaps have reached deliberate conclusions. It can not be said, at any rate it should not be said, that any of us has reached a hasty conclusion or that we are engaged in precipitate action. I accord to everyone the full benefit of the belief that he has studied the subject from all angles, having regard to State power, having regard to Federal power, having regard to the moral phases of the question and to the hygienic phases of the question, and therefore, in entire candor and frankness, I say I can not indulge myself in the belief or even in the hope of being able to change opinions maturely arrived at. The question has been examined and studied from every standpoint, and so far as I am concerned I would be glad to have the matter proceed to a vote at once.

But, Mr. President, I have very fixed notions in regard to this joint resolution. I have devoted very considerable thought to it, and, cooperating with others, I have brought this joint resolution to the floor of the Senate. It proposes a delegation of power. The Constitution requires that before it may become effective it shall pass this body by a two-thirds vote, and then the proposal must be submitted to the States and secure ratification of at least 36 of them. We understand the situation, but some elsewhere do not. This joint resolution provides merely for the submission of a constitutional amendment conferring upon Congress the power to do something in the future. It is not a proposed statute; it is not a proposed law; but it provides that an amendment shall be submitted to the States which, if ratified, will delegate to Congress the power to enact some law. Senators will pardon me for these remarks, which are prompted by what I have read in certain newspapers. This proposed amendment is taken as something in the nature of the prohibition amendment. It seems to be thought that we here are in the act of passing some law prohibiting or limiting or regulating the labor of persons under 18 years of age. It should be understood, and I suppose it will come to be understood, that the measure before us, if finally adopted, provides merely for a delegation of power hereafter to be exercised, should the States deem it wise to confer that power upon the Congress. If the States shall legislate wisely and humanely, as appears to be the case from many of the reports, as I have had occasion to say, there may never be the necessity for the Federal Government to legislate on this question.

I scarcely need to say to Senators that because I favor this amendment I would not vote for any suggested child labor law, but I do think it is wise for this Nation to confer the power upon Congress to deal with this subject in the future if necessity calls for Federal legislation.

Mr. OVERMAN. Mr. President, does the Senator think it necessary to do so?

Mr. SHORTRIDGE. I think so; otherwise I should not stand here and make the argument that I am making.

Mr. OVERMAN. The Senator was the able chairman of the subcommittee which investigated this question. Why did that committee make the age limit 18 years?

Mr. SHORTRIDGE. I am just about to reach that suggestion in my remarks.

Mr. OVERMAN. I should like to hear what the Senator has to say about that. What was the reason for providing such a limitation? It never has been urged heretofore. I should like to know why the committee put that in the amendment.

Mr. SHORTRIDGE. I will answer. So far as I am concerned, the reason is that it was found it would not be wise to use the word "child." What is the meaning of the word "child"? Who are children? I am very frank to say that at first blush I was inclined to think that the word "child" had a definite meaning; but a little reflection and a little inquiry developed that there is no certainty at all as to the word "child" as that word has appeared in the many State statutes. Lawyers are, of course, aware that the common-law definition of the word "child" was one who had not yet reached the age of puberty, and some of the courts of the country when dealing with the child labor statutes have adopted the common-law definition of the word "child." Of course, confusion at once followed. Therefore, looking over the many decisions, we saw that it would be necessary to fix an age limit and to use the word "person," with an age limit, rather than the word "child" as it stood alone in many of the proposed amendments.

On page 118 of the report Senators will find a memorandum of the decisions defining the word "child" and on page 125 of the same report the memorandum of Professor Lewis setting out a great many cases descriptive of the word "child." So

that we came to the question, What age should be fixed? and the question is, Why 18?

Mr. REED of Missouri. Yes; and the ordinary period which has been fixed heretofore is 14. The age of puberty is about at that period or earlier. The question still remains why you covered the four years between the time when childhood does end and the time when full manhood estate begins—the period of youth.

Mr. SHORTRIDGE. Certainly.

The Senate must of course carry in its mind the sexes. There are the sexes. There is the girl; there is the boy. You will carry in your mind the old definition of "child," which was the common-law definition. You are driven up to the point of saying, "What is the age limit? What power are we delegating? Shall we limit it to 15 years, or 16, or 17, or 18?" We are setting about to delegate power. It was not thought wise to fix it at the lower figure, lest there might be occasion when all would admit that there was necessity for a higher figure. The reasons for fixing it at 18 appear in the testimony of many witnesses; and if we are going to delegate the power at all, if we are going to set a limit, it was thought wise to fix it at 18, lest there might develop in the future conditions which would make us very much regret not fixing it at the higher figure, when we would be obliged to pass abortive laws, laws not applicable to the state of society then existing.

Mr. GEORGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Georgia?

Mr. SHORTRIDGE. I do.

Mr. GEORGE. I take it, then, the Senator did find difficulty in fixing the age limit.

Mr. SHORTRIDGE. I think not.

Mr. GEORGE. Not at all?

Mr. SHORTRIDGE. The Senator asks me; I reply. I can imagine any number of trades or callings or conditions where, either by the State or the Federal Government, a law should be passed at least limiting, regulating, if not prohibiting, the labor of young women 17 years of age.

Mr. GEORGE. Can not the Senator imagine conditions and industries where women ought not to be permitted to work at all—women 40 years of age?

Mr. SHORTRIDGE. I can.

Mr. GEORGE. Very well. Then the Senator did have some difficulty in fixing the age so far as children were concerned, did he not?

Mr. SHORTRIDGE. No; if I may answer in this manner, and the record will show that I suggested—it was in running discussion before the committee—even 21 years of age. I had in mind the European laws. I had in mind certain laws of many advanced and civilized countries of Europe where married women are not permitted to work during a certain period before childbirth, or for a certain period after childbirth; where they are not permitted to work at nighttime during a certain period of pregnancy; where they are not permitted to carry too heavy weights when they are in a certain condition. Those thoughts were running through my mind; and, speaking for myself, I can easily imagine conditions where it would be entirely humane, entirely proper, for the State of Georgia or the State of California to pass a law limiting, regulating, perhaps prohibiting, the labor of women up to at least 18 years. It was thought that those cases which were in the minds of the committee might not be numerous and that we might safely rely upon the individual States and not confer the power upon the Federal Government—fixing the limit at 18 for the Federal Government, the State, of course, reserving its right, its power, to deal with special cases as they might arise.

Mr. GEORGE. I misunderstood the Senator's earlier remarks. I thought he indicated that there was some difficulty in arriving at the exact age of 18.

Mr. SHORTRIDGE. No; I experienced none.

Mr. DILL. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. Yes.

Mr. DILL. The cases in which it is desirable to limit the labor of children when they reach the ages of 16 or 17 are more or less special cases; and, therefore, does not the Senator think that these special cases might well be left to the States to deal with the special conditions, when we have taken care of the child situation for the whole country?

My reason for suggesting that is that there is a great deal of opposition, and it is growing at an alarming rate, I fear, to these higher-age brackets, from the farming people; and I think the Senator is endangering the ratification of this amendment by having an age limit so high as to arouse the prejudice of people who ought to be most heartily for it.

Mr. SHORTRIDGE. That is a very thoughful remark, and I have considered it, and others have considered it; but, not to repeat too often, I think that when we are calling upon the States to delegate this power, to vest this power in the Nation, they will adopt this amendment just as readily as they would if we fixed the limit at 16, after the subject shall be thoroughly debated and understood by the several States. I can think of cases where young lads, young men who have passed 16, ought to be protected and guarded and watched over by the State or the Nation when they are engaged in certain callings; and, therefore, I think, just as the States have that power now, the Congress ought to have it. The States have that power, and I want to remind the learned Senator that the constitution of a State does not delegate power. The constitution of a State is a limitation upon the power of the legislature to act, whereas the Federal Constitution is just the converse.

Mr. REED of Missouri. Exactly; and the Senator will not pretend to say to me or to this body that there is a single State in this Union, under the existing Constitution of the United States, that can absolutely prohibit the right of a person under 18 years of age to work.

Mr. SHORTRIDGE. Oh, broadly stated, perhaps not.

Mr. REED of Missouri. And the Senator will not say to me that with this power once granted, the right will not become vested in Congress to do that very thing which no State now can do.

Mr. SHORTRIDGE. Well, of course, you may conjure up fears, and perhaps test a proposition by extreme illustrations. That I admit.

Mr. REED of Missouri. Why do you put in "prohibit" unless you mean "prohibit"?

Mr. SHORTRIDGE. I put it in because I do mean it.

Mr. REED of Missouri. Exactly; and you put in "18" because you mean it.

Mr. SHORTRIDGE. Because I mean it; I do, indeed.

Mr. REED of Missouri. Exactly.

Mr. SHORTRIDGE. I use the word "limit," I use the word "regulate," I use the word "prohibit," because I mean them.

Mr. REED of Missouri. And you put in "18 years" because you mean it.

Mr. SHORTRIDGE. And I put in "18 years" because I mean 18 years.

Mr. REED of Missouri. You mean, then, that Congress shall have the right to prohibit the labor of any human being under 18 years of age, and that that power shall be great enough so that it can prohibit all labor by that individual, and you mean to confer that power, but you say it will not be exercised. What do you want with it if you are not going to exercise it?

Mr. SHORTRIDGE. I mean to say that we must assume some intelligence, some patriotism, some knowledge, some fidelity to duty, some ordinary, common, horse sense in Congress.

Mr. REED of Missouri. We might assume that when we come to pass this joint resolution.

Mr. SHORTRIDGE. We may assume it, and it will be passed. I hope it will be passed. I have not tampered with the jury, and I do not know what the verdict will be, but I am a hopeful man.

Mr. President, it was necessary to fix some age limit. It was necessary, in our judgment, to use the word "person," rather than "child," and therefore the word "person," and therefore the age limit of 18. It was necessary to employ words of definite meaning if it were possible to do so. We did not use the word "employment," as will be seen by the report, the employment of children or the employment of persons under 18 years of age, because the word "employment" at once became more or less uncertain. The cases revealed the fact that where the word "employment" was used the statute was circumvented, or men sought to escape from its terms, and were more or less successful in doing so; so we used the word "labor"; so we used the word "person," we fixed the age at 18, and we used the word "limit," which itself is a more or less limited word in meaning, as to time, as to distance. We ultimately used the word "regulate," which manifestly is broader in its scope or meaning; and then it seemed wise to use the word "prohibit," to give Congress the power to prohibit a given kind of labor under certain conditions, to prohibit utterly. In other words, we sought to make the proposed amendment plain and clear and free from ambiguity or uncertainty.

Mr. President, I have taken up more time than I intended, for there are other Senators who wish to speak, and whom I wish to hear; but, if I may say it with the utmost respect—intellectual respect for intellectual men—it has appeared to me that Senators who oppose this joint resolution oppose it because of their conviction that it is taking from the States some of their inherent power and consolidating power in the Federal

Government, and they think that there is a tendency toward consolidation in the National Government which is charged with danger to the liberties of our people.

Of course, we carry in our minds the long intellectual battle from Washington's time to this hour in regard to that matter—the battle between those ideas.

I know the patriotism of every Senator here. I know his devotion to the Constitution. I know the patriotism of every State in this Union and I know the patriotism, and believe in the patriotism of the people of this Nation.

We are not 48 peoples. We are not 48 Nations. We are 48 different States. We are bound together. We are knit together. We rise or fall together. We triumph or we fail together. Whatever idea once obtained in this Nation, we are no longer 48 sovereign States. We are quasi sovereign States. Within certain limits we are sovereign. We are one Nation. We are one people. We are under one Constitution, and we walk under one flag.

There are artificial State lines, but the good men and the patriotic women of North Carolina are the same as they of Virginia. There is a national citizenship which I exalt. I applaud, I applaud to the echo State pride, but I exalt national citizenship and national patriotism.

This is not a political question. The Senator from Wisconsin [Mr. LENROOT], who quoted from the platforms of two great political parties, I do not suppose intended to thereby say it was a political question, but great parties have advocated it in more or less definite forms. Many organizations have advocated it. But it is not a political question. It is a national question, and this is a Nation.

While perhaps I should say that the sons and daughters of California are dearer to me than those of other States, I do not say it as a Senator of the United States. I am not an ambassador from California, nor is the Senator from Missouri his State's ambassador. He is a Senator of the United States, chosen by the great Commonwealth of Missouri. I am thinking, in all kindness and admiration, of every State, and the people of every State, and I do not want individual Senators to think or the country to think that because I favor this joint resolution, and because I favor giving Congress the power to deal with the children of America, that I am doing it in hostility toward any State.

I have said, and I repeat, that it may not be at all necessary for Congress to legislate further upon this subject. The States which are backward may come forward and pass such wholesome laws and enforce them so justly and fairly as to make it unnecessary for Congress to exercise its power, but if any State should neglect a duty which we all recognize, and there should be a continuance of child labor hurtful and destructive to the citizenship of that State, then Congress might exercise its power, and, of course, I should hope that it would exercise its power.

I do not see danger in this. I do not see any invasion or tearing down of the power of States. I exalt the Nation. There is no more line dividing this Nation. In blood and tears and common suffering and common triumph this Nation has been knit together. It is a Nation of indestructible States, but I want it to be a Nation of unified hearts, and therefore I would not favor this joint resolution if I thought it would estrange States, if I thought it would cause a State to lose its love and reverence for the Nation. I do not think the passage of this joint resolution will be otherwise than of value to every State and to the Union, the Nation.

Therefore, I earnestly hope it will meet the approval of the Senate. I believe it a wise resolution. I think it will result in benefit to the States and to the Nation. I do not indulge in irony or ridicule toward those who oppose it, but with the utmost respect, I listen. We differ, but we have in view the same object, the same end.

My position may be stated in a sentence. I think of Uncle Sam as the parens patriæ, the father of the country. I think of the children of the States as the children of the Nation. They are the children of the Nation, and they should be under the care and protection of the Nation. I have faith in the Senate of the United States. I have faith in the House of Representatives. I do not think we are decadent or feeble or idiotic, that we are surrendering the power of the States, or that we are grasping for power for the Nation. We are one people, one Nation, with one Constitution, one flag, one destiny, and I would give the Nation the power to guard, watch over, and protect the children of America, the boys and girls up to 18 years of age.

Mr. REED of Missouri. Why not the rest of the way?

Mr. SHORTRIDGE. We may have to go further, but we will stop now at 18. I would think it wise, I do think it wise, that this power be conferred, and, I repeat myself again and yet again, I grieve when I see advanced, as it appears to be, the idea that the Nation is, so to speak, something foreign, that the Constitution is something apart from or foreign to the States, and therefore that we should stand by the individual State as against an enlargement of the power of the Federal Government.

Mr. REED of Missouri. If the Senator feels that way, why not generally enlarge the power of the Federal Government by one amendment, saying that all power and authority is hereby vested in the Congress of the United States?

Mr. SHORTRIDGE. That is, of course, carrying the thing to absurdity, and I do not indorse that view; but with the utmost sincerity and great earnestness—it may not be appreciated, but I do myself the pleasure of voicing it—with great earnestness I believe in the Nation, and I believe in the one people. I think the old doctrines were wrong which seemed to consider that any power delegated to the Federal Government was a stripping of the States of their liberties.

We are one Nation, we are one people, and I would have it so forever. I know and you know that there are certain questions properly within the jurisdiction of the States; but citizenship is national. There is a State citizenship, and there is a national citizenship. I want to protect the national citizenship, and I want to lodge in Congress or in the Government the power to protect the national citizenship.

I apologize for having taken so much time. I hope, I earnestly hope, that this joint resolution will meet the approval of the Senate and ultimately of the States.

Mr. RANSDELL. Mr. President, the proposed child labor amendment to the Constitution reads as follows:

SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by Congress.

It is short, simple, and easy to understand. It means that Congress shall have power, which it is certain to exercise, to limit, regulate, or prohibit the labor of boys and girls—persons—under 18 years of age. It means that the parental authority given by the God of nature to fathers and mothers over their children in many millions of American homes, and the respect, honor, and obedience due by these children to the authors of their being is to give place to man-made laws. It means that all these persons under 18 are to be placed in the hands of the big national father in Washington, who will enact general laws to govern them in the innumerable different situations of life, and enforce those laws with an army of Federal officials clothed with powers of espionage.

Parents will remain in the background after being permitted to bring children into the world and nurture them during their tender years of toddling infancy. Just as soon as the children are large enough to be of some assistance to their real parents they must be delivered to their statutory father in Washington. Why confer any such extraordinary authority on Congress? The various States can enact all child labor laws that are necessary, and most of them have done so already, as was shown by the Senator from New York [Mr. WADSWORTH] on the 28th ultimo. (See CONGRESSIONAL RECORD, p. 9712, et seq.) If more stringent laws are necessary in any State or States, and the legislature thereof neglects to pass same, let the force of public opinion be brought to bear on the situation through the daily and weekly metropolitan press—the greatest influence in America when properly exerted—and the evil will surely be corrected. There is no reason why Congress should intervene.

It is the duty of States and local communities to make and enforce all police regulations, especially those relating to home and family life, and any limitation on or prohibition of child labor is a police provision. Laws of Congress affect all our 110,000,000 people alike, and are general in character. It is easy to conceive that conditions in one State or locality may differ so materially from those in another—perhaps 3,000 miles apart and with very different climate—that a wise Federal police regulation in one locality would be oppressive and unjust in another. Such trouble would never occur under State police provisions. Moreover, the parents of minors whose labor may require regulation in certain kinds of employment such as mines, factories, and so forth, are in much closer touch with State legislators and enforcement officials than with Federal, which is a very important item. When we come between parents and children in any way, whether it be compulsory school attendance or labor regulations, the subject is extremely delicate, and friction is easy. There is apt

to be much less resentment toward such a statute if it be local—made to suit conditions as they exist in that State, and because of local sentiment in its favor—than if a general law, possibly brought about by extraneous facts which have no, or slight, local application. Moreover, the States feel that all laws relating to such questions as child labor belong solely to them, and are not proper functions of the Federal Government, hence they regard this amendment as an unwarranted interference with their rights.

I am happy to say that Louisiana has excellent child labor laws which furnish the protection needed for child welfare with a minimum of interference with parental authority. Her people resent the implication that they are neglectful of their duties toward their children and must call in the aid of Senators and Representatives from other States—totally unfamiliar with their affairs—to make them treat children properly. The very idea is galling to freemen.

The commandment given to Moses on Mount Sinai, "Honor thy father and thy mother," which implied love and obedience of children to parents, will be changed by this amendment to read:

> Honor thy father and thy mother so long as their mandates do not conflict with those of the National Father at Washington.

A conflict of filial obedience would arise, and the child would be taught to disobey the parents who gave him birth, who nurtured him in babyhood through sickness and health, the father who sacrificed, in many cases, health and ease that his child might thrive, and the mother whose love is the sweetest thing on earth. A Government department or bureau would assume to tell the children what tasks they should perform and what to leave undone. It would inform the girl under 18 whether she should or should not assist mother in household work or the conduct of her business, whatever it be. It would say to the fatherless boy under 18 whether or not he should help to carry on the farm or the store and thereby assist his mother to maintain a home for the family. It would tell the lad under 18—in many cases a physical giant—whose parents are struggling on a farm or in a shop or store or elsewhere to rear and educate their children, whether he should bear his share of the burden or grow up in idleness, exposed to the evils arising from this vice.

Obedience to parents is a law of God, higher than any law of man. Work is honorable and beneficial to all, especially to growing boys and girls, provided it is not beyond their strength. There are many passages in Holy Writ on the duties of children to their parents and in regard to labor. I quote as follows:

> My son, hear the instruction of thy father, and forsake not the law of thy mother. (Proverbs i, 8–9.)
>
> Children, obey your parents in the Lord, for this is just. (Ephesians vi, 1.)
>
> Whatsoever thy hand is able to do, do it earnestly. (Ecclesiastes ix, 10.)
>
> Hate not laborious works nor husbandry ordained by the Most High. (Ecclesiastes vii, 16.)
>
> If any man will not work, neither let him eat. (II Timothy iii, 8–12.)
>
> With labor and toil shalt thou eat all the days of thy life. (Genesis iii, 17.)
>
> Go to the ant, thou sluggard, and consider her ways and learn wisdom. (Proverbs vi, 6–8.)

Any law relating to the physical well-being of children should also relate to their mental training. A sound mind in a sound body go together. If we are to conserve the bodies of children by Federal child labor laws, there is just as much reason for conserving their minds by Federal laws on education. The two are inseparable, and those who favor Federal child labor laws must make up their minds to place education in the hands of the National Government. If the parents, to whom nature looks for the proper care and guidance of their children in matters relating to physical well-being, must surrender their functions in such essential particulars as ordinary labor in its many forms to a central authority in Washington which tells the children what labor they must perform, what to leave undone, then surely this same authority which takes charge of the bodies of these children should look after their minds also.

This would be fatal to our national welfare. We have 48 systems of public-school education in our States, and a great number of private schools more or less under State supervision. The public-school systems of our 48 States, each acting independently and spurred to high emulation by generous rivalry with each other and with the fine private schools of many localities, have developed and are maintaining much better educational advantages than could be expected from a single central bureau or department of education at Washington ruled by an educational autocrat whose word would be law.

The world had a striking instance of autocracy in education in the Prussianized system of Germany which made of that empire a nation highly educated from the intellectual standpoint, but without heart, apparently lost to the finer instincts of unselfishness, respect for the rights of others, and brotherly love—qualities which so adorn this country, and which are due in part, at least, to our wise educational systems. Louisiana is especially well pleased with its excellent public schools which have done wonders in the last few years toward the education of every child in the State; and it is opposed to any outside interference. Personally, I favor leaving the States free to promote liberal education in accordance with local needs as they see them.

The people of the United States are being educated as well as finances and general conditions permit. They have developed a marvelous civilization, and the world has never witnessed such rapid advance—especially in material things. They are getting along well, and there is no necessity for a change, especially such a radical one as to take direction and care and education of all our citizens under 18 years out of the hands of their natural guardians—their parents—and turn them over to the Big Father at Washington. It will never do. Such a course would destroy the home—the basis and foundation of the State—and without the home free institutions would speedily disappear.

Our Republican Government is well described as an inseparable Union of indestructible States, but the Union can not exist without the States, and the States can not live if practically all authority and power are centered in Washington. In that event the States will disintegrate, will lose their independence, their local self-government, their right to participate in the Federal Government by their Senators and Representatives, and will become Provinces ruled by an autocratic chieftain.

Already the States have surrendered too many of their rights; already the Federal Government is reaching out and interfering in things which belong properly to the States; already many shortsighted people are clamoring for further extension of Federal control, or at least supervision, in practically every walk of life; already the pendulum has swung much further toward centralization than was ever intended by the fathers or than is for the public welfare.

It is time to call a halt, and there is no better measure to start with than this child-labor amendment to the Constitution. It is one of the most insidious and dangerous measures ever proposed to Congress. If this amendment is passed by the Senate to-day and finally ratified by three-fourths of the States, thereby becoming part of the Constitution, the death knell of the Republic will have been sounded. When the bulwark of parental authority over children in directing their occupations is destroyed by Federal amendment control of education will speedily be stripped from fathers and mothers by subsequent amendment; and then will follow amendments giving Congress control over marriage and divorce, with power to regulate the duties and rights of married people and their offspring and to legislate generally in regard to property. Nothing will be left for the States, and they will cease to exist. The free, self-ruling, independent governments whose union has made of the States the best and most powerful Republic the world has ever seen will disappear, and our wonderful Union will be swallowed up in some other form of government.

The world is governed too much. We need fewer statutes and closer observance of all law. One amendment to the Federal Constitution for which I would vote gladly would be to limit the sessions of Congress to not exceeding 90 days a year, except when called in extra session by the President for a pressing emergency for not more than 60 days additional, provided that Congress might remain in session continuously in time of war. In Louisiana we get along very well with a legislative session of 60 days every two years. Congress could do all that is necessary in 90 days every year, and the country at large would be much better satisfied than it is now. There would be fewer demands for the National Government to interfere with State matters, and people would rely more upon their State and local governments, to the material benefit of all concerned.

Mr. McCORMICK. Mr. President, inasmuch as I have previously addressed the Senate upon the subject of the proposed constitutional amendment, I shall venture to ask my colleagues to bear with me for only a very few moments while I invite their consideration to some of the arguments and facts which have been presented during this debate and during the prior

debate on the amendment having a purpose like that of the one pending.

Congress, we all remember, sought by legislation to establish certain minimum standards for the protection of children chiefly employed in intensive industry, but, owing to the decisions of the Supreme Court of the United States on the two child labor acts which were passed by Congress, we have been compelled to seek an amendment to the Constitution, not in itself to prohibit or to limit child labor, but to vest in Congress the power so to do conformably with the conscience and the judgment of the American people, of whom, in the long run, Congress may be presumed to be representative.

It is not to be imagined that the first law written under this amendment will be the last. Let us remember that when the movement for the protection of child labor began certain highly industrialized States were the first to act through their legislatures. Later the Congress, which sought to defend the children from industrial exploitation, set a minimum standard referred to by the enactment of a Federal staute in 1916. There is no one of us who contemplates any early radical legislation under this proposed amendment, but doubtless from time to time the National Government may gradually throw additional safeguards around children who are engaged in gainful employment.

It was in order to preserve the free judgment of Congress to meet varying conditions of employment at varying times that the first section of the amendment was drawn in the terms submitted here to-day. Plainly, the summer work of a growing boy on his father's farm is not comparable to the drudgery of little children whose labor is sold by their parents under contract to the owners of onion fields and beet fields where these wretched little creatures are driven precisely as they are in the sweated trades, which have been forced across the river from New York to New Jersey.

Mr. WADSWORTH. Mr. President, will the Senator from Illinois state in what States that driving takes place in the beet fields and in the onion fields?

Mr. McCORMICK. If the Senator from New York will turn to the testimony before the committee last year he will, I think, find that those who appeared before the committee alluded specifically to Michigan and to Colorado.

Mr. WADSWORTH. Is the Senator aware of the fact that when these alleged facts were reported by persons from without the State who said that they had made an investigation the Legislature of the State of Michigan, through a committee, made a special investigation of conditions in the beet fields in Michigan and found the charges were absolutely untrue?

Mr. McCORMICK. I did not know that.

Mr. WADSWORTH. That is the fact. The testimony may be found in the proceedings of the Michigan Legislature for this last year.

Mr. McCORMICK. The Senator from New York knows that the Secretary of Labor last year submitted to the committee tables to show that over half of the children who were engaged in gainful employment were employed in sweated field work. Those were tables, were they not, which were submitted by the Secretary of Labor?

Mr. WADSWORTH. No, I will say, if the Senator puts that question to me. Those tables show that 61 per cent of all the persons in the country under 15 years of age who are employed at all are employed upon farms, including farms which were owned by the parents of the persons so employed.

Mr. McCORMICK. Mr. President, I think if the Senator will turn——

Mr. WADSWORTH. I have the table right here. I put it complete in my speech the other day.

Mr. McCORMICK. If the Senator will turn to the testimony before the committee last year, which I looked over yesterday, he will find that the Secretary of Labor submitted to the committee then, in conjunction with his letter, the figures to which I have alluded in my speech. I am reminded that the owners of onion fields in the neighborhood of Cleveland have appeared before the House committee in opposition to the bill. I know that in my personal observations in the vicinity of Chicago the condition to which I allude has existed.

Mr. WADSWORTH. The purpose of my inquiry was not to deny that such conditions exist somewhere in the United States; but I think I can compel the Senator, if I may use that term politely, to admit that, if they do exist, they do not exist in more than three States. With respect to the beet fields, for example, I call attention to the fact that if they have existed in the State of Colorado, where they have had woman suffrage for 50 years, I can not believe they are very bad, else the women of Colorado would have corrected them by the power of their ballot.

Mr. KING. Will the Senator yield?

Mr. McCORMICK. I should prefer if the Senator would let me proceed for a moment.

Mr. KING. I merely wish to call his attention to the letter from Secretary Davis. I think the Senator misapprehends it. The Senator from New York is absolutely correct. The Secretary, in the letter to which the Senator refers, states:

> Of the children covered by the census of 1920, about one-half were reported to be employed in agriculture, forestry, and animal industry.

And the tables which were submitted at the same time stated the proportion so employed to be 61 per cent. Then he further states:

> Approximately 190,000 were employed in manufacturing and mechanical industries, in cotton, silk, and woolen mills, in cigar factories, clothing and furniture shops, and in various canneries.

Mr. McCORMICK. Will the Senator let me have the communication?

Mr. KING. Certainly.

Mr. McCORMICK. The Senator has read from a letter of the Secretary and not from the addendum referred to.

Mr. KING. The Senator referred to the letter.

Mr. McCORMICK. I referred to both.

Mr. KING. I suppose the Secretary would not state something in his letter that he contradicted in a subsequent statement, without making an explanation.

Mr. McCORMICK. If the Senator will permit me, I will examine the addendum afterwards, and, if I am at fault, I shall ask to be corrected.

If I remember rightly the Secretary of Labor, or the head of the Children's Bureau, at the same time testified that the percentage of children employed in gainful occupations on the Pacific coast was about 4 per cent, whereas in another great section of the country it ran from 15 to 25 per cent, especially in Rhode Island, which, the same tables show, stands out as a great employer of children between 10 and 15 years of age in intensive industry.

If I remember rightly, it has been stated in the course of this debate that investigations of the Children's Bureau in 34 cities, based presumably upon working permits, so called, show that the increase in the employment of children last year over the year preceding averaged 20 per cent. But I recall instances of the employment of children the year before when the increase ran from 50 to 150 per cent.

Among the witnesses who appeared before the subcommittee of which the Senator from California is the chairman was the spokeswoman for the schoolroom teachers of America. She pointed out that in that area in which the legislation to limit or prohibit child labor was the least advanced, so also was illiteracy most prevalent and the death rate among the children the highest. There may be, there must be, some confusion as to the truth which may be found by comparing the census returns of 1910 with those of 1920, because the census in the one year was taken in the winter and in the other in the spring. At all events, while the population of the country increased by 15 per cent, and while the demand for manual labor was enormously increased by the exigencies of the World War, the number of children employed, on the face of the returns, was reduced by a half during the decade, despite the fact that the two Federal statutes were effective during half or less than half of that period.

As the Senator from California [Mr. SHORTRIDGE] said in the course of his speech, the more convincing argument against the pending amendment does not find its basis in an attempted contradiction of the facts but in candid opposition to the centralization of authority in Washington, in candid insistence that it is at once the duty and the right of the several States to protect their children.

On the other hand, action by the State legislatures, I think no one will deny, became general only after legislation by Congress. State legislation in form and substance presents the utmost variety, seeking by extreme measures to protect against temptation the virtue of well-grown women, who may not serve at tobacco counters in stores, for example, and, on the other hand, to guard against injury by machinery the lives and the limbs of half-grown boys.

It can not be too often insisted that the pending amendment is not legislative in its character, like the eighteenth amendment. Its adoption by itself will not touch the children, but, as I have said before, will authorize Congress, representative of all the different States with their different social and different economic problems, to establish a minimum standard for all the children in the land who, if by determination of their

parents they be residents of the several States, are none the less potential citizens of the United States.

We have just written into law the most drastic restriction upon immigration ever enacted by an American Congress, thinking that by so doing we should contribute to the homogeneity and unity of our citizenship and as the years go on to diffuse the enjoyment of citizenship and prosperity. This amendment before us, sir, I submit, is an essential corollary to the immigration act. It promises that the citizens of the next generation shall be more equally able to bear the responsibility of citizenship and more equally able to engage in the enjoyment of life, liberty, and the pursuit of happiness.

There are grave inequalities even here in free America, grave injustices, grave discriminations. We can not redress them all. It would be unwise for the Government to interpose at every juncture to adjust and readjust the balance between the prodigal and the thrifty, the strong and the weak, the laborious and the idle, the able and the incompetent; but, within the bounds which appeal to the conscience and judgment of America, from generation to generation, it is not merely the duty but it is to the interest of all the American people to assure, as nearly as possible, equality of opportunity, equality of right, and equality of responsibility for the well-being of the Commonwealth among all its sons and daughters.

Probably most Senators have read Justice Holmes's dissenting opinion, when five judges declared against four that the statute was invalid. Consider that Congress might legislate to drive out of circulation the notes of State banks; it might legislate to exclude from common use colored margarine or impure drugs, or to prohibit the sale of lottery tickets; even prior to the eighteenth amendment it might legislate to prevent shipment of alcohol from State to State; it might strike the white-slave traffic, and go so far as to try to prevent a licentious and mercenary woman from traveling to her own profit at the expense of the man to whom she sold her favors; but it could not protect the children of the country.

When Congress passed the child labor act of 1916, America led the world in the protection of child labor. To-day all western Europe, with negligible exceptions, has adopted standards equal to or surpassing those which we then set up.

In God's name, let not America lag behind the other civilized States in safeguarding the welfare and the future of its citizens to be, and assuring them the health and the learning which will enable them in return to do their duty in safeguarding the Republic.

Mr. President, I ask permission to have printed as an appendix to my remarks the letter addressed by the Secretary of Labor to the Senator from California [Mr. SHORTRIDGE], and the statement of Miss Julia Lathrop before the Committee on the Judiciary, together with the summary of the annual report of the Secretary of Labor as it was presented to the committee by the Senator from California last year.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

Hon. SAMUEL M. SHORTRIDGE,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Your recent letter on the subject of a proposed amendment to the Constitution of the United States relative to child labor reached me yesterday, together with copies of the several resolutions bearing on the subject.

Responding to your invitation to express my views regarding these resolutions, I desire to say that I believe existing conditions and the history of legislation on this subject make necessary some amendment to the Federal Constitution giving Congress certain powers over the subject.

Just what form the amendment should take is, of course, a matter for the Congress and for those who are expert with reference to the legal phases involved. Therefore I am not making any comments with reference to the comparative merits of the various resolutions, of which you sent me copies. It seems to me, however, that the general scope of the amendment should give Congress the power to establish a minimum standard of protection for children and leave to the several States the power to add to the requirements in excess of the minimum to be required by the Federal act.

The important thing is that the decision of the court makes it clear that Congress is without power at this time to legislate on the subject of children in industry, and that an amendment to the Constitution is necessary in order to permit Congress to deal with the subject. The efforts of Congress heretofore have exhausted, it would seem, every possible avenue under the Constitution, and all have been declared ineffective.

That there is urgent need for legislation regulating employment of children in industry there can be no question. It appears from the United States census of 1920 that more than 1,000,000 children between the ages of 10 and 15 years, inclusive, were "engaged in gainful occupations." This means that apprroximately 1 child of every 12 in the United States between the ages named were so engaged. More than one-third of these children were between 10 and 13 years of age.

While the census figures take no account of children under the age of 10 who may be classified as workers, it is a well-known fact that many children below the age of 10 are employed in agriculture, in street trades, domestic service, and industrial home work. A conservative estimate would place the number of children below the age of 16 years gainfully employed in the United States at one and one-half million.

Of the children covered by the census of 1920, about one-half were reported to be employed in agriculture, forestry, and animal industry. Approximately 190,000 were employed in manufacturing and mechanical industries, in cotton, silk, and woolen mills, in cigar factories, clothing and furniture shops, and in various canneries. About 80,000 were engaged in some type of clerical work, 63,000 were in trade, and 54,000, very largely girls, were working at occupations classified as "domestic and personal service." Over 7,000, almost all of them boys, were employed in the extraction of minerals.

The same census shows fewer children under 14 years and under 16 years gainfully employed than did the census of 1910. Several reasons are given for this. One reason is that the census of 1920 was taken at a period approaching industrial depression. Another reason given is that the census figures for 1920 were based on April 15, which, it is believed, explains almost wholly the smaller number of children reported as engaged in farm work and other seasonal occupations which are very low on January 1. The third reason is given as the constantly increasing efforts of various States to control this evil and the existence of a Federal law while the census of 1920 was being taken, as against an open season when the census of 1910 was taken.

A survey made by this department indicates that only 17 States in the Union have as yet requirements in their laws on the subject of child labor as required by the last Federal act, so far as employment in factories, mills, canneries, and workshops is concerned, and that only 13 States measure up in all particulars to the standards set by the Federal law recently declared unconstitutional.

In a number of States the employment of children under 14 years is permitted under conditions which in a general way rank with the requirements of Japan, China, and India. When the first Federal child labor law was enacted, only Norway and Switzerland, among all of the large nations outside of the United States, set the age of 14 years as the minimum age at which children might be gainfully employed. Since that time nearly all of the so-called western nations have this minimum requirement, including practically all of Europe.

I am advised by the Children's Bureau of this department that the survey made following the decision holding the first child labor law unconstitutional revealed the fact that large numbers of these little people in many States had received practically all their protection from the Federal act. It would seem that the Federal act was necessary in order to stiffen the enforcement of State laws by local authorities. Some States had higher requirements than did the Federal act, yet enforcement in even these States reached a low ebb after the Federal act was abrogated.

In 1918 there were 24 States which did not require the 8-hour day for children between 14 and 16 years of age. It appears that after the Federal act was set aside most of these States permitted employment of these children for 9, 10, and 11 hours per day. Unfortunately, I can not give exact figures on that point, but unquestionably there were thousands, because during the nine months before the law was declared unconstitutional the Children's Bureau of this department issued 18,000 certificates for children in three States alone permitting children between the ages of 14 and 16 years to work more than eight hours. In many States the 11-hour day and the 64-hour week were in operation for old and young. Children slightly above the age of 5 were found employed for more than eight hours per day in some of these States.

Recent publications of this department show children engaged in industry unprotected by regulations governing wages, hours, and working conditions. Children, according to these publications, were found in oyster and shrimp canneries, some as young as 5 or 6 years, working in cold, damp, sheds, their hands cut by oyster shells, shrimp thorns, and the knives with which they work. Over 500 boys under the age of 14 years were found to have been employed as breaker boys in the coal industry in violation of several laws, and 137 below the age of 16 were found working underground.

These publications indicate that a vast army of babies is engaged in so-called industrial home work, in the beet fields, in the cotton fields, in the cranberry bogs, and the truck farms of the land. They are engaged at tender age for long hours in occupations which interfere with their education, their natural play instinct, and other requirements they so sorely need.

Permit me in this connection to call your attention to my annual report as Secretary of Labor for the fiscal year ending June 30, 1922,

and particularly to that portion thereof beginning at the bottom of page 111, on child labor, and to suggest that you regard that as a portion of my answer to your letter. I am herewith inclosing a copy of the report with the page in question marked.

I shall be more than glad to be at any time of assistance to you or your committee in your endeavor to do a practical thing toward a program which is not only prompted by the instincts of humanity, but as well by good citizenship, which ever aims to assist coming generations in developing sturdy bodies, trained minds, and clean morals.

Very sincerely yours,

JAMES J. DAVIS, *Secretary.*

STATEMENT OF MISS JULIA LATHROP, FORMERLY CHIEF OF THE CHILDREN'S BUREAU OF THE DEPARTMENT OF LABOR

Miss LATHROP. Mr. Chairman and gentlemen, I shall speak very briefly. I wish to place myself on record, so far as that is important, as being in favor of an amendment to the Constitution and as being in favor of the form of the McCormick amendment.

First, I am in favor of the amendment because I see no other means by which, after the experience of the last few years, we can hope to take care of all the rights of the American child equitably and fairly. You will hear from those who are in charge of the bureau and some others, a vast and conclusive amount of evidence and material bearing upon this question, and I shall not undertake to go over it now. I am in favor of the McCormick amendment because I believe its general terms are exceedingly important.

There is something very curious about the history of child labor in this country. American conviction has in about 130 years made an entire circle of change in its attitute toward it. There is no doubt that when the textile industries were first introduced, only a few years after the Constitution was adopted, that it was believed to be a very great advantage not only to American prosperity and independence by securing independence to the manufacturers and bringing them power but also that the children themselves should have employment, for it was believed that work was the mother of virtue—a favorite phrase. And it was for years true that a very large share of the labor which went into the early textile mills and factories was that of the women and children.

It was important, because it brought ready money to people at a time when cash was almost unbelievably scarce; and also the children received a certain amount of education by their contact with other people in the mills. But it was not long before people began to realize that the employment of children was not entirely in the interest of childhood, although for 75 years, perhaps, the system ran along much as it was begun. From 1866, when, under Horace Mann, the first Massachusetts commission undertook to inquire into the labor of children and its meaning in social life, until the present time, the interest in the problem of child labor has never ceased, and the conviction has grown steadily and overwhelmingly that the employment of children, instead of being an advantage to the Commonwealth or the children, was distinctly costly to the Commonwealth because distinctly injurious to the child.

I do not know what people will think 130 years hence about our legislation, but we are certain that they may not think exactly as we do, just as we do not think exactly as men thought in the beginning of the nineteenth century. And hence it seems to me extremely important, in view of the rapid changes in our time in the thought of the people as to what constitutes the right of children, and in view of what has taken place in the last decisions of the courts, that this amendment to the Constitution should be made so elastic and useful to the rights of children, as public conviction may grow and conclude to give to these children a more and more just and even generous share of what our country has to offer to its young. I thank you.

STATEMENT BY SENATOR SHORTRIDGE

In the Secretary's letter he invited our attention to his tenth annual report, and particularly to certain pages containing his observations on child labor, beginning at page 111 and carried down to page 114, which, with the permission of the committee, I will read and carry into the record. It is as follows:

"CHILD LABOR

"The subject of child labor has been given very careful attention in the last year, and a number of important surveys have been made to ascertain the extent of this unhealthful economic factor.

"The reports of the Bureau of the Census would indicate that more than a million children between the ages of 10 and 16 are engaged in gainful work in industry. The details reveal that children between 10 and 15 years to the number of approximately 666,900 are engaged in the sugar-beet fields, the cotton fields, and the onion fields of the land. Apparently the usual method is to employ whole families by contractors to work in these fields. The children work with the adults usually from sunrise to sunset, walking in a stooped position or crawling through the fields, pulling up the weeds, pulling up beets and onions, cutting the tops from these, and also in picking cotton. There are a number of definite movements of these families composed largely of children from State to State where these agricultural industries thrive.

"More than 50,000 children are employed as spinning girls and doffer boys in textile factories. Children in the cotton mills, it is reported, work 60 hours a week, and those over 14½ years old work nights. Thousands do industrial home work stringing beads, pulling threads from lacework, etc.

"This condition of children in industry under supervision of parents or near relatives seems to have gone on without interruption while the national child labor laws were in force. It is doubtful whether any legislation of the type heretofore enacted or thus far contemplated would reach this evil, or children working in agricultural pursuits or in the homes under the supervision of their parents or close relatives.

"Under the previous administration the custom grew up of suspending the operation of the immigration laws on the Mexican border to permit the importation of Mexican families for the purpose of working in cotton fields and sugar-beet fields. After carefully reviewing the whole situation I reached the conclusion that this was not only unauthorized by law but was really encouraging the most flagrant form of child labor. It is true that these industries are really suffering for help, but it seemed to me improper to permit the importation of so-called cheap labor in the form of the labor of women and children in order to supply the market. I feel that it is a practical aid toward eliminating child labor when we create conditions which will require that adults or people above the age of 16 shall do this work."

A complete survey would indicate that 1,500,000 American children are now the victims of premature toil in the mines and mills and factories and fields and homes of this country. This is all wrong. The great problem of our childhood is of the utmost importance to the perpetuity of the Nation. Our children are entitled to a life that will conserve their strength while young and that will educate their minds and hearts so that they may be efficient when they grow to maturity.

Forty-two States out of the forty-eight have adopted so-called child labor laws, some of which are highly developed and rigidly enforced. Others are rather rudimentary and indifferently enforced. The manufacturer in the State where children under the age of 16 years are permitted not to work at all and where those above 16 and below 18 are permitted to work only under certain restricted conditions and regulations complain that they are subject to unfair competition by competitors who manufacture in States where there are no laws on the subject of child labor or where the laws are not comprehensive and practically not enforced. A remedy must be found to meet this condition. There are those who advocate uniform child labor laws by the States, believing that it is a subject which should be dealt with only by the States. On the other hand, there are those who advocate the adoption of an amendment to the Federal Constitution giving Congress exclusive power to deal with the subject. Regardless of which method may be adopted, it is urgent that some method should be adopted which will forever blot from the escutcheon of this Nation the black spot of child labor which still exists in some form in some places.

Long-continued hours of toil at a time when the bones and the muscles of the body of the child are undeveloped bring about a condition which retards its development. We are told that at times in some places children of 12 years or thereabouts are compelled to labor 8 and 10 hours and 12 hours per day in employment which so exhausts them that their nerves are frazzled when night comes, and they are unable to sleep. The destiny of such poor victims seems clear. When they reach the age of manhood or womanhood, instead of being able to do their share of the world's work and do it effectively and efficiently, they are wrecks physically, mentally, and morally, a large percentage of them landing in the poorhouse or in the madhouse or the jail, or a premature grave. There is not a single defense that can be urged in favor of this awful system, and every instinct of humanity prompts its abolition. But, beyond the instinct of humanity, ordinary wisdom and prudence of any government will prompt it to conserve the physical, mental, and moral fiber of its growing childhood merely from the standpoint of insuring the perpetuation of the government.

The decision rendered by the United States Supreme Court on May 15, 1922, in the case of Bailey & Bailey *v.* The Drexel Furniture Co., to the effect that the child-labor tax was unconstitutional, has provoked widespread discussion as to what shall be the next step in the control of child labor. In a previous decision (Hammer *v.* Dagenhart) the Supreme Court declared unconstitutional an act which closed the channels of interstate and foreign commerce to the products of child labor. The court seems to have made the issue clear—either to give up the plan of a Federal minimum and rely solely upon the States, or to undertake to secure a Federal amendment definitely giving to Congress the power to pass a child labor law. Both the first and second Federal child labor laws sought only a minimum national standard. State laws that were higher were still operative and were enforced by State machinery. An amendment giving to Congress the right to establish a Federal minimum and leaving to the States the right to raise and not lower standards, thus securing to the children all the advan-

tages of our Federal form of government, is being advocated by the most representative organizations of women, trade-unions, the National Consumers' League, and the National Child Labor Committee.

PROCEDURE OF FEDERAL COURTS IN CHILDREN'S CASES

Although the principles governing the juvenile court have been accepted, in theory at least, by every State but two, our Federal laws, like the old criminal law, make no distinction between adults and children. In consequence United States courts, save those operating in the District of Columbia, are still proceeding against little children by the ordinary methods of arrest, detention in jail with adults, indictment by the grand jury, and final discharge or sentence of fine or imprisonment. Needless to say, this practice is very apt to leave an indelible impression upon the mind of the child injurious in its effect upon their later lives. Under this system a child of 7 or 8 years of age, should he in innocent mischief break a corner mail box, would be subject to the same treatment—the same arrest, detention, trial, and punishment—as would be meted out to the inveterate criminal who committed a like offense with intent to rob and plunder mail shipments of bullion made from the Federal Treasury. A report issued by the Children's Bureau during the year, entitled "The Federal Courts and the Delinquent Child," has called attention to the extent of this problem and the urgent need for remedial legislation. The United States should lead and not lag far behind the States in the care that it gives children who come under its jurisdiction.

Mr. GEORGE. Mr. President, I understand, of course, that under the unanimous-consent agreement the debate is limited to 15 minutes after 5 o'clock. In the remaining time, a quarter of an hour, of course one can not discuss at length or in detail this proposed constitutional amendment. I wish to discuss it, though, as briefly as I can, and regret very much that I have not found the time at some previous hour in the debate to go into the matter at some length.

I want, first of all, to call attention to an argument that has been heard—an argument addressed by some Senators at least to themselves—that it is only fair to permit the States to have the opportunity to vote on this question; that is to say, that it is only fair that the question be submitted to the States in order that the people of the States may vote upon the question. The fifth article of the Constitution, of course, provides that the Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution; but there is also another method of proposing amendments to the Constitution, and that other method robs those Senators who insist upon submitting this amendment to the States, and who assert that they are unwilling to deny the States the right to vote upon it, of any possible excuse upon that ground, if, indeed, they need an excuse, which is not implied in the remark.

That other provision is that on the application of the legislatures of two-thirds of the several States the Congress shall call a convention for proposing amendments to the Constitution. Therefore, whether we here in the Congress by two-thirds vote of both Houses submit the question to the people of the several States or to the legislatures of the several States or not, the people of the several States, through their legislative bodies, have the right to compel Congress to provide for and to call a convention through which an amendment to the Constitution may be proposed.

There is, therefore, nothing in the proposition that we should be unwilling to deny to the States the right to vote upon this question. Neither is there anything in the further objection made or further argument submitted that we merely propose the amendment, and that the responsibility for the enactment of the amendment is thereby passed to the legislatures in the several States, or three-fourths of them. As the Senator from Missouri [Mr. REED] this morning so ably pointed out, if we assume that position, and if we say that we will merely put the matter up to the legislatures of three-fourths of the States, the legislatures of three-fourths of the States can turn upon us and say, "We will ratify the constitutional amendment merely because two-thirds of both the House of Representatives and the Senate have submitted it to us for our ratification."

There is, therefore, in both of the arguments to which I have referred, if you can dignify them as arguments at all, stripped, nothing substantial upon which any Senator can stand; and, Mr. President, I should like to say for myself that when it is submitted to me that an amendment granting the Federal Congress the power to do a certain thing is passed and ratified, it is, of course, understood that the Congress will never exercise the power, that is but little removed from insult. The very suggestion itself is, it seems to me, wholly unworthy of the Senate. That we here should strive to procure a majority, a two-thirds majority in this body and a two-thirds majority in the House, authorizing the submission to the legislatures of the several States of an amendment to the Constitution granting to the Congress power, at the same time asserting that we never expect to exercise the power, that we never expect to exercise the power to the limit, is little removed from an insult to a man who values his intellectuality. Of course, the Congress will exercise the power. What other reason is there for granting the power if the Congress is not to exercise it?

The Senator from California in concluding his remarks said that, in his judgment, the Congress would perhaps never pass a child labor law, discriminating, of course, between a mere joint resolution proposing an amendment to the Constitution and an act of the Congress. Then why grant the power? He also admitted that perhaps the Congress never would prohibit the labor of children above 14 years. Every single State in the Union now prohibits the labor of children under 14 years of age. Why grant the power unless we intend to exercise it, and why grant the power unless it is intended to prohibit the labor of children who are themselves more than 14 years of age? There is nothing in the argument, and there is nothing worthy in the suggestion.

So far as I am concerned, Mr. President, I would vote against the amendment if it were proposed to give to the Federal Government power to limit or regulate or prohibit the labor of children 10 years old, because I am voting against it on principle, and I am seeking no excuse, I am seeking no subterfuge behind which I can hide on this important question.

I am not voting against it because I am in favor of child labor. I absolutely oppose child labor. I will go into my State, as I have done, and plead for a law that will prevent the employment of children in industry up to 16 years of age, and beyond that, if it is shown to me that the employment of children is taking place in industry injurious to health or to morals of the children. This is not, as the Senator from Missouri [Mr. REED] tried to point out, and did with great ability point out, an effort to get authority to enact a child labor law. This is not a constitutional amendment which, by its terms, is designed to give to the Congress the power to prevent child labor. The proponents of the measure have abandoned the very use of the word "children." Those who have framed it have not dared to put the word "children" in this amendment. They have said "persons." Why "persons," if it is a child labor amendment? The word "child" is not used. The word "children" is not used, but they have said "persons under 18 years of age." They know very well that a person 18 years of age is not, according to the usual acceptation of the term, a child, even in law, and they know very well there is not an American State to-day that possesses the power and that can validly exercise the power which they seek here to give to the Federal Government.

Merely because the concrete proposal is meritorious or the concrete object those who advocate this measure have in mind is meritorious, and merely because it is easier to concentrate upon the Federal Congress, rather than upon the legislative bodies of the 48 States, and merely because those who succeed in putting through the Congress any amendment to the Constitution have thereby the greater prestige of Federal success and recognition, we are faced with this proposal to amend the Constitution.

It is not a child labor amendment to the Constitution. It does not contemplate, when full force is given to the language of this resolution, the enactment of child labor legislation. As I have said, the word "child" is nowhere used in it. Even those who propose it can not stand in the clear light of truth and of reason and of honorable debate and say that it is a child labor proposal.

It is a proposal to restrict the labor of "persons," just exactly what the resolution says. It is true that they do for the time being limit the age of those persons to 18 years, but the Senator from California [Mr. SHORTRIDGE], who takes part, at least, of the responsibility for the proposal here, has said that the time might come when it would be necessary to raise the age limit to 21, and every syllable of his argument is just as valid in favor of conferring upon the Federal Government the absolute power to prohibit the labor of all persons regardless of sex or of age.

Indeed, outside of the one sentiment that appeals to the heart of every man, that is, the sentiment to protect the little children—the little boy and the little girl—who have to bend themselves to the duties of the world and of life, outside of that very human sentiment, which I share as fully as any man in this body and as fully as any person who has contributed a single moment's thought to the framing of this legislation and to the propaganda behind it, outside of that sentiment there is not an argument that has been advanced, there is not an argument that can be advanced, which can not be

asserted in behalf of a grant of power to the Federal Government to prohibit the labor of any person, regardless of age.

Children not alone suffer by virtue of hard labor. Old men and old women suffer because of the rigors of hard labor. Even young men and young women, in the prime of life, often find health broken and destroyed because of the demands of their employment. It would be idle to assert the contrary, and outside of the fact that the children of to-day, of course, are the citizens of to-morrow, and that we have a keen interest in their welfare, the arguments advanced in this body and elsewhere are just as applicable to the full grant and unrestricted grant of power to the Federal Government.

Mr. President, Senators speak of the Nation, and they say that this is one Nation and not 48 nations. So it is; but the very language employed by Senators and the very phraseology used by Senators indicate the clear difference, it seems to me, between this proposal and any valid child-labor proposal. This is not *a* nation, and right there is the difficulty about it. This is *the* United States. This is the United States and a government peculiar.

The General Government did not grant to the people any power. Neither did the State governments grant to the people any power. The liberties of an American are in no sense derivative. They came not from any king, or emperor, or government, in charter or imperial decree, or even in a written constitution. The people of the United States started out upon the assumption, upon the express premise, that they themselves were the repositories of all political power. They never claimed for themselves absolute power. Yet Senators are excited because the General Government has not absolute power. If there was anything hateful to the men who formed this Government, it was the very thought of absolute power, against which they were rebelling. The men of the American Revolution, and those who framed the Constitution, did not take up arms because they were suffering under bad laws, but they took up arms because they were not willing to submit to the tyranny of bad principles of government. That is all there is to it.

Yet now, 135 years after the establishment of our Nation, a Nation that rose as a protest through all time against the tyranny of wrong principles of government, men propose, and because the immediate object is good and desirable are willing to sacrifice every principle of government in order that they may write a statute, in order that they may fulfill the demands of the immediate moment, gratify the wishes of organized blocs and societies, and express the sentiment of the country through a legislative act.

Mr. President, I said that every grant of power to the State government was made by the people, and every grant of power to the Federal Government was made by the people, and the tenth amendment to the Constitution means something when it declares that all power not granted to the General Government, nor prohibited to the States, is reserved to the States or to the people, respectively.

There is nothing new in the American system of government save the philosophy of it. There is nothing new in the idea of a written constitution. Every one of the charters granted by the English king was in writing. There is nothing new in the theory of representative government, as valuable as we have found that principle to be. We borrowed it from the Saxons. There is nothing new in the principle of the division and distribution of public powers. Montesquieu had taught it. There is not a word of language that is new, even in the great Bill of Rights in our Constitution, because long before the representatives of the States met at Philadelphia to frame that Constitution there had been written into the Great Charter of England this same enumeration of personal immunities which we know as our Bill of Rights, contained in the first 10 amendments to our Constitution.

There is one thing new in that Constitution, and but one thing, and that is this: That the individual as a responsible moral being has certain indefeasible rights, and that among those indefeasible rights, which never came from government and have been granted to no government, State or National, is the right of man to pursue his own calling and his own happiness in the manner best suited to him, according to his judgment, always having in view a regard for the general or the common welfare.

But one problem confronted the founders of this Government, and that one problem was to reconcile human government with this concept of liberty, with this indefeasible right, with this prerogative of the man as a responsible moral being, and here we are, after all these years under the Constitution, with an indifference that might characterize a less worthy and honorable body, proposing to change our Constitution, and proposing to change the very concept of our Government, by granting now to the Federal Government what the people have all along refused to grant to any government, even the immediate government over them, which is at all times readily subject to the will of the people themselves.

The proposal is staggering. Ninety per cent of the Senators who shall vote for it have not participated in debate, nor have they listened to anything said here in the Senate on the subject. I do not mean to say that they are not informed, and thoroughly informed. I do not mean to say that they have not made up their minds long, long ago, because evidently they have, and probably nothing that could be said here would alter or change their opinions; but that does not remove the one fact, and that fact is the large fact in the history of this Nation to-day, that when it is proposed that the people shall delegate to the National Government a power that they have always held unto themselves, and have never given to their most intimate local government, 90 per cent of this body is not here to listen to the debate, or to add their counsel to those of us who have remained steadily and constantly here.

The future historian will record that fact as an indication of the looseness with which we consider the essential principles involved in our system of government. At no other time in the history of the Nation could that have been true. But we have given in so much, the States have been called upon so often to ratify constitutional amendments, the people have been called upon so often to grant further power either to the State or to the Federal Government, that we have become indifferent to it. Almost every subject upon which the State can levy a tax for its support has been swept from the State and has been taken in charge by the Federal Congress. The very sources of revenue from which the States can derive their support have been denied them. Yet not until this hour, not until this time, has it been possible to witness the precise picture now presented to the country during the debate on this question.

Mr. President, I desire to repeat what I have already said, and that is that the principle involved in the legislation is the most vital principle in the whole system of our Government. It is the one vital principle, indeed, in our system of government. To preserve this indefeasible right of the individual as a responsible, moral being we set up the Government, but we were very careful to grant to the General Government powers expressly defined and precisely limited. We were very careful to reserve to the States all of the political power not granted to the General Government. But back of the day when we wrote our Constitution, when some of the same men who framed that Constitution met in solemn assembly and enumerated the rights and powers even of the States, they followed a general enumeration of powers with the general declaration:

> And any other thing which free and independent States may of right do.

It was the first appeal in the whole history of human government to the supremacy of the moral law. It was the first serious recognition of liberty as the indefeasible prerogative or right of the individual as a responsible, moral being. This liberty they sought to safeguard in a written Constitution. They set up a system of checks and balances. They established a system of representative government. They then recited the personal immunities which Englishmen had enjoyed for more than two centuries. Then they said that there should be a judiciary to safeguard those personal immunities. But they did it all for one purpose and for one only, in order that they might preserve to themselves and their posterity forever that liberty which they were unwilling to concede as being in any sense derivative, but which they insisted from the first was an indefeasible and inalienable right of the individual as a moral and responsible being.

That is our system of government, and yet Senators talk about a nation, and when they talk about "a" nation I am convinced that any nation would do them. I am convinced that any nation that we might set up or devise would be just about as satisfactory to them—"a nation" with the emphasis on the "a." It is not "a" nation. It is "The United States of America." But men who can be controlled by that argument are perfectly willing to take Pope's dictum and say:

> For forms of government and principles of government let fools contest.

I share no such sentiment. I subscribe to no such doctrine now or hereafter. I subscribe to the doctrine that I would rather live under bad laws if I am permitted to live under good principles of government, than to live under bad principles of government and risk all to the future tender sensibilities of a legislative body or a voluntary committee appointed to indicate just how far the Congress will go and only how far it will go, and who are ready with abundant assurance that the Con-

gress will never go beyond a certain point. That argument could not impress any man. There would be no necessity for any written constitution, as the Senator from Missouri [Mr. REED] just suggests to me. That is true. There would be no necessity for any limitation of power in the General Government. There would be no necessity of any limitation of power granted to the State government. They could rest it all upon the assurance of the self-appointed committee that the law-making power would never abuse any sort of authority that it might have, though absolutely unlimited.

I would like to think that the American Congress would not abuse its power, but I can not forget that the men who wrote the Declaration of Independence, the men who framed the Constitution in Philadelphia, and the men who set it up, and back of the Constitution the men who fought for the independence and liberty of the country, deemed it necessary and advisable—yea, they regarded it as imperative—that a constitution be reduced to writing, that the General Government, furthest removed from the people, least subject to their will and to their wishes, should exercise only general powers, powers expressly defined and precisely and accurately limited in so far as they could use language to do so. I can not forget that even within the States, even when they were dealing with the more intimate governments immediately above them, they were yet careful to delegate to the State governments only such powers as they wished the States to exercise, and they reserved unto themselves the powers that were not the subject of a government grant to them in the first instance.

The Senator from Missouri [Mr. REED] very correctly said this morning, and it can not be successfully disputed, that no American State, not a single American State, possesses a police power to unreasonably declare that a lawful act by a person who is himself not injuriously affected thereby, and whose act does not affect anyone else injuriously, shall be unlawful. Every American State in the exercise of that broad power of self-preservation, which we call the police power, can regulate child labor, can prohibit it, and can fix, of course, the age, provided that the age fixed has some reasonable relevancy to the subject of the legislation, has some reasonable foundation or basis in fact. But no American State can prohibit such lawful labor of persons, and persons are the ones dealt with in the pending joint resolution, and not children—persons under 18 years of age.

Mr. President, I do not want to discuss the question on the basis of the utter folly of the amendment. That it is entirely useless must be conceded when 48 States in the Union of 48 States have now child labor laws, the minimum age in each State being fixed at 14 years. There is no excuse for the grant by the people of this power of life and death over them. When every State has a child labor law, and the minimum age is 14, there can not be any necessity for the amendment proposed.

I would not argue it upon the basis that it is not a proper function of some government to regulate and even to prohibit the labor of little children 14 years of age—I am perfectly willing to say 16 years of age—in any industry, in any mine, in any cannery, in any other place where the labor or the employment of the child is injurious to the child's health or to the child's morals or interferes with the education of the child. I do not argue the test of the amendment on that basis at all, but I am trying to present my views on the broader questions involved. I am trying to say and have tried to say that it is of very little importance whether the law under which we live is at a given time wise or unwise, good or bad. I am trying to say what the men of the American Revolution said by their life and by their blood, that it is of the utmost importance whether free men are permitted to live under correct principles of government.

The people always can be depended upon to correct merely a bad law, to reach merely an existing evil; but when the people have allowed themselves to be stripped of the principle upon which they have risked their liberty and their existence as a nation, then the existence of the Nation and the liberty of the people is gone, not necessarily immediately, not necessarily next year or the year after, but ultimately gone.

I am not surprised that Senators stand here and say "a nation," "a nation"; certainly, any nation, any sort of a nation, any sort of principles, any sort of government. Our fathers were willing to fight and to die for what they believed to be the correct principles of government, and yet their descendents now seek to accomplish one single immediate good—and I concede that it is a good, an unmixed good—and are willing to say "any government, a government, but permit us to have the power of life and death in so important a question as this. Grant to us the power which we never will use, but grant us the power. It makes no difference about the principle involved, let us have the power. It makes no difference about the principle involved or the kind of government that we preserve if we can have but what we ask."

Mr. HEFLIN obtained the floor.

Mr. REED of Missouri. Mr. President, will the Senator from Alabama yield to me to offer an amendment?

Mr. HEFLIN. Certainly.

Mr. REED of Missouri. I desire to offer an amendment in order that it may be pending.

The PRESIDING OFFICER (Mr. BURSUM in the chair). There is an amendment now pending.

Mr. REED of Missouri. What amendment?

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware [Mr. BAYARD].

Mr. REED of Missouri. When was it offered?

The PRESIDING OFFICER. On last Saturday.

Mr. REED of Missouri. On Saturday I offered the amendment which I now propose to call up. I would like to know which amendment was offered first.

Mr. OVERMAN. The Senator from New York [Mr. WADSWORTH] offered the first amendment.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kansas?

Mr. REED of Missouri. Just a moment, Mr. President.

Mr. HEFLIN. I will yield in just a moment.

Mr. CURTIS. I simply desired to know whether there was a pending amendment.

The PRESIDING OFFICER. There is a pending amendment, and the Chair so announced. The pending amendment is the amendment offered by the Senator from Delaware [Mr. BAYARD].

Mr. REED of Missouri. The Senator from Alabama may proceed. I understand that the Senator from Delaware has an amendment pending, but I shall negotiate with him in reference to the matter.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Page, its Clerk, announced that the House had passed the bill (S. 2257) to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act, as amended, and the vocational rehabilitation act, as amended, with amendments, in which it requested the concurrence of the Senate.

WORLD WAR VETERANS

Mr. REED of Pennsylvania. I ask the Chair to lay before the Senate the action of the House on the bill just returned to the Senate.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2257) to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act, as amended, and the vocational rehabilitation act, as amended.

Mr. REED of Pennsylvania. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. REED of Pennsylvania, Mr. SMOOT, and Mr. WALSH of Massachusetts conferees on the part of the Senate.

AMENDMENT OF NATIONAL DEFENSE ACT

Mr. WADSWORTH. Mr. President, I submit the concurrent resolution which I send to the desk, and I ask unanimous consent for its immediate consideration.

Mr. McKELLAR. Let the resolution be read, Mr. President.

The PRESIDENT pro tempore. The Secretary will read the resolution for the information of the Senate.

The principal clerk read the concurrent resolution (S. Con. Res. 15) as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be requested to return to the Senate the bill (S. 2169) entitled "An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes."

Mr. McKELLAR. What is the necessity for the resolution?

Mr. WADSWORTH. Mr. President, I can explain the resolution in a sentence. Unfortunately, in the enrolling of the bill referred to in the resolution, an amendment was included in it which had actually been stricken out in conference. It is a clerical error on the part of the enrolling clerk. The bill,

however, is now in the hands of the President. The mistake has just been discovered and the bill must be recalled to Congress in order that the Presiding Officers of the two bodies may be permitted to re-sign it in its corrected form.

Mr. McKELLAR. What is the nature of the bill?

Mr. WADSWORTH. It is an omnibus bill containing certain amendments to the national defense act, affecting the National Guard.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

The concurrent resolution was considered by unanimous consent, and agreed to.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. HEFLIN. Mr. President, there ought to be good reason for amending the Constitution when Senators vote to take that step. The amendment here proposed reads as follows:

SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

SEC. 2. The power of the several States is unimpaired by this article, except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

Mr. President, if I should vote for such an amendment I should feel that as a Senator sent here from Alabama for the purpose of protecting the rights of my State I was deliberately surrendering them. Why should I vote to permit Congress to have jurisdiction over matters that belong purely and wholly to the government of my State? I do not think that I am called upon to surrender these rights when the people who sent me here expect me to protect and preserve them.

It was stated in the hearings in the other House that Alabama had an ideal child labor law, and I am proud of that fact. If Alabama has such a law as we claim to have, why can not other States do as Alabama has done? Why should I, coming from a State that has a good law on the subject, vote to take away from my State the right to legislate upon the question and confer that right upon Representatives and Senators living thousands of miles away?

What shall we be doing, Mr. President, when we pass this joint resolution? We shall be saying, in effect, that our States are incompetent to act or that they will refuse to act or have refused to act. Little by little Senators are voting to take from their States the sovereign rights which are theirs; and, Senators, you are going to have to meet the issue sooner or later, because the people are going to wake up; they are not going to send men to this body continually to vote to take away from the States right after right and confer these powers upon Congress.

Every government that has passed away did so because one right after another of local government was surrendered to the national government, as is sought to be done in this instance. Jefferson said that we should have a State government, a local government, for local purposes, and a Federal Government or National Government for national purposes, or general purposes, as he put it.

Who knows best what to do within the confines of a Commonwealth—the men and women who constitute that Commonwealth, the legislature sitting at the capital of that Commonwealth, or somebody up in New England? Who shall say what we shall do in the Southern States in matters of this kind? Let us rely upon the States and trust them to do the thing necessary to protect the rights of the various States. This is the most far-reaching proposition that I have seen submitted to Congress since I have been here. It proposes that Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

As was pointed out here the other day in the able speech of the Senator from Delaware [Mr. BAYARD], Christ himself, the Son of Man and the Savior of the World, was a laborer, a carpenter when 12 years old. Yet some Senators think that Congress must pass laws to tell a farmer in my State with a boy—a big, husky fellow of 16 or 17 years of age—when the old man needs him to chop cotton and hoe corn and to do other things about the premises, that he shall not work that boy in the field unless he is 18 years of age. That is what we shall be confronted with next. "Congress has passed a law." "Well, how did Congress do it?" "Why, the Senators and Representatives whom you sent there submitted an amendment to the Constitution, and enough of the States ratified it, and now you are confronted with a statute upon the subject under which you can not put that boy to work; you must go out there yourself, old man, and continue to toil in the heat of the day while the boy shoots craps and loafs on the streets and spends his time in idleness."

Idleness is a bad thing for a boy. To teach him to loaf is the worst thing that can be done for him. Yet we are going to propose by an act of Congress that a boy shall not work in the field until he is 18 years of age. A Government inspector will come around, as the able Senator from Missouri [Mr. REED] suggests to me, and ask the farmer, "Are you working in the field any of your children under 18 years of age?" The old farmer will look at him in astonishment and say, "I commenced working in the field when I was 10 or 11 years old, and my boys are working in the field." The inspector will say, "All right. Take this slip of paper and report at the courthouse on Saturday; you are violating a Federal statute." So the old man goes up and under a statute that will be enacted here ultimately pays a fine for making his boy work to help produce something with which to support the family and to lay aside something with which to pay for that boy's tuition when he goes to school in order that he may have an education. Senators, it is high time we were stopping to think about what we were doing here.

Where is the justice in the enactment of such a proposal as this? I have not heard one scintilla of evidence here which would justify me in voting for a measure of this kind. Because somebody gets up a little propaganda or writes a letter and urges a measure of this sort, should I bow and smile and say, "Yes, I will support it; I will be very glad to please you. I know it is striking a deathblow at the sovereign rights of the States, but I guess it is all right; I will vote those rights away. It is true that I was sent here to safeguard and protect those rights, but I will cheerfully vote to surrender them." I am going to preserve these rights to the best of my ability. We are sent here to safeguard the principles of our Government and the institutions of our country, and yet some seemingly are eager to surrender them.

Jefferson also said that "the people least governed are the best governed." Senators, we are passing too many laws and the people are getting tired of it. Congress is passing laws that the States ought to pass; Congress is reaching the hand of Federal interference into every State in the Union, and it is high time that it were being stopped. Is there ever a better time than the present to stop an abuse of that sort, especially when the effort is being made to give Congress the right to say who in the States shall work and who shall not work under 18 years of age?

Some one made the point here the other day that if a boy were kept from working until he is 18 years old, then, if there should happen to be a war, the Government would take him, for 18 years is the draft age. We drafted men to go to France who were 18 years old. So the old man would not have the help of his boy for even one day on the farm if such measures should be enacted by Congress.

Mr. BROUSSARD. Mr. President, may I interrupt the Senator?

Mr. HEFLIN. I am glad to yield to the Senator from Louisiana.

Mr. BROUSSARD. I suggest that under the law boys may enlist in the Army and Navy at 18 years of age without the consent of their parents even in time of peace.

Mr. HEFLIN. Yes; they can enlist now. So the law graciously enacted by Congress under this amendment will protect a boy from work until he is 18 and then when the old man arms him and equips him with a hoe the boy may say, "I do not like the hot sun and the green grass; I believe I will enlist in the Army or the Navy." Then the Federal Government may say, "He is beyond your reach and control." Senators, it looks to me as if we are proposing some very ridiculous propositions here, and some of these days the people are going to wake up and are going to ask "What were you doing when these efforts were being made to take these rights away from the States?"

The Senator from Georgia [Mr. GEORGE] in his able speech told us a little while ago about the Federal Government reaching into the States and disturbing their sources of revenue. They are taking over the very resources upon which the States should rely to meet the expenses of the State government. That is another instance of Federal interference.

I recall an incident in the Constitutional Convention, when the Federal Constitution was being written. When the question arose as to who should fix the qualifications of voters it was suggested that they should be fixed by the Federal Government; but Benjamin Franklin took the position that the States, and the States alone, should say who should or should not vote. I can understand how at that time they might have fixed one standard and have permitted the Federal Govern-

ment to say who should vote and thus established the same qualifications in every State in the Union; but even at that day so jealous were they of the sovereign rights of the States that they left the determination of the qualifications of voters to the States and said that the States, and the States alone, should say who should be entitled to vote and what the qualifications of the voters should be.

Now it is proposed that the Federal Government shall interfere even with the parental care and control of children.

The PRESIDING OFFICER (Mr. BURSUM in the chair). The 15 minutes to which the Senator from Alabama is entitled on the resolution have expired.

Mr. HEFLIN. I think the Chair must have counted some of the time that was taken up on the proposed amendment to the resolution.

The PRESIDING OFFICER. The Senator can have 15 minutes on the amendment.

Mr. HEFLIN. I will say a few words on that, then, Mr. President.

If they thought then that each State should decide for itself who shall exercise the right to vote, who shall cast the ballot, how much more should we permit each State to say what shall be done to protect the children in that State. Why should the Federal Government go into the business of enacting laws to say what boy or girl should work in my State, when my State is perfectly competent to pass such laws, and it has shown its interest in and solicitude for children to the extent that it has the best law in the Union? Other States in the South have passed child labor laws. Why should we surrender our rights and go and vote for an amendment to the Constitution on that subject?

Mr. President, here is one of the things we shall be confronted with here, and we might just as well meet it now: Those who are interested in various reforms find that it is easier to come to Congress and work on Congress and get a bill passed through Congress than it is to go to 48 States. That is their reason, Mr. President. What should be your reason and mine? Should we surrender and vote with them, rather than put them to the trouble of doing that through the States, as they should do it? Let them go into each one of the 48 States and say: "Your law needs amending in this or that particular," and let them go to the State legislatures; but that would take too long, and this work of destroying local self-government is going on at a rapid rate, and we are helping them, because it is more convenient for them to come and put a law through Congress than it would be to take up the matter with each one of the States.

I am in favor of protecting our children. No Senator in this body would vote more quickly to do that which would be best for them. My State has done that. South Carolina, North Carolina, Georgia, Mississippi, Texas, and other Southern States, have done that. Why not go to the States that have not done that and point them to the States that have, rather than come here and ask Congress to vote to put in the Constitution a proposition like this:

SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

What am I doing when I vote for a law like that? I am saying that I put the authority of Congress over the authority of my State; and I do not feel that I have the right, as a Senator, to surrender that right of my State.

Mr. President, the boll weevil is playing havoc with the South. It is making it harder every year for us to produce any cotton at all. When the boll weevil attacks a cotton square and deposits its egg, that square often falls to the ground, and I have seen little children 8 and 9 and 10 years old just running down these cotton rows, and they would pay them so much per dozen for picking up these squares, and they would burn the squares and destroy the crop of boll weevils that were coming forth. Children can do that very much quicker than grown people can do it, and they have them out in the cotton fields. It is good for the children to take the exercise, to be in the open air, and they are making money by doing it; and here we come along with a constitutional amendment saying to them, "You can not let those children go out there."

Senators, if you put this thing through you are going to hear from it from the farmers of this country. The farmer's business is different from any other kind of business. He has to work from sunup to sundown, and a little more sometimes, but you are going to undertake to regulate the hours of labor on the farm.

I know what is coming. I see it right in this legislation, and you are going to have trouble on your hands. You are building up in Washington a strong centralized government. You are destroying, year after year, the rights of the States. The day will come, if it is not checked, and checked speedily, when we will have a top-heavy centralized government with one-man rule at Washington, and then the people will ask, when it is too late, "Who surrendered all these rights?" If the people of the States could vote directly on this proposed amendment they would defeat it by an overwhelming majority.

Mr. BROUSSARD obtained the floor.

Mr. REED of Missouri. Mr. President, I wonder if the Senator will let me straighten out this matter of amendments now, and their order?

Mr. BROUSSARD. I shall be glad to do so, provided the time is not deducted from my time.

Mr. REED of Missouri. Mr. President, the Senator from Delaware [Mr. BAYARD] has consented—and I think I can say I am authorized to speak on his behalf—to withdraw his amendment in order that the amendment which I send to the desk may be first considered.

I ask to have the amendment read.

The PRESIDING OFFICER. The Senator from Delaware withdraws the amendment offered by him.

Mr. REED of Missouri. I formally offer this amendment, and then, of course, the floor belongs to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Missouri offers an amendment to the joint resolution.

Mr. REED of Missouri. Let it be read. It was printed, but so that nobody can understand it.

The PRESIDING OFFICER. The amendment will be read.

The READING CLERK. It is proposed to amend the joint resolution by adding at the end of section 1 the words "who are engaged in occupations other than agriculture and horticulture."

Mr. REED of Missouri. I offer that amendment.

The PRESIDING OFFICER. The amendment is before the Senate as in Committee of the Whole.

Mr. BROUSSARD. Mr. President, a great many very able arguments have been made, and I think that in a general way the amendment now proposed has been fully discussed. I have a few remarks to make. It is very probable that I shall necessarily repeat what others have said, but my aim is to cover such arguments as have appealed to me that have not been covered.

Since my membership in this body I have had occasion frequently to talk with Senators who voted to submit constitutional amendments, and who stated that they had been opposed to the amendments, but had voted for their submission because whenever any one proposed an amendment they felt that there was no harm in submitting that amendment for ratification by the several States. I have had occasion, before this amendment was offered, to consider this question; and I believe that the attitude of those Senators who in the past have taken that position, and those who on the present amendment propose to take that attitude, is not one which is in keeping with the duties which the people of their respective States have intrusted to them.

I wish to call attention to the fact that the article of the Constitution under which amendments are proposed to the several States reads as follows:

The Congress, whenever two-thirds of both Houses shall deem it necessary, * * * or, on the application of the legislatures of two-thirds of the several States—

Shall propose amendments or call a convention for the purpose of proposing them.

Mr. President, you will notice that this article of the Constitution provides that a Senator or a Member of the House is justified in voting for the submission of an amendment to the Constitution only when he deems it necessary to submit such an amendment. If one will rise and state that in his opinion he deems it necessary that this amendment be submitted, there can be no question as to his duty in the premises; but whenever a Senator casts a vote to submit an amendment which in his opinion and according to his oath is not deemed necessary, he not only violates the spirit of the Constitution, but he misrepresents the judgment which the people who sent him here have expected him to exercise.

Mr. President, it is certain that two-thirds of the legislatures of the several States have not petitioned us on this subject. Not a single petition from a single State has been submitted to this Congress requesting the submission of this amend-

ment. Therefore I can see no reason for a Member of the Senate concluding that he wants to have his people go to the expense and take the trouble to register the will of the legislature of the State that he represents, when not a single petition has come from his State and none has come from any other State asking that this amendment be submitted.

Mr. President, it is not necessary to submit this amendment if those who propose it merely desire, as they claim, to bring about the enactment of child-labor laws. It has been stated by every one of those who have addressed the Senate that every State in the Union has a very good law upon the subject, with the exception possibly of three, which some of the proponents of this measure deem inefficient or insufficient; but it is a fact that every State in the Union has a compulsory education law, so that the enforcement of the educational laws of the several States will ensure that the child's education and proper mental training is not interfered with.

I notice that the Senator from Illinois [Mr. McCORMICK], who I think was the author of this joint resolution proposing the amendment, referred to the "employment" of children. My purpose in rising is to show exactly what this amendment is. It is not one to prohibit the *employment* of children. It is one which would prohibit the *labor* of children.

The Members of the Senate who have been from day to day advocating relief measures for the farmers it seems to me have overlooked one fact which is clearly established in the hearings both in the House and in the Senate. The reason the word "employment" has been superseded by the word "labor" is made clear to anyone who reads the hearings. It was stated that the parent who requires his child to perform any sort of work, the boy, say, to milk the cows, or to herd the stock, or the wife who requires a young girl 16 or 17 years of age to assist in the housework, is not employing, because employment necessarily implies compensation, and the object here is not merely to reach those who are employed for gain or for wages, but is to prevent the *labor* of persons under 18 years of age.

For instance, in the Senate hearings I find that Miss Grace Abbott, Chief of the Children's Bureau, said:

> The children often work with their parents and are not on the pay roll and are not held to be employed, and we feel that it is a dangerous word to use.
>
> Senator JOHNSON. That is, you prefer "labor"?
>
> Miss ABBOTT. Yes.

Thus, Mr. President, it is clearly demonstrated that the word "employment" was objectionable because there was an attempt to reach the chores which children had to attend to on the farms and in the homes.

On page 36 of the House hearings the chairman, Mr. GRAHAM, addressing Miss Abbott, said:

> Mr. GRAHAM. This being a general power, it includes the power to regulate labor upon the farms and in agriculture?
>
> Miss ABBOTT. Yes.
>
> Mr. MONTAGUE. You would give them just as much regulatory power as to farming as you would to mines or any other work or occupation?
>
> Miss ABBOTT. Yes; as far as the power goes.

So that it is clearly shown in the hearings that they are not concealing the fact that they are not aiming to reach the child which is forced to labor in a factory or one that is working in gainful pursuits for wages. They practically concede that that field has been thoroughly covered by the State laws on the subject. What they wish to do is to reach out into every home and to cover such labor as is performed by all persons under 18 years of age.

When one stops to think of the number of additional inspectors and visitors who will be called upon to perform the inspection duty under this proposed amendment, it will be seen that the number will be so large as to greatly interfere with the proper administration of our farms and of the work in the homes.

I wish to call attention to the fact that if we were to call a roll of the Senate and ask each Senator as he rose when he began to labor under the definition of the amendment proposed here there would not be five Senators who would not have violated such laws as the Congress might, under this delegation of power, have enacted.

The other day during the discussion I called attention to the fact, which the Senator from Alabama [Mr. HEFLIN] has just again referred to, that under the present laws a young man 18 years of age may enlist in the Army or the Navy without the consent of the parents. These laws have been on the statute books for a long time.

We have passed a maternity bill, which seeks to take control of the child even before birth, and now, after birth, there is an attempt to have an amendment submitted which will give control and regulation of all children up to 18 years of age. So that if this amendment is ratified, supplemented by the two laws to which I have made reference, parental authority will be absolutely a negative thing, and the parent will be not only deprived of his natural right but in every community there will be some one whose business it will be to see that the laws we pass are observed, and any work of any kind, be it ever so light or beneficial to a young man or a young girl, may result in a visit from one of these Federal inspectors, who will reprimand the parent for daring to assert his authority as against the laws of the United States enacted under this amendment to the Constitution.

The PRESIDING OFFICER. The 15 minutes of the Senator have expired.

Mr. BROUSSARD. I wish now to address myself to the pending amendment.

The PRESIDING OFFICER. The Senator will proceed.

Mr. BROUSSARD. Mr. President, I think there have been some very able arguments made upon this question. The arguments advanced are not unfamiliar to me. I opposed the eighteenth amendment, not so much because I was opposed to prohibition as that I considered it a departure from the principles underlying the United States Constitution. I found against the adoption of that amendment the same reasons which some of the Senators who then voted for its submission now find against the submission of this proposed amendment.

My conception of the Constitution is that it is a limitation of the powers delegated to the Federal Government, and that it never was intended to contain any inhibition against the personal liberty or the perfect independence of action of any State in the Union.

I also opposed, for the same reason, the nineteenth amendment—not that I was opposed to woman suffrage but because I believed, as I believe now, that women would be better safeguarded had they obtained their suffrage through State enactments. I represent one of the Southern States. I thought it was a very serious error for the Constitution of the United States to be so amended as to give the power to the Federal Government to intervene in our State elections. Many of us have viewed the adoption of that amendment as a dangerous thing, and we may still live to see some day when political necessity might force a political party to overrun the South, as they did immediately after the war.

I believed that the States should be jealous of the powers which the framers of the United States Constitution so wisely reposed within their keeping; that they should never surrender them; and for that reason I opposed the nineteenth amendment, and on the same principle I feel compelled to oppose this proposed amendment.

I can not conceive how any Senator who does not approve of this amendment can vote for this joint resolution, because under the Constitution I believe his duty is to vote against it, unless he feels that the amendment is absolutely necessary. I think that every Senator here should weigh carefully this amendment, and after weighing it, should he find that it is not absolutely necessary, he should vote against the joint resolution.

I hope that if there is any chance of passing this joint resolution some amendments to the proposed amendment to the Constitution may be adopted so as to modify or greatly lessen the harm which I believe would result from its ratification.

Mr. REED of Missouri. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Edge	Lenroot	Reed, Pa.
Ashurst	Edwards	Lodge	Robinson
Bayard	Fess	McCormick	Sheppard
Borah	Fletcher	McKellar	Shields
Brandegee	George	McKinley	Shortridge
Brookhart	Gerry	McLean	Simmons
Broussard	Glass	McNary	Smith
Bruce	Gooding	Mayfield	Smoot
Bursum	Hale	Moses	Stanley
Cameron	Heflin	Neely	Stephens
Capper	Howell	Norbeck	Sterling
Caraway	Johnson, Calif.	Norris	Swanson
Colt	Johnson, Minn.	Oddie	Trammell
Copeland	Jones, N. Mex.	Overman	Wadsworth
Cummins	Jones, Wash.	Pepper	Walsh, Mass.
Curtis	Kendrick	Phipps	Walsh, Mont.
Dale	Keyes	Pittman	Watson
Dial	King	Ransdell	Willis
Dill	Ladd	Reed, Mo.	

The PRESIDENT pro tempore. Seventy-five Senators have answered to their names. A quorum is present.

Mr. REED of Missouri. Mr. President, I ask that the pending amendment may be reported for the advice of the Senate.

The PRESIDENT pro tempore. The amendment will be read for the information of the Senate.

The READING CLERK. At the end of section 1, after the word "age," insert the words "who are engaged in occupations other than agriculture and horticulture," so as to read:

The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age who are engaged in occupations other than agriculture and horticulture.

Mr. WALSH of Montana. Mr. President, I shall spend no time in the discussion of the joint resolution on its merits as they would be addressed to us were it a subject of first impression. We are here, it seems to me, under a mandate from which none of us can honorably escape. The subject has been debated and discussed now for 10 years, and both of the great major political parties have repeatedly declared in their platforms in favor of it. The action of the Congress heretofore has been so overwhelmingly in favor of the principle that I think the time has gone by for discussion as to whether the matter is wise or unwise.

Senate it was passed by the following vote—yeas 50, nays 12. The present joint resolution under consideration now by the Senate was passed in the House by the following vote—yeas

In 1916 both political parties declared in favor of a child labor law. The Democratic platform of that year contained the following:

We favor the speedy enactment of an effective Federal child labor law and the regulation of the shipment of prison-made goods in interstate commerce.

The Republican platform of that year said:

We favor vocational education; the enactment and rigid enforcement of a Federal child labor law.

Pursuant to those declarations and immediately after the conventions were held the original child labor act of 1916 was passed. It was, as it will be recalled, adjudged by the Supreme Court to be unconstitutional, and again an effort was made to enact a law pursuant to the platform declarations of 1920. The Democratic platform for that year declared as follows:

We urge cooperation with the States for the protection of child life through infancy and maternity care; in the prohibition of child labor, and by adequate appropriations for the children's bureau and the women's bureau in the Department of Labor.

The Republican platform declared:

The Republican Party stands for a Federal child labor law and for its rigid enforcement. If the present law be found unconstitutional or ineffective, we shall seek other means to enable Congress to prevent the evils of child labor.

The act of 1916 was passed by the following vote in the House—yeas 337, nays 46. In the Senate it was passed by the following vote—yeas 42, nays 14. The 1919 act was passed in the House by the following vote—yeas 312, nays 11. In the 297, nays 69. That seems to me to express the overwhelming sentiment of the people of the United States in favor of Federal control and legislation upon this particular subject; and if platform declarations mean anything whatever, every one of us elected since 1916 is pledged.

Mr. BRUCE. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield for a question, bearing in mind that I have only 15 minutes.

Mr. BRUCE. I shall not interrupt the Senator, that being the case.

Mr. WALSH of Montana. I thank the Senator.

There is pending a proposal to limit the amendment so as to exclude the employment of children in agricultural and horticultural pursuits. We have listened to a very vigorous and eloquent argument about how legislation could be enacted which would make a criminal of the farmer who directed his boy 14 years of age to go out and tend the stock. I am not at all alarmed about that kind of argument. I am going to assume that in the future, as in the past, the Congress of the United States which will be called upon to enact legislation will consist of men who have some reasonable degree of common sense, and they are not going to enact any such legislation as that.

Why, Mr. President, if we are going to hesitate to repose power in any body because that power may be abused we shall have to stop legislation altogether. We can refer to numerous provisions of the Constitution of the United States under which, if the powers were exercised to their limit, the most disastrous consequences would ensue, but those consequences never do ensue because legislation of that character is never enacted.

By way of illustration, we have a great power to tax. We repose in the Congress of the United States the power to tax without limit whatever, and as John Marshall said the power to tax is the power to destroy. Our whole wealth can be taken away from us by the action of the Congress of the United States under the taxing power, but we do not hesitate to give it because we know perfectly well the Congress of the United States is not going to enact any such legislation.

There is the power to make treaties. Under the power to make treaties, I undertake to say that the Senate and the President of the United States combined could cede Montana to the British Empire and attach it to the Dominion of Canada, but are we going to deny to the Senate and to the President of the United States the power to make treaties because, forsooth, they may make treaties which would be destructive of the integrity of the United States?

We have the power to expel members of this body. There is no limit whatever. By a two-thirds vote this body may expel any of us at any moment, and no questions asked about it, for any cause that two-thirds of this body may deem sufficient. Shall we take that power away? Shall we limit it because forsooth it may be arbitrarily and unjustly exercised under certain circumstances? That is no argument at all.

Mr. President, the Congress of the United States is never going to pass such legislation under this power if it is granted to Congress, as some seem to fear. When we passed the act of 1916 we confined its operations exclusively to the mines, quarries, mills, and factories, leaving agriculture entirely untouched by it. Such as a matter of course will be the conduct of the Congress in the future under this power.

It is suggested that the age limit ought to be reduced from 18 years to 16 years or even less. However the idea may be inculcated and however the suggestion may be made in order that it may be entertained outside of this body, I apprehend there is no Member of this body who is sufficiently uninformed about the matter to imagine that this denies the right of a child to labor who is under 18 years of age.

All talk about the benefit to and the development of children by labor, and by hard labor at that, is entirely aside from the question. Everybody agrees that it is necessary for the development of childhood to have a child walk in the proper way; but Congress is not going to enact any legislation preventing the labor of children except in those lines in which the health or the normal development or the growth of the child will be impeded.

Mr. OVERMAN. If the power is never going to be used, why give it?

Mr. WALSH of Montana. The power is to be given to Congress to point out particular vocations that will be injurious, and to enact legislation accordingly; but we are going to trust to Congress to ascertain whether a particular employment is or is not injurious to the child. We have got to repose confidence in the judgment of Congress.

Mr. President, a very erroneous idea, I observe, is entertained concerning the age limit in the statutes of the various States. I have caused to be compiled a synopsis of the statutes of the various States with reference to the question of the age limit, and I myself am surprised to learn from that synopsis there is hardly a State in the Union which does not have some legislation in relation to child labor reaching to at least the age of 18 years, and in many cases reaching to the age of 21 years. The law of Arizona, for instance, provides that children under 18 are prohibited from employment as messengers in telegraph, telephone, or messenger service between 10 p. m. and 6 o'clock a. m. In Arizona children under 18 years of age are prohibited from employment in specified dangerous or injurious occupations. In Arkansas, for children from 16 to 18, maximum hours of employment are provided in any occupation. In California girls under 18 are prohibited from being employed as messengers for telegraph, telephone, or messenger companies. In Colorado, as to children under 18, the Minimum Wage Commission enacts legislation. In Connecticut children under 18 are prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph or messenger companies.

Mr. BROUSSARD. Mr. President, will the Senator yield?

Mr. WALSH of Montana. For a question.

Mr. BROUSSARD. Does the Senator make any distinction at all between the word "employment," which he used in connection with these statutes, and the word "labor," as proposed in this amendment?

Mr. WALSH of Montana. Why, of course I do. I do it for a most important reason. I visited in the city of Manila, a

year ago, a cigar manufactory that was conducted in the most commendable way. Everything about it was sanitary. A day nursery was provided for the children of women employees, and in every way it was commendable. I saw a little child no more than 7 years old working there alongside of his mother. I do not mean to say that any damage was being done; but how did he come to be there? They have a child labor law there, a labor law against employment only, and the proprietor told me: "That boy is not employed here. We do not pay him anything. We pay his mother so much per piece, and he helps her at her request." So, Mr. President, it is found that in order to reach this case you can not confine the restriction to the employment of children, but in order to reach the case, you have to prohibit them from laboring at all in these avocations.

Mr. President, I am not going to read all of this, but you can go clear down the list and there is hardly a State in the Union which does not have statutes generally applicable to the employment of children 18 years of age, or special statutes prohibiting their employment at particular hours or in particular avocations.

I ask that this list be printed in the RECORD as an appendix to my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See Appendix.)

Mr. WALSH of Montana. There is just one other question, Mr. President.

It is likewise suggested here that we ought to submit this amendment to conventions called in the various States for that purpose, in accordance with the provision of the Constitution which provides that the resolution, having been adopted by two-thirds of both Houses, shall be submitted either to the legislatures of the various States for ratification, or to conventions called in each State, as the one or the other method may be prescribed by Congress.

We have been in existence now for over 130 years, and during those years, constituting practically all of our existence, no one amendment has ever been submitted for ratification to conventions called in the various States; but in every instance the amendments have been ratified by the action of the legislatures of the various States. Now, I inquire what is there about this particular amendment which ought to require us to depart from the practice which has the sanction of 130 years of experience? Of course, Mr. President, we understand perfectly well that it is merely to put another obstacle in the way of this reform which the Congress of the United States has twice indorsed and the House of Representatives has now three times indorsed, each time by an overwhelming vote.

What does this mean? This means that when the matter is submitted to the legislature there will be a fight in the legislature about when the convention shall be called and about the representation and the gerrymandering of the State in order to get the proper delegation in the convention. Of course, conventions of this character are expensive. The State would have to hold an election in order to elect delegates to the convention. The convention itself would be an expensive procedure for the State, and, of course, some man honestly desirous of economy in expenditure—and economy must be exercised in State expenditures if we are to get out of this slough in which we are—will urge, "Let us not call a convention; let us not make any provision for it." Finally when that hurdle is overcome and this matter goes to the people again a fight is had over it. I do not think there is any occasion for that procedure. Nothing has transpired in our history, it seems to me, to suggest that we ought to depart from the procedure that has guided us and which we have followed ever since we became a nation.

When we do eventually adopt an amendment concerning the method by which proposals for the amendment of the Constitution shall be ratified it will be time enough to follow that course. Meanwhile, I think that we ought to pursue the practice which has always obtained in the past.

APPENDIX

Examples of State laws[1] regulating employment of minors between 18 and 21 years of age

(This summary omits laws relating to seats for girls, sanitation where women and children are employed, payment of wages to minors, requirements that employer keep lists of minor employees, post hours, etc.; minimum-age provisions, like those for telegraph operators, apparently passed rather for the safety of the public than the welfare of the minor; hours of labor provisions applying to all workers, both adults and minors; laws placing under juvenile-court jurisdiction children found begging or peddling on the streets; and prohibitions of distribution of immoral literature, etc. Laws fixing minimum ages and hours of labor for females only, without mentioning minors of either sex, which are found in practically all States, would, of course, apply to minor girls, but these are omitted because the basis for regulation of women's work may be considered to be somewhat different from that for regulations applying to minors.)

ALABAMA

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment as messengers in telegraph, telephone, or messenger service between 10 p. m. and 6 a. m. (Acts of 1919, No. 629, sec. 4.)

Girls under 18 prohibited from work in street trades, including distributing or selling newspapers or other articles. (Acts of 1919, No. 629, sec. 13.)

Persons under 21 prohibited from employment in establishments where intoxicating liquors are manufactured or sold. (Acts of 1919, No. 629, sec. 4.)

Persons under 21 prohibited from employment in pool or billiard rooms. (Acts of 1919, No. 629, sec. 4.)

ARIZONA

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in specified dangerous or injurious occupations, including work in, about, or in connection with blast furnaces, smelters, oiling dangerous machinery in motion, work where dangerous explosives are manufactured or stored, or in any employment determined by the State board of health to be dangerous or physically or morally injurious to children under 18. (For complete list of occupations prohibited, see Revised Statutes, 1913, Civil Code, title 14, ch. 2, sec. 3127.)

Boys under 18 prohibited from employment underground in mines (all females prohibited from such employment). (Revised Statutes, 1913, Civil Code, title 34, ch. 3, sec. 4079.)

Persons under 21 prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph or messenger companies in incorporated cities or towns. (Revised Statutes, 1913, Civil Code, title 14, ch. 2, sec. 3130.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls 16 to 18: Maximum hours for employment in any gainful occupation other than agricultural pursuits or domestic service, 8 per day, 48 per week; night work in the same occupations prohibited between 7 p. m. and 7 a. m. (Revised Statutes, 1913, Civil Code, title 14, ch. 2, sec. 3131.)

ARKANSAS

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Children 16 to 18: Maximum hours for employment in any occupation, 10 per day, 54 per week, 6 days per week; night work prohibited between 10 p. m. and 6 a. m. (Acts of 1914, Act No. 1, sec. 6.)

CALIFORNIA

DANGEROUS OR INJURIOUS OCCUPATIONS

Girls under 18 prohibited from employment as messengers for telegraph, telephone, or messenger companies in towns of more than 15,000 inhabitants. (Acts of 1919, ch. 259, sec. 3.)

Boys 16 to 18 prohibited from employment between 9 p. m. and 6 a. m. as messengers for telegraph, telephone, or messenger companies in towns of more than 15,000 inhabitants. (Acts of 1919, ch. 259, sec. 3.)

Girls under 18 prohibited from work in street trades, including sale or distribution of newspapers and other articles, bootblacking, etc., in cities of 23,000 or over. (Acts of 1919, ch. 259, sec. 3½.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Children under 18: Maximum hours for employment in any occupation (with certain exemptions), 8 per day, 48 per week; night work in the same occupations prohibited between 10 p. m. and 5 a. m. (Acts of 1919, ch. 259, sec. 2.) Industrial Welfare Commission fixes the same maximum hours and a night-work prohibition between 7 p. m. and 6 a. m. for children under 18 in factories and canneries.

Children under 18 must not be employed in any occupation (except in agricultural pursuits and domestic service) for a greater number of hours each day than will, if added to the number of hours that he is compelled to attend school, equal eight hours. (Acts of 1919, ch. 506, sec. 7.)

GENERAL REGULATIONS

Children under 18: The Industrial Welfare Commission has power to fix minimum wages and standard conditions of labor and hours of

[1] The laws relating to sale, etc., of intoxicating liquors may have been in some cases repealed, at least by implication, by later prohibition laws, but they are illustrative of cases where a need for regulations may be felt.

employment for children under 18 as well as for women. (Acts of 1913, ch. 324, sec. 6, as amended by Acts of 1921, ch. 279.)

CONTINUATION-SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school required to attend continuation school under certain specified conditions. Time spent in attendance at school is to be counted as part of the legal working hours. (Acts of 1919, ch. 506.)

COLORADO

GENERAL REGULATIONS

Children under 18: The minimum wage commission (industrial commission) has power to fix minimum wages and standard conditions of labor and hours of employment for children under 18 as well as for women. (Acts of 1917, ch. 98.) This law is inoperative because of lack of appropriations, but it is still on the statute books.

CONNECTICUT

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph or messenger companies in cities of population of 20,000 or over. (Acts of 1917, ch. 261.)

Children under 18 prohibited from running freight or passenger elevators running at a speed of over 200 feet per minute. (Acts of 1911, ch. 123, sec. 3.)

DELAWARE

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in a number of specified dangerous or injurious occupations, including the operation of any polishing or buffing wheel, work in establishments where dangerous explosives are compounded, and the running of hoisting machines or dynamos. (Revised Code 1915, sec. 3148, as amended by acts of 1917, ch. 232.)

Persons under 21 prohibited from employment between 10 p. m. and 6 a. m. as messenger for telegraph, telephone, or messenger companies in places of over 20,000 population. (Revised Code 1915, sec. 3150, as amended by acts of 1917, ch. 232.)

Persons under 21 prohibited from employment in places where intoxicating liquors are sold, except where sold for medicinal or scientific purposes. (Revised Code 1915, sec. 3149, as amended by acts of 1917, ch. 232.)

DISTRICT OF COLUMBIA

DANGEROUS OR INJURIOUS OCCUPATIONS

Persons under 21 prohibited from employment in selling or distributing intoxicating liquors. (37 Stat. 997.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls under 18: Night work in manufacturing, mechanical, mercantile, and other specified establishments prohibited between 6 p. m. and 7 a. m. (38 Stat. 291.)

FLORIDA

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment as messengers for telegraph, telephone, or messenger companies between 10 p. m. and 5 a. m. (Compiled Laws 1914, sec. 2642k.)

Children under 18 prohibited from cleaning machinery while in motion. (Compiled Laws 1914, sec. 2642n.)

Persons under 21 prohibited from employment in any pool room, billiard room, brewery, saloon, or barroom where intoxicating liquors are manufactured or sold. (Compiled Laws 1914, sec. 2642j, as amended by acts of 1915, ch. 6018.)

GEORGIA

NONE FOUND

NOTE.—There is a provision fixing a maximum 60-hour week for all employees, with certain exemptions in cotton and woolen manufacturing establishments. (Code 1914, Civil, sec. 3187.)

IDAHO

DANGEROUS OR INJURIOUS OCCUPATIONS

"Minors" prohibited from employment in serving intoxicating liquors to customers or in handling such liquors or packages containing them in breweries or other places where they are prepared or offered for sale. (Acts of 1911, ch. 159, sec. 172.)

ILLINOIS

CONTINUATION-SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to go to work are required to attend continuation school eight hours per week under specified conditions. Time spent at school is to be counted as part of the legal working hours. (Provision requiring attendance up to 18 years of age becomes effective September 1, 1925; provision now in effect requires attendance up to 17 years of age.) (Acts of 1919, p. 919, as amended by Acts of 1921, p. 815.)

INDIANA

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in a considerable number of dangerous or injurious occupations, including oiling and cleaning moving machinery, operation of abrasive, polishing, or buffing wheels, operation of elevators, work in places where high explosives are manufactured or stored, or work in any other dangerous or injurious occupations. (Acts of 1921, ch. 132, sec. 23.)

Children under 18 prohibited from employment as messengers for telegraph or messenger companies between 10 p. m. and 6 a. m. (Acts of 1921, ch. 132, sec. 23.)

Girls under 18 prohibited from employment in capacity requiring constant standing. (Acts of 1921, ch. 132, sec. 23.)

Persons under 21 prohibited from employment in any public pool or billiard room. (Acts of 1921, ch. 132, sec. 24.)

MAXIMUM HOURS OF LABOR AND PROHIBITION OF NIGHT WORK

Girls 16 to 18: Maximum hours for employment in any gainful occupation other than farm labor or domestic service, 8 per day, 48 per week, 6 days per week; night work in the same occupations prohibited, 7 p. m. to 5 a. m. (Acts of 1921, ch. 132, sec. 21.)

EMPLOYMENT CERTIFICATES

Children 16 to 18 required to obtain certificates for employment in any occupation with certain exemptions. To secure this certificate certain requirements must be met (compliance with an educational standard, physical fitness, etc.) (Acts of 1921, ch. 132, sec. 19.)

Children 16 to 18 employed at any occupation except farm labor or domestic service must, whenever so required, submit to a physical examination by a medical inspector of the State industrial board or a physician designated by such board, and if child is found physically unfit for the occupation in which he is employed his employment certificate shall be revoked. (Acts of 1921, ch. 132, sec. 20.)

Minors 16 to 21: Provision is made for issuance of an employment certificate to minor 18 to 21 upon request by employer. (Acts of 1921, ch. 132, sec. 19.)

CONTINUATION-SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to go to work are required to attend continuation school for from four to eight hours a week under certain specified conditions. Time spent at school is to be counted as part of the legal working hours. (Acts of 1921, ch. 173.)

IOWA

DANGEROUS OR INJURIOUS OCCUPATIONS

Girls under 18 prohibited from cleaning machinery while it is in motion. (Code 1897, Supp. 1913, 4999–a, 2.)

Girls under 18 prohibited from work in street trades, including sale or distribution of newspapers and other articles, bootblacking, etc., in cities of 10,000 or over. (Code 1897, Supplemental Supplement 1915, sec. 2477–a, 1.)

Children under 18 prohibited from employment between 10 p. m. and 5 a. m. in the transmission, distributing, or delivery of goods or messages in cities of 10,000 or more inhabitants. (Code 1897, Supplemental Supplement 1915, sec. 2477–c.)

Girls under 21 prohibited from employment in any capacity where her duties require constant standing. (Code 1897, Supplemental Supplement 1915, sec. 2477–b.)

KANSAS

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls 16 to 18: Maximum hours for work in factories, with exemptions, 9 per day, 49½ per week, and 6 days per week; night work in same occupations prohibited between 9 p. m. and 6 a. m. (Industrial Welfare Commission Order No. 13, May 19, 1922.)

GENERAL REGULATIONS

Children under 18: The Industrial Welfare Commission has power to fix minimum wages and standard conditions of labor and hours of employment for children under 18 as well as for women. (Acts of 1915, ch. 275, as amended by acts of 1921, ch. 263.)

KENTUCKY

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from cleaning machinery while it is in motion. (Stats. 1915, sec. 331a 10.)

Persons under 21 prohibited from employment between 9 p. m. and 6 a. m., as messengers for telegraph, telephone, or messenger companies in cities of the first, second, or third class. (Stats. 1915, sec. 331a 11.)

Girls under 18 prohibited from work in street trades, including the sale or distribution of newspapers or other articles, bootblacking, etc., in cities of the first, second, and third class. (Stats. 1915, sec. 331a 15.)

Girls under 21 prohibited from employment in occupations requiring constant standing. (Stats. 1915, sec. 331a 12.)

EMPLOYMENT CERTIFICATES

Persons 16 to 21: Provision is made for the issuance of an employment certificate to any minor making application therefor. (Stats. 1915, sec. 331a 4, as amended by acts of 1920, ch. 152.)

LOUISIANA

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 17 prohibited from employment in any place where pool or billiard games are operated. (1912, act 25, sec. 1.)

Persons under 21 are prohibited from employment in cleaning machinery while in motion. (Acts of 1908, act 301, sec. 17.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Boys 16 to 18; girls 16 to 21; law applies also to all females: Maximum hours for employment in factories, stores, etc., or "any other occupation whatsoever" (except agricultural pursuits), 10 per day and 60 per week. (Acts of 1916, No. 177.)

Girls 16 to 18: Night work prohibited in all occupations, with certain exemptions, between 7 p. m. and 6 a. m. (Acts of 1916, No. 177.)

MAINE

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment or to have management or operation of any elevator running at a speed of over 200 feet a minute. (Acts of 1907, ch. 4, sec. 1.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls under 21; law applies also to all females: Maximum hours for employment in manufacturing and mechanical establishments, etc., 9 per day, 54 per week, and in mercantile and other specified establishments, 9 per day, with certain exemptions. (Acts of 1915, ch. 350, as amended by acts of 1923, ch. 198.)

MARYLAND

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in a long list of dangerous or injurious occupations, including employment in or in connection with blast furnaces, docks, or wharves, oiling or cleaning machinery in motion, operation of emery or abrasive polishing or buffing wheels, establishments where explosives are manufactured, etc. (For other employments prohibited, see Annotated Code, vol. 3, art. 100, sec. 21.)

Children under 18 prohibited from employment as messengers between 10 p. m. and 6 a. m. for telegraph, telephone, or messenger companies in cities having a population of 20,000 or over. (Annotated Code, vol. 3, art. 100, sec. 24.)

Persons under 21 prohibited from employment in saloons or barrooms where intoxicating liquors are sold. (Annotated Code, vol. 3, art. 100, sec. 22.)

MASSACHUSETTS

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in long list of dangerous or injurious occupations, including work in or about blast furnaces, oiling hazardous machinery in motion, operation of polishing or buffing wheels, work in establishments where dangerous explosives are manufactured or compounded. (General Laws, 1921, ch. 149, sec. 62.)

Girls under 18 prohibited from work in street trades, including selling newspapers and other articles, bootblacking, etc., in cities of 50,000 or over. School committees in any city or town may make regulations relative to these occupations for girls up to 18 years of age. (Acts of 1921, ch. 410, secs. 69–86; General Laws, 1921, ch. 101, sec. 19.)

Persons under 21 prohibited from employment in or in connection with any saloon or barroom where intoxicating liquors are sold. (General Laws, 1921, ch. 149, sec. 64.)

Persons under 21 prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph, telephone, or messenger companies, with certain exemptions. (General Laws, 1921, ch. 149, sec. 68.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Boys 16 to 18; girls 16 to 21: Maximum hours for employment in manufacturing, mechanical or mercantile establishments, and many other employments, 9 per day, 48 per week (52 per week under certain specified conditions); night work prohibited in the same and other employments between 10 p. m. and 6 a. m. and in the manufacture of textiles after 6 p. m. For all employments in which the minimum age is 14, not covered by the above provisions, the maximum hours are 10 per day, 54 per week, and 6 days per week. (General Laws, 1921, ch. 140, sec. 56, as amended by acts of 1921, ch. 280; sec. 60, as amended by acts of 1921, ch. 410, 66, 67.)

GENERAL REGULATIONS

Children under 18; persons 18 to 21: The minimum wage commission has power to fix minimum wages for children under 18, and in any occupation in which the majority of employees are minors (persons under 21) may fix minimum wages for all such minors as well as for women. (General Laws, 1921, ch. 151, secs. 2, 3, 7.)

EMPLOYMENT CERTIFICATES AND EVENING-SCHOOL ATTENDANCE

Minors 16 to 21 must obtain certificates for employment in manufacturing and mercantile establishments and other specified establishments. If this certificate does not show that minor has met the requirements for the completion of the sixth grade, he must attend evening school if one is established in the town where he resides. (General Laws, ch. 149, sec. 95, as amended by acts of 1921, ch. 341.)

MICHIGAN

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from cleaning machinery while in motion or working at any hazardous employment or where their health may be injured or their morals depraved. (Acts of 1909, No. 285, sec. 11, as amended by acts of 1923, No. 206.)

Children under 18 prohibited from employment in the transmission, distribution, or delivery of messages or merchandise between 10 p. m. and 5 a. m. (Acts of 1909, No. 285, sec. 9, as amended by acts of 1923, No. 206.)

MAXIMUM HOURS OF LABOR AND PROHIBITION OF NIGHT WORK

Boys 16 to 18; girls 16 to 21 (law applies also to all females): Maximum hours for work in factories, workshops, mechanical establishments, and many other employments, 10 per day and 54 per week, with certain exemptions. (Acts of 1909, No. 285, sec. 9, as amended by acts of 1923, No. 206.)

Girls 16 to 18: Night work in manufacturing establishments prohibited between 6 p. m. and 6 a. m. (Acts of 1909, No. 285, sec. 9, as amended by acts of 1923, No. 206.)

EMPLOYMENT CERTIFICATES

Children 16 to 17, in places where continuation schools are established, are required to secure certificates for employment in factories, stores, and a long list of other establishments. To secure this employment certificate, certain requirements must be met (compliance with an educational standard, physical fitness, etc.). (Acts of 1909, No. 285, sec. 10, as amended by acts of 1923, No. 206.)

CONTINUATION-SCHOOL ATTENDANCE

Children 16 to 17 who have left regular day school to go to work are required to attend continuation school eight hours per week under specified conditions. (Acts of 1919, No. 421, as amended by acts of first extra session, 1921, No. 15.)

MINNESOTA

DANGEROUS OR INJURIOUS OCCUPATIONS

Boys under 18 prohibited from employment between 9 p. m. and 5 a. m. as messengers for telegraph or messenger company. (Gen. Stats. 1913, sec. 3849.)

Minors under 18 prohibited from employment in acrobatic performances, etc., or in any practice or exhibition dangerous or injurious to life, limb, health, or morals. (Gen. Stats. 1913, sec. 8682.)

Girls under 18 prohibited from work in street trades, including sale or distribution of newspapers or other articles, bootblacking, etc., in cities of the first, second, or third class. (Acts of 1921, ch. 318.)

Girls under 21 prohibited from employment as messengers for telegraph or messenger company. (Gen. Stats. 1913, sec. 3849.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Minors under 18: Night work prohibited between 6 p. m. and 7 a. m. in "labor of any kind outside the family of his residence" (meaning, apparently, work away from minor's own home). General statutes, 1913, sec. 8682.)

GENERAL REGULATIONS

Girls under 18, boys under 21: The industrial commission has power to fix minimum wages for minors (girls under 18, boys under 21) as well as for women. (General statutes, 1913, secs. 3904–3923; acts of 1921, ch. 84; acts of 1923, ch. 153.)

MISSISSIPPI

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls 16 to 18: Maximum hours of labor in any mill, factory, cannery, or manufacturing establishment, 8 per day, 48 per week; night work in the same establishments prohibited between 7 p. m. and 6 a. m.; cotton mills and knitting mills exempted from both hours of labor and night-work provisions. (Acts of 1908, ch. 99, sec. 2, as amended by acts of 1912, ch. 165; acts of 1914, ch. 164.)

MISSOURI

DANGEROUS OR INJURIOUS OCCUPATIONS

Girls under 18 prohibited from employment in carrying telegraphic dispatches or in messenger service. (Acts of 1919, p. 250.)

CONTINUATION-SCHOOL ATTENDANCE

Children 16 to 18 not in attendance at regular day schools are required to attend continuation school four hours per week under certain specified conditions. Time spent at school is to be counted as part of the legal working hours. (Acts of 1919, p. 681.)

MONTANA

EMPLOYMENT CERTIFICATES

Children 16 to 18, where continuation schools are established, are required to obtain employment certificates for any work during school hours. To secure this certificate, certain requirements must be met (compliance with an educational standard, etc.) (Acts of 1921, ch. 242.)

CONTINUATION SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to go to work are required to attend continuation school four hours per week under certain specified conditions. Time spent at school is to be counted as part of the legal working hours. (Acts of 1921, ch. 242.)

Persons 16 to 21 are required to obtain age certificates for employment in any occupation for which the minimum age fixed by law is 16. (Revised Codes 1907, sec. 1749.)

NEBRASKA

None found.

NEVADA

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in any mendicant occupation, in any indecent or immoral exhibition or practice, or in any practice or exhibition dangerous or injurious to life, limb, health, or morals. (Revised Laws 1912, sec. 6823.)

Children under 18 prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph or messenger companies. (Acts of 1913, ch. 232, sec. 7.)

All minors prohibited from employment as bartenders. (Revised Laws 1912, sec. 6506.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls, 16 to 18: Maximum hours for work in any gainful occupation other than domestic service or farm work, 8 per day, 48 per week. (Acts of 1913, ch. 232, sec. 8.)

EMPLOYMENT CERTIFICATES

Children, 16 to 18, are required to obtain employment certificates for any work during school hours. (Acts of 1919, ch. 85; Acts of 1921, ch. 177.)

CONTINUATION SCHOOL ATTENDANCE

Children, 16 to 18, who have left regular day school to go to work are required to attend continuation school four hours per week under certain specified conditions. Time spent at school is to be counted as part of the legal working hours. (Acts of 1919, ch. 85; Acts of 1921, ch. 177.)

NEW HAMPSHIRE

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph, telephone, or messenger companies. (Acts of 1921, ch. 83, Pt. III (b), sec. 20.)

Persons under 21 (law applies also to all females) prohibited from selling or serving liquors in places where intoxicating liquors are sold. (Acts of 1905, ch. 95, sec. 17, as amend[illegible]y Acts of 1905, ch. 49, sec. 11.)

MAXIMUM HOURS OF LABOR AND PROHIBITION OF NIGHT WORK

Girls 16 to 18: Hours of labor for work at any gainful occupation, other than domestic service and agricultural pursuits, 10½ per day and 54 per week; night work prohibited, with certain exemptions, between 7 p. m. and 6.30 a. m. (Laws of 1921, ch. 85, Pt. III (b), sec. 21.)

Boys 16 to 18, girls 18 to 21 (law applies also to all females not covered by preceding provision for girls 16 to 18): Hours of labor for work at manual or mechanical labor in any employment, with certain exemptions, 10½ per day, 54 per week. (1917, ch. 196, sec. 1.)

NEW JERSEY

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in any mendicant or wandering business or in any immoral conduct or occupation in public highways, etc. (Compiled Statutes, 1910, vol. 2, Crimes, sec. 56, p. 1763.)

Children under 18 prohibited from employment between 10 p. m. and 5 a. m. as messengers or in the performance of other service for telegraph, telephone, or messenger companies, with certain exemptions, in municipalities other than cities of the first class. (Acts of 1911, ch. 363, sec. 1.)

Persons under 21 prohibited from employment between 10 p. m. and 5 a. m. as messengers or in the performance of other service for telegraph, telephone, or messenger companies, with certain exemptions, in cities of the first class. (Acts of 1911, ch. 363, sec. 1.)

Boys under 18 prohibited from employment underground in mines. (Laws of 1919, ch. 187, sec. 25.)

NEW MEXICO

None found.

NEW YORK

DANGEROUS OR INJURIOUS OCCUPATIONS

Boys under 18 prohibited from operation of freight or passenger elevator running at a speed of over 200 feet a minute. (Labor Law, art. 4, sec. 146.)

The Industrial Code, rule 408, fixes a minimum age of 18 for all elevator operators.

Girls under 18 prohibited from operation of any freight or passenger elevator. (Labor Law, art. 4, sec. 146.)

Boys under 18, girls under 21, prohibited from cleaning machinery while in motion. (Labor Law, art. 4, sec. 146.)

Boys under 18, girls (law also applies to all females) under 21, prohibited from operating or using specified types of polishing or buffing wheels under certain conditions. (Labor Law, art. 4, sec. 146.)

Girls under 21 prohibited from employment as conductor guard on any street, surface, electric, subway, or elevated railroad. (Labor Law, art. 4, sec. 146.)

Girls under 21 prohibited from employment as messengers for telegraph or messenger companies. (Labor Law, art. 4, sec. 146.)

Children under 18: Industrial board may adopt rules prohibiting or regulating the employment of children under 18 in any occupation which it may find to be dangerous or injurious to the health of such children. (Labor Law, art. 4, sec. 146.)

Male minors under 21 prohibited from employment between 10 p. m. and 5 a. m. as messenger for telegraph or messenger company in cities of the first or second class. (Labor Law, art. 5, sec. 185.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Boys 16 to 18: Maximum hours for work in factories (except fruit and vegetable canneries between June 15 and October 15), 9 hours per day (10 hours allowed to make shorter work day one day per week), 54 hours per week, 6 days per week; night work prohibited between 12 midnight and 4 a. m. (Labor Law, art. 5, sec. 171.)

Girls 16 to 21: Maximum hours (provision as to maximum hours applies also to all females) for employment in factories same as for boys 16 to 18, above, with certain exceptions for females over 18 employed in canneries; night work prohibited between 9 p. m. and 6 a. m. (Labor Law, art. 5, secs. 172, 173.)

Girls 16 to 21 (law applies also to all females): Maximum hours in mercantile establishments, with certain exemptions, 9 per day (10 hours allowed to make one or more shorter work days per week), 54 hours per week, 6 days per week; night work prohibited 10 p. m. to 7 a. m. Maximum hours in restaurants in cities of the first and second class 9 per day, 54 per week, and 6 days per week; night work prohibited 10 p. m. to 6 a. m. (Labor Law, art. 5, secs. 181, 182.)

Girls 18 to 21 (law applies also to all females): Maximum hours for employment in operation of freight or passenger elevators, 9 per day, 54 per week, and 6 days per week; night work prohibited 10 p. m. to 6 a. m. (Labor Law, art. 5, sec. 183.)

CONTINUATION SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to enter employment must attend continuation school for from 4 to 8 hours per week (if unemployed, 20 hours per week) under specified conditions. Time spent at school is to be counted as part of the legal working hours. (Local boards of education are given till September, 1925, to establish a sufficient number of these schools to accommodate all pupils required by law to attend.) (Education Law, art. 22, sec. 601, as amended by acts of 1919, ch. 531, and acts of 1921, ch. 386.)

GENERAL REGULATIONS

The workmen's compensation act provides that in case a minor under 18 years of age is injured while illegally employed, the amount of compensation or death benefit shall be double the amount otherwise fixed by the act. The employer alone and not the insurance carrier is liable for the additional amount. (Acts of 1923, ch. 572.)

EMPLOYMENT CERTIFICATES

Children 16 to 17, after September 1, 1925, will be required, in cities having a population of 5,000 or over, to obtain employment certificates for work in any occupation, with certain exemptions. To obtain this certificate certain requirements (as physical fitness, etc.) must be met. (Acts of 1921, ch. 386.)

NORTH CAROLINA

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Minors under 21 (the maximum 60-hour week applies also to all females; the 11-hour day to all employees): Maximum hours for employment in factories and manufacturing establishments, 11 per day, 60 per week, with certain exemptions. (Consolidated Statutes, 1919, ch. 108, sec. 6554.)

NORTH DAKOTA

GENERAL REGULATIONS

All minors: State board of administration, which enforces the child labor law (among other laws relating to children), has power

to fix maximum hours, minimum wages, and standard conditions of labor for all minors and to issue orders prohibiting and regulating their employment. (1923, ch. 155, sec. 12.)

OHIO

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in a list of dangerous or injurious occupations, including work in, about, or in connection with blast furnaces, docks, or wharves, running of elevators, etc., operation of polishing or buffing wheels under certain conditions, work in establishments where dangerous explosives are manufactured, compounded, or stored, etc. (General Code, 1912, sec. 13007–3, as added by Acts of 1913, p. 864.)

Girls under 18 prohibited from employment in theaters, or other places of amusement, except on the stage thereof when not prohibited by law. (General Code 1912, sec. 13007–3 as added by Acts of 1913, p. 864.)

Children under 18 prohibited from employment in any occupation determined by State board of health to be sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under 18 years of age to justify their exclusion therefrom. (General Code 1912, sec. 13007–4, as added by Acts of 1913, p. 864.)

Girls under 21 prohibited from employment requiring constant standing. (General Code 1912, sec. 13005, as amended by Acts of 1913, p. 864.)

Girls under 21 prohibited from employment in the "personal delivery of messages." (General Code 1912, sec. 12993, as amended by Acts of 1921, p. 376.)

Persons under 21 prohibited from employment in saloon or barroom where intoxicating liquors are sold or to handle intoxicating liquors in any way. (General Code 1912, sec. 13007–5, as added by Acts of 1913, p. 864.)

MAXIMUM HOURS OF LABOR AND PROHIBITION OF NIGHT WORK

Girls 16 to 18: Maximum hours in factories, workshops, canneries, mercantile, or mechanical establishments, and a member of other specified employments, 8 per day, 48 per week, and 6 days per week; night work in these employments prohibited from 6 p. m. to 7 a. m. (General Code 1912, sec. 12996, as amended by Acts of 1919, p. 532.)

Boys 16 to 18: Maximum hours in factories, workshops, canneries, mercantile or mechanical establishments, and a number of other specified employments, 10 per day, 54 per week, and 6 days per week; night work in these employments prohibited 10 p. m. to 6 a. m. (General Code 1912, sec. 12996, as amended by Acts of 1919, p. 532.)

Girls 18 to 21: Maximum hours in factories, workshops, canneries, mercantile or mechanical establishments, and a number of other specified employments, 9 per day (except that 10 hours per day are allowed in mercantile establishments on Saturday) 50 per week, 6 days per week; night work in these employments prohibited 10 p. m. to 6 a. m. (General Code 1912, sec. 12996, as amended by Acts of 1919, p. 532.)

EMPLOYMENT CERTIFICATES

Children under 18 are required to obtain certificates for employment in any occupation, with certain specified exemptions. To secure such an employment certificate certain requirements must be met (compliance with an educational standard, physical fitness, etc.). (General Code 1912, sec. 7765, as amended by Acts of 1921, p. 376.)

CONTINUATION SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to enter employment are required to attend continuation school 4 hours per week under specified conditions. Time spent at school is to be counted as part of legal working hours. (General Code 1912, sec. 7767, as amended by Act of 1921, p. 376.)

EMPLOYMENT CERTIFICATES

Persons 18 to 21: Provision is made for the issuance of certificates upon presentation of specified evidence of age to any minor between 18 and 21 who wishes to engage in employment and who believes he may be thought to be under 18 years of age. (General Code 1912, secs. 7770–1, as added by Acts of 1921, p. 376.)

OKLAHOMA

DANGEROUS OR INJURIOUS OCCUPATIONS

Girls under 21 (law applies also to females): Prohibited from employment underground in mines. (Constitution, art. 23, sec. 4.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls 16 to 18: Night work prohibited between 6 p. m. and 7 a. m. in factories, factory workshops, steam laundries, and other specified employments. (Revised Laws 1910, sec. 3733.)

CONTINUATION SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to enter employment are required to attend continuation school under specified conditions. Time spent at school is to be counted as part of the legal working hours. (Acts of 1919, ch. 233.)

OREGON

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment to operate freight or passenger elevators. (Lord's Oregon Laws 1910, sec. 5062.)

Children under 18 prohibited from employment between 10 p. m. and 5 a. m. as messenger for telegraph or messenger company. (Lord's Oregon Laws 1910, sec. 5036a, as added by Acts of 1911, ch. 138, sec. 15.)

Children under 18 prohibited from employment in or in connection with any lantern or lantern room of any motion picture theater, or in connection with the operation of any motion picture lantern in any public building. (Order of Industrial Welfare Commission, effective Nov. 14, 1922.)

Girls under 21 (regulation applies also to all females) prohibited from employment as messengers in telegraph, telephone, or public messenger service. (Rulings of Industrial Welfare Commission, Orders 43 and 46, effective Oct. 14, 1919.)

Children under 18 prohibited from employment as engineer or in charge of any logging engine used in logging operations. (Acts of 1911, ch. 74, sec. 1.)

EMPLOYMENT CERTIFICATES

Children under 18 are required to obtain employment certificates before they can be legally employed. To secure this certificate certain requirements must be met (compliance with an educational standard, physical fitness, etc.). (Acts of 1919, ch. 324; see also Lord's Oregon Laws 1910, secs. 5027–5036, all as amended by Acts of 1911, ch. 138.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls 16 to 18: Maximum hours, 9 per day, 48 per week, 6 days per week; night work prohibited after 6 p. m. (Rulings of Industrial Welfare Commission, Order 46, effective Oct. 14, 1919.)

Boys 16 to 18: Maximum hours, 10 per day, 6 days per week. (Rulings of Industrial Welfare Commission. (Order 46, effective Oct. 14, 1919.)

CONTINUATION SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to enter employment are required to attend continuation school five hours per week under specified conditions. Time spent at school is to be counted as part of the legal working hours. (Acts of 1919, ch. 324.)

GENERAL REGULATIONS

Children under 18: The Industrial Welfare Commission has power to fix minimum wages and standard conditions of labor and hours of employment for children under 18 as well as for women. (Acts of 1913, ch. 62.)

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in public dance halls. (Acts of 1923, ch. 17.)

PENNSYLVANIA

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in a number of dangerous or injurious occupations, including oiling or cleaning machinery in motion, operation or use of polishing or buffing wheels, work in establishments where dangerous explosives are manufactured or compounded, etc. Industrial Board of State Department of Labor and Industry may determine what other occupations are dangerous to life or limb or injurious to health or morals of children under 18, and prohibit their employment therein. (Acts of 1915, P. L. 286, sec. 5.)

Children under 18 are prohibited from employment in the following occupations by order of the industrial board:

(1) Outside electrical wiring. (Rule M–2.)
(2) Operating elevators. (Rule M–3.)
(3) Acetylene and electrical welding. (Rule M–4.)
(4) Wire-stitching machine. (Rule M–5.)
(5) Testing electric meters. (Rule M–7.)
(6) On emery wheels. (Rule M–8.)
(7) In and around blast furnaces. (Rule M–9.)

Boys under 18 prohibited from mining or loading coal in any room, entry, or other working place, unless in company with an experienced person over 18 years of age. Act applies only to bituminous coal mines where 10 or more persons are employed inside the mine in any period of 24 hours. (Acts of 1911, P. L. 756, art. 18, sec. 1; Stewarts Purdon's Digest Supp. 1912, p. 414, 428.)

Children under 18 prohibited from employment in certain mendicant occupations, including singing or playing on musical instruments in any street or public place. (Acts of 1879, P. L. 142, sec. 3; Stewarts Purdon's Digest, 1903, v. 2, p. 1875.)

Persons under 21 prohibited from employment in any saloon or barroom where alcoholic liquors are sold. (Acts of 1915, P. L. 286, sec. 5.)

Girls under 21 (provision applies also to all females) prohibited from employment in or about any bituminous coal mine where 10 or

more persons are employed inside the mine in any period of 24 hours except in the office. (Acts of 1911, P. L. 756, art. 18, sec. 1; Stewarts Purdon's Digest, Supp. 1912, p. 414, 428.)

Children under 18 are prohibited from employment in the following occupations by order of the industrial board:

(8) In wholesale liquor houses, clubs, hotels, etc. (Rule M-11.)

(9) In steel mills in connection with roll tables, roll cars, greasers in rolling mills. (Rule M-14.)

(10) Where explosives are manufactured, handled, or stored. (Rule M-27.)

(11) Tanning establishments. (Rule M-21.)

(12) As section hands. (Rule M-22.)

(13) In quarries. (Rule M-26.)

(14) Operating motion picture machines. (Rule M-30.)

(15) On inside electrical wiring (unless assisting trained electrician over 21). (Rule M-17.)

(16) Call boys for railroad companies. (Rule M-28.)

(17) Operating mixing machines in bakeries. (Rule M-33.)

(18) Work on single-acting punch presses. (Rule M-35.)

Girls under 18 are prohibited from employment in the public messenger service. (Rule M-29, industrial board.)

Persons under 21 prohibited from employment between 8 p. m. and 6 a. m. as messengers for telephone, telegraph, or messenger company. (Acts of 1915, P. L. 286, sec. 6.)

Girls under 21 prohibited from work in street trades, including selling or distributing newspapers or other articles, bootblacking, etc. (Acts of 1915, P. L. 286, sec. 7.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls 16 to 18: Maximum hours of labor in factories, workshops, and other specified establishments, 10 per day (except to make shorter workday on one day per week) and 58 per week; night work in the same establishments prohibited between 9 p. m. and 6 a. m. (Acts of 1909, P. L. 283, sec. 5.)

Girls under 21: Night work prohibited in any establishment between 9 p. m. and 6 a. m., girls over 18 employed as telephone operators being exempted. (Acts of 1913, P. L. 1024, sec. 5.)

EMPLOYMENT CERTIFICATES

Persons 16 to 21 are required to present certificates of age issued by the proper officers of the school board on applying for a position in any establishment, or in any occupation. (Rulings of industrial board, rule M-34.)

RHODE ISLAND

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment to operate any passenger elevator. (General Laws 1909, ch. 129, sec. 16, as amended by Acts of 1910, ch. 549.)

Persons under 21 prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph, telephone, or messenger companies. (General Laws 1909, ch. 78, sec. 32, as added by Acts of 1912, ch. 814.)

SOUTH CAROLINA

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph, telephone, or messenger companies. (Acts of 1912, No. 405, sec. 1.)

SOUTH DAKOTA

DANGEROUS OR INJURIOUS OCCUPATIONS

Persons under 21 prohibited from employment as bartender or in any capacity in connection with place or room where intoxicating liquors are sold. (Revised Codes 1903, political section 2844 as amended by Acts of 1909, ch. 247.)

MAXIMUM HOURS OF LABOR AND PROHIBITION OF NIGHT WORK

Girls under 21. (This provision applies also to all females.)

Maximum hours of work in all occupations, with certain exemptions, 10 per day, 54 per week. (Revised Code 1919, sec. 10014, as amended by Acts of 1923, ch. 308.)

TENNESSEE

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment between 10 p. m. and 5 a. m. as messengers for telegraph or messenger company. (Acts of 1911, ch. 57, sec. 4, as amended by Acts of 1917, ch. 77.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Girls 16 to 21 (this provision applies also to all females): Maximum hours of work in factories, workshops, and other specified establishments, 10½ per day, 57 per week, with certain exemptions. (Acts of 1913, first extra session, ch. 12, as amended by Acts of 1915, ch. 144.)

EMPLOYMENT CERTIFICATES

Persons 16 to 21 are required to obtain employment certificates, for which specified evidence of age must be presented, for employment in any occupation for which the minimum age fixed by law is 16. (Acts of 1921, ch. 43.)

TEXAS

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 17 prohibited from employment in any mine, quarry, place where explosives are used, or in or about any distillery or brewery or other place where intoxicating liquors are kept or manufactured. (Acts of 1917, ch. 59, sec. 2.)

UTAH

DANGEROUS OR INJURIOUS OCCUPATIONS

Persons under 21 prohibited from employment between 9 p. m. and 5 a. m. as messenger for telegraph or messenger company in cities of first or second class. (Acts of 1911, ch. 144, sec. 7.)

Girls under 21 prohibited from employment in, about, or in connection with any restaurant, resort, or place of amusement where alcoholic liquors are manufactured or dispensed. (Acts of 1911, ch. 144, sec. 6.)

Persons under 21 prohibited from employment in handling intoxicating liquors or packages containing such liquors, in a brewery or bottling establishment, or in serving liquors to be drunk on the premises. (Acts of 1911, ch. 106, secs. 23, 24.)

EMPLOYMENT CERTIFICATES

Children 16 to 18 are required to obtain employment certificates for work in any occupation during school hours. To secure this certificate certain requirements must be met. (Acts of 1919, ch. 92.)

CONTINUATION SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to go to work are required, under certain conditions, to attend continuation school 144 hours per year. Time spent at school is to be counted as part of the legal working hours. (Acts of 1919, ch. 92.)

VERMONT

DANGEROUS OR INJURIOUS OCCUPATIONS

Girls under 18 prohibited from employment in any capacity where such employment compels her to remain standing continuously. (Acts of 1910, No. 70, sec. 3.)

MAXIMUM HOURS OF LABOR AND PROHIBITION OF NIGHT WORK

Children 16 to 18: Maximum hours for employment in manufacturing or mechanical establishments, mines, or quarries, with certain exemptions, 10½ per day and 56 per week. (Compiled Laws 1917, ch. 242, secs. 5837, 5838.)

VIRGINIA

DANGEROUS OR INJURIOUS OCCUPATIONS

Girls under 18 prohibited from employment in any retail cigar or tobacco store, theater, concert hall, pool hall, bowling alley, or place of amusement, hotel, restaurant, steam laundry, or in any passenger or freight elevator. (Acts of 1922, ch. 489, sec. 13.)

Girls under 18 prohibited from employment as messengers for any telegraph or messenger company or service. (Acts of 1922, ch. 489, sec. 14.)

Boys 16 to 18 and girls 18 to 21 prohibited from employment between 10 p. m. and 5 a. m. as messengers for any telegraph or messenger company or service. (Acts of 1922, ch. 489, sec. 14.)

Girls under 18 prohibited from employment in street trades, including selling newspapers and other articles, bootblacking, etc. (Acts of 1922, ch. 489, sec. 15.)

WASHINGTON

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in any practice or exhibition dangerous or injurious to life, limb, health, or morals, in any mendicant occupation, in any indecent or immoral exhibition or practice, etc. (Pierce's Code, 1912, title 135, sec. 387.)

Children under 18 prohibited from work upon or within dangerous proximity to any cable, rigging, or hazardous machinery. (Order of Industrial Welfare Committee, effective Oct. 27, 1922.)

Girls under 18 prohibited from employment as "shaker" in a laundry, as clerk in selling cigars and tobacco, as messenger or delivery girl in outdoor messenger or delivery service, as bootblack, or in any work in bowling alleys, shooting galleries, etc. (Order of Industrial Welfare Committee, effective Oct. 27, 1922.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Children under 18: Maximum hours for employment in mercantile, manufacturing, printing, laundering, or dye works establishment, and in other specified employments, with certain exemptions, eight per day, six days per week; night work prohibited in the same occupations between 7 p. m. and 6 a. m.

CONTINUATION-SCHOOL ATTENDANCE

Children 16 to 18, who have left regular day school to go to work, are required to attend continuation school under specified conditions four hours per week. Time spent at school is to be counted as part of the working day. (Acts of 1919, ch. 151.)

GENERAL REGULATIONS

Children 16 to 18: The Industrial Welfare Committee of the Department of Labor and Industries has power to fix minimum wages and standard conditions of labor and hours of employment for children under 18, as well as for women. (Acts of 1913, ch. 174; acts of 1921, ch. 7.)

WEST VIRGINIA

DANGEROUS OR INJURIOUS OCCUPATIONS

All minors prohibited from employment to clean machinery (in manufacturing, mechanical, and other establishments) while in motion (Hogg's Code 1913, ch. 15 H, sec. 518.)

EMPLOYMENT CERTIFICATES

Persons 16 to 21: Provision is made for the issuance of age certificates to minors between 16 and 21 years of age upon the request of any employer who wishes to employ any such minor. (Acts of 1919, ch. 17, sec. 5.)

WISCONSIN

DANGEROUS OR INJURIOUS OCCUPATIONS

Children under 18 prohibited from employment in a long list of dangerous or injurious occupations, including work in or about mines, quarries, blast furnaces, docks, or wharves, operating specified types of polishing or buffing wheels, outside erection and repair of electric wires, running elevators, work in establishments where dangerous explosives are manufactured, compounded or stored, dipping, dyeing, or packing matches, etc. (Statutes, sec. 103.05–3.)

Persons under 21 prohibited from employment between 8 p. m. and 6 a. m. as messenger for telegraph or messenger company in cities of first, second, and third class. (Statutes, sec. 103.05–3.)

Girls under 18 prohibited from employment in street trades, including sale or distribution of newspapers and other articles, bootblacking, etc. (Statutes, secs. 1728p to 1728ze.)

Persons under 21: Industrial commission may determine what occupations are dangerous or injurious to minors and prohibit their employment therein. (Statutes, sec. 103.05.)

MAXIMUM HOURS OF LABOR AND PROHIBITIONS OF NIGHT WORK

Children under 18: Maximum hours for employment at manufacturing cigars in cigar shops or cigar factories, 8 per day, 48 per week. (Statutes, sec. 103.05–8(b).)

EMPLOYMENT CERTIFICATES

Children under 17 are required to obtain certificates for employment in factories, stores, and many other enumerated employments. To obtain this employment certificate, certain requirements must be met—compliance with an educational standard, physical fitness, etc. (Statutes, sec. 103.05–4(a).)

Boys under 17 are required to obtain permits for work in street trades, for which certain requirements must be met. (Statutes, secs. 1728p to 1728ze.)

CONTINUATION SCHOOL ATTENDANCE

Children 16 to 18 who have left regular day school to enter employment are required, under specified conditions, to attend continuation school eight hours per week. Time spent at school is to be counted as part of the legal working day. (Statutes, sec. 103.14.)

Girls under 21 prohibited from employment as bell hop in any hotel. (Acts of 1921, ch. 417.)

GENERAL REGULATIONS

Minors (persons under 21): The industrial commission has power to fix minimum wages and standard conditions of labor and hours of employment for all minors as well as for women. (Statutes, secs. 103.05, 1729s–1 to 1729s–12.)

Persons under 21: The workmen's compensation law provides that in case the injured employee be a minor of permit age (14 to 17) employed without a permit, or if he be of permit age or over and employed at a prohibited employment, the amount of compensation or death benefit shall be treble the amount otherwise specified in the act; the employer, and not the insurance carrier, is liable for the additional compensation. (Statutes, sec. 2394–9 (7).)

Persons 16 to 21: The industrial commission is given the duty of organizing and supervising an apprenticeship system for minors between 16 and 21 years of age, and is directed to make rules and regulations governing such apprenticeships. (Statutes, sec. 2377.)

Persons 17 to 21: A method is provided whereby minors claiming to be over 17 years of age who are unable to furnish documentary evidence of age to their employers may establish their age through court proceedings. (Acts of 1921, ch. 185.)

Persons 16 to 21: An indentured apprentice must attend school four hours per week during the first two years of his apprenticeship, and if the apprenticeship is for more than two years, the total hours of instruction must be at least 400. (Acts of 1923, ch. 314.)

WYOMING

None found.

Mr. FESS. Mr. President, the Senator from Montana [Mr. WALSH] has stated, I think, most succinctly and completely the argument from the standpoint of authority, backed by the various political organizations as expressed in their platforms. He might have gone further and indicated that in almost every State likewise the two political parties have taken the same position in their State platforms. He also might have gone further and quoted the authoritative utterances of the leaders of political parties, including ex-President Wilson, ex-President Harding, and also President Coolidge, all of whom were very outspoken, and in no ambiguous terms urged upon Congress this proposed legislation. Democratic spokesmen are claiming credit for child-labor legislation.

President Coolidge strongly urged this resolution in his first message to Congress.

Mr. DALE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Vermont?

Mr. FESS. I yield to the Senator from Vermont.

Mr. DALE. I should like to ask the Senator from Ohio if he knows how the Harriman National Bank stands on this question? That institution, apparently, is authoritative to the extent of quite widespread and expensive propaganda, and I think we ought to know before the vote is taken just where it stands.

Mr. FESS. I must say to my friend from Vermont that I have not taken time to consult the Harriman National Bank. Probably if I should consult that bank I should find it to be against the proposed amendment, and from recent efforts of certain elements that would be one of the reasons why I should have to be for the amendment. I do not think Senators on this floor are taking the dictation or giving much consideration to any particular sordid interest on any particular subject of legislation.

The need of this joint resolution, as I see it, is that when the Federal law was in vogue for three years and a survey was made as to the number of children then employed, it was estimated that there were 1,060,000 employed in what are known as gainful occupations. That survey was made in January of 1920, shortly after the law was passed, during a period of depression, industrially speaking, in the country. Therefore it would not show the true situation, generally speaking, in regard to child employment, for employment was not then at the maximum; there were at least 5,000,000 people out of work due to the aftermath of the Great War. Consequently, those figures are misleading as to the general extent of child labor in industry.

A later survey was made by the Children's Bureau, based on conditions in various cities, and it showed that in 1921 there were more children employed than in 1920, that in 1922 more children were employed than in 1921, and that in 1923, the year of the survey, more children were employed than in 1922.

Mr. WADSWORTH. Mr. President, will the Senator yield at that point?

Mr. FESS. I yield to the Senator.

Mr. WADSWORTH. Will the Senator state that that survey showed more children were employed in 1923 than in 1920, below the standards fixed by the Federal statute which had previously been declared unconstitutional? I want some real testimony on that question.

Mr. FESS. I take it that that is true, although I have not verified that aspect of the matter.

Mr. WADSWORTH. I should be glad to have the Senator point out that survey and its result.

Mr. FESS. According to the report of the census, the number of children from 10 to 15 years of age employed in 1920 was 1,060,000.

Mr. WADSWORTH. Including those employed in agriculture?

Mr. FESS. Including those employed in agriculture, in which pursuit about 600,000 were engaged.

Mr. WADSWORTH. And all gainful pursuits, even though they occupied but one hour's time a day?

Mr. FESS. Yes. However, no one—and the Senator from Montana expressed that thought succinctly—believes that Congress is going to pass any law forbidding legitimate labor on the farm; but if we find children working in onion fields—and the Senator knows what type of work that is—if we find children working in the beet fields—and the Senator knows what type of work that is—and find that the employers want to work children rather than grown people and parcel them out and work

them in one field until it is done and pass them on to another field and send them from Ohio into Michigan, and thus exploit the children, I want that thing stopped——

Mr. WADSWORTH. So do I.

Mr. FESS. And we have got to pass a law that will operate in all the States if the States themselves will not protect those children.

Mr. WADSWORTH. Yes; but what I ask the Senator is this: Upon what basis does he state to the Senate that that has increased since 1921?

Mr. FESS. I state it upon the basis of a survey that was made by the Children's Bureau in specific cities.

Mr. WADSWORTH. Has the Senator a copy of the report of that survey?

Mr. FESS. I can get it for the Senator.

Mr. WADSWORTH. It never has been presented to any committee of the Senate.

Mr. FESS. I will present it.

Mr. WADSWORTH. I mean by that to ask this question: Are there more children employed to-day under the ages fixed by the last Federal statute than there were in 1921?

Mr. FESS. My opinion is that there are.

Mr. WADSWORTH. Under that age, mind you.

Mr. FESS. Yes; I understand.

The PRESIDENT pro tempore. The Chair desires to remind the Senator from Ohio that if he yields for more than a question he yields the floor.

Mr. WADSWORTH. I am only asking a question. I have done nothing else.

Mr. FESS. I have not yielded for more than a question.

Mr. McCORMICK. Mr. President, let me ask the Senator from Ohio if those statistics presented by the Children's Bureau were not based upon inquiry made in some 30 years?

Mr. FESS. Thirty-nine, as I recall.

Mr. McCORMICK. And more especially in relation to permits issued to children under age to work?

Mr. FESS. That is true.

Mr. WADSWORTH. What has that to do with working in onion fields in the country?

Mr. FESS. I am glad to have the Senator make that notation, for the reason that the permits granted do not represent all the children that are working. Any number of them are working without permits; so that that statement would not be accurate, as the statement of 1920 would not be.

I am not fearful of what some of our Senators fear—interfering with State rights. It is true, as the Senator from New York [Mr. WADSWORTH] stated the other day, that the trend is toward extending Federal functions over the States. That has been for years the current. I do not fear it as the Senator fears it. This trend to extend Federal functions over the States is not dangerous unless the State abdicates its own authority and nullifies a law in the States. Whenever a State refuses to enforce a law concurrently with the Federal Government, then the Federal Government ought to step in and enforce it. If the State will pass laws protecting childhood from exploitation, there is no occasion for the Federal Government to step in; and if the Federal Government does step in, it is because the State is not protecting the child.

Many men say that the Federal Government has no function in this matter, that it is going beyond its rights. I do not agree to that. Childhood is the basis of the national wealth of a country. Childhood protection in health and in education is a matter of chiefest concern of the Nation, and we have recognized it in all of our legislation, that wherever the Federal Government can it will give concurrent aid to the State in the thing that ought to be done, where cooperation between State and Nation is conducive to public welfare.

If the State fulfills its duty in this respect, then the Federal Government, of course, will have no occasion to step in. So I am not afraid of the extension of Federal authority over the State, as some of our friends are afraid.

The truth about the matter is that we do not look at this problem and the problem of Federal relations all alike. There are two schools of thought in America. Those two schools are represented here. One school thinks that the State ought to be wholly free, not interfered with in the slightest degree, on matters that pertain to the interests of the people of the State; while another school claims that in matters where the Nation at large is interested the State and Nation ought to have concurrent authority and power with reference to law enforcement. I believe that the latter school is the safer one, and it is the one that we have been recognizing ever since the close of the Civil War; and I do not know of a single instance where a State is suffering because the Federal Government is concurrently cooperating with the State in the performance of a concurrent duty.

There are Members who are opposed to the eighteenth amendment upon that basis. The same ones are opposed to the nineteenth amendment upon that basis. Indeed, I have heard it said that every amendment since the close of the Civil War is a mistake. I do not think so. I have my views about the efficacy of some of the amendments, but the truth about the matter is that I do not believe anyone here would be willing to vote against the extension of franchise to the womanhood of the country. If that be true, I should be surprised. I do not believe, either, that those who are now assaulting the eighteenth amendment seriously think that the time ever will come when there will be any studied effort to repeal the eighteenth amendment. Of course, it never will be repealed; and no State is suffering because the Federal Government is given concurrent authority with the State to enforce these amendments.

The same thing is true with the child labor law. If it were not that the States are derelict in the performance of their duty in the matter, I would not favor the Federal function being extended on this matter; but this we know to be true, that if the Federal Government will pass a law establishing the age below which children must not be employed anywhere in the United States there is not a State in the Union that will not come to that law by the passing of its own legislation. That is the purpose so far as I am concerned in voting upon this joint resolution. Then the Federal Government need not act save and only when the State neglects the enforcement of the protective laws.

Mr. President, so far as the opposition to this general trend is concerned on the ground that we made a mistake in the passage of the Federal reserve act, that we made a mistake, they say, in the Federal aid to education, that we made a mistake in Federal aid to road building, that we are making a mistake in Federal aid on maternity, that we are making a mistake for the last 20 years in this trend of the Federal Government toward assuming a part of its obligation with the State in respect to the people of the State, I do not fear that. All I am asking is that when the Federal Government undertakes the exercise of its authority and powers, if there is involved an appropriation of money, then let the State match the money so that the State is put under an obligation concurrent with that of the Federal Government. That much I am urging, but, Mr. President——

The PRESIDENT pro tempore. The time of the Senator from Ohio on the amendment has expired.

Mr. FESS. I will take a short time upon the joint resolution.

Mr. REED of Missouri. Mr. President, will the Senator yield for a question?

Mr. FESS. I yield for a question.

Mr. REED of Missouri. The Senator has spoken of States that have not passed proper child protection legislation. Will the Senator kindly name those States?

Mr. FESS. I shall be very glad to put in the RECORD the report of the census of the States where child labor is now being employed. I will not take the time to read it. I have it in my hand now.

Mr. REED of Missouri. Will the Senator be kind enough to favor me with the document, so that I can learn what these States are?

Mr. FESS. I will. I will see that the Senator gets it.

Mr. President, I have looked into the question of who is supporting this proposal and who is opposing it. I find that the most of our people, generally speaking, through various organizations, numbering about 20 at least, are back of this proposal. I find the two great political parties back of it. I find the churches back of it. I find the altruistic organizations for the betterment of our civilization back of it. I find the womanhood and especially the motherhood of the country back of it.

Who is opposed to it? There are two classes who are fearful of it. The one class are those who are afraid that it is interfering with the rights of the State. I recognize the force of their contention, but it is not convincing. I have the same respect for that argument that I hope will be granted me for my own position. I do not fear what that group of men fear.

Then, I find another group that are opposed to the amendment, and that is those who think it is going to interfere with the industry of the country; that it will interfere with employing labor for gain.

Mr. President, that goes to the core of the matter. I think it is a crime to undertake to exploit childhood for the purpose of profit. I think it is a thing that America will not stand—that we will exploit childhood in order to get the product on the market on which we can make not only a livelihood but a profit and thus grind out childhood in that interest. That thing America indicts. The civilization of the twentieth century indicts it. The one great concern of modern times is the welfare of children, the health of childhood, the education of the youth; and anything that interferes with the education of youth or the health of the child or the welfare of our civilization from the standpoint of its basis, which is childhood, can not permanently continue. Childhood is being exploited in the interest of industry, and for that reason we ought to pass this joint resolution. We must not permit any amendment, for the minute we permit an amendment to this joint resolution we make it impossible to pass it. Its chance will be gone. For that reason I will vote against any amendment. I am not afraid that a boy is not permitted to work on the farm. I recognize the value of work on the farm and the danger of idleness, as I recognize the danger of idleness anywhere, but neither this Congress nor any other Congress is going to deny the right to work in healthy work on the farm. This is not a law; it is only a sanction to Congress to enact legislation if the necessity arises.

Neither am I in favor of the proposed amendment of the Senator from New York. I voted for his amendment when it stood alone, and I will vote again for the amendment when it stands alone. I am for it; but I am not for that amendment to kill this child labor amendment, and anyone can see the result of the adoption of that proposal. For the same reason I am against the amendment on the limit of age.

The friends of the proposed amendment, in the interest of the childhood of this land, must not be misled into voting for some amendment to this joint resolution, because the fatality of that would be that we would get nothing. The amendment passed in the House, 80 per cent of the membership voting in favor of it, including every Member of the House from the State of New York who voted, every Member from New Jersey who voted, every Member from Ohio but one who voted, every Member but one from Missouri—297 to but 69, over 80 per cent—which expresses the public sentiment which has been expressed in years before.

We should not trifle with this thing. The country is committed to it, and I think there is only one course to pursue, and that is to vote for it. I hope it will pass by more than the two-thirds that is necessary.

Mr. FESS subsequently said: While speaking a few moments ago a question was asked about the number of children employed in contrast with the time prior to the Federal child labor law. I ask unanimous consent to insert in the RECORD tables from the Bureau of Statistics, Department of Labor.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From Monthly Labor Review, Washington, Government Printing Office, May, 1924, pp. 114 and 115]

WOMAN AND CHILD LABOR

TREND OF CHILD LABOR IN 34 CITIES IN THE UNITED STATES, 1922–23

(Prepared in the industrial division of the Children's Bureau, U. S. Department of Labor)

Of 34 cities furnishing the Children's Bureau with statistics of employment certificate issuance in 1923, 30 reported an increase in the number of children under 16 years of age entering regular employment for the first time during the calendar year 1923 as compared with 1922. In these 34 cities the number of 14 and 15 year old children receiving first regular employment certificates was 75,752 in 1922 and 89,813 in 1923.

In 15 of the cities reporting there was an increase of at least 20 per cent in 1923 as compared with 1922; in 7 (Birmingham, Louisville, Manchester, Mobile, Pittsburgh, Waterbury, and Yonkers) the increase was 50 per cent or more.

The accompanying table gives the numbers of certificates issued and the per cent of increase or decrease in the individual cities.

These figures supplement statistics previously published by the Children's Bureau in "Trend of child labor in the United States, 1913 to 1920" (Monthly Labor Review for April, 1921, pp. 1–14), and "Trend of child labor in the United States, 1920 to 1923" (Monthly Labor Review for September, 1923, pp. 101–105). The latter report gave statistics through June, 1923.

Number of children between 14 and 16 years of age receiving regular employment certificates for the first time, 1922 and 1923, and per cent of increase or decrease as compared with preceding year, by State and city [1]

State and city	1922	Per cent of increase or decrease as compared with 1921	1923	Per cent of increase or decrease as compared with 1922
Alabama:				
Birmingham	139	−16.3	240	+72.7
Huntsville	189	−25.0	208	+10.1
Mobile	78	−53.0	128	+64.1
Montgomery	90	+13.9	93	+3.3
California:				
San Francisco	295	−4.8	381	+29.2
Connecticut:				
Bridgeport	800	−7.5	1,032	+28.0
New Haven	856	+49.7	1,235	+44.3
Waterbury	308	+177.5	703	+128.2
Delaware:				
Wilmington	423	+147.4	430	+1.7
District of Columbia (Washington)	693	−27.7	474	−31.6
Indiana:				
Indianapolis	607	−9.7	725	+19.4
Kentucky:				
Louisville	351	+88.7	795	+126.5
Louisiana:				
New Orleans	[2] 2,042	−2.3	2,489	+21.9
Maryland:				
Baltimore	3,199	+27.8	4,145	+29.6
Massachusetts: [3]				
Boston	2,390	−4.0	2,810	+17.6
Fall River	1,574	+74.1	1,578	+0.3
New Bedford	[4] 1,378	+40.3	1,439	+4.4
Somerville	313	−13.5	366	+16.9
Springfield	565	+328.0	639	+13.1
Worcester	904	+159.0	1,077	+19.1
Michigan:				
Detroit	288	+9.1	277	−3.8
Minnesota:				
Minneapolis	339	−16.7	301	−11.2
St. Paul	218	+.5	207	−5.0
Missouri:				
St. Louis	4,468	+15.6	4,978	+11.4
New Hampshire:				
Manchester	159	−36.7	346	+117.6
New Jersey:				
Jersey City	1,570	+38.2	1,944	+23.8
Newark	2,404	+47.2	2,509	+4.4
Trenton	791	+55.7	974	+23.1
New York:				
New York City	32,492	−16.4	36,518	+12.4
Yonkers	401	−4.1	814	+103.0
Pennsylvania:				
Philadelphia	9,124	+37.9	10,937	+19.9
Pittsburgh	1,659	+35.2	2,778	+67.5
Rhode Island:				
Providence	[5] 2,083	+32.9	2,463	+18.2
Wisconsin:				
Milwaukee	2,556	+8.4	3,780	+47.9

[1] Compiled, except where otherwise noted, from figures furnished by certificating officers, school officials, etc., in correspondence with the U. S. Children's Bureau.

[2] Reports of the factories' inspection department of the parish of Orleans for the year ending Dec. 31, 1921, p. 5; 1922, p. 1.

[3] Figures for Massachusetts cities do not include "home permits."

[4] Annual report of the school committee of the city of New Bedford for the years 1921, p. 17; 1922, p. 18; 1923, p. 18.

[5] Annual reports of the agent of the school committee, 1921 and 1922.

Mr. DIAL. Mr. President, I will detain the Senate but a few moments. It is my opinion that our ancestors had a great deal more wisdom and discretion when they framed the Constitution of the United States than we have. When we undertake to amend this grand old document every time some uplifter comes along, we are false to our duty to the people of the United States. This bill is just one of many instances in modern life of the tendency to take everything to extremes.

I yield to no one in my love for and interest in children. Possibly there was a time when some such law as this was needed. Very probably it is true that there was such a time; but that time has passed in practically every State of the Union. The idea of coming here and allowing Congress to pass such a resolution as this is simply nonsense gone to seed.

This is a proposal to limit, regulate, and prohibit the work of children under 18 years of age. No person with a heart in him wants to impose upon weak children, or little children, and make them do more than their physical strength will permit. No right-thinking person would want to deprive a child of education or keep it from being prepared to be a stronger and better citizen. No one desires to keep them from play and proper amusement. But there is no demand for this legislation except from three kinds of our people. There is no use misrepresenting the facts or blinking at the truth.

One class of people who ask for this legislation—and there is not much agitation for it in the country—is a class who allow sentimentality to run wild, who do not weigh the results to the

country from the adoption of such an amendment as is proposed. Some good men and good-intentioned people, some women, who have listened to impractical and visionary ideas, ask for the passage of such legislation, but, be it said to the good common sense of women, when they look into the matter they see that it is impractical, and that it should not be adopted.

Another class who are agitating this amendment is composed of the mill people of New England, who are jealous of the prosperity and the progress the South has made, people who live off the toil of women and children in the South in producing cotton. These people are jealous of our success, and they want to have this amendment ratified for the purpose of crippling our industries.

I am proud of the laws the Southern States have passed looking toward keeping children of tender years from working in mills and exposing themselves to danger; but the right to legislate along these lines should be left to the States and the care of the children should be left to the parents.

The third class of people who are howling for this—and they are pretty numerous—are people who have made a failure in life, who can not make an honest living by honest toil, and who come and ask Congress to create positions so that they can go around and dictate to the parents of this country.

I am sorry to believe that this Capitol is rapidly filling up with such people, who have distorted ideas of the rights of the people. If they were to go home and labor, as they should, trying to make an honest living, there would be less of this kind of propaganda going around the city of Washington.

Mr. President, if the parent of a child does not care for it, if the parent does not know the best interests of that little fellow, who in the world is going to render the child any greater assistance or take better care of it? But the parent who sacrifices everything to the child wakes to find his progeny worthless and selfish, with false ideas. If parents can not make a support for themselves and their children, where will it come from? As a rule negro children leave their parents by the time they are 18. If children under that age are not allowed to work, how can the father and mother support the family? They must have more pay or live off the public. This monstrosity here is not intended to take care of children of tender years, but reaches up to children of 18 years of age, girls of marriageable age, all over the United States. I do not see where we are going to stop.

Mr. WALSH of Montana. Mr. President——

Mr. DIAL. I yield.

Mr. WALSH of Montana. I find that the State of South Carolina prohibits the employment of women up to the age of 18 years in certain employments.

Mr. DIAL. I am glad of it. Leave it to each individual State to say what the exceptions shall be—where it ought to be. We can take care of this problem without coming to Washington.

Mr. WALSH of Montana. I am not speaking about that, that is all right; but the Senator is now objecting to legislation which prohibits the employment of children as old as 18 years, and his own State has that legislation.

Mr. DIAL. We do not need any law from Washington to tell South Carolina legislators what to do. We can take care of our own children and will protect our girls from labor that is really injurious. I do not see where this great body of men, representing the people of the United States, the United States Senate, get such impractical ideas as often come to a vote here. It seems to me that we have about converted Congress into a charity society. We are here speaking about education, stopping work, uplift, big pay, short hours, no work, or but little work, not wanting anybody to go to work until they are grown. Then people are constantly coming and knocking at the door of Congress with some retirement proposition, not wanting people to work after they get to be 50 years old.

Where are you going to stop? Who is going to pay the taxes? Are you going to create positions under the Government for everybody who wants to put his hand into the Treasury? Have we ever stopped to remember that the Government of the United States has not a dollar except what it takes from the taxpayers, or what it realizes from selling our joint notes, our bonds? We are piling up taxation all the time. Yet they come right along and increase expenses, provide more offices, and one of the main objects of this resolution is to create positions for people to run all over this country to interfere in the homes, to dictate to the parents, to send parents to the chain gang for working their own children.

Some time ago I was in an office here and a gentleman asked me if I knew the lady who had just gone out. I said, "No, I never saw her before. Who is she?" He said, "She is one of these uplift Government employees, and she is going to take a little jaunt. Where do you suppose she is going to get off the train?" I said, "I know; just as far as she can go." He said, "Her first stop is at Seattle, Wash."—a journey clear across this continent, going out to Washington, right on the Pacific Ocean, to tell some people out there what they ought to do, under some regulations from Washington.

I believe some one said to-day that the incident which occurred in Chicago the other day has been referred to. I have been engaged with delegations from my State, and I have not spent much time in the Senate to-day; but that is the sample of what would result from this kind of a resolution being adopted and such an amendment being put into the Constitution. We would have distorted brains all over this country, idle youths not stopping short of murder.

I know something about children. No one wants them to work unceasingly or long enough to dwarf little growing bodies, but if a child is not taught to work before it is 18 years of age, if it is not taught punctuality, if it is not taught the right principles of life before it reaches that age, it would be almost a wonder and the exception if that child would be worth anything at all in life. Such legislation as this will cause idle brains to study up all kinds of mischief, and the very existence of the Government would be at stake in a very short time if the youths had nothing to do but go around and concoct schemes like those two trifling chaps did in Chicago the other day.

I fear that our good friends from the South particularly do not realize the far-reaching effect of the joint resolution. I do not like to expose our misfortunes to the public; I do not believe in harping upon hard times; but it is known all over the world that our production of cotton has been cut down greatly in the last few years and possibly will be reduced more in the next few years. If this kind of a proposition were to become a law, it certainly would reduce it at least a full half. Already there is a scarcity, and there will be a further scarcity in a short time, of cotton to properly clothe the world; but if this proposition becomes a law, it will bankrupt a great part of the country. Furthermore, this joint resolution goes a long way toward destroying the value of land.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The time of the Senator from South Carolina has expired.

Mr. DIAL. Have I any time on the amendment?

The PRESIDING OFFICER. The Senator has 15 minutes on the amendment.

Mr. DIAL. I shall use only a part of that time.

When I was a boy it was unheard of to find a mortgage on real estate in the country. I do not know that I ever heard of a mortgage on a farm until I was nearly grown. The records of the United States show to-day that 52 per cent of the farms of the country are mortgaged. If this amendment should be ratified, the South could not house, nor could the West house, all the labor that would be necessary to perform what the present quota of labor does. No doubt one-half of our cotton is gathered by children under 18 years of age. It is not laborious work. It is clean, light, healthy work, yet if children under 18 years of age could not be employed in that occupation, in the first place, we could not get enough other labor to do it, and in the next place if we were able to procure other labor we have not the houses in which to place them. A great deal of the timber has been sawed up and sold. In addition to that, labor with which to build is very costly, and all kinds of building materials are high in price, almost to unreasonable figures. Therefore, even if we could employ on the farm more labor, we would have to build double the number of houses in order to carry on the activities of the farm. The people in the West and in the South are in no condition to have that extra burden placed upon them at this time.

Just the other day we performed if an unconstitutional act a paternal one in the lending of money direct to farmers of the West. Now it is proposed to take away from them the right of their children to work, and we will have to advance some more money to them soon, I have no doubt. Not only that, but the proposition is driving at shorter hours, because if Congress has the right to say who shall work, it would no doubt be urged that it has the right to say how long they shall work; and we know that that would be impractical on the farm. This leads to permitting Congress to say what education a child should have to be permitted to work. Perhaps the work is not of such character that it could be put off a single day and they might have to work a little overtime. On the farm when they are not working for wages they are working for themselves, and all they make is that much more profit and benefit to the family.

There is no general demand for this kind of proposition. There is no necessity for it. It is the most radical piece of legislation that has been proposed in the United States since the adoption of the Constitution. It takes away from the States practically all the rights left. I hope the Senate in its wisdom will kill the proposition. I am sure if they do not kill it many Senators will be left at home and somebody else sent here who will take better care of the privileges of the people. Let the people rule.

This is the first step to unemployment compensation. Where is the end? Stop before it is too late. Socialism is rapidly overtaking us.

Mr. STEPHENS. Mr. President, this morning one of the Washington papers carried an editorial on the child labor amendment. An appeal was made to Senators to vote for the measure. It referred to the "inhuman influences" that are being exerted against it. It stated that no man who loved his child would oppose the amendment, and that no one who claimed to be a Christian would vote against it.

This editorial and many others like it, as well as many speeches that have been made, indicate that at least some of those who favor this amendment to the Constitution of the United States believe that they possess finer feelings, deeper sensibilities, and greater interest in children than those who oppose it. I deny that.

ALL EQUALLY DESIROUS OF PROTECTING CHILDREN

Every normal person, every good man or good woman, is willing to do everything that can be done to protect them and give them every opportunity to develop their mental and physical powers. So I deny that those who favor the amendment have any monopoly of sympathy or love for the children of the Nation. But that question is not a legitimate issue in this discussion.

We all agree that anyone who would be guilty of an act or defend a system that would result in dwarfing the body or mind of a child is lost to all sense of right and decency and is worthy of the greatest contempt. To rob a boy or girl of the opportunity to grow and develop, expand, and attain in the race of life is unpardonable. Such a thing should meet with the strongest condemnation and the public conscience should be aroused against it to the end that proper legislation on the subject may be enacted.

Of course, it is a fact that our future as a Republic depends upon the future of our children. They are potential citizens. We owe a duty not only to them but also to ourselves, and to the Nation as well, to see that they have the largest opportunity to grow into strong and healthy men and women, to develop their faculties, and to widen and enlarge their possibilities. Their happiness will add to ours. Their strength will increase ours. Their growth in intellect will enlarge ours.

So, Mr. President, every right-thinking person feels a great interest in the welfare of children. This interest is inspired not only by a love for humanity, but also by patriotic impulses.

Having as strong a desire to protect children against injustice, oppression, and hardship as anyone, I have given this question as careful and thoughtful attention as it is possible for me to give it. My deliberate judgment is that the welfare of the children demands that I oppose this amendment.

ONLY DIFFERENCE THAT OF THE METHOD

While I applaud the sentiment that inspires many of the advocates of this measure, I do not approve of the methods which they suggest. The difference of opinion does not relate to the propriety of giving proper protection to children, but only to the method of giving this protection.

Our Nation is the freest, the happiest, the richest in the world. This condition has been reached under a Constitution which was written 135 years ago and in which there was no provision made for child labor laws. Its prosperity and progress have excited the wonder and envy of the world. The protection given the citizen and the opportunities for developing the financial, physical, social, and religious life have caused the eyes of so many millions of citizens of other nations to turn toward America and make them desire to live among us that we have been forced to close the doors partially against them.

It is a glorious history that the Republic has had. It is a magnificent record that it has written. What greater blessing can we bestow upon future generations, what more splendid heritage can we leave them than a Nation builded upon the foundations the fathers laid? What more inspiring hope than to be assured that the Republic has not departed from the theory of government under which we have developed so splendidly?

In spite of the great principles of the Constitution and the growth, prosperity, and glory of the Nation under that instrument, there have been constant suggestions to change it. Many of these proposed changes have been very radical. Some of them would destroy entirely the theory upon which it was founded—striking at the very fundamentals.

It may be of interest to recall that during the 135 years of its life there have been about 3,200 resolutions offered in Congress proposing to amend the Constitution. There are now pending in this Congress nearly 100 proposed amendments. There is one amendment now pending under which it is proposed that a national convention be held and a new constitution be written.

Think of it! A national legislator seriously suggesting that that great instrument has outlived its usefulness; that it has not served the purpose of its authors; that our Government has been a failure because of the terms of the Constitution of the United States.

A SLANDER OF THE CONSTITUTION

The author of the resolution proposing a new constitution, said:

"Under the present Constitution our Congress can not legislate beneficially. All good laws, such as are made to fit changed conditions, are necessarily unconstitutional."

Mr. President, that statement is absolutely false. To say that good laws—laws that will protect and advance the interests of the people—can not be enacted under the Constitution of the United States, shows a total lack of knowledge of that instrument, an inability to grasp its meaning and interpret its provisions. In my judgment, there are contained in the Constitution and the amendments which, of course, are a part of it, the germs of all legislation that is needed to give to the people all the blessings that can come under a government of, by, and for the people.

Of course, many do not agree with me in this thought. It is no unusual thing to have the Constitution sneered at and denounced. I have seen lips curl with scorn and have heard ironical laughter when its provisions were invoked against some pet scheme that was being advocated.

It seems to me that one of the great dangers to the Republic lies in the growing contempt for the Constitution. Another is the indifference that is often displayed with reference to it. Open antagonism and indifference to it—both lead to the same end—will bring a departure from its principles and from the theories of government which were its foundation stones.

THEORY OF THE CONSTITUTION

We have a dual form of government. The Federal Government is one of enumerated powers. Certain powers were reserved by the States, or by the people. As the Supreme Court has announced:

> The power of the States to regulate their purely internal affairs by such laws as seem wise to local authority is inherent and has never been surrendered to the General Government.

These "inherent" powers constitute what is commonly known as State rights. These rights were jealously guarded at the time the Constitution was being drafted and when its ratification was being considered. It was the question most discussed. It was the one uppermost in the minds of the people. It was the "paramount issue" of the day.

Elliott's Debates, other books and documents, and correspondence had during the period indicate that this is true, and, too, that the most serious objection urged against the formation of the Federal Government and the adoption of the Constitution was that the rights of the States might not be sufficiently safeguarded.

How different the situation to-day! The mention of the doctrine of State rights in this body and elsewhere frequently brings forth scathing, contemptuous language in denunciation of it. To many it means one thing only—slavery—and they want to fight the battles of the sixties over again.

JEFFERSON'S PRINCIPLES

I believe in the political philosophy of Thomas Jefferson. He had as strong grasp of political principles as any man who has ever lived. His familiarity with the science of government and his interest in the welfare, progress, and prosperity of the people cause his views with reference to the necessity of retaining in the States the right to regulate their internal affairs to be of peculiar interest.

As one of the greatest exponents of human liberty and of the rights of the people, he wrote:

> A single consolidated government would become the most corrupt government on earth.

In the Kentucky Resolutions, written by him, we find these words:

To take from the States all the powers of self-government and transfer them to a general consolidated government, without regard to the special delegations and reservations solemnly agreed to in the Federal compact, is not for the peace, happiness, or prosperity of these States.

Looking back over the history of nations, he sounds a warning against centralization of power. He says:

What has destroyed the liberty and the rights of man in every government which has ever existed under the sun? The generalizing and concentrating all cares and powers into one body, no matter whether of the autocrats of Russia or France or of the aristocrats of a Venetian Senate.

Even in his day there was what he regarded as usurpation of power by the Federal Government and infringement on the rights of the States. We find him saying:

Our Government is now taking so steady a course as to show by what road it will pass on to destruction, to wit: By a consolidation first and then corruption, its necessary consequence.

Again he wrote:

When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another, and will become as venal and oppressive as the government from which we separated.

Consider well the wisdom of this:

It is not by the consolidation or concentration of powers but by their distribution that good government is effected. Were not this country already divided into States, that division must be made that each might do for itself what concerns itself directly and what it can so much better do than a distinct authority. Every State is again divided into counties, each to take care of what lies within its local bounds; each county into districts, to manage minuter details; and every district into farms to be governed, each by its individual proprietor. Were we directed from Washington when to sow and when to reap, we should soon want bread. It is by this partition of cares, descending in graduation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all.

I have quoted from the great father of Democracy for the purpose of showing how strongly he favored the doctrine of State rights and how strongly he opposed the centralization of power in the Federal Government. At a time when those of us who oppose this amendment are being assailed and denounced as being little, and narrow, and inhuman, and un-Christian, it is a great comfort and consolation to know that this great apostle of human liberty and freedom, this lover of humanity, believed in the doctrine of home rule and local self-government, and that he left on record his strong opposition to any infringement of the rights of the States.

His words are out of a knowledge of the history of governments and the causes of the oppression of peoples and the downfall of nations. Not only do they spring from this knowledge but they are inspired by a desire to have the rights of mankind protected in the highest and best and only way that can give them the prosperity and happiness to which they are entitled and which can give promise as a continuance of our national life. For, as he said, consolidation will have as its necessary consequence corruption. Corruption will be followed by revolution, and revolution will be the end.

THE IMPORTANCE OF THE STATES

Alexander Hamilton took great part in the work of the Constitutional Convention, and was one of the leaders of the fight to have the Constitution ratified. He expressed himself very strongly on this subject.

The States must, by every rational man, be considered as essential, component parts of the Union; and therefore the idea of sacrificing the former to the latter is wholly inadmissible. * * * Will the people suffer themselves to be stripped of their principles? Will they suffer their legislatures to be reduced to a shadow and a name? The idea is shocking to common sense. * * * This balance ought to be dwelt on with particular attention, as it is of the utmost importance. * * * The object of the State governments is to provide for their internal interests, as unconnected with the United States. * * * I insist that it can never be the interest or desire of the National Legislature to destroy the State governments. It can derive no advantage from such an event. The blow aimed at the members must give a fatal wound to the head, and the destruction of the States must be at once a political suicide. Can the National Government be guilty of this madness?

In forming the Federal Government the States surrendered of their sovereignty only what was necessary for the purposes for which the Government was formed.

Hamilton stated those purposes in the Federalist:

The common defense of the members; the preservation of the public peace, as well against internal convulsions as external attacks; the regulation of commerce with other nations and between the States; the superintendence of our intercourse, political and commercial, with foreign countries.

James Madison in the Federalist stated the powers reserved to the States:

The powers reserved to the several States will extend to all the objects which in the ordinary course of affairs concern the lives, liberties, and properties of the people and the internal order, improvement, and prosperity of the State. * * *

By the superintending care of these (the States) all the more domestic and personal interests of the people will be regulated and provided for. With the affairs of these the people will be more familiar and minutely conversant.

Quotations from the utterances of the founders of the Republic and other statesmen of that time might be multiplied almost indefinitely. Every precaution was taken to preserve the rights of the States. Everything said and done indicates that the whole purpose and intent was to form a general government for general affairs and to leave local affairs to the local governments. This was the underlying fundamental and indispensable principle.

They believed with Mr. Jefferson that "the true barriers of our liberties in this country are our State governments." I believe that his statement is just as true to-day as it was when he uttered it. They intended "to perpetuate the States in their integrity." Desiring to perpetuate their integrity, I am opposed to this amendment.

State rights is not simply a political theory. It is a sacred political principle that was written into the basic law of the Republic. It is the sole defense of the States and the liberties of the people. It is a protection against despotism and a surety against revolution. It has been in the past the strength of both the State and Nation and its fruits are found in the glorious history of the Republic. And I believe that it, and it alone, gives sure promise of a happy and illustrious future.

I wish that everyone might hear the language of Senator Benjamin Hill, of Georgia. His words were spoken in 1876, long after the Civil War had ended, and had no reference to any question involved in that war.

Who, then, is a disunionist? The man who strikes at the Federal Government is a disunionist, because he strikes at an equally essential feature of the same system. He alone is a perfect Union man who is faithful to the whole system—to both the General Government and the State government, each in its sphere. Blot out the stars from the flag and you have no American flag; blot out the State from this Union and you have no American Union. Cripple the State and you cripple the Union. Make war on the States and you are a traitor making war on the Union.

He loved his country and he revered the Constitution of his country. His language was so forceful and so eloquent that I desire to give another extract from his speech.

My countrymen, have you studied this wonderful American system of free government? Have you compared it with foreign systems and noted how our forefathers sought to avoid their defects? Let me commend this study to every American citizen to-day. To him who loves liberty it is more enchanting than romance, more bewitching than love, and more elevating than any other science. Our fathers adopted this plan, with improvements in the details, which can not be found in any other system. With what a noble impulse of patriotism they came together from the different States and joined their counsels to perfect this system, thenceforward to be known as the "American system of free constitutional government." The snows that fall on Mount Washington are not purer than the motives which begot it. The fresh dew-laden zephyrs from the orange groves of the South are not sweeter than the hopes its advent inspired. The flight of our own symbolic eagle, though he blow his breath on the sun, can not be higher than its expected destiny. Have the motives which so inspired our fathers become all corrupt in their children? Are the hopes that sustained them all poisoned to us? Is that high expected destiny all eclipsed and before the noon?

God forbid that those questions may ever be answered in the affirmative!

Let me call attention to the language of a great philosopher and an eminent historian, John Fiske:

> If the day should ever arrive when the people of the different parts of our country should allow their local affairs to be administered by prefects sent from Washington, and when the self-government of the States shall have been lost, * * * on that day the progressive political career of the American people will have come to an end, and the hopes that have been built upon it for the future happiness and prosperity of mankind will be wrecked forever.

Speaking of the centralization of power in the Federal Government, Justice David J. Brewer said:

> Is there not danger in this tendency, and may we not wisely consider whether it ought not to be stayed? I know it is said that the National Government is more efficient than the States; can reach supposed ills in their entirety when the States can only reach them partially. But is efficiency the only test? If it is, then a centralized government with a dictator is the ideal government, for none has such efficiency and thoroughness as a government under the absolute control of a single individual.

These references to the language of these distinguished citizens and statesmen have been made for a twofold purpose—to recall the warnings they sounded and to show that those of us who are opposed to the amendment are not mere vagarists and fanatics, but that our position is supported by the views of some of the greatest and wisest men the Nation has produced.

SOME OF THE FEARS OF THE FATHERS COMING TRUE

There was strong opposition to the Constitution because it was feared that the rights of the States were not sufficiently safeguarded. It was agreed that there would be a gradual absorption of powers by the Federal Government. As I have said, every effort was made to prevent this; and the ratification of the Constitution was only procured by the positive assurance that ample provision against this happening had been made.

Yet there has been from the very beginning a school of thought that taught that there should be a strong centralized government, with all power vested in the Government at Washington. As we have seen, Jefferson was strongly opposed to this and pointed out the dangers of it. He believed that the result would be the final downfall of the Republic. But the idea of centralization has been slowly and surely gaining ground. Reverence for the Constitution and belief in home rule have been weakening.

Senator L. Q. C. Lamar, of my own State, said:

> This sentiment of reverence for the Constitution is not, I fear, as deep and abiding in this country as it once was. The thought to which late events in our history have given most frequent expression is that "the will of the Nation, as one people, is supreme," and that this will must not be subordinated to a political form or a political dogma. This is the view which is now put forth with greatest acceptance by the political philosophers in this country of the present day. I do not concur in it.

One by one the fundamental principles of our social union is being assailed, invaded, threatened with destruction. Our ancient rights and liberties are being taken away. There is a sapping and mining process going on that is threatening and alarming. It must be halted or the fate of our Nation will be that of many others which have become only a matter of history, "a tale that is told."

DANGER FROM GOOD MEN RATHER THAN BAD

Mr. President, the danger to the Republic, the threats to our institutions, come not so much from bad men as from good men who think wrong. Good motives often prompt action that proves hurtful.

In this case the motive—love of children—does credit to the hearts of those who are inspired by it to favor this amendment. But the method proposed constitutes the most comprehensive and destructive invasion of the rights of the States that has ever been attempted.

When I see the utter disregard for fundamental principles, the contempt in which they are held, sometimes, in the words of Senator Lamar, "my heart is almost mated with despair."

Words, like coins, often depreciate in value. Whenever a coin loses in value it is the result of an unhealthful and distorted economic condition. Whenever a great political principle, which has proven its greatness by its history and its soundness by the results of its operation, loses its value to a people it shows that an unhealthful state of mind exists and that there is the same restlessness and uncertainty that caused the people of Israel to despise the ordinances of God and to clamor for a king. For the surrender of these rights can result only in the surrender of liberty itself to a government that will be in the nature of a limited monarchy and may become an absolute despotism. Remember Jefferson's words on this subject.

It is my sincere conviction that those who oppose this amendment are not only evidencing a higher and more genuine patriotism than those who favor it, but at the same time are displaying at least as great interest in the welfare of children and a far more sensible method of protecting them in all their rights to life, liberty, and the pursuit of happiness.

What greater heritage can we leave the coming generations than the opportunity to live in free America, grown great and glorious under the Constitution and the theory of government given us by the fathers of the Republic?

NO NECESSITY FOR THIS AMENDMENT

The Constitution provides in Article V that "the Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments." There is no necessity for this amendment. The fact that a State has not enacted laws on a subject that accord with the ideas of some people in that State or in another State does not warrant the amendment of the Constitution so as to make it a Federal matter subject to Federal laws, and thus deprive the State of its local jurisdiction and control. Yet in this matter the argument for the amendment is based solely on the fact that certain States have not enacted as drastic child labor laws as they should have. If that argument is sound and logical, where is the end? The same argument will apply to every conceivable subject of legislation. The only legitimate conclusion is that there is nothing that should be left to the control of Mississippi unless the laws on the subject meet the approval of the people of Maine or some other section of the country. This is an unsound and pernicious doctrine and one to which I can not assent.

SENTIMENT FOSTERED BY FALSE PROPAGANDA

Horrible pictures have been drawn of the premature and excessive working of children. Conditions were overdrawn and appeals based upon falsehood have been made. Statistics that were misleading have been cited.

As an instance, I call attention to an editorial in one of the most widely read weekly publications in the country. Under date of May 24, 1924, it says:

> Remember more than 1,000,000 American children who ought to be free—free to play, free to go to school, to prepare for civilized citizenship—are at this moment condemned to hard labor because somebody makes money out of it.

This is but one of many examples of exaggerated statements of conditions. The million children referred to include all those who are employed in "gainful occupations." The census of 1920 shows that 1,060,858 children between the ages of 10 and 15 years were so employed. Of this number 647,309, or 61 per cent, were engaged in agricultural pursuits. Of the others, many of them were employed as messengers, newsboys, office help, clerks, and so forth. The number actually employed where the work was excessively hard was quite small. Some were employed in factories, but much of the work there was such that it had no hurtful effect.

The statistics are a refutation of the quotation just referred to, and a statement of the facts convicts the author of being guilty of gross misstatements of the true conditions.

"Condemned to hard labor," they say because a child works on the farm, because he sells newspapers on the street, because he delivers messages and bundles, because he clerks in a store. That is ridiculous; it is untrue.

It is an old and true saying that "an idle brain is the devil's workshop." It will be a sad day for the Nation, and an unfortunate one for the parent as well as the child, when the time comes that the law forbids children to work.

Children should be taught the importance, the necessity, the dignity of labor. Habits of industry, the value of time, the worth of money, the importance of promptness, as well as many other splendid lessons, can be learned only from actual labor. Besides, it gives exercise of body and mind, physical strength and mental training.

In nearly every State there is a compulsory school law. Many of these 1,000,000 children attend school during the school period and are employed outside of school hours or during the vacation period. It is better for them to be employed than to be loafing. Character is the aggregate of habits. Habits are the issues of experience. The best soil for the germination of habits that result in bad character is on the street corner or in other places where idlers assemble.

Visit the courts, and what do we find? The juvenile offenders are, in the main, children who are not employed. They are the ones who have become loafers on the streets, habitués of the pool room or of places more vicious, the associates of men and

women of low morals. Where one boy has been injured by excessive work, there have been thousands who have become worthless, if not profligate, because of lack of employment. The boy who is not taught to work has my sympathy. He is not being given a square deal or a fair chance.

SCOPE OF THE AMENDMENT

The proposed amendment reads as follows:

SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

The power granted is absolutely without any limitation. It is "to limit, regulate, and prohibit." Not only this, it is the power "to limit, regulate, and prohibit labor," not employment. Sparta took charge of the child when he arrived at 7 years of age as the property of the State. It is proposed in the United States of America to take charge on the day of birth and retain absolute control until the eighteenth birthday. The child becomes the absolute property of the Federal Government, and the right is given not only to prohibit employment but even labor. This, too, without regard to education, physical condition, or the necessities of the case.

Of course, I know that it is argued here that there is no intention to enact any legislation that will prevent any labor except that which is excessive and hurtful; that there will be no interference with labor on the farm and light work in other occupations.

Then, I ask, why such eagerness for such broad powers? There are amendments pending to exempt from the provisions of this resolution "labor on the farm," "outside employment," and so forth. It is apparent that they will be defeated.

If this amendment shall be made to the Constitution, there is no doubt that in a few years there will be attempts made to prohibit not only work on the farm but also work of every character by children of under 18 years of age. This crops out strongly in the hearings before the committee. The strongest statement that could be drawn from the most earnest advocates of the measure was that "at the present time" there is no intention to interfere with farm labor. It was admitted that "there might come a time" when conditions would demand it.

Every citation of statistics to show the number of children engaged in child labor included those who worked on the farm. In a booklet published by the National Child Labor Committee it says: "Agriculture is the only important field of work entirely uncontrolled by legislation"; "the South, because of its agricultural character, still leads in child labor"; "Agriculture employs three-fifths of the million child laborers"; and "investigation shows that there are many of those who work in cotton plantations and other agricultural pursuits."

These statements make apparent what is lurking in the minds of these reformers who expect to get positions in the bureaus that will be established or who have a deadlier motive. There will be constant demand for increase of power and extension of authority. Macauley in one of his essays, referring to the constant growth of the desire for power, compares it to the tides. A wave will advance a little distance beyond the one preceding it, the next reaches beyond its predecessor, and on until the flood tide is reached. The "flood tide" in this subject will be prohibition of any labor by a child under 18 years of age and the absolute denial of the right of the parent to control the child.

IMPROVEMENT IN CHILD-LABOR CONDITIONS

I have said that there is no necessity for this amendment. It is admitted that the conditions of child labor are improving. State after State has enacted legislation on the subject. Practically every one of the 48 States has laws regulating such labor. This legislation has come as a result of the public conscience being aroused against conditions that are hurtful to children.

The laws of the States vary, of course, but conditions in the different States vary, too. The fact that conditions are not the same in every State is a strong argument that it is a local and not a national problem.

Miss Abbott, chief of the Children's Bureau, said that "most of the regulation and control has come in the last 20 years." She said also that "there is a definite tendency to advance in the States."

So it is admitted that progress is being made—that there is still "a definite tendency to advance." If this is true—and it is, because it is a statement of one of the most ardent supporters of this resolution—there is no reason for amending the Constitution.

Raymond G. Fuller is one of the advocates of this proposition; yet he was fair enough to say:

> Nine out of ten people still think of child labor in terms of bygone conditions or of conditions that represent only a fraction of its total amount to-day. They think of it in terms of the spectacular, horrible conditions calling for drastic methods of reform. Such thought does not fit the present situation. The worst evils of 40, 20, even 10 years ago have been removed or vastly abated.

There came to my office this morning a publication entitled "The American Child." It is one of the child-welfare organs. Under the heading "Twentieth anniversary" I find this language:

> The National Child Labor Committee is gratified by the progress of child-labor reform during the 20 years of work. The contrast in conditions is striking.

In view of this "tendency to advance" I have no doubt that much greater advancement would have been made if the time, energy, and money spent in the effort to pass this resolution had been expended in an effort to promote action by the legislatures of the States. That was the proper place for such efforts, and the same great end would have been served. Laws to meet local conditions would have been passed and the problem of child labor would have been solved.

If progress is being made in the States, with the little effort that has been made, why make it a national question? Why take the risk of further undermining the foundations of the Republic?

WHENCE THE GREAT DEMAND FOR THIS AMENDMENT

Many organizations of the country have indorsed this resolution. Good men and women urge its adoption. They are impelled to this action by sentiment that, considered alone, is entirely commendable. No word of criticism of these people shall be uttered by me, though I am firmly convinced that the promptings of their hearts are causing them to make a great mistake; that they are following phantoms that smile but to betray; that they are yielding to Circean influences.

Error never walks naked and unclothed. It hides its hideousness in raiment that is pleasing and attractive and then goes forth among the people, drawing them to its side and making them enthusiasts in its favor. In this case, dreadful conditions of children are described; their pale and sunken faces are pictured; their pitiful pleas for relief are made to resound in language that would touch even the stoniest heart. It is not strange that a mighty sentiment against child labor has been built up.

But let us go further back and see what is the genesis of this movement to take away from the States the right to regulate and control the employment and labor of children and to place all power in the Federal Government. When we get to the root of the matter we will find that it had its origin in the minds of the enemies of the Republic.

This may be bitterly denied, but they can be convicted by their own words. I shall not go into details, for the Senator from Delaware [Mr. BAYARD] has put into the RECORD a splendid statement prepared by the Woman Patriot Publishing Co.

It demonstrates clearly that this is a socialistic movement and that it has for its end purposes far deeper and more radical than appear on the surface. It is part of a hellish scheme laid in foreign countries to destroy our Government. Many of the proponents of the measure are communists and socialists. They are teaching the doctrines of Marx and Engels.

Mrs. Florence Kelly, formerly Miss Florence Kelly Wischnewetzky, so the statement discloses, received written instruction from Engels how socialism could be worked "into the flesh and blood" of Americans.

She was for a time editor of the Orchiv fur Sozialegesetzgebung, at Berlin. She translated some of the books of Marx and Engels. It is said that she was largely instrumental in drafting the resolution, and she appeared before the Senate committee and urged its passage. She is connected with many radical organizations, and she testified that "we are now organized with a thousand ramifications. We have more interlocking directorates than business has."

The Young Workers' League of America discloses that its aim is the same as that of the Young Communist International, the attainment of the communist society. The president of the Communist International has issued instructions to his followers in this country. His wife is commissioner of social

welfare of the Northern Commune of Soviet Russia. She writes:

We must nationalize the children. We must move the children from the pernicious influence of the family. Thus they will from the very start remain under the beneficial influence of communist schools. To compel the mother to surrender her child to us, to the Soviet State, that is the practical task before us.

These doctrines are believed in and taught by many of those who have been most active in their advocacy of this resolution. I wish that I might give their names and quote from their utterances, but it would require too much time and space. A full understanding of the motives of these people and of their opposition to the spirit of democracy would be a shock to many good people, and would cause them to vigorously oppose the amendment and to cry out against those who are thus seeking to destroy the temple of liberty, the foundation of which was laid by the fathers of the Constitution.

GOVERNMENT BY BUREAUS

We are fast becoming a bureaucracy. We have too many bureaus now and there is constant demand for their increase and for the enlargement of powers and increase in appropriations. I recall that when the Children's Bureau was created in 1912 there was a staff of six persons and the money appropriated was $25,640. At the end of two years it employed 76 persons and cost $164,000. Last year the number employed had greatly increased and it cost $1,240,000. This is the history of every bureau. It expands its activities, its employees increase in number, and its cost multiplies. A bureau wants to be made a department and a department wants a place in the Cabinet. There is no end to its demand for recognition and power and money.

When will it stop? Never, if we yield to the propagandists, until we become entirely paternalistic, socialistic, and bolshevistic; never, if we do not recover our common sense and return to the faith of the fathers, until we lose our liberties and enter upon conditions like those that prevail in Russia and other European nations.

There is a demand for Federal laws for the protection of children, for their nationalization, for the restriction of hours of labor, for fixing wages, for control of education, for maternity laws, for regulation of marriage and divorce, for antilynching laws, for censorship of the press and motion pictures, for regulation of hunting, fishing, and other sports, for physical training, and for the regulation of and interference with every activity of life from the time the child's first cry is heard until he goes to his last long sleep.

Mr. President, I am unable to assent to this interference of the rights of the States, to agree for the hand of the Federal Government to reach out and touch the people in all their relations of life. Only some of the arguments against such a course have been presented. Many other strong arguments against it might be made. Those made might be enlarged upon and reinforced; but I shall not attempt to do this.

I am entirely willing to risk the matter on the propositions that this amendment is unnecessary; that its adoption will destroy the theory of government as announced by its founders; that it will constitute such an invasion of the rights of the States that should not be agreed to; that it threatens our noblest institutions; that it denies to the parent God-given rights; and that instead of protecting the welfare of the children it will tend to deprive them of wholesome influences and to rob them of the greatest political heritage that a government has ever had opportunity to bestow upon the children of men.

Let us study the history of our country and exult over the progress that has been made in the fight for human liberty. Let us glory in the fact that in America opportunities for securing all the blessings that men most desire have been abundant. Let us rejoice that under our Constitution and our political ideals we have been a beacon light, beckoning other peoples to a higher height.

If we will only study the Constitution, we will find that there is still in it much unreleased power. Let us then dedicate ourselves to the task of mobilizing all our forces and energies to the end that this power may be used in the vast fields of constructive effort that will solve all our political problems.

Pride in our history, confidence in the wisdom and strength of our institutions, the conviction that our theory of government is eternally right and that a change in the theory of government could only prove destructive, interest in the welfare of children and love for humanity, all prompt me to oppose this resolution.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri [Mr. REED].

Mr. REED of Missouri. I ask for the yeas and nays on the amendment.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Adams	Fernald	Lenroot	Sheppard
Ashurst	Fess	Lodge	Shields
Bayard	Fletcher	McCormick	Shipstead
Brandegee	Frazier	McKellar	Shortridge
Brookhart	George	McKinley	Simmons
Broussard	Gerry	McLean	Smith
Bruce	Glass	McNary	Smoot
Bursum	Gooding	Mayfield	Spencer
Cameron	Hale	Neely	Stanfield
Capper	Harreld	Norbeck	Stanley
Caraway	Harrison	Norris	Stephens
Copeland	Heflin	Oddie	Sterling
Cummins	Johnson, Minn.	Overman	Trammell
Curtis	Jones, Wash.	Pepper	Wadsworth
Dale	Kendrick	Phipps	Walsh, Mass.
Dial	Keyes	Reed, Mo.	Walsh, Mont.
Edge	King	Reed, Pa.	Watson
Edwards	Ladd	Robinson	Willis

The PRESIDING OFFICER. Seventy-two Senators have answered to their names. There is a quorum present.

Mr. REED of Missouri. Mr. President, the pending amendment proposes to exclude from the constitutional amendment those who are engaged in agriculture or horticulture; and we shall have an opportunity now to ascertain whether it is the purpose of those who advance this amendment to include children or boys under 18 years of age who work on farms.

It has been said that this question has passed debate, and that Congress has already voted upon it. The fact is that both of the bills passed by Congress excluded agricultural labor, and both of the bills that passed Congress were limited to persons 16 years of age and under, and were limited to work in factories or in mills or in mines. This proposition never was voted on by Congress.

It has been said that this proposition has been voted upon by both of the political parties.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED of Missouri. I do.

Mr. WALSH of Montana. I inquire of the Senator, if there was any power in Congress at that time, as we supposed there was, whether that power did not extend, as this will, to agricultural labor?

Mr. REED of Missouri. If there was power vested in Congress at that time, it was a general police power. Some people believed it to exist; but a general police power is a power that is, nevertheless, limited. The courts have repeatedly held that it can not be arbitrarily exercised, and the trend of their opinion would clearly demonstrate that you could not prohibit labor except where it is shown to be detrimental to the health or to the morals of the person employed.

Mr. WALSH of Montana. If the Senator will pardon me, he has not answered my question, namely, if the power did exist, as we believed it did, whether it did not extend to agricultural labor?

Mr. GEORGE. Mr. President, may I ask the Senator from Montana why that could be true? You tried first under the interstate-commerce clause, and second under the taxing clause.

Mr. WALSH of Montana. Yes; but I say that we were mistaken. We believed that in 1789——

Mr. REED of Missouri. I can yield only a moment in my time; but I will yield the floor in a few minutes.

Mr. WALSH of Montana. We believed that in 1789 the wise framers of the Constitution had extended the power so as to include agricultural labor.

Mr. REED of Missouri. We believed that under the Constitution there was vested in Congress a police power; but that power, if it had existed, was a limited power, limited in the States and limited in the Federal Government, and neither the States nor the Federal Government could pass under the police power a law which was an unreasonable regulation. This proposition proposes a grant of absolute and unlimited power over the labor of every person under 18 years of age.

It has been said, and said with great vehemence, that both of the political parties have indorsed this proposition. The political parties indorsed child-labor legislation. They have never indorsed legislation covering the period between childhood and manhood. This proposition never was debated, never has been submitted to the country, never has been generally

discussed, and has not been discussed upon this floor until within the last four or five days.

So much for that.

The statement is made that because the Federal Government has broad powers in certain instances, and, it is said, has not abused them, that is evidence that it will not abuse this power.

Mr. President, the fact that the Federal Government has not grossly abused the taxing power is one open to very serious debate. I think the distinguished Senator from Montana [Mr. WALSH] himself has criticized the exercise of the taxing power of the Federal Government for the purpose of taking money out of one person's pocket and putting it into the pocket of another in the shape of a tariff. That we went to the extreme limit and beyond what anybody would have conceived possible when we passed the Volstead Act seems to me to be true, although others may be of a different opinion; but certain it is that the fact that the Federal Government has possessed powers and not abused them is no adequate reason for granting an entirely new power that the Federal Government never possessed and that no State ever possessed; for no State ever did possess the power absolutely to prohibit the labor of human beings, and it is now proposed to grant it.

Then the Senator grows eloquent over the confidence that can be reposed in legislatures, and opposes the proposition, which will come here in a few minutes, to submit this question to the decision of constitutional conventions. Yet the Senator is not so certain of the wisdom of legislatures, for he is known to be the author of a proposition to take the power away from the legislatures altogether and to vest it in the people by a direct vote.

It seems to me, under those circumstances, that eloquence is somewhat wasted when it proposes to demonstrate to us the infallibility of the judgment of legislative bodies.

Mr. KING. Mr. President, I suggest to the Senator that the Senator from Montana voted to take away from the legislatures the power to elect Senators.

Mr. REED of Missouri. I am glad to note that the Senator from Ohio [Mr. FESS] has revised his opinion. A few days ago, in speaking—and I read part of his speech into the RECORD—he declared, in substance, that this was about the worst legislative body on earth. That, I think, would be a fair inference from his remarks. I have not time to repeat them at large. Now he is certain that there never will be any more mistakes made by the Congress of the United States; that it will be gifted with infallibility of judgment, with temperance of action, and with an absolute, fixed determination to do nothing except that which is in accordance with equity and justice.

I wonder when the Senator became converted to that doctrine—a doctrine which has no foundation as a matter of fact. We never have been quite as bad as the Senator pointed out, and we certainly are not as good as he now imagines us.

Mr. President, talk has been had here of the exploitation of children. There is no exploitation of children to any considerable extent in the United States. The admission is made here that wise and prudent laws on this subject have been passed by every State of this Union, and that statement was challenged only by the Senator from Ohio [Mr. FESS]. When I asked him to name the States he furnished me with a table containing a list of States, and to my astonishment I found Alabama, and California, and Massachusetts, and my own State of Missouri, and New Jersey, and New York—States that have the best character of child labor legislation we can find anywhere.

When I look at the head of this column of States which he furnished me I find that it is a list merely giving the number of children employed, and, singularly enough, the great State of Massachusetts stands very near the head of that list, I think third. Yet Massachusetts does have good laws for the protection of children, and all this table, to which the Senator referred, indicates is that there are a few children employed in these States, and in every one of the States some public board passes upon the employment of those children, and permits a child to labor only because it is found to be necessary in a particular case. That is the kind of tommyrot we hear on the floor of this body.

Everyone here is in favor of the protection of children by the proper action of the States. The States have been taking that action, and at the same time they are taking that action we are told that is an argument why we should take that action.

Moreover, the Senator from Ohio indulged himself to the extent of saying that the Federal Government would never interfere with a State, or with its laws, as long as it was enacting proper legislation. He followed that with the confession that all of the States had such laws, and thus pleaded himself out of court most completely.

But, sirs, we know this to be the fact, that whenever the Congress of the United States undertook to legislate under this amendment, and to speak with reference to a particular subject matter, the laws of the Congress would become the paramount law, and in case of any kind of conflict the laws of Congress would become supreme.

It is now proposed, and it will be proposed, to fasten this legislation upon the farmers of the land. That is clearly shown in the limitation that has been put forth by the protagonists of this amendment, easily capable of demonstration, but already sufficiently demonstrated.

Their literature teems with it. They propose to pass laws, and will pass laws, and demand laws, that will regulate the labor upon farms, to say the least. Then we will have a Government inspector going to every farm in this country to determine whether or not the boy or the girl is working a little too hard. He will be introduced, with his espionage and his authority granted by the Federal Constitution, as an interfering element between the parent and the child. That is absolutely certain to follow. A swarm of these people will go over this land to devour our substance, as the locusts devoured Egypt. There will be constant Federal supervision and there will be constant demands for more legislation and for more money.

We will now have a chance to test this. If the amendment is voted down which excepts farm labor and agricultural labor, then we will know that it is the fixed purpose of those who propose this constitutional amendment to exclude that labor in future legislation. There will be no escape from that proposition.

Let us test it out now and have the vote. You probably have a majority here for this measure. I hope you have not two-thirds. But let us see whether there is in this Chamber among the advocates of this measure any good faith, or whether they do intend to take over the power and do intend to exercise the power to reguate labor upon the farms and in the orchards of this country, and are concealing their purpose by soft phrases and by gentle speech.

Let us find out about it. This is the time to find out, and the joint resolution with the amendment I propose will still be a more drastic measure than the measures we have heretofore passed in Congress and would be absolutely consistent with an amendment that was offered by the distinguished Senator from Massachusetts, who proposed to exclude farm labor in an amendment he once proposed.

Mr. LODGE. Mr. President, I am not at all in favor of the practice we have fallen into of constantly amending the Constitution, and amending it in regard to matters which may be called of a police character.

I have been interested in this question of child labor for many years. I had something to do with the legislation for the regulation of child labor in the District of Columbia which passed three years ago, and I favored both the general child labor acts that were subsequently held to be unconstitutional. I think there is a very great evil existing in the matter of child labor.

I am well aware that there are laws covering the subject in almost all the States, if not all, but the evil continues. There is a very great difference in the laws in the different States. There is also a great difference, I suppose, in the methods of enforcement.

The Senator spoke of my State being one of the first in the number of children employed. That is perfectly true. That is what has interested me in this subject so much. We are a manufacturing State, and a great many children have been employed and are still employed in the factories in the State.

I think it is a very bad thing for young children, or comparatively young children, to be employed in factories, canneries, quarries, mines, and places of that sort without some proper Government regulation. They are the future population of the country, and they ought to have the physical protection which comes from good legislation.

I shall vote for this proposed amendment of the Constitution. I am strongly in favor of it. I introduced one myself, among the many that were submitted to the committee, and I took great pains to leave out of it agricultural labor, which may be considered to include horticulture. From the beginning of my acquaintance with and interest in this subject I have been satisfied that instead of advancing the protection of labor by attempting to do too much, and take in children who worked on the farms or in the gardens, we would be tending to defeat the very purpose we are after, because it seems to me to be unreasonable. I do not believe that any healthy child was ever injured by working out of doors. In fact, most of them would be made a great deal more healthy and more

efficient if they did work out of doors much more than they actually do.

So far as the question of schooling is concerned, the school laws in every State of which I have any knowledge protect children who work on farms or elsewhere out of doors from being deprived of schooling. The school laws will do that; but I think it is injurious to the cause which I have at heart, and which I think we all have at heart, the protection of children, to unwisely extend the amendment. Children are not injured by working out of doors, and I do not believe we ought to include agriculture and horticulture in this amendment. I did not put it in my own, and I shall vote against its remaining in this one.

Mr. LENROOT. Mr. President, the Senator from Missouri [Mr. REED] in closing his remarks asserted that if the Senate should defeat his amendment it would thereby serve notice that it did intend to either regulate or prohibit labor of children upon the farms. As pointed out by the Senator from Montana, Chief Justice Marshall said that the power to tax is the power to destroy, and it could be said with equal force that the framers of the Constitution, when they gave to the Congress the power to tax, thereby asserted their intention that the Congress should destroy this people, which is, of course, absolutely absurd.

As the Senator from Montana pointed out, when we passed the first child labor law, supposing we had the power under the interstate commerce clause, we all believed we had like power over children upon the farms, but did not see fit to exercise it. When we passed the second child labor law, based upon the taxing power, we supposed that we had the same power regarding children upon the farms exerted as to other children, but we did not see fit to exercise it. There is a vast difference between delegating a power to do certain things and exercising that power after it is delegated.

The Senator from Missouri, in a very elaborate argument, has undertaken to show that a person of 18 years of age is no longer a child, and that when we talk about child-labor legislation we could not have intended to include persons up to the age of 18 years.

What is the fact with reference to State legislation upon that subject? There is hardly a State in the Union which has legislated upon the subject which does not in express terms refer to children under 18 years of age. In the Senator's own State of Missouri I find they have a statute in which is used the term "children 16 to 18." I could cite State after State, in the table put in by the Senator from Montana, which have legislated with reference to the labor of children under 18 years of age.

Of course, there is only one purpose in extending the law to cover children as old as 18, not that anybody supposes that there will be any prohibition of the labor of children under 18 on farms, but as 40 States out of the 48 have legislated with reference to children up to 18 years with reference to certain occupations, dangerous occupations, in the case of girls with reference to night work, in the case of girls with reference to acting as messengers of telegraph companies and the like, there is the same reason for giving to Congress the power to legislate with reference to those particular occupations that there is for the States to exercise the power they have with reference to them.

Just one word more to the friends of this measure. In all probability we will to-morrow or the next day pass a resolution for adjournment of this session sine die on next Saturday. If any amendments to this measure are adopted, and the House disagrees to those amendments, the measure must go to conference, and if a conference report comes back to the Senate between now and next Saturday, every Senator upon this floor knows that there will be no child-labor legislation at this session, because the opponents of this measure will exercise their right, a right which they have, to talk this measure to death, until the gavel shall fall for final adjournment on next Saturday.

I hope that all the friends of this proposed amendment will consider that proposition in connection with the votes they may cast upon the various amendments.

Mr. BRUCE. Mr. President, I endeavored a short time ago to question the Senator from Montana [Mr. WALSH] upon one or two points that I had in mind, and he very courteously called my attention to the limited measure of time at his disposal. I thereupon abstained from putting the questions to him which I intended to put, but I should like to put them now. Of course in his argument he laid great stress on certain planks in national party platforms as binding on us in the present case.

I would like to ask the Senator whether it is not a fact that the platform of the Democratic National Convention which nominated Woodrow Wilson the first time contained a plank pronouncing against the eligibility of Presidents to a second term?

Mr. WALSH of Montana. Yes, it did.

Mr. BRUCE. Now I will ask the Senator whether I did not share with him the honor of being a delegate to the Democratic National Convention at St. Louis, that nominated Woodrow Wilson as a candidate for President of the United States for the second time?

Mr. WALSH of Montana. I dare say. I was there.

Mr. BRUCE. I will ask the Senator still another question, and that is whether the last Democratic national platform did not contain a declaration against the soldiers' bonus?

Mr. WALSH of Montana. I do not remember that it declared against the soldiers' bonus.

Mr. BRUCE. Yes, there was such a declaration in it. If the Senator from Montana does not remember it, the Senator from Virginia [Mr. GLASS] will.

Mr. WALSH of Montana. I do not remember that there was a declaration on the subject.

Mr. BRUCE. I will further ask the Senator whether he did not vote a few days ago for the soldiers' bonus?

Mr. WALSH of Montana. Yes, I did; with a great deal of satisfaction.

Mr. BRUCE. Now, I will ask the Senator, in view of all these circumstances, whether he still thinks that this body should be bound as hard and fast as he seemed to think a moment ago that it should be by a plank in a National Democratic platform?

Mr. WALSH of Montana. Entirely so, in view of the history that I reviewed.

Mr. BRUCE. The Senator has a very subtle legal mind, and some attenuated refinements that it can grasp are beyond my scope.

Mr. WALSH of Montana. I am very glad to say to the Senator that I have never changed my view about the advisability of constitutional amendments limiting the presidential tenure of office to one term, and I would be glad to support an amendment of that kind now.

Mr. BRUCE. The Senator may never have changed his mind, but he certainly did change his whole course of conduct in relation to it when he voted for the nomination of Woodrow Wilson the second time.

Mr. ASHURST. Frequently in life a man's mind does not determine his course of conduct.

Mr. BRUCE. That is undoubtedly so, even in the case of a United States Senator.

Mr. ASHURST. Undoubtedly.

Mr. BRUCE. I have seen some very striking illustrations of that fact since I have been here, but it is still a pretty sound truism that consistency is something of a jewel.

Mr. ASHURST. But a great deal of jewelry is vulgar.

Mr. BRUCE. Yes; and a good deal of political jewelry is decidedly of the pinchbeck quality. That has been my observation. I do not find any fault with the Senator from Arizona. Even his speech naturally takes the direction of fine rhetorical ornaments.

Mr. President, I have no idea of making any speech to-day upon the pending joint resolution. Physically I am utterly unfit for the task, as I have just left a sick bed. However, there is one remark that fell from the lips of the Senator from Ohio [Mr. FESS] to which I wish to refer before I take my seat. He asked in accents of triumph, when was it ever known that the Federal Government intruded into any province that had been committed to the States without benefit to the people? I wish to say, as far as possible without treading on any sensitive corns or barking any tender shins in this body, that in my opinion and in that of the people of Maryland—one case was when the eighteenth amendment to the Federal Constitution was adopted and the Volstead Act enacted. I had occasion, when I was a candidate for the United States Senate, to depict the conditions which those striking violations of the principle of local self-government had produced in the State of Maryland.

Mr. WALSH of Montana. Mr. President, will the Senator yield?

Mr. BRUCE. I yield, though I am in the same position that the Senator was. My time, too, is limited.

Mr. WALSH of Montana. I hand the Senator a copy of the Democratic platform of 1920, and ask if he will point to the declaration therein with reference to the soldiers' bonus to which he referred a moment ago.

Mr. BRUCE. It is in guarded language, but it is all the same a declaration against the bonus. I will not stop to look

for it. The Senator from Virginia [Mr. GLASS] will point it out.

Mr. GLASS. The Senator from Montana will recall that legislative agencies of the Legion appeared before the subcommittee of the platform committee and asked them to declare for a bonus, and we refused to do it. They appealed to the general committee, and we declined to do it. They then appealed to the convention itself.

Mr. BRUCE. That is history.

Mr. GLASS. I wrote that part of the platform, and it was a clear declaration against the bonus.

Mr. WALSH of Montana. That is neither here nor there.

Mr. BRUCE. I am sorry I can not yield further. That is history, and it speaks for itself. The iron pen of the historian has recorded it forever.

At the beginning of my active candidacy for a seat in this body I said, speaking of the results of national prohibition in Maryland:

> It has created a new underworld and extended the limits of the old with the bootlegger and the gunman as their ruling spirits. It has injected a fresh stream of venality and corruption into public office. It has organized a vast apparatus of production and importation with which even the repressive powers of the General Government find it difficult to cope.
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> Like the illicit gains of privateering, blockade running, and war profiteering, the tremendous profits which it enables lawless men to make have drawn thousands of individuals away from legitimate business pursuits. Without arresting the sale of ardent spirits, it has divested it of all the police and sanitary safeguards that once surrounded it. It has filled the bowels of the people with poison. It has set up stills even in peaceful rural communities where the triumph of temperance under restrictions seemed to be completely achieved. It has introduced the processes of malting and distilling under the very eyes of young children into the very heart of the home. It has filled the breasts of youthful people of both sexes with the feverish spirit of morbid excitement. It has largely destroyed the old respect for sobriety and the old disgust for drunkenness which, without setting up any false philosophy of life or impossible system of conduct, were slowly but surely, as the memory of every well-balanced individual will bear witness, making of the American people a highly self-restrained and temperate people. In other words, it has to no little extent deprived the drunkard of his disrepute and substituted a tone of cynical and sneering levity for the grave censure with which excess in drink was formerly stigmatized. And in the enrichment of the bootlegger and underground purveyors to vice of every sort, it has despoiled the Federal and State Governments, without any compensating advantages, of an enormous revenue for the alleviation of taxation and the promotion in other respects of the general welfare.

I might have added that for the first time in the history of Maryland it had brought the most respectable and the most disreputable elements of society into close working relations.

Those words were used by me in 1922. Has there been a change in the State of Maryland since that time under the operation of the eighteenth amendment to the Federal Constitution and the Volstead Act? Yes; but a change for the worse. A few months ago the Baltimore Sun tabulated statistics showing the steady increase of drunkenness from year to year in the city of Baltimore. I propose to turn to those statistics for just a moment.

In 1919 the number of arrests for drunkenness in Baltimore city were 5,006. In 1920 there was a falling off. Senators will recall the fact that immediately after the enactment of the Volstead Act there was a decline in drunkenness in many communities in the United States. In 1920 the number of arrests for drunkenness in Baltimore city was 1,785. In 1921 that figure increased to 3,258, and in 1922 to 4,955; and in 11 months of 1923—not 12 months—the figure rose to 5,631, or a total in excess of the whole number of arrests for drunkenness in the city of Baltimore prior to the enactment of the Volstead law.

Recently the chief judge of Baltimore city, Judge James P. Gorter, after sitting in the trial of criminal case after case attended by drunkenness, was reported in the Baltimore Sun as follows:

> Reviewing the cases before him the judge called conditions deplorable. "Who would think," he commented, "that prohibition has been in effect since 1919? Never in the old days did we have such a docket of cases in which liquor figured as we have had to-day. I think it must be the kind of stuff they drink nowadays that causes them to commit crimes."

Mind you, it was only a few days ago that these observations were made by that able and upright judge.

Now, having had that particular experience with the results that may flow from unwarrantable interference by the Federal Government with the local sentiments and usages of a State, are we to be asked to enter upon what may almost be termed an even more extreme invasion of the just authority of the States? What Senators should recollect is that this is a vast country, that it is marked by the utmost variety of social and economic conditions, and that what may be the meat of one State may be the poison of another. Are we to repeat the folly, so far as a community like Maryland is concerned, of the prohibitory legislation of which I have just spoken? I am willing to admit that there are communities in the United States to which national prohibition has proved a blessing, though I do not know just exactly where they are. But I know that in Maryland and in other States of the Union it has proven an unmitigated and, I may say, in my opinion, an immitigable curse, and all because of the disregard of that principle of local autonomy which is the very corner stone of American liberty.

The PRESIDENT pro tempore. The time of the Senator from Maryland upon the amendment has expired. Does the Senator desire to take his time upon the joint resolution?

Mr. BRUCE. I believe that I have said all that I care to say. I yield the floor.

NATIONAL PROHIBITION

Mr. BRUCE subsequently said: Mr. President, if there is no objection, I should like to have inserted in the RECORD as a part of my remarks an address which I delivered in this city a few months ago on the subject of national prohibition.

The PRESIDING OFFICER. If there is no objection, it is so ordered. The Chair hears none.

The address is as follows:

> Conventions, of course, are things of frequent recurrence in the social and political life of the United States; but rarely, I venture to say, has any convention in the recent history of the United States been marked by such an uncommon degree of significance as this. Such gatherings are usually held for the purpose of promoting some ordinary social or political object; but the object of this assemblage is nothing less than the recovery, in a vital particular, of the right to liberty and the pursuit of happiness, which, along with the right to life itself, is insisted upon in such noble and impressive language in our American Declaration of Independence.
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> It is true that the servitude to the false and impracticable system of morals from which we are suffering is a self-imposed one; that is to say, it was not imposed upon us by a foreign enemy, though such an enemy could hardly have placed a more galling and degrading yoke upon our necks; nor, indeed, by any kind of extraneous agency, but only by the action of our own Federal and State legislative organs, influenced, first, by the grave abuses that attended the licensed liquor traffic even under ordinary conditions, and, secondly, by the special economic necessities and overstrained feelings bred by the World War.
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> However, the fact that our present plight is self-created does little to mitigate its hardships. History is full of instances in which the commonwealth has been induced by extravagant forms of moral enthusiasm to pursue a public policy which proved entirely too austere for the normal workings of human nature. Indeed, some of the worst blunders in the progress of human civilization are attributable to the perversion from one cause or another of the finest motives and impulses by which human beings can be actuated. For an illustration of this fact we need go no further than the Puritan Commonwealth of England in the seventeenth century.
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> In many respects there never was better stuff than that of which the character of the genuine English Puritan was constituted. No man ever cherished profounder convictions; no man ever presented a sterner face to his foe; no man ever ordered his life more faithfully in accordance with some of the very best principles that govern human conduct. But, on the whole, the Puritan Commonwealth exerted a most disastrous influence upon English morals. It set up extreme, fanatical standards of human decorum and ethics which were more than the healthy human spirit could bear; it fostered morbid habits of self-examination and self-reproach; it beset human freedom with all kinds of irritating, sumptuary, and other restrictions; it kept up a sour and hateful supervision over the whole field of human pleasure and enjoyment, however innocent. Finally, it lost all moral perspective and all sense of moral proportion. A Christmas plum pudding became a popish superstition; it was as disgraceful for a husband to kiss his wife in public as to beat her; bear baiting, as Macaulay wittily said, was condemned not because it gave pain to the bear but because it gave pleasure to the spectators. In other words, the Puritans established for a time just the kind of morose and tyrannical state that the Anti-Saloon League, with its prohibition raiders and spies, would make of the United States.
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> Of course, human nature rebelled, and successfully rebelled, as it always does under such circumstances. At first the rebellion as-

sumed the form of secret indulgence concealed behind the mask of whining and canting hypocrisy; but, with the fall of the Puritan Commonwealth and the restoration of King Charles, the entire structure of artificial morality, built up by the Puritans, crumbled to pieces. Then followed a period of scandalous and widespread reaction which for disgraceful profligacy and shameless vice has scarcely ever had its equal in the annals of the human race.

The reaction against prohibition in the United States is already demoralizing enough, but it is our duty to see that it shall never become sufficiently pronounced to produce the fearful moral ruin for which Puritanism in England was responsible. If this is to be done, it will not be by appropriating $28,000,000 or more, as Congress at the present time is asked to do, for the enforcement of the Volstead Act. That, as Shakespeare says, would be to kill the physician and bestow the fee upon the foul disease; or, if I may use another, though homelier, image, drawn from the same field of illustration, that would be to go back for a cure to a hair of the dog that bit us. The true remedy for the appalling spirit of lawlessness that has been aroused by national prohibition is not to make another extraordinary effort to enforce it, but frankly to face the facts and admit that absolute national prohibition is not enforceable at all.

The eighteenth amendment became a part of the Federal Constitution on January 16, 1919; and the Volstead Act was enacted on October 28, 1919. It is safe to say that no period in American history has ever been distinguished by such general demoralization and lawlessness as the period of four years which has followed the passage of that act. To thousands and hundreds of thousands of American citizens it has become an object simply of hatred and derision. The flow of drink underground at the present time is almost as steady and copious as it ever was above ground. I can truthfully say that I, personally, do not know a human being who had wine on his table before the passage of the Volstead Act who does not have it on his table to-day, or who, prior to the passage of that act, was in the habit of offering a julep or a cocktail to his guests before dinner, who is not offering it to them to-day. This wet dinner is the only dry dinner that I have attended in the last five years. Intoxicating beverages in vast quantities have been made at illicit plants within our own limits, or have been landed upon our shores from abroad by whole fleets of skillfully directed rum runners. To no small extent such beverages have been made in the homes of the people, under the very eyes of young children. Large supplies of liquor, in the aggregate, besides, have trickled into the United States in hand bags and other portable containers from Canada, Mexico, and the West Indies.

All of this stuff, of course—some of it of such a poisonous nature that it would have been labeled with a skull and crossbones if it had been put up by a druggist—has been pouring down the throats of our population as freely as if the Volstead Act had no moral sanction back of it whatever. With not a little truth a recent speaker in the House of Commons declared that all Americans at the present time are divided into two classes, those who still have a little and those who have a little still.

The injury which has been done by this state of things to the morals and manners of the American people defies exaggeration. For the first time in our history the most reputable and the most disreputable members of American society have been brought into the closest working relations. The bootlegger has acquired almost the legitimate standing of the butcher and the green grocer. Formerly there was always some one in every family circle to admonish, to warn, or even to rebuke its poor drunkard, if it had one; but now in our great cities, at least, there is no such monitor, for the monitor if not a lawbreaker himself is the patron of lawbreakers. The consequence is that the drunkard has been largely rehabilitated and so far from hanging his head in shame during his sober intervals as in the past, holds it higher than he ever did before. Especially prejudicial have the unnatural restraints of prohibition proved to young people of both sexes, for youth is the season when the human craving for excitement and adventure can most readily be quickened into morbid activity, and there is more license in a glass of unlawful than in a barrel of lawful liquor. Worst of all, disrespect for one law has begotten disrespect for all law and its ministers, and this fact, in my judgment, is partly chargeable with the train and bank robberies and the bloody feuds between gunmen, which have never been so frequent or so heinous as they have been since prohibition peopled the underworld with bootleggers and their accomplices. In fine, the prediction so often made before the adoption of national prohibition, that prohibition would produce more abuses than it would destroy, has been fulfilled to the letter.

And this situation is not more notorious than the utter lack of power of the Government to control it. I can recall the time, before the adoption of the eighteenth amendment, when it was a common saying that, even if the States and cities of the United States could not enforce their laws, the Federal Government was always equal to the task of enforcing its laws; and, for all practical purposes, the statement was true; but it is true no longer. Of course, the Federal Government, in its effort to suppress bootlegging, has made its hand heavily felt in a vast number of individual cases. It has set loose a great host of prohibition agents upon the American people and destroyed millions of dollars of contraband property; and has also kept an incessant stream of sentenced bootleggers moving from the courts to the prisons. Last year no less than 34,000 persons in the United States were convicted of one violation or another of the Volstead Act. But what does it all amount to? In most cases, the conviction left no more moral stigma behind it than if the convicted had been so many calves branded on a Texas ranch. As fast as one head of the rum hydra is hacked away another springs up in its place. One can not help being reminded of good Mrs. Partington and her furious effort to sweep back the sea with a broom. One wave is swept back only to be replaced by another and another and another. If the bootlegger is fined, he usually experiences no difficulty in promptly discharging his fine with revenue that should be in the Federal Treasury instead of his lawless pockets; if he is clapped into jail, there is always another bootlegger ready to assume the same occupational hazards.

One week we read that 15 stills have been seized in a single office building in New York; another, that some 90 stills have been broken up in North Carolina; another, that the Government has pounced upon a monster still in the deep woods of Charles County, Md.; another, that a rum runner off the Jersey coast has at last fallen into the clutches of the prohibition catch polls; but, somehow or other, the stills, as a whole, keep on distilling, and the rum runners, as a whole, never cease to run.

Like every other business man, the bootlegger has his period of prosperity, when the prohibition agent is not looking or is paid to look the other way, and his period of adversity, when some dutiful prohibition agent hunts him down or he is caught up in some spectacular and short-lived little whirlwind like that which General Butler has recently worked up in Philadelphia. There are two sides, of course, to the bootlegger's ledger, as there are to every trader's ledger; but in my opinion his calling is as little likely to come to an end as that of the provision dealer or the hatter, and will never come to an end until it is taken over by some kind of licensed business successor. Here it is more than four years after the passage of the Volstead law, and yet two Presidents of the United States have found it necessary lately to hold conferences of State governors and to make urgent appeals to them to do their best to subdue the intolerable mischiefs and evils engendered by the illicit sale and use of liquor. One governor—Governor Richie, of Maryland, I am glad to say—had the courage to tell both Presidents that those things were but the natural sequels of the violation of the principle of local self-government, which is the true corner stone of American liberty.

But why should I extend this line of observation any further? Only a few days ago Mr. KVALE, of Minnesota, who holds the seat formerly occupied by Mr. Volstead and claims that the latter was only a sort of dilettante dry as compared with himself, declared in the House that the nonenforcement of the eighteenth amendment was "breeding a nation of hypocrites" and was "the greatest tragedy ever witnessed in civilization." Two days later Bishop Thomas Nicholson, of Chicago, the president of the Anti-Saloon League, declared in an address at the thirtieth annual convention of the league in this city that the champions of prohibition were "obliged to admit that drinking among women was rapidly increasing." From what the Rev. Sam Small said during the sessions of the same convention it is fair to infer that he thinks we are on the eve of civil war. When Benjamin Franklin was told that the British were about to send soldiers over to colonial Boston he observed dryly that they would not find a civil war there, but might make one. I commend this shrewd utterance to the attention of our reverend friend.

With such admissions as these from the very high priests of prohibition, I need adduce no further proof of what I have been just saying. I might add, however, that a few days ago Dr. C. Hampson Jones, the head of the Baltimore City Health Department, reported that last year deaths from alcoholism in Baltimore were 150 per cent in excess of what they were the year before.

And why is the Volstead Act unenforceable? That is really the question about which we are most concerned to-night. It is because the idea that it is a criminal thing at all times and under all circumstances to make, sell, or use an intoxicating beverage is a purely artificial conception, at war with the fundamental facts of human existence, and untenable in the forum of sound human reasoning. That murder or theft, or some other offense of the same deep dye is a criminal thing, we need no Volstead Act to tell us. Indeed, we did not need even the tables upon which the Ten Commandments were engraved to tell us that; but the criminality of drink under any and all conditions exists nowhere except in constitutions and statutes written by men incapable, from fanatism or other causes, of seeing things as they truly are. Millions of men can drink from their earliest to their latest years without the slightest excess, and I am glad to say that I am one of them. To divest this vast host of human beings of the right, under proper public

regulations, to drink in moderation because there are, and always will be, a great number of individuals who can not drink in moderation, is in effect nothing but sheer tyranny.

Such an act is not only destructive of every rational theory of human liberty but is prompted by a totally false philosophy of life. As long as we do not injure ourselves or others, there is no reason why we should not satisfy our sensual cravings as freely as our moral or intellectual. The human body is not a vinegar cruet; an odious subject for cloistered chastisement and mortification merely. It is, to use the beautiful image of Coleridge, "a breathing house not built with hands"; instinct and radiant with warm sensations, desires, and appetites implanted in us by God Himself, with the intent that they should be fully indulged in every respect so long as not abused. In these truths are the real insurmountable obstacles to the effective enforcement of absolute national prohibition.

Manifestly the thing for the people of the United States to do is to extricate themselves from the bog in which they are now floundering and to get back to the solid highway that before the adoption of national prohibition was safely conducting them to higher and higher levels of temperance. There is not a man within the sound of my voice who can not say from personal observation that prior to that event the inhabitants of the United States were becoming more and more temperate or, in other words, more and more civilized; for advancing civilization is but another term for increasing self-restraint. They were drinking, of course, as they had always been doing, but they were drinking less and less in saloons and clubs and more and more only in their own homes as a part of their meals.

Three of the leading clubs of Baltimore City are the Baltimore Club, the Maryland Club, and the Merchants' Club. When I was a member of the Baltimore Club 35 years ago the profit from its bar produced not only a handsome net revenue for the club but met the monthly deficit on the club restaurant besides. Shortly before the eighteenth amendment was adopted a member of the house committee of this club told me that at that time, notwithstanding the large increase in the former membership of the club, its bar was being run at a loss. Shortly before the adoption of the same amendment the statement was made to one of my friends by one of the oldest members of the Maryland Club that for some years past the revenue of that club from its bar had steadily declined from year to year. When I became a member of the Merchants' Club 35 years ago there was a bar in the very center of the clubhouse to which many members of the club were in the habit of repairing each day at midday and drinking and treating each other as they drank. Later the bar receipts of the club fell off to such an extent that when its clubhouse was destroyed by fire and rebuilt a small window bar was set up in the café of the new clubhouse in the place of the old bar; and in course of time even this window bar was so little patronized that it was closed up and a small place established in the basement of the new clubhouse in its stead.

Indeed, but for the great change which has taken place in the social habits of the American people as respects drinking and the increased disrepute of the saloon which resulted from it, the eighteenth amendment would never have been adopted. To the saloon, I trust, we shall never revert. So far as I know, there is no desire on the part of any of us to revert to it; but better the open saloon than the secret means to which the American must now resort to obtain drink.

Let the Federal Government repeal the Volstead Act and permit the people of each of the 48 States of the Union to pursue any policy in regard to the sale or the use of liquor that they may choose to do, subject to the limitations of the eighteenth amendment as interpreted by the courts. Then if there should be any State in the Union that wished to permit its people the use of light wines and beer within those limitations, it could do so without denying to any other State the privilege of pursuing an opposite policy. Under such conditions the bitter resentment that is now felt toward the Federal Government, because of its exasperating interference with the exercise of human liberty in a perfectly legitimate sphere of human enjoyment, would die down; the appalling and widespread lawlessness that now exists would abate; and the confidence of the American citizen in the wisdom and justice of his Government would be reestablished.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. WALSH of Montana. Mr. President, I wish to say just a word as to the assertion made by the distinguished senior Senator from Missouri [Mr. REED] to the effect that he was going to test out the sincerity of purpose of the advocates of the pending joint resolution with reference to the employment of children in agricultural and horticultural pursuits by their vote on an amendment to the joint resolution offered by him in relation to agricultural and horticultural labor. I wish the Senator would be a little bit more specific about that. There are some of us here who really feel that we are within the class of advocates of this proposed amendment to the Constitution of the United States. Are we to understand the Senator from Missouri to say that when I, for instance, vote against his amendment it is my purpose eventually to procure the enactment of legislation which will prohibit a farmer from sending his son, who is 14 years old, out to feed his livestock?

Mr. REED of Missouri. I take it that I am meant to reply, since the question is direct?

Mr. WALSH of Montana. Yes.

Mr. REED of Missouri. I mean to say when the Senator from Montana or any other Senator casts a vote against my amendment that he means deliberately to put into the proposed constitutional amendment a power which will authorize the Federal Congress at any time it sees fit to regulate the labor of persons upon farms.

Mr. WALSH of Montana. There is no difference between the Senator and me on that point.

Mr. REED of Missouri. Very well; and that there is absolutely no reason for putting that into the constitutional amendment unless it is intended at some time that it may be exercised.

Mr. WALSH of Montana. But that is not at all the proposition to which I am directing the attention of the Senator.

Mr. REED of Missouri. Then, I wish the Senator from Montana would be a little more specific.

Mr. WALSH of Montana. The Senator's declaration was that a vote against his amendment would expose the purpose of the advocates of the constitutional amendment to enact legislation of that character.

Mr. REED of Missouri. I go further than that. When I spoke of persons I did not specifically mean particular Senators, but I want to say that the advocates of this measure who brought it here to Congress have been discussing the question of farm labor and the regulation of farm labor, and that it is the purpose of a great many of those persons, and I think the most important of them, to begin regulating farm labor, and I have here a document——

Mr. WALSH of Montana. One second. If that is the declaration of the Senator, there is likewise no controversy about that.

Mr. REED of Missouri. Very well.

Mr. WALSH of Montana. I do not undertake to answer for anyone except myself, but I think I can speak for my associates upon this floor who stand with me against the amendment of the Senator that without exception they are not in favor of the enactment of legislation of that character; and I have not any fear whatever that when the Congress of the United States again comes to legislate upon this subject, as it legislated in 1916 and as it legislated in 1919, it will touch the subject of farm labor; but, of course, we are proposing an amendment to the Constitution which may stand for 50 years, for 100 years, for 300 or for 500 years, and who shall undertake to say that in the course of the coming ages it may not be necessary for the Congress to legislate with respect to some aspects of farm labor as well as labor in the mills and factories?

So, Mr. President, I merely arose to say that I do not subscribe at all to the idea that those of us who shall vote against the amendment now offered by the Senator from Missouri to exclude agricultural and horticultural labor are in any wise committed to the proposition of enacting legislation of that character, any more than when we vote against the amendment, which I understand will be proposed, to limit the age to 16 instead of 18 we intend to vote for legislation controlling the labor of children up to the age of 18 years. We are left entirely free upon that matter, and it does not indicate any purpose whatever with respect to that. I undertake to say also that when the legislation is offered anew in this body it will probably be offered in exactly the same way as it was presented heretofore, fixing the limit at 16 years.

I do not desire to have anyone imagine that I have not at some time or other in my career in this body voted in favor of some measure or against some measure contrary to the spirit of some resolution in the Democratic platform, but I do undertake to say that the references made to my past career in that matter by the Senator from Maryland had little point to them. I voted in the Democratic convention in 1912 in favor of that plank which declared against the reelection of the President of the United States. I never had an opportunity to vote on that question in the Congress. If I had ever had such an opportunity, I should have voted for an amendment of that character, and I am ready to do so now or at any time. My career should be judged by that.

I have refreshed my recollection concerning the Democratic platform of 1920 concerning the bonus, and I am pleased to

advise the Senator from Maryland that he is in error in imagining that there was a declaration against bonus legislation in the Democratic platform. I do not accede to the proposition, Mr. President, that when one comes to a convention of which I am a member and asks that a certain plank be inserted, and the convention determines not to insert the plank, that is any declaration against that proposed legislation.

Everyone is perfectly free, then, to vote for or to vote against the legislation as he sees fit. It was merely conceived that it was inadvisable to make any declaration upon the subject, either for or against the legislation, but to leave everyone free to act as he saw fit. We did not content ourselves with that, however.

Mr. BROUSSARD. Mr. President——

Mr. WALSH of Montana. I yield to the Senator.

Mr. BROUSSARD. Did the Senator support President Wilson in 1916?

Mr. WALSH of Montana. Certainly.

Mr. BROUSSARD. Was not that against the Democratic declaration of the platform of that year?

Mr. WALSH of Montana. Not at all; the platform declared in favor of an amendment to the Constitution, and so long as the proposed amendment never was considered and acted upon, there was no trouble about reelecting President Wilson.

Mr. BROUSSARD. What about the 1916 declaration against national woman suffrage by an amendment to the Federal Constitution?

Mr. WALSH of Montana. There was no declaration against woman's suffrage in 1916 or at any time. I have discussed that subject here upon the floor and upon the stump, and I can speak positively upon that question. But, Mr. President, we not only did not declare against the bonus but we declared in substance in favor of the bonus in the Democratic platform, as follows:

> We believe that no higher or more valued privilege can be afforded to an American citizen than to become a freeholder in the soil of the United States, and to that end we pledge our party to the enactment of soldier settlements and home aid legislation which will afford to the men who fought for America the opportunity to become land and home owners under conditions affording genuine Government assistance unencumbered by needless difficulties of red tape or advance financial investment.

So that, although we did not declare in favor of the bonus in just exactly the way that the law was passed by Congress, and for which I voted, we did declare in favor of giving the soldiers a bonus, namely, of affording them an opportunity to make homes upon the public land and advance them the necessary money to purchase the equipment to set them up. It is a matter of very little consequence whether I have been inconsistent in my course or not; but I feel, when both political parties have twice declared in favor of the proposed amendment now pending, that it is in the nature of an instruction that has at least upon myself a very powerful binding force; and I do not conceive it of any considerable consequence, Mr. President, that it declared in favor of the enactment of legislation which we believed the Congress had the power to enact, for if the Congress had the power to enact this legislation, as we believed it had, it derived that power when the Constitution was framed in 1789, and there was no limitation of any character whatever attached to the power; it extended to agricultural labor, as well as to labor in the mills and factories and in the mines and quarries; it extended to the labor of children up to 18 years; it extended to the labor of children up to 21 years, as is the law of many States of the Union with reference to particular lines of employment. So, Mr. President, the fact about the matter is that we are by this enactment proposing to give to the Congress of the United States a power which we believed it already enjoyed under the original Constitution.

Mr. President, when the original child labor act was before this body for consideration I refrained from any discussion of the constitutional question involved, being entirely convinced that it was past argument, and I felt that it would be simply an offensive exhibition of erudition even to discuss the subject here, so confident was I that the great framers of our Constitution had reposed this power in Congress when they drafted the great charter of our Government; and I feel that I am only giving to Congress the power which I believed had wisely been reposed in it by the great framers of our Constitution.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from Missouri.

Mr. REED of Missouri. Mr. President, the yeas and nays have been ordered.

The PRESIDENT pro tempore. The yeas and nays are demanded.

Mr. REED of Missouri. They have already been ordered.

Mr. WALSH of Massachusetts. I ask that the amendment may be stated.

The PRESIDENT pro tempore. The present occupant of the chair was not in the chair at the time, but he is advised that the yeas and nays were not ordered.

Mr. REED of Missouri. Well, Mr. President, the yeas and nays were ordered, and after that a demand was made for a quorum; but I now ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ROBINSON. Mr. President, I ask that the amendment may be read.

Mr. BROUSSARD. Mr. President, I think the Senator from Montana has challenged my statement. I read now from the Democratic platform of 1916:

> We recommend the extension of the franchise to the women of the country by the States upon the same terms as to men.

The PRESIDENT pro tempore. The Secretary will call the roll.

Mr. McKELLAR. Let the amendment be stated.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The READING CLERK. At the end of section 1 it is proposed to insert the following words:

> who are engaged in occupations other than agriculture and horticulture.

The PRESIDENT pro tempore. The Secretary will call the roll upon the amendment of the Senator from Missouri.

The reading clerk proceeded to call the roll.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Alabama [Mr. UNDERWOOD]. I have been unable to get a transfer, and therefore will have to withhold my vote. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. FERNALD (after having voted in the affirmative). I have a pair with the senior Senator from New Mexico [Mr. JONES]. As I am unable to get a transfer, I shall have to withdraw my vote.

Mr. OVERMAN (after having voted in the affirmative). I wish to announce that I have a general pair with the senior Senator from Wyoming [Mr. WARREN], who is unavoidably absent, but I am at liberty to vote on this question.

Mr. FERNALD. I find that I can transfer my pair with the Senator from New Mexico [Mr. JONES] to the Senator from Wyoming [Mr. WARREN]. I do so and will allow my vote to stand.

Mr. GEORGE. I desire to announce that my colleague, the senior Senator from Georgia [Mr. HARRIS], is detained by illness.

The result was announced—yeas 38, nays 42, as follows:

YEAS—38

Ball	George	Moses	Smith
Bayard	Glass	Norbeck	Spencer
Borah	Gooding	Overman	Stanley
Broussard	Harreld	Phipps	Stephens
Bruce	Harrison	Ransdell	Swanson
Caraway	Heflin	Reed, Mo.	Trammell
Dial	King	Reed, Pa.	Wadsworth
Edwards	McKellar	Robinson	Watson
Fernald	McLean	Shields	
Fletcher	Mayfield	Simmons	

NAYS—42

Adams	Dale	Keyes	Sheppard
Ashurst	Edge	Ladd	Shipstead
Brandegee	Ernst	La Follette	Shortridge
Brookhart	Fess	Lenroot	Smoot
Bursum	Frazier	McCormick	Stanfield
Cameron	Gerry	McKinley	Sterling
Capper	Hale	McNary	Walsh, Mass.
Colt	Johnson, Calif.	Neely	Walsh, Mont.
Copeland	Johnson, Minn.	Norris	Willis
Cummins	Jones, Wash.	Oddie	
Curtis	Kendrick	Pepper	

NOT VOTING—16

Couzens	Greene	Lodge	Underwood
Dill	Harris	Owen	Warren
Elkins	Howell	Pittman	Weller
Ferris	Jones, N. Mex.	Ralston	Wheeler

So the amendment of Mr. REED of Missouri was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had concurred in the concurrent resolution (S. Con. Res. 15) requesting the President of the United States to return to the Senate the enrolled bill (S. 2169) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes.

OPENING SPEECHES IN NATIONAL CONVENTIONS

Mr. MOSES. Mr. President, I ask unanimous consent to have printed in the RECORD a speech by the senior Senator from Mississippi [Mr. HARRISON], as temporary chairman of the Democratic National Convention, and a speech by the Representative from the twenty-second district of Ohio [Mr. BURTON], as temporary chairman of the Republican National Convention.

The PRESIDENT pro tempore. Is there objection? The Chair hears none; and it is so ordered.

The speech of Representative BURTON is here printed in full, as follows:

Chairman Adams, ladies and gentlemen, I greet this vast throng. I speak for the citizens of Cleveland, irrespective of party affiliations, when I bid you a cordial welcome. The people of this city wish you Godspeed. They rejoice to receive you in their midst. They hope for success in your deliberations and for your pleasure and benefit while you stay. We are in the bustle and the rush, the dust and the smoke, of a busy industrial community, but the pure air of heaven is around and above us and a friendly spirit is everywhere.

It is appropriate that a Republican National Convention should assemble in Ohio. Of the 11 of our party who have held the great office of President, 7 have been natives of this Buckeye Commonwealth and 5 were elected from our State. You will recall the names of Grant, Hayes, Garfield, Harrison, McKinley, Taft, and Harding. There is a special appropriateness in meeting in this city, for in this lesser area in which all roads lead to Cleveland there are memorials everywhere which speak for the achievements and tell of the leaders of the Nation.

Not far away are the resting places of Garfield, McKinley, Hayes, and Harding. There was inexpressible sadness in the death of three of these, and I hope I may be pardoned when I utter words of praise prompted by friendship. The tomb of James A. Garfield and a monument to his memory are within the city limits. He was born on a barren farm in this county, and in rising step by step from lowly station to the highest executive position in the world none displayed more clearly than he the wonderful possibilities of American life. Leader in peace and war, he was the victim of the revengeful frenzy of a disappointed office seeker. What a terrible deed! If his worst enemy had contemplated such a frightful crime, he would have shrunk from it in horror and might have exclaimed after Macbeth:

"* * * Besides this Garfield
Hath borne his faculties so meek, hath been
So clear in his great office, that his virtues
Will plead, like angels trumpet-tongued, against
The deep damnation of his taking off."

McKinley, too, was stricken down in his splendid prime by one whose brain was reeking with the monstrosities of anarchy. How sorrowful the death of one whose name will be forever associated with that captivating charm which compels admiration and love!

Almost equally pathetic was the death of Warren G. Harding, whose untiring labors made him a martyr to service and brought an early death quite as sad as that of the soldier who perishes with all his armor on. The exacting duties of his high office did not slacken his constant striving, though ill health and weakness hung threatening as a sword above his head. A Nation bowed in grief mourned his death; the whole world mourned him as a lover of peace and good will. If ever he made those mistakes which mortals must make, it was because of the kindness of his heart, because of a noble mind which thought no ill of friend or foe but reposed trust in everyone.

If I may imitate and enlarge upon the words of a funeral eulogy uttered by a famous orator, it may be said of Harding that if all who have gained inspiration by listening to his eloquent words, everyone who has felt the warm grasp of his friendly hand, the many who received his sympathy in days of sorrow, were to plant a flower upon his grave, a tangled wilderness of flowers would surround his tomb; the snow-white anemone, the blue violet, blossoms of golden hue or brightest red, poppies like those from Flanders Field, would spread a garment of beauty all around. Rest, Wearied Spirit, rest in peace, secure in that lasting remembrance which belongs to the immortals.

This convention has one unique distinction which in itself will give it a most notable place in the history of party gatherings. This is the first time in a national political convention that women have taken their place as delegates under a right of suffrage vouchsafed by the Federal Constitution. More than 400 are here as delegates and alternates, giving emphasis to this radical departure. You are welcome, thrice welcome here; welcome to the privileges and responsibilities, the triumphs and rewards, of participating in the control of this, the world's foremost democracy. In this later day when woman's sphere has been so enlarged, when social questions have assumed such importance, and the aims of government are more in terms of human welfare, the finer graces, the keen discrimination of women are needed in the body politic. I scarcely need remind you that of the 36 States which ratified the suffrage amendment at least three-fourths belong in the Republican column, and in the last presidential election all but three gave majorities for Harding. And now no nonchalant or superficial regard for this new duty will suffice, whether you favored suffrage or not. This convention relies upon your activities in the coming campaign.

Let us survey briefly the record of this Republican administration. The 4th of March, 1921, witnessed a country still suffering from the results of the colossal world struggle; there was disaster upon the land. The war with its aftermath of reckless expenditure and feverish living had given place to a dull, hopeless inactivity. Here, as abroad, were industrial depression and armies of unemployed. Indeed, five millions were seeking work and finding none. Formal peace had not been established with the nations with which we had been at war. There was a chilling record of waste which spread its blighting influence over every form of administrative service. The demands of a new America had to be met with wisdom and patriotism.

It is fair to say that so long as the Democratic Party continued in power after the war America's progress on the road to rehabilitation was hardly more satisfactory than that of the European countries. But when the Republican Party came in, reestablishing nation-wide confidence that its time-tried capacity for constructive policies and administration were now at the country's service, there was immediate improvement. The Democrats could not even make peace. The Republicans did.

Scarcely half a year had passed when a turn was called. Workmen in multitudes returned to the shops, peace was proclaimed, and that stability which is the strength and life of nations dwelt here in a measure not enjoyed in any other part of the earth. If there is now a slackening of activity, it is due to uncertainties in our domestic policies, fiscal and other, and to the unsettled state of Europe; but the same guiding principles which brought us to a higher plane can sustain us still and open the door for a more splendid future.

We may point not only to the disappearance of unemployment but to the great progress in the payment of our national debt. That debt, which amounted to nearly twenty-four billions on March 4, 1921, three years later had been reduced by much more than two billions.

Foremost in international affairs was the Conference for the Limitation of Armaments in the years 1921 and 1922. That conference pointed the way to stop the mad race for naval expansion, provided a means of settlement for years to come of questions in and around the Pacific Ocean, placed the stamp of disapproval upon the submarine, the assassin of the sea, and upon the more terrible use of poisonous gas in warfare. It made the long-sought open door in China a reality, and gave to that most populous of all countries new grounds for hope and assurance of protection from foreign aggression. In the path that leads to peace no gathering has been more notable or more successful than that which convened in our own Washington in an atmosphere of good will and international cooperation.

I can review only briefly the beneficial legislation which has been enacted during the life of this administration, especially in its first two years.

At an early date the budget system was adopted, introducing order instead of confusion and competition in demands for public expenditure, securing economy, and providing for the balancing of expenditures and revenue. Such a system had been the earnest and unanimous desire of all students of the subject for years. A law establishing it had been passed by a Republican Congress in the last year of the preceding administration, but it met with a Presidential veto. The budget in the first year of its operation resulted in a reduction of $600,000,000 from the estimates of the spending departments. If there is any one thing which is desirable in our fiscal system, it is that we should stand firmly by the budget in the future.

A revenue bill was enacted in 1921 which lessened by over $800,000,000 per year the taxes which would have been collected under the prior law. The revenue bill just passed, though abounding in defects, very materially diminishes the burdens of the people and partially or entirely does away with some of the more vexatious taxes.

A tariff act was passed adapted to the situation prevailing since the war and based upon the fundamental idea that our labor and our enterprise should not be handicapped by differences between foreign and domestic costs, but with no aim to promote monopoly or extortion, and with a very useful provision that in the event any rates prove to be lower or higher than they should be, the President by proclamation, on the advice of the Tariff Commission, can make necessary changes and adjustments. Contrary to the pessimistic forecasts confidently made by opponents of this measure, both exports and imports have very substantially increased since its passage. As a revenue measure it has amply justified itself, for the customs receipts in the year 1923, amounting to the unprecedented sum of $582,000,000, exceeded those from any Democratic tariff ever written by more than $200,000,000.

An act for the funding of foreign debts was passed. These debts rested upon agreements or obligations hastily drawn in the stress of war and lacking definite terms. Already England, for centuries proud of her credit, has executed bonds for $4,600,000,000, on which

interest is, for the third time, to be paid to-day. Payments have also been made upon principal. Bonds for much smaller amounts have been executed by Finland and Hungary, and it is hoped that other countries will make like settlements.

Comprehensive legislation has been adopted for the veterans of the late war, coordinating a great variety of conflicting and inharmonious methods and bureaus in the Veterans' Bureau. For the soldiers of the late war who are suffering or in want, and for their dependents, we are and at all times must be ready to make provision even to the last scruple in the Treasury.

There was a restoration of peace with Germany soon after the present administration took office and the way was paved for friendly relations with the countries with which we had been at war. Our participation in the great struggle was not prompted by any hatred of the enemy peoples but by the feeling that their rulers, in their overweening ambition, had led them astray. Against them—Germans, Austrians, Hungarians, all—we cherish no feeling of revenge, but welcome them back to the great family of nations, in the hope that after defeat and bitter loss they may enjoy the blessings of a new and better era.

We appropriated twenty millions for the starving in Russia, an act in which we may well take satisfaction, in that it was a declaration to the world that with abounding good will we were ready to succor the suffering and the destitute, though living under a régime inimical to all the traditions of this Government. Our compassion for the helpless and the miserable is not restrained by differences of race or in form of government.

We have passed and the President has approved the so-called Rogers bill, placing our Diplomatic and Consular Service, with its rapidly increasing importance, on a higher plane and giving opportunities to others than millionaires to occupy the more important positions.

The construction of good roads has been aided and stimulated as never before, thus meeting the demand for improved conditions of communication and transit, especially with a view to the needs of the farming population. Readier means of access from community to community and from State to State have accomplished wonderful results.

Two immigration acts have been passed. While we recognize invaluable benefits to our country from the infusion of immigrants from other lands who have added variety and strength to our national life, we have come to realize that the number landing on our shores has been too large for proper assimilation. The so-called melting pot has boiled over. Therefore limitation and selection must be the order of the day.

It is to be regretted that in the passage of the recent bill the request of the President for time for further negotiation with Japan was refused. For that great nation, with which our relations with rare exceptions have been so friendly, we have no feelings but those of admiration and respect. The adoption of policies for the exclusion of Japanese immigrants by no means implies any claim of their inferiority, but rests upon essential differences, notably in standards of living, which render them uncongenial to our industrial life. It is our fervent hope that this reason may be understood, and that these two nations on either side of the Pacific may banish all causes of friction or misunderstanding and permanently cherish sentiments of friendship and of peace.

The condition of agriculture is to-day one of our most perplexing problems. This basic industry, with its broad expanse of homes scattered over the farms of the land, has furnished a chief reliance in peace and war, for it gives us a stalwart population always ready to respond to the needs of the country, with its tens of millions who adhere to the best traditions of the Nation, now and from its very beginnings. We deplore the depression which rests upon various branches of production.

The present situation pertains to certain staples and is characterized by overproduction in very essential articles of food, by lack of effective demand from abroad for our surplus, and by disadvantages arising from keen competition from outlying portions of the world. With a sincere desire to render assistance, legislation was adopted in the Sixty-seventh Congress in generous measure. That great Democratic leader, Mr. Bryan, though naturally denying credit to any political party, has stated that the Sixty-seventh Congress accomplished more for the farmer than any Congress for 50 years. There was an act passed for continuance of the War Finance Corporation, and nearly three hundred millions were advanced to farming communities; an emergency tariff act on leading grain and other products was adopted; legislation was enacted in a so-called packers' bill to protect the rights of the stock raiser, also a law limiting dealings in grain futures to prevent the farmer from being the victim of manipulation; twenty-five additional millions were advanced for the Federal Farm Loan Board; an agricultural credit act was passed at the end of the Sixty-seventh Congress, providing for both public and private agencies to aid the farmer in securing credit, stressing perhaps too much the need of facilities for borrowing, but still far-reaching in its provisions. A cooperative marketing act was passed, a beginning in the furtherance of methods for organization and distribution which, it is hoped, will place the farmer in the enjoyment of the same advantages in narrowing the gap between the producer and the consumer as those enjoyed in other branches of endeavor. It can not be too strongly emphasized that in this direction there surely lies the most encouraging prospect for bettering the condition of the agricultural interests of the country. A private corporation with ten millions of capital was organized at the instance of the administration and has rendered substantial aid to the farmers of the Northwest.

The Republican Party has shown its willingness to extend liberality to the last degree in the enactment of legislation which will aid the farmer, but it can not respond to impracticable theories or accept measures which will only aggravate the situation. Any artificial stimulus to prices which are depressed by irresistible causes can only postpone the evil day and add to the distress. Inexorable laws demand decreased acreage in certain staple products and a wider diversification. Numerous remedies proposed for relief fail utterly when subjected to careful analysis. For more than 30 days I have been constantly seeking, by interviews and otherwise, some method which would solve the situation. Nothing which promises an adequate solution has been proposed, but I trust some remedy may yet be found. If I were to follow the appealing demands of my own feelings, I would say grant tens of millions for farm relief, but no legislation or subventions from the Treasury can be effective to meet the case. It is a condition which is world-wide, due to the sharp reaction from the unprecedented demands for agricultural products which lasted during the World War and for a time thereafter. Prices are now out of line with those of many of the commodities which the farmer must buy, but so sure as the inevitable laws of supply and demand are operative this relation must change, and the time is coming when conditions will be reversed and the course of migration between city and farm will experience a revolution.

A most substantial benefit would be conferred upon the farmers by the construction of the Great Lakes-St. Lawrence waterway, thereby opening up a new transportation outlet for the agricultural products of a very extended area. Material benefit would also be gained by the more adequate improvement and utilization of divers interior waterways, though here as elsewhere these improvements should be carefully limited to such as are capable of profitable development. Now as always pork-barrel appropriations should be sedulously avoided.

A readjustment of freight rates and a consolidation of existing agencies of transportation afford promise of aid.

President Harding and his advisers labored incessantly for the abolition of long hours and the seven-day week in the steel industry and other trades. He called industrial and labor leaders into conference. Almost on the very day of his death his efforts were crowned with success, and happy indeed would he have been if he could have witnessed the complete accomplishment of his hopes.

Labor has been especially benefited by the restrictive immigration law. This Republican administration brought the country out of the depths of depression. The great mass of employees find their chiefest benefit in steady employment and those prosperous times which make high wages possible.

Congress has voted to submit a constitutional amendment giving adequate authority to legislate against the employment of child labor. A bill for the continuance of plans for the rehabilitation of workers disabled in industry, an effort which has met with very great success, has recently passed the House of Representatives. It has also, a few days ago, passed the Senate and been approved by the President. The well-being of labor, the happiness of millions of workers are inextricably interwoven with the prosperity of the people; no separate or antagonistic road can be traversed by those who toil or by those who employ; the country's prosperity is the prosperity of each and of all.

Among the pending issues of the day economy in public expenditures and reduction of taxation must assume the utmost importance. The Federal Government, States, and communities have been engaging in a riot of lavish expenditure, attended by mounting indebtedness. The burden of increased taxation must shackle enterprise and diminish employment. It adds almost crushing weight to the cost of living and closes the doors of opportunity. Excessive public expenditures create a fatal example, stimulating prodigality and waste among all the people in every form of activity. Public economy promotes individual initiative and prevents that reliance upon paternalistic government which weakens the morale of any people and brings with it the depressing rule of bureaucracy.

As an illustration of present conditions, the per capita expenses of the United States Government in the fiscal year of 1910 were $7.74; in 1919, the year of the peak of expenses, they were $173.54; and for the last year they were $33.44, more than fourfold those of 1910. So phenomenal an increase must arouse the attention of every patriotic citizen. It is not at all probable that any rates will be increased or new taxes imposed, but the recent revenue law is not the last word.

To secure these most desirable objects of economy an active campaign of education must be conducted similar to that in the free-silver contest of 1896. There are certain persistent fallacies which

must be dispelled. One of them results in thoughtlessness or indifference to the evils of swollen taxation. Another is that the final burden of public levies rests upon those who first make payments to the tax collector. On the contrary, the general tendency of all taxation is to diffuse itself upon all consumers, whether taxpayers or not, with considerable additions as the burden is passed along.

Still another fallacy is a prevalent opinion that excessive surtaxes are desirable and result in larger revenue. That excessive rates are not helpful under ordinary circumstances can readily be demonstrated, but this is startlingly true so long as investments in tax-exempt securities are possible. As a proof of the futility of these high rates, it is to be noted that in 1916, when the total surtaxes were $121,900,000 and the highest rate 13 per cent, $81,400,000 of these taxes were collected from incomes in excess of $300,000; but in 1921, when surtax collections were $411,300,000, over three times as great, under a maximum rate of 65 per cent, the collections from incomes of $300,000 and over were only about $5,000,000 more than in 1916, or $84,700,000. No one here will advocate a system which would relieve wealth from paying its proper share, but careful thinking will show the absurdity of the present rates, entirely justifiable in time of war but not in time of peace.

The demagogue may say to the unthinking, "See how we are taxing the rich"; and then in a soft aside say to the great capitalist, "How excellent an avenue of escape we are providing for you." The indirect effect of high surtaxes in withholding funds from such investments as would quicken industrial expansion is even more serious than the diminishing revenue. Present problems of revenue and expenditure are so commanding in importance as to call into action the highest sentiments of patriotism, for economy in expenditures and a rational fiscal system are alike essential for the prosperity and for the happiness of the people.

The Federal reserve system, which serves as a bulwark in the financial life of the Nation and was so helpful during the war, should be left alone. It should be free from the touch of the political spoilsman, and all its operations should be managed for the accomplishment of the excellent purposes for which it was intended.

The Republican Party stands now as always firmly for law enforcement. Laws are not to be observed merely by those who favored their enactment but by everyone in this broad land. Disregard of existing enactments breeds disrespect and disorder and even tends to anarchy. Furthermore, hasty changes in existing laws or regulations can not be approved. If that were the case, all our policies would be like the shifting sands of the sea, which are scattered by wind and wave.

The frightful crimes of lynch law have shown some decrease in recent years, but it is for us to make every effort to remove this disgraceful blot upon our civilization.

There is absolute necessity for an intelligent policy of conservation of our natural resources for the prevention of waste and of the even more dangerous evils of monopoly. Let us have no lack of vision for the future. This means a conservation of our forests, of our water power, of our minerals, of our coal and our oil, of the fish of the sea and the birds of the air. No hundred-year franchises should be given, nor should any grant be made of that which the Nation should reserve for its future protection.

We have abhorred war, and never more than now. But if again that which we deplore should happen, and we should be involved in another deadly conflict, let us establish a system which will mobilize all our resources for victory. We can not afford to allow the slacker to shirk his duty or give the profiteers an opportunity to pile up fortunes when those who stand for patriotism are suffering and dying. We must establish the great ideal that in the emergency of war every agency of industry and commerce, our man power, and the activities of men and women shall be such as to accomplish the single purpose of saving our country from danger. President Harding spoke eloquently in his inaugural address in behalf of such a plan.

We have recently witnessed the passage over the veto of the President of a so-called bonus or adjusted compensation bill, providing for paid-up insurance policies to soldiers of the late war. While recognizing the inestimable debt which the country owes to those who fought in the bloody contest in 1917 and 1918, and with satisfaction in the thought that for insurance, for the care of the injured and the sick, and for their training and betterment we are expending an amount which in one year reached almost 450 millions of dollars, there was a substantial minority in Congress who sought to sustain the President. But the bonus act is now the law of the land. Conditions created by it must be met and its provisions must be willingly accepted.

A constitutional amendment has passed the Senate providing for the beginning of the terms of the President and of Members of Congress early in the January following the November election. There is certainly an incongruity in the present interval between election and induction into office. This lengthy period was based upon conditions existing in the century before the last, when means of communication were so limited. Under the law as it now stands it would be possible for an outgoing administration, prior to the 4th of March, to prevent or very seriously impede its successor from accomplishing the purposes for which the people elected it. President McKinley advocated this change in his inaugural of 1897.

One urgent reform demanded is that the President be relieved of part of his most exacting duties. A constitution of iron can hardly bear up under the strain imposed upon the Chief Magistrate. There could be no more practical step in accomplishing this than to diminish the demands upon his time for the settlement of questions of patronage. This great framework of government was not devised for the dispensation of the fleshpots of office. The mighty problems of a nation in its foreign and domestic affairs, the decision of which must bring weal or woe to tens of millions, are enough to absorb the attention of any statesman.

Nor is the distracting influence of patronage confined to the executive department alone. Legislators, whose time could be more profitably employed in the making of laws and establishing policies for the Nation, lose much of their time and subject themselves to constant irritation from the same source. An extension of the merit system is urgently needed, and this is especially true in view of the enormous increase of Federal employees.

In the relation of the economic activities of the people to their Government three methods are possible:

1. The old and now discarded theory of giving to private initiative free and untrammeled play, laissez faire as it is called.

2. The control and management of a central government with all the incidents of public ownership and operation. To this there must be a fatal objection, for it would threaten the rule of bureaucracy, with its deadening influence and interference in every home, and the destruction of that personal initiative which with restless energy has unchained the wheels of progress and given our country its foremost position.

3. A third and more rational course presents itself in sane regulation, based upon wise legislation and administration, repressing the power of great corporations or combinations of any type, which else might threaten to overshadow the state itself, and with equal care guarding against the evils of unrestrained competition.

Let us secure for every individual the greatest possible equality of opportunity and leave to the States and minor political divisions a broad field of activity in their proper sphere. Thus we shall avoid an unwieldy central government in constant danger of toppling over. We shall prevent State boundaries from becoming mere vanishing traces on the map, and avoid the dangers of disaster which have beset many nations smaller and with problems less complex than our own.

In every era conditions and facts of surpassing importance must be recognized which stand out like headlands in the landscape. To-day the most important conditions are those created by the war or emphasized by it. That terrible convulsion left the world disjointed in all activities—social, political, and economic. War always has a brutalizing effect, and this great struggle, along with a most splendid exhibition of heroism, brought into play sordid motives and ambitions, the demoralization from which has cast shadows which will rest on the world for years to come. Again we are in the midst of an unparalleled material development which, beneficial as it is, threatens a lowering of moral and spiritual standards, the true grandeur of nations. This is an age of whirlwind speed, of luxury, and the pursuit of pleasure. New inventions and fresh diversions chain attention every hour. In an atmosphere of excitement and hurry there is danger of a lack of clearness of vision and fairness in judgment on most important issues of the day. Indifference in the performance of public duties rests like a blight upon the body politic. In nothing is the effect of existing conditions more manifest than in disregard of the political obligations of the citizen. The proportion of electors who take an active interest, especially in preliminary contests, was never so small. When such indifference exists unwholesome forces poison our public life. A well-organized minority is often more powerful than that inert mass of citizens whose patriotism is only aroused in times of grave emergency. To these causes are traceable the formation of blocs and the vehement assertion of individual or sectional interests. Swarms of lobbyists infest every capital seeking the promotion of some special interest with callous disregard of that paramount benefit, the general welfare. Not merely by veiled threats but with brutal demands they threaten candidates and political parties with defeat unless their wishes are complied with. These demands are so persistent that refusal arouses opposition against the administration or party in power, so that now the strongest force in political contests is the reaction against those who have responsibility in shaping governmental policies, though the "outs," or those in opposition, would be compelled to take the same unyielding stand if they were intrusted with authority. It is easier to criticize than to construct; far easier to promise than to perform. The propagandist is everywhere—would that their numbers might diminish—and so partisan is he that arguments favorable to his cause are eagerly accepted as heaven-born injunctions, while opposing arguments are treated as emanations from the depraved. Under the cloak of patriotism irrational agitation based upon hypocrisy or

ignorance sometimes displaces reason and truth. Translated into terms of taxation, it may be said:

"Oh that there might 'mongst
Propagandists be
A duty on hypocrisy,
A tax on humbug,
An impost on dreary platitudes,
A stamp athwart the mouth
Of everyone that ranted."

Never more than now have there been such insistent demands for special advantages, privileges of every nature, bonuses, pensions, increased salaries—some of which are well deserved—new bureaus with troops of officials, and relief measures, as they are called. All these are based upon the erroneous idea that our Government is a paternalistic institution doling out favors without stint to all comers who can muster votes. The tendency is to impose burdens too heavy to bear upon the ordinary citizen, "the forgotten man," who, toiling quietly at home, seeks no favors, but only asks the friendly protection of a government which is just and fair. If this tendency is not checked, we shall become a people abounding in preferred classes, the burden of whose privileges must rest with crushing weight upon the great body of our citizenship. It is necessary for us to meet this present situation with a clarion call to all to think more of duties and less of rights and privileges, more of duties to the state and to humanity.

Speaking for all good and thoughtful citizens of every political creed, I must enter a solemn protest against the impression, recently created, that there is widespread corruption in the Government at Washington. It is true that out of all the investigations, pursued in every direction, there have been exposed to the scorn of the country instances of bribery and dishonesty on the part of public officials, and of cupidity and overreaching on the part of those who are ready to use their opportunities to debauch those in office. It is true that the whole world was shell shocked by the war and has not yet recovered its equilibrium; that the effect of this great conflict, with its convulsions and changes, its untried and stupendous problems, has temporarily weakened the moral fiber of humanity and diminished here and there that high regard for the dictates of loyalty and honesty in public and private station which has ever been the ideal of the Nation. Violent changes have brought to light unworthy motives and a grasping avarice. But the heart of the American people is sound, and the gross influences that accompany and follow every war will pass away. Our highest duty in the midst of all these rumors of iniquity is to punish the guilty, but at the same time condemn exaggeration and protect the innocent. It is an infamous crime to seek to destroy the confidence of the American people in the Government under which they live. There is no criminal whom any investigation could expose who is more false to decency and honor than the man who would besmirch the names of honest citizens or distort the truth for partisan advantage or personal exploitation. It is a most grievous wrong to broadcast to the Nation and to the world the mouthings of criminals and slanderers who would seek to scatter the slime of their own imaginations and hatreds. Among the thousands of public servants in Washington, in legislative halls, in administrative positions, in all the complicated machinery of the Government, it was never true, and it is not true to-day, that there is any considerable number recreant to their trust. The vast majority of public officials, from the highest in the land to the humblest clerk in any department, are working honestly and faithfully for the public good. It is time to call a halt upon indiscriminate scandalmongering, which is largely designed to insult the intelligence and undermine the patriotism of the American people. But let us not be misunderstood. This is no reflection upon any investigator who in good faith is seeking to expose crime or any other dereliction among public servants. The guilty individual, whether he be high or low, Democrat or Republican, must suffer the severest punishment. Upon this proposition the Republican Party stands firm as a rock. Yet let it be known that guilt knows no party. Those who seek to bring malign influences upon public servants make no political distinction, either in the officials whom they approach or in the lawyers whom they hire.

Let us not take a pessimistic view of this situation. From an atmosphere of suspicion and distrust and from manifestations of dishonesty we may confidently believe that the country is emerging, and we may be sure that it will yet respond to those nobler instincts to which Lincoln appealed and to the causes to which the patriotic and the good must always repair.

I would that I could say as much for the courage of all public men as for their honesty. There is no lack of wisdom, of patriotism, or of desire to serve the people; but courage to stand up against hasty conclusions and currents of superficial public opinion is often absent. The public fancy is sometimes caught by those who are most vociferous and at the same time most radically wrong. There are too many that listen to these voices and try the impossible contortion of keeping both ears to the ground and listening to notes to which their ears should be deaf. What is most needed in legislative halls and elsewhere is courage to withstand the sudden spasms which are created by groundless rumor or injudicious agitation. Candidates for office often fail to realize how much the people respect courage and common honesty.

A tendency toward third-party movements is manifest wherever parliamentary government exists. This has been true in most of the countries of continental Europe for years. The effect is inevitably demoralizing, involving failure in constructive policies and oftentimes control by a minority or a combination of minorities. The whole theory of orderly and effective parliamentary government demands that the people divide into two parties on outstanding questions of supreme importance, thus forming political organizations based upon certain fundamental principles, while minor considerations are relegated to a secondary position. If we should tread the path which so many other countries have trod with disastrous results, inefficiency and confusion would be the outcome and there would be an expression, not of the majority will, but of the will of groups and of sections.

The word "Republican" is not a mere name; it is not a label which anyone can wear. It is not a cloak for individual vagaries. The strength and usefulness of the Republican Party must depend on the maintenance of enduring principles in the advocacy of which triumph can only be secured by party solidarity and an organization whose members unite in closed formation to do battle to every foe.

Most of the blame which is visited upon Republicans in the present Congress is not deserved, because on many major questions their party has not commanded a majority in either branch. Let us not for a minute forget the importance of a Republican majority in the next Congress, made up of Members tried and true, who will stand united.

With some disappointment as one whose public service has been in a legislative position, truth compels me to say that by far the greater share of our citizenship looks to President Coolidge rather than to Congress for leadership.

The people—and all the people—have confidence in Calvin Coolidge. It is a time when there is a hunger for simple, robust virtues, for a leadership which shall be based on no cheap or selfish motives. Others may have lost their nerve; he has not lost his. In the great array of rulers, kings and primo ministers intrusted with power, there is none who can surpass him in honesty of purpose, in courage, or in high devotion to the welfare of his country.

As a candidate for the Presidency, and this in the midst of temptations stronger than those by which the angels fell, he has shown no truckling, no scheming for votes, but has gone calmly and steadily on his way unaffected by the lure of expediency or the promise of success. He shows no favoritism for any class, no subserviency to any bloc, but supreme regard for the concerns of the Nation. This is his platform, and let it be the platform of the Republican Party.

The mountains of Vermont with their green summits encircled his early boyhood and gave direction to that stalwart character of which there have been so many illustrations in the rural life of America. In every station to which he has been called it may be said of him that—

"Wearing the white flower of a blameless life,
Before a thousand peering littlenesses, and
In that fierce light which beats upon all
In high position and blackens every blot"—

he has performed every duty and merited no reproach.

Our foreign relations are assuming an importance never known before. We are by no means lacking in interest in what is happening in the rest of the world nor are we unwilling to cooperate in the most friendly way with less fortunate nations. It was our conception that American experts in finance and economics, neutral in spirit but keenly interested in aiding other countries, should join in a nonpolitical conference for the settlement of the troublesome problems of reparations, a settlement which would promote the cause of peace and lead to sounder financial conditions and better trade relations in Europe. It was at the suggestion of our own Secretary of State and of President Coolidge that the Dawes Commission was convened. We await the result with earnest hope that the clash of conflicting interests may cease and that the spirit of repulsion and revenge may be abated. What would happen in case of failure we dread to contemplate. Whenever the various nations can agree, whenever they are willing to look to the future rather than to the past, America's aid will be given without stint and our boundless resources will be available in the way of loans for their rehabilitation and development.

But the beginnings of peace must be in Europe itself. No nation of the New World can solve the problems of the Old. It is necessary that a calmer spirit prevail, that peace and not power be the goal, and that cooperation, based on the consciousness of common interests akin to that which exists among the 48 States of the American Union, should be recognized as essential. Unfortunately that which seems to be most desired in the settlement of discordant claims in Europe is not an impartial friend but a partisan ally.

It is to be regretted that the treaty of Versailles was framed at a time when the very natural desire for punishment was still a dominating thought in the minds of the Allies. Imperialistic ambitions were clearly in evidence. Long-standing animosities, intensified by the horrors of war, had not been stilled.

Although the covenant of the League of Nations was made a part of this treaty, nevertheless at the very outset the organization was handicapped and its prospective usefulness most seriously impaired. An instrument designed to secure peace should never have been made a part of a treaty bristling all over with provisions for punishment and for the dominance of the victors. Two objects so inconsistent can not stand together. It is partly for this reason that developments since the treaty was signed have not been favorable to the effectiveness or usefulness of the league in larger matters. It has not been able to settle any of the great questions. Plans for the abatement of military expenditure and for reduction of armies have failed. Smaller nations have not been treated on terms of equality. It was well said by General Smuts, one of the leading proponents of the covenant, that over some provisions of the treaty the sponge of oblivion might well be drawn.

We have refused to join the League of Nations, and this is in full accord with the wishes of the vast majority of the American people, as I believe. As one, however, who favored our entrance into that organization with proper reservations, I may speak of it dispassionately. A meeting of the representatives of various nations around a table for the adjustment of differences and securing a common viewpoint is a splendid conception. We welcome whatever of good may be accomplished by the league, and we recognize that in humanitarian and nonpolitical matters it has accomplished beneficent results. In some of these activities we have taken part, and will no doubt in the future. But this does not mean that we should assume membership. We are still confronted with the fact that Europe has a system of offensive and defensive alliances which are entirely alien to our most cherished policies. Our traditions and our hopes are widely different. We can not relinquish that independence which is the natural result of our detached position. So long as the league remains a political body, inevitably dominated by the larger nations of Europe, poisoned with the tradition of age-long animosities, membership is not for us.

I think, however, I speak the sentiment of the people in saying that we are ready to join in any conference the aim of which is to limit armaments or banish wars. We are indeed the friends of all. We covet none of their territory and harbor no jealousies of their progress. The Conference for Limitation of Armaments at Washington was more successful than any attempt in this direction for many years, because it was far removed from the rivalries of Europe, because its aims were clear-cut, definite, and generous. When the time is ripe, President Coolidge has promised that another conference shall be called to meet at Washington. But with the question of reparations still unsettled, with bitter animosities between the victors and the vanquished in Europe still alive and burning, we can have little hope that our intervention, still less our membership in the league, would aid. We can not enter a conference in which the main request will be to release the obligations of foreign countries to us in the way of debts contracted; for if I can judge correctly of the sentiment of the American people, they are opposed to a release of these obligations. Our hopes are that the recommendations of the Dawes Commission will be accepted and that there will be a profound reaction in Europe against the enmity and strife which have survived since the peace. In a conference called when these objects have been accomplished, may we not trust that with America's leadership there will be a more settled world, an abiding desire to secure the peaceable adjustment of disputes between nations and to introduce a better order in which international law and mutual cooperation will everywhere prevail.

What can be accomplished where long-standing animosities and recollections of a bitter past do not occupy the center of the picture is well illustrated by the part played by this administration in the framing of a treaty in which 16 nations of the New World have joined, each promising all the rest that the sword shall not be taken up until after commissions of inquiry have been chosen and full opportunity given to adjust their controversies without collision or the threat of war. This was a more forward step than any ever yet taken in securing peace in the Western Hemisphere. The New World, in its peaceful attitude and promise of permanent good will, is a shining example for the Old.

Let me earnestly recommend participation in the World Court now functioning at The Hague. The League of Nations is political, and the action of the representatives of the respective members must be taken according to directions from the chancelleries at home. The court, on the other hand, is judicial, and the august judges receive dictation from no one. Our attention should be called to the fact that this court is essentially an American idea and, more than that, a Republican idea. Our own Elihu Burritt, the "learned blacksmith," nearly 100 years ago argued for it on both sides of the Atlantic. A more substantial step was taken when Secretary Hay, in giving instructions to our delegates to The Hague Conference in 1899, set forth in the strongest language the far-reaching benefits of such a tribunal and directed our representatives to advocate it before that body. In 1907 Secretary Root again gave instructions to our delegates to support the proposition. Such a court was specifically indorsed in the Republican platforms of 1912 and 1916 and at least impliedly in others. Both Presidents Roosevelt and Taft advocated it. The late President Harding, on the stump in 1920, stated his unqualified indorsement of the court. The plan for adherence to a tribunal now functioning and rendering most satisfactory decisions is one which must have the strongest possible appeal for us. It must be remembered, also, that 54 nations are members of the league and that most of them have adhered to the separate protocol for the court. It is not for us to assert that the league is a wicked institution, and in any case the provisions set forth in the protocol for the court itself remove it from any domination on the part of that body. The reservations which were made a condition of joining the court by President Harding and Secretary Hughes, whose action has since been approved by President Coolidge, make it certain that our adherence will not involve us in the league. These are sufficient safeguards and reservations to protect our own interests, and they do not affect the great purposes of the court. The Republican Party, in accord with its expressed policy, should make every effort promptly to establish our membership in this great tribunal.

Other issues might well be touched, but the time would fail me. The strength and grandeur of our country in the future can only be attained and our mission in the world can only be fulfilled by constructive accomplishments which will meet the demands of an era in which new problems are crowding upon us with maddening rapidity.

In international affairs let us remember that a chastened world can not be lifted out of the depths of suffering and sorrow by the selfish insistence of any nation upon the acceptance of a maximum of its claims. That conception was banished from the earth when ambitious monarchs desiring absolute sway were driven from their thrones. Some ambitions must be relinquished to secure the larger benefits of international cooperation. A spirit of concession and of regard for every people, great or small, near or remote, must dictate the policies of statesmen everywhere. If this is a new rule in foreign affairs, let America proclaim it.

In our domestic concerns let it be known that the people take stock of individual conduct as never before. Admiration no longer rests so much upon the triumphs of success and power as upon devoted service to country and humanity.

For the glad accomplishment of these most noble aims at home and abroad the Nation looks to the Republican Party.

Just 70 years ago this was a small but gallant band, actuated by the highest ideals; then, in 1856, a multitude, defeated but alive and undaunted. Next, a mighty conquering host, which through a long tract of years shaped and guided the destinies of this Republic, leading it always to new heights of greatness and renown. What shining pages of history were written when Abraham Lincoln grasped the helm of state in 1861!

History has recorded no party organization whose achievements can compare with ours. In its triumphant course it has stood unshaken for the Union and the Constitution. It removed the curse of slavery, resisted repudiation and powerful currents of opinion which threatened folly in our economic life, and has upheld the rights of all, however humble. In every emergency, in days that were dark as well as those that were bright, it has been a party of broad vision, full of hope and of faith.

The past at least is secure. In the future there is no lamp to guide so safe as that of experience and history, and the people will surely repose their trust in those principles and in that party organization which has played so preeminent a part in the upbuilding of the Nation and in the prosperity and happiness of all its citizens. Thus we may be confident that when the ballots are cast in November in numbers like the falling leaves of autumn this people will elect Calvin Coolidge with a Republican Congress and again crown our efforts with victory, thereby assuring a yet more splendid future of progress and of peace.

The speech of Senator HARRISON is here printed in full, as follows:

Chairman Hull, ladies, and gentlemen, 48 years ago in the city of St. Louis the hosts of Democracy met in convention to dedicate themselves to purging corruption from the public service. We meet to-day for a rededication to the same purpose. There was corruption then; there is a Saturnalia of corruption now. There were disgraced public officials then, repudiated by their party and under arrest; but to-day Fall goes unmolested on his ranch in New Mexico; Daugherty sat with presidential approval in the convention at Cleveland, and Daugherty's attorney was chairman of the committee created to oil the steam roller of the worst boss-ridden convention of a generation. It was in that convention in 1876 that Democracy turned to that superb and matchless leader, Samuel J. Tilden, to bring the Government back to honesty

and carry the party to victory. It is particularly appropriate that I read to you one plank of the Democratic platform of that year, written by that great New Yorker:

"When the annals of this Republic show the disgrace and censure of a Vice President; a late Speaker of the House of Representatives marketing his rulings as a presiding officer; three Senators profiting secretly by their votes as lawmakers; five chairmen of the leading committees of the late House of Representatives exposed in jobbery; a late Secretary of the Treasury forcing balances in the public accounts; a late Attorney General misappropriating public funds; a Secretary of the Navy enriched or enriching friends by percentages levied off the profits of contractors; and ambassador to England censured in a dishonorable speculation; the President's private secretary barely escaping conviction upon trial for guilty complicity in frauds upon the revenue; a Secretary of War impeached for high crimes and misdemeanors—the demonstration is complete that the first step in reform must be the people's choice of honest men from another party, lest the disease of one political organization infect the body politic and least by making no change of men or party we get no change of measures and no real reform."

The moral is plain: The country will make its own application.

At the outset let it be understood that this convention, composed of the militant representatives of the Democracy of the Nation, is no cold-storage affair. It is going to be red-hot, highly seasoned, and well prepared. We were not sent here under an Executive order by the candidate to notify the people. We are here by mandate of the people to name the candidate—the next President of the United States.

The Democratic Party is the friend of business, big and small; it delights to see the reflected glory from burning furnaces; the contentment from happy and prosperous farm homes; the crowded lobbies of counting houses; the steady streams of heavily loaded trains; and the early bustle of mining camps. It cares not how large the scale or big the investment, what it is most concerned about is honesty in operation.

The corner stone of the Republican Party is special privilege, and to-day its grip is more firmly tightened and its place more secure than at any time in its long history. It needs no cards to gain admittance to the White House, no password to the congressional committee rooms.

Crooked business needs only to gesture or special privilege to wink to make this administration understand and do.

It is against this brutal thing that we will wage relentless war in this campaign. We will not pitch our camps nor stack our arms until the American masses and honest business are freed from its strangle hold. They may direct their poisonous gases at us, but no camouflage can be contrived that will give covert and protection to the Pharisee. They can describe us as they may—hurling anathemas will be futile—for these guarded posts of favoritism will be taken, these fortresses of special privilege and unjust power must fall.

In the guarded orchards of this administration the golden apples of special privilege have been gathered by the favored few. It is the guardian of every special interest. The mother never guarded her tender young more zealously than has this administration watched over the needs of its petted and pampered puppets.

Not only in the administration, but in the enactment of laws these interests come first. The administration's late and lamented tax proposal was grown in the Mellon patches of special privilege. Its propagation was a work of Republican art.

For a while it was thought to be a very beautiful, large, colorful, and juicy thing. It attracted unusual attention. The invited guests, a selected few in number, smacked their lips in anticipation of the feast. But when it was examined and its parts dissected, its rottenness was revealed. No setting was ever more adroitly staged than when this scheme of taxation first made its debut. It was billed for passage at the psychological moment. The people were stooped under a heavy load of taxation. For three long years they had felt their country slipping through the results of a riotous and debauched administration. They had seen the natural resources of this Government dissipated, its charted courses abandoned, its leaders corrupted. They saw a policy of passivity adding discredit abroad and bankruptcy at home.

Their hearts were heavy and their spirits low. Any ray of hope that might bring the slightest relief was welcomed. When the Secretary of the Treasury offered his plan and the President indorsed it, the American people did not stop to study nor tarry to think. But reason follows hysteria, and right ultimately triumphs.

What is this melon that Mellon sought to cut? It would have given 1,200 of the 3,585,985 income-tax payers in America 51 per cent of the total reduction.

Under its benign provisions an income of $5,000,000 was to receive a reduction of $1,331,832, while an income of $3,000 would have received only $8.75 reduction. Through its unrestricted earned-income provisions it would have opened an avenue of escape to every tax-dodging capitalist in America.

Written in the cold lines of that proposal was the inspiration of its author, that the less exacted from the highly favored few, and the more demanded from the less-favored many, the greater the good to the common country. The champions of the proposal believe that prosperity should come from the crumbs that fall from the tables of the rich; that if you legislate solely to make the well-to-do prosperous their prosperity will seep through upon those below. The Republican Party is the ancient enemy of the income tax. It is contrary to reactionary Republican doctrine and inimical to Republican practices. The income tax was never intended to touch poverty. It exacts no settlements from bankrupt courts—forecloses no mortgages and forces no sales. It is collected only where prosperity smiles and earnings abound. As a means of raising revenue it is one of our party's priceless legacies, and as such it shall be neither weakened nor destroyed.

When the President and his Secretary of the Treasury, with all the hosts of selfish interests, charged on the battle front of the American Congress in behalf of the Mellon plan, Democracy and Progressive Republicanism stood firm. It was the same ancient contest, and for the same old cause. Under the leadership of SIMMONS in the Senate and GARNER in the House we triumphed, not because we were numerically strong, but because we were assuredly right. Through the Democratic law every taxpayer in America will get a 25 per cent reduction this year.

Every person who pays an income tax will be required to pay less in the future than in the past. And this Democratic legislation, against which all the agencies of this administration have inveighed, will give a greater reduction in taxes than would have the Mellon plan to every person whose annual income amounts to less than $67,000.

Out of the total of 3,585,985 income-tax payers in America 3,580,585 will receive a greater reduction in the Democratic plan than they would have received under the Mellon plan.

In the reduction of taxes the Democratic Party sought greater reductions and broader eliminations than did the Republican nominee or the Secretary of the Treasury. In the administration's mad efforts to forestall Democracy's desire to effect greater reductions than those recommended by the administration the Treasury Department juggled figures and deceived the public.

The administration said that the Treasury Department would only stand for a reduction of $390,000,000. The Democratic Party gave them a reduction of $470,000,000.

The administration said that the tax on candies, checks, notes, automobile parts, drafts, and soft drinks should remain. The Democratic Party said those taxes must go.

The administration said that if we would increase taxes on 3,580,585 income-tax payers and reduce the taxes on 5,400, it would release money for productive enterprises and increase the prosperity of all. The Democratic Party answered that indubitable facts refuted such an argument.

It was not reasoning they sought nor facts they desired, but more special privileges to the favored few they craved.

In 1922, out of $2,879,000,000 assets listed for estate taxes, there was not found enough tax-free securities to cover funeral expenses. For the year 1921 the total net income returns from business amounted to $2,366,318,000, and only $47,000,000 of this amount was returned by individuals whose incomes were in excess of $70,000 annually. The Democratic plan for reducing all taxes, but reducing them equitably on the basis of ability to pay, will result in releasing more money for investments in productive enterprises than would have the Mellon plan.

The Republican nominee in reluctantly signing the measure declared for its immediate reform. What does he mean by reform? Does he propose to change the law by transferring the burdens carried by 5,400 whose backs are broad to the three and one-half millions whose backs are bowed? Does he propose to make up the reduction on the 5,400 favored few by resurrecting the many nuisance taxes on the unfavored many? Is that his challenge? Then we accept it.

With the promises of the 1920 campaign to reduce the cost of living resounding in our ears, the country beheld in the passage of the Fordney-McCumber tariff law the most flagrant repudiation of campaign pledges in all the history of political parties. It was a law that reeked with special favors. Every line in it added to the living costs of the American consumer. When the iniquitous Schedule K of the Payne-Aldrich law was enacted, carrying an 11-cent duty a pound on wool, the whole country was aroused and drove the Taft administration from power. The defeat was decisive. Utah and Vermont were the sole Republican survivors. But this same reactionary group, under the inspiration of representatives of these twin States, ignored the facts of recent history and fastened upon the American people a tariff rate on scoured wool of 31 cents a pound. Tariff rates on countless other things were proportionately increased. Nothing escaped their deadly aim. In the framing of the law the time-honored Republican theory of equalizing the difference in cost at home and abroad was not considered. The only question asked was, How much protection do you want? The so-

called representatives of the people surrendered completely to the representatives of the predatory interests and played with their masters the game of "tit for tat," to the betrayal of the American consumer and the replenishment of the Republican exchequer.

Not only did it add $4,000,000,000 additional burden upon the American masses but it revealed the Nation's hypocrisy toward war-torn Europe. We maintain highly organized and efficiently managed humanitarian organizations to raise and distribute to the world's oppressed. We sometimes invade the National Treasury, graciously to give to the needy of foreign lands. America has never been unmindful of any cry of distress that came to her from any part of the world. That is the spirit of the American heart. Yet this reactionary group that has brought ruin to the country and discredit to their party employed every means to check Europe's rehabilitation and shackle her trade. Demanding payments on the one hand, they prevented them on the other. It was a policy that enriched the affluent and impoverished the needy. It closed the markets to our farmers and lifted the prices of their purchases. It tightened the grip of the favored few and dampened the hopes of the struggling many.

The doctrine of equal rights to none and special favors to some was never more firmly embedded than in the Fordney-McCumber tariff law.

As indefensible as are these two offsprings of governmental favoritism, they are not comparable to the administration's ship-subsidy proposal. Projected in the winter of 1922, following the chilling frosts of that November election, it planned with the aid of an army of lame ducks, repudiated at home and fondled at Washington, to make "a quick get-away." They sought to lay upon the American taxpayer an additional burden of $850,000,000 to subsidize the Shipping Trust. Your Democratic Representatives in Congress, aided by the patriotic progressives, withstood their mad onslaughts—for three months held them at bay, and through a highly organized filibuster prevented the passage of the measure.

In all the speeches delivered in the Cleveland convention, or in the platform there adopted, not a word was written nor a whisper uttered of the administration's ship-subsidy proposal. If that proposal had become a law, the immediate appropriations to carry it into effect would have denied any reduction of taxes this year or in the immediate years to come. The Harding-Coolidge administration was willing to give millions to the Shipping Trust, but not one cent to the American soldier.

The platform of the Republican Party and the speech of the temporary chairman of the Republican convention proclaims the Budget law as a Republican accomplishment—the disarmament conference, the reduction of the number of governmental employees, the decreases in the amount of annual appropriations and the national debt as Republican achievements. It is regrettable that we can not accord it this wild acclaim.

The Budget law was urged at the instance of a Democratic President and received the vote of every Democratic Representative. It was vetoed by the Democratic President only because an unconstitutional provision was included. It was then passed by a Republican Congress and signed by a Republican President in the proper and constitutional language suggested by the Democratic President in his veto message.

The disarmament conference was held, not because of a Republican administration but in spite of the Republican administration. It was first suggested by a Democrat, and urged by Democrats. The fight was renewed by BORAH, a Republican, yes, but one who wisely declined to become associated with the bankrupt Republican partnership in the coming campaign; one whose opposition to the reactionary control of his party has ever been constant and aggressive. Under his leadership, and over the most unrelenting opposition of the administration, the sentiment was crystallized, appropriate legislation passed, and the disarmament conference called.

It is true that during the more than three years this administration has controlled the Government the number of civil employees in the Government service and the annual appropriations have been reduced. Those reductions came, however, not because of any Republican reforms. They were the natural reductions that flow from a readjustment of abnormal conditions occasioned by the war. If we did not have bigger things to discuss, greater achievements to proclaim, and higher purposes to announce, we might claim that in 18 months of Democratic administration, immediately following the war, not only did we reduce appropriations in larger amounts than ever did the Republican Party but we reduced the national debt by more than two and one-half billions of dollars and the number of civil employees by 300,000.

Amid all this deceptive cry of economy let it be remembered that this Republican Party, during its less than four years of control, has expended $9,592,000,000 more than did the Democratic administration during the whole five years immediately preceding the war.

The American people have taken the measure of this administration. It might have been able to free itself from sectional idolatry and to have looked beyond the sky lines of New England. It might have heard the groans of the distressed farmers of the West and sympathetically responded. It might have sought markets and removed the tariff jams in the channels through which our surplus products move. It might have visualized world conditions and courageously assumed the part befitting a great Nation. It might have reduced living costs, redeemed pledges to the soldier, followed a definite domestic program, and adopted a broad and statesmanlike foreign policy, but, even then, it would have availed it nothing with its carnival of corruption. The least that the American people expect of their public servants is common honesty. They will forgive their passivity, overlook their indiscretions, and, too often, forget their impotency, but to them corruption is inexcusable, graft is indefensible.

Pizarro and his adventurous band, as they set their faces toward the golden west, were not more inspired in quest of treasure than this administration. They were looking for gold, heaps of gold, shimmering, gleaming gold. They did not wait to touch the nerves of mother earth nor drag the current's flow in their mad enthusiasm; in greedy haste they grasped the sparkling sand, then cast it down with curses when they found the glittering grains were not of gold. From Cabinet head to Republican Representatives in Congress, like a plague, the disease spread. It became epidemic, and while the world looked on the great physician of this administration in sullen silence refused to prescribe a remedy or attempt a cure. Gallant soldiers, who never flinched in battle or cowed in action, who, like madmen, threw themselves into the jaws of death for the glory of their country, were robbed; widows' mites and orphans' pittances were stolen; seats in the United States Senate placed upon the auction block and sold like merchandise; natural resources secretly squandered; courts of the land mocked; congressional committees defied; and the scales of justice tipped by the weight of gold. Well do these subalterns of the administration know that there is more blood in the body than mantles in the cheek, more profit in the office than is exhibited in the salary.

It is the brazen effrontery of this administration that challenges our attention. They would halt these inquiries by hysterical cries and foreboding predictions. They say, "You are hurting business." "You are destroying confidence." Our answer is, "We are helping business." "We are restoring confidence." "We are saving the Government by performing an operation to preserve the life of the Nation itself." Theirs is the Spartan morality. Not the corruption but the discovery constitutes the crime. Instead of applauding the investigators, they make war upon the investigation. Instead of condemning the exposed and praising the exposure, they praise the exposed and condemn the exposure. Decry them as they will, the American people know that it was these investigations—conducted by Democrats, yes, but through Republican committees—that sent Albert Fall to Three Rivers a disgraced man and proven criminal. It was these investigations that revealed such a gross indifference and utter incapacity in the Navy Department and compelled Edwin Denby's retirement from the Cabinet. It was these investigations that unfolded a condition in the Department of Justice that shocked sensibilities and drove Daugherty back to Washington Court House. It was these investigations that caused conspirators against their Government to take their own lives rather than tell the truth and unbosom the criminating secrets against their own criminal allies. It was these investigations that pointed to the immoral orgies of Forbes and sickening scandals in the Veterans' Bureau. It was these investigations that put a Republican Congressman behind the bars and lashed Newberry from the Senate. It was these investigations that informed the American public that the first official act of Calvin Coolidge was the appointment of a private secretary who had traded and trafficked in public patronage. It was these investigations that led a Republican Senate to convict its own Republican National Committee for "framing" a Democratic Senator because he dared to do the right.

In this campaign let the conscienceless leaders of this administration deride investigations. Let them accuse the Congress of deteriorating; let them continue to shield those who conspired against the Government; but in this dark drama the American people know and prefer the highly patriotic and cleansing work of THOMAS J. WALSH to the foul infamy and thievery of Albert J. Fall.

Nothing in burlesque or opera bouffe is comparable to the scene recently enacted at Cleveland in the efforts of the silent Sphinx of the Potomac to exile and expatriate those Republican Senators who dared to oppose his mandate. It is somewhat a pathetic story—the treatment there accorded our Republican senatorial friends.

> "But yesterday the word of Cæsar might have stood against the world;
> Now lies he there, and none so poor as to do him reverence."

They dared to vote an investigation of a member of the President's official family, and they are penalized for their decency.

They dared disregard the protest of the world profiteers to respond to the appeal of the soldiers who fought our battles on the fields of France, and they are punished for their justice.

By every device known to trained camouflaeurs, by every subtle process of legerdemain, the Republican nominee, in true pharisaical fashion, sought to divorce himself from his former comrades in arms. The plan is obvious; the plot is futile. Neither the President nor his Falstaffian army, headed by General Butler and Sergeant Stearns, can

conceal the ugly fact that the Cleveland convention was the most highly organized, boss-ridden, and oleaginous ever held in America. The American people will not be deceived. They will not permit themselves to be used as pawns in a game of "hide and seek."

The mask is off. Piercing through the political machinations of that convention we see the sinister lips of special privilege. The leopard does not change his spots overnight. Neither can the Republican Party be reformed by resolutions nor by presidential ukase.

The American people will know that they are dealing with a system; that even though Hanna, Quay, and Penrose are dead, their spirits go marching on in the personages of the Three Musketeers of present-day Republicanism—Butler, Stearns, and Slemp. These bosses are doing business in the same old way according to the same old rule.

It was peculiarly appropriate that the Republican nominee should have conscripted one of the "best minds" from far-away Mexico to write the platform for this campaign and a lame duck to preside as the permanent chairman of the convention. Both assignments for that convention were most fitting—one was available because of the theory that "distance lends enchantment to the view" and his lack of knowledge of things that are; the other because he was the only public man in the United States willing to offer himself as a living sacrifice upon the senatorial altars of Wyoming in defense of the Teapot Dome.

The Republican organization is now trying to salvage something from the wreck of the old party. The proceedings and platform of the Cleveland convention portend the loss of the Congress, and they are now madly fighting to save the Presidency.

With an administration honeycombed with graft and corroded with corruption it is refreshing to reflect upon the innumerable Republican investigations into expenditures of the preceding Democratic administration. Following that period—the most momentous in our country's history, which called for the mobilization of our strongest and best, a period that necessitated the expenditure of $40,000,000,000 to prosecute and win the war, no similar period ever having called for such a readjustment of governmental agencies and the prompt prosecution of expenditures—following our country's triumph in arms and victory in the chancelleries of the world, through a campaign of lavish expenditures and appeals to the prejudices of groups, we lost control of the Congress. As soon as it was organized the Republican Party inaugurated a scheme of investigations that were the most far-reaching and costly in the history of the Government. Fifty-one separate committees were appointed, controlled by 51 separate Republican majorities. They searched every Democratic record; they followed every hint. Like a dragnet, they mobilized every bit of gossip and ran down every rumor. Investigations covered the whole country and extended beyond the seas. What were the results? Where is the tainted dollar spent? Where was the defrauded soldier? Name the Democratic Cabinet officer disgraced. Those Republican investigations, partisanly and relentlessly conducted, did not point to a single act that reflected discredit upon any Democratic official. I call upon the Republican nominee, Calvin Coolidge; I call upon the members of the Republican Cabinet; I call upon every Republican Member of Congress—I call upon the Republican Party to name the Democratic culprit.

But it is not graft alone that offers in the two administrations such happy comparisons. During these little more than three years we have seen the present administration float along, tossed by every current, fanned by every breeze, without purpose, program, or policy. Its leaders have not led, and its organization has not functioned. Upon a thousand issues they have hoisted the white flag of surrender. Amid all the confusion that has divided this administration domestic problems have gone unsolved. We have felt the slowing down of industry, the increase of unemployment, the diminishing purchasing power of the farmer's dollar. Starving herds, rotting grain, and rusting spindles, have not stirred the sleeping spirit or warmed the chilly coolness of the President. He has slowly traveled upon the vehicles of his paper vetoes, vainly protesting but not pressing forward to the task, assuming but not asserting, flinching but not fighting. In every issue he has quibbled; in every flight he has floundered. Never was party leadership so repudiated and the party so badly torn.

If it be Japanese exclusion, adjusted compensation for the soldiers, Mellon's taxation rates, development of Muscle Shoals, old soldiers' pensions, farmers' relief, or World Court, he stands forlorn, deserted, pilloried by his own party. As a candidate, what did he and his associates promise four years ago respecting international cooperation and the promotion of world peace? Let me read to you from the Republican literature of that day. Here is the historic appeal of the so-called 31 distinguished Republican leaders, including Charles Evans Hughes, Herbert Hoover, William Howard Taft, and Elihu Root:

> "The undersigned, who desire that the United States shall do her full part in association with the other civilized nations to prevent war, has earnestly considered how we may contribute most effectively to that end by our votes in the coming election. * * * The question between the candidates is not whether our country should join in such association. * * * The Republican Party stands for agreement among the nations to preserve the peace of the world. * * * The Republican Party is bound by every consideration of good faith to pursue such a course until the declared object is attained. * * * We therefore believe that we can most effectively advance the cause of international cooperation to promote peace by supporting Mr. Harding for election to the Presidency."

That was one of the spurious coins issued in 1920.

Through their miserable effort and vain meanderings to extricate themselves and their party from the morass of their own deceit, they have nauseated the American people by the pitiable spectacle they present. They surcole their promises with such beautiful rhetoric and vamp the truth to such an extent that they do not know the direction in which they are going. HENRY CABOT LODGE, who made Coolidge at Chicago and unmade him at Washington, "with rolling eyes spews fine speech about duty and like phantasmal fancies of his flighty mind," attempts to weave new webs of intrigue, and to again ensnare and mislead the American people. Too long has this cultured gentleman with his intriguing cohorts denied peace to a suffering world, and in their new-hatched World Court schemes an outraged people can not and will not again be defrauded.

The lamented Harding, in his big-hearted, sympathetic way, sounded the tocsin call in his New York speech to enter the World Court. That was only a step, but a step in the right direction. It was merely a move, but a movement toward the broader and more inviting fields of peace, and he deserved the backing of his party and the cooperation of every peace-loving American citizen. Coolidge pledged himself to carry out the policy, and yet from the day he took up the task laid down by Harding he has made only a bow in that direction. The World Court at best can decide only international questions unanimously submitted to it by the parties to the controversy. Indeed, it is not necessary for them to abide by the decisions of the court unless they agree to do so. And yet, simple as is the plan, earnest as are these nations that are cooperating to make it a success and draw to a broken world the light of hope and peace, the same serried ranks in the United States Senate are pursuing their same indefensible tactics, bent on destruction and wreaking vengeance.

Recently they have gained a healthy new recruit in "Caius Cassius" PEPPER, the distinguished keynoter and keystoner. They are not willing to employ their power and talents against our country joining the present World Court, but they seek to chloroform the existing plan, to dismantle it, to destroy it. Thus, this unholy conspiracy against the peace of the world is carried forward, while silence, deep and impenetrable, broods over the Potomac. For months the Senate Foreign Relations Committee had this question before it. Numerous plans presented and sharp differences constantly arising between the advocates of each. And yet the President through it all did not raise his voice. No words of reprobation fell from his lips. He was as silent as the tomb. And not until the committee had taken action and the final curtain was drawn upon the closing scene of the Congress did he take the public into his confidence touching his views. And thus the silence of Calvin Coolidge is acclaimed by his votaries as golden. Grover Cleveland once said: "It is not the mere slothful acceptance of righteous political ideas, but the call to action for their enforcement and application that tests the endurance and moral courage of men." What America needs now is not a Sphinx, but a Paul Revere to awaken it and call it back to duty and high resolve. Oh, for one in the White House whose heart might be melted and courage aroused to sympathize and to fight. Would that we might once more see in that exalted position one with the courage of a Jackson, the militant honesty of a Cleveland, the matchless statesmanship, far-flung vision, and the fine fighting qualities of a Woodrow Wilson.

Would that we had in the White House the spirit of him whose heart of gold melted in the sympathies of the world—of all humanity—whose courage knew and gave no quarter, whose qualities of statesmanship caused him to catch the first whisperings of domestic disorder and visualize and prescribe for world unrest. It is the spirit of him who twice led us to victory and whose soul has taken its flight but whose remains now lie in yon crypt at St. Albans, the late Commander in Chief of the world's greatest fighting forces in its greatest crisis, that will inspire harmony in this convention and assure victory in November.

How different were the foreign policies of our Government under Woodrow Wilson and under the Harding-Coolidge administration. It is the difference between a keynote and keyhole policy of statesmanship. In the good old Democratic days we did not send spies to peep in, but diplomats to sit in; not observers without authority, but representatives with credentials. One policy was definite, wise, and brave; the other vacillating, halting, and weak. We opened up new and broader markets, and the people of every clime were drawn closer to us. No humanitarian cause, no movement to check wars, settle disputes, or promote world peace but promptly received the sympathetic consideration of this Government. It was through such a policy that America forged to the front among the foremost nations of the world. Glory was in the flag and prosperity in every industry. What a change has come about during these three long years!

Oil has become the Open Sesame of power. It gained admittance to the robbers' cave and participation in the plunder. It has been the inspiration of this administration's foreign, as well as domestic policy. The magic significance of its flow has awakened the State Department to an interest not only in Mexico and the United States of Colombia, but away off in the Near East. Truly the administration might have boasted of two "Secretaries of Oil."

When the Christian women and children of Armenia were being wantonly given to the Turkish sword, when thousands of these Armenian followers of Christ, driven like cattle into exile, were dying of starvation and exposure in the highways; when Christian churches and Christian homes were being given to the flames and ministers of the gospel importuned the administration for a note of protest, it was refused; but the moment the oil magnates of the land sought a concession in the oil fields of Mosul the administration that refused to intervene to save Christian lives, Christian churches, and Christian homes went to the front with vigor and decision.

They who were indifferent when the lives of women and children were involved hastened to the conference with the Turks in pursuit of the Chester oil concession and became a party to the infamy of the Lausanne treaty—a treaty which abandons our missionaries to the Turks and betrays Armenia into the hands of its assassins.

Show this administration an oil well and it will show you a foreign policy.

With a world dismayed by disorder and steeped in sorrow we have waited patiently for this giant Nation to assume its commanding part. But no; their leaders, like slackers moved by fear, have turned and run away. Amid all this world's confusion, with its broken spirit and lost confidence, with wreck and ruin throughout Europe, this administration has complacently looked on and skulked. Never before in all its history has America turned a deaf ear to the appeal of humanity or the call of civilization. Foreign countries have sought our advice. They have pleaded for our counsel; but, lo, their supplications have been ignored and their pleas rejected.

The Democratic Party offers no apology for its foreign policies. When the Woodrow Wilson plan for world adjustment was wrecked by the selfish and jealous hands of reactionary Republican leadership, world hope for peace was shattered and European rehabilitation indefinitely deferred. The tragedy is they wrecked our plan and offered nothing instead. This administration can not escape its responsibility for the feverish condition of the world. What they are now seeking to do with reparations should have been done years ago. Out in the progressive Northwest and throughout the great western plains agriculture languishes for want of attention. Farmers are in the throes of despair. More than 600,000 in that great wheat section alone have been driven to bankruptcy during this administration.

Would you know the difference between normalcy and prosperity? Here it is:

In the Democratic year of 1917 the country experienced seven national bank failures.

In the Democratic year of 1918 the country experienced two national bank failures.

And in the Democratic year of 1919 the country experienced only one national bank failure.

Within less than four years of Republican normalcy more than 1,357 banks have failed and millions of people bankrupted.

During the first three months of this year 265 banks have failed, with total liabilities of over $100,000,000.

The distressing conditions that confront agriculture when other industries specially favored are prosperous should at least appeal to the stony hearts of this administration. But the Republican nominee and his reactionary followers in the Congress have not permitted any governmental relief being extended to them for the reason, as very impressively stated by the Republican nominee on December 6, 1923, in his first message to the Congress:

"Those farmers," he said, "who raise their living on their own lands are not greatly in distress." Those sentiments come from the heart throbs of the Republican nominee, and the present deplorable plight of the American farmer is due to callous indifference and their cowardly, isolated foreign policy. No economist but knows that this selfish policy, without vision, is responsible for the dissipation of our foreign trade, the terrible plight of the farmer, and the timidity of business. Until stricken Europe revives we can not hope for full settlement in our foreign debt. Allied payments to us depend upon German payments to them. But even though the reparations question may be settled and Germany exerts every effort to pay, how can she pay if she is economically shackled by America and the world? The German citizen can set his hand to work and from one end of that country to the other every furnace may be lighted, every factory wheel may whirl, every field be tilled, and every agency of commerce and industry work overtime, yet they can not continue unless some market be found for their wares. There can be no market if the tariff gates are closed against her by other countries as are our own. Such a sordid policy of selfishness upon the part of this administration not only delays European rehabilitation but forces upon the American masses higher prices for homemade goods. Custom receipts do not prove the success or failure of tariff laws. A tariff that in normal times might be prohibitive, in abnormal times is but a license to the conscienceless profiteer to extort from and gouge the American consumer. Exports from a country the purchasing power of whose money is worthless may be expected to seek those markets that offer the best purchases no matter how high the tariff. In the abnormal conditions of the world to-day the result is that with an exorbitant tariff our Government may perhaps get more revenue but the European seller will receive far less for his product, and the American consumer will be compelled to pay more for his purchase.

A record of promises fulfilled and pledges kept attest the loyalty of the Democratic Party. The long list of unparalleled achievements of the Wilson administration are among the glorious assets of our party. It is a record that should stir the soul of America and thrill every Democratic heart. What is that record?

A tariff law that bred no bounties and spawned no special privileges. A tariff law that sought no taxes from the tables of the poor but raised them from the fortunes of the rich. A tariff law that unfettered buoyant hope and fledged ambition's best efforts. A tariff law that transformed a weapon of oppression into an instrument of usefulness. A tariff law so nicely adjusted to world conditions that our international trade balance reached the highest peak in all its history.

Uninfluenced by war conditions, at its lowest ebb it gave to the United States a favorable balance of trade $380,000,000 more than the present indefensible law afforded at its highest. At its peak it exceeded by $3,000,000,000 the highest under the Republican law.

A Federal reserve law that emancipated banking from the domination of a moneyed monopoly and placed credits in the control of Government officials; a law so modern and so elastic as to meet the constant needs of trade and commerce and to act as a panacea against panics and a cure for industrial ills. A law which the temporary chairman of the Cleveland convention said, "Serves as a bulwark to the financial life of the Nation and was so helpful during the war should be left alone." We will leave it alone, and not one of the pillars upon which it rests will be removed, but we will not permit a reactionary Republican leadership, dominated by selfish groups, to divert it from its real purpose and turn over its administration to its pliant tools.

A record that carved new lanes of trade and opened up additional markets.

A record that gave confidence to business and sent the sunshine of happiness and the glow of prosperity into every American home.

A record that filled the pay envelopes of all wage earners and piled high every bank with countless resources.

A record that lifted agriculture from the low depths to which the Republican Party had tossed it to a commanding place in American thought and attention—a place at which credit and transportation facilities to the farmers were made available and the distribution, sale, and marketing of their products assured.

A record that gave to the American farmer the only period in the history of the Government in which the purchasing power of his dollar was at a premium.

A record that filled public offices with men of character and not tools of corruption.

A record that protected the health of children and guaranteed the rights of women.

A record in which never before did the wheels of industry sing so sweetly and the flow of commerce move so smoothly.

A record that blazed the way to new heights of idealism, shot through with wise and humane policies.

A record of days when human rights were dominant, and through the force of our moral leadership America caused a spiritual awakening throughout the world. Those were mighty days. In every foreign capital America personified the highest and the best, and beneath the folds of its flag all peoples looked for shelter and protection.

With the small part of the record fresh in the minds of the American people we enter this contest determined to restore the Government to its rightful eminence.

We will wipe from its escutcheon the stains of this administration. We will restore dignity and integrity in public service. We will remove the scars of normalcy and revive prosperity. We will recover and conserve our national resources. We will drive every rascal from high position and see to it that self-confessed and high criminals who now run at large unafraid shall not go further unwhipped of punishment.

An administration steeped in corruption and looseness in the observance of law naturally breeds immorality and disrespect for law.

The Democratic Party will have neither pets to protect nor corrupt Cabinet members to coddle.

We will rigidly enforce the law, whether the violator be a bloated trust magnate, a congressional bribe taker, an embezzler of the public domain, or a disreputable bootlegger.

We will eliminate governmental favoritism and strike from the statutes every discriminating provision that takes from "the mouth of labor the bread it earns."

We will readjust tariff rates and reduce transportation charges.

We will lay bare campaign bribery and punish election frauds.

We will go to the relief of distressed agriculture and adopt such policies and pass such laws as will restore permanently the purchasing power of the farmer's dollar and again place it on a par with that of other industries.

We will remove from the administration of the civil service every influence of fraud and inaugurate efficiency in government.

We will put a stop to Republican procrastination and adopt a progressive reclamation policy.

Recognizing our obligations as a great humane power, we will assume in manly fashion our responsibilities to the world.

We will pursue the same high course that has ever inspired the leaders of Democracy, unterrified by those who threaten to destroy and unmoved by those who seek selfishly to control.

Neither the cries of radicalism or the threats of conservatism will swerve us from our fixed purpose. Democracy is the right way. It is the party that offers the safe middle course, patronizing no isms and paying tribute to no extremes.

It is the party that never bartered its birthright to serve the hour nor allowed expediency to dominate where right was involved.

It will wage war for the protection of the rights of property as zealously as it will battle against the guaranties of special privilege. At every cost it will defend the liberties and the constitutional rights of the citizen in the same sturdy way as it will assail bureaucracy and centralized government.

These principles are just as precious to-day as when they were proclaimed at Runnymede, revivified by the immortal Jefferson in the imperishable parchment of our Declaration of Independence, and indelibly written in everlasting terms into the Constitution of the United States.

Ladies and gentlemen of the convention, may I say in closing that this is a Democratic year. Victory is within our grasp if we but reach out for it. Let us remember that too much is at stake for the hideous form of friction to frown upon this convention. Our guns and all our guns against the common enemy. Nothing must happen here to divide our councils or dampen our ardor. The fires of Democracy must not flicker. The hope of the people lies in the action of this convention. There must be no sulking; there can be no mutiny. Winning is not wicked. Strategy is no sin. Far better is it for the American people and the future of the Democratic Party that in this convention we deny to ourselves some vaunted expression or surrender some temporary advantage that we may succeed in this campaign than tenaciously to persist and lose.

A great duty and a high responsibility rests upon us in this solemn and critical hour of the Nation's life. Every impulse of decency, of human sympathy, of fair dealing, cries out and urges us on to action—harmonious, militant, aggressive action. With struggling millions of men and women throughout the country calling upon us and humanity everywhere exhorting us onward, the great army of Democratic men and women will not retreat before the enemy upon the great battle field of this campaign. We shall not fail.

No matter who may be the choice of this convention, we will rally around our leader, clad in the armor of a righteous cause, attracting to our standard all the forces of right until the flag of Democracy waves triumphantly from every rampart of the Government. And as we fight this great battle there will accompany us the invisible presence of the fathers of Democracy. It would seem now we can hear the soft voice of sweet reasonableness coming to us from Monticello, the voice of "Old Hickory" coming across the Blue Ridge from the Hermitage, and from that historic crypt at St. Albans we hear the mighty voice of Woodrow Wilson, wistfully calling to us: "To you, from failing hands, we throw the torch." "Hold it high!" "Hold it high?" "Carry on, carry on; keep the faith, keep the faith."

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. REED of Missouri. Mr. President, I have had printed an amendment which I do not seem to be able to lay my hands on. I had some amendments which I tried to have printed, but they have been printed not separately but in one sheet.

I now offer the following amendment:

On page 1, line 10, strike out the word "eighteen" and insert the word "fourteen."

Mr. ROBINSON. Mr. President, it has been to me astonishing to note the possibilities of harm which opponents to Federal child labor legislation find in the proposed amendment giving the Congress the power to limit, regulate, and prohibit the labor of persons under 18 years of age.

Some Senators opposing the joint resolution to submit the amendment for ratification have declared that it was conceived and is being promulgated by sinister influences, out of sympathy with fundamental American institutions. They have designated its chief advocates as Bolshevists, socialists, or anarchists. They have only succeeded in proving that a number of persons who are neither orthodox Republicans nor orthodox Democrats appeared before the committee in behalf of the amendment, which is likewise supported by nearly all patriotic organizations of American women, and by many other associations of both men and women whose devotion to the public interest can not be fairly questioned.

During the course of this debate fear has been expressed that the amendment will prove much more comprehensive than is intended, and will take over the State's control of education and vest it in the Federal Government. By no possible stretch of judicial fancy could such an interpretation be justified. The subject dealt with is labor, not education. No precedent can be found which interprets the regulation or prohibition of labor to mean the regulation or prohibition of education.

The suggestion that to give the Federal Government the power to regulate, limit, and prohibit the labor of persons under 18 years of age might, if the Congress so applied it, deny the parent control over the reasonable activities of a minor child, is technically true. Of course the advocates of the amendment assume that Congress will never so abuse the authority conferred.

I voted for the amendment proposed by the Senator from Missouri [Mr. REED] denying to Congress the power to limit, regulate, or prohibit the labor of persons under 18 years of age engaged in agriculture or in horticulture because I do not believe that any condition exists which justifies the conferring of such power, or which would justify the exercise of such power if conferred.

No condition exists in the United States that would warrant denying parents reasonable control over the activities of their minor children. I know that the advocates of this amendment have declared that they do not want it modified in any particular. At the same time, it is the duty of the Congress, when a measure of importance comes before it, to consider it in its every possible bearing in relation to the public interest, and I do not subscribe, nor do I believe that my associates in the Senate will subscribe, to the theory that it is necessary to authorize the Congress to deny to parents that reasonable and necessary control over the activities of the minor child which constitutes a fundamental feature of American civilization.

At the same time, the amendment to reduce the age limit from 18 to 14 years does not meet with my approval. Forty-one States and the District of Columbia regulate the labor of children under 18 years of age, and a large number, I believe the Senator from Wisconsin [Mr. LENROOT] stated a day or two ago 32 States and the District of Columbia, impose regulations applicable to minors—that is, persons under 21 years of age.

Even if it is not desirable now to enact a Federal law regulating the employment of persons under 18 years of age, conditions may hereafter be disclosed which will make it desirable to extend the Federal authority so as to embrace the employment of persons under 18 years of age. For the promotion of uniformity, for the sake of stability in the law, it seems to me best to make the age limit 18 years rather than 14 years, as proposed by the pending amendment of the Senator from Missouri.

Surely some regard may be had by the Congress, in dealing with this subject, to the tendency of social progress. It appears quite likely, notwithstanding the fears of eminent Senators who oppose the submission to the States of an amendment providing for Federal regulation of child labor, that the public will grow more mindful and more watchful of the safety, the health, and the best interests of the youth of the land, and it does not appear improbable that the regulation of employment of minors will become quite general within the next few years.

Senators who oppose the submission of this amendment do so chiefly upon the ground that it contemplates turning over to the Federal Government authority now vested in the State governments, and that to submit such an amendment for ratification constitutes in some mysterious way an effort to undermine the fundamental principles upon which our Government rests.

Have Senators who make such arguments forgotten that before this amendment or any other amendment to the Federal Constitution can become a part of that instrument it is necessary that there be the concurrence of three-fourths of the States? If three-fourths of the States constituting this Union ratify the amendment which you will soon vote to submit, can you anticipate that the submission of such an amendment constitutes an infringement of any of the fundamental principles upon which this Government rests? If three-fourths of the

States desire that the Federal Government regulate the labor of children under 18 years, how can it be said that to give the States the opportunity to pass upon the question and to ratify or reject an amendment authorizing Federal legislation upon the subject is a serious impairment of the sound principles of this Republic?

Mr. President, the opponents of this amendment have created what I may designate as a straw man, and they have attacked their own creature with great vigor and power. Say what you please and do what you please, there is a movement, deep-seated and widespread, in favor of protecting the childhood and the youth of America against the evil results of excessive labor.

How can it be said that to grant the States the right to say whether they desire that uniformity of regulation respecting child labor which can only be accomplished through Federal action is a subversion of sound principles of government? Such a proposal appears so absurd when stated frankly and fairly that it requires no answer.

There is a demand, not from Bolshevists, socialists, or anarchists, but from the men and women who constitute the patriotic citizenship of this Nation, for uniform legislation on the subject of child labor, and you can not scare me from voting for this amendment by conjuring up in the fancy possible evils which, by a stretch of the imagination, might be calculated to offset the advantages of such legislation.

I am in favor of submitting this amendment to the States for their ratification, and I have not the slightest fear that any harm will come to any institution worth preserving if the States ratify this amendment.

Mr. REED of Missouri. Mr. President, I want to embrace this opportunity to explain an amendment which I intend to offer as soon as the pending amendment is voted upon. I make the explanation now because in five minutes the time when anyone may speak will be gone. I intend to offer an amendment, if I am permitted, immediately succeeding the vote on the pending amendment, to strike out all of section 1 and to insert in lieu thereof the following:

> Congress shall have power reasonably to limit and regulate the labor of persons under 18 years of age, and to prohibit such labor in pursuits involving special hazard to health, life, or limb.

That gives the right to reasonably regulate in all cases, and will be a right identical with the power now possessed by the respective States; but in yielding to the sentiment of many men here I have added the absolute right to prohibit labor where there is special hazard to health, life, or limb.

The amendment in that form will be consistent with the most advanced legislation for the protection of children that has been adopted in any of the States, but it does take away from Congress the arbitrary right to prohibit the labor of children under 18 years of age, or its arbitrary right to regulate or limit, and leaves that right to be exercised consistent with the fundamentals of our laws, which have always limited the police powers to a reasonable exercise of authority on behalf of the States.

Mr. MOSES. Mr. President, the Senator from Arkansas [Mr. ROBINSON] has stated the case from his viewpoint for some Senators who intend to vote against this amendment. He has not stated the case for me.

I had hoped to be able to vote for a child-labor amendment to the Constitution. I can not vote for this one, because its proponents, showing themselves to be in control of the Senate, as they have already shown themselves to be in control of the House, do not give to us a child-labor amendment in line with any of the statutes adopted by any of the States, but they give to us an adult-labor amendment which can not fail to be hateful to many lines of industry and which can not fail to be repugnant to the statutes already adopted in all of the States which have legislated on the subject; an amendment, Mr. President, which can not possibly work out for the purpose which those who advocate it try to make us believe is its end.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from Missouri [Mr. REED].

Mr. REED of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "yea."

Mr. GEORGE (when Mr. HARRIS's name was called). My colleague, the senior Senator from Georgia [Mr. HARRIS], is detained by illness.

Mr. LODGE (when his name was called). I have a pair with the Senator from Alabama [Mr. UNDERWOOD]. I transfer that pair to the Senator from Maryland [Mr. WELLER], and vote "nay."

The roll call was concluded.

Mr. CURTIS. I was requested to announce that the Senator from West Virginia [Mr. ELKINS] has a general pair with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 25, nays 57, as follows:

YEAS—25

Ball	Fernald	Norbeck	Smith
Bayard	Fletcher	Overman	Stephens
Borah	George	Ransdell	Swanson
Broussard	Glass	Reed, Mo.	Wadsworth
Bruce	Gooding	Reed, Pa.	
Dial	King	Shields	
Edwards	Moses	Simmons	

NAYS—57

Adams	Fess	Lenroot	Sheppard
Ashurst	Frazier	Lodge	Shipstead
Brandegee	Gerry	McCormick	Shortridge
Brookhart	Hale	McKellar	Smoot
Bursum	Harreld	McKinley	Spencer
Cameron	Harrison	McLean	Stanfield
Capper	Heflin	McNary	Sterling
Caraway	Howell	Mayfield	Trammell
Colt	Johnson, Calif.	Neely	Walsh, Mass.
Copeland	Johnson, Minn.	Norris	Walsh, Mont.
Cummins	Jones, Wash.	Oddie	Watson
Curtis	Kendrick	Pepper	Willis
Dale	Keyes	Phipps	
Edge	Ladd	Pittman	
Ernst	La Follette	Robinson	

NOT VOTING—14

Couzens	Greene	Ralston	Weller
Dill	Harris	Stanley	Wheeler
Elkins	Jones, N. Mex.	Underwood	
Ferris	Owen	Warren	

So the amendment of Mr. REED of Missouri was rejected.

Mr. DIAL. Mr. President, I send to the desk an amendment which I offer.

The PRESIDENT pro tempore. The Senator from South Carolina offers an amendment, which will be stated.

The READING CLERK. On page 1, line 11, after the word "age," insert:

> Excepting those engaged in outdoor employment.

The amendment was rejected.

Mr. REED of Missouri. I now move to strike out the word "18" and insert the word "16."

The PRESIDENT pro tempore. The Clerk will state the amendment proposed by the Senator from Missouri.

The READING CLERK. On page 1, line 10, strike out "18" and insert "16," so as to read:

> The Congress shall have power to limit, regulate, and prohibit the labor of persons under 16 years of age.

Mr. REED of Missouri. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. GEORGE (when Mr. HARRIS's name was called). I wish to announce that my colleague, the senior Senator from Georgia [Mr. HARRIS], is detained by illness.

Mr. LODGE (when his name was called). Making the same announcement with reference to my pair as before, I vote "nay."

Mr. OVERMAN (when his name was called). Making the same announcement as on a previous vote, I vote "yea."

The roll call was concluded.

Mr. CURTIS. I was requested to announce that the Senator from West Virginia [Mr. ELKINS] has a general pair with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 40, nays 43, as follows:

YEAS—40

Ball	George	Mayfield	Smith
Bayard	Gerry	Moses	Smoot
Borah	Glass	Norbeck	Spencer
Broussard	Gooding	Overman	Stanfield
Bruce	Harreld	Phipps	Stanley
Caraway	Harrison	Ransdell	Stephens
Dial	Heflin	Reed, Mo.	Swanson
Edwards	King	Reed, Pa.	Trammell
Fernald	McKellar	Shields	Wadsworth
Fletcher	McLean	Simmons	Watson

NAYS—43

Adams	Dale	Kendrick	Oddie
Ashurst	Edge	Keyes	Pepper
Brandegee	Ernst	Ladd	Robinson
Brookhart	Fess	La Follette	Sheppard
Bursum	Frazier	Lenroot	Shipstead
Cameron	Hale	Lodge	Shortridge
Capper	Howell	McCormick	Sterling
Colt	Johnson, Calif.	McKinley	Walsh, Mass.
Copeland	Johnson, Minn.	McNary	Walsh, Mont.
Cummins	Jones, N. Mex.	Neely	Willis
Curtis	Jones, Wash.	Norris	

NOT VOTING—13

Couzens	Greene	Ralston	Wheeler
Dill	Harris	Underwood	
Elkins	Owen	Warren	
Ferris	Pittman	Weller	

So the amendment of Mr. REED of Missouri was rejected.

Mr. REED of Missouri. I now offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Missouri offers an amendment which the Clerk will state.

The READING CLERK. Strike out section 1 and insert in lieu thereof:

SECTION 1. The Congress shall have power reasonably to limit and regulate the labor of persons under 18 years of age and to prohibit such labor in pursuits involving special hazard to health, life, or limb.

Mr. REED of Missouri. On that I ask for the yeas and nays.

The yeas and nays were ordered and the reading clerk proceeded to call the roll.

Mr. LODGE (when his name was called). Making the same announcement as before in reference to my pair and its transfer, I vote "nay."

The roll call was concluded.

Mr. GEORGE. I desire to announce that the senior Senator from Georgia [Mr. HARRIS] is absent because of illness.

The result was announced—yeas 25; nays 58; as follows:

YEAS—25.

Ball	Fletcher	Overman	Smith
Bayard	George	Pittman	Stephens
Broussard	Glass	Ransdell	Swanson
Bruce	Gooding	Reed, Mo.	Wadsworth
Caraway	Heflin	Reed, Pa.	
Dial	Moses	Shields	
Edwards	Norbeck	Simmons	

NAYS—58.

Adams	Fernald	La Follette	Sheppard
Ashurst	Fess	Lenroot	Shipstead
Borah	Frazier	Lodge	Shortridge
Brandegee	Gerry	McCormick	Smoot
Brookhart	Hale	McKellar	Spencer
Bursum	Harreld	McKinley	Stanfield
Cameron	Harrison	McLean	Stanley
Capper	Howell	McNary	Sterling
Colt	Johnson, Calif.	Mayfield	Trammell
Copeland	Johnson, Minn.	Neely	Walsh, Mass.
Cummins	Jones, N. Mex.	Norris	Walsh, Mont.
Curtis	Jones, Wash.	Oddie	Watson
Dale	Kendrick	Pepper	Willis
Edge	Keyes	Phipps	
Ernst	Ladd	Robinson	

NOT VOTING—13.

Couzens	Greene	Ralston	Wheeler
Dill	Harris	Underwood	
Elkins	King	Warren	
Ferris	Owen	Weller	

So the amendment of Mr. REED of Missouri was rejected.

Mr. BAYARD. On Saturday last I offered an amendment to the pending joint resolution. I ask that it may be read.

The PRESIDENT pro tempore. The Secretary will state the amendment offered by the Senator from Delaware.

The READING CLERK. On page 1, lines 5 and 6, it is proposed to strike out the words "the legislatures of" and insert in lieu thereof "conventions in."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. BAYARD. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. LODGE (when his name was called). Making the same announcement as before in reference to my pair and its transfer, I vote "nay."

The roll call was was concluded.

Mr. GEORGE. I desire to state that my colleague, the senior Senator from Georgia [Mr. HARRIS], is necessarily absent because of illness.

The result was announced—yeas 22, nays 58, as follows:

YEAS—22

Ball	Edwards	Moses	Simmons
Bayard	Fletcher	Overman	Stanley
Broussard	George	Ransdell	Stephens
Bruce	Gooding	Reed, Mo.	Wadsworth
Dial	Heflin	Reed, Pa.	
Edge	King	Shields	

NAYS—58

Adams	Cummins	Harrison	Lenroot
Ashurst	Curtis	Howell	Lodge
Borah	Dale	Johnson, Calif.	McCormick
Brandegee	Ernst	Johnson, Minn.	McKellar
Brookhart	Fernald	Jones, N. Mex.	McKinley
Bursum	Fess	Jones, Wash.	McLean
Cameron	Frazier	Kendrick	McNary
Capper	Glass	Keyes	Mayfield
Colt	Hale	Ladd	Neely
Copeland	Harreld	La Follette	Norris
Oddie	Sheppard	Stanfield	Walsh, Mont.
Pepper	Shipstead	Sterling	Watson
Phipps	Shortridge	Swanson	Willis
Pittman	Smoot	Trammell	
Robinson	Spencer	Walsh, Mass.	

NOT VOTING—16

Caraway	Ferris	Norbeck	Underwood
Couzens	Gerry	Owen	Warren
Dill	Greene	Ralston	Weller
Elkins	Harris	Smith	Wheeler

So Mr. BAYARD's amendment was rejected.

Mr. FLETCHER. I offer the amendment which I presented some days ago, and ask that it may be read.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Florida.

The READING CLERK. On page 2, after line 2, it is proposed to add another section to the joint resolution as follows:

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within five years from the date of the submission hereof to the States by the Congress.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. FLETCHER and Mr. REED of Missouri called for the yeas and nays, and they were ordered.

The reading clerk proceeded to call the roll.

Mr. LODGE (when his name was called). Making the same announcement of my pair as before, I vote "nay."

The roll call was concluded.

Mr. GEORGE. I desire to announce that my colleague, the senior Senator from Georgia [Mr. HARRIS] is detained by illness.

The result was announced—yeas 28, nays 55, as follows:

YEAS—28

Ball	Edge	Moses	Shields
Bayard	Edwards	Norbeck	Simmons
Borah	Fletcher	Overman	Smith
Broussard	George	Phipps	Stanley
Bruce	Gooding	Ransdell	Stephens
Caraway	Heflin	Reed, Mo.	Swanson
Dial	King	Reed, Pa.	Wadsworth

NAYS—55

Adams	Fess	Ladd	Pittman
Ashurst	Frazier	La Follette	Robinson
Brandegee	Gerry	Lenroot	Sheppard
Brookhart	Glass	Lodge	Shipstead
Bursum	Hale	McCormick	Shortridge
Cameron	Harreld	McKellar	Smoot
Capper	Harrison	McKinley	Spencer
Colt	Howell	McLean	Stanfield
Copeland	Johnson, Calif.	McNary	Sterling
Cummins	Johnson, Minn.	Mayfield	Walsh, Mass.
Curtis	Jones, N. Mex.	Neely	Walsh, Mont.
Dale	Jones, Wash.	Norris	Watson
Ernst	Kendrick	Oddie	Willis
Fernald	Keyes	Pepper	

NOT VOTING—13

Couzens	Greene	Trammell	Wheeler
Dill	Harris	Underwood	
Elkins	Owen	Warren	
Ferris	Ralston	Weller	

So Mr. FLETCHER'S amendment was rejected.

Mr. REED of Missouri. Mr. President, I move to amend by striking out the words "and prohibit."

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 1, line 10, it is proposed to strike out the words "and prohibit."

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Missouri.

Mr. REED of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. LODGE (when his name was called). Making the same announcement as to my pair, I vote "nay."

The roll call was concluded.

Mr. GEORGE. I desire to announce that my colleague, the senior Senator from Georgia [Mr. HARRIS], is detained by illness.

The result was announced—yeas 23, nays 57, as follows:

YEAS—23

Ball	Edwards	King	Simmons
Bayard	Fletcher	Moses	Smith
Broussard	George	Overman	Stephens
Bruce	Glass	Ransdell	Swanson
Caraway	Gooding	Reed, Mo.	Wadsworth
Dial	Heflin	Reed, Pa.	

NAYS—57

Adams	Brookhart	Colt	Dale
Ashurst	Bursum	Copeland	Edge
Borah	Cameron	Cummins	Fernald
Brandegee	Capper	Curtis	Fess

Frazier	Keyes	Neely	Stanfield
Gerry	Ladd	Norris	Stanley
Hale	La Follette	Oddie	Sterling
Harreld	Lenroot	Pepper	Trammell
Harrison	Lodge	Phipps	Walsh, Mass.
Howell	McCormick	Robinson	Walsh, Mont.
Johnson, Calif.	McKellar	Sheppard	Watson
Johnson, Minn.	McKinley	Shipstead	Willis
Jones, N. Mex.	McLean	Shortridge	
Jones, Wash.	McNary	Smoot	
Kendrick	Mayfield	Spencer	

NOT VOTING—16

Couzens	Ferris	Owen	Underwood
Dill	Greene	Pittman	Warren
Elkins	Harris	Ralston	Weller
Ernst	Norbeck	Shields	Wheeler

So the amendment of Mr. REED of Missouri was rejected.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, and was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the joint resolution pass; and the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. LODGE (when his name was called). On this vote the senior Senator from Alabama [Mr. UNDERWOOD] has another pair, and I am free to vote. I vote "yea."

The roll call was concluded.

Mr. ROBINSON. The Senator from Michigan [Mr. FERRIS] is necessarily absent. If he were present he would vote "yea."

Mr. GEORGE. I desire to announce that my colleague [Mr. HARRIS] is necessarily absent owing to illness.

Mr. GERRY. I wish to announce that the junior Senator from Washington [Mr. DILL] and the junior Senator from Montana [Mr. WHEELER] are paired with the senior Senator from Alabama [Mr. UNDERWOOD]. If the junior Senator from Washington and the junior Senator from Montana were present they would vote "yea," and if the senior Senator from Alabama were present he would vote "nay."

I also wish to announce that the Senator from Indiana [Mr. RALSTON] is unavoidably absent. If present, he would vote "yea."

The roll call resulted—yeas 61, nays 23, as follows:

YEAS—61

Adams	Fernald	La Follette	Robinson
Ashurst	Fess	Lenroot	Sheppard
Ball	Frazier	Lodge	Shields
Brandegee	Gerry	McCormick	Shipstead
Brookhart	Glass	McKellar	Shortridge
Bursum	Hale	McKinley	Spencer
Cameron	Harreld	McLean	Stanfield
Capper	Harrison	McNary	Stanley
Caraway	Howell	Mayfield	Sterling
Colt	Johnson, Calif.	Neely	Walsh, Mass.
Copeland	Johnson, Minn.	Norbeck	Walsh, Mont.
Cummins	Jones, N. Mex.	Norris	Watson
Curtis	Jones, Wash.	Oddie	Willis
Dale	Kendrick	Pepper	
Edge	Keyes	Phipps	
Ernst	Ladd	Pittman	

NAYS—23

Bayard	Fletcher	Overman	Smoot
Borah	George	Ransdell	Stephens
Broussard	Gooding	Reed, Mo.	Swanson
Bruce	Heflin	Reed, Pa.	Trammell
Dial	King	Simmons	Wadsworth
Edwards	Moses	Smith	

NOT VOTING—12

Couzens	Ferris	Owen	Warren
Dill	Greene	Ralston	Weller
Elkins	Harris	Underwood	Wheeler

The PRESIDENT pro tempore. Upon this question the yeas are 61, the nays are 23. The joint resolution, having received the votes of more than two-thirds of the Senators present and voting, is passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, one of its clerks, announced that the House had passed the bill (S. 1898) reclassifying the salaries of postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

POSTMASTERS AND POSTAL EMPLOYEES

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1898) to readjust the compensation of postmasters and reclassifying and readjust the salaries and compensation of employees in the Postal Service.

Mr. STERLING. I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the President pro tempore appointed Mr. EDGE, Mr. MOSES, and Mr. MCKELLAR conferees on the part of the Senate.

PENSIONS AND INCREASE OF PENSIONS

The PRESIDENT pro tempore. The Chair lays before the Senate the special order, which is House bill 6941.

Mr. BURSUM. In the event that the Senate should now adjourn, I desire to ask if the bills which are the special order will become the unfinished business to-morrow at 2 o'clock?

The PRESIDENT pro tempore. The Chair is of the opinion that House bill 6941 will be the unfinished business at 2 o'clock to-morrow if the Senate shall adjourn.

Mr. BURSUM. There are two bills in the special order.

The PRESIDENT pro tempore. The Senate can not consider two bills at the same time, but House bill 6426, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, will follow House bill 6941, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 9 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 3, 1924, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, *June 2, 1924*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God Thou hast bestowed upon us wonderful ministries of love, of unmerited mercy that bless the common ways of our lives. Hear the psalm of praise and gratitude which is in our hearts. Give us wisdom to understand, power to execute, and charity to constrain that we may at all times seek the best. Let strife and struggle be restrained everywhere and may the greatest good and the least harm prevail. Help us to make great gains in all those virtues that make good men and patriotic citizens. Bless Thou abundantly and richly this Congress and direct the affairs of the country they serve. Amen.

The Journal of the proceedings of Saturday, May 31, 1924, was read and approved.

CLAIMS AGAINST UNITED STATES ON ACCOUNT OF DAMAGES TO FOREIGN SHIPS

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs.

To the Congress of the United States:

I transmit herewith a report from the Secretary of State in relation to the following claims presented by the Governments of Denmark, Sweden, and Norway against the Government of the United States on account of damages sustained by vessels owned by their nationals in collisions with vessels in the public service of the United States:

1. The claim presented by the Government of Denmark on account of losses sustained by the owners of the Danish steamship *Masnedsund* as a result of collisions between it and the United States steamship *Siboney* and the United States Army tug *No. 21* at St. Nazaire, France.

2. The claim presented by the Government of Sweden on account of the losses sustained by the owners of the Swedish steamship *Olivia* as a result of a collision between it and the United States steamship *Lake Saint Clair*.

3. The claim presented by the Government of Norway on account of the losses sustained by the owners of the Norwegian steamship *John Blumer* as a result of a collision between it and a barge in tow of the United States Army tug *Britannia*.

4. The claim presented by the Government of Norway on account of the losses sustained by the owners of the Norwegian

bark *Janna* as a result of a collision between it and the United States steamship *Westwood*.

I recommend that appropriations be made to effect a settlement of these claims in accordance with the recommendations of the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE, *May 31, 1924*.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3416. An act to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army; and

S. 3188. An act for the abandonment of a portion of the present channel of the south branch of the Chicago River.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 799. An act for the relief of F. A. Maron; and

S. 709. An act for the relief of the Commercial Pacific Cable Co.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 12

Resolved by the Senate (the House of Representatives concurring), That the laws relating to the District of Columbia and the laws of former municipal governments in said District, as recompiled, indexed, and annotated in codified form up to and including March 4, 1923, under authority of a Senate resolution of January 3, 1924, be printed as a Senate document, and that 500 additional copies be printed and bound for the use of the Senate and 1,000 copies for the use of the House of Representatives.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 15

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be requested to return to the Senate the enrolled bill (S. 2169) entitled "An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes."

DAM ACROSS POTEAU RIVER, ARK.

The SPEAKER laid before the House the following message from the Senate:

Resolved, That the House of Representatives be requested to return to the Senate the bill (S. 601) entitled "An act granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River.

The SPEAKER. Without objection, the request of the Senate will be complied with.

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. DAVIS of Minnesota. Mr. Speaker, I send to the Clerk's desk a conference report upon the bill H. R. 8839, the District of Columbia appropriation bill, and ask unanimous consent that it may be considered at this time.

The SPEAKER. The Chair does not think that it can recognize the gentleman for that purpose.

Mr. DAVIS of Minnesota. Then, Mr. Speaker, I present the conference report for printing under the rules.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9429, the legislative appropriation bill, with Senate amendments thereto, disagree to all of the amendments, and ask for a conference.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 9429, with Senate amendments thereto, disagree to all of the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. DICKINSON of Iowa, Mr. VARE, and Mr. CARTER.

MEMORIAL DAY ADDRESSES

Mr. O'CONNELL of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a speech I delivered upon Memorial Day in New York City.

The SPEAKER. Is there objection?

There was no objection.

Mr. CULLEN. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNELL of New York. Mr. Speaker, under leave granted, I insert an address delivered by me May 30, 1924, Memorial Day, which is as follows:

SPEECH DELIVERED BY HON. DAVID J. O'CONNELL, OF NEW YORK, AT THE COMMUNITY MEMORIAL SERVICES, FOREST PARK, ONE HUNDRED AND NINTH STREET AND MYRTLE AVENUE, RICHMOND HILL, BOROUGH OF QUEENS, N. Y., MEMORIAL DAY, MAY 30, 1924

Memorial Day, with its sad and sacred memories, comes again and sharply brings to mind the great and tragic test of the American Nation in the Civil War. This day, set apart for reverence to those who died that the Union might live, dates back to 1868, when the Commander in Chief of the Grand Army of the Republic, Gen. John A. Logan, said, in instituting the beautiful custom of decorating the graves of the soldier dead:

> "It is our purpose to inaugurate this observance with the hope that it will be kept up from year to year while a survivor of the war remains to honor the memory of the departed."

This great demonstration, of which we are fortunate participants, and the thousands of similar demonstrations which are taking place to-day elsewhere throughout the country prove how faithfully the Nation has obeyed the wish and kept the trust of General Logan. True, the line of marching blue grows thinner year by year, a sad reminder that the men who saved the Union in its darkest hour are slowly but nevertheless surely being gathered to their reward. In the march of the ages more than half a century has passed since the events commemorated by this day. The titanic struggle that locked in deadly combat the hero of the North with his brother of the South is now a matter of history. The men who followed Grant and the men who followed Lee are now brothers in arms of our common country.

In grateful memory we raise our voice in gratitude to God that so many of the Union heroes have lived to see the splendid consummation for which they fought and for which so many precious lives were sacrificed. They bequeathed to us by their valor a great, glorious, and reunited people, one and inseparable now and forever. Emulating the brave example of the men of the Revolution, these soldiers of the Union assembled for the great contest; on land and on sea they lived up to the highest standard of loyalty and patriotism, and held aloft the starry banner that has never known defeat. In that great struggle we recall with veneration the soldier and sailor of the Union Army and Navy. Filled with the spirit of America, they sprang to arms, this splendid and invincible military host. All the avenues of our great cities became rivers of glistening steel with the steady tramp, tramp, tramp, as they came in solid phalanx, singing while they marched: "We are coming, Father Abraham, 300,000 more." Then, too, could be heard the Battle Hymn of the Republic, which echoes down the corridor of the years:

> "He has sounded forth the trumpet that shall never call retreat;
> He is sifting out the hearts of men before His judgment seat.
> Oh! be swift, my soul, to answer Him, be jubilant, my feet,
> Our God is marching on.
>
> "In the beauty of the lilies Christ was born across the sea,
> With a glory in his bosom that transfigures you and me;
> As he died to make men holy, let us die to make men free,
> While God is marching on."

Is it any wonder, my friends and fellow citizens, that we look with respect and reverence upon the thin line of blue which it is our privilege to gaze upon this day of each year. How tenderly we should anticipate every need of the few remaining Union veterans, and as a benevolent Government see to it that none of these men shall suffer want or privation in the sunset of their lives. In the humdrum of our busy occupations we are too prone to forget the things they did; we should ever keep in mind what the immortal Lincoln said:

> "The world will little know nor long remember what we say here, but it will never forget what they did."

Who among us can forget Gettysburg, with its Cemetery Ridge, its Missionary Ridge, and the heroic struggle between great armies of equal valor, or the great conflict that made Antietam famous? How often have we of the later generations read with awe and admiration of the Battles of Malvern Hill, Vicksburg, Chancellorsville, Shiloh, Bull Run, and Chickamauga, in all of which precious lives were sacrificed in the horror of war, taking the husband, the brother, the son, the father, and leaving the sorrowing family to mourn the loss of the loved one. Is it not fitting that we should set aside this day to commemorate the great things these men accomplished in their struggle to save the Union in order, as Lincoln said, "that this Nation under God should have a new birth of freedom"?

Following in their footsteps we were called again to defend the flag in the Spanish-American War, and the patriotism and courage of the American soldier and sailor equaled all the precedents I have already enumerated. As a result, the Republic of Cuba lives in happiness and

content among the nations, and the Philippines and Porto Rico are dependencies of the land of the free and the home of the brave. They are protected by the flag from enemies within and foes outside, and it is only a question of time when the Philippines will enjoy the right and privilege to work out their own salvation in their own way. Perhaps some might call this benevolent despotism, but I subscribe to a doctrine founded upon the proposition that all men are created free and equal and are entitled to life, liberty, and the pursuit of happiness.

We see these "far away unhappy things and battles long ago" in a gentle and tender haze of the past; our affections are moved, our admiration is roused, our pride enkindled because we can claim the high kinship of nationality with the brave men who compassed these achievements in the making of mighty America. Here among us we catch a glimpse of the "red badge of courage" of the Grand Army of the Republic shining on the breast of some aged veteran of the Civil War. There our mist-stained eyes take note of the insignia of a veteran of the Spanish-American War. But nearer, somehow, and more numerous, and equally dear to us, are the service tokens of the veterans of the World War and the colossal conflict which rocked the world and precipitated in blood and carnage a new era in the long roll of human centuries. Scepters and crowns were laid in the dust; monarchs and princelings were stripped of their garish trappings and forced to show themselves as men, humble and unafraid. At least, so did the wiser members of this outworn craft of rulers conduct themselves when confronted by the allied march of mankind to make the world safe for democracy.

As we gather here to-day under this clear sky of peace, how strange it seems that any of our own people, our Americans, should be sleeping the long sleep of death far beneath the smooth waves that roll upon the shores of western Europe; how strange it seems that our thousands of men and boys should be forever laid to rest in the hallowed fields of France under the cross of victory. What care or concern had they whether one power or another dominated Europe? After all, Europe, compared to this country, was a little place of a conglomeration of nations, happily removed from us by more than 3,000 miles of the Atlantic Ocean. Safe and prosperous within our own borders that no enemy dare with impunity cross—then, now, or hereafter—we might have left the peoples of Europe to writhe in their gory shambles until they were utterly exhausted or practically extinct. And all the time they were wasting their substance and their strength in warfare we might have been acquiring a wider control of the world's markets and indisputable mastery of the material wealth of the globe. It would even have rejoiced the heart of the arch foe of the allied powers if we had refrained from taking part in the war. But with an overreaching cunning that defeated its own purpose the German Government actually dragged us into the conflict to its own inevitable downfall.

The American Nation became of one mind that in the presence of the organized power of the German Government that then prevailed there could be "no assured security for the democratic governments of the world," and as we are the foremost exponents of democracy in the world we accepted the "challenge of hostile purpose," because, to quote the imperishable message of Woodrow Wilson:

> "The world must be made safe for democracy. Its peace must be planted upon the tested foundation of political liberty. We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of nations can make them."

Ponder these words, and all wonder and question as to how we ever got into the war and for what purpose will vanish from your mind as an insubstantial dream. Ponder them further, and it will dawn upon you how in taking this momentous step the people of the United States of America did but follow out the traditions of their forefathers who fought that the Union might and should be preserved. One more step in this same progress of the destiny of a great Nation was taken in the Spanish-American War, when the last signs of foreign sovereignty disappeared from the Western Hemisphere and the fundamental principle of the "consent of the governed" was once more impressed on the mind of all governments. Finally in the great World War the union of these United States was once more proved and confirmed by our Army and Navy, composed in such large part of men whose fathers were born in the Old World, to which their sons went as defenders and champions of the rights and liberties cherished in the New. Side by side they set out fearlessly with the grandsons and sons of the men whose noble fame is immortalized in the victorious records of the Civil War and of the Spanish-American War. Forth they went when the backs of the allied armies were against the wall, when a despotism, the more terrible because it blasphemously claimed divine appointment, threatened to clutch all Europe by the throat, and with them went all our material and moral forces for the salvation of the threatened peoples of Europe. It is not for us even to attempt to pay adequate tribute to the marvelous valor, the patient endurance, the high heart of the American soldiers under the peerless leadership of General Pershing.

Only in the true perspective of time will their deeds be seen in true dimension and the real story be told of their prowess in the historic fields of France. Through them we have been victorious in war. Shall we through ourselves and in their memory be victorious in peace? Let us hearken to the innermost counsel of our conscience as we recall their message from the battle ground:

> "We are the dead. Short days ago
> We lived, felt dawn, saw sunset glow,
> Loved and were loved; and now we lie
> In Flanders fields.
>
> Take up our quarrel with the foe,
> To you from failing hands we throw
> The torch; be yours to hold it high.
> If ye break faith with us who die
> We shall not sleep, though poppies grow
> In Flanders fields."

But, you will ask, who is the foe we must fight to-day? And I answer that this foe is one more to be dreaded even than the enemy our soldiers faced and vanquished in France. Their enemy was plain to their view. Ours is a skulking and surreptitious antagonist.

What is worse, no skill of arms or device of invention has been sufficient to keep this foe—the spirit of cynic distrust of all governments—from finding its way into American hearths and homes. It prowls about the land in sundry and various disguises. Now it appears in the person of some strange alien who has left his country for his country's good. He is an Ishmael of the new day, and his hand is raised against every man and every government. Now it confronts our amazed eyes in the person of some egoistic crank who prates of his lineage, which he can trace back to the days of the American Revolution. In his cracked brain the only way to bring the work of the founders of our country to the stage of perfection is to begin by smashing it to pieces. But whether this malign spirit makes its presence known in foreign or native guise, the great need of the hour is to be able to recognize it and fight against it with all the grit and determination our men revealed in France.

As we remember what this Nation has lived through since the armistice of 1918 and all that is needed of courage and toil and endurance to do our share in restoring order in a wrecked world, it is well that we keep in mind the slow struggle toward the achievement of a complete and fruitful peace. The men who died without a murmur that we might live free and unthralled must be honored by our acts of true patriotic service on all days of the year. As the Minute Men of 1776, we must be ever on guard and ready. Our praise of them and our grief that they are gone is not what is craved by those who have crossed the dark threshold. Their prayer to us is that we remain earnest, faithful, and tireless in the task of sealing their victory of war with a victory of a new and enlightened peace that shall make war impossible. "Treasure the store of liberty and peace that we have won for you," they say, "and add to it the harvest of your own striving and steadfastness in duty that 'government of the people, by the people, and for the people shall not perish from the earth.'"

Let us nerve our hearts to resolute action with their message and let us open our souls to the rays of that eternal light which shines upon them in everlasting rest.

Mr. CULLEN. Mr. Speaker, the 30th of May is more than a national holiday; it is a day that has become sacred in the Nation. Every civilized people have some particular days set aside to commemorate the cardinal events of their history. If it be fitting to celebrate the achievements of those blessings which the living enjoy, it is equally becoming to revive the memory and decorate the graves of those who achieved them.

It is just seven years since the United States made its declaration of war and entered the great conflict, and thus the last great power had thrown its forces into the struggle—in a war to end wars. The whole civilized world was now wrapped in the flames of war. Modern science was made use of, and war became more effective—more horrible and destructive than ever before. It was during these times that over 4,000,000 American youths forfeited their positions at home to throw their services and their lives into the struggle. All gave their unselfish and patriotic devotion to the cause and made victory possible in that darkest hour of the world's peril.

I am glad to hear the news that Congress has at last given these soldiers a recognition which we owe them, and it was my great pleasure to work and vote for the adjusted compensation law which recently was enacted into law by the Congress over President Coolidge's veto. The compensation bill is not just what it ought to be, but the friends of the bonus were faced with the alternative of accepting that as better than no adjustment at all. We were faced with the proposition of "a half a loaf is better than no loaf at all," and while I favored a cash

option, I supported this plan as better than nothing. I have no patience with the weak and false argument by the opponents of this measure that adjusted compensation places a price on patriotism. When we recall the horrors and dangers of war and the sacrifices made by the soldiers in that war, we know that they can never be paid in money for their services in that conflict.

Decoration Day at this time finds us at peace with the outside world. But while there is tranquillity in our relationship with all other powers we find ourselves faced with a grave menace within our own borders. There is even an organized defiance against some of the most sacred guaranties of the Constitution. Trial by jury, protection of the home, and religious freedom are attacked by this group who hide behind their cowardly masks of white robe garb and dare not commit their crimes in the open. This is a government of laws not of men. Never since law has become a tool for the enforcement of human rights has it been necessary for a law-abiding man to mask himself and shield his identity. Bandits and outlaws who murder and defy all human rights have from the first been identified with the use of masks, but never before has so large a group organized themselves and made use of masks as a cloak to shield defiance of law and attempt to direct the affairs of men by mob organization instead of even-handed justice by a court of law.

It is the plain and unmistakable duty of every decent citizen to throw the weight of his disapproval against flagrant violators of the law, in whatever garb they may be found. I favor the reaffirming of the Democratic platform of 1856, which pronounced against the Know-Nothings of that era—and the Ku-Klux Klan is the Know-Nothing Klan of to-day.

This Government was born out of rebellion from the tyranny of a king. Shall it be said now that it must be born anew out of rebellion from a group lacking religious tolerance?

Never did I think that it would be necessary for a Member of Congress to rise in defense of religious freedom in this country. And never did I believe that an organization would spring up in this country and be so bold as to attempt to deny this innate American birthright. The time has come when steps must be taken to unmask this contemptible band of outlaws and teach them that America is not yet ready to abandon the Constitution, the law of trial by jury, the protection of property and of home, and the absolute freedom of religious worship. When that time arrives civilized government will have failed, and civilized government will not fail. No parasitic weed ever struggled more to overtop the garden plant than does the pernicious principles of klanism struggle to choke the nascent Republic. Klanism and Americanism can not mix. They are opposed to each other. One of them must fail, and America is here to stand. Decoration Day brings to our minds clearly that this is true.

We gather every year to pay our tribute to those who fought and died for American principles and to perpetuate its institutions, and every year the principles for which they fought become more strongly embedded in our lives. The American Republic is yet young. The history of our armies is brief, but it is honorable. Our military record, I think, is unsurpassed by any, either ancient or modern. Our capacity for war has been well tested in five bloody ordeals—on five fields which history will always bear witness to have been severe tests of a brave Army and a united people. When we were only a handful of colonists pursuing the peaceful arts in a new world, the American soldier wrested freedom from the strongest world power.

In the American soldier's record there is nothing the American historian need ever wish to suppress or palliate. It ranks high in the history of armies, and, like everything of genuine worth, rests secure on the merits of its own achievements. It is no small honor to say that the American armies have known how to fight their own battles, and how to fight them well. But when the eulogist would fill the tribute of praise which belongs to the fallen heroes of the Republic, let him not forget to tell the world that the American soldiers battled only when the rights of men were trampled under the feet of tyrants; and that the American soldier's grave has always been dug in a free soil. The first is the highest and holiest cause for which the sword was ever drawn; the latter is the highest tribute that can be paid to valor. Those two qualities involve bravery and justice, and will ever shine above the grave of the soldier like stars of the first magnitude.

Decoration Day is the national recognition that we give to memorialize those who laid down their lives for the preservation of our principles of government and for the continuation of this great Republic. So it is fitting and proper that we should assemble each year and show by our presence that we have not forgotten.

We have gathered here to do honor to the memory of those who fell in the defense of their country, to perform a solemn duty. And yet those whom we would honor to-day require little at our hands. We call them our dead, but we know that they can never die. They live over again in the memories of their families and friends and in the hearts of a grateful country to the latest generation. The memory of their services will grow brighter through the coming ages, and at the altar of their devotion will kindred spirits hereafter light the torch of liberty.

PROHIBITION

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. COOPER] and I may have the privilege of extending our remarks in the RECORD by printing therein articles which we have written, published in a late number of the Forum.

The SPEAKER. Written by the gentlemen themselves?

Mr. HILL of Maryland. Certainly.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, do these remarks include the remarks of anyone else?

Mr. HILL of Maryland. No; they are the remarks of Mr. COOPER and myself.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Speaker, the following article was published in The Forum for June, 1924, with the following editorial note:

EDITORIAL NOTE

Lincoln, the greatest Republican of all, emphatically upheld the doctrine of State rights—a fact which is sufficient answer to the claim that it is a peculiarly Democratic doctrine. This Republican Congressman from Maryland argues that an attempt to modify the Volstead Act is not a nullification of the Constitution, and that the Republican Party in 1924 can as safely leave domestic matters to the States as it could in 1861. He favors a substitution of 2.75 per cent for the present figure.

JOHN PHILIP HILL has had a very active career in law, business, and politics. In 1918 he was decorated with the croix de guerre with silver star for most distinguished services in operations to the north of Verdun. He is a Congressman from Maryland and the author of several books dealing with the national and international matters.

PROHIBITION AND THE REPUBLICAN PARTY

(JOHN PHILIP HILL)

On the 4th of March, 1861, Abraham Lincoln, in compliance, as he said, with a custom as old as the Government itself, appeared before "his fellow citizens of the United States," as he denominated them, to make his first inaugural address and to take the oath prescribed by the Constitution to be taken by a President before he enters on the execution of his office. Lincoln was a Republican. Sometimes in the dark and bitter days of the Civil War, he was called a "black" Republican, and more often perhaps some other epithet was prefixed to the word "Republican," but since the foundation of the Republican Party, Lincoln has always been its personification.

James Bryce, afterwards Lord Bryce, and an ambassador to the United States from Great Britain, who still remains the greatest authority on the American Government, writing in 1893 about the party system of the American Commonwealth, in reference to the two great parties—the Republican and the Democratic—asked these questions, "What are their principles, their distinctive tenets, their tendencies?" He answered his own questions by stating that "neither party has any clean-cut principles, any distinctive tenets." After explaining in full his reasons for this statement, he added that "tenets and policies, points of political doctrine and points of political practice have all but vanished."

The doctrine of State rights is popularly supposed to be a fundamental principle of the Democratic Party, while centralization of power in the Federal Government is also popularly supposed to be a fundamental Republican doctrine. In 1917, however, a Congress dominated by the Democrats passed the eighteenth amendment, thus embodying in the fabric of the American Constitution the first great negation of the doctrine of State rights.

In 1893 Bryce said that one of the questions which most interested the American people was the regulation or extinction of the liquor traffic. "On this," he said, "neither party has committed itself, or will commit itself." That statement is as true to-day as it was in 1893.

I am writing on Thursday, the 24th of April. Very soon after this article is published, the conventions of the two great parties will have met and will have ignored the question of the liquor traffic, will have declared for strict enforcement of the Volstead Act, or possibly will have attained sufficient courage to declare for a modification of that unfortunate attempt to enforce the eighteenth amendment. I am writing to-day, however, on prohibition and the Republican Party to suggest that in spite of the alleged lack of principles belonging to parties to-day, the Republican Party was itself founded on the theory of maintaining inviolate the rights of the States, and that both as a

matter of principle and as a matter of expediency the Republican Party should attempt to restore the control of the liquor traffic to the States, and pending such action, to modify the Volstead Act.

I speak from the point of view of an individual member of the Republican Party on the subject of modification of the Volstead Act in the interests of law enforcement, true temperance, and reestablishment of the principle of local government in the United States. As a preliminary, I shall say a few words on the subject of the eighteenth amendment, on the oft-repeated charge that any attempt to modify the Volstead Act is an attempt to nullify the Constitution, and on the general subject of the relative powers of the Federal Government and the individual States under the Constitution.

In 1903 I said to my students at Harvard that "The old cry of 'State rights' may occasionally be raised as a political slogan, but the ancient jealousy of the Union no longer plays an important part in the promulgation of political policies." What I said then was but an echo of what Bryce had said 10 years before, that "The States fear no serious infringement of their rights." Neither Bryce's nor my own statements could to-day be repeated with truth. The eighteenth amendment and the Volstead Act have gone further into the personal life of the individual citizen than any previous growth of Federal power. To-morrow, in the House of Representatives, an amendment to the Constitution providing for the Federal control of all child labor throughout the Nation will be considered, and when this article is published such a constitutional amendment will very probably have been passed by Congress. If a child-labor amendment to the Constitution is passed, it will probably be followed by a similar amendment putting upon the Federal Government the duty and power of regulating such domestic relations as marriage and divorce. Therefore, to-day the great question of the rights of the States which underlies the eighteenth amendment and the Volstead Act is of the most vital and immediate importance to the American people, entirely aside from the specific question with which the Volstead Act deals.

To the Republican Party, in its consideration of this question, I desire to recall what Lincoln said on March 4, 1861, in his inaugural address. He stated that those who nominated and elected him did so with full knowledge of his many declarations on the rights of the States, which he said he had never recanted. He then added, "And, more than this, they (the Republicans) placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

> "*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."

The above statement was fundamentally Republican doctrine in 1861. It should be fundamentally Republican doctrine in 1924. As a matter of principle, the Republican Party is a party dedicated to the maintenance inviolate of the rights of the States.

The resolution submitting the eighteenth amendment to the States for ratification was finally passed in the House and in the Senate and signed by the Speaker of the House and the Vice President on December 18, 1917. At that time the United States was engaged in the greatest war in the history of the world. The American people were making and were prepared to make every possible sacrifice of personal convenience, personal comfort, and personal liberty which the American Government considered necessary for winning the war. The prohibitionists to-day become hotly angry at the suggestion that the eighteenth amendment was passed by a propaganda masquerading under the cloak of war patriotism. The prohibitionists to-day bitterly deny the statement that the eighteenth amendment would never have been adopted unless the eyes of the American people had been focused on the trenches of France rather than on the lobbies of American legislatures. In reference to the eighteenth amendment I need only say here that it violates the spirit of the American Constitution, that although its passage had been agitated by the Prohibition Party long before the war, no one had seriously considered that it would become part of the Constitution until the dark war days were upon us, and that the eighteenth amendment violates the fundamental principles of the Republican Party as approved by Lincoln that each State has a right to order and control its own domestic institutions according to its own judgment exclusively.

The eighteenth amendment is to-day part of the Constitution. The fourteenth and fifteenth amendments have been nullified by popular assent. Those who clamor for what they call "law enforcement" have nothing to say about either. The problem to-day is, Shall the eighteenth amendment be nullified or shall an honest effort be made for its enforcement?

Pending a possible but highly improbable repeal of the eighteenth amendment, a sincere attempt at its enforcement must be made. The position, however, is taken by the professional prohibitionists that any modification of the Volstead Act is a direct violation of the eighteenth amendment. But this is not the case. The Volstead Act is one of many possible efforts at enforcement. The Volstead Act is a failure, and it is a failure because it is not founded on the principle of truth which must underlie any permanent law.

On December 8, 1922, President Harding said to Congress that the questions relating to prohibition were "the most demoralizing factor in our public life." On January 16, 1924, Governor Pinchot, of Pennsylvania, stated that in the last two years arrests for drunkenness have enormously increased, the population of jails and institutions is rising; that withdrawals of whisky continue to increase; and, "most significant of all, withdrawals of alcohol to be denatured have nearly trebled in two years." On April 10, 1924, the Federal Prohibition Commissioner, speaking before the Women's National Committee for Law Enforcement, in Washington, stated that the "so-called higher social groups" more flagrantly disregarded the prohibition law in letter and spirit than any group of our citizens. Such statements as these are enough to show the failure of the Volstead Act. There must be either something fundamentally wrong with the morals of certain large and important groups of American citizens or there must be something fundamentally wrong with the Volstead Act itself. Since we do not find widespread violations of other Federal laws, there must be something fundamentally wrong with the Volstead Act. The American people through their Congress have the right to modify any existing law as long as such action conforms to the Constitution. The Supreme Court has expressly recognized the power of Congress to define what is an "intoxicating liquor" prohibited by the eighteenth amendment. The definition of one-half of 1 per cent contained in the Volstead Act is untrue and therefore wrong. It is the duty of Congress to change it. Change may be a true attempt at enforcement and is not nullification of the Constitution.

As long as the eighteenth amendment is part of the Constitution, is there any way by which the pledge of the Republican Party in the platform of 1861 may be revived in order to restore "the right of each State to order and control its own domestic institutions according to its own judgment exclusively"? I submit that there is a partial remedy, and I propose the following substitute for the Volstead Act. Repeal it and enact the following:

> "SECTION 1. Each State shall for itself define the meaning of the words 'intoxicating liquors,' as used in section 1 of Article XVIII of the amendments to the Constitution of the United States by imprisonment for not more than 10 years or by a fine of its own laws on this subject.
>
> "SEC. 2. Any person who transports or causes to be transported into any State any beverage prohibited by such State as being an 'intoxicating liquor' shall be punished by the United States by imprisonmen for not more than 10 years or by a fine of not less than $10,000 nor more than $100,000, or by both such fine and imprisonment."

The first section of this proposed enforcement act is based on the theory of local option; the second is based on the Webb-Kenyon Act, by which the United States guarantees the States from outside interference. The proposed substitute, taken as a whole, permits concurrent action each in their own sphere by the United States and by the individual States to carry out the provisions of the eighteenth amendment.

Any legislation passed by any State must of necessity be in accordance with the Supreme Court's interpretation of the eighteenth amendment. The passage of such legislation would in a measure restore State control of the liquor traffic. I should be glad to see such a provision part of the Republican platform, and I should be doubly glad if it were part of the platforms of both the Republican and Democratic Parties.

Perhaps, however, the time has not yet arrived when either of the great parties will take a definite stand in accordance with the theory of State rights on the prohibition question. There is, however, an immediate modification which may be made under the Volstead Act and which I hope will have been made by the time this article is published.

On April 21 the Judiciary Committee of the House of Representatives began to hold hearings on 59 identical bills introduced by 59 Members of the House of Representatives providing that for the definition contained in the Volstead Act that one-half of 1 per cent of alcohol by volume is intoxicating, there be substituted a provision that 2.75 per cent of alcohol by volume be permitted in cider, beer, or other similar beverages to be consumed otherwise than at the place of sale. On Friday, June 10, 1921, before the Committee on Rules of the House of Representatives, discussing cider and homemade wine, Representative Cantrill asked Representative Volstead the following question: "According to your construction, it was not the intent of Congress that it would be a violation of law if wine was made at home containing one-half of 1 per cent of alcohol?" To this Representative Volstead replied: "No; my contention is this, that it might contain 1 or 2 or possibly 3 per cent without being intoxicating."

On May 2, 1922, Federal Prohibition Commissioner Haynes wrote me officially "that under the provisions of section 29, Title 2, of the Volstead Act, cider and other nonintoxicating fruit juices manufactured exclusively for use in the home of the maker are not necessarily limited to less than one-half of 1 per cent of alcohol, but must be intoxicating in fact to be in violation of the Volstead Act." He also stated that "no specific alcoholic limit has been fixed," and that his office "was not disposed to take action against the manufacture for use in the home of the maker of cider or other fruit juices containing not more than 2.75 per cent of alcohol by volume." An alcoholic percentage of 2.75 is not in fact intoxicating. We need no higher authority for this statement than that given above by the man from whom the Volstead Act takes its name.

During the war, as a war measure, the people of the United States drank 2.75 per cent beer and were not intoxicated. To-day they are drinking all sorts of hard liquors in the place of mild beer, cider, and wines. The one-half of 1 per cent definitions is false and a breeder of crime. The Republican Party should provide in its platform for a substitution of 2.75 per cent. It should do this not only as a matter of principle but as a matter of political expediency—expediency, however, founded on truth.

Mr. COOPER of Ohio. Mr. Speaker, the following article was published in The Forum for June, 1924, with the following editorial note:

EDITORIAL NOTE

Despite all obstacles set up against the enforcement of the eighteenth amendment, prohibition has already accomplished incalculable reforms, social, economic, and industrial, says this Congressman from Ohio. In the last four years the death rate of this country has fallen, many penal institutions have closed, arrests for drunkenness have dropped by 500,000 a year, and deposits in savings banks have increased. Regulation, in place of prohibition, would, he believes, enormously stimulate the illicit liquor traffic.

JOHN GORDON COOPER was born in England, but came to America at the age of 8. Since 1915 he has represented the nineteenth district of Ohio in Congress.

THE BENEFITS OF PROHIBITION
(JOHN GORDON COOPER)

That prohibition should be strictly enforced as long as it is a part of the Constitution of the United States, and that as part of the Constitution it is deserving of the respect and support of the citizens of the United States, is not a debatable question. Our whole system of government, our greatness as a Nation, and the unequaled benefits, opportunities, and privileges which we enjoy as individual Americans, are all based on the Constitution. A blow at the Constitution is a blow at all that is near and dear to us. The eighteenth amendment, prohibiting the traffic in intoxicating liquor as a beverage, is an integral part of the Constitution, and as such is as much entitled to respect and obedience as any other part of the fundamental law of the land. Disregard of the eighteenth amendment is just as serious as disregard of the guarantee that life, liberty, and property may not be taken from a citizen without due process of law. Disobedience of one law inevitably breeds disobedience of other laws and leads to anarchy. We may change the Constitution, but we can not nullify it.

Even the most active enemies of prohibition do not openly advocate disobedience to the Constitution. They propose instead that the sale of beer and wine be legalized on the claim that such beverages are not intoxicating. It is not within the scope of this article to go at length into this phase of the subject, but experience has amply proved that the liquor traffic can not be regulated, that when it is granted an inch it will take a mile; that the only way to meet the evil is to place it outside the law and then enforce the law. To legalize the sale and traffic in wine and beer would enormously increase illicit traffic in "hard" liquor.

The extent to which prohibition is effective to-day depends on the point of view. To contend that it is entirely effective in parts of some of our great cities, where the entire population is of foreign extraction and where the law officers wink at violations, is, of course, useless. But it is just as far from the fact to argue, as do some liquor advocates, that prohibition has increased drinking and intemperance throughout the country. Relatively, prohibition is effective, and it will advance toward complete effectiveness just as rapidly as citizens come to a full realization that it is a vital part of the fundamental law of the land and to the degree that enforcement officers are selected because of fitness and determination to do their duty instead of because of political influence and "pull." Of course, it will become more effective as a new generation, which never knew the open saloon, takes the place of those who can not forget their appetites for strong drink.

The effectiveness of prohibition has been a varying quantity. When war-time prohibition went into effect July 1, 1919, it was obeyed even by the hardened bootleggers and moonshiners to a remarkable degree, because the people were still living under the influence of the discipline and unselfish zeal of war days. Our police statistics mirror this condition. Then came the reaction from the strain of the war, such reaction as has always followed war. There was a moral let down. Violations of the prohibition law were the result, not the cause, of this moral reaction and a turn toward the pursuit of selfish pleasure and desires.

The liquor interests soon saw what they believed to be a chance to resurrect their outlawed business. They began their smuggling operations and encouraged moonshining in order to secure supplies of intoxicating beverages for the thoughtless and the indifferent. They revived their slimy tactics of graft and bribery, so that they might secure permits to withdraw bonded liquor and secure the protection of officers sworn to enforce the law. They formed alliances with corrupt politicians, and the whole country has been subjected to an unceasing propaganda aimed at law and order and a sober and decent America. Unfortunately, this propaganda was aided by the leniency of the courts. Petty fines practically licensed the bootleg trade and the law's delay made conviction impossible in many cases.

But the American people have again demonstrated their essential soundness and the truth of Lincoln's wise adage that the people can not be fooled. Each Congress that has been elected has a larger dry majority, and popular elections in many States have resulted in increased votes for law enforcement. The Christian people of America, the legal profession, the newly enfranchised women, and many other elements have joined together to urge more sincerity of purpose in law enforcement.

Handicaps placed upon enforcement agencies have been removed. The rum smuggler has been removed from the protection of the Union Jack by the recent treaty with Great Britain, and similar treaties with other powers will soon outlaw this twentieth-century pirate. The Coast Guard has been granted means to protect the shores of the United States. Civil-service regulations will soon replace the spoils system in selecting honest and competent enforcement agents beyond the influence of wet politicians.

Despite all obstacles and handicaps the social, economic, and industrial reforms accomplished by prohibition are so numerous that it is impossible even to catalogue them within the limited scope of this statement. No longer are there 177,790 open, legalized saloons, inviting patronage and serving as centers of evil, vice, corruption, and death. The country has never been so rich and the people so sober. But for prohibition readjustment from the war could not have gone forward so rapidly and successfully.

The death rate in the United States has fallen amazingly. In the first four years under prohibition the decrease was equivalent to saving 873,000 lives. Crime has lessened. More people may be arrested, but for traffic-law violations, breaches of some automobile, food, or sanitary regulation and not for drunkenness. The Federal census shows a decrease of 5.8 per 100,000 in our criminal population from 1917 to 1922. Hundreds of penal institutions have been closed since prohibition. Judge William M. Gemmill, of Chicago, a foremost criminal authority, says that the drop in the number of arrests for drunkenness is equivalent to 500,000 a year. The licensed liquor traffic was the most fertile source of crime, and much of the existing criminality is traceable to the now outlawed liquor traffic, which is encouraged by the advocates of nullification of the Constitution.

America's prosperity is the wonder of the whole world. We have five-sixths of the world's motor vehicles. Mr. R. T. Hodgkins, vice president of the Rollin Motors Co., asserts that at least 7,000,000 motor cars have been bought with money that formerly went to the saloon. Roger Babson says that prohibition turned what would normally have been a downward trend into an upward one and thus accounts for much of our recent and present prosperity. Two or three billion dollars yearly were turned from the destructive channels of drink to the constructive channels of legitimate business.

Last year alone the savings deposits of the country increased a billion dollars. Insurance holdings gained $11,000,000,000 and vast sums were expended for the radio, moving pictures, and other entertainments. Stock in the Nation's great enterprises has been acquired by a much larger number of people. The growth of the labor banks is another indication that the workers are saving their money more than ever before.

That drunkenness has dropped to a minimum under prohibition is proved by the fact that in most cities a drunkard is a rare sight on the streets and the homes for alcoholics have decreased from 238 in the time of the licensed saloon to 38 last year. There are few communities in America where it is not almost as easy to enter the lodge of a secret society without a password as it is for anyone to buy a drink of intoxicating liquor without being sponsored by an acquaintance of the dealer.

The average man is the greatest gainer from prohibition. In the past 10 years the per capita wealth of America has increased from $968 to $2,918, most of the gain coming after the adoption of prohibition. It is not the men and women who work for a living and are busily engaged in producing the wealth and prosperity of the Nation who are agitating against prohibition. Such agitation finds far more willing

supporters among the wealthy idle, who want liquor to stimulate their jaded appetites in their pursuit of pleasure. It is among these people far more than among those who work with their hands that the advocates of beer and wine find aid and comfort and sympathy.

I am proud to be a member of Division No. 565, Brotherhood of Locomotive Engineers, which organization, through its officers, recently sent a stinging rebuke to the propagandists who have been seeking the support of labor for legislation attacking prohibition:

> "It is somewhat of a mystery to us men engaged in the dangerous business of railroading why any wage earner would want a return to the misery of the evils of pre-Volstead days. To say that the eighteenth amendment has been a total failure, that the drink habit is as bad or worse than before, we know is simply propaganda of those interested in the return of a business that has done more to retard civilization and human progress than any one thing in the world's history.
>
> "We men in the railroad game know that the eighteenth amendment has been the greatest blessing we ever received; we know that we are better off morally, financially, intellectually, and in every other way by the outlawing of the booze business."

BUSINESS CONDITIONS IN GENERAL

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on business conditions as they are to-day.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANFIELD. Mr. Speaker and gentlemen of the House, I wish to take a few minutes' time to discuss briefly business conditions in general as they are throughout the country at the present time.

To discuss this very important question intelligently it will be necessary first to find out what has caused the present depression in business, and after we have discussed the causes I will be glad to state what, in my opinion, can and should be done to improve them.

We have heard many able speeches on this floor about the distressed condition of our farmers, and I do not think a single one of them have been exaggerated, as our farmers are in a deplorable condition; and, gentlemen, I am frank to say to you they are not the only ones that are suffering at the present time, as business conditions in almost every line in every part of the country are getting worse day by day.

The big-interest newspapers are trying to lead the people to believe it is all being caused by the investigations that are going on here in Washington. This, in my opinion, is not the cause; for where it is known that there is rottenness and corruption, be it in business or in government, everyone knows that the thing to do is to find out who the guilty ones are and see that they are punished if possible to do so. Others say the depression in business is caused by the distressed condition of our farmers. This, in my opinion, is true; then let us find out what has caused the distressed condition of our farmers everywhere. If we can find out what is causing their trouble and apply the proper remedy, business conditions will improve.

Let us then go back for a few years and see what has happened in the past, and in that way we should be able to find out what is causing our present depression; and after we have found the cause we should be able to find a remedy.

The Democratic Party came into control of the Government's affairs on March 4, 1913. For 16 years prior thereto the Government's affairs had been in the hands and complete control of the reactionary members of the Republican Party as it is now; and during that time no legislation of national importance was considered or passed. Legislation had not kept abreast of the necessity of the times and unfortunate conditions had arisen; and when the Democratic Party regained control in 1913, it set about to do those things of a legislative character which were demanded by the common interest of all the people. It realized, recognized, and quite successfully met the legislative necessities of the hour; in its every undertaking to develop forward-looking, safe, and constructive legislation for the country at large it was antagonized and opposed by the reactionary Republican group and by the selfish and unscrupulous business interests of the country. This was particularly true of any legislation from which it was thought that any benefit would result to the rank and file of our citizens generally. Nevertheless, that administration gave to the country its Federal reserve act, and it enforced its administration in accordance with the spirit and purpose of the act; and while that enactment is the law to-day there has been a remarkable change in the spirit of its administration; for special money interests have almost as great a hold upon the country's finances to-day as they had before the Federal reserve act was made a law. The act and its spirit and purpose remain unchanged, but its administration has fallen under selfish and hostile influence. The fact that I desire to emphasize is that it is the greatest legislative enactment of recent years and capable of a world of good when administered according to its spirit and purpose. It was a Democratic idea and achievement of which the party may well be proud and which stands to-day as a credit to that administration. It carried us through a World War without financial disturbance.

That same administration went further in the interests of the country and its industries and for the purpose of facilitating foreign trades and enjoying the markets of the world, it amended the Federal reserve act so as to permit associations of reserve banks to establish branches in foreign countries. This was wholly in the interest of trade and commerce and greatly facilitated transactions in foreign markets.

That administration passed the income tax law, which lifted the burden of taxation from the shoulders of the masses and placed it on those better able to bear it; it passed the Clayton antitrust law, which is most conspicuous at the present time for its nonenforcement; it passed the law providing for the election of the United States Senators by the direct vote of the people; it passed the Federal Trade Commission law, the purpose of which was to help and protect honest business and to curb lawless trusts and price-fixing associations; it passed a law extending the parcel post, reducing charges and the limit on packages; it passed the law broadening the scope of the postal savings bank system by increasing the maximum amount allowed to be deposited. It passed the Federal farm loan act, proving a system of rural credits, guaranteeing long term, low-rate loans to farmers—another good law the administration of which, too, according to a distinguished Republican Senator, has fallen into bad hands; it passed the $85,000,000 Federal aid road bill; it provided for a tariff commission for the purpose of taking the tariff out of politics and politics out of the tariff and for the further purpose of advancing and regulating the tariff on the scientific business basis; it passed the uniform grain grading act; it passed a law giving Government regulation over warehouses and providing negotiable warehouse receipts. It gave the country a competitive tariff law to which no taint was ever attached—a law that was conceived in the interest of the whole country and not in the interest of unscrupulous profiteers.

It was a working administration. Congress remained in long sessions, and legislation was carefully prepared and considered. Its work was in the open; the Republican Members of the House committees were not excluded from committee rooms, but they and the public were invited to the fullest exercise of their rights and privileges; and moral reproach never cast its shadow upon any Member or any committee, for neither Member nor committees were under improper influence. They, as the Representatives of the American people, were working—were free to work in the interest of the American people and there was prosperity everywhere. Farmers, laborers, and business men were all prosperous.

In 1918 the Democratic Party lost control of the Government; in that year the Democratic Party lost the House of Representatives and since that time there has been very little constructive legislation that was in the interest of the American people. The Republican administration has given the country one law that directly concerns the people as a whole, namely, the present Fordeny-McCumber tariff law. No one outside of the reactionary Republican group will contend that it is fair and just or that it is in the interest of the people as a whole. And, in this session of Congress that same group has tried to force upon the country a new tax law strictly in the interest of those whose incomes are in excess of $55,000 per annum. (The present law was so unfair and unjust and unscientific that it was condemned by the leaders of the reactionary Republican group themselves even before the ink on it was dry.)

The Fordney-McCumber tariff law, which, in my opinion, is causing our present depression, has proven a curse to the country—to the whole country, except the people who can take advantage of its high rates for the purpose of price fixing. The rank and file of the American citizens are being price-soaked on everything they buy; while a part of them—the American farmer—is being price-soaked on everything that he sells, for it curbs and restricts, if not destroys, his foreign market. At no time since 1890 has the farmer's dollar been worth as much as it was under the late Democratic administration, when it reached the high-water mark of 112; and at no time since 1890 has the farmer's dollar maintained as high a value as it did during that administration from 1913 to 1921, inclusive; and at no time in recent years has it reached so low a figure as it has under the present administration.

The following table submitted by the Republican Secretary of Agriculture shows the value of the farmer's dollar in years from 1890 to 1922, inclusive:

[From the CONGRESSIONAL RECORD, March 15, 1923, p. 5828]

THE FARMER'S DOLLAR

DEPARTMENT OF AGRICULTURE,
Washington, February 27, 1923.

Hon. EWIN L. DAVIS,
House of Representatives.

DEAR MR. DAVIS: I am pleased to transmit herewith data relative to the purchasing power of the farm dollar as requested in your letter of February 17.

A satisfactory index number of the purchasing power of the farm dollar, 1860 to date, has not been prepared. The Joint Commission of Agricultural Inquiry prepared a series of index numbers from 1890 to 1920, and we have continued it to include 1922. A copy is transmitted herewith.

Sincerely yours,

HENRY C. WALLACE, *Secretary.*

(Inclosure.)

The purchasing power of the farmer's dollar since 1890

(Includes food and farm products with all other products)

	Cents.
1890	83
1891	89
1892	87
1893	87
1894	85
1895	85
1896	81
1897	86
1898	88
1899	83
1900	86
1901	92
1902	95
1903	88
1904	93
1905	90
1906	88
1907	90
1908	93
1909	100
1910	96
1911	97
1912	101
1913	100
1914	103
1915	103
1916	97
1917	107
1918	112
1919	112
1920	96
1921	84
1922	89

1913–1922, REVISED

Source: The Agricultural Crisis and Its Causes. Report of the Joint Commission of Agricultural Inquiry. Part 1.

Please compare the value of the farmer's dollar under the late Democratic administration with its value under other administrations.

Also remember that at present the farmer's dollar, measured in other than farm products, is only 59.5 cents.

Under the operations of the Fordney-McCumber tariff bill the American consumers of manufactured products have had billions legislated out of their pockets into the pockets of a few special privileged interests, who now stand ready to contribute their millions for the further success of the Republican Party, which has thus enabled them to rob the great body of the American people. Certain manufacturing interests and tariff beneficiaries have reaped a golden harvest as the result of it. It has enabled them to maintain abnormal and unreasonable prices for their products, and the consuming public is to-day paying the bill. Production is controlled, distribution is controlled, and prices are fixed without let or hindrance. The privileged classes are completely and scientifically organized and are in a position to benefit, and do benefit, almost criminally, under its operations. The farmers and small business men control neither production nor distribution nor the price at which they sell their product. If their industries were organized as the great manufacturing industry, if they could control production and distribution, then they could fix prices and maintain them somewhat as the large manufacturing interests do.

Shortly following the enactment of the Fordney-McCumber bill, it was estimated by the New York Herald (a Republican paper), that it would cost the American people from two and one-half to three billion dollars annually; while the Fair Tariff League, which is a Republican protective tariff organization in the interest of fair and honest protection, estimated its cost to the people at six billions; and another very eminent tariff authority estimated its cost to the people at eleven billions. This last estimate modified the estimate of the Fair Tariff League by taking account of the gross cost resulting from the pyramiding process; but the true figure must lie somewhere between the two extremes.

The American Federation of Farm Bureaus made an investigation of the Fordney-McCumber law in its effect upon agriculture within a few months after its enactment; and it reported that the American farmers had, within those few months, suffered a gross loss of $426,000,000; that they had enjoyed a net gain of $125,000,000 while suffering a net lost of $301,000,000 in a few months' time. Farmers ought to know and see that the great special privileged interests have been declaring enormous dividends ranging from 25 per cent to 1,000 per cent, while farmers have either gone into bankruptcy or merely held their own, or have realized a trifling per cent upon their investment and labor. This law was conceived in the interest of the large manufacturing industries of the country and its penalties have fallen upon the great body of American people with a heavy hand. In my opinion, the American farmers and the general public are suffering more to-day from its curses than from any other one cause. Mr. Speaker and gentlemen, you can not continue to rob the great common people of our country and give that which you take from them to the special privileged class and continue to have prosperity. It can not be done.

This, Mr. Speaker and gentlemen, is the cause of most of our trouble to-day. This is what is causing our farmers to go bankrupt. This is what is causing the depression in business. It is not the investigation of corruption and fraud that the special privileged class and the reactionary members of the Republican Party say should be stopped, but the present Fordney-McCumber tariff law, or as it has been rightly named the "robber tariff law."

How can we expect to have prosperity when, according to a survey made by the Department of Agriculture, we are informed that the average gross annual income per farm in the United States is $712 and this is not for each person on the farm but it is the average gross receipts the farmer and his family receive and out of this he must pay his taxes, cost of operations, upkeep, and other expenses, and this is not all—when he goes to purchase his clothing and the things he needs on the farm he finds his dollar only worth 50 cents, or, in other words, will only buy what 50 cents should buy, mostly on account of the present high protective tariff.

The following table will show the purchasing power of a bushel of wheat in 1913 and 1923:

	Cost 1913	Cost 1923	Wheat needed— 1913	Wheat needed— 1923
			Bushels	*Bushels*
Plow	$9.50	$27.00	11.7	29.2
Double wagon	53.50	130.00	66.8	143.3
Single harness	11.00	26.00	13.7	28.3
100 pounds barbed wire	2.25	5.00	3	5.6
Suit of clothes	16.75	38.50	21	31
Two bottom plows	64.00	125.00	80	140
Double harness	32.00	73.50	40	80
Pair of shoes	4.75	11.00	6	12
Thresher operators	6.25	14.75	8	16
Harvest labor	2.00	6.00	3	6.5

Farm price of wheat per bushel:	
1913	$0.799
1923	.923

The following table will show the purchasing power of hogs, which you all know are a staple farm product and which largely fix the price of corn and other farm products:

Purchasing power of hogs

	Cost 1913	Cost 1923	Pork needed— 1913	Pork needed— 1923	Increase
			Pounds	*Pounds*	*Per cent*
Walking plow, 14-inch, general purpose	$11.75	$21.25	157	332	111
Gang plow, 14-inch	53.25	99.00	744	1,549	108
Disk harrow, 7-foot, 16-inch	23.00	47.50	321	743	131
Corn planter, 2-row	31.75	64.50	443	1,009	128
Grain drill, 22-7	106.00	190.00	1,481	2,973	101
Double wagon	61.21	132.20	----------	855	209
Ton of hard coal	8.59	10.17	----------	120	300

Farm price, hogs, per 100 pounds: 1913, $7.16; 1923, $6.39.

The present Fordney-McCumber tariff is against the interest of the farmer, laboring men, and small business men. I am not a free trader. I think we should have a tariff that is fair, to protect the farmer, the laborer, and the manufacturer, but we do not need a tariff that will rob the people and make the farmers' dollar worth 50 cents and almost entirely wipe out their foreign market.

Under the Fordney-McCumber tariff law, the women of the country are made to pay twice as much, and, on some articles, three and four times as much as they should for everything they wear. It is a crime to have the present duties as they are.

The present tariff is a violation of the principle of honest protection. It adds over $200,000,000 to the cost of our sugar annually and over $300,000,000 to our wool clothing. It doubles the cost of "ginghams," used for making dresses, shirts, and aprons. It adds from $5 to $8 each to the women's tweed coats and suits, of which on the average of 30,000,000 are bought annually. In fact, it adds over $3,000,000,000 to the prices of the general merchandise that is bought in the stores of our country.

The present tariff law is costing the people of Indiana over $90,000,000 a year, and is costing the people of the fourth district in Indiana, the district I have the honor to represent, over $600,000 a year. Think of it, gentlemen, we talk about lowering taxes and we have done absolutely nothing to change the tariff tax, which is costing the people of our country billions of dollars annually.

It is said that our present high protective tariff law costs the average home, with an average family of five, $159 annually. Gentlemen of the House, as long as these conditions prevail and the laws of our country are favorable to the "special interests" or "privileged classes" against the interest of the common people, how in the name of goodness can we expect to have prosperity or even an improvement in our present agricultural or business conditions?

As some of you know, I have introduced several bills during this session of Congress to lower the tariff on a number of articles, and if they had been passed during this session they would have saved the people of the country millions—yes, billions of dollars. If the bill I introduced to take the tariff off of sugar, alone, had been passed, it would have saved the people of the country over $200,000,000, but no attention has been paid to any of these bills. In fact, no attention has been paid to any bill that had for its purpose the improvement of conditions for the farmers, laboring men, and small business men, except those the present administration was forced to bring up on account of it being a national campaign year.

When we met here last December all that we could hear and all we could see in the newspapers was something about the so-called Mellon tax plan which was so cordially approved by the present administration and by the unscrupulous business interests of the country. Millions of dollars were spent to get the people of the country and Congress to blindly accept this program. Nothing was said about the Garner or Democratic plan except that it was unscientific and unsound.

The facts are the Garner plan was in the interest of the average business man and men with ordinary means, and it has been, with but few changes, passed by both Houses almost unanimously, and, as has well been said by Representative JOHN N. GARNER, our ranking member of the House Ways and Means Committee:

> It is now clear that there would have been no tax relief enacted this year under the bungling policies and impossible tax proposals of the Coolidge administration, except for the action of the Democrats in formulating a feasible tax program which made it possible to take a splendid step in substantial tax reduction. This program avoided both the Mellon and the opposite extreme in tax proposals and thereby commanded a majority of the votes of the two Houses of Congress. This course of moderation has characterized many other sound constructive legislative policies which have been carried to a successful conclusion by the Democratic Party during the past 12 years.
>
> If intrusted with power next November, the Democratic Party will be prepared to prosecute a comprehensive program of further tax readjustment, including all phases of the existing iniquitous tariff taxes—one that will be just and fair alike to every class of persons and of business, and in accordance with ability to pay.

Since 1918 the Muscle Shoals proposition, representing millions upon millions of the people's money, remains undeveloped, undisposed of, and unproductive. It goes without saying that this is unfortunate but opulent evidence of the incompetency of Republican administration. Something should have been done with it six years ago; but nothing has been done with it, and there is little prospect that there will be so long as the Republicans remain in control of the situation and the proposition is opposed by the great Fertilizer Trust, Republican promises to the contrary notwithstanding.

I have no prejudices for or against any plan looking to its utilization in the interest of agriculture; and I am for some plan for its utilization in the interest of cheaper fertilizer for the American farmer. Is this great natural utility to remain unutilized in the interest of the American farmers because the Republican Party controls the situation at the dictation of the great fertilizer and water-power trusts? If anything is going to be done with it, when, rather than how, concerns me, if it be at all in the interest of cheaper fertilizer for the agricultural industry and protection of the Government, as has been agreed to by the leading representatives of the farming industry. Are we going to sit by and see it go as did the Teapot Dome and the great national oil reserve lands of California?

This Congress has done absolutely nothing to relieve the depression that has afflicted agriculture; it is not going to do anything in the interest of agriculture; and the farmers who are sending their petitions and prayers to it for some consideration had better send those petitions and prayers to Wall Street, for they will only receive what Wall Street directs this Congress to deliver to them. Chaff and sop will not meet the farmer's necessity, nor can it do so as long as it is controlled and operated in the selfish interest of those who finance its campaigns with their millions. It can not serve two masters. It can not legislate in the interest of the American people, when, by circumstances to which it is a party, it must give to special interests the things demanded.

Since 1918, when the Democratic Party lost control of the House of Representatives, and, consequently, control of legislation, the farmer's condition has gradually grown worse. This is reflected in many ways. Again, no class of our citizens has suffered more at the hand of this administration than farmers. Robbed in their purchases by price-fixing associations, robbed in their sales by price-fixing purchasers, until to-day he is discouraged and disheartened, if not bankrupt. Under no administration within our memory have there been so many bank failures in agricultural sections. The following table shows the number of bank failures, national and State, from 1870 to 1923, inclusive; and in 1922 the greatest number for any one year of State and national banks failed—397. Particular attention is invited to the bank failures of 1921, 1922, and 1923:

National and State bank failures

Year	Number of national bank failures	Number of State bank failures
1870	1	1
1871	None.	7
1872	5	10
1873	4	33
1874	9	40
1875	3	14
1876	8	37
1877	9	63
1878	11	70
1879	9	20
1880	5	10
1881	None.	9
1882	3	19
1883	1	27
1884	6	54
1885	9	32
1886	6	13
1887	5	19
1888	12	17
1889	4	15
1890	6	30
1891	16	44
1892	17	27
1893	65	261
1894	21	71
1895	36	115
1896	27	78
1897	38	122
1898	7	53
1899	12	26
1900	6	32
1901	11	56
1902	2	43
1903	12	26
1904	20	102
1905	22	87
1906	8	37
1907	7	54
1908	24	132
1909	9	60
1910	6	38

National and State bank failures—Continued

Year	Number of national bank failures	Number of State bank failures
1911	3	56
1912	8	55
1913	6	40
1914	21	96
1915	14	110
1916	13	41
1917	7	35
1918	2	25
1919	1	42
1920	5	44
1921	28	330
1922	33	364
1923	37	237

Number of national banks failed since July 1, 1923, to May 21, 1924

	1923						1924					
	July	August	September	October	November	December	January	February	March	April	May	Total
North Carolina	2											2
Montana	2	1	1	2	2	3	1	5	3	1	1	22
Oklahoma	3			1	4	4		3		1		16
North Dakota	1			1	5	3	3	1	2	2		18
Nebraska		1			1			2	2	1		7
Georgia		1										1
Iowa		1							1			2
South Dakota			1	1	1		2	5	5			15
New Mexico				1	1			4	2	2	2	12
Minnesota				1	2			2	1			6
Kansas					1				1	1	1	4
Arizona					1							1
Ohio					1							1
Alabama						1						1
Wyoming						1		1	3			5
Oregon						1						1
Utah							1					1
Washington								2				2
Wisconsin								1	1			2
Idaho									1			1
Colorado										2		2
Texas											1	1
Total	8	4	2	7	19	13	7	26	22	10	5	123

State banks failed from June 30, 1923, to January 31, 1924

Arizona	4
Idaho	1
Minnesota	40
Montana	62
Nebraska	7
New Mexico	13
North Dakota	90
Oklahoma	29
South Dakota	53
Texas	7
Utah	2
Wyoming	3
Total	311

I charge that this administration is passing into history without anything having been done or seriously attempted in the interest of agriculture—not one solitary thing of substantial character. I charge that no earnest consideration has been given by the administration to any matter of beneficial concern to the American farmers and that the American farmers' condition to-day is far more critical than it was at any time from 1913 to 1918 when the Democratic Party lost control of the House.

The Executive recommendations of this administration have not been for the betterment of agricultural conditions, which would mean an improvement in business conditions in general, but in the interest of the big interests of the country. The moral standard of the administration has reached its lowest degree. The stamp of deceit and fraud are too frequently seen in astonishing places. Crime and corruption seem to have broken loose and run rampant in high official places, and apparently it has been encouraged by some, connived at by others, and condoned by the whole reactionary outfit that stamps it with a lack of sense of moral and official obligation and responsibility for any trust; and the American farmer is only fooling himself when he seeks consideration under the present régime.

As I stated before, before business conditions in general can be improved agricultural conditions must be improved, and before the agricultural conditions can be permanently improved the present robber tariff law must be repealed, thereby increasing the purchasing power of the farmer's dollar, putting him in position to buy the things he has to buy for himself, family, and the operation of his farm. Reduce the freight rates on the agricultural products of the country so that the produce of the farm can be delivered to the consumer at a reasonable cost.

Change our present foreign relation policy so that there will be a market for the present surplus food products.

This administration has not seen fit to consider these questions, which, in my opinion, should have by all means been considered above all other questions.

Let us hope that the next administration will consider them and give permanent relief to our farmers and thereby give us prosperity in all lines of business.

AGRICULTURAL RELIEF BILL

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the McNary-Haugen bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, on to-morrow we will vote on this bill. If the measure will approximately accomplish the things claimed for it by its proponents, then it is one of the most important pieces of legislation considered at this session of Congress. This is no time or place to discuss the economic conditions of agriculture, those conditions are patent, they are well known to us all, and it is regrettable that so much time throughout the debate has been consumed in a recitation of the ills which now beset the farmer. The condition is known and a remedy is sought. It matters not what the cause, we are confronted with the effect, and the McNary-Haugen bill has been brought forth as the most feasible and practical solution of the emergency.

Throughout the last few years the great farm organizations of the country, through their trained experts and master minds on agricultural things, have been studying the situation, and the practical unanimity of these organizations in supporting this bill should at once have much weight with this body.

Within the last few days the press has carried a dispatch indicating that President Coolidge opposes this bill and has indicated this view to the designated leaders in Congress. The falsity of this propaganda was made apparent when Mr. LONGWORTH, the floor leader, emphatically denied that the President had conveyed any such information to the House or its leaders. On the other hand, be it remembered that this bill was prepared in the Department of Agriculture, and it was through the efforts of that department that the bill was introduced into Congress. Secretary of Agriculture Wallace, a member of the President's Cabinet and official family, has appeared before the Committee on Agriculture asking the enactment of this legislation, and it would be the most improbable and unnatural thing for the President's Secretary of Agriculture to insistently urge the passage of legislation by the Congress which was opposed by the Chief Executive—the man to whom the Secretary is primarily responsible. Those who are acquainted with President Coolidge are satisfied that if he were opposed to this legislation Congress would receive that information.

Both President Harding and President Coolidge urged Congress to consider this subject and enact relief measures; neither ventured to suggest the definite form that legislation is to take; each appreciated the magnitude of the undertaking.

The National Grange, the American Farm Bureau Federation, American National Live Stock Association, American Wheat Growers' Association, National Board of Farm Organizations, and many others, have indorsed this plan, not by merely passing resolutions in convention assembled, but by sending their trained experts before the Committee on Agriculture to give their reasons, to explain the faith that is in them so far as this bill is concerned. In fact, so far as I have been able to learn, the only farm organizations opposing the bill are those which feel that it does not go far enough, that it is not radical enough. It is an emergency measure and should be considered in that light. The Agricultural Committee has spent weeks on this subject, having before it numerous plans and bills, each of which undoubtedly possesses some admirable features, but none of which are aimed to give immediate relief. The Curtis-Aswell and the Capper-Williams bills attempt to provide a more economic method of farm marketing, and if applied will, in my judgment, in the years that are to come be of benefit, but neither will give immediate assistance.

The McNary-Haugen bill simply authorizes the formation of a corporation with five directors and the Secretary of Agriculture as the president of the board. The Government buys all of the capital stock, or, in other words, turns over to the cor-

poration $200,000,000 and this amount is the extent of the Government's investment, simply a loan to be returned at the end of the five-year period.

Whenever the corporation finds that there is a surplus for export of wheat, flour, rice, corn, wool, cattle, sheep, swine, or any food product of cattle, sheep, or swine, and that the ratio price in respect of the commodity would be in excess of the domestic price thereof, it shall immediately notify the President in writing of its findings, whereupon the President shall by a proclamation declare that a special emergency exists as to such agricultural commodity.

Before the law can take effect two things must obtain: First, there must be a surplus for export, and, second, the market price in the United States must be below the ratio price.

The ratio price of such basic agricultural commodity shall bear the same relation to the pre-war basic-commodities price thereof as the current all-commodities price in effect for such period bears to the pre-war all-commodities price.

For the purpose of determining the ratio price the Secretary of Labor computes the average price of all commodities for the period 1905 to 1914, inclusive.

The ratio of wheat, for instance, will be about $1.50 a bushel and the price of hogs around $11 per hundred.

Whenever the domestic market goes below the ratio price this corporation will go onto the market and buy sufficient of the exportable surplus of the commodity to maintain the home market at the ratio price. The price is fixed only to the extent that the corporation will purchase enough of the commodity on the open market to artificially take the place of the actual demand.

Prices are naturally controlled by supply and demand, but in the United States to-day we have a greater supply of certain agricultural products than required for home consumption, and competing in the markets of the world we can not sell these commodities except for less than the cost of production. Take wheat, for instance, where but a small per cent of the whole is exported, yet that small exportable per cent at all times controls the home market.

Provision is made in the bill whereby at the beginning of the year the corporation, considering all the facts, determines what the approximate difference between the world market and the ratio price will be, as well as the cost of operation, and fixes an amount sufficiently large at all times to cover that difference and cost. For instance, it is estimated by the experts that 15 cents a bushel would be a safe margin. This would mean that when the producer sold his wheat he would receive $1.35 in cash and a certificate for 15 cents a bushel, and the purchaser would actually pay the 15 cents a bushel to the corporation. The corporation sells the surplus abroad for the best price obtainable, takes out of the fund the cost of operating and the loss on wheat sold abroad for less than the ratio price, and the residue would be prorated to those holding the certificates. In other words, the practical operation as it affects the producer would be that he would get $1.35 a bushel in cash for his wheat and that at the end of the year he would probably receive an additional 5 or 10 cents—his share of the receipts above referred to. He would be sure of $1.35 a bushel plus his share of equalization fee and profit on world sales.

Nothing is guaranteed the producer out of the Treasury of the United States, the $200,000,000 is simply operating capital, and this corporation only exists for a period of five years, at the end of which time the $200,000,000 would be paid back into the Treasury of the United States. The farmer would have received a reasonable price for his product through governmental assistance, but would stand his own loss.

This law is a corollary to the tariff law. The manufacturer receives the same protection under a tariff here attempted to be given to the farmer. The manufacturer is so organized, and the nature of his business is such, that he can control his output. Conditions with the farmer are such that he can not control his output. We must always have a surplus for lean years, and the 6,000,000 farmers can not in the nature of things, without the assistance of the Government, be materially benefited by a tariff on a product where there is an exportable surplus. The provisions of the law are such that the tariff will protect up to the ratio price, and this law gives the farmer nothing more nor less than what industry has always enjoyed under the protective tariff system. We who believe in a tariff know that American industry has developed under this system, that the manufacturer and laborer are protected by this system, and that American standards could not be maintained without a protective tariff. Now the time has come when the farmer can not buy on a protected market and sell on a world market. One of two things must happen. The farmer must have assistance now or many of them must go bankrupt and leave the farm.

Nowhere in the history of the world excepting in America has the farmer maintained standards of living in keeping with the standards of other leading industries. There is no place for the peasantry of Europe in this land, and unless something can be done the farmer can not survive. He must have a protected home market and a means of disposing of his surplus at world prices or he must produce less than a surplus. Until a scheme of cooperative marketing is worked out he must be sustained. If he fails, our whole economic structure tumbles. Already his lack of purchasing power is felt, and his salvation is the Nation's salvation.

It must be understood that this law would only take effect in respect to such commodities as are determined upon by the corporation, and while various articles are included in the law those appearing at the hearings felt certain that the law would not be made applicable at this time except as to wheat, flour, and hogs. There is little doubt but that the measure would work as to wheat and flour, and after careful study I am convinced that there would be no difficulty as to hogs and hog products. I can see, however, where more difficulty might arise in applying the law to some of the other commodities mentioned.

Some are opposing this bill because they say that it is unworkable, while others are most bitterly opposed because they say that the bill will work.

The latter class concede that immediate relief will be given to the farmer, but fear that the cure will in the end be more detrimental than the disease. Opiates alleviate pain and serve a valuable purpose, but can be misused; and while I would not favor this legislation were it not for the present emergency, at the same time I believe this is a case where the patient demands immediate though temporary relief, and that if the patient is to be saved the relief must be applied. Crutches are valuable to the man with a broken leg, but the bone must be properly set if an ultimate recovery is to be effected. Agriculture needs crutches temporarily; and, during the five-year period during which this law operates, cooperative marketing can be perfected, proper machinery set up, and an organization made to do that for the farmer which it has done for all other lines of industry.

We are told that the McNary-Haugen bill is not sound economically, and I have no hesitancy in saying that, as a permanent proposition, I would not support the law, but I do realize that what is sound economics under some conditions and at certain times is not sound economics at other times. This same argument was most forcibly set forth when Congress was considering the creation of the Interstate Commerce Commission and the Federal reserve system, and there were those who felt that we were departing from the trodden paths and that the country was headed straight toward destruction. However, there is not a man among us who to-day would do away with the Interstate Commerce Commission or even think of repealing the Federal reserve system.

This law may stimulate production; but if this be the case the farmer will pay for his own folly—the greater the surplus sold at a loss by the corporation the less the producer will get out of the equalization fund as his share, which is represented by the certificate which he holds. The Government will not be the loser. There is a vast difference between the McNary-Haugen bill and the Sinclair bill. By the terms of the Sinclair measure the Government buys the surplus, and the Government stands the loss. In other words, the loss comes out of the pockets of the taxpayers, while under the McNary-Haugen bill the loss comes out of the pockets of those producing the commodity. The measure which we are now considering is not socialistic, and in my judgment the Sinclair bill is.

When the McNary-Haugen bill was first introduced I announced that I would not support the measure as presented, and I am pleased to say that many changes have been made. Under the bill as now drawn small sales will not be affected. The farmer may sell his neighbor seed wheat or a hog or a cow without annoyance, and the petty and annoying features have been eliminated.

The farmers of the country are asking that we pass the McNary-Haugen bill, and those who are opposing it have offered no substitute. Congress is about to adjourn, and while this law may have its defects, it is the best thing offered, and if not passed it will be impossible to give any well-considered relief before adjournment. It is unreasonable to talk about staying here until proper legislation is enacted, because all schemes and theories and propositions up to this time suggested have been thoroughly digested by the Committee on Agriculture, and from the mass this seems to be the most

feasible and the most likely to give immediate relief. This is a case where the end justifies the means, and I for one am ready to try the remedy, and in so doing will not be guilty of economic heresy.

THE REVENUE ACT OF 1924

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the revenue bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Speaker, under permission granted on June 2, 1924, I am submitting some tables, the purpose of which is to enable any person to readily ascertain the income tax to be paid under the new law on any given amount of net income, and to show the amount by which the income taxes have been reduced. Each table deals with a specific matter.

Table I shows the number who paid taxes in 1921 in each bracket; compares the amounts to be paid under the new law with the amounts paid under the act of 1921; gives the amount by which the income taxes are reduced in the next to the last column and the percentage of reduction in the last column. The table is based upon the amounts to be paid by a man and wife of whose income $5,000 is earned income. It will be noted that on incomes of $8,000 or less the taxes have been reduced 62.5 per cent, and on incomes from $8,000 to $13,000 the reduction is from 61 per cent to 50.9 per cent:

COMBINED NORMAL TAX AND SURTAX, COMPARING THE REVENUE ACT OF 1924 WITH THE REVENUE ACT OF 1921, AND SHOWING THE AMOUNTS BY WHICH TAXES ARE REDUCED IN EACH BRACKET, WITH THE PER CENT OF REDUCTION

Comparison of the revenue act of 1924 with the present law (married person without dependents), the first $5,000 of all income to be deemed to be earned; balance unearned

Number of persons making returns in each class in 1922 who paid income tax	Net income	Amount of normal tax under—		Amount of surtax under—		Amount of total tax under—		Amount of reduction of total tax under act of 1924	Percentage of reduction of total tax
		Act of 1921	Act of 1924	Act of 1921	Act of 1924	Act of 1921	Act of 1924		
	$1,000.00								
	2,000.00								
	3,000.00	$20.00	$7.50			$20.00	$7.50	$12.50	62.50
	4,000.00	60.00	22.50			60.00	22.50	37.50	62.50
	5,000.00	100.00	37.50			100.00	37.50	62.50	62.50
3,427,626	6,000.00	160.00	57.50			160.00	57.50	102.50	64.06
	7,000.00	240.00	87.50	$10.00		250.00	87.50	162.50	65.00
	8,000.00	320.00	127.50	20.00		340.00	127.50	212.50	62.50
	9,000.00	400.00	167.50	30.00		430.00	167.50	262.50	61.05
	10,000.00	480.00	207.50	40.00		520.00	207.50	312.50	60.10
	11,000.00	560.00	257.50	60.00	$10.00	620.00	267.50	352.50	56.85
	12,000.00	640.00	317.50	80.00	20.00	720.00	337.50	382.50	53.13
	13,000.00	720.00	377.50	110.00	30.00	830.00	407.50	422.50	50.90
	14,000.00	800.00	437.50	140.00	40.00	940.00	477.50	462.50	49.20
114,244	15,000.00	880.00	497.50	180.00	60.00	1,060.00	557.50	502.50	47.41
	16,000.00	960.00	557.50	220.00	80.00	1,180.00	637.50	542.50	45.97
	17,000.00	1,040.00	617.50	270.00	110.00	1,310.00	727.50	582.50	44.47
	18,000.00	1,120.00	677.50	320.00	140.00	1,440.00	817.50	622.50	43.23
	19,000.00	1,200.00	737.50	380.00	180.00	1,580.00	917.50	662.50	41.94
	20,000.00	1,280.00	797.50	440.00	220.00	1,720.00	1,017.50	702.50	40.84
	21,000.00	1,360.00	857.50	520.00	270.00	1,880.00	1,127.50	752.50	40.00
	22,000.00	1,440.00	917.50	600.00	320.00	2,040.00	1,237.50	802.50	39.34
	23,000.00	1,520.00	977.50	690.00	380.00	2,210.00	1,357.50	852.50	38.57
	24,000.00	1,600.00	1,037.50	780.00	440.00	2,380.00	1,477.50	902.50	37.92
28,948	25,000.00	1,680.00	1,097.50	880.00	510.00	2,560.00	1,607.50	952.50	37.22
	26,000.00	1,760.00	1,157.50	980.00	580.00	2,740.00	1,737.50	1,002.50	36.59
	27,000.00	1,840.00	1,217.50	1,090.00	660.00	2,930.00	1,877.50	1,052.50	35.92
	28,000.00	1,920.00	1,277.50	1,200.00	740.00	3,120.00	2,017.50	1,102.50	35.34
	29,000.00	2,000.00	1,337.50	1,320.00	830.00	3,320.00	2,167.50	1,152.50	34.71
	30,000.00	2,080.00	1,397.50	1,440.00	920.00	3,520.00	2,317.50	1,202.50	34.16
	31,000.00	2,160.00	1,457.50	1,570.00	1,020.00	3,730.00	2,477.50	1,252.50	33.58
	32,000.00	2,240.00	1,517.50	1,700.00	1,120.00	3,940.00	2,637.50	1,302.50	33.06
	33,000.00	2,320.00	1,577.50	1,850.00	1,220.00	4,170.00	2,797.50	1,372.50	32.91
	34,000.00	2,400.00	1,637.50	2,000.00	1,320.00	4,400.00	2,957.50	1,442.50	32.79
12,047	35,000.00	2,480.00	1,697.50	2,150.00	1,430.00	4,630.00	3,127.50	1,502.50	32.45
	36,000.00	2,560.00	1,757.50	2,300.00	1,540.00	4,860.00	3,297.50	1,562.50	32.15
	37,000.00	2,640.00	1,817.50	2,460.00	1,660.00	5,100.00	3,477.50	1,622.50	31.81
	38,000.00	2,720.00	1,877.50	2,620.00	1,780.00	5,340.00	3,657.50	1,682.50	31.51
	39,000.00	2,800.00	1,937.50	2,790.00	1,910.00	5,590.00	3,847.50	1,742.50	31.17
	40,000.00	2,880.00	1,997.50	2,960.00	2,040.00	5,840.00	4,037.50	1,802.50	30.86
	41,000.00	2,960.00	2,057.50	3,140.00	2,170.00	6,100.00	4,227.50	1,872.50	30.70
	42,000.00	3,040.00	2,117.50	3,320.00	2,300.00	6,360.00	4,417.50	1,942.50	30.54
	43,000.00	3,120.00	2,177.50	3,510.00	2,440.00	6,630.00	4,617.50	2,012.50	30.35
	44,000.00	3,200.00	2,237.50	3,700.00	2,580.00	6,900.00	4,817.50	2,082.50	30.18
6,031	45,000.00	3,280.00	2,297.50	3,900.00	2,730.00	7,180.00	5,027.50	2,152.50	29.98
	46,000.00	3,360.00	2,357.50	4,100.00	2,880.00	7,460.00	5,237.50	2,222.50	29.79
	47,000.00	3,440.00	2,417.50	4,310.00	3,040.00	7,750.00	5,457.50	2,292.50	29.58
	48,000.00	3,520.00	2,477.50	4,520.00	3,200.00	8,040.00	5,677.50	2,362.50	29.38
	49,000.00	3,600.00	2,537.50	4,740.00	3,370.00	8,340.00	5,907.50	2,432.50	29.13
	50,000.00	3,680.00	2,597.50	4,960.00	3,540.00	8,640.00	6,137.50	2,502.50	28.97
	51,000.00	3,760.00	2,657.50	5,190.00	3,720.00	8,950.00	6,377.50	2,572.50	28.74
	52,000.00	3,840.00	2,717.50	5,420.00	3,900.00	9,260.00	6,617.50	2,642.50	28.54
	53,000.00	3,920.00	2,777.50	5,660.00	4,090.00	9,580.00	6,867.50	2,712.50	28.31
	54,000.00	4,000.00	2,837.50	5,900.00	4,280.00	9,900.00	7,117.50	2,782.50	28.11
3,431	55,000.00	4,080.00	2,897.50	6,150.00	4,470.00	10,230.00	7,367.50	2,862.50	27.98
	56,000.00	4,160.00	2,957.50	6,400.00	4,650.00	10,560.00	7,617.50	2,942.50	27.86
	57,000.00	4,240.00	3,017.50	6,660.00	4,860.00	10,900.00	7,877.50	3,022.50	27.73
	58,000.00	4,320.00	3,077.50	6,930.00	5,060.00	11,260.00	8,137.50	3,102.50	27.60
	59,000.00	4,400.00	3,137.50	7,190.00	5,270.00	11,590.00	8,407.50	3,182.50	27.46
	60,000.00	4,480.00	3,197.50	7,460.00	5,480.00	11,940.00	8,677.50	3,262.50	27.32
	61,000.00	4,560.00	3,257.50	7,740.00	5,690.00	12,300.00	8,947.50	3,352.50	27.26
	62,000.00	4,640.00	3,317.50	8,020.00	5,900.00	12,660.00	9,217.50	3,442.50	27.19
	63,000.00	4,720.00	3,377.50	8,310.00	6,120.00	13,030.00	9,497.50	3,532.50	27.11
2,240	64,000.00	4,800.00	3,437.50	8,600.00	6,340.00	13,400.00	9,777.50	3,622.50	27.04
	65,000.00	4,880.00	3,497.50	8,900.00	6,570.00	13,780.00	10,067.50	3,712.50	26.94
	66,000.00	4,960.00	3,557.50	9,200.00	6,800.00	14,160.00	10,357.50	3,802.50	26.85
	67,000.00	5,040.00	3,617.50	9,510.00	7,040.00	14,550.00	10,657.50	3,892.50	26.75
	68,000.00	5,120.00	3,677.50	9,830.00	7,280.00	14,940.00	10,957.50	3,982.50	26.66
	69,000.00	5,200.00	3,737.50	10,140.00	7,530.00	15,340.00	11,267.50	4,072.50	26.55
	70,000.00	5,280.00	3,797.50	10,460.00	7,780.00	15,740.00	11,577.50	4,162.50	26.44
	71,000.00	5,360.00	3,857.50	10,790.00	8,040.00	16,150.00	11,897.50	4,252.50	26.33
	72,000.00	5,440.00	3,917.50	11,120.00	8,300.00	16,560.00	12,217.50	4,342.50	26.23
	73,000.00	5,520.00	3,977.50	11,460.00	8,560.00	16,980.00	12,537.50	4,442.50	26.16
	74,000.00	5,600.00	4,037.50	11,800.00	8,820.00	17,400.00	12,857.50	4,542.50	26.11
	75,000.00	5,680.00	4,097.50	12,150.00	9,090.00	17,830.00	13,187.50	4,642.50	26.04
	76,000.00	5,760.00	4,157.50	12,500.00	9,360.00	18,260.00	13,517.50	4,742.50	25.97
	77,000.00	5,840.00	4,217.50	12,860.00	9,640.00	18,700.00	13,857.50	4,842.50	25.91
	78,000.00	5,920.00	4,277.50	13,220.00	9,920.00	19,140.00	14,197.50	4,942.50	25.82
	79,000.00	6,000.00	4,337.50	13,590.00	10,200.00	19,590.00	14,537.50	5,052.50	25.79
	80,000.00	6,080.00	4,397.50	13,960.00	10,480.00	20,040.00	14,877.50	5,162.50	25.76

COMBINED NORMAL TAX AND SURTAX, COMPARING THE REVENUE ACT OF 1924 WITH THE REVENUE ACT OF 1921, ETC.—Continued

Comparison of the revenue act of 1924 with the present law (married person without dependents), the first $5,000 of all income to be deemed to be earned; balance unearned—Con.

Number of persons making returns in each class in 1922 who paid income tax	Net income	Amount of normal tax under—		Amount of surtax under—		Amount of total tax under—		Amount of reduction of total tax under act of 1924	Percentage of reduction of total tax
		Act of 1921	Act of 1924	Act of 1921	Act of 1924	Act of 1921	Act of 1924		
967	$81,000.00	$6,160.00	$4,457.50	$14,340.00	$10,770.00	$20,500.00	$15,227.50	$5,272.50	25.78
	82,000.00	6,240.00	4,517.50	14,720.00	11,060.00	20,960.00	15,577.50	5,382.50	25.62
	83,000.00	6,320.00	4,577.50	15,110.00	11,360.00	21,430.00	15,937.50	5,492.50	25.63
	84,000.00	6,400.00	4,637.50	15,500.00	11,660.00	21,900.00	16,297.50	5,602.50	25.58
	85,000.00	6,480.00	4,697.50	15,900.00	11,970.00	22,380.00	16,667.50	5,712.50	25.53
	86,000.00	6,560.00	4,757.50	16,300.00	12,280.00	22,860.00	17,037.50	5,822.50	25.47
	87,000.00	6,640.00	4,817.50	16,710.00	12,590.00	23,350.00	17,407.50	5,942.50	25.45
	88,000.00	6,720.00	4,877.50	17,120.00	12,900.00	23,840.00	17,777.50	6,062.50	25.43
	89,000.00	6,800.00	4,937.50	17,540.00	13,220.00	24,340.00	18,157.50	6,182.50	25.40
	90,000.00	6,880.00	4,997.50	17,960.00	13,540.00	24,840.00	18,537.50	6,302.50	25.37
666	91,000.00	6,960.00	5,057.50	18,390.00	13,870.00	25,350.00	18,927.50	6,422.50	25.34
	92,000.00	7,040.00	5,117.50	18,820.00	14,200.00	25,860.00	19,317.50	6,542.50	25.30
	93,000.00	7,120.00	5,177.50	19,260.00	14,540.00	26,380.00	19,717.50	6,662.50	25.26
	94,000.00	7,200.00	5,237.50	19,700.00	14,880.00	26,900.00	20,117.50	6,782.50	25.21
	95,000.00	7,280.00	5,297.50	20,150.00	15,230.00	27,430.00	20,527.50	6,902.50	25.16
	96,000.00	7,360.00	5,357.50	20,600.00	15,580.00	27,960.00	20,937.50	7,022.50	25.12
	97,000.00	7,440.00	5,417.50	21,060.00	15,940.00	28,500.00	21,357.50	7,142.50	25.06
	98,000.00	7,520.00	5,477.50	21,520.00	16,300.00	29,040.00	21,777.50	7,262.50	25.01
	99,000.00	7,600.00	5,537.50	21,990.00	16,660.00	29,590.00	22,197.50	7,392.50	24.98
1,817	100,000.00	7,680.00	5,597.50	22,460.00	17,020.00	30,140.00	22,617.50	7,522.50	24.96
451	150,000.00	11,680.00	8,597.50	46,460.00	35,520.00	58,140.00	44,117.50	14,022.50	24.12
	200,000.00	15,680.00	11,597.50	70,960.00	54,020.00	86,640.00	65,617.50	21,022.50	24.26
	250,000.00	19,680.00	14,597.50	95,960.00	73,020.00	115,640.00	87,617.50	28,022.50	24.23
63	300,000.00	23,680.00	17,597.50	120,960.00	92,020.00	144,640.00	109,617.50	35,022.50	24.21
	500,000.00	39,680.00	29,597.50	220,960.00	170,020.00	260,640.00	199,617.50	61,022.50	23.41
21	1,000,000.00	79,680.00	59,597.50	470,960.00	370,020.00	550,640.00	429,617.50	121,022.50	21.96
	2,000,000.00	159,680.00	119,597.50	970,960.00	770,020.00	1,130,640.00	889,617.50	241,022.50	21.32
	3,000,000.00	239,680.00	179,597.50	1,470,960.00	1,170,020.00	1,710,640.00	1,349,617.50	361,022.50	21.11
	4,000,000.00	319,680.00	239,597.50	1,970,960.00	1,570,020.00	2,290,640.00	1,809,617.50	481,022.50	21.00
	5,000,000.00	399,680.00	299,597.50	2,470,960.00	1,970,020.00	2,870,640.00	2,269,617.50	601,022.50	20.94

Number paying income taxes in 1922

The number of persons making returns in 1922	6,662,176
Of these no tax was paid by	3,072,191
Taxes were paid by	3,589,985
Those paying on incomes of more than $10,000	172,359
Those paying taxes on incomes of $10,000 or less	3,417,626

The total number paying income taxes were divided according to income, as follows:

Amount of income:	Number paying
$1,000 to $10,000	3,417,626
$10,000 to $11,000	23,416
$11,000 to $12,000	18,743
$12,000 to $13,000	14,887
$13,000 to $14,000	12,575
$14,000 to $15,000	10,393
$15,000 to $20,000	34,230
$20,000 to $25,000	18,100
$25,000 to $30,000	10,848
$30,000 to $40,000	12,047
$40,000 to $50,000	6,051
$50,000 to $60,000	3,431
$60,000 to $70,000	2,240
$70,000 to $80,000	1,423
$80,000 to $90,000	957
$90,000 to $100,000	666
$100,000 to $150,000	1,367
$150,000 to $200,000	450
$200,000 to $250,000	205
$250,000 to $300,000	84
$300,000 to $400,000	98
$400,000 to $500,000	64
$500,000 to $750,000	46
$750,000 to $1,000,000	17
Over $1,000,000	21

COMBINED NORMAL TAX AND SURTAX

TABLE II

This table shows the total amount of normal taxes and surtaxes to be paid under the revenue act of 1924, by a single person; a man and wife; man, wife, and child; man, wife, and one child; man, wife, and two children; and man and wife and three children on incomes of $20,000 or less:

Net income	Single person		Man and wife		Man, wife, and 1 child		Man, wife, and 2 children		Man, wife, and 3 children	
	$5,000 earned income	$10,000 earned income	$5,000 earned income	$10,000 earned income	$5,000 earned income	$10,000 earned income	$5,000 earned income	$10,000 earned income	$5,000 earned income	$10,000 earned income
$1,000	0	0	0	0	0	0	0	0	0	0
$2,000	$15.00	$15.00	0	0	0	0	0	0	0	0
$3,000	30.00	30.00	$7.50	$7.50	$1.50	$1.50	0	0	0	0
$4,000	45.00	45.00	22.50	22.50	16.50	16.50	$10.50	$10.50	$4.50	$4.50
$5,000	60.00	60.00	37.50	37.50	31.50	31.50	25.50	25.50	19.50	19.50
$6,000	100.00	90.00	57.50	52.50	51.50	46.50	45.50	40.50	39.50	34.50
$7,000	140.00	120.00	87.50	75.00	73.50	63.00	65.50	55.50	59.50	49.50
$8,000	180.00	150.00	127.50	105.00	113.50	93.00	91.50	75.00	85.50	69.00
$9,000	220.00	180.00	167.50	135.50	153.50	123.00	131.00	105.00	125.50	99.00
$10,000	280.00	225.00	207.50	165.00	193.50	153.00	171.50	135.00	165.50	129.00
$11,000	350.00	295.00	267.50	225.50	245.50	205.00	221.50	185.00	215.50	179.00
$12,000	420.00	365.00	337.50	295.00	315.50	275.00	277.50	241.00	271.50	235.00
$13,000	490.00	435.00	407.50	365.00	385.50	345.00	347.50	311.50	341.50	305.00
$14,000	560.00	505.00	477.50	435.00	455.00	415.00	417.50	381.50	411.50	375.00
$15,000	640.00	585.00	557.50	515.00	535.00	495.00	497.50	461.50	491.50	455.00
$16,000	720.00	665.00	637.50	595.00	615.00	575.00	577.50	541.50	571.50	535.00
$17,000	810.00	755.00	728.50	685.00	705.00	665.00	667.50	631.50	661.50	625.00
$18,000	900.00	845.00	817.50	775.00	795.00	755.00	757.50	721.50	751.50	715.00
$19,000	1,000.00	945.00	917.50	875.00	895.00	855.00	857.50	821.50	851.60	815.00
$20,000	1,100.00	1,045.00	1,017.50	975.00	995.00	955.00	957.50	921.50	951.50	915.00

This table takes into account the earned-income provisions which are new to this law.

SHOWING REDUCTIONS IN NORMAL INCOME TAXES ONLY

TABLE III

Comparison of the total normal tax for man and wife for each bracket under the revenue acts of 1918, 1921, and 1924

Net income	1918	1921	1924	Amount by which the 1924 normal taxes will be reduced below 1921
$1,000	None.	None.	None.	
$2,000	None.	None.	None.	
$3,000	$40.00	$20.00	$7.50	$12.50
$4,000	80.00	60.00	22.50	37.50
$5,000	120.00	100.00	37.50	62.50
$6,000	160.00	160.00	57.50	102.50
$7,000	240.00	240.00	87.50	152.50
$8,000	320.00	320.00	127.50	192.50
$9,000	400.00	400.00	167.50	232.50
$10,000	480.00	480.00	207.50	272.50
$11,000	560.00	560.00	257.50	302.50
$12,000	640.00	640.00	317.50	322.50
$13,000	720.00	720.00	377.50	342.50
$14,000	800.00	800.00	437.50	362.50
$15,000	880.00	880.00	497.50	382.50
$16,000	960.00	960.00	557.50	402.50
$17,000	1,040.00	1,040.00	617.50	422.50
$18,000	1,120.00	1,120.00	677.50	442.50
$19,000	1,200.00	1,200.00	737.50	462.50
$20,000	1,280.00	1,280.00	797.50	482.50
$21,000	1,360.00	1,360.00	857.50	502.50
$22,000	1,440.00	1,440.00	917.50	522.50
$23,000	1,520.00	1,520.00	977.50	542.50
$24,000	1,600.00	1,600.00	1,037.50	562.50
$25,000	1,680.00	1,680.00	1,097.50	582.50

The above table has considered that $5,000 of the income is earned income.

SHOWING REDUCTIONS IN SURTAXES ONLY

TABLE IV

Comparison of the rates of surtax and the amounts of taxes for each bracket under the revenue acts of 1918, 1921, and 1924

Net income	Surtax under revenue act of 1918		Surtax under revenue act of 1921		Surtax under revenue act of 1924	
	Rate for each bracket	Amount	Rate for each bracket	Amount	Rate for each bracket	Amount
$5,000-$6,000	1	$10		None.		None.
$6,000-$7,000	2	30	1	$10		None.
$7,000-$8,000	2	50	1	20		None.
$8,000-$9,000	3	80	1	30		None.
$9,000-$10,000	3	110	1	40		None.
$10,000-$11,000	4	150	2	60	1	$10
$11,000-$12,000	4	190	2	80	1	20

SHOWING REDUCTIONS IN SURTAXES ONLY—Continued

TABLE IV—continued

Comparison of the rates of surtax and the amounts of taxes for each bracket under the revenue acts of 1918, 1921, and 1924—Continued

Net income	Surtax under revenue act of 1918		Surtax under revenue act of 1921		Surtax under revenue act of 1924	
	Rate for each bracket	Amount	Rate for each bracket	Amount	Rate for each bracket	Amount
$12,000-$13,000	5	$240	3	$110	1	$30
$13,000-$14,000	5	290	3	140	1	40
$14,000-$15,000	6	350	4	180	2	60
$15,000-$16,000	6	410	4	220	2	80
$16,000-$17,000	7	480	5	270	3	110
$17,000-$18,000	7	550	5	320	3	140
$18,000-$19,000	8	630	6	380	4	180
$19,000-$20,000	8	710	6	440	4	220
$20,000-$22,000	9	890	8	600	5	320
$22,000-$24,000	10	1,090	9	780	6	440
$24,000-$26,000	11	1,310	10	980	7	580
$26,000-$28,000	12	1,550	11	1,200	8	740
$28,000-$30,000	13	1,810	12	1,440	9	920
$30,000-$32,000	14	2,090	13	1,700	10	1,120
$32,000-$34,000	15	2,390	15	2,000	10	1,320
$34,000-$36,000	16	2,710	15	2,300	11	1,754
$36,000-$38,000	17	3,050	16	2,620	12	1,080
$38,000-$40,000	18	3,410	17	2,960	13	2,040
$40,000-$42,000	19	3,790	18	3,320	13	2,300
$42,000-$44,000	20	4,190	19	3,700	14	2,580
$44,000-$46,000	21	4,610	20	4,100	15	2,880
$46,000-$48,000	22	5,050	21	4,520	16	3,200
$48,000-$50,000	23	5,510	22	4,960	17	3,540
$50,000-$52,000	24	5,990	23	5,420	18	3,900
$52,000-$54,000	25	6,490	24	5,900	19	4,280
$54,000-$56,000	26	7,010	25	6,400	19	4,660
$56,000-$58,000	27	7,550	26	6,920	20	5,060
$58,000-$60,000	28	8,110	27	7,460	21	5,480
$60,000-$62,000	29	8,690	28	8,020	21	5,900
$62,000-$64,000	30	9,290	29	8,600	22	6,340
$64,000-$66,000	31	9,910	30	9,200	23	6,800
$66,000-$68,000	32	10,550	31	9,820	24	7,280
$68,000-$70,000	33	11,210	32	10,460	25	7,780
$70,000-$72,000	34	11,890	33	11,120	26	8,300
$72,000-$74,000	35	12,590	34	11,800	26	8,820
$74,000-$76,000	36	13,310	35	12,500	27	9,360
$76,000-$78,000	37	14,050	36	13,220	28	9,920
$78,000-$80,000	38	14,810	37	13,960	28	10,480
$80,000-$82,000	39	15,590	38	14,720	29	11,060
$82,000-$84,000	40	16,390	39	15,500	30	11,660
$84,000-$86,000	41	17,210	40	16,300	31	12,280
$86,000-$88,000	42	18,050	41	17,120	31	12,900
$88,000-$90,000	43	18,910	42	17,960	32	13,540
$90,000-$92,000	44	19,790	43	18,820	33	14,200
$92,000-$94,000	45	20,690	44	19,700	34	14,880
$94,000-$96,000	46	21,610	45	20,600	35	15,580
$96,000-$98,000	47	22,550	46	21,520	36	16,300
$98,000-$100,000	48	23,510	47	22,460	36	17,020
$100,000-$150,000	53	49,510	48	46,460	37	35,520
$150,000-$200,000	58	77,510	49	70,960	37	54,020
$200,000-$300,000	60	137,510	50	120,960	38	92,020
$300,000-$500,000	63	263,510	50	220,960	39	170,020
$500,000-$1,000,000	64	583,510	50	470,960	40	370,020
$1,000,000 and up	65		50		40	

SHOWING NORMAL TAXES ONLY FOR BRACKETS OF $20,000 OR LESS AND TAKING INTO ACCOUNT THE NEW EARNED INCOME PROVISIONS

TABLE V

Net income	Single person		Man and wife		Man, wife, and child		Man, wife, and 2 children		Man, wife, and 3 children	
	$5,000 earned income	$10,000 earned income	$5,000 earned income	$10,000 earned income	$5,000 earned income	$10,000 earned income	$5,000 earned income	$10,000 earned income	$5,000 earned income	$10,000 earned income
$1,000	0	0	0	0	0	0	0	0	0	0
$2,000	$15.00	$15.00	0	0	0	0	0	0	0	0
$3,000	30.00	30.00	$7.50	$7.50	$1.50	$1.50	0	0	0	0
$4,000	45.00	45.00	22.50	22.50	16.50	16.50	$10.50	$10.50	$4.50	$4.50
$5,000	60.00	60.00	37.50	37.50	31.50	31.50	25.50	25.50	19.50	19.50
$6,000	100.00	90.00	57.50	52.50	51.50	46.50	45.50	40.50	39.50	34.50
$7,000	140.00	120.00	87.50	75.00	73.50	63.00	65.50	55.50	59.50	49.50
$8,000	180.00	150.00	127.50	105.00	113.50	93.00	91.50	75.00	85.50	69.00
$9,000	220.00	180.00	167.50	135.00	153.50	123.00	131.50	105.00	125.50	99.00
$10,000	260.00	225.00	207.50	165.00	193.50	153.00	171.50	135.00	165.50	129.00
$11,000	340.00	285.00	257.50	215.00	235.50	195.00	211.50	175.00	205.50	169.00
$12,000	400.00	345.00	317.50	275.00	295.50	255.00	257.50	221.00	251.50	215.00
$13,000	460.00	405.00	377.50	335.00	355.50	315.00	317.50	281.50	311.50	275.00
$14,000	520.00	465.00	437.50	395.00	415.00	375.00	377.50	341.50	371.50	335.00
$15,000	580.00	525.00	497.50	455.00	475.00	435.00	437.50	401.50	431.50	395.00
$16,000	640.00	585.00	557.50	515.00	535.00	495.00	497.50	461.50	491.50	455.00
$17,000	700.00	645.00	617.50	575.00	595.00	555.00	557.50	521.50	551.50	515.00
$18,000	760.00	705.00	677.50	635.00	655.00	615.00	617.50	581.50	611.50	575.00
$19,000	820.00	765.00	737.50	695.00	715.00	675.00	677.50	641.50	671.50	635.00
$20,000	880.00	825.00	797.50	755.00	775.00	735.00	737.50	701.50	731.50	695.00

Table for convenient reference for taxes on incomes of $20,000 or less

TABLE VI

Net income	Total of normal and surtaxes of man and wife under revenue act of 1921	Total of normal and surtaxes of man and wife with $5,000 earned income under revenue act of 1924	Reduction in dollars	Reduction in per cent
$1,000	None.	None.		
$2,000	None.	None.		
$3,000	$20.00	$7.50	$12.50	62.50
$4,000	60.00	22.50	37.50	62.50
$5,000	100.00	37.50	62.50	62.50
$6,000	160.00	57.50	102.50	64.06
$7,000	250.00	87.50	162.50	65.00
$8,000	340.00	127.50	212.50	62.50
$9,000	430.00	167.50	262.50	61.05
$10,000	520.00	207.50	312.50	60.10
$11,000	620.00	267.50	352.50	56.85
$12,000	720.00	337.50	382.50	53.13
$13,000	830.00	407.50	422.50	50.90
$14,000	940.00	477.50	462.50	49.20
$15,000	1,060.00	557.50	502.50	47.41
$16,000	1,180.00	637.50	542.50	45.97
$17,000	1,310.00	727.50	582.50	44.47
$18,000	1,440.00	817.50	622.50	43.22
$19,000	1,580.00	917.50	662.50	41.93
$20,000	1,720.00	1,017.50	702.50	40.84

EXCISE AND OTHER TAXES REPEALED OR REDUCED

The taxes are removed or reduced on a number of articles listed below, which modifications of existing law will afford relief to many industries and reduce taxes upon practically every citizen of the country. The table below shows what the revenue act of 1924 does in addition to reducing the income taxes.

The estimates given below are based upon the collections for the fiscal year ended June 30, 1923:

Article	Saved to taxpayer
Repeals tax on—	
Telephone and telegraph messages	$34,000,000
Beverages and constituent parts thereof	10,000,000
Admissions of 50 cents and under	35,000,000
Excise taxes:	
Auto trucks and bodies, chassis costing $1,000 and body $200 exempt from 3 per cent tax	5,000,000
Tires, tubes, parts, and accessories, tax reduced from 5 per cent to 2½ per cent	20,000,000
Smokers' articles, 10 per cent tax on humidors and smoking stands repealed	1,000
Candy, 3 per cent tax repealed	13,000,000
Slot device weighing machines, tax reduced from 10 per cent to 5 per cent	
Knives, dirks, daggers, etc., tax is repealed	30,000
Liveries and livery boots and hats, 10 per cent tax repealed	140,000
Hunting and shooting garments and riding habits, 10 per cent tax repealed	180,000
Yachts and motor boats and pleasure boats and canoes if sold for more than $100, 10 per cent tax repealed	319,000
Carpets and rugs (square yard tax); trunks, sold in excess of $35; valises, traveling bags, suitcases, etc., if sold in excess of $25; purses, pocketbooks, shopping or hand bags, sold in excess of $5; portable lighting fixtures, lamps, and lamp shades, sold in excess of $10; fans, sold in excess of $1; 5 per cent tax on all the foregoing repealed	1,800,000
Jewelry; 5 per cent tax does not apply on articles sold for $30 or less; on watches sold for $60 or less; on church goods, musical instruments, and silverplated flat tableware, irrespective of price. (Eyeglasses and spectacles and surgical instruments are exempt)	11,000,000
Stamp taxes:	
Sales of produce on exchange, cut from 2 cents to 1 cent per $100	4,000,000
Promissory notes, drafts, or checks, payable otherwise than at sight or demand, tax of 2 cents per $100 or fraction thereof repealed	2,150,000
Occupational taxes:	
Brokers exclusively negotiating sales of produce or merchandise, exempt from $50 tax	400,000
Theater seat tax, etc., repealed	1,600,000
Total reduction	136,620,000

MISCELLANEOUS

Item:	Increase
While the bill reduces the tax on slot-weighing machines from 10 per cent to 5 per cent, it now applies the 5 per cent tax to all classes of coin-operated machines, which will increase the revenue from this source about	$150,000
Playing cards: Rate increased from 8 cents to 10 cents per pack	$700,000
Mah jongg, pung chow, and similar tile sets taxed at 10 per cent	1,000,000
Total increase	1,850,000
Total taxes eliminated	136,620,000
Total taxes added	1,850,000
Net total reduction	134,770,000

ADDITIONAL EXEMPTIONS

Tax on pool tables and bowling alleys of $10 per table or alley does not apply if no charge is made for use of same.

Seat tax on automobiles for hire does not apply in respect of automobiles used exclusively for conveying school children to and from school.

ADDITIONAL REVENUE

The act revised the estate taxes, and there will be an additional estimated revenue from that source of $12,000,000; it also includes a gift tax, from which it is estimated $2,000,000 will be received.

Comparison of the amounts taken from the taxpayers during the last two years of the revenue act of 1918 with the amounts taken the first two years of the revenue act of 1921

Fiscal year	Income and profits taxes	Excise, etc., taxes	Total
1920	$3,956,936,003.60	$1,011,235,466.92	$4,968,171,470.52
1921	3,228,137,673.75	1,026,390,108.53	4,254,527,782.28
Total for the last two years under act of 1918			9,222,699,252.80
1922	2,086,018,464.85	792,042,717.56	2,878,961,182.41
1923	1,691,089,534.56	589,027,583.17	2,280,117,117.73
Total for the two succeeding years under the revenue act of 1921			5,159,078,300.14

The difference between $9,222,699,252.80, the amount collected from the taxpayers during the last two years of the revenue act of 1918, and $5,159,078,300.14, the amount collected for the two succeeding years under the revenue act of 1921, is the enormous sum of $4,063,620,952.66. Under the revenue act of 1924, $233,000,000 of the 1923 taxes are returned to the taxpayers.

REAL TAX REDUCTION CONSISTS IN TAKING LESS MONEY FROM THE TAXPAYERS

This is the true test of tax reduction—that the amounts of money taken from the taxpayers be actually reduced.

The reductions in taxes effected by the revenue act of 1924 are made in the income taxes and the excise taxes. The tax on corporations is not changed. Nor is any change made in other items subject to taxation—excepting the estate tax and the inclusion of a gift tax—so no statement concerning them is made here.

The following statement was prepared by the Actuary of the Treasury on May 23, 1924. It shows a net reduction in income taxes of $250,000,000 and in excise taxes of $111,000,000, making a total reduction of $361,000,000 for the fiscal year ending June 30, 1925:

Estimated revenue of the revenue act of 1924 for the fiscal year ending June 30, 1925

Source	Present law	Revenue act of 1924	Amount of reductions
Customs	$500,000,000	$500,000,000	
Internal revenue:			
Individual income and corporation tax	1,900,000,000	1,650,000,000	$250,000,000
Miscellaneous taxes	925,000,000	814,000,000	111,000,000
Total internal-revenue taxes	2,825,000,000	2,464,000,000	361,000,000
Miscellaneous receipts	473,000,000	473,000,000	
Total ordinary receipts	3,798,000,000	3,437,000,000	
Expenditures chargeable against ordinary receipts (Budget estimate of Dec. 3, 1923, not including additional expenditures authorized or to be authorized since that date)	3,298,100,000	3,298,100,000	
Excess of ordinary receipts over total expenditures chargeable against ordinary receipts	499,900,000	138,900,000	

To this surplus should be added whatever taxes are collected by the department in excess of $200,000,000 on account of income and profits taxes for previous years.

The new act will earn $138,900,000 in ordinary receipts in excess of expenditures chargeable against such receipts. A careful study of the fiscal situation shows that it will produce revenue sufficient for the needs of the Government, taking into the account the revenues received by the Treasury from all sources.

ARBITRATION OF RAILROAD DISPUTES

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. Under the order of business for to-day, the bill H. R. 7353, the so-called Howell-Barkley bill, is in order for consideration. In the event that that bill should not be taken up at this time, or to-day at all, I ask whether the status of the matter would be changed in any way during the rest of this session, or during the session beginning in December.

The SPEAKER. The Chair thinks not.

Mr. BARKLEY. It would stand as the unfinished business on the first and third Mondays during the rest of this Congress?

The SPEAKER. The Chair thinks so, until the House takes some adverse action upon it.

Mr. BARKLEY. Then, Mr. Speaker, I ask unanimous consent to address the House for 10 minutes, in order to make an explanation.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARKLEY. Mr. Speaker, for nearly four months the advocates of the Howell-Barkley railroad labor bill have made every proper and reasonable effort to secure its fair and orderly consideration on merit. Such consideration has been opposed and obstructed at every step by the Republican organization of this House.

This organization and its policy of indifference to the welfare of the whole people and its subservience to the wishes of special interests prevented the consideration of the bill in the committee and made necessary the committee's discharge. It has been unwilling to consider many other scores of bills designed to serve the public interests without injury to any interest.

Since the committee was discharged and the bill was brought to the floor of the House a month ago every obstructive method that the old guard could devise has been resorted to in order to prevent the House from considering the measure. We have spent 24 hours and had 24 roll calls during 2 days' consideration of the measure, and although a substantial majority of the membership of this House on every roll call demonstrated its desire to consider and pass the bill, a reactionary, obstructive, and filibustering minority, led by the Republican leader, his steering committee, and some of the minor constellations in the Republican firmament, have been able, by methods not often heretofore adopted, to prevent the passage or even orderly consideration of this important measure on its merits. They have feared to permit it to come to a vote. They have stood against the opportunity for amendment.

Meantime the most vicious form of willful misrepresentation has been scattered through the country regarding the provisions of the bill. The effect of this misrepresentation could only be temporary, and already many of those who have been misled by this expensive propaganda of falsehood are recognizing the merits of the bill and are advocating its passage. And our judgment as to the public value of this legislation has been strengthened by the fact that on last Saturday the Senate committee, by a vote of 10 to 3, reported the bill favorably to the Senate.

Recognizing the difficulty which has been thrown in the way of proper consideration and passage of this measure by the willful tactics of an obstreperous minority, I introduced a resolution in this House on last Tuesday, May 27, asking for a special rule for considering this bill on some day to be fixed by the Rules Committee and providing for a vote on the measure in the House. On the same day I addressed a letter to the chairman of the committee, Mr. SNELL, asking the privilege of a hearing. Up to the present hour I have not been accorded the courtesy of a hearing nor of a reply to my letter. The only conclusion to be drawn from this is that the friends of the measure are not to have even a hearing before the Rules Committee, which is also dominated by the reactionary element of this House.

We are advised that it is the determination of those in control of the administration to adjourn next Saturday. We are advised that it is not their purpose to permit this measure to pass to-day, nor during the session, if it can be prevented. And if adjournment is brought about Saturday it is evident that the same tactics which have retarded the measure heretofore can prevent its passage to-day. Those who are responsible for this situation have made themselves responsible for its consequences and they can not escape by any facetious or spurious alibi.

There are many meritorious bills on this day's calendar which have been held back by reason of the situation created by the Republican organization. These measures ought to pass. It is not our fault that our measure has been held in their way. We have no desire to resort to the dilatory methods used by the opponents of this railroad legislation. We are, therefore, confronted with a choice of consuming this day in an effort to pass the railroad bill or giving way temporarily for the purpose of allowing other meritorious bills that can pass to be considered. In view of the improbability of being able to force a vote to-day on the railroad bill, for reasons which I have already stated, we feel that, in justice to many of our friends on both sides of the House who have urgent measures on this calendar upon which action is needed, it is our duty to give them a chance to devote one day to these measures, and this we have decided to do.

If Congress does not adjourn the railroad labor bill will retain its present status on the calendar without prejudice during the remainder of this session; and if it does adjourn, it will retain its status on the calendar during the December session until acted on.

So far as I am concerned, I do not propose to vote for an adjournment next Saturday. There is a demand all over the country for not only the passage of this measure to bring to transportation an era of just and peaceful settlement of their problems and to end the life of a Labor Board which has brought nothing but discord and distrust, but there is a most urgent demand and need for farm relief legislation. The Republican organization in Congress has done its best to prevent all such relief, and they are in a hurry to adjourn, because an adjourned Congress can do nothing, but one that is in session might, in spite of them, find another way of bringing relief to the people just as it found a way, and in spite of Republican leadership, to bring the boon of tax reduction to the masses of our people.

For those reasons, Mr. Speaker, in justice to Members on both sides of the House who have supported this measure from the start until this hour, it is my purpose not to ask the House to resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7358, in order that the Consent and the Suspension Calendars may thereby be cleared. [Applause.]

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 3143. An act for the relief of Bernice Hutcheson;

H. R. 6202. An act to amend sections 11 and 12 of the merchant marine act, 1920;

H. R. 7122. An act for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex.;

H. R. 7220. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes;

S. 81. An act for the relief of the owners of the steamship *Lexington;*

S. 3395. An act granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River near Masontown, Fayette County, Pa.;

S. 243. An act for the relief of Frank Vumbaca;

S. 593. An act for the relief of the United Dredging Co;

S. 935. An act for the relief of Erie Railroad Co.;

S. 1013. An act for the relief of Gordon G. MacDonald;

S. 1213. An act for the relief of Harold Kernan;

S. 1330. An act for the relief of the estate of Ely N. Sonnenstrahl, deceased; and

S. 1941. An act for the relief of Ezra S. Pond.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 6721. An act to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Colum-

bia," approved June 20, 1906, as amended, and for other purposes.

H. R. 9124. An act authorizing the sale of real property no longer required for military purposes.

H. R. 8889. An act providing for sundry matters affecting the Military Establishment.

H. R. 8269. An act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes.

H. R. 6482. An act authorizing the Postmaster General to contract for mail messenger service.

H. R. 5573. An act granting certain public lands to the city of Shreveport, La., for reservoir purposes.

H. R. 3852. An act providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina.

H. R. 1018. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Albany Institute and Historical and Art Society of the city of Albany, N. Y., the silver service which was presented to the United States cruiser *Albany* by citizens of Albany, N. Y.

H. R. 731. An act authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims.

ADJOURNMENT OF THE PRESENT SESSION OF CONGRESS

Mr. LONGWORTH. Mr. Speaker, I present the following concurrent resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Concurrent Resolution 27

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 7th day of June, 1924, at 7 o'clock p. m.

Mr. LONGWORTH. Mr. Speaker, I do not think it is necessary to consume much time in the consideration of this resolution. I think that a large majority of this House feel we are ready to adjourn and ought to adjourn. [Applause.] I think that my friend from Kentucky [Mr. BARKLEY] has done a wise thing both from his own standpoint and from the standpoint of legislation in withdrawing or, rather, failing to make his motion further to consider his bill to-day. There are 141 bills on the Consent Calendar in which almost everyone in the House is interested, and some of them of major importance. Had the gentleman from Kentucky taken another course, it might have been impossible to reach that consideration. It is my intention, if this resolution passes, to make arrangements as soon as possible for the consideration of bills like those reported from the District of Columbia Committee, private bills, and to complete to-day, if possible, the Consent Calendar. Later in the week we hope to pass a resolution making it in order to suspend the rules, so that a number of important matters of legislation can be considered and acted upon. I have no desire, Mr. Speaker, to take up any more time unless the gentleman from Tennessee [Mr. GARRETT] would like me to yield him some time.

Mr. GARRETT of Tennessee. Mr. Speaker, I do not care to discuss the matter just yet, but I would like to ask the gentleman if it is his purpose to ask for a vote to-day upon the McNary-Haugen bill?

Mr. LONGWORTH. No; it is my intention, or, rather, the agreement or understanding was it would be voted on to-morrow.

Mr. GARRETT of Tennessee. I understand that the postal employees' bill will probably be voted on and considered on one of the suspension days?

Mr. LONGWORTH. I think unquestionably that bill will be taken up and disposed of to-morrow.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. LONGWORTH. I will.

Mr. MOORE of Virginia. What measures does the gentleman assume are to be taken up this morning?

Mr. LONGWORTH. I hope that the Consent Calendar may be taken up and possibly completed, and I think it is the intention of the gentleman from South Dakota [Mr. JOHNSON] to propose legislation in which the wounded veterans of the war are interested.

Mr. MOORE of Virginia. After that measure is out of the way can we assume that the Consent Calendar is to be considered?

Mr. LONGWORTH. I think the Consent Calendar will be the first to be considered.

Mr. KINCHELOE. Will the gentleman yield?

Mr. LONGWORTH. I will.

Mr. KINCHELOE. The gentleman in answer to the inquiry of the gentleman from Tennessee has stated that the McNary-Haugen bill would be voted on to-morrow. Is it the intention to have a vote on it the first thing to-morrow?

Mr. LONGWORTH. I think so; yes. I would be perfectly willing myself to have that the first business.

Mr. KINCHELOE. I am asking for information because it is of interest to Members.

Mr. LONGWORTH. I will say that will be voted on the first thing to-morrow.

Mr. SEARS of Florida. Will the gentleman yield?

Mr. LONGWORTH. I will.

Mr. SEARS of Florida. Is there any possibility of getting up the river and harbor bill during this week?

Mr. McDUFFIE. Will the gentleman yield?

Mr. LONGWORTH. I will.

Mr. McDUFFIE. I wish to say to the gentleman the Committee on Rivers and Harbors has reported to the House a bill, that in my judgment, is the most meritorious bill, carrying so small an amount of money, that I have ever seen come before this House. I am wondering if the gentleman is considering the probability or the possibility of the House taking up that legislation?

Mr. LONGWORTH. I will say to the gentleman in the first place there are only two ways by which that bill could be considered, either by a rule or a motion to suspend the rules. My understanding is that the Committee on Rules has not yet acted on the request for a rule, and I could, of course, express no opinion.

Mr. McDUFFIE. Could the gentleman give any idea as to whether we might suspend the rules and act upon that legislation?

Mr. LONGWORTH. I have not discussed that feature. Of course, the gentleman recognizes——

Mr. SNELL. The gentleman himself would not want as important a bill as that passed under suspension of the rules.

Mr. LONGWORTH. There might be strong objection to considering so important a bill under a motion to suspend the rules.

Mr. McDUFFIE. I will say to the chairman of the Rules Committee, the gentleman who injected, as to suspending the rules and passing the bill, he is very much mistaken. There is no bill which comes before this House so thoroughly and carefully considered as a bill from the Committee on Rivers and Harbors. The gentleman knows the various processes and steps through which river and harbor legislation must go before it can get on this floor.

Mr. SNELL. Has the committee itself decided on what they want to do. I think that is the first question to be met by Members of the House, what the committee itself wants to do, whether they have come to a unanimous agreement.

Mr. McDUFFIE. A majority of that committee decided some time ago, as the gentleman knows, what they wished to do. A majority of the committee favors the bill as it is written, but the gentleman knows that two Members on the committee wish to add on the floor of the House two projects, one involving $9,000,000 and the other $12,000,000, on which there have been no hearings. The Committee on Rivers and Harbors has always had the respect of the House, and we wish to retain it, and we would not ask the House to add any provisions such as those carrying very large amounts, without proper consideration first by the committee. This bill should go through the House and we may add to it any additional meritorious projects at a later or some subsequent date, but what I desire is to have some river and harbor legislation during this session. Now if the bill goes over until the next session, with the many controverted matters suspended in the air, as some of them seem to be, with the Howell-Barkley bill and other bills to follow, the danger is this: We may not have river and harbor legislation during this entire term of the Congress, and therefore delay this important legislation for two years longer. I am satisfied the House would be glad to pass this bill, which is needed, which is meritorious, and which I think the whole country desires.

Mr. LONGWORTH. I will say to the gentleman that undoubtedly there will be time to pass that bill in case the legislation is agreed upon.

Now I yield three minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Speaker, I should like to say just a few words, particularly to gentlemen on my side of the Chamber.

In the course that I have determined to pursue in regard to this resolution fixing the time of adjournment, I am following the course that has been followed by every minority leader upon my side of the House and by every minority leader on the Republican side of the House during my term of service in Congress. The Republican Party organized this House. They control the committees. They have determined in most instances every question of initiation of legislation. Theirs has been the responsibility. They now declare themselves ready to quit. They declare themselves ready to announce to the country that they have done all that they desire to do.

They being the responsible party, having the organization of the House, what good public service can be rendered by us to keep them in session, still to wander around in the wilderness and accomplish nothing, or something worse? [Applause.]

For my part I stand as those who have been honored with the position I now occupy stood in all previous Congresses, of letting the responsibility rest where it belongs and not undertaking to usurp a responsibility when we shall have no power to carry out the duties which that responsibility would entail. [Applause.]

Mr. LONGWORTH. Mr. Speaker, I desire to correct in one respect the announcement I made a moment ago. Since making that announcement I have been informed that the Speaker has agreed to recognize the chairman of the Committee on the Post Office and Post Roads to bring up the postal increase salary bill.

Mr. SHALLENBERGER. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. I yield, but I do not care to delay.

Mr. SHALLENBERGER. I want to protest, Mr. Speaker, against this House adjourning at this time without rendering adequate relief by legislation of some sort to agriculture. We are to vote on the question of adjourning before we get an opportunity to vote upon that question.

Mr. LONGWORTH. I hope, too, that we may have legislation favoring agriculture. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Ohio moves the previous question on the resolution.

Mr. RUBEY. Mr. Speaker, will the gentleman yield for a minute?

Mr. LONGWORTH. I yield.

Mr. RUBEY. When the vote is taken to-morrow on the McNary-Haugen bill there is a fair possibility that it may be defeated. Now, does the gentleman have any idea that there can be other legislation brought in during the remaining three or four days that will help agriculture in the country?

Mr. LONGWORTH. I think so.

Mr. RUBEY. Do you believe so?

Mr. LONGWORTH. I confidently hope so.

Mr. RUBEY. There is a difference between hope and believe and expect. Does the gentleman expect it? [Cries of "Vote!"]

Mr. JOHNSON of South Dakota. Mr. Speaker, will the gentleman yield for a question concerning agricultural relief and the McNary-Haugen bill?

Mr. LONGWORTH. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. BARKLEY. Mr. Speaker, on the resolution I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of the resolution will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 221, nays 157, not voting 55, as follows:

YEAS—221

Ackerman	Buchanan	Dallinger	Freeman
Aldrich	Buckley	Darrow	Frothingham
Allen	Bulwinkle	Davey	Fuller
Andrew	Burton	Davis, Tenn.	Fulmer
Anthony	Busby	Deal	Gallivan
Bacon	Butler	Dempsey	Garner, Tex.
Beers	Byrns, Tenn.	Denison	Garrett, Tenn.
Begg	Campbell	Dickstein	Geran
Bell	Canfield	Doyle	Gibson
Bixler	Chindblom	Drewry	Gifford
Black, Tex.	Clarke, N. Y.	Driver	Goldsborough
Bland	Cleary	Dyer	Graham, Ill.
Blanton	Cole, Iowa	Elliott	Graham, Pa.
Box	Connally, Tex.	Fairchild	Green, Iowa
Boyce	Connery	Fairfield	Greene, Mass.
Boylan	Connolly, Pa.	Fenn	Griest
Brand, Ga.	Cooper, Ohio	Fisher	Griffin
Brand, Ohio	Corning	Fitzgerald	Hadley
Britten	Cramton	Fleetwood	Hardy
Browning	Crisp	Foster	Hawes
Brumm	Cullen	Fredericks	Hersey
Hickey	McSweeney	Perlman	Taylor, Tenn.
Hill, Md.	MacGregor	Phillips	Taylor, W. Va.
Hoch	MacLafferty	Porter	Temple
Hooker	Madden	Pratt	Thatcher
Hudson	Magee, N. Y.	Quayle	Thompson
Hull, Tenn.	Magee, Pa.	Ragon	Tincher
Hull, Morton D.	Mansfield	Ransley	Tinkham
Hull, William E.	Mapes	Rayburn	Treadway
Humphreys	Martin	Reece	Tucker
Jacobstein	Mead	Reed, Ark.	Underhill
Johnson, Ky.	Merritt	Reed, N. Y.	Vaile
Johnson, Wash.	Michener	Rogers, Mass.	Vare
Kearns	Miller, Wash.	Rouse	Vestal
Kendall	Mills	Sabath	Vincent, Mich.
Kiess	Montague	Salmon	Vinson, Ga.
Kindred	Moore, Ill.	Sanders, Ind.	Wainwright
Kurtz	Moore, Ohio	Sanders, N. Y.	Wason
Lanham	Moores, Ind.	Sandlin	Watres
Larsen, Ga.	Morehead	Scott	Watson
Larson, Minn.	Morgan	Shreve	Welsh
Lea, Calif.	Murphy	Snell	Wertz
Lee, Ga.	Nelson, Me.	Speaks	White, Kans.
Lehlbach	Newton, Minn.	Spearing	Williams, Tex.
Lindsay	Newton, Mo.	Sproul, Ill.	Wilson, La.
Lineberger	Nolan	Sproul, Kans.	Winslow
Linthicum	O'Connell, N. Y.	Stalker	Woodrum
Longworth	O'Connor, N. Y.	Stengle	Wright
Luce	O'Sullivan	Stephens	Wurzbach
McClintic	Oldfield	Strong, Kans.	Wyant
McFadden	Oliver, N. Y.	Strong, Pa.	Yates
McKeown	Paige	Sullivan	Young
McLaughlin, Mich.	Parker	Sweet	Zihlman
McLeod	Parks, Ark.	Swoope	
McNulty	Peery	Taber	
McSwain	Perkins	Tague	

NAYS—157

Allgood	Frear	Leavitt	Schneider
Almon	French	Lowrey	Sears, Fla.
Arnold	Fulbright	Lozier	Sears, Nebr.
Aswell	Gardner, Ind.	Lyon	Shallenberger
Ayres	Garrett, Tex.	McDuffie	Sherwood
Bankhead	Gasque	McLaughlin, Nebr.	Simmons
Barbour	Gilbert	McReynolds	Sinclair
Barkley	Greenwood	Major, Ill.	Sinnott
Beck	Hammer	Major, Mo.	Sites
Berger	Harrison	Manlove	Smith
Bowling	Hastings	Milligan	Smithwick
Briggs	Haugen	Minahan	Steagall
Browne, Wis.	Hawley	Mooney	Stedman
Burtness	Hayden	Moore, Ga.	Stevenson
Cannon	Hill, Ala.	Moore, Va.	Summers, Wash.
Carter	Hill, Wash.	Morris	Sumners, Tex.
Casey	Holaday	Morrow	Swank
Christopherson	Howard, Nebr.	Nelson, Wis.	Swing
Clague	Huddleston	O'Connell, R. I.	Thomas, Ky.
Clancy	Hudspeth	O'Connor, La.	Thomas, Okla.
Collier	Hull, Iowa	Oliver, Ala.	Tillman
Collins	James	Peavey	Timberlake
Colton	Jeffers	Pou	Underwood
Cook	Johnson, S. Dak.	Purnell	Vinson, Ky.
Cooper, Wis.	Johnson, Tex.	Quin	Voigt
Croll	Johnson, W. Va.	Rainey	Ward, N. C.
Crosser	Jones	Raker	Watkins
Crowther	Keller	Ramseyer	Weaver
Cummings	Kent	Rankin	Wefald
Davis, Minn.	Ketcham	Rathbone	Williams, Ill.
Dickinson, Iowa	Kincheloe	Reid, Ill.	Williamson
Dickinson, Mo.	King	Richards	Wilson, Ind.
Dominick	Knutson	Roach	Wingo
Doughton	Kopp	Robinson, Iowa	Winter
Dowell	Kvale	Robsion, Ky.	Wolff
Eagan	LaGuardia	Romjue	Wood
Evans, Iowa	Lampert	Ruhey	Woodruff
Evans, Mont.	Lankford	Sanders, Tex.	
Faust	Lazaro	Schafer	
Favrot	Leatherwood	Schall	

NOT VOTING—55

Abernethy	Cole, Ohio	Kunz	Rogers, N. H.
Anderson	Curry	Langley	Rosenbloom
Bacharach	Drane	Lilly	Seger
Beedy	Edmonds	Little	Snyder
Black, N. Y.	Fish	Logan	Taylor, Colo.
Bloom	Free	McKenzie	Tilson
Boies	Funk	Michaelson	Tydings
Browne, N. J.	Garber	Miller, Ill.	Upshaw
Burdick	Glatfelter	Morin	Ward, N. Y.
Byrnes, S. C.	Howard, Okla.	Mudd	Weller
Cable	Jost	O'Brien	White, Me.
Carew	Kahn	Park, Ga.	Williams, Mich.
Celler	Kelly	Patterson	Wilson, Miss.
Clark, Fla.	Kerr	Reed, W. Va.	

So the resolution was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. Fish with Mr. Bloom.
Mr. White of Maine with Mr. Byrnes of South Carolina.
Mr. Patterson with Mr. Drane.
Mr. Kahn with Mr. Clark of Florida.
Mr. Bacharach with Mr. Carew.
Mr. Tilson with Mr. Logan.
Mr. Michaelson with Mr. Kerr.
Mr. Ward of New York with Mr. Black of New York.
Mr. Cole of Ohio with Mr. Howard of Oklahoma.
Mr. Boies with Mr. Taylor of Colorado.
Mr. Mudd with Mr. Upshaw.
Mr. Seger with Mr. Glatfelter.
Mr. Curry with Mr. Abernethy.
Mr. Williams of Michigan with Mr. Celler.
Mr. Burdick with Mr. Wilson of Mississippi.
Mr. Free with Mr. O'Brien.
Mr. Little with Mr. Kunz.

Mr. Morin with Mr. Browne of New Jersey.
Mr. Garber with Mr. Jost.
Mr. Cable with Mr. Lilly.
Mr. Funk with Mr. Weller.
Mr. Beedy with Mr. Park of Georgia.
Mr. Kelly with Mr. Tydings.
Mr. Miller of Illinois with Mr. Rogers of New Hampshire.

Mr. ABERNETHY. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. ABERNETHY. No.

The SPEAKER. Then the gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

On motion of Mr. LONGWORTH, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. SMOOT, and Mr. HARRIS as the conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that to-morrow night at 8 o'clock it shall be in order to consider bills reported by the Committee on the District of Columbia, and no other business.

The SPEAKER. The gentleman from Ohio asks unanimous consent that there be an evening session to-morrow. Is there objection?

Mr. HOWARD of Nebraska. Mr. Speaker, I object.

NORTHERN PACIFIC LAND GRANTS

Mr. SINNOTT. Mr. Speaker, I call up conference report on House Joint Resolution 237, directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes.

The SPEAKER. The gentleman from Oregon calls up a conference report, which the Clerk will report.

The Clerk read the conference report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 4, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1926"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1926"; and the Senate agree to the same.

N. J. SINNOTT,
ADDISON T. SMITH,
JOHN E. RAKER,
Managers on the part of the House.

E. F. LADD,
RALPH H. CAMERON,
T. J. WALSH,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes, submit the following statement explaining the effect of the action agreed on:

The Secretary of the Interior is directed to withhold approval of the grant until March 4, 1926, instead of March 4, 1927, unless the time is further extended or the grant is being adjudicated in the courts at the direction of Congress.

N. J. SINNOTT,
ADDISON T. SMITH,
JOHN E. RAKER,
Managers on the part of the House.

Mr. SINNOTT. Mr. Speaker, this resolution directs an inquiry into the Northern Pacific land grants and directs the Secretary of the Interior to withhold the issuance of patents. The House resolution originally provided that the withholding of patents should terminate on March 4, 1927, unless at that date the matter was being adjudicated in the courts.

The Senate changed the date to March 4, 1926, and provided that that would be the date of the termination of the withholding of the patents, unless the time was further extended or unless the matter was being adjudicated in the courts at the direction of Congress. The conferees agreed upon a date of March 4, 1926. Mr. Speaker, I move the previous question.

Mr. WINGO. Will the gentleman yield for a question?

Mr. SINNOTT. Yes.

Mr. WINGO. What is the effect with reference to litigation? What you have agreed on provides that whatever litigation is in the courts would have to be there by order of Congress and would have to be there by formal action.

Mr. SINNOTT. It will have to be by order of Congress.

Mr. WINGO. In other words, the Government would have no authority to go into the courts unless Congress specifically directs that to be done.

Mr. SINNOTT. They have the authority independent of the resolution, but if March 4, 1926, comes around and the matter then is in the courts, under direction of Congress, further action by the Secretary is withheld.

Mr. WINGO. Here is the point which the gentleman does not catch: If you did not say anything in your resolution about the direction of Congress, then the Government would have the authority under its general authority to enter suit or take whatever action was necessary to protect the rights of the Government, but where Congress specifically provides that the action shall be a direction of Congress, then that would be a special provision which would take it out from under the general provision and power.

Mr. SINNOTT. That merely relates to the resolution. Independent of the resolution, of course, the Government may go into the courts. The resolution does not take away any right the Government now has to go into the courts.

Mr. WINGO. I beg the gentleman's pardon. Where Congress takes up a question and specifically acts on it, the special law then governs and the general law does not.

Mr. SINNOTT. I may not agree with the gentleman, but that is neither here nor there. If the time comes around and if Congress has not directed action, then it is very easy to extend the time.

Mr. Speaker, I move the previous question.

Mr. BLANTON. Will the gentleman yield for a question? This is a $50,000 matter.

Mr. SINNOTT. I yield to the gentleman for a question.

Mr. BLANTON. This resolution provides for five Members of the House and five Senators who are to expend this $50,000, which is $5,000 apiece. Why can we not save that money by letting the Department of Justice handle it, and not have this quasi junketing trip all over the United States?

Mr. SINNOTT. Well, we might turn it over to the gentleman from Texas. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 161, noes 7.

So the conference report was agreed to.

CONSENT CALENDAR

The SPEAKER. To-day is suspension and consent day and the Clerk will report the first bill on the Consent Calendar.

BRIDGE ACROSS ST. MARYS RIVER, AT OR NEAR WILDS LANDING, FLA.

The first business on the Consent Calendar was the bill (H. R. 6725) granting the consent of Congress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the St. Marys River at or near Wilds Landing, Fla.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LANKFORD. Mr. Speaker, reserving the right to object, there has been some controversy over this bill, and after looking

into the matter thoroughly I have decided that the rights of all parties would be conserved by permitting the passage of the bill, and although I have objected to the bill at previous times, I shall not object this morning. I have reached this decision in view of recent developments in the way of correspondence between members of the Florida delegation and the State highway department of Florida, as well as between members of the Georgia delegation and members of the highway commission of Georgia. My purpose all the while has been to bring about a situation in which the Kingsland Bridge Co., which has spent considerable money at the point of the proposed bridge, would get a fair deal and at the same time work out a plan giving a free bridge to the peoples of the two States. I am very hopeful that the course which I am now about to pursue will bring this result. This faith on my part is inspired by promises on the part of various Members of Congress who are interested in this legislation that if the bill does pass now I may be assured that the Kingsland Bridge Co. will receive fair treatment at the hands of the two States, and that the States through their respective highway departments will pay a reasonable price for right of way and other property of the Kingsland Bridge Co. which can be used in the construction of the proposed bridge and approaches.

The House bill in this matter was introduced by a Member of the Florida delegation, and the Senate bill was introduced by Senator FLETCHER of Florida, and the passage of both bills has been urged very strenuously by the entire Florida delegation, and that delegation at all times has assured me that the passage of the bill without amendment was desired by the highway department of Florida, and that if it was passed the Florida highway department and other parties interested in the proposed highway would protect the rights of the Kingsland Bridge Co. and see that their rights were not confiscated. In order to show clearly how the State road department of Florida feels about protecting the rights of the Kingsland Bridge Co. I wish to quote from a letter written on May 31, 1924, by Hon. H. B. Phillips, chairman of State road department of Florida, to Congressman J. H. SMITHWICK, as follows:

I have just returned to the office after an absence of several days, and Judge McGinniss suggests that he had a conference with you with reference to the St. Marys River bridge proposition, and is of the opinion that it would be well for me to write you stating what this department might do in relation to the purchase of property owned by the Kingsland Bridge Co. In order that our position may be clearly understood I would state as follows:

"This department is not authorized in constructing bridges and highways to purchase or pay out money for anything except rights of way or other property necessary or useful in the construction of the road or bridge.

"In the present case no definite agreement can be entered into as to what property we might purchase for the reason that the exact location of the bridge can not be fixed or determined until an act of Congress is passed authorizing the construction of the bridge and application is made to the War Department for a permit to construct the bridge. The War Department is the agency which determines the exact location of the bridge.

"In the present case my understanding has always been that the only practical location for a bridge at or near Wilds Landing is the location selected by the Kingsland Bridge Co. Therefore it seems reasonably certain that our highway bridge could be located at this point and we could purchase the property and right of way now owned by the Kingsland Bridge Co. for which we would, of course, pay a fair and reasonable price.

"The information which I have gotten lately in reference to this matter leads me to believe that we will be warranted in paying as much as this property cost the Kingsland Bridge Co. As to this point I will state further that I have a letter from a prominent gentleman in Nassau County who states that his people will be willing to contribute toward the cost of this property a sufficient amount to pay back the Kingsland Bridge Co. what they paid out for it in case this department finds that it is not warranted in paying the full sum."

Mr. Speaker, in view of this letter and in view of the various negotiations in which the purpose of the various parties concerned has been fully indicated along the same line shown by the letter just quoted I do not at this time desire to make further objection to the pending bill. It is my hope that in the passage of this bill at this time the rights of all interested parties and of both States are being fully protected.

A similar bill has passed the Senate and is now on the Speaker's table, and I ask unanimous consent, Mr. Speaker, that the Senate bill be considered in lieu of the House bill.

The SPEAKER. The gentleman from Georgia asks unanimous consent to substitute a similar Senate bill for the House bill. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the States of Georgia and Florida, through their respective highway departments, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the St. Marys River at a point suitable to the interests of navigation at or near Wilds Landing, Fla., connecting Camden County, Ga., and Nassau County, Fla., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SEARS of Florida, a motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

AMENDMENT OF VETERANS' BUREAU ACT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2257) to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act, as amended, and the vocational rehabilitation act, as amended.

The SPEAKER. The gentleman from South Dakota moves to suspend the rules and pass the bill S. 2257, with amendments, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to establish a Veterans' Bureau and to improve the facilities and service of such bureau, and further to amend and modify the war risk insurance act," approved August 9, 1921, is hereby amended to read as follows:

"SEC. 2. The director, subject to the general direction of the President, shall administer, execute, and enforce the provisions of this act, and for that purpose shall have full power and authority to make rules and regulations not inconsistent with the provisions of this act which are necessary or appropriate to carry out its purposes and shall decide all questions arising under this act, and all decisions so made affecting claimants to any benefits of the war risk insurance act or the vocational rehabilitation act shall be conclusive except as otherwise provided herein. All officers and employees of the bureau shall perform such duties as may be assigned them by the director. All official acts performed by such officers or employees specially designated therefor by the director shall have the same force and effect as if performed by the director in person."

SEC. 2. That the proviso of section 4 of said act be amended to read as follows:

"That all commissioned personnel detailed or hereafter detailed from the United States Public Health Service to the Veterans' Bureau shall hold the same rank and grade, shall receive the same pay and allowances, and shall be subject to the same rules for relative rank and promotion as now or hereafter may be provided by law for commissioned personnel of the same rank or grade or performing the same or similar duties in the United States Public Health Service, and for all administrative and disciplinary purposes while so detailed shall be subject to the exclusive direction and control of the Director of the Veterans' Bureau."

SEC. 3. That said act is hereby amended by inserting therein, immediately following section 5, a new section, to be known as section 5a, and to read as follows:

"SEC. 5a. That all files, records, reports, and other papers and documents pertaining to any claims for the benefits of this act, whether pending or adjudicated, shall be deemed confidential and privileged, and no disclosure thereof shall be made except as follows:

"(a) To a claimant or his duly authorized representative, as to matters concerning himself alone, when in the judgment of the director such disclosure would not be injurious to the mental health of the claimant;

"(b) Where required by the process of a United States court or a court of record having competent jurisdiction of any State or of the United States, to be produced in any suit or proceeding therein pending; or any such production as deemed by the director to be necessary in any suit or proceeding brought under the provisions of this act; or in any proceeding in the nature of an inquest into the mental competency of a claimant;

"(c) The name and amount of compensation, and maintenance and support allowance of any beneficiary, shall be made known to any

person who applies for such information, when in the judgment of the director such disclosure is deemed necessary, just, and proper.

"Wherever the production of a file, record, report, or other document is required or permitted by this section a certified copy thereof may be produced in lieu of the original and such certified copy shall be received in evidence with like force and effect as the original."

SEC. 4. That section 6 of said act is hereby amended to read as follows:

"SEC. 6. The director shall establish a central office in the District of Columbia, and not more than 14 regional offices and such suboffices, not exceeding 100, within the territory of the United States and its outlying possessions as may be deemed necessary by him and in the best interests of the work committed to the Veterans' Bureau and to carry out the purpose of this act. Such regional offices and suboffices may, pending final action by the director in case of an appeal, under such rules and regulations as may be prescribed by the director, exercise such powers for hearing complaints and for examining, rating, and awarding compensation claims, granting medical, surgical, dental, and hospital care, convalescent care, and necessary and reasonable aftercare, making insurance awards, granting vocational training, and all other matters delegated to them by the director as could be performed lawfully under this act by the central office.

"The regional offices, with all authority to establish offices, shall terminate on June 30, 1926, but nothing herein shall prevent the director from terminating any regional offices or suboffices when in his judgment this may be done without detriment to the administration of this act, and upon such termination all records and supplies pertaining thereto shall be delivered to the central office."

SEC. 5. That said act is hereby amended by inserting therein, immediately following section 11, a new section to be known as section 11a, and to read as follows:

"SEC. 11a. The director may require the opinion of the Attorney General on any questions of law arising in the administration of the United States Veterans' Bureau."

SEC. 6. That section 13 of the said act is hereby amended to read as follows:

"SEC. 13. In addition to the care, treatment, and appliances now authorized by law, said bureau also shall provide without charge therefor hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances for any member of the military or naval forces of the United States separated therefrom, disabled by reason of any wound or injury received or disease contracted, or by reason of any aggravation of a preexisting injury or disease, specifically noted at examination for entrance into or employment in the active military or naval service, while in the active military or naval service of the United States on or after April 6, 1917: *Provided*, That the wound or injury received or disease contracted, or aggravation of a preexisting injury or disease, for which such hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances shall be furnished was incurred in the service and not caused by his own willful misconduct during or subsequent to his service in the armed forces of the United States: *Provided further*, That no claim of willful misconduct in the service shall be set up by the director unless a conviction by court-martial is shown: *And provided further*, That if in the event of a court-martial conviction, it is thereafter established to the satisfaction of the director that an injustice has been done the claimant in such court-martial, the director may award the benefits of this section."

SEC. 7. That said act is hereby amended by inserting therein immediately following section 13 a new section, to be known as 13a, and to read as follows:

"SEC. 13a. The United States Veterans' Bureau is hereby authorized, in the discretion of the director, to furnish hospitalization in Government hospitals and necessary traveling expenses to the veterans of any war or expedition, who have not been dishonorably discharged from the service, and who, in the judgment of the director, are in need of hospitalization, without regard to the nature or origin of their disabilities: *Provided*, That preference to admission to any Government hospital for hospitalization under the provisions of this subsection shall be given to those veterans who are financially unable to pay for hospitalization and their necessary traveling expenses."

SEC. 8. That section 14 of said act is hereby amended to read as follows:

"SEC. 14. That the director of the United States Veterans' Bureau shall on the first Monday in December of each year file with the Speaker of the House of Representatives and the President of the Senate a full and complete report of all activities of the United States Veterans' Bureau, showing in detail the number of claimants and the amount of compensation paid, the number of veterans of the various wars and expeditions receiving hospitalization and medical treatment, the number of dependents drawing compensation and the amount of such compensation, the number of persons holding and paying for Government life insurance, and a full and itemized statement of all moneys received and disbursed by the director, or any of his agents, for the preceding year.

"Any person who shall knowingly make or cause to be made, or conspire, combine, aid, or assist in, agree to, arrange for, or in anywise procure the making or presentation of a false or fraudulent affidavit, declaration, certificate, statement, voucher, or paper or writing purporting to be such, concerning any claim or the approval of any claim for compensation or the payment of any money, for himself or for any other person, under Article III of the war risk insurance act or any act amendatory of or supplemental to such Article III, shall forfeit all rights, claims, and benefits under such Article III, and in addition to any and all other penalties imposed by law shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $1,000 or imprisonment for not more than one year, or by both such fine and imprisonment, for each such offense."

SEC. 9. That five new sections are hereby added to Title I of said act, to be known as sections 14a, 14b, 14c, 14d, and 14e, respectively, and to read as follows:

"SEC. 14a. There shall be no recovery of payments made under the war risk insurance act or the vocational rehabilitation act from any beneficiary who, in the judgment of the director, is without fault on his part, and where, in the judgment of the director, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience.

"SEC. 14b. That in the absence of fraud all payments of compensation and insurance heretofore made pursuant to regulation permitting permanent and total disability to be presumed from hospitalization or from temporary total disability for six consecutive months shall be deemed valid and no recovery thereof shall be made: *Provided*, That nothing herein shall operate to validate insurance not in force on the date such an award was approved, except where premiums have been thereafter accepted.

"SEC. 14c. The director is authorized in his discretion to sell, lease, or exchange surplus equipment, supplies, products, or waste materials belonging to the bureau or any of its plants or institutions; and to lease for a term not exceeding three years lands or buildings, or parts or parcels thereof, belonging to the United States and under the control of the bureau. The net proceeds of all such sales, leases, or exchanges shall be covered into the Treasury of the United States to the credit of the appropriation from or on account of which the subject of such sale, lease, or exchange was purchased or is maintained to be available for the purpose of such appropriation.

"SEC. 14d. That the provisions of the war risk insurance act, the vocational rehabilitation act, and the Veterans' Bureau act and amendments thereto, shall not apply to any conscientious objector who refused to perform military duty or refused to wear the uniform, or any alien at any time during the World War or thereafter who was discharged from the military or naval forces on account of his alienage.

"SEC. 14e. That this act may be cited as the Veterans' Bureau act."

SEC. 10. That section 13 of the war risk insurance act, as amended, is hereby amended to read as follows:

"SEC. 13. That the director, subject to the general direction of the President, shall administer, execute, and enforce the provisions of this act, and for that purpose have full power and authority to make rules and regulations, not inconsistent with the provisions of this act, necessary or appropriate to carry out its purposes, and shall decide all questions arising under the act, except as otherwise provided herein. Wherever under any provision or provisions of the act regulations are directed or authorized to be made, such regulations, unless the context otherwise requires, shall or may be made by the director, subject to the general direction of the President. The director shall adopt reasonable and proper rules to govern the procedure of the divisions and to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits of allowance, allotment, compensation, or insurance provided for in this act, the forms of application of those claiming to be entitled to such benefits, the methods of making investigations and medical examinations, and the manner and form of adjudications and awards: *Provided, however*, That payment to any attorney or agent for such assistance as may be required in the preparation and execution of the necessary papers shall not exceed $10 in any one case.

"(1) In the event of a disagreement as to a claim under the contract of insurance between the bureau and any beneficiary or beneficiaries thereunder an action on such claim may be brought against the United States either in the Supreme Court of the District of Columbia or in the district court of the United States in and for the district in which such beneficiaries or any one of them resides. All persons having, or claiming to have, an interest in such insurance may be made parties to said suit and such of them as shall not be inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication as the court may direct. Otherwise, the procedure in such suits shall be the same as that provided for suits in the district courts by the act approved March 3, 1887, entitled 'An act providing for the bringing of suits against the Government of the United States,' as amended.

"The court, upon final hearing, shall enter a judgment or decree establishing and fixing the respective rights of the parties to the insurance, and decreeing that the Director of the United States Veterans' Bureau make an award thereof in accordance with such decree. The court, as part of such decree, shall determine and allow a reasonable attorney fee of not exceeding 20 per cent of the amount recovered by the claimant or plaintiff in the cause for the attorneys of the successful party or parties, such fee to be paid by the United States Veterans' Bureau to the attorney or attorneys, and not to be deducted from the amount decreed by the court to be due the plaintiff.

"This section shall apply to all suits now pending against the United States under the provisions of the war risk insurance act as amended.

"(2) Except as otherwise provided in this section no claim agent or attorney shall be recognized in the presentation or adjudication of claims under Articles II, III, and IV of this act.

"Any person who shall, directly or indirectly, solicit, contract for, charge, or receive, or who shall attempt to solicit, contract for, charge, or receive any fee or compensation, except as herein provided, shall be guilty of a misdemeanor and for each and every offense shall be punishable by a fine of not more than $500 or by imprisonment at hard labor for not more than two years, or by both such fine and imprisonment: *Provided*, That this amendment shall not affect any penalty incurred or criminal proceedings commenced before its passage."

SEC. 11. That section 15 of the war risk insurance act is hereby amended to read as follows:

"SEC. 15. That for the purposes of this act, the director, and such persons as the director may designate, shall have power to issue subpœnas for and compel the attendance of witnesses within a radius of 100 miles, to require the production of books, papers, documents, and other evidence, to administer oaths, and to examine witnesses upon any matter within the jurisdiction of the bureau. The director may obtain such information and such reports from officials and employees of the departments of the Government of the United States and of the States as may be agreed upon by the heads of the respective departments. In case of disobedience to a subpœna, the bureau may invoke the aid of any district court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence, and such court, within the jurisdiction of which the inquiry is carried on, may, in case of contumacy or refusal to obey a subpœna issued to any officer, agent, or employee of any corporation or other person, issue an order requiring such corporation or other person to appear before the bureau or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. Any person so required to attend as a witness shall be allowed and paid the same fees and mileage as are paid witnesses in the district courts of the United States."

SEC. 12. That the first paragraph of section 31 of the war risk insurance act, as amended, is hereby amended to read as follows:

"SEC. 31. That if after induction by the local draft board, or after being called into Federal service as a member of the National Guard, but before being accepted and enrolled for active service, the person died or became disabled as a result of disease contracted or injury suffered in the line of duty and not due to his own willful misconduct involving moral turpitude, or as a result of the aggravation, in the line of duty and not because of his own willful misconduct involving moral turpitude, of an existing disease or injury, he or those entitled thereto shall receive the benefits of compensation payable under Article III: *Provided*, That any insurance application made by a person after induction by the local draft board but before being accepted and enrolled for active service shall be deemed valid."

SEC. 13. That section 300 of the war risk insurance act, as amended, is hereby amended to read as follows:

"SEC. 300. For death or disability resulting from personal injury suffered or disease contracted in the service on or after April 6, 1917, or for an aggravation of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered and contracted in the service on or after April 6, 1917, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, or aggravation has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, blindness, or constitutional lues, as the result of disease, shall be denied compensation by reason of willful misconduct. That for the purposes of this section every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to August 9, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after August 9, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities, made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have, or if deceased, to have had, within six years after separation from the active military or naval service of the United States, a neuropsychiatric disease or mental or nervous disease or derangement, or an active tuberculosis disease or encephalitis lethargica, or amebic dysentery, developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (2) of section 302 of the war risk insurance act, as amended, shall be conclusively presumed to have acquired his disability in such service or to have suffered an aggravation of a preexisting neuropsychiatric disease, or mental or nervous disease or derangement, or tuberculosis or encephalitis lethargica, or amebic dysentery in such service, but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (2), section 302, of the war risk insurance act as amended) at a date more than six years after separation from such service if the facts of the case substantiate his claim: *And provided further*, That compensation as hereinafter provided may be paid for disability resulting from personal injury or disease contracted in service prior to April 6, 1917, or for aggravation of a disability existing prior to examination, acceptance, and enrollment for service for such aggravation suffered and contracted in service prior to April 6, 1917, by any member of the military or naval forces in active service on or after April 6, 1917, who was discharged subsequent to April 6, 1917.

"With the exception of members of the military and naval forces whose injury was suffered or disease contracted prior to April 6, 1917, this section shall be deemed to be in effect as of April 6, 1917: *Provided*, That an ex-service man who receives compensation under the six-year presumption contained herein shall not receive compensation for any period of time prior to the date of the enactment of this section as hereby amended."

SEC. 14. That section 301 of the war risk insurance act, as amended, is hereby amended to read as follows:

"SEC. 301. That if death results from injury—

"If the deceased leaves a widow or child, or if he leaves a mother or father, either or both dependent upon him for support, the monthly compensation shall be the following amounts:

"(a) If there is a widow but no child, $35.

"(b) If there is a widow and one child, $47.50.

"(c) If there is a widow and two children, $57.50; with $10 for each additional child up to two.

"(d) If there is no widow but one child, $25.

"(e) If there is no widow but two children, $40.

"(f) If there is no widow but three children, $55; with $10 for each additional child up to two.

"(g) (1) If there is a dependent mother (or dependent father), $20; or both, $30: *Provided*, That the receipt of a gratuity, pension, or compensation by a widow or parent on account of the death of any person shall not bar the payments of compensation on account of the death of another person: *Provided further*, That before compensation shall be paid under this section the claimant shall first surrender all claims to any pension payable under other law on account of the death of the same person. Such compensation shall be payable whether the dependency of the father or mother, or both, arises before or after the death of the person, but no compensation shall be payable if the dependency arises more than five years after the death of the person.

"(2) That, subject to regulations, where a veteran of any war dies after discharge or resignation from the service and does not leave sufficient assets to meet the expenses of his burial and the transportation of his body, and such expenses are not otherwise provided for, the bureau shall pay the following sums: For a flag to drape the casket, and after burial to be given to the next of kin, a sum not exceeding $5; also for burial expenses, a sum not exceeding $100, to such person or persons as may be fixed by regulations: *Provided*, That when such person dies while receiving from the bureau compensation or vocational training, the above benefits shall be payable without reference to the indigency of the deceased: *Provided further*, That where such person, while receiving from the bureau medical, surgical, or hospital treatment or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, the above benefits shall be payable without reference to the indigency of the deceased and in addition thereto the actual and necessary cost of the transportation

of the body of the person (including preparation of the body) to the place of burial within the continental limits of the United States, and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *And provided further,* That no accrued pension or compensation due at the time of death shall be deducted from the sum allowed.

"(3) The payment of compensation to a widow shall continue until her death or remarriage.

"(4) The payment of compensation to a parent shall continue until the death of such parent.

"(5) The payment of compensation to or for a child shall continue until such child reaches the age of 18 years or marries, or if such child be incapable because of insanity, idiocy, or being otherwise permanently helpless, then during such incapacity.

"(6) Whenever the compensation payable to or for the benefit of any person under the provisions of this section is terminated by the happening of the contingency upon which it is limited, the compensation thereafter for the remaining beneficiary or beneficiaries, if any, shall be the amount which would have been payable to them if they had been the sole original beneficiaries.

"(7) As between the widow and the children not in her custody, and as between children, the amount of compensation shall be apportioned as may be prescribed by regulation.

"(8) The term 'widow' as used in this section shall not include one who shall have married the deceased later than 10 years after the time of injury, and shall include widower whenever his condition is such that if the deceased person were living he would have been dependent upon her for support.

"(9) That section 301 of the war risk insurance act, as amended, shall be deemed to be in effect as of April 6, 1917: *Provided, however,* That before compensation thereunder shall be paid there shall first be deducted from said sum so to be paid the amount of any payments such person may have received by way of gratuities or payments under pension laws in force and existence between April 6, 1917, and October 6, 1917: *Provided further,* That no changes in rates of compensation made under this amended section shall be retroactive in effect."

SEC. 15. That section 302 of the war risk insurance act, as amended, is hereby amended to read as follows:

"SEC. 302. That if disability results from the injury—

"(1) If and while the disability is rated as total and temporary, the monthly compensation shall be the following amounts:

"(a) If the disabled person has neither wife nor child living, $80.

"(b) If he has a wife but no child living, $90.

"(c) If he has a wife and one child living, $95.

"(d) If he has a wife and two or more children living, $100.

"(e) If he has no wife and one child living, $90, with $5 for each additional child.

"(f) If he has a mother or father, either or both dependent on him for support, then, in addition to the above amounts, $10 for each parent so dependent.

"(2) If and while the disability is rated as partial and temporary, the monthly compensation shall be a percentage of the compensation that would be payable for his total and temporary disability, equal to the degree of the reduction in earning capacity resulting from the disability, but no compensation shall be payable for a reduction in earning capacity rated at less than 10 per cent.

"(3) If and while the disability is rated as total and permanent, the rate of compensation shall be $100 per month: *Provided, however,* That the loss of the use of both feet, or of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or of both ears, or becoming helpless or bedridden shall be deemed to be total and permanent disability: *Provided further,* That the compensation for the loss of the use of both eyes shall be $150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month: *And provided further,* That for double permanent disability the rate of compensation shall be $200 per month.

"(4) If and while the disability is rated as partial and permanent, the monthly compensation shall be a percentage of the compensation that would be payable for his total and permanent disability equal to the degree of the reduction in earning capacity resulting from the disability, but no compensation shall be payable for a reduction in earning capacity rated at less than 10 per cent.

"(4a) A schedule of ratings of reductions in earning capacity from injuries or combinations of injuries shall be adopted and applied by the bureau. Ratings may be as high as 100 per cent. The ratings shall be based, as far as practicable, upon the average impairment of earning capactiy resulting from such injuries in civil occupatons and not upon the impairment in earning capacity in each individual case, so that there shall be no reduction in the rate of compensation for individual success in overcoming the handicap of an injury. The bureau, in adopting the schedule of rating of reduction in earning capacity, shall consider the impairment in ability to secure employment which results from such injuries. The bureau shall from time to time readjust this schedule of ratings in accordance with actual experience.

"(5) If the disabled person is so helpless as to be in constant need of a nurse or attendant, such additional sum shall be paid, but not exceeding $50 per month, as the director may deem reasonable.

"(6) In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including wheel chairs, artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary, which wheel chairs, artificial limbs, trusses, and similar appliances may be procured by the United States Veterans' Bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided,* That nothing in this act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service: *Provided further,* That all hospital facilities under the control and jurisdiction of the United States' Veterans' Bureau shall be available for veterans of the Spanish-American War, the Philippine insurrection, and the Boxer rebellion suffering from neuropsychiatric or tubercular ailments and diseases, including transportation as granted to those receiving compensation and hospitalization under the war risk insurance act: *And provided further,* That where a beneficiary of the bureau suffers or has suffered an injury or contracted a disease in service entitling him to the benefits of this subdivision, and an emergency develops or has developed requiring immediate treatment or hospitalization on account of such injury or disease, and no bureau facilities are or were then feasibly available and, in the judgment of the director, delay would be or would have been hazardous, the director is authorized to reimburse such beneficiary the reasonable value of such service received from sources other than the bureau.

"(7) Where the disabled person and his wife or dependent parents are not living together, or where the children are not in the custody of the disabled person, the amount of compensation shall be apportioned as may be prescribed by regulation, and where the disabled person is in a penal institution or a hospital, public or private, or under domiciliary care, the director of the Veterans' Bureau may apportion compensation as may be prescribed by regulation to the disabled man, his wife, children, parents, all or any of them, collectively or separately.

"(8) The term 'wife' as used in this section shall include 'husband' if the husband is dependent upon the wife for support.

"(9) That the United States Veterans' Bureau is hereby authorized to furnish transportation, also the medical, surgical, and hospital services and the supplies and appliances provided by subdivision (6) hereof, to discharged members of the military or naval forces of those governments which have been associated in war with the United States since April 6, 1917, and come within the provisions of laws of such governments similar to the war risk insurance act, at such rates and under such regulations as the director may prescribe; and the United States Veterans' Bureau is hereby authorized to utilize the similar services, supplies, and appliances provided for the discharged members of the military and naval forces of those governments which have been associated in war with the United States since April 6, 1917, by the laws of such governments similar to the war risk insurance act, in furnishing the discharged members of the military and naval forces of the United States who live within the territorial limits of such governments and come within the provisions of subdivision (6) hereof, with the services, supplies, and appliances provided for in such subdivision; and any appropriations that have been, or may hereafter be, made for the purpose of furnishing the services, supplies, and appliances provided for by subdivision (6) hereof are hereby made available for the payment to such governments or their agencies for the services, supplies, and appliances so furnished at such rates and under such regulations as the Director of the United States Veterans' Bureau may prescribe.

"(10) That the compensation provided for in this section shall be in addition to any gratuity or pension payable under other laws, except that no person receiving a gratuity or pension under pension laws for injury or disease incurred in or aggravated by service on or after April 6, 1917, shall receive compensation under this act unless he shall first surrender all claim to such gratuity or pension: *Provided,* That this subsection as amended shall be deemed to be in effect as of April 6, 1917.

"(11) That any ex-service man shown to have a tuberculous disease of compensable degree, and who has been hospitalized for a period of one year, and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from hospitalization will not be prejudicial to the beneficiary or his family, and who is not feasible for training, shall upon his request be discharged from hospitalization and rated as permanently and totally disabled, said rating to continue for the period of three years."

SEC. 16. That section 305 of the war risk insurance act as amended is hereby amended to read as follows:

"SEC. 305. Upon its own motion or upon application the bureau may at any time review an award, and, in accordance with the facts found upon such review, may end, diminish, or increase the compensation previously awarded, or if compensation is increased, or if compensation has been refused, reduced, or discontinued, may award compensation in proportion to the degree of disability sustained as of the date such degree of disability began, but not earlier than the date of discharge or resignation. Except in cases of fraud participated in by the beneficiary no reduction or discontinuance of compensation shall be effective until the first day of the third calendar month next succeeding that in which such reduction or discontinuance is determined: *Provided*, That no reduction in compensation shall be made retroactive except in case of fraud in which the beneficiary has participated."

SEC. 17. That section 309 of the war risk insurance act as amended is hereby amended to read as follows:

"SEC. 309. That no compensation shall be payable unless a claim therefor be filed, in case of disability, within six years after discharge or resignation from the service, or, in case of death during the service, within six years after such death is officially recorded in the department under which he may be serving: *Provided, however*, That where compensation is payable for death or disability occurring after discharge or resignation from the service, claim must be made within six years after such death or the beginning of such disability.

"The time herein provided may be extended by the director not to exceed one year for good cause shown. If at the time that any right accrues to any person under the provisions of this article such person is a minor, or is of unsound mind, or physically unable to make a claim, the time herein provided shall not begin to run until such disability ceases."

SEC. 18. That section 312 of the war risk insurance act as amended is hereby amended to read as follows:

"SEC. 312. That compensation under this article shall not be paid while the person is in receipt of active service or retirement pay. The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to any person in the active military or naval service on the 6th day of October, 1917, or who thereafter entered the active military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such laws have heretofore accrued.

"Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916."

SEC. 19. That a new section is hereby added to Article III of the war risk insurance act, as amended, to be known as section 316 and to read as follows:

"SEC. 316. That where any beneficiary of this bureau suffers or has suffered an injury or an aggravation of an existing injury as the result of training, hospitalization, or medical or surgical treatment, not the result of his misconduct, and such injury or aggravation of an existing injury results in additional disability to or the death of such beneficiary, the benefits of this act shall be awarded in the same manner as though such disability or death was the result of military service during the World War: *Provided*, That application be made for such benefits within one year after such injury or aggravation was suffered or such death occurred or within one year after the passage of this amendment, whichever is the later."

SEC. 20. That section 408 of the war risk insurance act, as amended, is hereby amended to read as follows:

"SEC. 408. In the event that all provisions of the rules and regulations other than the requirements as to the physical condition of the applicant for insurance have been complied with, an application for reinstatement of lapsed or canceled yearly renewable term insurance or application for United States Government life insurance (converted insurance) hereafter made may be approved: *Provided*, The applicant's disability is the result of an injury or disease or of an aggravation thereof suffered or contracted in active military or naval service during the World War: *Provided further*, That the applicant, during his lifetime, submits proof satisfactory to the director showing the service origin thereof and that the applicant is not totally and permanently disabled. As a condition, however, to the acceptance of an application for the reinstatement of lapsed or canceled yearly renewable term insurance or United States Government life insurance (converted insurance) the applicant shall be required to pay all the back monthly premiums which would have become payable if such insurance had not lapsed, together with interest at the rate of 5 per cent per annum compounded annually on each premium from the date said premium is due by the terms of the policy: *Provided further*, That where any person has heretofore allowed his insurance to lapse, while suffering from a compensable disability for which compensation was not collected, and dies or has died or becomes or has become permanently or totally disabled, and at the time of such death or permanent total disability was or is entitled to compensation remaining uncollected, then and in that event so much of his insurance as said uncollected compensation computed in all cases at the rate provided by section 302 of the war risk insurance act as amended, would purchase if applied as premium when due shall not be considered as lapsed, and the United States Veterans' Bureau is hereby authorized and directed to pay to said person or his beneficiary, as the case may be, the amount of said insurance, less the unpaid premiums and interest thereon at 5 per cent per annum, compounded annually in installments as provided by law: *Provided further*, That where any person has heretofore allowed his insurance to lapse when suffering from wounds or disease contracted in service, and has applied for reinstatement thereof in whole or in part, and where at the time of such application he was not totally and permanently disabled, and where he was not allowed to reinstate because of health conditions other than total permanent disability, and where said person has since died from wounds or disease or has become permanently and totally disabled by reason thereof, then and in that event the United States Veterans' Bureau is hereby authorized and directed to pay to said person or his beneficiaries the amount of insurance attempted to be reinstated, less the premiums and interest thereon at 5 per cent per annum, compounded annually in installments as provided by law: *Provided further*, That the Comptroller General of the United States is hereby authorized and directed to allow credits in the accounts of the disbursing clerk of the United States Veterans' Bureau for all payments of insurance installments hereafter made, without verification of the deduction on the pay rolls of such premiums as may have accrued prior to January 1, 1921, while the insured was in the service."

SEC. 21. That section 409 of the war risk insurance act, as amended, is hereby amended to read as follows:

"SEC. 409. The United States Veterans' Bureau is authorized to make provision in accordance with regulations, whereby the payment of premiums on yearly renewable term insurance and United States Government life insurance (converted insurance) on the due date thereof may be waived and the insurance may be deemed not to lapse in the cases of the following persons (to wit):

"(1) Those who are confined in a hospital under said bureau for a compensable disability during the period while they are so confined, beginning with the month in which said confinement to hospital begins and ending with that month during the half or major fraction of which the person is confined in hospital;

"(2) Those who are rated as temporarily totally disabled by reason of an injury or disease entitling them to compensation during the period of such total disability and while they are so rated, beginning with the month in which the temporary total disability rating begins and ending with that month during the half or major fraction of which the person is rated as temporarily totally disabled;

"(3) Those who are rated by the bureau as mentally incompetent during the period for which they have no legal guardian while they have been or may hereafter be so rated, beginning with the month in which such rating of mental incompetency began or shall hereafter begin and ending with the second month after a legal guardian is appointed and qualified and notice of such appointment is received by the bureau, but not later than six months after a guardian has been appointed. Waiver of the payment of premiums as provided by this section shall be without application and may be allowed retroactively.

"Such relief from payment of premiums on the due date thereof shall be for full calendar months. All premiums, the payment of which when due is waived as above provided, shall bear interest at the rate of 5 per cent per annum, compounded annually from the due date of each premium, and if not paid by the insured, shall be deducted from the insurance in any settlement thereunder, or when the same matures either because of permanent total disability or death: *Provided*, That in the event any lien or other indebtedness established by this act exists against any policy of converted insurance in excess of the then cash surrender value thereof at the time of the termination of such policy of converted insurance for any reason other than by death or total permanent disability, the director is hereby authorized to transfer and pay from the military or naval insurance appropriation to the United States Government life-insurance fund a sum equal to the amount such lien or indebtedness exceeds the then cash surrender value."

SEC. 22. That section 410 of the war risk insurance act is hereby repealed.

SEC. 23. That the vocational rehabilitation act is hereby amended by adding to section 4 thereof at the end of said section the following language:

"The test of rehabilitation shall be employability, to be determined by the director. The allowance for maintenance and support provided by section 2 of the vocational rehabilitation act, as amended, shall be payable for two months after the employability of the rehabilitated person is determined, and thereupon all duty and obligation of the

United States toward such person with respect to his vocational rehabilitation shall cease and determine. No course of vocational training shall be commenced after January 1, 1925, and no further extension of completed training shall be granted after that date."

Amend the title so as to read: "An act to amend an act entitled 'An act to establish a Veterans' Bureau and to improve the facilities and service of such bureau, and further to amend and modify the war risk insurance act,' approved August 9, 1921, and to amend and modify the war risk insurance act, and to amend the vocational rehabilitation act."

During the reading of the bill the following occurred:

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that the further reading of the bill be dispensed with.

The SPEAKER pro tempore (Mr. CRAMTON). The Chair is advised that that is not customary under suspension, this being the only reading of the bill.

Mr. JOHNSON of South Dakota. I withdraw the request, Mr. Speaker.

The Clerk concluded the reading of the bill.

Mr. HAYDEN. Mr. Speaker, I demand a second.

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. Mr. Speaker [applause], early in this year by action of this House a committee on veterans' legislation was appointed consisting of 21 Members. The creation of this committee was the result of much work on the part of several veteran organizations and of a great many Members of the House. This committee was created. It has held approximately 32 days of meetings since its appointment, discussing and formulating legislation in behalf of disabled men.

Mr. Speaker, this committee has been a nonpolitical committee. The members on the Republican side of the House and the members on the Democratic side of the House have met in that committee room without any feeling or sentiment of politics, and I want to publicly thank the members of the committee on the Democratic side of the House for the fair way in which they have assisted me, the chairman of the committee, in formulating legislation. [Applause.]

The bill now before the House is S. 2257. We have stricken from that bill everything except the enacting clause and have inserted House bill 8869, the bill formulated by the Veterans' Committee. House bill 8869 is the identical bill for which I have asked unanimous consent to bring before the House on several previous occasions. Objection was made, but I want to say at this time I am satisfied that no gentleman objecting has opposed or will oppose the provisions of this bill, and this should be said in justice to them.

The bill will benefit approximately 108,900 disabled men and women. It will cost between $35,000,000 and $40,000,000 annually.

Those who wish to know exactly what the bill will do, by referring to page 11 of the report of the committee on this bill, will find a complete discussion. In the time I have, 20 minutes, and I can not consume all of that time myself, it would be impossible to discuss the provisions of this bill. I shall at this time ask unanimous consent to extend and revise my remarks in the RECORD and to insert House report No. 589 of the Sixty-eighth Congress, first session, which will contain a statement concerning everything that this bill will do in its relation to the disabled, and in that connection I shall add the request that every Member of the House be given five legislative days in which to extend and revise his remarks.

[House Report No. 589, Sixty-eighth Congress, first session]

TO AMEND THE ACT ENTITLED "AN ACT TO ESTABLISH A VETERANS' BUREAU," ETC.

Mr. JOHNSON of South Dakota, from the Committee on World War Veterans' Legislation, submitted the following report to accompany H. R. 8869:

The Committee on World War Veterans' Legislation, to whom was referred the bill (H. R. 8869) to amend the act entitled "An act to establish a Veterans' Bureau and to improve the facilities and service of such bureau, and further to amend and modify the war risk insurance act," approved August 9, 1921, and to amend and modify the war risk insurance act, and to amend the vocational rehabilitation act, having considered the same, report thereon with the recommendation that it do pass.

In the hearings conducted before the committee on proposed legislation, as recommended by the Director of the United States Veterans' Bureau, the American Legion, Disabled American Veterans, and Veterans of Foreign Wars, the Director of the Veterans' Bureau was heard at length, as well as representatives of the various organizations of service men affected by this class of legislation and also medical experts who were not connected with either the bureau or the service organizations.

The recommendations of the persons appearing before the committee have been given the most careful attention, and this bill is designed to make such remedial amendments in the existing law as experience has shown to be wise or necessary.

The attention of the House should be specifically directed to several substantial changes in the law as contained in this bill.

1. By an amendment to section 2 of the act which established the Veterans' Bureau full authority of administration is given the director enabling him to designate employees to perform such duties as he may assign them and to delegate to such subordinates sufficient authority to enable the work of the bureau to be carried on.

2. It is provided specifically that the commissioned personnel detailed from the United States Public Health Service to the Veterans' Bureau, while so detailed, shall be subject to the exclusive direction and control of the director for all administrative and disciplinary purposes.

3. The files, records, reports, and other papers and documents pertaining to any claim are declared confidential, with certain exceptions as to the disclosure of information contained therein.

4. Decentralization to subdistrict offices is authorized in the same manner as now provided for regional offices in the discretion of the director.

5. The director is given authority to obtain the opinion of the Attorney General on questions of law arising in the administration of the Veterans' Bureau in the same manner as the heads of executive departments may now secure such an opinion.

6. In connection with the treatment authorized for noncompensable disabilities, treatment will not be furnished if the injury or aggravation was incurred as the result of his own willful misconduct during or subsequent to his service, and no claim of willful misconduct in the service shall be set up by the bureau unless a conviction by court-martial is shown. There is the further provision that if in the event of a court-martial conviction it is established to the satisfaction of the director that an injustice has been done, the director, notwithstanding such conviction, may award the benefits of such treatment.

7. Hospitalization in Government hospitals and necessary traveling expenses will be authorized in the case of any veteran of any war or expedition who has not been dishonorably discharged from the service and who is in need of hospitalization, without regard to the nature or origin of his disabilities. Preference for such hospitalization, however, will be given to those veterans who are financially unable to pay for hospitalization and their necessary traveling expenses.

8. The report which the director of the bureau files with Congress on the first Monday in December of each year will include complete information concerning all activities of the bureau, showing in detail the number of claimants and the amount of compensation paid, the number of veterans of various wars and expeditions receiving hospitalization and medical treatment, the number of dependents drawing compensation and the amount of such compensation, the number of persons holding and paying for Government life insurance, and a full and itemized statement of moneys received and disbursed by the director or any of his agents for the preceding year.

9. The director is authorized to forego recovery of payments from beneficiaries without fault where such recovery would defeat the purpose of benefits otherwise authorized or would be against equity or good conscience.

10. Payments heretofore made under a regulation declared invalid by the Comptroller General which permitted permanent and total disability to be presumed from hospitalization or from temporary total disability for six consecutive months are validated so as to relieve from the necessity of their recovery.

11. The director is authorized to sell, lease, or exchange surplus equipment, supplies, products, etc., and to lease for a term not exceeding three years lands or buildings under the control of the bureau, the net proceeds of all such sales, leases, or exchanges to be covered into the Treasury to the credit of the appropriation from or on account of which the subject of such sale, lease, or exchange was purchased or is maintained.

12. It is specifically provided that the benefits of the war risk insurance act, the vocational rehabilitation act, and the Veterans' Bureau act shall not be granted to any conscientious objector, or to any alien discharged from the military or naval forces on account of his alienage.

13. A short title, "The Veterans' Bureau act," is given the act establishing the Veterans' Bureau.

14. The procedure for suits under the contract of insurance is defined and provision is made for bringing in all parties in interest. As a part of the procedure it is provided that the court upon final hearing shall enter a judgment or decree fixing the respective rights of the parties and decreeing that the director make an award of the

insurance in accordance with such decree. As a part of the decree the court may allow a reasonable attorney fee not exceeding 20 per cent of the amount recovered by the claimant or plaintiff, for the attorneys of the successful party, such fee to be paid by the bureau to the attorney, and not to be deducted from the amount decreed to be due the plaintiff. The amount of attorneys' fee in other cases will not exceed $10 in any one case, instead of $3, as at present. The section is made applicable to all suits now pending.

15. The director will be permitted to designate persons who will have the power to issue subpenas and compel the attendance of witnesses. This merely authorizes the delegation of the powers which the director now has under section 15 of the war-risk insurance act.

16. Members of the National Guard called into Federal service who became disabled or who died before being accepted and enrolled for active service are placed in the same status as men inducted by local draft boards.

17. Section 300 is so amended that the presumption of service connection is made conclusive in those cases where within six years after separation from the active military or naval service a person is shown to have a neuropsychiatric disease or mental or nervous disease or derangement, or an active tuberculous disease, or encephalitis lethargica, or amebic dysentery developing a 10 per cent degree of disability or more. It is further provided that no person suffering from paralysis, paresis, blindness, or constitutional lues as the result of disease shall be denied compensation by reason of willful misconduct. Compensation is made payable for personal injury or disease contracted or aggravated in service prior to April 6, 1917, by any member of the military or naval forces on or after April 6, 1917, who is discharged subsequent to that date. There is a limitation, however, that an ex-service man who becomes entitled to compensation under the six-year presumption shall not receive compensation for any period prior to the date of the enactment of the amendment.

18. The rates of compensation payable to widows and children are slightly increased, and the present provision that widows and parents may not receive death compensation on account of the loss of their husbands or sons if already in receipt of a pension or compensation on account of some other person has been remedied so as to permit the payment of compensation on account of the death of the husband or son to the widow or parent, notwithstanding the receipt by the latter of a pension or compensation on account of the loss of some other person in some prior war. No changes in rates of compensation are to be retroactive in effect.

19. The burial expense allowance is granted whenever a person dies while receiving from the bureau compensation or vocational training, without reference to the financial condition of the deceased, and whenever a veteran is receiving treatment or training and dies away from home at the place to which he was ordered by the bureau, or traveling under orders of the bureau, burial benefits are payable without reference to the indigency of the deceased, and transportation costs to a place of burial are also included. There is to be no deduction of accrued pension or compensation from the sum allowed. There is omitted from the provision for burial expenses, however, any allowance for burial of persons dying in the service.

20. The payment of compensation to a parent on account of the death of a child is to continue until the death of the parent.

21. The loss of the use of limbs is made equivalent to the loss of limbs as a statutory permanent total disability and the loss of both ears is added as a condition declared to be permanent total disability. A special rate of compensation is provided for the loss of the use of both eyes, and for the loss of the use of both eyes and one or more limbs, the compensation for the loss of the use of both eyes to be $150 a month, and compensation for the loss of the use of both eyes and one or more limbs to be $200 a month.

22. A veteran so helpless as to be in need of a nurse or attendant is to be allowed $50 per month for that purpose in the discretion of the director. Under the present law this amount is allowed only to blind, legless, or armless veterans, while in other cases the allowance permitted for a nurse or attendant may not exceed $20 per month.

23. It is provided that where a beneficiary of the bureau is entitled to treatment or hospitalization under section 302 of the war risk insurance act, and an emergency develops or has developed requiring immediate treatment or hospitalization, and no bureau facilities are or were feasibly available, the director is authorized to reimburse the beneficiary the reasonable value of such services otherwise obtained.

24. Provision is made for apportionment of compensation where the disabled person and his dependent parents are not living together, where the disabled person and wife are not living together, where the children are not in his custody, and where the disabled person is in a penal institution or a hospital or under domiciliary care, the director of the bureau being authorized to apportion the compensation to the disabled man, his wife, children, parents, all or any of them, collectively or separately.

25. Disability compensation provided by section 302 of the war risk insurance act is made payable in addition to any gratuity or pension under other laws except that payments of compensation will not be made unless all claim for pension on account of injury on or after April 6, 1917, is surrendered.

26. An ex-service man shown to have a tuberculous disease of compensable degree, who has been hospitalized for a period of one year and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from further hospitalization will not be prejudicial to him or his family, and who is not feasible for training, shall upon request be discharged from hospital and shall be rated as permanently and totally disabled, said rating to be continued for a period of three years.

27. Except in case of fraud participated in by the beneficiary no reduction or discontinuance of compensation will be effective until the first day of the third calendar month next succeeding that in which the reduction or discontinuance is determined, and no reduction in compensation will be made retroactive except in case of fraud in which the beneficiary has participated.

28. The time for filing claim is extended from five years as at present to six years from discharge in cases where disability arose in service; six years from the beginning of the disability where disability began after separation from service and six years from date of death. This period in turn may be extended for one year additional in the discretion of the director.

29. The provision that compensation shall not be payable while a person is in receipt of service or retirement pay has been changed to refer only to active service or retirement pay.

30. Injuries or death resulting from hospitalization or from vocational training, when not due to misconduct, are made compensable in the same manner as though such injury or death had occurred in military service.

31. Automatic revival of insurance is provided in whole or in part in the cases of any person who allowed his insurance to lapse while suffering from a compensable disability for which compensation was not collected where such person dies or becomes permanently and totally disabled without collecting such compensation, the amount of uncollected compensation to be computed in all cases at the rate provided by section 302 of the war risk insurance act as amended. This provision makes definite the language interpreted by the bureau in the Schwartz case. The provision for the deduction of premiums from the amount of insurance so revived remains the same as at present.

32. Waiver of the payment of premiums when due for persons confined in hospital for a compensable disability, for persons rated as temporarily totally disabled and for persons rated as mentally incompetent during the period for which they have no legal guardian, and not later than six months where a guardian has been appointed, are to be made without application and may be allowed retroactively. All premiums the payment of which is so waived will bear interest at 5 per cent and will be deducted as now provided from any insurance settlement.

33. Section 410 of the war risk insurance act is repealed.

34. The test of rehabilitation is made employability.

35. Maintenance and support allowance for trainees is to be payable for two months after the employability of the rehabilitated person is determined, whereupon all duty and obligation of the United States toward such person with respect to his vocational rehabilitation will cease. No course of vocational training will be commenced after January 1, 1925, and no further extension of completed training is to be granted after that date.

The following letter from the Director of the United States Veterans' Bureau gives estimates of the possible costs of changes incorporated in this bill:

UNITED STATES VETERANS' BUREAU,
Washington, April 26, 1924.

HON. ROYAL C. JOHNSON,
Committee on the World War Veterans' Legislation,
House of Representatives.

MY DEAR MR. JOHNSON: In accordance with the request of the Committee on World War Veterans' Legislation, there is transmitted herewith an estimate of the probable cost of the provisions under H. R. 8869, as introduced by you on April 24, 1924. In this connection it has been impossible in the limited time available to make estimates of certain proposed changes, as follows:

1. Section 15, paragraph 3, "That compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month."

2. Section 15, paragraph 10, "That compensation provided for in this section shall be in addition to any gratuity or pension payable under other laws * * *."

3. Section 15, paragraph 11, providing for the temporary and total rating for three years for a tuberculosis case discharged from hospital upon his own request, after the maximum improvement from hospitalization has been reached.

4. Section 19 adds section 316 to the war risk insurance act, providing for compensation where a beneficiary of the bureau suffers or has suffered any injury or an aggravation of that injury as result of training, hospitalization, or medical treatment not the result of his misconduct.

The above provisions are not considered on a whole as involving a material increase in cost, although in all probability, if passed, they will to some extent increase expenditures.

It is estimated that the increased cost of this proposed legislation on all other items will be approximately as follows:

Section 6, amending section 13 of the act establishing the Veterans' Bureau, provides that no claim of willful misconduct will be set up except under certain circumstances, not considering the retroactive effect: $2,585,700 per year.

Section 7, adding to the act establishing the Veterans' Bureau a new section (13a), providing for general hospitalization, not considering any additional cost due to hospital construction: $8,430,000 per year.

Section 14a of the Veterans' Bureau act, as added by section 9, validating certain overpayments which under present legislation are collectible (this is not an additional cost, since the funds have already been disbursed): $1,889,265.

Amendments to section 300 of the war risk insurance act has included in section 13, providing for the six-year presumptive period for mental or nervous diseases, active tuberculous diseases or encephalitis lethargica or amebic dysentery, developing a 10 per cent degree of disability: $19,878,000 per year.

Section 301 of the war risk insurance act is amended by section 14, providing for increased dependency pay for death compensation: $2,415,300 per year.

The second paragraph of section 301, as amended by section 14, provides for the burial of all compensable beneficiaries: $76,000 per year.

The third paragraph of section 302, as amended by section 15, provides permanent total disability for the loss of the use of both ears and for the payment of $150 per month for the loss of the use of both eyes: $228,700 per year.

Paragraph 5 of section 302, as amended by section 15, provides for additional sum to be paid attendants: $231,600 per year.

Section 305, as amended by section 16, provides that the effective date of reduction or discontinuance of compensation shall be the first day of the third calendar month next succeeding that in which such reduction or discontinuance is determined: $941,000 per year.

Section 309, as amended by section 17, providing an additional year in which an ex-service man or woman may file claim for compensation: $1,731,130 per year.

Section 23, which amends the vocational rehabilitation act, (a) providing for allowance for maintenance being payable for two months after the employability of the rehabilitated person is determined. While this measure will involve a direct cost, it is estimated that, due to the indirect effects of the provisions of this amendment in particular respects to limitation of further extension of completed training and to the very probable speeding up of the rehabilitation program, the direct cost will be offset by the probable savings. (b) The provision that no training shall be commenced after January 1, 1925, is not believed to involve any additional expenditures, since estimates of probable expenditures over the next several years are based upon the pending load and the in-training load, which basis is in no sense affected by this limitation, since it would appear that all men eligible for training and pending assignment to training will have entered training by that date.

From a review of the foregoing it would appear probable that the proposed legislation amending the existing veteran legislation as proposed by H. R. 8869 will cost annually approximately $36,517,430. There have not been included, as stated in the first paragraph, certain costs which can not be estimated. Taking all of this legislation into consideration, I believe that the additional cost, stated in general and approximate terms, will range between thirty-five and forty million dollars per year.

Very truly yours,

FRANK T. HINES, *Director.*

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent that he may be permitted to extend his own remarks in the manner indicated, and also that all Members of the House may have five legislative days within which to extend their remarks in reference to the pending bill. Is there objection?

Mr. LINTHICUM. Mr. Speaker, reserving the right to object, I would like to ask the gentleman whether it is his intention to explain some parts of the bill himself?

Mr. JOHNSON of South Dakota. I expect to explain certain parts in the time which I have. Other members of the committee on both side of the House will take up different sections of the bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. COLE of Iowa. Is the gentleman acquainted with the case of Mrs. Weston?

Mr. JOHNSON of South Dakota. I am familiar with the Weston case, and in my opinion it will be covered by these provisions.

Mr. COLE of Iowa. I have a letter from Director Hines expressing some doubt. This was a man who died in a hospital from accidental poisoning while under treatment by the bureau. General Hines's doubt is based on the fact that he was not receiving treatment which the bureau was obligated to give him, but simply for purposes of observation to determine his claim for final treatment.

Mr. JOHNSON of South Dakota. In my opinion, it was the intention to cover that sort of a case.

Mr. LAZARO. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. LAZARO. We have all had many cases where soldiers claimed the disability was due to the service and the department claimed the disability was not due to the service. What change does this bill make?

Mr. JOHNSON of South Dakota. It makes a great change in tuberculosis cases, as it extends the time of presumption to six years. I will say without going into details, because, as the gentleman knows, I have not the time, that in my opinion this bill liberalizes the law in nearly every particular that we could liberalize it.

Mr. LAZARO. I agree with the gentleman that that should be done.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. LAGUARDIA. It is the intention in this bill to relieve the applicant for compensation from the burden of proving that his disability was due to the service?

Mr. JOHNSON of South Dakota. Only in certain cases like pulmonary tuberculosis, neuropsychiatric diseases, amebic dysentery, and encephalitis lethargica.

Mr. MACGREGOR. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. MACGREGOR. I would like to have it stated in the RECORD that the legislation in section 5 is not intended to sew things up so that when a Member of Congress desires to go into the case of a disabled man he is going to be met by the statement that these cases are confidential and nobody can look into them.

Mr. JOHNSON of South Dakota. That is not the intention. I understand that the gentleman from Minnesota [Mr. NEWTON] to whom I am about to yield for a question, has received a letter from the director which might put a different construction on that provision of the bill from that which the committee has put upon it. I think the intention of the committee is to permit Members of Congress to go into cases and find out the facts so that they may present them to the bureau with accuracy and intelligence.

Mr. MACGREGOR. It probably would be the attitude of the bureau unless the intention to the contrary was shown.

Mr. JOHNSON of South Dakota. I will say that if the bureau should stop Members of Congress, interfering in their legitimate work, it would not take the committee very long to bring in an amendment correcting it. [Applause.] I now yield to the gentleman from Minnesota.

Mr. NEWTON of Minnesota. I want to say that when I read the provisions of section (5a) I wrote a letter putting the question squarely up to the director whether or not that would not bar the files to a Member of Congress unless he had a written express authority. That special proposition was not answered in the letter that I received from the director. It seemed to me that the provision ought to be changed in conference so there will be no question about it. Congress will adjourn and will not meet until December and we will not be in a position to correct it until that time.

Mr. JOHNSON of South Dakota. I will say that it is entirely probable that the director of the bureau will read this discussion we are having, and unless it can be clearly understood by the conference, or at least so far as I am concerned if I am a member of the committee, the Members of Congress will have access to the files in cases where they have a legitimate interest.

Mr. NEWTON of Minnesota. There are cases arising out of willful misconduct where the Comptroller General has ruled that willful misconduct occurring prior to the entry into the service will prevent a man from getting compensation. Has the committee taken care of that, and in the language as drawn by it will it take care of those cases giving compensation due to disability incurred and willful misconduct while in service?

Mr. JOHNSON of South Dakota. It is the intention of the committee that that be done. I think it should be done. I have been told that there are only approximately 300 cases.

and I can see no reason under the protection we have put in this measure why that class of cases should not be taken care of.

Mr. NEWTON of Minnesota. Only 300 cases in that particular provision?

Mr. JOHNSON of South Dakota. In that particular provision.

Mr. NEWTON of Minnesota. It sets aside the existing law as to previous wars.

Mr. JOHNSON of South Dakota. It recognizes that fact, and the gentleman knows that no American Army has ever had to fight under the conditions which the American Army fought in France. We thought there were so few of the cases out of 4,000,000 men, considering that we picked up the men, took them to defend the country, took them out of their home environment, and put them on a foreign land, that they ought to be taken care of.

Mr. O'CONNOR of Louisiana. Has the gentleman from South Dakota moved to suspend the rules on this bill?

Mr. JOHNSON of South Dakota. I have.

Mr. O'CONNOR of Louisiana. That, of course, will preclude all amendment.

Mr. JOHNSON of South Dakota. Yes.

Mr. O'CONNOR of Louisiana. I have received a number of letters from men engaged in the practice of medicine, who are connected with the bureau in New Orleans, and I presume other Members have received similar communications from different parts of the country requesting information as to why they are not included within the provisions of this bill.

Mr. JOHNSON of South Dakota. With reference to the medical personnel, it was the intention of the committee at this time to take up only the cases of disabled men, and we did not desire to interfere in any way with the personnel, because their salaries run along and they are getting along all right. A subcommittee of this committee has been appointed, consisting of five members, Mr. LUCE, chairman, to make a thorough investigation of that subject, and they expect to report a comprehensive bill at the next session.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CARTER. With reference to this refusal to consider cases on account of willful misconduct on the part of the applicant, is there any objection on the part of the bureau to considering these cases, if it could be done under the law?

Mr. JOHNSON of South Dakota. No; I do not think there has been any objection on the part of the bureau, but it is necessary to secure an amendment to the law.

Mr. CARTER. The director came before the subcommittee of the Committee on Appropriations, of which I was a member, and he expressed a desire to have the law changed so that they could be taken care of, but a Member just told me that the director is opposed to this provision. How is that?

Mr. JOHNSON of South Dakota. I do not think the director is opposed to it.

Mr. BOYLAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. BOYLAN. Is any provision made in the bill for hospitalization of those boys who enlisted under age and who were subsequently discharged?

Mr. JOHNSON of South Dakota. Oh, yes; they will be entitled to care and treatment under this bill.

Mr. BOYLAN. Even if they were discharged, as the gentleman understands, without honor?

Mr. JOHNSON of South Dakota. Prior to the war?

Mr. BOYLAN. No; after the war. They were discharged without honor on account of fraudulently stating their age in order to get into the Army.

Mr. JOHNSON of South Dakota. I am satisfied that they are included in this bill. It should be said in this connection that there are some things not in this bill which Members of this House would like to have in it. Three subcommittees have been appointed by the Committee on Veterans' Legislation. One is a subcommittee on hospitalization, which will make a thorough and comprehensive survey of the hospitals this summer, and we expect to ask the authorization of this House later that that committee may make that survey. Another is a subcommittee that will take up the question of the medical personnel of the bureau. And, third, a committee to survey insurance. That is one reason why we have not included in this measure many matters that individual members of the committee and the House would like to have considered. I reserve the remainder of my time.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. JOHNSON of South Dakota. Yes.

Mr. LAZARO. All of us have had trouble relative to ex-service men who developed tuberculosis or mental trouble which we thought was due to their service, and yet we could not establish the fact because of the lapse of time between the time of discharge and the time the diseases developed. Has that been corrected in this bill?

Mr. JOHNSON of South Dakota. Yes. General Hines testified before the committee that the problem of determining the service origin of veterans' disabilities is the most difficult and involved question confronting the Veterans' Bureau, and upon this evidence and other evidence submitted to us we extended the time six years from the time the disease developed back to the time the men were discharged from the service, so as to do justice to these men.

Mr. LAZARO. I am glad that this provision of the law has been liberalized in favor of the ex-service men, because I know, as a medical man, that I have had cases where I was sure that the disease was due to the service, and yet because they were discharged well—some no doubt through mistake—and the disease developed later than the short time provided in the present law, they were unable to connect their disability with the service, and they were therefore deprived of just compensation.

The SPEAKER pro tempore. The gentleman from South Dakota reserves seven minutes.

Mr. HAYDEN. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. BULWINKLE].

Mr. BULWINKLE. Mr. Speaker, the bill H. R. 8869 was the first bill reported from the Committee on World War Veterans' Legislation at this session of Congress. On account of the fact that S. 2257, commonly known as the Reed bill, passed the Senate first, the committee, owing to the short time before adjournment, decided to report the Reed bill by amending it, striking out all of its provisions and inserting the House bill.

The committee gave a great deal of study to the questions involved in this bill. There should be a recodification of all of the laws affecting the Veterans' Bureau, the Bureau of War Risk Insurance, and the vocational training act, but this could not be done at this session of Congress. Therefore the committee decided to change the administrative features of the present law in quite a number of features and extend the benefits of the Veterans' Bureau to men who were entitled to compensation and hospitalization but who under existing law are ruled out. Hearings were held and many witnesses appeared before the committee, among them General Hines and others from the bureau, Dr. Kennon Dunham, Doctor Lorenz—men of national reputation—and Mr. Watson B. Miller, chairman national rehabilitation committee of the American Legion; Mr. Thomas Kirby, national legislative chairman of the Disabled American Veterans; and Mr. Edwin S. Bettelheim, chairman national legislation committee of the Veterans of Foreign Wars.

General Hines and the representatives of the several organizations were of great assistance to the members of the committee. May I not be permitted to say in passing that in my opinion General Hines is efficient and competent, and that under his direction within a short time the Veterans' Bureau will function properly? His heart is in full sympathy with the disabled veterans, and I believe that he does all that is in his power to aid these men in every way.

The bill before the House has 23 sections and these sections might be divided under the subheads of administration, hospitalization, compensation, insurance and vocational training.

ADMINISTRATION

Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 16, 17, and 18 pertain more or less to the administration of the bureau.

Under section 1 the existing law is changed by making the decisions of the bureau in regard to benefits under the war risk insurance act and the vocational rehabilitation act conclusive. These decisions, therefore, can not be reviewed by any outside agency of the Government. This section further amends existing law by giving the director power to designate officers and employees of the bureau to perform such duties as he may wish, and such official acts so performed shall be the same and have the same force and effect as if performed by the director himself.

Section 2 provides that the United States Public Health Service personnel detailed to the Veterans' Bureau shall be for administrative and disciplinary purposes subject to the exclusive direction and control of the Director of the Veterans' Bureau. Heretofore there has been conflict with the commission personnel detailed to the bureau as to who controlled such personnel.

Section 3 amends existing law in regard to the records in the bureau as to when such files, records, or documents may be made public and under what circumstances.

The House will note that under section 4 section 6 of the present law is amended, first, by cutting down the number of suboffices from 140 to not exceeding 100; and, second, authorizing that, under the direction and control of the director, the suboffices have the same power as is provided under existing law for regional offices. In the same section of the bill it will be noted that the regional offices shall terminate on June 30, 1926, but that the suboffices shall continue unless it is the discretion of the director to terminate any one or all of them.

Section 5 amends existing law by adopting a new section, known as section 11a, which gives the director the power to require opinions of the Attorney General on questions of law.

Section 8 amends section 14 of the present law to provide that the director shall make a full and complete report on the first Monday in December of each year to the President of the Senate and Speaker of the House of Representatives of all of the activities and operations, financial and otherwise, of the bureau for the preceding year. There is also a subsection providing for the punishment of any person making or procuring a false or fraudulent affidavit or certificate.

Under section 9 five new subsections are added to the present law, to be known as 14a, 14b, 14c, 14d, and 14e. These sections are purely administrative. Some of them relieve the director under a ruling of the Comptroller General.

Section 10 amends section 13 of the war risk insurance act providing a fee of $10 for an attorney for the preparation of ordinary compensation claims, and for a suit involving a contract of insurance the court could allow a fee of not exceeding 20 per cent of the recovery to be paid by the Government.

Section 11 amends section 15 of the present law by striking out the words "commissioners, and deputy commissioners" and substituting in place thereof the words "and such persons as the director may designate."

Section 16 amends section 305 of the war risk insurance act by providing that in cases, except those of fraud by the beneficiary, no reduction or discontinuance of compensation shall be effective until the first day of the third calendar month next. This section has for its object the notification to the beneficiary of his discontinuance or reduction of award. Under the present law officials of the bureau have on the last day of the calendar month notified the claimant or beneficiary that his award had been reduced or entirely cut off. The committee was of the opinion that the men were entitled to consideration and that they should have at least three more payments in order that they could meet the changed conditions brought about by the reduction of compensation or the total loss of compensation.

Section 17 amends section 309 of the existing law by extending the time for filing claims from five to six years from the date of discharge where the disability arose from service, or for six years after the death of the soldier in the case of a dependent.

Section 18 has for its object the amending of section 312 of the war risk insurance act by providing that compensation shall not be paid to any person when such person is receiving retired or active service pay.

HOSPITALIZATION

Sections 6 and 7 of this bill are very important, and the attention of the Members of the House is especially called to the provisions of both of these sections.

Section 6 amends section 13 of the present law by authorizing that the bureau shall provide treatment for noncompensable disability in all cases except where such disability was incurred in the service and not caused by the willful misconduct of the beneficiary or patient, and the act provides that no claim for willful misconduct shall be set out unless trial by court-martial is shown, and, even in that case, if it is shown to the satisfaction of the director that an injustice has been done to the claimant in such court-martial, then the director may award the benefits of this section.

Section 7 amends section 13 by adding a new section to be known as section 13a, which provides treatment in Government hospitals for the veterans of any war or expedition and the necessary traveling expenses to such hospitals.

Mr. McKEOWN. That would include the Spanish-American veterans?

Mr. BULWINKLE. Yes.

Mr. McKEOWN. I am glad to hear that, and I wish to compliment the committee.

COMPENSATION

For the convenience of the Members of the House I have designated sections 12, 13, 14, 15, and 19 under the title of compensation.

Section 12 extends benefits of the war risk insurance act to the members of the National Guard who were called into the Federal service. The National Guard regiments were called into the service of the United States Government during different months after the proclamation of war on April 6, 1917, but they were not drafted into the Federal service until August 5, 1917.

During this time some members of the guard were killed or became disabled, and the committee felt that it was only right and proper that these men, who were really in the Federal service, or their dependents, should have the benefits of the act. Therefore section 31 of the existing law was amended to give this relief.

Mr. NEWTON of Minnesota. Mr. Speaker, will the gentleman yield in connection with section 12?

Mr. BULWINKLE. Yes.

Mr. NEWTON of Minnesota. The bill refers to members of the National Guard and their entry into the Federal service. The term "Federal service" has been construed so that where a great regiment was really called into the service in April, but was not mustered into the Federal service until June, a member of that regiment who was disabled would not come under the provisions of this bill, because he was technically in the Federal service.

Mr. BULWINKLE. Under the provisions of this bill the benefits are given to those men, or the dependents of those men, who were actually in the Federal service. In some of the States the regiments were called into service by the governor of the State in April or in May. Clearly, then, the regiment was not in the Federal service, and the committee eliminated from its consideration those who were not strictly in the Federal service.

Mr. NEWTON of Minnesota. Does not the gentleman think that if the men were actually in the service and performing work connected with training and preparing for the war they should have the benefits of the act?

Mr. BULWINKLE. In reply to the gentleman from Minnesota, there are possibly many provisions that should be inserted in this bill. Some of these may be provided either in conference, or future Congresses may pass legislation giving the benefits to these men.

Section 13 is one of the most important sections in the present law. It amends section 300 of the war risk insurance act, first by striking out the words "line of duty" and substituting therefor "in the service," giving the benefits of this section to the man who suffered a disability or was injured during the period of time that he was commissioned or enlisted in the armed forces of the United States; and, second, by providing that no person shall be denied compensation for paralysis, paresis, blindness, or constitutional lues by reason of willful misconduct. The object of this provision is to provide compensation for men who for paralysis, paresis, blindness, or constitutional lues are now prevented from receiving compensation by the ruling of the Veterans' Bureau, which holds that those disabilities are the result of the man's own willful misconduct. This section further provides that if an ex-service man is shown to have had a neuropsychiatric disease, or mental or nervous disease or derangement, or active tuberculosis disease, or encephalitis lethargica or amebic dysentery, it is conclusively presumed to have been acquired in service. Under the present law, where an ex-service man is shown to have had a neuropsychiatric disease or active tuberculosis disease, there must have been a clinical diagnosis within three years after his discharge by a medical officer of the Veterans' Bureau. This provision has prevented many ex-service men from receiving compensation. Many tuberculosis cases were developed within the three-year limit but were not diagnosed by such officer of the bureau within the time limit. Many cases of insanity are barred by the same provisions. Many of these insane men are being taken care of as public wards—placed in State, county, and city institutions.

The experts before the committee testified that it was not known the causes of 60 per cent of insanity and that insanity among the soldier population is 100 per cent greater than among the civilian population. Under the present law the burden of proof is upon the ex-service man to prove that his disability is directly caused by his service. This is impossible in many cases. He can show that he was physically fit when he entered the service, and shortly after his discharge he became insane or developed tuberculosis. The presumption should be in his favor, and he should be granted compensation.

There are some 45,000 men who have mental or nervous diseases or derangements or tuberculosis that will be taken care of by this amendment. They are very pitiable casis, and the doubt should be resolved in their favor. The committee thought that in justice to those men this period should be made six years and the presumption be in favor of the man.

By the six-year period from the date of discharge—as a majority of these men were discharged in the latter part of the year 1918 or the early part of the year 1919—this will give them an opportunity to make application and be examined before the expiration of this period. Ameble dysentery is included, as there are now 120 of these and are the only cases of any number of this nature since the Spanish-American War. It is caused by a tropical parasite we are told. These cases are helpless, and there is no doubt that they are the direct result of service, but evidence can not be produced to show this fact, and under the present law and rulings these men are barred. These serious conditions may not develop until months and years after the initial exposure to the infection.

There is also included in this presumptive clause encephalitis lethargica, so-called sleeping sickness, which was practically unknown until the last five years, and the causes are unknown, but it is presumed to be associated with influenza, as it follows influenza anywhere from six to nine months or a year or more. For this reason is should be regarded as a possible outcome of the disease that accrued in service. They are most pitiable cases, due to the mental deterioration. Due to the little knowledge that medical science has of this disease, of course it is impossible for the men to prove that it is due to service.

This amendment provides that compensation paid under this presumptive period shall not be retroactive beyond the passage of this amendment. The estimated cost of this presumptive period by the director is $19,878,000 per year, yet it takes care of some 46,000 ex-service men who are to-day in destitute circumstances and dying with diseases which they can not by positive evidence prove were contracted in the service.

Section 14 amends section 301 of the present law and gives increased compensation to the dependents of those men who died in service. For a widow the increase is $10; a widow and one child, the increase is $12.50; for a widow and two children, $57.50, with $10 for each additional child up to two. The increase in compensation is also provided for where there is no widow, one child receiving an increase of $5, which would make $25 per month; two children will now receive $40 per month, and three $55, with $10 for each additional child up to two. There are other provisions to this section which liberalize the present law.

Section 15 amends section 302 of the war risk insurance act in quite a number of features. There are 10 subsections amended. In brief, the two main amendments are as follows: Granting an increase in compensation to the totally blind men. The bill provides that $150 per month shall be the compensation for the loss of the use of both eyes, and where the veteran has lost the use of both eyes and has also lost the use of one or more limbs $200 per month shall be the compensation. Quite a number of the members of the House saw and talked to the 17 or 18 blind men who came from Evergreen to Washington to see the committee. These men at that time were of the opinion that, if their compensation was increased, they could return to their homes and with what work they could do they could very well live off of the increase in compensation. Since the bill was reported from the committee a movement has started to make Evergreen a permanent home for the blind men. This should not be done. It is not for the best interests of the blind that they should be congregated in one spot during the rest of their life; their only associations being with men afflicted like themselves. It was with this idea in view that the committee increased the compensation to $150 per month and authorized the director, under the provisions of another section, to allow $50 per month for an attendant or nurse.

The law is further amended under this section by giving the director the authority to reimburse any beneficiary of the bureau who suffers or has suffered an injury or contracted a disease in service and an emergency develops which necessitates immediate treatment or hospitalization. In another section, where the beneficiary is a disabled person and is in a penal institution or hospital, the director may apportion compensation as between the man, his wife and children, or any, or other dependents.

Another very important amendment in this section is a provision that where an ex-service man has tuberculosis of a compensable degree and has been hospitalized for the period of a year the director may, in his discretion, discharge him from the hospital under a temporary and total disability rating for three years. The tubercular patients in the Veterans' Bureau hospitals are the ones who have returned time after time for treatment. Many of them were men who on account of their financial circumstances were forced on returning home from the hospitals to engage in some kind of work in order to make a living for themselves and families, and with strain and the worry they lasted only a few months and were back in the hospital. The committee was of the opinion that these men should have a fixed income for a certain period of time after they returned from the hospital in order that they would not be worried with financial conditions. The committee was of the opinion that this section was a benefit not only to the men but to the Government as well.

Section 19 amends article 3 of the war risk insurance act by providing a new section, to be known as section 316. Some of the beneficiaries of the bureau while engaged in vocational training or while hospitalized have suffered injuries or death not the result of their own misconduct. These men, or their dependents, therefore, do not come under the provisions of existing law, and this section will give them all the rights and benefits obtained from the bureau, as though they were disabled or death resulted as a result of military service during the war, provided that applications for such benefits are made within one year after the passage of this amendment.

INSURANCE

Sections 20, 21, and 22 apply to insurance and section 23 applies to the amendment to the vocational rehabilitation act.

None of the provisions of the compensation are retroactive. The committee was of the opinion that the retroactive features should not apply. In the tuberculosis cases there was not a doctor before the committee who would testify that, in his opinion, the tuberculosis contracted more than two or three years after discharge from the service was the result of the service. The committee, though, wished to give every man the benefit of the doubt and extended the provisions to cover all the cases cited in section 300 as amended.

The benefits of this amended act apply to 75,225 veterans and 33,675 dependents. The director estimates that the increase in cost on account of the amendments extending the law, as provided in this bill, will be annually $36,517,430. In my opinion I believe that the director has slightly underestimated the cost, and, if this bill finally becomes a law, under its liberalizing provisions, the additional cost to the bureau will run close to $45,000,000.

The bill is satisfactory in a large measure to the service organizations and it is my hope that these organizations will aid the bureau in seeing to it that the disabled veterans receive the benefits which are authorized under the provisions of the act, and also aid the bureau in eliminating from the compensation rolls such persons, if any, who are not entitled to and should not be receiving the benefits from the bureau. The bill will pass the House without a dissenting voice or a dissenting vote. This Congress, as well as Congresses in the past, has shown a disposition to be just and generous to all service men, and I believe it is in the heart of every Member of Congress, regardless of party, the hope that the Veterans' Bureau may function properly; that fraud and scandal shall not enter into its administration any more and that through its operations every disabled man in the service of the United States during the World War shall receive the benefits to which he is entitled. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Speaker, I yield a minute and a half to the gentleman from California [Mr. MacLAFFERTY].

Mr. MacLAFFERTY. Mr. Speaker and Members of the House, I think it is a great tribute of praise of the Veterans Committee that this House has given their consent that this bill should be passed very quickly and without amendment and without debate. I simply want to tell you what has already been said, and consequently it can be told you very quickly that for six weeks our committee met day after day and we gave almost prayerful consideration of this legislation. There are many things not in this bill we would have liked to have put there, but it was impossible. I am glad to-day that the House of Representatives is going on record, and I doubt not practically unanimously, before the disabled men of this country to the effect, "Fellows, we have said in the past that nothing was too good for our disabled men, now here is what we propose to do at the present time. It is yours and you are welcome to it," and, thank God, that as a result of this vote to-day there will not be one dissenting voice. That is a thing I am glad of. Those of us that took a stand for the service men recently in the matter of adjusted compensation have heard some criticism. That is an open question, but, thank God, on this question there is no debate necessary. [Applause.]

Mr. HAYDEN. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. RANKIN]. [Applause.]

Mr. RANKIN. Mr. Speaker, I join the gentleman from California [Mr. MacLAFFERTY] in his gratification over the fact that there will not be much criticism of the members of the Veterans' Committee. In that connection, I wish to say that those who

have criticized Members of Congress already for what they have done for the ex-service men of the country did not put themselves to the trouble to come before our committee and ask consideration for the disabled soldiers.

I desire, also, to indorse the statement of the chairman to the effect that there has been no politics in this committee. I believe every member of the Committee on Veterans' Affairs has been actuated by a desire to do the best he could for the disabled ex-service men.

But I am not altogether satisfied with the bill. As you know, I have attempted to get an opportunity to offer some amendments. When the war closed and the men were discharged, instead of their being in a better physical condition than they had ever been before, as those who are opposed to any relief at all for the ex-service men will tell you, why, they were invariably in a worse condition. They had been put through intensive training, they had been vaccinated and inoculated for the various diseases which usually threaten or endanger the health of an army. They had had the influenza, one of the most treacherous diseases known to man. With the signing of the armistice came relaxation followed by physical reaction, which reduced them to a weakened condition and practically destroyed their resisting powers. They became easy victims of tuberculosis and neuropsychiatric troubles, which came on so gradually and insidiously that the medical profession could not say just when they were contracted. For that reason we extended the presumptive period to six years, in order that we might take care of those men who were afflicted by those troubles as a result of their service to their country during the trying days of the World War. Although we extend the presumptive period to six years, the bill provides that those who come under this presumption are to receive no compensation for the time prior to the passage of this bill. I wanted that changed. I wanted that compensation to begin the day the disability occurred [applause] in order that we might take care of those men who contracted their disabilities while offering their lives in the service of their country during the dark days of the war. [Applause.] That was my attitude then, and it is my attitude now, and I sincerely hope that when Congress convenes again we can have these cases investigated, so that these boys who have spent every dollar they have been able to rake and scrape, who have spent the money of their fathers, mothers, brothers, and other members of their families to take care of them during this period—that Congress may come to their assistance and do justice to these disabled men and see that they are given all the relief to which they are justly entitled. [Applause.]

Mr. HAYDEN. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. CONNERY].

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for three minutes.

Mr. CONNERY. Mr. Speaker and gentlemen of the House, I agree with the remark of my colleague from Mississippi [Mr. RANKIN] that this bill does not go far enough, but it does do something for the disabled ex-service man. It cures some of the great evils under which the disabled men have suffered since the war, and it gives them the opportunity to automatically connect up their disabilities with the service. One of the great evils we have had to suffer from in the Veterans' Bureau since the war is "We can not connect disability with the service," and "The man is less than 10 per cent disabled." Every Member of Congress has run up against those things. You know what it means. I wish to say to you, however, frankly that although I think General Hines is a good man and is going to do the best he can to clean up the Veterans' Bureau and take care of the disabled men, that he certainly has a big proposition on his hands in the bureau.

To show you what I mean by that, I want to tell you that in the past three months I have had two cases especially, out of numerous other cases, brought to my personal attention—one in Arizona, and one in my own State of Massachusetts. In the first case, in the Arizona case, a man came in under the three-year limit where they found he was affected by tuberculosis. This man was slightly affected by tuberculosis, yet the Veterans' Bureau says that though that man is dying now—he is slowly dying now, while I am talking—yet he could not get compensation because he did not have the disease—active tuberculosis—at the time he was first examined. The other man was examined in the town of Neufchateau, in France, before he went into the trenches. This man was found to have suspected tuberculosis during the war. I brought this matter to the attention of the bureau, and they decided that suspected tuberculosis was not enough to bring him under the bureau. The man died of tuberculosis, and his wife and children get no compensation.

I believe, with the gentleman from Mississippi [Mr. RANKIN], that legislation should be enacted to make these payments retroactive. There is a great deal yet to do in justice to the men. But I am satisfied with the bill as far as it goes. I think it benefits the ex-service men to some extent, but I wish to state here and now that when we come back next December, if the Veterans' Bureau has not changed in its methods and has not done something to clean up the abuses which exist there, I am going to stand up in this House and ask for a congressional investigation to make sure that my buddies are being properly taken care of. [Applause.]

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for two minutes.

Mr. LUCE. I wish simply to add a word of appreciation of the labors of my fellow workers on this committee, indorsing what has been said about their absolute freedom from partisanship and also testifying as to their lack of self-assertion, their anxiety to reconcile conflicting views, their unanimous desire to dispense not only justice but also equity.

It has always been a favorite pastime of the American people to find fault with their Representatives. Perhaps never have they indulged in this pastime more freely than they are doing to-day. I wish it were possible to bring to the attention and knowledge of the faultfinders such a result as that before you, such an example as this bill gives, of the patient, earnest, conscientious endeavor of Members of the House of Representatives of all parties and all views to work out constructive results, to the good of all the people. [Applause.]

Mr. HAYDEN. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. BROWNING].

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for three minutes.

Mr. BROWNING. Mr. Speaker and gentlemen of the House, I wish to add my approval to this bill, along with that of those who have already spoken on it, so far as it goes.

It is not altogether what we all wanted, but as far as it extends greater benefits to the ex-service men it is a good bill.

There are several particulars in which I would like to see the law added to, but in extending the presumptive period for tuberculars and neuropsychiatrics to six years I think the committee has been exceedingly liberal, and we did that on the advice of the Veterans' Bureau.

I want to say for General Hines and his assistants that they extended a sympathetic attitude toward every improvement of the law.

I would like to see added to that permanent pay for those men who are arrested in tuberculosis. That is not in this law, but it strikes me as nothing short of a crime—knowing, as we do, something of the nature of tuberculosis—to take a man, place him in a hospital, spend hundreds of dollars on him in improving his condition, bring him to an arrested state, and then cut off his pay, thrust him out into the world, and make it almost certain that his disease will be brought back by reason of his necessary efforts to try to make a living.

Mr. HASTINGS. Will the gentleman yield?

Mr. BROWNING. Yes.

Mr. HASTINGS. I want to ask the chairman of this committee, the gentleman from South Dakota [Mr. JOHNSON], the gentleman from Indiana [Mr. ELLIOTT], and the majority leader whether or not there is going to be an opportunity given to consider the so-called hospitalization bill that has been reported under a rule?

Mr. JOHNSON of South Dakota. I will say to the gentleman that that opportunity will be given this week.

Mr. HASTINGS. I thank the gentleman.

Mr. BROWNING. I feel that another commendable thing which was placed in this bill, on the insistence of General Hines, is that provision which extends the benefit of hospitalization to the veterans of all wars. It gives preference to those who are not financially able to pay their way in any other hospital, and it places it in the discretion of the director himself as to whether any of these men are hospitalized. That gives him an opportunity to use all of the vacant beds, at very little additional expense, for the accommodation of these men to whom the door of hope seems closed.

Mr. KINDRED. Will the gentleman yield?

Mr. BROWNING. Yes.

Mr. KINDRED. The gentleman has referred to the extension of time during which tubercular patients may make their application for compensation. Does not the gentleman think that the feature of the bill applying to neuropyschiatric patients, extending the time during which they may make application for six years from the time of honorable discharge, is also a very important feature of the bill?

Mr. BROWNING. It is a very commendable feature, indeed; and I really think those cases are more hopeless than the tubercular cases.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HUDSPETH. I ask that the gentleman may have an additional minute in order that I may ask him a question.

Mr. HAYDEN. Mr. Speaker, I yield the gentleman one additional minute.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for one additional minute.

Mr. HUDSPETH. I know the gentleman is very familiar with the provisions of the bill, and I have not had time to make a study of them. Do I understand that if a man develops tuberculosis six years after he was discharged from the Army, that is prima facie evidence to the Veterans' Bureau and is sufficient to put him on the roll and give him compensation?

Mr. BROWNING. It is conclusive evidence. [Applause.]

Mr. HUDSPETH. I certainly commend the committee.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. JOHNSON of South Dakota. Mr. Speaker, I yield one minute to the gentleman from Iowa [Mr. ROBINSON].

Mr. ROBINSON of Iowa. Mr. Speaker and colleagues, I am very much in earnest in my support of the bill reported to you by our committee. As has been stated before so frequently, it does not in many respects meet the individual desires of many of us. I am free to say to you it does not go as far as I would go in many places, while in others it goes further. But I believe it to be a good bill, well worthy of our support, and one which goes a long way toward correcting the troubles of many of the people we represent—our soldier constituents—and I believe it will make the road they shall travel during their lives much easier, much more pleasant, and much better because of our action here to-day. [Applause.]

In the time allotted me I shall not attempt an explanation of this bill, nor is it necessary, because our worthy colleague, Mr. JOHNSON of South Dakota, chairman of the committee, has explained its purpose and its principal provisions. It is the result of many weeks' investigation, hearings, and deliberation on the part of a committee which gave it most careful consideration, and while not always in agreement as to some of its provisions, it can truthfully be said that the committee constantly and all the time endeavored to be fair—fair with the soldier and fair with the taxpayer, but believing that the taxpayer desired the soldier and his dependents to be treated with liberality. Our men who served during the great World War were not asked if they wished to serve nor if the compensation was satisfactory. They were told it was their duty and they nobly responded. When we sent them across to France we said, and we believed it true, that it was necessary they go to save the liberty of the world. We promised them we would back them up with everything needed and stay with them to the end. Many thousands of them never returned. The war is over for them. They have nobly done their part. Life's joys and sorrows are ended for them, but their record is supreme. Many other thousands returned broken in health, suffering from wounds, from physical ills, from the terribleness of war. The war should not be over for us until every sick and wounded soldier is adequately cared for and given every chance for regained health and for useful occupation, and until every widow and orphan is placed in comfort, and to some extent the bill we are now considering proposes to bring about this very thing.

I wish the country as a whole and particularly our veterans of the World War had more definite knowledge regarding the great things this country has done for its honored veterans. The history of the world will not, prior to this time, show any other instance of such gratitude, such care, and such desire to help as has been shown by this country in caring for those who have returned from the war in need of care or who have developed such need since their return. We have come to a time when, perhaps, we do not use as many words as formerly in expressing our loyalty. The battle and the fighting is ended. The strong out-spoken words of patriotism and loyalty are not so much heard, but, I believe, the loyalty is there just the same, deep-seated in our hearts and in our very nature, and we have no thought of forgetting those who offered up their lives and all they held dear and sacred in defense of their country. No price was too great to pay for the world's freedom, and surely no price to-day is too great to pay for the comfort and care of the soldier who needs our care, hospitalization, and vocational training; care for the sick and the dependent is our purpose. The man who gives his life for others saves it—a beautiful doctrine. The Master taught it; you believe it, and so do I; but when our boys laid down their lives in France, or contracted disease, or suffered wounds that will incapacitate them from normal activities hereafter, they made a sacrifice for which they can never be compensated, but it is our duty and a very solemn obligation rests upon us to, as best we can, give them every opportunity for recovered health and usefulness, and if this can not be, for such measure of comfort as a grateful Nation can give to its defenders.

This is the purpose of this bill. As a member of the committee which presents it for your consideration, I join with all my colleagues on the committee in asking your approval, believing that it will be helpful to those who come under its provisions and that America is glad and willing to make this additional acknowledgment of an obligation which can never wholly be met. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JOHNSON of South Dakota. Mr. Speaker, I believe I have three and one-half minutes remaining.

The SPEAKER. No; the gentleman has two and a half minutes remaining.

Mr. JOHNSON of South Dakota. Mr. Speaker, I yield one minute and a half to the gentleman from Nebraska [Mr. SIMMONS].

Mr. SIMMONS. Mr. Speaker, the American Legion, the Disabled American Veterans of the World War, and the Veterans of Foreign Wars are three organizations which have pledged their services to their sick and the disabled comrades. They have cooperated with the committee and have given us every possible assistance in framing this bill. They have rendered valuable service. There is one organization which has heralded itself to the country as the first friend of the disabled, the Ex-Service Men's Antibonus League; that organization has not helped on this bill, it did not appear before the committee to give us suggestion on this bill, it produced no witnesses, it has taken no part in the framing of the bill, and has apparently given no thought to the care of the sick and the disabled which this bill so adequately provides.

This, gentlemen of the House, is a bill which will give those of you who believe, as we do, in caring for America's sick and disabled service men an opportunity to express the gratitude of this country toward these men. It is not perfect. But it is a forward step in liberalizing legislation for the adequate and just care of our verterans. It is entirely worthy of every Member's support. The country will give it hearty and unanimous approval.

Mr. JOHNSON of South Dakota. Mr. Speaker, I yield the remaining minute to the gentleman from Vermont [Mr. GIBSON].

The SPEAKER. The gentleman from Vermont is recognized for one minute.

Mr. GIBSON. Mr. Speaker, sometimes I find myself in agreement with the gentleman from Massachusetts [Mr. CONNERY] and sometimes in disagreement. To-day I am in agreement with what he said. I believe General Hines is a good man, is conscientious and honest, and desires above all things to bring the bureau to a high state of efficiency. But, Mr. Speaker, it requires something more than a good man to administer its affairs properly. He must have that great executive ability that makes it possible to get his spirit down the line to the last employee in order to get the best results.

I have visited the bureau many times to observe just how the work there is performed, how the cases are handled, and to gain knowledge of the general business atmosphere of this most important administrative branch of the Government. I have also visited district offices for the same purpose. That there is a clique or ring left over from the previous régime is beyond dispute, and these men remaining combine under cover in such a manner as to make for inefficiency, so far as results are concerned. The good of the Government requires that there be an overhauling; that those men who do not cooperate willingly and whole-heartedly with the administrative head be weeded out. General Hines should be the complete master of his bureau.

The effect of the work of this clique is apparent. Cases, just claims, are approached with a degree of suspicion, when, in fact, they ought to be approached with full sympathy, with a keen desire to do exact justice by the claimant and the Government. Claimants ought to receive fair consideration. The first requisite of a Government official is courtesy to all who have business with the official. That is not at all times apparent in the conduct of the business of the bureau. So I am in agreement with the gentleman from Massachusetts that something must be done to clean up the situation, and if it is not done between now and

December 1 will join with him in endeavoring to secure such action as will cause the Veterans' Bureau to function efficiently.

This bill does not accomplish all things that ought to be accomplished, but it does a great deal to clear the situation and covers many deficiencies that have been discovered in the actual enforcement of the law. The committee has had the advice of the best of experts, of the officials who have daily been up against the problems of the application of the existing law, and the members have given phrasing of the proposed act most careful and painstaking attention. We have brought to you the best proposal we could draft. It has the approval of the director of the bureau, who should have a free hand in the great work before him, and the members of the committee sincerely trust it may pass. [Applause.]

The SPEAKER. The time of the gentleman from Vermont has expired. The question is on the motion of the gentleman from South Dakota to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. JOHNSON of South Dakota) there were—ayes 167, and no noes.

So two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A similar House bill was laid on the table.

RECLASSIFYING THE POSTAL SALARIES

Mr. GRIEST. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1898) reclassifying the salaries of postmasters and employees of the Postal Service, and adjusting their salaries and compensation on an equitable basis, and for other purposes, as amended.

The SPEAKER. The gentleman from Pennsylvania moves to suspend the rules and pass the bill S. 1898 as amended, which the Clerk will report.

The Clerk read as follows:

That on and after July 1, 1924, postmasters and employees of the Postal Service shall be reclassified and their salaries and compensation readjusted, except as otherwise provided, as follows:

CLASSIFICATION OF POSTMASTERS

That postmasters shall be divided into four classes, as follows:

The first class shall embrace all those whose annual salaries are $3,200 or more.

The second class shall embrace all those whose annual salaries are less than $3,200, but not less than $2,400.

The third class shall embrace all those whose annual salaries are less than $2,400, but not less than $1,100.

The fourth class shall embrace all postmasters whose annual compensation amounts to less than $1,100, exclusive of commissions on money orders issued.

The respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in semimonthly payments to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the General Accounting Office, or copies or duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates, namely:

First class—$40,000, but less than $50,000, $3,200; $50,000, but less than $60,000, $3,300; $60,000, but less than $75,000, $3,400; $75,000, but less than $90,000, $3,500; $90,000, but less than $120,000, $3,600; $120,000, but less than $150,000, $3,700; $150,000, but less than $200,000, $3,800; $200,000, but less than $250,000, $3,900; $250,000, but less than $300,000, $4,000; $300,000, but less than $400,000, $4,200; $400,000, but less than $500,000, $4,500; $500,000, but less than $600,000, $5,000; $600,000, but less than $7,000,000, $6,000; $7,000,000 and upward, $8,000.

Second class—$8,000, but less than $12,000, $2,400; $12,000, but less than $15,000, $2,500; $15,000, but less than $18,000, $2,600; $18,000, but less than $22,000, $2,700; $22,000, but less than $27,000, $2,800; $27,000 but less than $33,000, $2,900; $33,000, but less than $40,000, $3,000.

Third class—$1,500, but less than $1,600, $1,100; $1,600, but less than $1,700, $1,200; $1,700, but less than $1,900, $1,300; $1,900, but less than $2,100, $1,400; $2,100, but less than $2,400, $1,500; $2,400, but less than $2,700, $1,600; $2,700, but less than $3,000, $1,700; $3,000, but less than $3,500, $1,800; $3,500, but less than $4,200, $1,900; $4,200, but less than $5,000, $2,000; $5,000, but less than $6,000, $2,100; $6,000, but less than $7,000, $2,200; $7,000, but less than $8,000, $2,300: *Provided*, That when the gross postal receipts of a post office of the third class for each of two consecutive calendar years are less than $1,500, or when in any calendar year the gross postal receipts are less than $1,400, it shall be relegated to the fourth class: *Provided*, That postmasters at offices of the third class shall be granted for clerk hire an allowance of $240 per annum where the salary of the postmaster is $1,100 per annum; an allowance of $330 per annum where the salary of the postmaster is $1,200 per annum; an allowance of $420 per annum where the salary of the postmaster is $1,300 per annum; an allowance of $510 per annum where the salary of the postmaster is $1,400 per annum; an allowance of $600 per annum where the salary of the postmaster is $1,500 per annum; an allowance of $690 per annum where the salary of the postmaster is $1,600 per annum; an allowance of $780 per annum where the salary of the postmaster is $1,700 per annum; an allowance of $870 per annum where the salary of the postmaster is $1,800 per annum; an allowance of $960 per annum where the salary of the postmaster is $1,900 per annum; an allowance of $1,050 per annum where the salary of the postmaster is $2,000 per annum; an allowance of $1,140 per annum where the salary of the postmaster is $2,100 per annum; an allowance of $1,400 per annum where the salary of the postmaster is $2,200 per annum; an allowance of $1,600 per annum where the salary of the postmaster is $2,300 per annum: *Provided further*, That the Postmaster General may modify these allowances for clerk hire to meet varying needs, but in no case shall they be exceeded or reduced by such modification more than 10 per cent: *Provided, however*, That the aggregate of such allowances, as modified, shall not exceed in any fiscal year the aggregate of allowances herein prescribed for postmasters of the third class;

That section 4 of the act of March 3, 1883 (22 Stats. p. 528), entitled "An act to modify the postal money-order system, and for other purposes," as amended by the act approved June 29, 1886 (24 Stats. p. 87), entitled "An act to make the allowances for clerk hire to postmasters of the first and second class post offices cover the cost of clerical labor in money-order business, and for other purposes," as amended by section 3 of the act approved January 27, 1894 (28 Stats. p. 31), entitled "An act to improve the methods of accounting in the Post Office Department, and for other purposes," be amended so that the third paragraph of the last-mentioned section shall read as follows:

The allowances for clerk hire made to postmasters of the first, second, and third class post offices by the Postmaster General out of the annual appropriations therefor shall cover the cost of clerical service of all kinds in such post offices, including the cost of clerical labor in the money-order business, and excepting allowances for separating mails at third-class post offices, as provided by law.

Fourth class.—The comensation of postmasters of the fourth class shall be fixed upon the basis of the whole of the box rents collected at their offices and commissions upon the amount of canceled postage-due stamps and on postage stamps, stamped envelopes, and postal cards canceled, on matter actually mailed at their offices, and on the amount of newspaper and periodical postage collected in money, and on the postage collected in money on identical pieces of third and fourth class matter mailed under the provisions of the act of April 28, 1904, without postage stamps affixed, and on postage collected in money on matter of the first class mailed under provisions of the act of April 24, 1920, without postage stamps affixed, and on amounts received from waste paper, dead newspapers, printed matter, and twine sold, at the following rates, namely:

On the first $75 or less per quarter the postmaster shall be allowed 160 per cent on the amount; on the next $100 or less per quarter, 85 per cent; and on all the balance, 75 per cent, the same to be ascertained and allowed by the General Accounting Office in the settlement of the accounts of such postmasters upon the sworn quarterly returns: *Provided*, That when the total compensation of any postmaster at a post office of the fourth class for the calendar year shall amount to $1,100, exclusive of commissions on money orders issued, and the receipts of such post office for the same period shall aggregate as much as $1,500, the office shall be assigned to its proper class on July 1 following, and the salary of the postmaster fixed according to the receipts: *Provided further*, That in no case shall there be allowed any postmaster of this class a compensation greater than $300 in any one of the first three quarters of the fiscal year, exclusive of money-order commissions, and in the last quarter of each fiscal year there shall be allowed such further sums as he may be entitled to under the provisions of this act, not exceeding for the whole fiscal year the sum of $1,100, exclusive of money-order commissions: *And provided further*, That whenever unusual conditions prevail the Postmaster General, in his discretion, may advance any post office from the fourth class to the appropriate class indicated by the receipts of the preceding quarter, notwithstanding the proviso which requires the compensation of fourth-class postmasters to reach $1,100 for the calendar year, exclusive of commissions on money-order business, and that the receipts of such post office for the same period shall aggregate as much as $1,500 before such advancement is made: *And provided further*, That when the Postmaster General has exercised the authority herein granted, he shall, whenever the receipts are no longer sufficient to justify retaining such post office in the class to which it has been advanced, reduce the grade of such office to the appropriate class indicated by its receipts for the last preceding quarter.

SEC. 2. That post-office inspectors shall be divided into six grades, as follows: Grade 1—salary, $2,800; grade 2—salary, $3,000; grade 3—salary, $3,200; grade 4—salary, $3,500; grade 5—salary, $3,800;

grade 6—salary, $4,000, and there shall be 15 inspectors in charge at $4,500: *Provided*, That in the readjustment of grades for inspectors to conform to the grades herein provided, inspectors who are now in present grades 1 and 2 shall be included in grade 1; inspectors who are now in present grade 3 shall be included in grade 2; inspectors who are now in present grade 4 shall be included in grade 3; inspectors who are now in present grade 5 shall be included in grade 4; inspectors who are now in present grade 6 shall be included in grade 5; and inspectors who are now in present grade 7 shall be included in grade 6: *Provided further*, That inspectors shall be promoted successively to grade 4 at the beginning of the quarter following a year's satisfactory service in the next lower grade, and to grade 5 at the beginning of the quarter following a year's meritorious service in grade 4, and not to exceed 35 per cent of the force to grade 6 for specially meritorious service after not less than one year's service in grade 5; and the time served by inspectors in their present grade shall be included in the year's service required for promotion in the grades provided herein, except as to inspectors in present grade 1.

Inspectors and supervisory employees of the Railway Mail Service and post offices shall be paid their actual expenses as fixed by law.

That clerks at division headquarters of post-office inspectors shall be divided into six grades, as follows:

Grade 1—salary, $1,900; grade 2—salary, $2,000; grade 3—salary, $2,150; grade 4—salary, $2,300; grade 5—salary, $2,450; grade 6—salary, $2,600; and there shall be one chief clerk at each division headquarters at a salary of $2,900: *Provided*, That in the readjustment of grades for clerks at division headquarters to conform to the grades herein provided, clerks who are now in present grade 1 shall be included in grade 1; clerks who are now in present grade 2 shall be included in grade 2; clerks who are now in present grade 3 shall be included in grade 3; clerks who are now in present grade 4 shall be included in grade 4; clerks who are now in present grade 5 shall be included in grade 5; and clerks who are now in present grade 6 shall be included in grade 6: *Provided further*, That clerks at division headquarters shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory service in the next lower grade and not to exceed 35 per cent of the force to grade 6 for meritorious service after not less than one year's service in grade 5, and the time served by clerks in their present grades shall be included in the year's service required for promotion in the grades provided herein: *And provided further*, That whenever in the discretion of the Postmaster General the needs of the service require such action, he is authorized to transfer clerks or carriers in the City Delivery Service from post offices at which division headquarters of post-office inspectors are located to the position of clerk at such division headquarters after passing a noncompetitive examination at a salary not to exceed $2,300. After such transfer is made effective clerks so transferred shall be eligible for promotion to the grades of salary provided for clerks at division headquarters of post-office inspectors. Hereafter when any clerk in the office of division headquarters in the post-office inspection service is absent from duty for any cause other than leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk at a rate not to exceed the grade of pay of the clerk absent without pay.

SEC. 3. That at offices of the second class the annual salaries of assistant postmasters shall be in even hundreds of dollars, based on the gross postal receipts for the preceding calendar year, as follows: $8,000, but less than $10,000, $2,200; $10,000, but less than $12,000, $2,200; $12,000, but less than $15,000, $2,200; $15,000, but less than $18,000, $2,300; $18,000, but less than $22,000, $2,300; $22,000, but less than $27,000, $2,400; $27,000, but less than $33,000, $2,400; $33,000, but less than $40,000, $2,500.

That at offices of the first class the annual salaries of the employees, other than those in the automatic grades, shall be in even hundreds of dollars, based on the gross postal receipts for the preceding calendar year, as follows:

Receipts $40,000, but less than $50,000—assistant postmaster, $2,600; superintendent of mails, $2,400. Receipts $50,000, but less than $60,000—assistant postmaster, $2,600; superintendent of mails, $2,400. Receipts $60,000, but less than $75,000—assistant postmaster, $2,600; superintendent of mails, $2,400. Receipts $75,000, but less than $90,000—assistant postmaster, $2,700; superintendent of mails, $2,500. Receipts $90,000, but less than $120,000—assistant postmaster, $2,700; superintendent of mails, $2,600; foremen, $2,500. Receipts $120,000, but less than $150,000—assistant postmaster, $2,800; superintendent of mails, $2,700; foremen, $2,500. Receipts $150,000, but less than $200,000—assistant postmaster, $2,900; superintendent of mails, $2,800; foremen, $2,500. Receipts $200,000, but less than $250,000—assistant postmaster, $3,000; superintendent of mails, $2,900; foremen, $2,500. Receipts $250,000, but less than $300,000—assistant postmaster, $3,100; superintendent of mails, $3,000; assistant superintendent of mails, $2,600; foremen, $2,500. Receipts $300,000, but less than $400,000—assistant postmaster, $3,200; superintendent of mails, $3,100; assistant superintendent of mails, $2,600; foremen, $2,500. Receipts $400,000, but less than $500,000—assistant postmaster, $3,200; superintendent of mails, $3,200; assistant superintendent of mails, $2,600; foremen, $2,500. Receipts $500,000, but less than $600,000—assistant postmaster, $3,500; superintendent of mails, $3,300; assistant superintendent of mails, $2,600; foremen, $2,500; postal cashier, $2,900; money-order cashier, $2,600. Receipts $600,000, but less than $1,000,000—assistant postmaster, $3,700; superintendent of mails, $3,500; assistant superintendent of mails, $2,800; foremen, $2,500; postal cashier, $3,100; money-order cashier, $2,800. Receipts $1,000,000, but less than $2,000,000—assistant postmaster, $3,900; superintendent of mails, $3,700; assistant superintendents of mails, $2,700, $2,800, and $3,100; foremen, $2,500 and $2,600; postal cashier, $3,300; assistant cashiers, $2,600; money-order cashier, $3,000; bookkeepers, $2,400; station examiners, $2,400. Receipts $2,000,000, but less than $5,000,000—assistant postmaster, $4,000; superintendent of mails, $3,800; assistant superintendents of mails, $2,700, $2,800, $3,000, and $3,300; foremen, $2,500 and $2,600; postal cashier, $3,400; assistant cashiers, $2,600 and $2,900; money-order cashier, $3,100; bookkeepers, $2,400 and $2,500; station examiners, $2,600. Receipts $3,000,000, but less than $5,000,000—assistant postmaster, $4,100; superintendent of mails, $3,900; assistant superintendents of mails, $2,700, $2,800, $3,100, and $3,500; foremen, $2,500 and $2,600; postal cashier, $3,600; assistant cashiers, $2,600, $2,800, and $3,100; money-order cashier, $3,300; bookkeepers, $2,400 and $2,500; station examiners, $2,600 and $2,800. Receipts $5,000,000, but less than $7,000,000—assistant postmaster, $4,300; superintendent of mails, $4,100; assistant superintendents of mails, $2,700, $2,800, $3,100, $3,300, and $3,700; foremen, $2,500 and $2,600; postal cashier, $3,800; assistant cashiers, $2,600, $2,900, and $3,100; money-order cashier, $3,500; bookkeepers, $2,400, $2,500, and $2,600; station examiners, $2,600 and $2,800. Receipts $7,000,000, but less than $9,000,000—assistant postmaster, $4,600; superintendent of mails, $4,300; assistant superintendents of mails, $2,700, $2,800, $3,100, $3,500, and $3,900; foremen, $2,500 and $2,600; postal cashier, $4,000; assistant cashiers, $2,600, $2,800, $3,100, and $3,400; money-order cashier, $3,600; bookkeepers, $2,400, $2,500, and $2,600; station examiners, $2,600 and $2,800. Receipts $9,000,000, but less than $20,000,000—assistant postmasters, $4,700 and $4,800; superintendent of mails, $4,500; assistant superintendents of mails, $2,800, $2,900, $3,100, $3,500 $3,700, and $4,100; foremen, $2,500, $2,600, and $2,700; postal cashier, $4,100; assistant cashiers, $2,600, $2,800, $3,200, and $3,600; money-order cashier, $3,700; bookkeepers, $2,400, $2,500, $2,600, and $2,800; station examiners, $2,600 and $2,800. Receipts $20,000,000 and upward—assistant postmasters, $4,800 and $4,900; superintendent of mails, $4,700; assistant superintendents of mails, $2,800, $2,900, $3,100, $3,500, $3,900, and $4,100; superintendent of delivery, $4,700; assistant superintendents of delivery, $2,800, $2,900, $3,100, $3,500, $3,900, and $4,100; foremen, $2,500, $2,600, and $2,700; superintendent of registry, $4,300; assistant superintendents of registry, $2,800, $2,900, $3,100, $3,500, and $4,100; superintendent of money order, $4,300; assistant superintendent of money order, $4,100; auditor, $4,000; postal cashier, $4,300; assistant cashiers, $2,600, $2,800, $3,100, $3,300, and $3,800; money-order cashier, $3,900; bookkeepers, $2,400, $2,600, $2,800, and $3,300; station examiners, $2,600, $2,800, and $3,000.

The salary of superintendents of classified stations shall be based on the number of employees assigned thereto and the annual postal receipts. No allowance shall be made for sales of stamps to patrons residing outside of the territory of the stations. At classified stations each $25,000 of postal receipts shall be considered equal to one additional employee.

At classified stations the salary of the superintendent shall be as follows: 1 and not exceeding 5 employees, $2,400; 6 and not exceeding 18 employees, $2,500; 19 and not exceeding 32 employees, $2,600; 33 and not exceeding 44 employees, $2,700; 45 and not exceeding 64 employees, $2,800; 65 and not exceeding 90 employees, $2,900; 91 and not exceeding 120 employees, $3,000; 121 and not exceeding 150 employees, $3,100; 151 and not exceeding 350 employees, $3,300; 351 and not exceeding 500 employees, $3,500; 501 or more employees, $3,800.

At classified stations having 45 or more employees there shall be assistant superintendents of stations with salaries as follows: 45 and not exceeding 64 employees, $2,400; 65 and not exceeding 90 employees, $2,500; 91 and not exceeding 120 employees, $2,600; 121 and not exceeding 150 employees, $2,700; 151 and not exceeding 350 employees, $2,900; 351 and not exceeding 500 employees, $3,100; 501 employees and upward, $3,400: *Provided*, That not more than 2 assistant postmasters shall be employed at offices where the receipts are $9,000,000 and upward: *Provided further*, That at post offices where the receipts are $14,000,000 but less than $20,000,000 there shall be a superintendent of delivery whose salary shall be the same as that provided for the superintendent of mails, and assistant superintendents of delivery at the salaries provided for assistant superintendents of mails: *Provided further*, That in fixing the salaries of the postmaster and supervisory employees in the post office at Washington, D. C., the Postmaster General may, in his discretion, add not to exceed 75 per

cent to the gross receipts of that office: *Provided further*, That not more than one assistant superintendent of mails, one assistant superintendent of delivery, one assistant superintendent of registry, and one assistant cashier shall be paid the maximum salary provided for these positions, except where receipts are $9,000,000 and less than $14,000,000, to which offices two assistant superintendents of mails shall be assigned at the maximum salary, one to be in charge of city delivery: *And provided further*, That State depositories for surplus postal funds and central accounting offices, where the gross receipts are less than $500,000, and no postal cashier is provided, the employee in charge of such records and adjustments of the accounts shall be allowed an increase of $200 per annum; if receipts are $500,000 and less than $5,000,000, the postal cashier shall be allowed an increase of $200 per annum: *And provided further*, That at all central accounting offices where the bookkeeper in charge performs the duties of auditor, he shall be designated chief bookkeeper, at a salary equal to that of the assistant cashier of the highest grade at that office: *And provided further*, That when an office advances to a higher grade because of increased gross postal receipts for a calendar year, promotion of all supervisory employees shall be made to the corresponding grade at the higher salary provided for the same titles or designations under the higher classification of the office based on its postal receipts: *And provided further*, That no employee in the supervisory grades shall receive a salary less than $100 more than that paid to the highest grade of clerk or special clerk: *Provided further*, That in the readjustment of salaries of all employees above the highest grade for special clerks those at present designated by titles for which more than one grade of salary is provided shall be placed in the same relative grade and designation and receive the increased salary provided in this act.

SEC. 4. That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into five grades as follows: First grade—salary, $1,700; second grade—salary, $1,800; third grade—salary, $1,900; fourth grade—salary, $2,000; fifth grade—salary, $2,100: *Provided*, That in the readjustment of grades for clerks at first and second class post offices and letter carriers in the City Delivery Service to conform to the grades herein provided, grade 1 shall include present grade 1, grade 2 shall include present grade 2, grade 3 shall include present grade 3, grade 4 shall include present grade 4, and grade 5 shall include present grade 5: *Provided further*, That hereafter substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of one year for each 306 days of eight hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1: *And provided further*, That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade. All promotions shall be made at the beginning of the quarter following one year's satisfactory service in the grade: *And provided further*, That there shall be two grades of special clerks as follows: First grade—salary, $2,200; second grade—salary, $2,300: *Provided*, That in the adjustment of grades for special clerks to conform to the grades herein provided special clerk grade 1 shall include present grade 1, and special grade 2 shall include present grade 2: *Provided further*, That in all special clerk promotions the senior competent employee shall have preference: *Provided further*, That printers, mechanics, and skilled laborers, employees of the United States Stamped Envelope Agency at Dayton, Ohio, shall for the purpose of promotion and compensation be deemed a part of the clerical force.

That the pay of substitute, temporary, or auxiliary clerks at first and second class post offices and substitute letter carriers in the City Delivery Service shall be at the rate of 65 cents per hour: *Provided*, That marine carriers assigned to the Detroit River Marine Service shall be paid annual salary of $300 in excess of the highest salary paid carriers in the City Delivery Service: *Provided further*, That hereafter special clerks, clerks, and laborers in first and second class post offices and carriers in the City Delivery Service shall be required to work not more than 8 hours a day: *Provided further*, That the 8 hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duty of the employees shall be regulated accordingly: *Provided further*, That in cases of emergency, or if the needs of the service require, special clerks, clerks, and laborers in first and second class post offices and carriers in the City Delivery Service can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. That whenever practicable, in case of emergency or otherwise, a substitute is available the postmaster is prohibited from employing a regular clerk, special clerk, or letter carrier overtime: *And provided further*, That in computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by 306, the number of working days in the year less all Sundays and legal holidays enumerated in the act of July 28, 1916; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime service: *And provided further*, That when the needs of the service require the employment on Sundays and holidays of foremen, special clerks, clerks, carriers, watchmen, messengers, or laborers, at first and second class post offices, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last two Sundays in the calendar year, and on one day within 30 days next succeeding the holiday and the last two Sundays in the year on which service is performed: *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last two Sundays in the calendar year or on Christmas Day in lieu of compensatory time.

SEC. 5. That messengers, watchmen, and laborers in first and second class post offices shall be divided into two grades, as follows: First grade, salary $1,500; second grade, salary $1,600: *Provided*, That watchmen, messengers, and laborers shall be promoted to the second grade after one year's satisfactory service in grade 1: *Provided further*, That the pay of substitute watchmen, messengers, and laborers shall be at the rate of 55 cents per hour.

SEC. 6. That employees in the motor-vehicle service shall be classified as follows: Superintendents, $2,400, $2,600, $2,800, $3,000, $3,400, $3,600, $3,800, $4,000, and $5,000 per annum; assistant superintendents, $2,500, $2,600, and $2,800 per annum; chiefs of records, $2,200, $2,300, $2,400, $2,500, $2,600, $2,800, and $3,000; chiefs of supplies, $2,200, $2,300, and $2,400; chief dispatchers, $2,300 and $2,500; route supervisors, $2,400, $2,500, and $2,600; dispatchers, $2,100, $2,200, and $2,300; chief mechanics, $2,400, $2,500, $2,600, $2,800, and $3,000; mechanics in charge, $2,200, $2,300, and $2,400; and special mechanics, $2,100, $2,200, and $2,300: *Provided*, That assistant superintendents shall not be authorized at offices where the salary of the superintendent is less than $3,000 per annum.

That general mechanics employed in the motor-vehicle service shall be divided into three grades: First grade, salary $1,900; second grade, salary $2,000; third grade, salary $2,100; and clerks employed in the motor-vehicle service shall be divided into five grades as follows: First grade, salary $1,700; second grade, salary $1,800; third grade, salary $1,900; fourth grade, salary $2,000; fifth grade, salary $2,100: *Provided*, That in the readjustment of grades for clerks in the motor-vehicle service to conform to the grades above provided, grade 1 shall include present grade 1, grade 2 shall include present grade 2, grade 3 shall include present grade 3, grade 4 shall include present grade 4, and grade 5 shall include present grade 5: *Provided*, That general mechanics employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the third grade, and clerks employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade, at the respective offices where employed, and promotion shall be made at the beginning of the quarter following one year's satisfactory service in the grade: *Provided further*, That at first-class post offices there shall be two grades of special clerks in the motor-vehicle service—grade 1, salary $2,200; grade 2, salary $2,300: *Provided further*, That in the readjustment of grades for special clerks to conform to the grades herein provided, special clerk, grade 1, shall include present special clerk grade 1, and special clerk, grade 2, shall include present special clerk grade 2.

Mechanics' helpers employed in the motor-vehicle service shall receive a salary of $1,600 per annum: *Provided*, That on satisfactory evidence of their qualifications after one year's service mechanics' helpers shall be promoted to the first grade of general mechanics as vacancies may occur.

That driver-mechanics employed in the motor-vehicle service shall be divided into five grades: First grade, salary $1,600; second grade, salary $1,700; third grade, salary $1,800; fourth grade, salary $1,900; fifth grade, salary $2,000; and garagemen-drivers employed in the motor-vehicle service shall be divided into two grades: First grade, salary $1,550; second grade, salary $1,650: *Provided*, That in the readjustment of salaries provided for in this act all driver-mechanics shall be classified in the respective grades as follows: Those with less than one year's service shall be placed in grade 1; those with more than one year's service and less than two years' service shall be placed in grade 2; those with more than two years' service and less than three years' service shall be placed in grade 3; those with more than three years' service and less than four years' service shall be placed in grade 4; those with more than four years' service shall be placed in grade 5: *Provided further*, That driver-mechanics employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade at the respective offices where employed: *Provided further*, That garagemen-drivers in the motor-vehicle service shall be promoted after one year's satisfactory service in the first grade to the second grade at the respective offices where employed, and promotions of driver-mechanics and garagemen-drivers shall be made at the beginning of the quarter following one year's satisfactory service in the grade.

That the pay of substitute, temporary, or auxiliary employees in the motor-vehicle service shall be as follows: Special mechanics at the rate of 75 cents per hour; general mechanics at the rate of 70 cents per hour; clerks and driver-mechanics at the rate of 65 cents per hour; and garagemen-drivers at the rate of 55 cents per hour.

That special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service shall be required to work not more than 8 hours a day: *Provided*, That the 8 hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duties of the employees shall be regulated accordingly: *Provided further*, That in cases of emergency, or if the needs of the service require, special clerks, clerks, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees: *Provided further*, That in computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by 306, the number of working-days in the year less all Sundays and legal holidays enumerated in the act of July 28, 1916; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime service: *Provided further*, That when the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last two Sundays in the calendar year, and on one day within 30 days next succeeding the holiday and the last two Sundays in the year on which service is performed: *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays.

SEC. 7. That the annual salaries of employees of the Railway Mail Service shall be as follows: Division superintendents, $4,500; assistant division superintendents and assistant superintendents at large, $3,600; assistant superintendent in charge of car construction, $3,300; chief clerks, $3,300; assistant chief clerks, $2,800: *Provided*, That the clerks in charge of sections in the offices of the division superintendents shall be rated as assistant chief clerks at $2,800 salary.

That railway postal clerks shall be divided into two classes, class A and class B, and into six grades with annual salaries as follows: Grade 1, salary $1,900; grade 2, salary $2,000; grade 3, salary $2,150; grade 4, salary $2,300; grade 5, salary $2,450; grade 6, salary, $2,700.

Laborers in the Railway Mail Service shall be divided into two grades with annual salaries as follows: Grade 1, salary $1,500; grade 2, $1,600.

Laborers shall be promoted to grade 2 after one year's satisfactory service in grade 1: *Provided*, That in the readjustment of the service to conform to the grades herein provided for laborers, grade 1 shall include laborers in present grade 1, and grade 2 shall include laborers in present grade 2.

Substitute railway postal clerks shall be paid for services actually performed at the rate of $1,900 per annum, the first year of service to constitute a probationary period, and when appointed regular clerks shall receive credit on the basis of one year of actual service performed as a substitute and be appointed to the grade to which such clerk would have progressed had his original appointment as a substitute been to grade 1. Any fractional part of a year's substitute service will be included with his service as a regular clerk in determining eligibility for promotion to the next higher grade following appointment to a regular position.

All original appointments shall be made to the rank of substitute railway postal clerk, and promotions shall be made successively at the beginning of the quarter following a total satisfactory service of 306 days in the next lower grade.

In the readjustment of the service to conform to the grades herein provided, grade 1 shall include clerks in present grade 1, grade 2 shall include clerks in present grade 2, grade 3 shall include clerks in present grade 3, grade 4 shall include clerks in present grade 4, grade 5 shall include clerks in present grade 5, and grade 6 shall include clerks in present grade 6.

That the act approved February 28, 1919, be amended to read as follows:

"*Provided*, That the act of August 24, 1912 (37 Stat. p. 548), amended by the act approved March 3, 1917, be further amended to read as follows:

"'That hereafter, in addition to the salaries provided by law, the Postmaster General is hereby authorized to make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway post-office cars, while on duty, after eight hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed $3 per day.'"

Substitute railway postal clerks shall be credited with full time while traveling under orders of the department to and from their designated headquarters to take up an assignment, together with actual and necessary travel expenses, not to exceed $3 per day, while on duty away from such headquarters. When a substitute clerk performs service in a railway post office starting from his official headquarters he shall be allowed travel expenses under the law applying to clerks regularly assigned to the run.

Railway post-office lines shall be divided into two classes, class A and class B, and clerks assigned to class A lines shall be promoted successively to grade 4 and clerks in charge to grade 5. Clerks assigned to class B lines shall be promoted successively to grade 5 and clerks in charge to grade 6: *Provided*, That lines in present class A shall be continued in class A, and lines in present class B shall be continued in class B.

Terminal railway post offices shall be divided into two classes, class A and class B; those having less than 20 employees shall be assigned to class A, and those having 20 or more employees shall be assigned to class B. Clerks in class A terminals shall be promoted successively to grade 4, and clerks in charge of tours to grade 5. Clerks in class B terminals shall be promoted successively to grade 5, and clerks in charge of tours to grade 6.

Transfer offices shall be divided into two classes, class A and class B; those having less than five employees shall be assigned to class A and those having five or more employees to class B. Clerks in class A shall be promoted successively to grade 4, and clerks in charge of tours to grade 5. Clerks in class B shall be promoted successively to grade 5, and clerks in charge of tours to grade 6.

Clerks assigned to the office of division superintendent or chief clerk shall be promoted successively to grade 4, and in the office of division superintendent 4 clerks shall be promoted to grade 5 and 8 clerks to grade 6, and in the office of chief clerk 1 clerk shall be promoted to grade 5 and 2 clerks to grade 6.

Examiners shall be promoted successively to grade 6 and assistant examiners to grade 5 whether assigned to the office of division superintendent or chief clerk: *Provided*, That service of clerks shall be based on an average of not exceeding eight hours daily for 306 days per annum, including proper allowance for all service required on lay-off periods. Clerks required to perform service in excess of eight hours daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time at their option for such overtime. Railway postal clerks assigned to terminal railway post offices and transfer offices and laborers in the Railway Mail Service shall be required to work not more than eight hours a day, and that the eight hours of service shall not extend over a longer period than 10 consecutive hours, and that in cases of emergency, or if the needs of the service require, they may be required to work in excess of eight hours a day, and for such additional service they shall be paid in proportion to their salaries as fixed by law.

That clerks assigned to road duty shall be credited with full time for delay to trains equal to the period of time between the scheduled arrival and actual arrival of the train at destination of run.

That section 3 of the act approved June 19, 1922 (41 Stat. p. 660), providing for leaves of absence of employees in the Postal Service, be amended by adding the following proviso: "*Provided*, That hereafter not exceeding 5 days of the 15 days' annual leave with pay, exclusive of Sundays and holidays, granted to railway postal clerks assigned to road duty each fiscal year may be carried over to the succeeding fiscal year."

RURAL MAIL DELIVERY SERVICE

SEC. 8. That the salary of carriers in the Rural Mail Delivery Service for serving a rural route of 24 miles, 6 days in the week, shall be $1,800; on routes 22 miles and less than 24 miles, $1,728; on routes 20 miles and less than 22 miles, $1,620; on routes 18 miles and less than 20 miles, $1,440; on routes 16 miles and less than 18 miles, $1,260; on routes 14 miles and less than 16 miles, $1,080; on routes 12 miles and less than 14 miles, $1,008; on routes 10 miles and less than 12 miles, $936; on routes 8 miles and less than 10 miles, $864; on routes 6 miles and less than 8 miles, $792; on routes 4 miles and less than 6 miles, $720. Each rural carrier assigned to a route on which daily service is performed shall receive $30 per mile per annum for each mile said route is in excess of 24 miles or major fraction thereof, based on actual mileage, and each rural carrier assigned to a route on which triweekly service is performed shall receive $15 per mile for each mile said route is in excess of 24 miles or major fraction thereof, based on actual mileage.

Deductions for failure to perform service on a standard rural delivery route for 24 miles and less shall not exceed the rate of pay per mile for service for 24 miles and less; and deductions for failure to perform service on mileage in excess of 24 miles shall not exceed the rate of compensation allowed for such excess mileage.

In addition to the salary herein provided, each carrier in Rural Mail Delivery Service shall be paid for equipment maintenance a sum equal to 4 cents per mile per day for each mile or major fraction of a mile scheduled. Payments for equipment maintenance as provided herein shall be at the same periods and in the same manner as payments for regular compensation to rural carriers.

A rural carrier serving one triweekly route shall be paid a salary and equipment allowance on the basis of a route one-half the length of the route served by him. A rural carrier serving two triweekly routes shall be paid a salary and equipment allowance on the basis of a route one-half of the combined length of the two routes.

SEC. 9. That the salary of requisition fillers and packers in the division of equipment and supplies shall be as follows: One foreman, $2,100 per annum; 10 requisition fillers and 9 packers, at $1,800 each per annum.

SEC. 10. That the pay of carriers in the village delivery service, under such rules and regulations as the Postmaster General may prescribe, shall be from $1,200 to $1,400 per annum. The pay of substitute letter carriers in the village delivery service shall be at the rate of 50 cents per hour.

SEC. 11. Employees in the Postal Service shall be granted 15 days' leave of absence with pay, exclusive of Sundays and holidays, each fiscal year, and sick leave with pay at the rate of 10 days a year, exclusive of Sundays and holidays, to be cumulative, but no sick leave with pay in excess of 30 days shall be granted during any one fiscal year. Sick leave shall be granted only upon satisfactory evidence of illness, and if more than two days the application therefor shall be accompanied by a physician's certificate.

The 15 days' leave shall be credited at the rate of 1¼ days for each month of actual service.

Whenever an employee herein provided for shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year.

Whenever the promotion of an employee herein provided for is withheld because of unsatisfactory service, such employee may be promoted at the beginning of the second quarter thereafter, or of any subsequent quarter, on evidence that his record has been satisfactory during the intervening period.

Hereafter when the needs of the service require the employment on Sundays or holidays of laborers or railway postal clerks at terminal railway post offices and transfer offices, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last two Sundays in the calendar year, and on one day within 30 days next succeeding the holiday and the last two Sundays in the year on which service is performed: *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last two Sundays in the calendar year or on Christmas Day in lieu of compensatory time.

All employees herein provided for in automatic grades who have not reached the maximum grades to which they are entitled to progress automatically shall be promoted at the beginning of the quarter following the completion of one year's satisfactory service since their last promotion, regardless of any increases in salaries granted them by the provisions of this act.

The Postmaster General may, when the interest of the service requires, transfer any clerk to the position of carrier or any carrier to the position of clerk and interchange the clerical force between the post office and the motor-vehicle service. Such transfer or interchange to be made to the corresponding grade and salary of the clerk or carrier transferred or interchanged.

Hereafter 50 minutes night work performed by assistant superintendents and foremen assigned to night tours of duty, also special clerks, clerks and laborers in first and second class post offices, carriers in the City Delivery Service, railway postal clerks, substitute railway postal clerks and laborers in the Railway Mail Service, and employees of the motor-vehicle service shall be computed as one hour of service: *Provided further*, That night work shall be defined as any work done between the hours of 6 o'clock post meridian and 6 o'clock antemeridian.

Substitute clerks in first and second class post offices and the Railway Mail Service and substitute letter carriers in the City Delivery Service when appointed regular clerks, railway postal clerks, or carriers shall have credit for actual time served on a basis of one year for each 306 days of 8 hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1.

Postal employees and substitute postal employees who served in the military, marine, or naval service of the United States during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military, marine, or naval service on the basis of one day's credit of 8 hours in the Postal Service for each day served in the military, marine, or naval service, and be promoted to the grade to which such postal employee or substitute postal employee would have progressed had his original appointment as substitute been to grade 1.

No employee in the Postal Service shall be reduced in rank or salary as the result of the provisions of this act.

SEC. 12. That the sums appropriated for salaries and compensation of postmasters and employees of the Postal Service in the act making appropriations for the fiscal year ending June 30, 1925, approved April 4, 1924, shall be available for the payment of salaries and compensation of postmasters and postal employees at the rates of pay herein provided; and such additional sums as may be necessary are hereby authorized to be appropriated to carry out the provisions of this act.

SEC. 13. All acts and parts of acts inconsistent or in conflict with this act are hereby amended or repealed.

The SPEAKER pro tempore (Mr. LEHLBACH). Is a second demanded?

Mr. RAMSEYER. Mr. Speaker, I demand a second.

Mr. SANDERS of Indiana. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that a second be considered as ordered. Without objection, it is so ordered.

There was no objection.

Mr. GRIEST. Mr. Speaker, the amendment that has just been read is merely a substitution of the House bill for the Senate bill. The basic provision of our bill is an increase in the salary of clerks and carriers in first and second class offices of $300 per year. The original bills on which the hearings were held asked for an increase of $600. The Post Office Department recommended an increase of $200 in the larger post offices of the country and $100 in the smaller. The committee bill, as I have stated, fixes the increase at $300. Proportionate increases have been made throughout the bill covering all or nearly all of the Post Office Department and the employees thereof.

We believe the bill to be fair, equitable, as economical as it should be, and worthy of enactment into law.

Mr. NEWTON of Missouri. Will the gentleman yield? I have had a great many complaints from post-office laborers to the effect that their increase is only $100, while clerks and other employees get a raise of $300. They contend that is not fair, and I would like to have the gentleman explain that.

Mr. GRIEST. I have only two minutes and can not yield, but I think some of the other gentlemen who are to follow me will explain the matter the gentleman refers to.

I ask unanimous consent, Mr. Speaker, that all Members be permitted to extend their remarks in the RECORD on this bill during five legislative days.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that all Members of the House be permitted to extend their remarks for the next five legislative days. Is there objection? [After a pause.] The Chair hears none.

Mr. BARKLEY. Will the gentleman yield for one question? As I understand it, the House bill makes no provision for the Borah amendment or anything to take its place with reference to publication of campaign expenses.

Mr. GRIEST. No; if this bill is now adopted as amended, that will go into conference.

Mr. BARKLEY. If you are passing the House bill and the Senate has passed the Senate bill, how can it go to conference?

Mr. GRIEST. We are passing the Senate bill as amended by the House bill.

Mr. BARKLEY. Oh, yes.

Mr. GRIEST. I yield to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Speaker, the question of an upward revision of salaries for postal employees concerns every individual of 110,000,000 Americans. There is not a business in the land but is vitally interested in the Postal Service and its performance. No other governmental agency touches every family every day. It follows that the American people know and understand the United States Postal Service, its duties, its accomplishments, and its personnel better than any other activity of the Government.

From the beginning of this effort to secure an increase in postal pay down to this good hour not a single responsible voice has been heard to question the justice of added compensation for these servants of America.

No more amazing proof of the righteousness of this action could be cited. "There are two sides to every question," says the old proverb, but there is only one side to the question of recognizing the right of postal employees to an increased wage. It is the only proposed congressional action in my experience

in Congress which has not called forth some opposition from some source on the merits of the principle involved.

You Members of this Sixty-eighth Congress represent the American people in districts which vary widely as to climate, resources, and industries, but all alike served by this universal agency of communication.

There is not one Member here who will declare that the postal employees are now receiving adequate pay and are not entitled to any increase.

Mr. Speaker, there is no other legislative proposal pending in this Congress which can meet this challenge. It is the superacid test as to the uniform approval everywhere and by everyone registered in favor of a postal increase.

For seven days the committees held hearings on postal increase bills. Three hundred and more witnesses were heard, and not one declared that an increase is unwarranted. On the contrary, representatives of the Post Office Department vied with officers of the postal organizations and Members of Congress in avowing their belief in the need and the justice of increased compensation. I venture the assertion that no previous hearings by any committee in congressional history has witnessed such unanimity of feeling on pay policy in a department of the Government.

Let us go still further in seeking opposition to this increase proposal. The press in February quoted President Coolidge as opposed to increasing postal salaries.

On March 1, 1924, this statement was given out at the White House:

> The President believes the postal pay increase bill is based on justice and considers it a measure he would like to approve on the ground that workers generally should receive greater compensation.

The President raised the question of the finance involved, but on the fundamental principle of the justice of increased pay he took his place at the head of its supporters.

What of the Post Office Department? In his communication of February 29 to the joint committee the Postmaster General said:

> I have always favored adequate and just salaries for Government employees, and since taking charge as the head of the Post Office Department I have been impressed with the important services performed by officers and employees both in the department and in the field service and have been strengthened in my desire that adequate compensation in all cases should be paid.

Before the joint subcommittee the Postmaster General made this personal statement:

> The department is not now opposed to an upward revision in some of the salaries in the Post Office Department. I think that in some cases there should be such a revision. I think a case is made for it.

Later in the colloquy the Postmaster General said:

> I want to make myself perfectly clear and say the department is not opposed to any increase.

While the head of the Post Office Department declared that there should be delay to determine the findings of the cost ascertainment commission, he did send to the committee with his official approval a bill increasing postal salaries to the amount of $43,000,000 a year and urged its enactment.

On the vital issue as to the need and justice of increased pay the Post Office Department also takes its place in the ranks of the supporters.

Let us go still further. Increased pay for postal employees has already been passed by the Senate. Seventy-three Senators voted in favor of the measure and three against it. Did the three Senators who cast the opposing votes question the justice of increased pay for postal employees?

During the debate in the Senate Senator BORAH said:

> I have not any doubt that all the salaries ought in some respects and in some instances to be increased, of the carriers in particular.

Senator WILLIS said:

> I went before the joint committee and made a statement in favor of an increase in postal salaries. * * * I am just as much interested in the proper increase of postal salaries as is any other Member of this body.

Senator FESS said:

> We are proposing in the case of what it is hoped may be a self-supporting agency of the Government, without reference to whether that self-support shall be provided, to go into the Treasury for subsidy. * * * For that reason I can not give my support to this proposed legislation until I know that the means by which we can pay are forthcoming.

These three votes were cast, not against the right and justice of the claims of the postal employees for increased compensation, but on grounds which must be admitted by all to be irrelevant to the main issue, which is, Shall faithful, efficient workers, performing an essential governmental service, receive a fair scale of compensation?

Let us proceed with our searchlight in an effort to discover opposition to increased pay for postal workers.

The House Post Office and Post Roads Committee has 21 members. Twenty of them enthusiastically report H. R. 9035, with the recommendaton that it do pass. A large number of its membership earnestly desired to go still further than either bill.

One member, Mr. RAMSEYER, of Iowa, dissented and filed a minority report against the bill.

But Mr. RAMSEYER loses no time in his minority report in refusing to take a stand in opposition to increased pay. His opening statement is—

> No claim will be made in this minority report that postal employees are not entitled to or do not deserve more pay than they are now receiving.

Assuredly we must look further than this report to find opposition to the justice of a postal pay increase.

Rumors of an increase in postage rates have resulted in widespread protests from interested parties. I have received hundreds of them, but in not one instance have these messages attacked the proposal to grant increased compensation to postal workers. Most of these form letters have a specific disclaimer of any such intention.

The Direct Mail Advertising Association, of Detroit, Mich., circularized advertising firms recommending protests to Congress against increased postage rates.

But in its circular this organization states:

> The board of governors is convinced that postal employees in many parts of the country are underpaid. We believe that adjustments should be made in the scale of compensation of postal employees without undue delay.

Mr. Speaker, the search is in vain. There are no responsible officials, or business organizations, or patrons of the Postal Service, who in view of the existing facts are willing to stand in opposition to an increase in the pay of postal workers. This Congress may be certain for once that it correctly interprets the will of the sovereign citizenship when it enacts this increase into law.

SCOPE OF THE BILL

Mr. Speaker, this measure is the culmination of six months' earnest efforts to secure action by this Congress upon the just claims of the postal workers of the United States. It does not embody all the things I desired and which these faithful employees richly deserve, but as far as it goes it is a splendid step in advance, and those of us who contended for further benefits will learn to use our disappointments and to fight another day.

This measure when enacted into law and put into force on July 1, 1924, will find 31,533 letter carriers receiving $1,800 a year and will increase their yearly pay to $2,100.

It will increase 2,202 letter carriers from $1,700 to $2,000.
It will increase 3,346 letter carriers from $1,600 to $1,900.
It will increase 2,134 letter carriers from $1,500 to $1,800.
It will increase 4,494 letter carriers from $1,400 to $1,700.
It will increase 6 special letter carriers from $2,100 to $2,400.

CLERICAL SERVICE

This measure will find 27,030 postal clerks drawing $1,800 a year and it will promote them to $2,100.

It will increase 3,253 postal clerks from $1,700 to $2,000.
It will increase 6,075 postal clerks from $1,600 to $1,900.
It will increase 6,014 postal clerks from $1,500 to $1,800.
It will increase 7,187 postal clerks from $1,400 to $1,700.
It will increase 1,516 special clerks from $1,900 to $2,200.
It will increase 6,477 special clerks from $2,000 to $2,300.

INSPECTION SERVICE

This measure will find 35 post-office inspectors receiving $2,300 and $2,700 a year and will increase their yearly pay to $2,800.

It will find 485 inspectors drawing pay from $2,700 to $3,000 and it will increase each one $300 a year.

It will increase the pay of 15 inspectors in charge from $4,200 to $4,500.

It will increase the pay of 100 clerks at division headquarters from a range of $1,800 to $2,300 to a range of $1,900 to $2,600.

It will increase 15 chief clerks at division headquarters from $2,600 to $3,000.

SUPERVISORY FORCE

This measure, when it goes into force on July 1, will find 4,812 supervisory officials drawing salaries from $2,100 to $4,400 and it will increase their pay to a range from $2,460 to $4,700.

ASSISTANT POSTMASTERS

Upon enactment, this measure will find 2,719 assistant postmasters in first and second class offices drawing salaries from $1,800 to $4,600, and it will increase them to a range from $2,200 to $4,900.

It will provide three additional assistant postmasters at New York, Chicago, and Boston at salaries of $4,800 a year.

RURAL DELIVERY SERVICE

Upon enactment, this measure will find 44,546 rural carriers covering 1,194,314 miles each day, using their own vehicles and equipment without any allowance. It will provide 4 cents for each mile covered per day as an equipment allowance.

VILLAGE DELIVERY SERVICE

Upon enactment, this measure will find 1,174 village carriers drawing pay $1,000 to $1,200 and will give them an increase to $1,200 and $1,400.

WATCHMEN, MESSENGERS, AND LABORERS

This measure when it goes into force will find 3,908 watchmen, messengers, and laborers drawing compensation from $1,350 to $1,450 per annum, and will increase their pay to $1,500 and $1,600.

MOTOR-VEHICLE SERVICE

This measure when it goes into force will find 3,608 motor-vehicle employees paid from a lump-sum appropriation. It will classify the service throughout, with a general increase of $300 a year and a range from $1,600 to $5,000 per annum.

RAILWAY MAIL SERVICE

This measure upon enactment will find 15 division superintendents drawing $4,200 a year, and will increase them to $4,500.

It will increase 17 assistant superintendents from $3,000 and $3,100 and $3,200 to $3,300 and $3,900.

It will increase 122 chief clerks from $3,000 to $3,300.

It will increase 121 assistant chief clerks from $2,500 to $2,800.

It will increase 19,165 railway mail clerks $300 a year from a schedule ranging from $1,600 to $2,300 to one of $1,900 to $2,700.

SECOND-CLASS POSTMASTERS

This measure when enacted will find 691 second-class postmasters drawing the salary of $2,300 a year, and it will increase them to $2,400.

THIRD-CLASS POSTMASTERS

This measure will find 10,930 third-class postmasters drawing salaries from $1,000 to $2,300, and it will increase each one by $100, making a range from $1,100 to $2,400.

FOURTH-CLASS POSTMASTERS

This measure will find 36,877 fourth-class postmasters drawing compensation based on cancellation of stamps—145 per cent on the first $75 or less per quarter, 70 per cent on the next $100, and 60 per cent on the balance. It will increase these percentages to 160 per cent, 85 per cent, and 75 per cent, respectively. The increase will amount to about 12½ per cent of the present compensation.

Ninety per cent of all these employees have been receiving a salary of $2,000 a year and less. Through this measure substantial benefits are brought to the great army of postal workers, who have been forced to meet unmerited difficulties in making the salaries they received pay the necessary living expense for themselves and families.

PAID COUNTERFEIT WAGES

Mr. Speaker, these faithful employees of the greatest business organization in the world have pledged the best that is in them to the service of the people and the Government. They have carried out that pledge by giving better service than can be commanded by any private enterprise in the world.

For 10 years they have been paid "counterfeit" wages. Edward F. Filene, one of America's greatest employers of wage earners, says:

"Counterfeit" wages are any wages, however large in dollars, that will not buy the necessities of life and enough luxuries to make working for necessities a desirable thing and also to enable the recipient to make modest but adequate provision for sickness and old age.

The House Committee on the Post Office and Post Roads, after six months' study and intensive investigation, knows well that since 1914 the average postal worker has never received real wages equal to the compensation paid that year. While the cost of living has skyrocketed during war chaos and after the war conditions, his pay has lagged tragically behind.

To secure the exact facts the joint subcommittee of the House and Senate Post Office Committees made a comprehensive inquiry into conditions of the Postal Service. Representatives of every branch of the service appeared and gave testimony. Two large volumes were required to contain the statements of those who described the state of mind of employees from every part of the country.

The facts made a pitiful record of privation and debt and discouragement. They expose a sordid governmental economy which for years held these servants of the American public from a living wage. They show that new men refuse to enter the service for permanent employment, many of them leaving after a few days without notice.

But Mr. Chairman, through that entire pitiful, sordid record runs a golden thread of patient loyalty to the Postal Service and the Government of the United States by the experienced and faithful workers who have molded this great service into the mightiest agency for advancement this Nation has ever seen.

The whole inquiry by the Post Office Committee has been an inspiring proof of the devotion and loyalty of postal employees. They have had firm faith that conditions would be remedied once they were understood. They have labored with marvelous fidelity and efficiency, carrying on the work which must be done for the Nation's sake. However trying the conditions and inadequate the pay, these employees looked on their work from the standpoint of good citizenship. More than half of the present personnel of the Postal Service have served since 1912. They have made the present service possible.

The prophet of ill omen in America can secure no pessimistic proof of our downfall from the heartening record of postal workers during the past 12 troublous years.

Those of us who have been working intensively on the problem of postal pay since this Congress met know the conditions of the Postal Service. We know that the man who enters it chooses an occupation which is pursued largely for others and not merely for himself. We know that it is a vocation in which the amount of financial return is not the accepted measure of success.

But we know, too, that postal employees are working to-day on pay so low in most cases that it constitutes an impeachment of the justice of the Government as an employer.

We have created a great army of service and set the soldiers to specialized tasks which can be duplicated nowhere else in American industry. After giving years and energy and life to the Postal Service a man is equipped for no other work. In other businesses experience is an asset which means preferment in higher and better positions elsewhere. The postal worker is confined to one business, the most important in America, but one where the compensation must be fixed by Congress.

At the opening of this session I introduced the measure known as the Kelly bill, H. R. 4123. It provided a maximum for postal clerks and city letter carriers of $2,400 and substantially a $600 yearly increase for employees in all branches of the service.

That measure received immediate and cordial support from the American public. Thousands of organizations—business, fraternal, and social—petitioned Congress to enact it into law. The sentiment was well nigh universal that a wage of $48 a week is just and fair for trained men who devote their lives to the conduct of an essential service.

Just as one illustration of the countless letters and messages which have poured into Congress in support of the measure let me quote President John H. Gregory, of the Central Trust Co. of Rochester, N. Y. His letter follows:

APRIL 10, 1924.

Hon. M. CLYDE KELLY, M. C.,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: I understand that an effort is on foot to secure an upward reclassification of the salaries of the letter carriers, and that a bill known as the Kelly bill has been introduced in Congress which contemplates changing the present rate of salaries which range from $1,400 to $1,800 to a new schedule ranging from $2,000 to $2,400.

Realizing the degree of intelligence which is required of these men, the faint possibility of ever getting any higher, and the cost of living, I think that the proposed schedule is none too high, and the institution which I represent will gladly bear its share of the cost.

I also understand that the Post Office Department is gathering statistics in regard to the salaries paid to bank clerks and clerks in other walks of life, and while it probably will be found that bank clerks in cities of this size receive less, it will also be found that they are much younger men and that there are always goals ahead which are worth striving for, to say nothing of a certain amount of honor connected with employment in a bank.

Referring again to the difference in age a bank clerk has not the responsibilities which come to older men, and can, with little sacrifice change their occupation if they feel they can better themselves, while a man approaching middle age dare not take a chance.

I know that the men connected with our Post Office Department are high grade and reliable, and I sincerely believe that their present remuneration is far too small.

I am writing this letter as an expression of my conscientious opinion in the matter, and not because I have been asked to do so. I think the subject merits the serious consideration and favorable action of our legislators.

Yours very respectfully,

JOHN H. GREGORY, *President.*

No person, official or otherwise, has ever yet produced convincing evidence that the scale of pay provided in my bill is too high. However, the committees in charge of this legislation decided that under all the circumstances it is wisest at this time to grant a general increase of $300 to postal employees. This bill now under consideration carries such an increase through its various provisions.

Mr. Speaker, I do not propose to occupy the time in a discussion of the cost of living in comparison with postal salaries. On other occasions I have dwelt at length on this feature and have proved from Government statistics that the present rate of pay is less than a living wage.

It is enough to say that while maximum postal pay has been increased since 1913 an average of 50 per cent the cost of living since that year has mounted 70.4 per cent. In other words the postal worker who received $1,200 a year in 1913 is to-day receiving real wages of but $1,080. Wage raises are meaningless if the equivalent of a greenback diminishes in ratio to the number received.

Living conditions to-day for most postal employees would be more explicitly expressed under a head note entitled, "The problem of existence."

A peep behind the scenes in some of their modest homes would disclose in a number of them a faithful wife, combining all the duties of cook, housemaid, seamstress, and laundress, whose only reward for her never-ending labors is what she eats.

You will find children who may not fully understand, yet whose countenances indicate that they sense some perplexing situation.

You will find the mother in hundreds of instances is forced to deny herself many actual necessities, and that the postal employee, head of the family, is compelled to deprive himself, in every conceivable way, of things which the majority of his fellow men of "equal mental and moral qualifications" are accustomed to enjoy.

You would also discover that in other instances the wife herself had gone forth to add her earnings to the family purse, and quite frequently a child had been taken from the schoolroom to prevent a financial calamity.

You would frequently find the family housed in two or three rooms and under such conditions as have been declared by the United States Public Health Service to be insanitary.

The fact is that unskilled workers in most industries under private management are receiving a wage in excess of that now being paid to highly skilled and trained postal employees, mechanics, newspaper workers, railroad employees, and others in similar lines are paid more than the maximum of $2,100 a year provided in this bill for clerks and carriers.

Let me only say that this question is largely one concerned with the cost of living in the large cities. Few persons realize the proportion of clerks and carriers who must live in the large municipalities where living costs are at the highest point.

The following is a statement of the receipts and the number of employees at the five largest post offices:

City	Number of clerks	Number of carriers
New York	9,083	3,169
Chicago	6,010	2,557
Philadelphia	1,893	1,447
Boston	2,086	1,584
St. Louis	1,185	806
Total	20,257	9,563

The Post Office Department informs me that on March 1, 1924, in all the cities and towns in the United States of less than 25,000 population there are employed 14,525 clerks and 11,143 city letter carriers.

In the cities of New York and Chicago alone there are more post-office clerks employed than in all the cities and towns in the United States having a population of 25,000 or less.

The city of Chicago alone has more letter carriers than all the towns in the United States of 5,000 population or less.

Seventy-five per cent of all railway mail clerks live in the larger centers of population, while the supervisors, inspectors, and other higher officials practically all serve in the large offices located in the cities.

These facts must be borne in mind by those who have voiced the opinion that the pay of postal employees is on a par with certain professions and occupations in rural communities. We must legislate to meet the needs of the great majority of the postal personnel.

MORE PAY FOR MORE WORK

Mr. Speaker, we have heard a great deal since the war from economists and propagandists as they broadcasted the doctrine that wages must come out of production. How many times have we listened to these economists crying to the wage earners, "Work more to get more."

Beautiful pictures have been painted of the happy condition when employer and employee join hands in a partnership of service to increase production. That is the one sure way for the worker to increase his compensation, and every additional dollar he receives means added benefits to the public as well as himself.

Let us apply this economic doctrine to the Postal Service for the past 10 years. It will give a compelling reason for higher wage scales.

MORE WORK BY LETTER CARRIERS

First, let us measure the productivity of city letter carriers.

The volume of mail handled by carriers in the City Delivery Service has grown at least as rapidly as that which is distributed by the rural and village delivery services. In order to calculate the growth of mail matter handled by city carriers, therefore, is sufficient to calculate the growth of total mail matter.

The growth of the volume of mail can conservatively be estimated from the growth of total postal receipts in money. It is almost certain, in fact, that if the volume of each class of mail were known in tons or number of pieces and these totals were properly combined, the growth of mail matter thus ascertained would actually be larger from 1914 to 1923 than the growth of postal receipts in terms of dollars. This arises from the fact that the net effect of changes in postal regulations has been to cheapen the charges for a given tonnage of mail. First-class rates have not been changed, but the 2-cent rate has been extended to numerous foreign countries. Third-class rates have not been changed. Parcel-post rates have been reduced, and books have been admitted to parcel post from the more expensive third class, and the size limit of parcels has been increased, thus adding to the volume without a proportionate increase in receipts, since the larger parcels are carried at cheaper rates than the small ones. Parcel post makes up about 70 per cent of the postal volume. The changes in second class which arose from the zoning law made little difference in the total, since second-class receipts even now make up not more than 6 per cent of total postal receipts. The increased rates for first class paid by the public during the war did not accrue to the Post Office, since they were war taxes and were paid over to the Treasury. Such tax receipts are excluded from these totals.

The following table shows the total postal receipts from 1914 to 1923. These receipts, and, consequently, postal volume, have grown steadily and were in 1923 larger than in 1914 by at least 85 per cent:

Productivity of letter carriers

Year	Receipts postal revenue (000 omitted)	Index	Letter carriers		Receipts per letter carrier		Letter carriers per post-office number
			Number	Index	Amount	Index	
1914	$287,935	100	32,292	100	$8,916	100	18.4
1915	287,248	99	32,992	102	8,730	98	18.2
1916	312,058	108	34,114	106	9,147	103	18.3
1917	329,726	114	34,592	107	9,532	107	17.8
1918	344,476	120	34,993	108	9,844	110	17.6
1919	364,847	127	35,024	108	10,417	117	17.4
1920	437,150	152	36,124	112	12,101	136	17.3
1921	463,491	161	38,532	119	12,028	135	17.8
1922	484,854	168	39,485	122	12,279	138	17.7
1923	532,828	185	40,134	124	13,276	149	17.6

The above table shows the total number of letter carriers according to Post Office records. These increased steadily since 1914, but much more slowly than volume of mail, being in 1923 but 24 per cent more numerous than in 1914.

It is thus obvious that each carrier handled more mail year by year from 1914 to date. A fairly accurate measure of the increase may be obtained by dividing the total receipts for each year by the number of carriers in that year. The receipts per letter carrier in 1914 were $8,916. By 1923 postal re-

ceipts per letter carrier were $13,276, or 49 per cent larger than in 1914.

Thus the volume of mail handled by the average letter carrier has increased about 50 per cent in the last 10 years. The public has received the benefit in increased service. The carrier has borne the burden in increased work and responsibility. To a slight extent his efficiency has been aided by the introduction of mechanical devices such as the partial motorization of delivery service, but the aid of such devices is small indeed compared with the effect of improved machinery in industry and agriculture. Such aids to the carrier are more than counterbalanced by the increased complexity and responsibility of his work. This increase in productivity is almost wholly an increase in personal efficiency. In part it is also a measure of the abnormal strain which carriers are now suffering due to the undermanning of the service.

CARRIERS PER CITY POST OFFICE

Another light on the increased work and burden of the letter carriers is found in the average number of carriers per post office.

As the population of the Nation grows, concentration in the cities takes place at an accelerating rate. The growth of postal receipts in the large cities is tremendous. It far overbalances the growth of postal business arising from the establishment of new free-delivery post offices in less thickly populated regions. We should, therefore, expect in the normal course of events that the average number of carriers per city post office would increase, just as the average of receipts per post office increases.

The actual figures, however, as shown by the table above, prove that the average number of carriers per city post office has been slowly declining. Whereas in 1914 the average was 18.4 carriers per office, the average is now only 17.6 per office.

This is eloquent testimony to the increased efficiency and the increased working strain of the letter carriers.

It is true that as the productivity of the country has increased the real wage or purchasing power of industrial wage earners has also increased, so that they share at least part of the gains in production and service for which they are in part responsible.

It is a striking contrast with this situation to see that, in spite of the 50 per cent increase in productivity of the average letter carrier, he has actually suffered a decrease in real wages of 14 per cent since 1914. He gives half as much again to the commonwealth and receives back substantially less.

If fifth-grade letter carriers were now receiving the same real wage as in 1914, they would get over $2,100 a year, and if their real wages had been increased as much as those of average factory workers, they would receive $2,619 a year. If their real wages were increased to the level to which they are entitled by their increase in productivity—50 per cent—they would now be receiving over $3,000 per year.

INCREASED OUTPUT OF CLERICAL FORCE

Mr. Speaker, according to the statement of the Postmaster General, the post-office clerical force has increased less than 58 per cent since 1913, while postal revenues, which reflect the business transacted, have increased approximately 100 per cent. Thus the output per unit of the clerical force is greater to-day than a decade ago.

But the figures of the Postmaster General do not tell the whole story. Those postal activities that are largely clerical in their nature have increased in some instances 500 per cent. The registered, insured, and C. O. D. business, for instance, has increased 504 per cent since 1913. The money-order work has likewise increased tremendously in the last 10 years. The postal savings work is altogether a clerical activity which has no reflection in postal receipts and which therefore is frequently overlooked in these computations.

There are activities carried on by the post-office clerical force for the Civil Service Commission and the Treasury Department for which no credit whatever is given the Postal Service. Much of the field work of the Civil Service Commission is conducted by post-office clerks. According to press reports, the Postal Service will again be called upon to perform much of the work in connection with the operations of the recently enacted adjusted compensation law for World War soldiers.

In view of the ever-increasing demands upon the clerical force which are not reflected in postal receipts, it follows that the increased productivity of this group is even greater than the Postmaster General's report indicates. The fact is that the post-office clerical force is doing more work at relatively less cost to the postal patrons than ever before in the history of the service.

In 1913 the revenues of the Postal Service were $266,619,525.65. In 1923 they were $532,827,925.09, an increase of approximately 100 per cent. The Postmaster General, in his last report, says:

> These revenues are largely derived from postage and in a degree, measure the business transacted.

They do not, however, measure the real increase in the work of the postal force, as the volume of mail has increased to a much greater extent than the revenues, owing to the fact that postage rates on parcel post have been steadily decreased. Quoting further the report of the Postmaster General:

> The weights of the mails have probably increased over 500 per cent since 1907, the last general weighing. * * * These facts show a vast increase in the business handled. This has been done with a much less increase in force proportionately. The number of clerks employed in post offices increased during the period 57.89 per cent. * * *

The parcel post brought also a vast amount of increased work, to the clerical force especially, through the insured parcel and C. O. D. business. Insured parcels numbered 2,595,185 in 1913, while in 1923 the number was 140,672,492. The number of claims for indemnity involving domestic insured mail numbered 286,278.

The collect-on-delivery service was extended to users of the parcel post on July 1, 1913. In 1923 the number of C. O. D. parcels was 40,426,825, and claims for indemnity arising out of these numbered 84,740. The total number of registrations, insured parcels, and C. O. D. parcels in 1913 was 44,678,143 as against 269,840,470 in 1923.

The Civil Service Commission has for its field work 4,192 local boards of examiners composed of a membership of 10,756. These are designated from the ranks of civil-service employees in the respective communities and almost invariably are postal clerks. They receive no remuneration from the Civil Service Commission. They are detailed to this work by the Post Office Department.

The handling of war savings stamps and Treasury certificates fell almost entirely to the postal clerks.

Here are the figures showing that postal clerical work requirements have increased proportionately greater than the clerical force.

POSTAL CLERICAL WORK REQUIREMENTS

	1913	1923	Increase
			Per cent
Number of clerks	35,486	57,183	61.1
Revenues	$266,619,525.65	$532,827,925.09	100
Expenditures	262,067,541.33	556,850,966.41	
Surplus	4,510,650.91		
Deficit		24,023,041.32	

REGISTRY BUSINESS

			Per cent
Number of registrations	42,662,968	88,741,153	111
Amount of registry fees	$3,704,830.20	$8,039,562.30	
Insured parcels	2,595,185	140,672,492	
Insured parcels fees	$259,518.50	$7,219,441.57	
C. O. D. parcels		40,426,825	
C. O. D. parcels fees		$4,085,546.95	
Total number of registered, insured, and C. O. D.	44,678,143	269,840,470	504
Total fees for registered, insured and C. O. D.	$3,964,348.70	$19,344,550.82	

MONEY-ORDER BUSINESS

			Per cent
Number of domestic money orders issued	90,656,145	172,404,778	90
Amount of domestic money orders issued	$624,849,096.50	$1,376,460,629.87	
Fees for domestic money orders issued	$5,383,156.76	$11,140,567.00	

POSTAL SAVINGS

			Per cent
Number of postal savings depositors	331,006	417,902	26
Balance to credit of depositors	$33,818,870.00	$131,671,300.00	289

It can be said of the entire force of postal clerks that they are performing 50 per cent more service to-day than a decade ago. If their wages to-day had exactly the same purchasing power as in 1913, and they were rewarded for their additional productivity during that period, their compensation would be $3,000.

This measure provides a maximum of $2,100, which is the very least that could be suggested in view of the facts.

THE PRODUCTIVITY OF RAILWAY MAIL CLERKS

Since 1914, the last pre-war year and the first full fiscal year of parcel-post operation, there has been an increase of 24 per

cent in the volume of mail distributed and redistributed by the Railway Mail Service, exclusive of registered mail, which has also decreased. Over the same period there has been an absolute decrease in the number of road and terminal clerks who do this distribution. This decrease amounts to about 8 per cent. The combined result of fewer clerks distributing more mail shows in an enormous increase in the amount of work done by each clerk, an increase of 35 per cent.

The difficulty of the work done by railway postal clerks has increased as well as the volume. The parcel post has brought a tremendous increase in volume of mail, and the space system of payment of railroads has dictated that space be utilized as fully as possible. Together these factors have caused crowding of cars and restriction of working space, entailing an immensely increased amount of lifting and carrying of mail sacks. No figures available enable an estimate of the increase in muscular and nervous effort required of a clerk now and formerly, but it is obvious that doing more work under harder conditions multiplies the energy taken out of a man by the work. The increase in muscular effort required is perhaps even greater than the increase in pieces of mail handled. It is certainly an understatement to say that each clerk is doing 50 per cent more work now than in 1914.

Mr. Speaker, a study of the facts as to the Postal Service will prove that it has absorbed additional duties and speeded up the machinery of production in a fashion to make the observer marvel. Every branch of the service has cooperated in this great task. I maintain that the majority of all workers are doing 50 per cent more work than in 1913. If the "more pay for more work" slogan is more than a meaningless catchword this devoted efficiency has earned the amount of increase carried in this bill and much more besides.

CLERK HIRE IN THIRD-CLASS OFFICES

Mr. Speaker, no question is ever settled finally until it is settled right. There are certain features of the Senate bill which require remedy by Congress and they are taken care of in the House bill.

First, let me call attention to the question of clerk hire in third-class post offices. There is now no statutory allowance for such clerical assistance, but the grants are made to postmasters out of a lump-sum appropriation. The distribution of lump-sum appropriations require infinite intelligence and department officials have not yet attained that pinnacle of perfection.

The Senate bill continues the old policy without change.

The House bill fixes specific amounts to be granted as clerk hire to third-class postmasters based on the compensation paid the postmasters.

The Post Office Department has recognized the injustice involved in the present system and recommended the provisions carried in the House bill.

Former Postmaster General Work in an address before the postmasters' convention in 1922 covered the situation fully. He said:

STATEMENT OF POSTMASTER GENERAL WORK

There seems to be an impression more or less prevalent among third-class postmasters that the administration of the Post Office Department is deliberately withholding necessary clerk hire from them. This is erroneous. The cause does not lie with the Post Office Department, but rests with Congress in its failure to make sufficient appropriation. The law itself provides that the department may grant fixed allowances for clerk hire to third-class post offices when the salaries of the postmasters have reached certain figures. These allowances would be cheerfully and readily made to the postmasters by the present administration.

The law itself, upon investigation, is also found to be unscientific and unsatisfactory, compelling an unbusinesslike method of alloting clerk hire. If a third-class postmaster needs a clerk—as the law recognizes—he should get a proper allowance when the postal receipts of his office have grown to such proportions and when his business has increased to such an extent as to warrant additional help. Another disadvantage of the present law is the amount allowed. In many instances the sum is too small to employ a competent clerk, and, as a result, the postmaster must take the money given him and, through long-hour service, get out the mails as best he can. To correct this condition, of course, Congress should change the law and provide both a sufficient allowance as well as a generous appropriation to meet the needs of the service. In the meantime third-class postmasters should bear in mind that the Post Office administration must obey the laws of Congress and spend only such money as is appropriated by Congress and use it for each specific purpose stipulated.

Mr. Speaker, it is submitted that the present law granting third-class clerk hire is not only unscientific, but unfair. The act to reclassify postmasters and employees of the Postal Service provided that on and after July 1, 1920, clerk hire in third-class offices shall be allowed on the basis of salary from $1,000 to $2,000, ranging from $450 where the salary is $1,000 to $1,200 where the salary is $2,200. This tabulation will show the allowances:

Salary.	Clerk hire not to exceed—
$1,000	$450
$1,100	450
$1,200	450
$1,300	600
$1,400	600
$1,500	600
$1,600	700
$1,700	700
$1,800	700
$1,900	900
$2,000	900
$2,100	1,200
$2,200	1,200

Here are the amounts for third-class clerk hire carried in the last five appropriation bills, showing that the maximum amounts indicated in the law are meaningless in so far as permitting the department to grant adequate amounts:

Appropriation bill for fiscal year ending—	Clerk hire appropriation, third class	Number of third-class offices	Date
June 30—			
1920	$3,300,000	7,621	July 1, 1919
1921	3,700,000	8,221	July 1, 1920
1922	4,500,000	10,480	July 1, 1921
1923	4,000,000	10,407	July 1, 1922
1924	4,250,000	10,437	July 1, 1923

For the fiscal year ending June 30, 1920, $3,300,000 was appropriated for 7,621 third-class officers as of July 1, 1919, an average allowance of $433.

For the fiscal year ending June 30, 1921, $3,700,000 was appropriated for 8,221 third-class officers as of July 1, 1920, an average of $450.

For the fiscal year ending June 30, 1922, $4,500,000 was appropriated for 10,480 third-class officers as of July 1, 1921, an average of $429 plus.

For the fiscal year ending June 30, 1923, $4,000,000 was appropriated for 10,407 third-class officers as of July 1, 1922, an average of $384 plus.

For the fiscal year ending June 30, 1924, $4,250,000 was appropriated for 10,437 third-class officers as of July 1, 1923, an average of $407 plus.

But advancements since July 1, 1923, have increased the number of third-class officers. On January 1, 1924, there were 10,929; clerk hire for which is to be provided by the current $4,250,000 appropriation, reducing the average allowance that may be granted to $388 plus.

The greatest average appropriation was for the fiscal year 1921, when $3,700,000 was appropriated for clerk hire for 8,221 postmasters, an average of $450, which is the maximum amount indicated in the law for the lowest grades of this class. Yet during that year the amount was insufficient, as the appropriation was exhausted by October, 1920, and many of the lower grades were denied clerk hire altogether. During the present fiscal year, with an average of $388 for clerk hire, the department is unable to meet the insistent requests for additional allowances, and the postmasters justly complain that it is difficult to give the service demanded by their patrons.

As illustrating the manner in which clerk hire is allotted from the lump-sum appropriation, the following figures were gathered from the third-class postmasters of Minnesota by the officers of the Minnesota State branch of the National League of District Postmasters:

Clerk hire in Minnesota third-class post offices

Salary	Number offices	Total clerk hire	Average clerk hire
$1,000	13	$720	$56
$1,100	7	900	128
$1,200	21	2,592	120
$1,300	10	1,312	131
$1,400	16	3,360	210
$1,500	15	4,172	298
$1,600	7	1,408	201
$1,700	15	6,278	419
$1,800	9	3,720	465
$1,900	15	7,984	532
$2,000	14	8,076	577
$2,100	6	5,144	857
$2,200	8	9,212	1,151
Total	156	54,878	

Average allowance, $352.

It was also found that there was no graduated scale followed. In the $1,000 grade, out of 13 reporting, 8 received no clerk hire allowance; others range from $120 to $240. In the $1,100 grade, out of 7 reporting, 1 receives none and the others range from $120 to $300. In the $1,200 grade, out of 21 reporting, 3 receive none; others range from $48 to $360. In the $1,300 grade, out of 10 reporting, 3 receive none; others range from $120 to $280. In the $1,400 grade, 1 receives none, and allowances range from $60 to $360. In the $1,500 grade, allowances range from $180 to $450. In the $1,600 grade, allowances range from $120 to $400. In the $1,700 grade, allowances range from $200 to $748. In the $1,800 grade, allowances range from $240 to $720. In the $1,900 grade, allowances range from $180 to $800. In the $2,000 grade, allowances range from $200 to $900. In the $2,100 grade, allowances range from $700 to $1,200. In the $2,200 grade, allowances range from $860 to $1,452. Since the maximum is $1,200, the one reporting $1,452 must have included some allowance other than for clerk hire.

The recapitulation of these figures shows that the $1,600 grade receives less for clerk hire than the $1,400 and $1,500 grades.

It is also developed from this questionnaire that the average number of hours these offices are open is a little over 12.

Mr. Speaker, no official of the United States should be compelled to pay out of his own pocket for necessary public service by others. Yet three-fourths of these postmasters are compelled to do that in order that the Postal Service may be carried on.

This feature of postal administration must be corrected, and it can be done by enacting the House provision.

FOURTH-CLASS POSTMASTERS

Mr. Speaker, the Senate measure increases the pay of fourth-class postmasters by adding to the percentage of cancellations. It does not give the measure of relief granted by the House bill.

The Post Office Department has furnished me with the following table as to number of fourth-class postmasters and their compensation.

Total annual compensation and number of fourth-class offices

Under $200	7,103
$200 to $399.99	8,484
$400 to $599.99	8,777
$600 to $799.99	5,189
$800 to $1,000	7,324
Total	36,877

The Senate bill carries a general increase of 9.6 per cent, which will mean an increased cost of $1,600,000.

The House bill grants an increase of 12½ per cent, and its cost would be about $2,000,000.

Let me quote from the testimony of John T. Clapp, postmaster at Beech Grove, Ind., in behalf of the fourth-class postmasters, at the hearings held by the joint subcommittee.

This class of postmasters numbered 36,900 the first of this year, and I want to call your attention to the fact that the fourth-class postmaster must necessarily be familiar with 17,000 regulations that are printed in the Postal Laws and Regulations, to properly operate and conduct a post office of the fourth class. That means that he must be familiar with the money-order business, with the rates paid, and he must be entirely familiar with the registry work of the post office and dispatch record and delivery. He must sell stamps and stamped paper, and he must see to the special delivery service. He must receive and dispatch and deliver mail. He must report all of these operations to the central accounting postmaster.

The estimate is that the volume of mail that goes out is about five times the volume of mail that comes in. I will say that in my individual office it is larger, of course, and we do not object to having this mail, but the stamps required to dispatch this mail, the credit for that, goes to the office from which the parcel post originates, and our salary is computed on the basis of the stamps we sell. The average rural community sends out very little parcel post, except in the Christmas season, when a few Christmas parcels are sent out, so our salary being computed on the outgoing mail is computed on about one-fifth of the work that we perform.

TIME DIFFERENTIAL FOR NIGHT WORK

Mr. Speaker, another difference between the bills is the much-needed provision for a shorter tour of duty for postal employees who are compelled to perform night work. The House bill carries such a differential, while the Senate bill does not.

This differential was advocated and strongly recommended by the Post Office Department, which, however, chose the most expensive method of meeting the need of special consideration—that of paying in cash for night work at a rate approximately 10 per cent more than day work.

The provision in the bill suggested by the Postmaster General covering night work was as follows:

Provided further, That foremen, special clerks, clerks, and laborers in first and second class post offices and carriers in the City Delivery Service, who are required to perform night work, shall be paid extra for such work at the following rates per hour: Eight cents to employees whose salaries are $2,100 and $2,200 per annum, 7 cents to employees whose salaries are $1,900 and $2,000 per annum, 6 cents to employees whose salaries are $1,700 and $1,800 per annum, and 5 cents to employees whose salaries are $1,450, $1,500, $1,550, and $1,600 per annum: *And provided further*, That night work is defined as any work done between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian.

Provided, That hereafter clerks and laborers in the Railway Mail Service assigned to road, terminal, or transfer duty who are required to work between 6 postmeridian and 6 antemeridian, shall be paid at a rate 10 per cent higher than their rate of pay as fixed by law.

The House committee went into this matter carefully and decided that efficiency of the service, as well as the welfare of the postal employees, demanded that a differential be made for night work.

The question of night work in the Postal Service has been the subject of consideration and discussion among the postal workers for many years. In order that the mails may be kept constantly moving, it is generally conceded that night work is a necessity in large post offices. It is contended, however, that night work should be reduced to a minimum, and the arguments in favor of such a policy are unanswerable.

Medical authorities all over the country agree to the injurious effects of night work, because of the unnatural times which result from sleeping and eating. Sleep during the day is not as recuperative as sleep during the night, and cumulative fatigue sooner or later saps the worker's physical vitality, and not only that, but also his mentality. The testimony of men engaged in night work is that they are more tired after a night of work than after a day of work, and that they are less rested and refreshed after a day of sleep than after a night of sleep. This is the experience of men engaged in work of a largely physical nature.

The financial burdens in increased cost of living to which the night worker is subjected are worthy of note. As a consequence of the night worker's unnatural hours of work and sleep his appetite and digestion are almost certain to suffer unless a better diet than the ordinary is provided. He can not be expected to maintain his efficiency on left-over food or warmed-over meals. Tempting food, freshly prepared, however, entails extra expense for which the present income of postal employees are, as a rule, insufficient. It is usually impossible to arrange one set of meals which will accommodate the night worker and the remainder of the family. This is particularly true if there are children in the home who attend school. An additional set of meals requires additional expense, especially in the item of fuel for cooking. The night worker must also carry from home or purchase elsewhere one meal in which the family would never participate.

Furthermore, if the worker is employed on a shift ending at midnight, it means that fuel for heating the home must be used until this hour, as well as gas or electricity for lighting, which would not be required for the day worker's family. These demands for increased expenditures in the family budget as a result of night work are too large to be overlooked, and some differential is due the worker to offset them.

Postmaster Patten, of New York City, in a paper submitted before the Joint Congressional Commission on Postal Salaries, held in Washington, D. C., October 14, 1919, outlined one or two special reasons why night work is particularly objectionable in larger cities, aside from the almost universal reasons which apply elsewhere, as follows:

For instance, the transit service upon which workers are dependent for passage to and from their homes is arranged by the traction companies to meet the normal requirements of the city, with maximum service morning and evening covering the usual business day. At night the cars or trains are infrequent, and in the case of suburban traffic employees are likely to lose an hour or more after their tour of duty or in advance of it waiting for means to transport them. Very many employees are obliged to live in tenements. In order to obtain sufficient sleep during the daylight hours they have to retire to inner rooms. Rooms opening on the streets or yards or courts, and which alone have adequate ventilation, are so noisy that sleep is certain to be disturbed. These things have led to the demand that those who work at night be compensated in some way for the extra burden that they have to bear. The question really resolves itself into a matter of health and welfare.

The social and moral disadvantages which the night worker undergoes, such as the separation from family and the social life of the community, are none the less real even though they can not be expressed in terms of dollars and cents. The physical and financial aspect, however, are sufficiently tangible to present even to the most practical minded an insistent demand for compensation in kind.

The Joint Commission on Postal Salaries, in an effort to have the benefit of suggestions from practical and experienced men, selected 26 postal experts from among the various groups of employees as an advisory committee. In their report to the commission the advisory committee recommended a differential for night work as follows:

That between the hours of 6 p. m. and 6 a. m. that 45 minutes of employment shall be considered equal to 1 hour's employment during the daytime. In other words, 6 hours of night work shall be considered as equal to 8 hours' service performerd during the day.

A precedent in the field of time differential is the British postal service. The case of Great Britain forms the most pertinent parallel, where, quoting from the report of the House Post Office Committee to the Sixty-fourth Congress:

It has long been provided by law that postal employees shall be paid at the rate of time and one-fourth for all work performed after 6 o'clock in the evening.

The time differential system in the British postal service has apparently been successful in operation, if judgment can be based on extensions which have been made from time to time. At one time postal employees were allowed to count as eight hours any seven hours worked between 10 p. m. and 6 a. m. A few years later this was extended to include any seven hours worked between 8 p. m. and 6 a. m. Data are not available to trace all the steps in the evolution of this time differential, but the fact that it justified further and further extension is a strong recommendation for the practical working of the system.

The House committee decided that a time differential would be more beneficial to the workers and less expensive to the service than the pay differential recommended by the Postmaster General. We believe that the payment of additional salary will not promote the health of the worker but reducing his hours of labor at night will.

For the Postmaster General's provision we substituted the following:

Hereafter 50 minutes' night work performed by assistant superintendents and foremen assigned to night tours of duty, also special clerks, clerks, and laborers in first and second class post offices, carriers in the City Delivery Service, railway postal clerks, substitute railway postal clerks, and laborers in the Railway Mail Service, and employees of the motor-vehicle service shall be computed as one hour of service: *Provided further*, That night work shall be defined as any work done between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian.

Mr. Chairman, Congress has repeatedly declared that an advantage in shorter hours should be granted to postal employees who labor at night. Both the Senate and House Committees on Post Offices and Post Roads reported such a measure in the Sixty-seventh Congress.

At the hearings before the Senate committee the postmaster of Detroit gave his views from practical experience in the following terms:

I do approve of a differential for night workers, and believe that it should be allowed on a time basis, and for the following reasons:

It is the practice at many post offices, including Detroit, to assign the newly appointed employees to night schedules, to be later assigned to day schedules in their order of length of service as opportunity offers. For the most part these newly appointed employees are young and are thus deprived of the opportunity of participating in the usual social and recreational activities of their friends and associates during the evening hours and over a considerable period, in some instances for several years.

This situation frequently deters ambitious and capable young men from accepting positions in the service, and also many who do enter it leave within a short time to accept day employment in commercial pursuits, to the detriment of the service. Employees who do enter the service and then leave within a short period increase the cost of operation of the office, due to their small output on account of lack of experience themselves and the necessity of breaking in new employees to fill such vacancies. This is particularly true in regard to employees assigned to scheme distribution.

It may also be added that in many instances night work is an unusual strain upon the health and vitality of the employees so engaged, due to inability to obtain necessary sleep and rest during the day, particularly in warm weather. Instances are also frequent wherein the employees become more easily fatigued in night work, thereby greatly lessening their output in distribution, etc.

If a money or wage differential were allowed for night work, the possibility of increased earnings might induce eligibles and newly assigned employees to enter and remain in the service, but such a money differential or bonus would have no material effect upon the output of the employees, nor would any economy of operation accrue to the department thereby. Perhaps more important than this, however, is the fact that the health of the employees would not be conserved thereby.

Then he expressed the opinion that the granting of a time differential to night workers would be of benefit to the service and would be of decided benefit to the morale of the personnel, and would also result in benefit to the service by attracting to and maintaining within it clever and capable men and women who now seek and obtain other employment. Another result would be the greater efficiency of the employees and their greater accuracy in distribution due to a lesser mental and physical strain, usual in night work, and the better opportunity for rest and recuperation through the shortened schedules.

Mr. Speaker, the enactment of this provision will mean much in the remedy of the conditions under which night work is now performed and it will improve the morale of the personnel of the service in great degree.

As to its cost, no one can give an accurate figure, although the department has hazarded a guess which can only be termed absurd in the light of its previous recommendations and estimates.

The Postmaster General on April 4 presented to the joint subcommittee his own measure, which he advocated as a substitute for the Kelly and Paige bills.

He advocated a 10 per cent cash differential for all postal employees working at night.

The House committee granted a time differential of 10 minutes to the hour.

We believe that careful administration will cut the night work down to the minimum. Even under present conditions only one postal clerk in nine works entirely between the hours of 6 p. m. and 6 a. m., and would get the maximum benefit of this provision. The great majority would benefit by less than one hour's advantage. They would simply have a tour of duty of a little more than seven hours instead of eight hours.

The Government clerks in the departments in Washington have had the seven-hour day for years, with all daywork.

Is there anything revolutionary about fixing such a standard for postal workers who must endure the handicap of night work?

Is it too much to expect that efficient supervision will get the full benefit of the hours actually spent in night work?

Is it a baseless belief that postal workers, happy in the possession of fair working conditions, will perform as much labor in seven hours as is now accomplished in eight?

Those of us who have urged just conditions of labor for postal employees have become used to that parrot cry that every forward step means disruption of the service.

Read the records of the proposals to better conditions and see the philosophy of those who believe that everything old is sacred and everything new is destructive.

What a cry went up when it was proposed to establish the 8-hours-in-10 principle for workers in the Postal Service!

Men were subject to call for 14, 16, and 18 hours. They were permitted to work a few hours in the morning, then put on a four-hour swing, then put to work again, and so on to the point of utter exhaustion.

What were the arguments against the provision which is now universally commended and whose overturn could not secure a vote in Congress?

Why, the Post Office Department, in a letter to Senator Bourne, chairman of the Senate Post Office Committee in 1912, declared it would ruin the service.

Here is what the then Postmaster General said:

It will be noted from this statement that the estimated expense for the first year is $3,087,538. An examination of the reports from postmasters that accompany these estimates show that it is practically the unanimous opinion of the postmasters at these offices that the proposed legislation is unwise and that, aside from the enormous expense, the necessary readjustment in schedules will greatly impair the efficiency of the service, to the detriment of the public.

The provision to pay overtime for work in excess of eight hours, the only possible way to make the eight-hour day effec-

tive, also aroused bitter opposition. The Postmaster General said:

> The proposal to pay clerks and carriers for overtime, under the conditions that obtain in the Postal Service, would undoubtedly prove exceedingly wasteful. Among the 60,000 postal employees, who are scattered over more than 3,000,000 square miles of territory, there are many who would find in this opportunity to obtain additional compensation for overtime such inducement for loitering and wasting time that the additional cost of the service would be very large.

Never were pessimistic rut dwellers worse confounded. Congress, by unanimous vote in the post-office appropriation bill for 1913, passed the 8-hour-in-10 and the overtime provisions.

They increased the efficiency of the service instead of lowering it. That it did not cost a single dollar in reality for rearrangement of schedules solved the problem.

Instead of leading to "loitering and wasting time" these just provisions speeded up work until the records show that postal employees do 50 per cent more work under them than they ever did under the system of indefinite hours.

A similar history is evidenced in the Sunday closing in post offices. That, too, was to disrupt the service and injure the public beyond repair.

But no such results followed its enactment, and the service to-day is beyond the fondest dreams of those who had faith in it in those other days.

Mr. Speaker, I venture the assertion that the enactment of this time differential for night work will not cost a single dollar in the long run. The work now performed in 8 hours under unnatural conditions will be performed in 6 hours and 40 minutes. Healthier, happier employees will give better and more efficient service. The assertions that this much-needed policy will lay a heavy burden upon the service is the veriest nonsense.

The figures of the Post Office Department as to its cost are purely fictitious. I sat with four of the ablest supervisors of the Postal Service, men having the enthusiastic O. K. of the department, in conference on this provision. They agreed that there would be no material cost because rearrangement of schedules and the benefit to the workers would make possible its complete absorption.

But the Postmaster General has no hesitation in putting down its cost in exact figures.

His 10 per cent extra cash compensation for all night work in the post offices would cost $3,482,782 according to his own calculation. Of course if every night worker received a 10 per cent increase in pay there would be no reduction in night duty and there would be a fixed expense involved.

But the time differential, according to the Postmaster General, would be more costly. In his estimates of cost of the House bill he states that in the post offices alone it would cost $5,600,296 and in the Railway Mail Service it would be $5,015,080, a total of $10,715,376.

How anyone can figure that extra payment in cash for every hour of night work will cost less than reducing night work 10 minutes to the hour is beyond my comprehension.

I feel sure that it will have just the same effect as the estimates of the department in 1912 as to the eight-hour day. Let the department put an adding machine to work on the basis that if 100 men working eight hours at night can handle so many pieces of mail, then in seven hours they can only handle seven-eighths as many.

Let the Congress take the flesh-and-blood side of the question on the solid fact that no clerk can stand at a distribution case at night under artificial light and distribute mail steadily for eight hours without exhaustion. The longer he continues the more the fatigue of mind and body and consequently the slower his work. During the whole year that clerk will handle fewer pieces of mail matter working eight hours than he will if given the benefit of the shorter working hours we provide in this bill.

Mr. Speaker, any scheme of efficiency that takes the heart out of the workers is a sham and a delusion. Here is a plan of efficiency which will compel advancement in methods and more perfect organization. It will eliminate friction and waste. It will better the condition of the workers and promote their health and happiness. It will improve the Postal Service, and it will not in the end involve any material expense.

BENEFITS TO RAILWAY POSTAL CLERKS

Mr. Speaker, the House bill, aside from the $300 general increase, which is the same, has many advantages in administration and in justice over the Senate bill as to the Railway Mail Service.

This bill will not only provide for railway postal clerks a salary scale more nearly commensurate with their responsibilities and character of work performed, but it will also go far in wiping out some of the inequalities and inconsistencies of the hastily drawn act of June 5, 1920. The work of a railway postal clerk is arduous in its mental and physical requirements. Not only are the constant examinations on distribution, train connections, and postal laws and regulations the most rigid required in the Postal Service, but the long hours of continuous duty—usually from 12 to 16 hours—demand a physical endurance and stamina equal to military requirements. It is a fact that a large percentage of the young men, taking the entrance examination for the Railway Mail Service, soon resign after learning of the mental and physical requirements, and the present inadequate compensation.

SUBSTITUTES

In order to attract and to hold young men of ability, energy, and character to the Railway Mail Service, we have made the entrance salary $1,900; that is, they are paid for services actually performed at the rate of $1,900 per annum. Of course, until they are appointed a regular clerk and receive a regular assignment, they do not receive full salary, but to offset this sacrifice of the substitute period, we have provided that when substitutes are appointed regular clerks they shall receive credit on the basis of one year of actual service performed as a substitute and be appointed to the grade to which such clerk would have progressed had his original appointment as a substitute been to grade 1.

CLASSIFICATION

The bill, while not providing for straight single classification for railway postal clerks such as other groups of postal employees have, does much to improve the present law in that respect. In the letter carrier and post office clerk groups of employees they have single classification, with the employees progressing automatically to the highest grade; but in the Railway Mail Service the Post Office Department has always insisted that the clerks should be divided into classes. Prior to the act of June 5, 1920, there were three classes of railway postal clerks, known as class A, class B, and class C, the classification being largely determined by the amount of mail handled on the line. But in 1920 Congress eliminated class C, leaving a dual classification system known as class A and class B. All terminals and small lines were placed in class A, in which promotion is limited to grade 4 for distributors and to grade 3 for clerks.

While under this bill the dual classification is retained, yet it provides that clerks assigned to class A lines shall be promoted successively to grade 4 and clerks in charge to grade 5, or one grade higher for these clerks and clerks in charge than is provided under the present law.

TERMINAL AND TRANSFER CLERKS

The bill also provides that terminal railway post offices and transfer offices shall be divided into two classes, similar to the road service, whereas the clerks in the terminals and transfer offices are now in class A, with promotion limited to grade 3 for clerks and to grade 4 for distributors. The grade 3 clerks are rated by the Post Office Department as "nondistributors," even though they are required to distribute mail and take examinations on distribution. Under this bill terminals having 20 or more employees shall be in class B, with successive promotion to grade 5 for clerks, and clerks in charge of tours to grade 6. Terminals having less than 20 employees will remain in class A, but the so-called nondistributors are eliminated from the terminals of both classes.

Under the present law transfer offices are all in class A, but under this bill they are divided into class A and class B. Those having less than five employees shall be assigned to class A, as at present, and those having five or more employees shall be in class B. Clerks in class B transfer offices will be promoted successively to grade 5 and clerks in charge of tours to grade 6.

OFFICE CLERKS AND EXAMINERS

H. R. 9035 greatly improves the status of clerks assigned to the offices of division superintendents and chief clerks. It provides that all clerks shall be promoted successively to grade 4, and that in the office of division superintendent four clerks shall be promoted to grade 5 and eight clerks to grade 6. In the offices of chief clerks one clerk shall be promoted to grade 5 and two clerks to grade 6. This means that all the senior clerks in the offices of chief clerks and division superintendents will be in grades 5 and 6.

The bill provides that examiners shall be promoted successively to grade 6 and assistant examiners to grade 5, both in the offices of division superintendents and chief clerks.

LABORERS

It is provided that laborers in the Railway Mail Service shall be divided into two grades, with salaries of $1,500 and $1,600, and that they shall be promoted to the highest grade after one year's satisfactory service in grade 1.

TRAVEL EXPENSE ALLOWANCE

The present law provides that railway postal clerks assigned to road duty shall receive a travel allowance while on actual duty not to exceed $2 per day, but it does not begin until 10 hours from the time of beginning their initial run. It is obvious that the sum of $2 per day to pay for the meals and lodging of railway postal clerks when out on their runs is entirely inadequate. This bill raises the amount to not to exceed $3 per day, and provides that it shall begin eight hours from the time of beginning the initial run. Because of the 10-hour limitation in the present law only about 13,000 railway postal clerks receive any travel allowance. This provision applies to substitutes as well as to regular clerks.

OTHER PROVISIONS

Another beneficial change provided in this bill for railway postal clerks is that hereafter not exceeding five days of the annual leave may be carried over to the succeeding fiscal year. This change is needed because of the fact that railway postal clerks assigned to road duty can not now obtain the full benefit of the 15 days' annual vacation because their scheduled round trips of duty will not fit into a period of uneven days in many instances. They must either reduce their annual vacation period to less than the 15 days provided by law, or to get the full 15-day period they must pay a substitute to make a part of the round trip.

H. R. 9035 also provides that railway postal clerks shall be credited with full time for train delays equal to the period of time between the scheduled arrival and the time of actual arrival of the train at the destination of the run. Under administrative rulings the railway mail clerks do not receive credit for this delay and overtime at present.

Through a technical ruling of the comptroller substitute railway postal clerks have been deprived of credit in the military, marine, or naval service of the United States during the World War. This bill provides that they, as well as other postal employees, shall receive credit for all time so served on the basis of one day's credit of eight hours in the Postal Service for each day served in the military, marine, or naval service; and if they have not yet reached the maximum grade of salary shall be promoted accordingly.

It is certain that with these important changes in the salary and classification provisions of the law relating to the Railway Mail Service a number of inequalities of the existing law will be corrected and there will be an increased efficiency and contentment of the personnel.

Mr. Speaker, let me show the further differences between the Senate bill and the measure finally adopted by the House Committee on the Post Office and Post Roads, which we are now considering.

POST-OFFICE INSPECTORS

The Senate bill provides for the promotion of inspectors to grade 5 following a year's satisfactory service in the next lower grade, and not to exceed 35 per cent of the force to grade 6 for meritorious service after not less than one year's service in grade 5.

The House bill provides automatic promotion to grade 4, and promotion to grade 5 after a year's meritorious service, and for the promotion of 35 per cent of the force to grade 6 for specially meritorious service after not less than one year's service in the next lower grade.

The Senate bill provides $4 per day for actual expenses of inspectors and supervisory employees of the Railway Mail Service.

The House bill provides that such employees shall be paid their actual expenses "as fixed by law."

The Senate bill allows $3,000 per annum salary for the chief clerk at each division headquarters.

The House bill reduces this amount to $2,900 per annum.

The Senate bill provides for the transfer of post-office clerks to division headquarters.

The House bill adds carriers in the City Delivery Service as personnel which might be so transferred.

CLERKS IN FIRST AND SECOND CLASS POST OFFICES AND LETTER CARRIERS IN THE CITY DELIVERY SERVICE

The House bill provides that in all special-clerk promotions the senior competent employee shall have preference.

This proviso is not contained in the Senate bill.

OVERTIME

In the provision relating to overtime service the House struck out the words "and it is not practicable to employ substitutes," which are in the Senate bill, and at the end of the proviso added a paragraph, as follows:

That whenever practicable, in case of emergency or otherwise, a substitute is available, the postmaster is prohibited from employing a regular clerk, special clerk, or letter carrier overtime.

SUNDAY AND HOLIDAY EMPLOYMENT

The Senate bill provides for employment of employees on Sundays and holidays and allowances of compensatory time and the payment of overtime therefor, except the last three Sundays in the calendar year.

The House bill applies only to the last two Sundays.

WATCHMEN, MESSENGERS, AND LABORERS

The Senate bill provides salaries of $1,450 and $1,550.

The House bill increases the salary to $1,500 and $1,600.

The Senate bill provides for promotion of such employees after three years' service upon passing a noncompetitive examination.

The House bill does not carry this provision.

MOTOR-VEHICLE SERVICE

The Senate bill carries a salary of $2,000, $2,100, and $2,200 for special mechanics. The salary for these special mechanics in the House bill is $100 higher; that is, $2,100, $2,200, and $2,300.

Garagemen-drivers under the Senate bill are paid $1,450 and $1,550.

The House bill provides $1,550 and $1,650—$100 per annum higher salary.

Employees in the motor-vehicle service may be paid for overtime for employment on the last two Sundays in the calendar year in the House bill. In the Senate bill they may be employed and paid for the last three Sundays.

VILLAGE DELIVERY SERVICE

The salaries carried in the Senate bill are from $1,100 to $1,300.

The House bill provides $1,200 to $1,400 per annum, and the pay of substitute clerks in the village delivery service in the Senate bill is at the rate of 45 cents per hour.

In the House bill it is fixed at 50 cents.

COMPENSATORY TIME AND OVERTIME

In the general provisions at the end of the bills employment on Sundays and holidays with compensatory time, excepting on the last three Sundays in the Senate bill and the last two Sundays in the House bill in the calendar year, and the payment of overtime for such service on such days is authorized.

CREDIT FOR MILITARY SERVICE

The Senate bill continues the existing law relating to credit for military service.

The House bill removes all limitations and full credit is given for military service in determining the status and salary in employment in the Postal Service.

REVENUES TO MEET COSTS

Mr. Speaker, this measure carries no increases in postage rates, because both the Senate and House Committees on Post Offices and Post Roads, earnestly desiring to readjust rates in an equitable manner to make the service self-supporting, were forced to the conclusion that it would be unwise and unsound policy to attempt a revision of rates with the facts at hand.

The Postmaster General challenged us on this matter in a way which compelled consideration. He sent us the following official communication:

There never was an ascertainment of the cost of carrying and handling the several classes of mail matter and performing the special services, excepting once, in the history of the department. In 1907 Congress authorized certain weighings and counts of mails for such purpose, and the department concluded an estimate in 1909. That estimate was thereafter reviewed by the Hughes Commission in 1911–12. The findings made at that time are inapplicable to the conditions of service to-day, which conditions have changed materially in many respects. Realizing the importance of an ascertainment brought up to date in dealings with all postal questions, the Congress wisely, through the efforts of the Joint Postal Commission and later by an appropriation of $500,000 to be expended by the Postmaster General, authorized such an ascertainment. The department made comprehensive and elaborate preparation for securing the data, which data is now in hand and is being checked, arranged, and tabulated for the purpose of use in the final ascertainment. The undertaking is a large one, involving a vast amount of work, and the results are not yet available. It is believed, however, that they will be ready within a few months.

No readjustment of postage rates or fees for special services can be made intelligently until this ascertainment has been made.

Mr. Speaker, more than half a million dollars from the United States Treasury has been appropriated to determine the cost of handling mail matter by the Post Office Department. Perhaps as much more has been spent by the department itself in assembling reports and making tabulations.

COST ASCERTAINMENT OF HANDLING THE MAIL

Included in the Post Office appropriation bill for the fiscal year ending June 30, 1921, was a provision to create a joint commission of the Senate and the House of Representatives whose duty it shall be "to investigate all present and prospective methods and systems of handling, dispatching, transporting, and delivering the mails and the facilities therefor; and especially the methods and systems which relate to the handling, delivery, and dispatching of the mails in the large cities of the United States."

In accordance with the authority granted by Congress the Joint Commission on Postal Service, aided by a corps of efficiency engineers and experts on postal matters, instituted an investigation which comprised a series of surveys in the great postal centers, including New York, Chicago, Philadelphia, Boston, Detroit, Buffalo, Brooklyn, and Pittsburgh.

Reports of progress with corresponding recommendations were made to Congress from time to time, and due to the magnitude of the undertaking the life of the commission was extended until June 30, 1923, by provisions in the Post Office appropriation bills of 1922 and 1923.

Among the various recommendations made by the joint commission toward the end of its investigation was the following:

The investigations of the commission have clearly shown the necessity for legislation that will better apportion among the different classes of mail the cost of the service, so that each will bear its fair share, but preliminary to this it is imperative that the cost of handling the different classes be ascertained, and it will not be practical to frame legislation until the department completes the statistical survey it is about to make, arrangements for which have been practically completed by the commission.

In pursuance of the authority contained in the act the Post Office Department announced that a 30-day statistical period, beginning Friday, September 21, and ending Saturday, October 20, 1923, would be selected during which all mails will be weighed in the designated post offices by destination, and a record made of the revenues and number of pieces according to classes and subclasses.

The reports have not yet been compiled by the Post Office Department officials, but when they are completed it is anticipated that there will be shown the actual cost of handling the several classes of mail matter that is daily intrusted to the Postal Service for collection, dispatch, and delivery.

Mr. Speaker, your committee could not take the responsibility of proposing a revision of rates which would in all probability need immediate revision in the light of facts secured in the costly investigation.

We have already assembled a mass of information as to volume and revenues, and are ready to act as soon as the report of the cost ascertainment committee is laid before us. That report is expected before the next session convenes. I can promise on behalf of the committee prompt consideration, with the purpose of reporting a just and equitable measure revising postal rates to make the department self-sustaining.

That we should wait until that time to remedy grievous conditions caused by underpayment of postal employees I strenuously deny. Our immediate duty is to see that these faithful workers are paid a living wage, and not continue to saddle a so-called deficit upon their shoulders. There is no business in America, public or private, which has a right to exist unless it can and does pay its employees a living wage.

The fact is that in questions of postage rates we have made it the governmental policy that the post office is an institution for service and not for profit.

According to the report of the Postmaster General for the fiscal year ending June 30, 1923, the Post Office Department has shown a surplus in only 15 years since 1837. During these 87 years 15 showed a surplus and 72 years showed a deficit. In 1837 the revenues of the Post Office Department were a little over $4,000,000. In 1923 the revenues were $532,000,000. In 1837 there were 11,767 post offices; in 1923 there were 51,613 offices. In 1837 the average per capita use of the mail service amounted to 26 cents; in 1923 each of the 111,000,000 persons in the United States spent $4.78 for postage.

In 1897 the Rural Free Delivery Service was organized with 82 routes and at a cost of $14,840. To-day there are 44,439 of such routes, costing the last fiscal year over $85,000,000. But these 44,439 routes gave mail service to approximately 30,000,000 people living in the country districts. This service entails a loss of $75,000,000 a year, but it is continued because it means service. If the object of the Postal Service is profit, why not discontinue all branches which fail to show a profit?

The Air Mail Service last year cost nearly $2,000,000. The income from it was but a fraction of its cost, but it meant a valuable service to the people and the Nation.

Last year the Postal Service handled the mail for the other governmental departments as usual without charge. The estimated weight of the matter was over 90,000,000 pounds, and the estimated postage on this matter would have been approximately $12,000,000. Last year the Postal Service carried over 64,000,000 pounds of second-class matter, for which it derived absolutely no revenue, under what is termed the "free-in-county" privilege.

Mr. Speaker, consider the Post Office Department during the past 10-year period of cooperation. During that time practically all the countries in the world have increased their postage rates from 50 to 250 per cent. The United States has not. Broadly speaking, postage rates, aside from the depreciation in dollar value, are cheaper now than they were 10 years ago. Even more, postage rates per unit of mail matter are cheaper now than ever before in the history of the United States.

Dating from 1913, average commodity and service prices have increased from 50 to 100 per cent. Postage rates have not. In fact, aside from an increase ordered in second-class mail matter during the past 10-year period, there has been a substantial reduction in postage rates, as the following statement will show:

First class: Domestic-letter postage has remained stationary. The extra charge during the war was a tax, not accruing to the Post Office but to the Treasury. Foreign-letter postage has been decreased by the extension of the domestic rate to 41 nations, including virtually all in the Western Hemisphere.

Second class: Second-class rates were in effect somewhat increased by the zone law. The increase could not, however, add much to total postal receipts, since even in 1923 total second-class mail receipts made up only about 6 per cent of total postal receipts.

Third class: Third-class rates have not been changed.

Parcel post: Parcel post makes up about 70 per cent of the volume of mail. Rates on this class have been reduced in the following respects since 1914:

On July 1, 1915, combined length and girth limit was increased from 72 to 84 inches. On April 1, 1918, weight limit was increased from 50 to 70 pounds in local, first, and second zones, and from 20 to 50 pounds in third to eighth zones. This was, in effect, a lowering of rates, since the charge for the first pound is larger than that for additional pounds, and an increase in the poundage of heavy parcels increased the burden more than the receipts.

On September 1, 1915, insurance fee was reduced from 10 cents for value of $25 to 8 cents for $5 and 5 cents for $25. Maximum weight has been increased for international parcel post.

The net effect of these various changes was certainly not an increase in postal rates. Thus, alone among the industries and services of the Nation, the Post Office has not had its gross income enlarged as the general price level rose. This is sufficient explanation of the recent deficits. Most industries could not have continued at all, even, with a large deficit, without increases in rates or prices of their product.

INCREASED VOLUME AND EFFICIENCY ABSORB INCREASED POSTAL EXPENDITURES

Mr. Speaker, a review of Postal Service operations during recent years shows that the service has been constantly geared up in an effort to square postal expenditures with postal revenues without an increase in postage rates. It also shows that once this purpose was achieved, efforts, frequently successful, have been made to further reduce these already low rates of postage. In 1905 the postal deficit in round numbers amounted to $10,000,000. In 1907 the deficit was $6,000,000. On March 2, 1907, a postal wage reclassification law was enacted which added many millions to the overhead cost of operating the service without any corresponding increase in postage rates. In consequence a postal deficit of $16,000,000 was reported for the fiscal year 1908. In 1909 this deficit amounted to $17,000,000. It happened, however, that through the gearing-up process and the natural increase in business, this deficit was steadily reduced until in 1911 a surplus of $219,008.12 was reported. In the following year, 1912, the postal deficit was approximately $2,000,000. Subsequently beginning with the fiscal year 1913 and continuing up until 1919, with the exception of 1915, a small postal surplus was reported each succeeding year.

Here is the point on which I wish to lay special stress. As soon as the Post Office, through natural increase in postal business and the extraordinary efforts of the postal workers, attained a self-sustaining basis, at once a pressing demand for reduced postage rates came from many quarters. In response to this demand the rates on parcel post were repeatedly reduced at a time when average prices were steadily mounting. The National One Cent Letter Postage Association, with headquarters in Cleveland, Ohio, was organized and for several years conducted nation-wide drives for penny postage on first-class mail. A considerable number of bills for 1-cent letter postage were introduced in both the Senate and the House.

The question of a 1-cent letter postage rate was finally accorded consideration by the Senate. Hearings were held by a subcommittee of the Senate Post Office Committee early in 1920 on the proposal to reduce letter postage from a 2 to a 1 cent basis. Former Postmaster General Burleson recommended a 1-cent letter postage rate on first-class mail intended for local delivery. First Assistant Postmaster General Koons appeared before the subcommittee in defense of the proposition. As a result, when the Senate Post Office Committee reported the Post Office appropriation bill for the fiscal year, 1921, it contained the following section:

SEC. 6. That the rate of postage on all mail matter of the first-class deposited in any post office for delivery within the delivery district of such post office shall be 1 cent for each ounce or fraction thereof.

The adoption of this amendment, it was estimated would have entailed an annual loss in postal revenues of approximately $27,000,000. This threatened injury to the Postal Service and postal employment. With this thought in mind, several organizations of postal employees joined in a protest against this legislation with the result that on March 27, 1920, the section was stricken from the post office bill during its consideration by the Senate.

Here follows the protest lodged against this proposed reduction as quoted from the CONGRESSIONAL RECORD, Senate proceedings of March 29, 1920:

PROTEST AGAINST CURTAILMENT OF POSTAL REVENUES

To the Members of the United States Senate:

Section 6 (p. 27) of the postal appropriation bill, now waiting action by the Senate, proposes a reduction in postage rates on first-class mail intended for local delivery to 1 cent an ounce. In our judgment this legislation is unwise and should be defeated for the following reasons:

(1) As a matter of sound public policy postage rates should be so fixed as to provide adequate revenue to cover the operating expenses of an efficient and satisfactory service. Existing postage rates will not do this. In a period of mounting prices these rates have experienced little change. A feverish effort has been made to squeeze postal expenditures within the limits of inadequate postal revenues, resulting in a serious impairment of service efficiency and overburdened service workers. Despite the enforcement of this sweeping retrenchment program a postal deficit conservatively estimated at $30,000,000 seems certain for the current fiscal year. Nor does this estimate include additional millions due the railroads for increased mail transportation charges.

Now it is proposed to reduce postage on "drop" letters, thereby curtailing postal revenues by at least $25,000,000 and creating an ultimate postal deficit of staggering proportions.

(2) Nothing but an urgent public necessity or a widespread public demand for the extension of service facilities should at the present time warrant this proposed $25,000,000 curtailment of the earning capacity of the Postal Service. Neither of these conditions exist. Instead, this proposed reduction will chiefly benefit a few larger users of the mail, but the general public will pay by reason of declining service efficiency due to lessened revenues.

(3) Furthermore, the principal costs of handling first-class mail, regardless of destination, are clerical and carrier costs. In comparison the transportation costs of first-class mail are negligible. Whatever justification exists for a reduction in "drop" letter postage applies with equal force to all first-class mail. To impose a $25,000,000 burden on the general public for the benefit of the small group of postal patrons is indefensible.

(4) There is no public demand for reduced postage rates. There is a demand for improved service. An incalculable loss is daily inflicted upon the Nation through the present uncertain service, and cheapened postage rates will only mean further demoralization. A penurious postal policy is the most expensive economy conceivable.

(5) The Postal Service holds out little attraction for competent workers. This is the primary reason for its present inefficiency. Rural routes have been abandoned, city delivery uncertain and less frequent, Railway Mail Service disorganized to the point of demoralization, clerical forces sadly depleted, and the entire Postal Service shamefully undermanned. Wage standards are too low and working conditions too irksome to hold experienced employees or induce new ones to enter. Higher wage standards are imperative. The entire question of postal salaries is now before a commission created by the Sixty-fifth Congress, and pending their report this proposed reduction in postal revenues appears untimely and certain to further cripple an already depressed service.

We trust that these representations will appeal to you as a convincing statement of the facts in the case, and that you will readily perceive the danger threatening the entire Postal Service by this legislation.

Yours very respectfully,

NATIONAL ASSOCIATION OF LETTER CARRIERS.
EDWARD J. GAINOR, *President.*
EDWARD J. CANTWELL, *Secretary.*
NATIONAL FEDERATION OF POST OFFICE CLERKS.
GILBERT E. HYATT, *President.*
THOS. F. FLAHERTY, *Secretary-Treasurer.*
RAILWAY MAIL ASSOCIATION.
EDWARD J. RYAN, *President.*
W. M. COLLINS, *Industrial Secretary.*
NATIONAL FEDERATION OF RURAL CARRIERS.
JOHN R. SMITH, *President.*
S. A. REYNOLDS, *Secretary.*

That this protest against a reduction in postage rates was well founded is shown by subsequent developments. A postal deficit of some $19,000,000 was reported for the fiscal year 1920. Due to the rapid price increase of this period, affecting everything the post office need buy, this postal deficit was to be expected. The following year, 1921, a postal deficit of $157,502,399, the largest in the history of the service, was reported. This great deficit was due in part to a law enacted June 5, 1920, reclassifying postal wages to partially offset largely increased living costs, but chiefly to increased compensation to railroads for mail transportation granted by the Interstate Commerce Commission, retroactive as of November 1, 1921. These payments aggregated $76,130,301.03.

These extraordinary payments should not be reckoned as a part of the deficiency in revenues of 1921—

said former Postmaster General Will H. Hays in his report of that year—

and if eliminated from the audited results the deficiency assignable to the fiscal year would be reduced to $81,387,387.08.

This was the financial exhibit of the Postal Service for the year 1921. Due to a postal wage increase, plus an increase of some 50 per cent in compensation for mail transportation, to say nothing of many other items of increased expenditures, without any increase in postage rates, the postal deficit of 1921 approximated $81,000,000. Here the remarkable power of the Postal Service to take on new obligations and absorb new financial burden again manifested itself.

In 1922 a $60,000,000 postal deficit was reported, a reduction of some $21,000,000 below the figure reported in the preceding year. In 1923 the postal deficit was reduced to $28,578,760.02, a reduction of more than thirty millions below the figure reported for the preceding year. Of course, no estimate can be furnished for the current fiscal year, but there is little doubt that the deficit reported will again show a substantial reduction, as postal receipts have greatly increased during the current year.

The facts show the remarkable power of absorbing new financial obligations as demonstrated by the Postal Service, due to the steady growth of the service and the high efficiency of the postal workers. They also show that the reporting of a postal surplus in the past has been the signal for widespread pressure for a further reduction in postage rates. Frequently these efforts have been successful, as witness the repeated reduction in parcel-post rates. I have proved, however, that it is through no fault of the postal employees, and through no fault of the service itself, that the business does not show a bookkeeping profit, and most certainly neither should be penalized on that score.

REDUCING LABOR TURNOVER

Mr. Speaker, in considering the cost to the Postal Service of an increase in wage scales there must be balanced against the outlay the saving in reduced turnover of labor. One of the severest indictments of present postal pay is the tremendously high turnover, which means great loss to the service.

Out of 300,000 employees in the Postal Service approximately 20,000 resigned within the past 12 months. Only the hope of

remedial action by this Congress prevented a great number of others from leaving the service in despair.

In the Railway Mail Service, 173 substitute railway mail clerks were appointed on January 22, 1923. One year later only 41 remained in the service and over half of them refused appointment to the next grade.

In the Harrisburg district out of 50 men appointed 32 resigned within the year.

In the Pittsburgh post office within the six months prior to March 3, 1923, 110 clerks and carriers resigned. The postmaster at Pittsburgh reports that "had it not been for the older clerks and carriers, who have reached the fifth grade, the service would be in a deplorable condition, as it takes two years to develop a good distributor."

The same report comes with monotonous regularity from every large post office. In Chicago 2,000 men must be examined every year to recruit a force of 8,500. In New York and Detroit there has been no eligible register for years.

That situation costs money in immense amounts. A high labor turnover is one of the most expensive wastes in any industry. With a living wage provided, and some urgently needed improvements in working conditions, the turnover in the Postal Service will be lower than in any other industry.

I believe it costs the Post Office Department $1,000 to train a letter carrier, postal clerk, or railway mail clerk into a productive and efficient employee.

If this bill cuts the turnover in two, it will save the Post Office Department $10,000,000 a year. That is an item not to be sneezed at, especially by those who are professional economists.

Mr. Speaker, the most careful calculation I can make as to the cost of this measure, excluding the time differential for night workers, is as follows:

Number of employees in service May 1, 1924

43,714 carriers, at $300 each	$13,114,200
49,560 clerks, at $300 each	14,868,000
7,993 special clerks, at $300 each	2,397,900
535 inspectors, at $300 and $500 each	167,500
116 clerks at division headquarters	34,500
20 requisition fillers and packers	6,000
2,714 assistant postmasters, at $300, $350, and $400 each	922,250
1,174 village carriers, at $200 each	234,800
3,908 watchmen, messengers, and laborers	586,200
4,813 supervisors	1,360,400
44,546 rural carriers	14,618,403
Auxiliary allowance	1,491,666
Overtime	455,885
3,668 motor-vehicle employees	731,135
37,231 fourth-class postmasters	1,720,000
10,930 third-class postmasters' salaries	1,093,000
Clerk hire, third-class postmasters	3,000,000
691 second-class postmasters	69,100
19,810 Railway Mail Service	7,895,900
Total	64,764,213

Mr. Speaker, this is the first complete reclassification in the history of the Postal Service. This House measure deals exclusively with this great American enterprise, and has no extraneous provisions of any kind. It is just and well balanced, and will benefit 300,000 postal workers who cooperate in the great cause of serving the American people and the American Government. It should be passed by the unanimous vote of this House. [Applause.]

Mr. GRIEST. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. BELL].

Mr. BELL. Mr. Speaker, it will be, of course, impossible for me to discuss the merits of this bill in the time allotted. I take it for granted, however, that the Members of the House are thoroughly familiar with the contents of the bill. It provides an increase in the entrance salary from $1,400 to $1,700 per annum and a horizontal increase all along the line. It provides increases for rural carriers and for third and fourth class postmasters.

There is an expense attached to this bill of $64,000,000 which is not provided for, as a matter of course, in the bill. There must be some provision made to meet this extra expense, but it was not believed by your committee to be in the province of the Committee on the Post Office and Post Roads to provide the ways and means for this expenditure. We confidently expect in the future that the Appropriations Committee, clothed with this authority, will take into account the necessity of raising the revenue provided in this measure if it becomes a law. There was some suggestion made in the committee to recommend increases on rates in all classes of mail, but this could not be done intelligently at this time, and it can not be done satisfactorily until the Post Office Department has completed its investigation of the cost to the Government of the transportation of all classes of mail, so as to determine what increases would be equitable and fair to the Government and to the people.

It is not definitely known how much the Government is losing on the different classes of mail matter. It is known, however, that the Government is losing a large sum annually on second-class matter. I am opposed, in any event, to a material increase in parcel-post rates, because this service has not as yet reached the proportions to which it is destined, besides the service was primarily inaugurated for the benefit of the people in the rural sections, and it would not be just and right to impose the bulk of the fund necessary to meet the requirements of this bill upon this particular service, as has been suggested by some of the proponents of the measure.

The Post Office Department of the United States is the biggest business institution on earth, and it ought, as far as possible, be made self-sustaining.

The total receipts of the Post Office Department for the fiscal year ending July 1, 1923, were $532,827,925.09, while the expenditures were $570,823,282.25, leaving a deficit of $37,995,307.16.

If this department is to be made self-sustaining there must be increases made on all postage rates, or a reduction made in expenditures, and the latter might result in a poorer mail service. My observation is that the people throughout the country want the best mail facilities possible and are willing to pay for it, but they do not want one class of mail carried at the expense of another. Each class of mail should bear its just proportion of the transportation cost. If discrimination is made, it should be in favor of parcel-post matter, because this particular service benefits the thousands of farmers and smaller businesses in the country. If these rates are materially increased, it will be a burden to those people for whom this service was primarily intended to benefit.

An increase in parcel-post rates would surely be met by the buyer and patrons of this service, as the large catalogue houses and other business concerns add to the price of their wares the extra cost of transportation. The consumer in this case, as in almost all other cases, bears the burden.

The rural delivery of mail is the greatest blessing ever brought to the people of any land or country. It has brought the country in close touch with the towns, cities, and business centers of this great Commonwealth. In some sections of the country a farmer may read his morning daily paper at the breakfast table, while nearly all may have the morning news from the entire world by the noon hour of each day. This service has grown more rapidly than any other in postal activities, and the day is fast approaching when but few, if any, of our citizens living in the remotest corners of the globe may not have the benefit of this great service.

There are 44,629 rural-mail carriers in the United States, and these men are among the best citizens in the country and spread sunshine throughout the Nation.

The total appropriation for rural service for the fiscal year ending July 1, 1923, was $82,587,859. The number of miles traveled by the carriers for this year was 1,202,193 and the average length of the routes was 26.9.

The next greatest benefit to all the people is the wonderful development of good roads and State and Federal highways. The States in this great Union of ours making the greatest progress are those which have the best system of highways. It is refreshing to see the whole people interested in better roads, which is a great stimulant for better school buildings and better churches. These activities should be encouraged by the lawmakers of all the States and Federal Government to the end that all the people may become prosperous, contented, and happy.

Mr. BOYLAN. Mr. Speaker and gentlemen of the House, as an old post-office clerk I congratulate the House for doing something for the postal employees. During many years they have been neglected, and, although the amount of this salary increase may not be the equivalent of what we pay the laborers in the city of New York, yet it will be some little recognition of the splendid work these men and women throughout the country are doing for us. [Applause.] No class of Government employees are performing more necessary work for our people.

They keep open the channels of communication, without which industry would perish.

They maintain the connection between distant relatives and friends, without which many pleasures would be taken out of our daily lives.

They are a link in our lives, the removal of which would bring loss and distress to us.

Day in and day out they labor to bring success and happiness to us.

Although the increase is a small one, it is a step in the right direction, which, I trust, will be increased at an early date.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. GRIEST. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, the bill before us now was reported with the unanimous approval of all members of the committee. It will not do what some of us wanted to see enacted into law, but every member of the committee consented to surrendering some pet idea in order that these postal employees might get the benefit of the provisions of the bill and enjoy an increase of salary commencing July 1.

We have all spoken at one time or another and every Member is familiar with the details of the bill. I want to say that nothing less could possibly be granted to the postal employees of my city. The increase provided will barely permit them to meet the cost of living in our section of the country.

The committee worked hard on this bill. Every member cooperated and the interest of the Postal Service and its loyal employees was the guiding purpose of our labors. The committee asks the approval of the House and the passage of the bill. I hope it will have a unanimous vote. [Applause.]

Mr. GRIEST. Mr. Speaker, I yield a half minute to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Speaker, this bill proposes a $300 increase in salary to some 300,000 postal employees. I am not disputing the justness of the increase. But 2,000,000 wheat farmers will be assured under the McNary-Haugen bill an increase of less than 50 cents a bushel on 600,000,000 bushels of wheat sold for domestic use; or, in other words, they will get an increase of salary of less than $150 apiece. The report of the Secretary of Agriculture shows that the farmers of this country on the average earn less than $1,000 per year. One hundred and fifty dollars to the farmers, who are working for less than $1,000 a year. Therefore I hope those who advocate raising the salary of the postal employees $300 per year will see justice in the wheat farmers' claim and will vote for the McNary-Haugen bill and thus allow the wheat farmers this pittance, or one-half the increase which this bill gives to the postal employees. [Applause.]

Mr. GRIEST. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. BOWLING].

Mr. BOWLING. Mr. Speaker, the question now is whether or not the House desires to increase the salaries of these postal employees mentioned in the bill. The service is complicated, and there are a good many ideas involved in it; 350,000 people are involved. No bill could be drawn that would please everybody. This bill carries something like $60,000,000; estimated by the Post Office Department to carry $80,000,000; but it has been unanimously reported by our committee, as has been stated, and I think it is meritorious legislation. I think these people are entitled to this increase, and I hope that the bill will be passed. [Applause.]

Mr. RAMSEYER. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER of Texas. Mr. Speaker, of course it is impossible to discuss the merits of the bill in the limited time given me. I am wondering whether the gentleman from Ohio [Mr. LONGWORTH] and others on that side are undertaking to pass the bill in good faith. If you are, why not pass the Senate bill? Why do you want to send it to conference when the Senate has sent the bill over here passed, the Borah amendment being adopted by a vote of 55 to nothing. You might just as well pass it now, because the Senate can take knowledge of the fact that if we get a chance to vote on the Borah amendment we will pass it by a vote of 3 to 1. The result is you ought to pass the Senate bill. You are not acting in good faith when you say you are legislating for the postal employees and do not take up the Senate bill. The reason is you do not want publicity of campaign expenses. I undertake to say that the Democrats on this side of the House would be glad to have an opportunity to vote for the Senate bill. [Applause.] Will you give us the opportunity? Why do you not give us an opportunity to vote for the Senate bill, that carries the Borah provision for publicity of campaign expenses? Because you want to buy the next election. [Applause.]

Mr. BEEDY. Will the gentleman yield?

Mr. GARNER of Texas. I have only three minutes.

Mr. BEEDY. I want to say that there are some Republicans on this side of the House who are not afraid of the publicity of campaign contributions. I speak for my section of the State of Maine, and I want to say there are no Republicans in our part of the country who have fear of publicity along any line. I believe in the right of the public to be informed as to the origin of all money contributed to the campaign fund of either party.

Mr. GARNER of Texas. All right; if you were acting in good faith, you would give us a chance to vote for the Senate bill. If you wanted to, you could put it on the statute book to-day and send it to the President to-morrow. If you did, you would take up the Senate bill; but you do not want publicity of campaign expenses. The result is that you will pass the House bill hoping to get it into conference and eliminate the Borah amendment. Is not that true? You know it, and the country ought to know it, and know that you are taking a chance of throttling the legislation because you do not want publicity of campaign contributions. [Applause.]

Mr. RAMSEYER. Mr. Speaker and gentlemen of the House, I am opposed to this bill. I am also opposed to the Senate bill at this time. I realize that there is nothing that I can say that will make votes against this bill. If I had that power, I would certainly exercise it. I thought there ought to be something said in behalf of the business of the Post Office Department and of the rights of the taxpayers of the country. I am willing to assume that responsibility. That is why I filed a minority report, which any of you Members can get and read if you desire to do so.

I have been a member of the Post Office Committee for four terms of Congress. I have always believed that the Post Office Department ought to be self-sustaining, and, as a business proposition, that can not be controverted. In order to bring that about three years ago, I, in the committee, moved that a subcommittee be appointed to make a cost ascertainment of carrying the different classes of mail, and a subcommittee of five was appointed, of which I was chairman.

We soon found out that this cost ascertainment could not be made by the subcommittee without the aid of experts and a considerable appropriation of money. We finally decided to ask the Joint Postal Commission, which had some surplus money on hand, to undertake that job. They proceeded, but soon discovered that they did not have enough money on hand. Therefore in January or February a year ago this Congress voted to the Post Office Department $500,000 to make a cost ascertainment. It is generally believed that there are two classes of mail that do not pay their way, to wit, the second class and the fourth class, but nobody in the country knows, nobody in the Post Office Department knows how much they are running behind on those classes. Nobody is to blame for that except the Congress, which has refused from time to time to appropriate money so that the department could keep track of the expenses of carrying the different classes of mail. There has been no cost ascertainment in the Post Office Department since 1909. The evidence and conclusions of the department on that cost ascertainment were reviewed in 1911 by the Hughes Commission, of which you have all heard. Immediately after this appropriation of $500,000 was made a little over a year ago, the Post Office Department, without wasting any time, set to work to get the data, a great big job anybody will perceive, on which to make a cost ascertainment for carrying the different classes of mail. They have collected that data, and they have advised us that by the end of this fiscal year, to wit, the end of this month, they will be ready to report their findings and conclusions as to the cost of carrying the first, the second, the third, and the fourth classes of mail. When they have gone over all this mass of data collected by them and made their findings and conclusions, then the department can make recommendations and we can intelligently legislate on the proposition of raising the postal rates so as to take care of any increases that the Congress thinks are necessary in the salaries of the postal employees.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. RAMSEYER. Let me finish my statement and then I will yield if I have the time. It has been stated by the chairman of our committee [Mr. GRIEST] that the Post Office Department has recommended increases in salary of $200 for the larger offices and $100 for the smaller offices and the department's recommended increases total something like $43,000,000, but he failed to advise you that that recommendation of the Post Office Department was conditional on the Congress increasing the postal rates sufficiently to take care of the increases. The department is opposed to this bill. The deficit in the Post Office Department this year is something like $30,000,000. The bill before you provides for an increase of something like $80,000,000; so, with the $30,000,000 of deficit plus what we are voting here to-day, $80,000,000, the deficit in the Post Office Department will be something like $110,000,000.

It has been correctly stated that I am not saying that the postal employees are not entitled to better pay, but I do say that from a business standpoint the Post Office Department

ought to be self-sustaining—that is, that the users of the mail ought to pay the cost of the services rendered to them by the department just like the users of freight and passenger services on the railroads pay for what they get. It would be only a matter of waiting a few months, but the exigencies of politics and the approaching presidential election bring this bill on the floor of the House and it must be forced through with only 40 minutes' debate and without opportunity for amendment. Of course, some of the Members have suggested that in the next session of this Congress we can increase the postal rates, but I am here to tell you that if this bill becomes a law, the next session will adjourn before the Congress ever dares to touch any increase in the postal rates, because if they undertake to increase the rates of the second-class mail all of the newspapers will be jumping on you and you will be hunting your cyclone caves for safety, and if you undertake to increase by legislation the fourth-class rates the farmers of the country will get after you and then you will also seek some refuge of safety. However, the Post Office Department has the right on parcel post to increase the rates with the consent of the Interstate Commerce Commission. That can be done and likely will be done if the cost ascertainment just now under investigation in the Post Office Department justifies such an increase.

Furthermore, I think there is no need for haste in this legislation. There is no emergency existing which makes this increase in postal salaries imperative. I want to see the postal employees paid better than any other class of employees, and I join in the encomiums that are uttered on their faithfulness and their efficiency here to-day, but in adjusting the pay I do not think the Government is justified in paying much more than is paid in the general run of industry and business outside or in other lines of the public service. If this bill passes and the maximum is fixed at $2,100 a year, then the letter carriers and the clerks will get more pay per annum than the highest-paid elected county officers in 73 out of 99 counties in the State of Iowa—officers whose responsibilities are great, at least as great as postal employees, and in addition must make a campaign every two years and bear the expenses incident thereto.

The SPEAKER pro tempore. The gentleman has consumed 10 minutes.

Mr. RAMSEYER. I yield three minutes more to myself.

Let me talk to you gentlemen who represent the agricultural districts. I ask you whether the postal employees do not get better pay than anyone else drawing a salary for similar kind of work in your districts. I think you gentlemen who are from the agricultural districts ought to hesitate and reflect when as you know the postal employees are getting as much or more than other salaried employees in your districts, particularly with the condition of agriculture as it is to-day, before you vote an expenditure of $80,000,000 without providing the revenue to take care of it. It is quite evident that this Congress is not going to do anything for agriculture. That was shown by the vote on Saturday night. That vote killed the McNary-Haugen bill, and to-morrow we will meet to perform the last sad rites on that defunct piece of legislation.

In my minority report I set out the condition of the farmers. What that report contains is especially true of the farmers of the Northwest. Never were there so many bankruptcies and general distress among the farmers. What is the income of the farmer to-day? I call attention to the figures received from the Agricultural Department and set out in my minority report. The average income of the farmer in 1919, the peak of prosperity, was $1,774; in 1920 it had fallen to $964; in 1921, it was $1,075; and in 1922, $917. That is the income of men who own their farms. Now, honor bright, does not the income of postal employees look pretty good alongside of the income of farmers? The Department of Agriculture says that the condition among the tenant farmers is very much worse than among those who own their farms.

The taxpayers of the country are crying for relief. Public debts and taxes are increasing. This bill is going to pass with a whoop. Will the time ever come when this Congress will respect the rights of the great mass of unorganized taxpayers? I want to see the clerks and the carriers and the other employees well paid; but why can not this Congress exhibit a little backbone and do the thing that business demands—that is, defer action on this bill until we have the data from the Post Office Department on which intelligent action can be based? We appropriated $500,000 for that purpose and in order to put the Post Office Department on a basis that would be self-sustaining.

The reason for this ill-advised action is political; everybody knows that. Members who vote for this bill to-day are forever estopped from talking about "more business in government." If gentlemen of this House can not withstand the pressure to force this bill through when the department is about ready to report on the cost ascertainment, what kind of a spectacle would this Congress present if we had Government ownership of railroads, mines, and a few other industries? If we have not the courage to run the Post Office Department on a paying basis, which is simply "more business in government," what would become of the taxpayers if the duty to run the railroads devolved upon us, especially just four months before the election?

Another thing I wish to call to your attention is that under the new revenue bill, taking into account the expenditures heretofore authorized, which does not include this bill, there will be a surplus at the end of the next fiscal year of $2,000,000. It took close figuring to get even this small surplus. If this bill is enacted into law, there will be a deficit of $78,000,000. This is additional reason—and to my mind conclusive reason—why action on this bill should be delayed until we have the cost ascertainment, when intelligent action can be taken to provide revenues from the Postal Service to take care of increases in postal salaries.

I simply want you—well, to take your own course. I thought I ought to say the things I have said. If you want to know anything more about my attitude, you can read my minority report.

Mr. HASTINGS. Will the gentleman yield?

Mr. RAMSEYER. I will.

Mr. HASTINGS. What is the increase to fourth-class postmasters?

Mr. RAMSEYER. They get about $100, and third-class postmasters get about $100. The clerks and carriers get $300 increase. Of course, there are some inequities and inequalities in the bill, but I shall not undertake to go into that. I am against the bill for the reasons I have stated and not because of the inequities which run throughout the bill.

Mr. CARTER. Will the gentleman yield for just a short question?

Mr. RAMSEYER. Yes.

Mr. CARTER. I want the gentleman to tell me what is the deficiency, as near as he can estimate, in the second and fourth class mail?

Mr. RAMSEYER. I do not know and nobody knows. Guesses have been made time and again, but we will not know until the cost ascertainment is made.

Mr. CARTER. Give us your guess.

Mr. RAMSEYER. My guess would not be worth any more than anybody else's guess.

Mr. SPEAKS. Does the gentleman think the Post Office Department has had ample time?

Mr. RAMSEYER. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has two minutes remaining.

Mr. RAMSEYER. I reserve the remainder of my time.

Mr. LONGWORTH. Mr. Speaker, I desire merely to ask unanimous consent, in view of the fact I myself would like to have a little information, that the time be extended 10 minutes, 5 to be controlled by the gentleman from Iowa and 5 by the gentleman from Pennsylvania.

Mr. KINDRED. Reserving the right to object, I would like to have a half minute——

The SPEAKER pro tempore. Let the Chair state the request. The gentleman from Ohio asks unanimous consent that the time for debate on this motion to suspend the rules be extended 10 minutes, one half of that time to be controlled by the gentleman from Iowa [Mr. RAMSEYER] and the other half by the gentleman from Pennsylvania [Mr. GRIEST]. Is there objection?

Mr. KINDRED. Mr. Speaker, reserving the right to object, will one of the gentlemen who have time to dispose of give me a half minute?

Mr. SNELL and several Members. Regular order!

Mr. KINDRED. I withdraw the reservation of the right to object.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman from Iowa has seven minutes remaining.

Mr. RAMSEYER. I do not want to use over three minutes more.

Mr. BOYLAN. Will the gentleman yield for a question?

Mr. RAMSEYER. I will yield for questions for a few minutes——

Mr. SPEAKS. I asked the gentleman whether in the gentleman's opinion the Post Office Department had had sufficient time in which to make the survey of this whole question and

determine the method of producing revenue with which to pay what is generally regarded as a fair increase in wages?

Mr. RAMSEYER. I will say this in answer to the gentleman from Ohio, that I have not heard it claimed by anyone who knows the amount of work that is involved in a cost ascertainment like this that the Post Office Department has wasted or is wasting any time. We have that assurance from the Postmaster General and also from the gentlemen in charge of making this cost ascertainment. I think it has been performed with due dispatch and will be a good report when it is made.

Mr. SPEAKS. What length of time have they been pursuing that work?

Mr. RAMSEYER. They began getting the data last fall.

Mr. SPEAKS. When were they authorized or directed to proceed with this work?

Mr. RAMSEYER. At the end of the last Congress, in 1923, before we adjourned the appropriation was made.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. RAMSEYER. I will.

Mr. NEWTON of Minnesota. Could there not have been inserted in the bill here a provision requiring the Post Office Department to raise the rates, notwithstanding the provision as to the Interstate Commerce Commission, in order to meet this increase?

Mr. RAMSEYER. It is a difficult thing to legislate on. We can not legislate on it intelligently until we get the information from the cost ascertainment now under investigation. How much are we going to raise the second-class matter, for instance?

Mr. NEWTON of Minnesota. Well, it ought to be raised enough to meet the added expenditure.

Mr. RAMSEYER. I agree with the gentleman absolutely. This bill does not undertake to provide the raising of any money. Neither Congress nor the department can take intelligent action until we get the facts.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. RAMSEYER. I will.

Mr. LAGUARDIA. Is it not true there are several bills pending to increase rates, and that the department has requested the committee to take no action until they received the report of the cost ascertainment?

Mr. RAMSEYER. Of course we can not do anything in raising the rates now. We must wait on the cost ascertainment. In my opinion action on this bill should be delayed until the cost ascertainment is made.

Mr. LAGUARDIA. Is it not true then that the carriers and clerks in the big cities, owing to the high cost of food which the farmers are not getting, must get some relief?

The SPEAKER pro tempore. The gentleman has consumed three minutes.

Mr. RAMSEYER. I know they are no worse off than the farmers.

Mr. LAGUARDIA. They are pretty badly off.

Mr. RAMSEYER. Mr. Speaker, during the debate a number of references were made by other gentlemen and by myself to my minority report. Therefore, under leave to extend my remarks I submit my minority report for printing in the RECORD at this place:

[House Report 655, p. 2, 68th Cong., 1st session]

RECLASSIFYING THE POSTAL SALARIES

Mr. RAMSEYER, from the Committee on the Post Office and Post Roads, submitted the following minority report to accompany H. R. 9035:

No claim will be made in this minority report that postal employees are not entitled to or do not deserve more pay than they are now receiving.

The Post Office Department should be self-sustaining. No arguments are necessary to sustain this proposition. The main purpose of this report is to impress upon the Members of Congress and the public the necessity of cooperation between Congress and the Postmaster General to place the Post Office Department on a self-sustaining basis.

Comparisons made in this report between salaries received by postal employees and by employees in other Government service and in private employment are not for the purpose of showing that postal employees are overpaid or are not entitled to an increase in pay, but to show that there is no emergency existing that will work a hardship on postal employees to wait until the cost ascertainment now under investigation in the Post Office Department can be placed before Congress and the country.

Whatever increases are made in salaries should be taken care of by increased revenues from the Postal Service. Sound business dictates that we get the money before we spend it. If the increased salaries are to constitute an additional load on the already overburdened taxpayer, an inquiry into the ability of the taxpayer to carry this additional load and a comparison of the postal salaries with salaries paid to other employees in the public service and in private employment is certainly proper and in order.

The authors of the two principal bills introduced in the House providing for salary increases undertook to take care of the salary increases by increasing the revenues of the Postal Service. The joint subcommittees of the Senate and the House determined against carrying a provision in their recommended bill to increase the postal revenues. However, on the day the bill was reported out from the joint subcommittees Mr. PAIGE, a member of that committee, made a motion which provided in substance that the bill agreed upon be presented to the House and Senate committees with a recommendation that immediate action be taken to enact legislation looking to a raise in the postal revenues to take care of the expense incurred by the bill. This motion was carried unanimously. To date the House committee has taken no action to carry out the recommendation embodied in the Paige motion.

That a large number of the postal workers of the country feel that the Post Office Department should be self-sustaining and that any increase of salaries should be taken care of by a readjustment of postal rates is, I believe, more general than the Members of Congress realize. I quote the following from a letter which I received from the president of the city letter carriers' union of one of the larger western cities:

> "We do not favor a raise in salaries unless the postal rates are adjusted to take care of it. This we feel should be done whether we get the increase or not, so that the Post Office Department would be on a paying basis and not a charitable institution."

If the postal workers realized the importance of retaining the good will of the taxpayers of the country, I am sure they would concur in the very sensible statement which has just been quoted from one of the prominent postal workers of the country.

There are four classes of mail: First class, consisting chiefly of letters and post cards; second class, consisting chiefly of newspapers and magazines; third class, consisting chiefly of circulars and other print matter; and fourth class, consisting of parcel post.

The Post Office Department does not know at this time what it costs to handle these different classes of mail. This is not the fault of the department. Congress made no provision in the annual appropriations for the department to keep an account of such costs.

The last cost ascertainment made by the Post Office Department was in 1909 on data collected in 1907. In 1911 the Hughes Commission was appointed to go over the evidence and conclusions of the department on this subject. The findings and conclusions of the Hughes Commission were substantially the same as those of the Post Office Department. Since this cost ascertainment was made the business of the Post Office Department has greatly increased. Since that time also the Government has gone into the parcel-post business, which has had a remarkable development and growth.

The Post Office appropriation bill authorizing appropriations for the expenditures of the Post Office Department for the fiscal year ending June 30, 1924, contains the following item:

"*Provided*, That $500,000 of this sum may be used for the purpose of completing the work of determining the cost to the department of handling the different classes of mail matter."

As soon as this appropriation was made the Post Office Department addressed itself to the task of ascertaining the cost of handling the different classes of mail. No time has been lost or wasted by the department. Its report will be available by the end of this fiscal year. Until the report is made and the costs of handling the different classes of mail are made known no intelligent action can be taken by the Post Office Department in making or recommending a readjustment of the postal rates. Until this cost ascertainment is completed the rates that should be imposed for carrying the different classes of mail can not be scientifically and efficiently determined. The object of this cost ascertainment is to aid the Post Office Department to readjust postal rates and to make the Postal Service approximately self-supporting. It is right and good business that the rates should be so adjusted, or readjusted, that will make each class of mail bear its fair share of the total cost. In regard to the procedure to ascertain the costs for carrying the different classes of mail, the Postmaster General has this to say in his annual report for 1923:

"A system of procedure was adopted and complete forms and letters of instruction prepared necessary to secure the statistical data to be used, and these were placed in the hands of postmasters and the branches of the service concerned. A force of specially qualified and instructed post-office inspectors and officers of the Railway Mail Service was organized to work in connection with the departmental officers in charge of the matter. These field officers gave personal instruction to the postmasters and others upon whom the department depends for the statistics of the service.

"The period from September 21 to October 20, 1923, was selected during which time the statistics were reported. All the data will

ultimately be tabulated, arranged, and used by the department in making the ascertainment."

In order that Members of Congress may have before them the present salaries of the postal employees with which comparisons may be readily made, they are stated as follows:

Post-office clerks and carriers, salaries from	$1,400.00–$1,800.00
Special clerks, salaries from	1,900.00– 2,000.00
Average salary of post-office clerks for 1923	1,700.51
Average salary of post-office carriers for 1923	1,752.83
Railway postal clerks, salaries from	1,600.00– 2,300.00
Average salary of railway postal clerks for 1923	2,107.00
Average salary of railway postal clerks for 1923, including travel allowance	2,292.00
Clerks at division headquarters of the Railway Mail Service and post-office inspectors, salaries from	1,600.00– 2,300.00
Chief clerks in such headquarters	2,600.00
Laborers in post offices and the Railway Mail Service, salaries from	1,350.00– 1,450.00
Superintendents of mails, salaries from	2,100.00– 4,400.00
Assistant superintendents of mails, salaries from	2,200.00– 3,800.00
Foremen, salaries from	2,100.00– 2,300.00
Postal cashiers, salaries from	2,600.00– 4,000.00
Money-order cashiers, salaries from	2,300.00– 3,600.00
Assistant chief clerks, Railway Mail Service	2,500.00
Chief clerks, Railway Mail Service	3,000.00
Assistant division superintendents	3,200.00
Division superintendents	4,200.00
Post-office inspectors	2,300.00– 3,700.00
Rural carriers, for standard 24-mile route	1,800.00

The chief argument for an increase in postal salaries at this time is the failure of the cost of living to decrease appreciably since the last postal salaries increase bill was enacted in 1920. To help take care of the cost of living in large cities over that in the smaller cities and towns of the country the Post Office Department recommended that the post offices of the country be classified into two groups and that a differential in salaries of $100 to each employee be made for employees in the group of larger offices. This recommendation was discarded by the committee as impracticable and inexpedient and was resisted by the representatives of the postal employees on the ground that the cost of living in the large cities was, on the whole, no greater than in the smaller cities of the country.

SALARIES PAID IN OTHER LINES OF THE PUBLIC SERVICE AND IN PRIVATE EMPLOYMENT

H. R. 9035 grants an increase in salaries to postal employees in the classified service of the Post Office Department of $300 per annum, except to laborers, fourth-class postmasters, and a few others. This raises the maximum salaries of clerks and city carriers to $2,100 per annum, which is more than the highest-paid elective county officers receive in 73 of the 99 counties of Iowa.

Here are the salaries paid to high-school teachers, all of whom must be college graduates, in one of the leading and best high schools in Iowa:

Men: One, $2,000; one, $1,950; one, $1,900; two, $1,850; six, $1,800; one, $1,700.

Women: One, $1,800; one, $1,700; one, $1,650; one, $1,625; three, $1,600; one, $1,575; two, $1,550; eight, $1,525; nine, $1,500; one, $1,475; two, $1,450; three, $1,400.

The following statement shows by departments the approximate average salary of clerks now receiving from $1,140 to $2,040 per annum and classified in the clerical, administrative, and fiscal service; also the approximate average salary these employees will receive on July 1, 1924, under reclassification:

Department	Present approximate average salary, including bonus	Approximate average salary on July 1, 1924, under reclassification
Post Office	$1,604	$1,684
State	1,544	1,608
Treasury	1,655	1,680
War	1,590	1,625
Justice	1,704	1,756
Navy	1,582	1,624
Interior	1,588	1,680
Agriculture	1,604	1,663
Commerce	1,569	1,623
Labor	1,688	1,740
All departments	1,623	1,667

The joint subcommittees of the Senate and House Post Office and Post Roads Committees, while holding hearings on the postal salaries increase bill, requested that the Post Office Department furnish information with respect to the salaries paid by the Canadian Government to the employees in their postal service. The following is the information obtained from the department on this subject:

	Annual rate of pay	
	Minimum	Maximum
Rank 1:		
Letter carriers	$780	$1,260
Postal chauffeur	900	1,260
Postal clerk	840	1,500
Postal helper	780	1,260
Transfer agent	780	1,260
(Allowance uniforms and boots.)		
Rank 2:		
Railway mail clerk	840	1,560
(Allowance 1 cent a mile for distance actually traveled on duty.)		
Senior letter carrier	1,320	1,440
(Allowance uniform, boots, necessary transportation.)		
Senior postal clerk	1,650	1,800
Rank 3:		
Letter carrier overseer	1,500	1,680
Letter carrier supervisor	1,740	1,980
Rank 4:		
District examiner, Postal Service	1,800	2,280
Letter carrier superintendent	2,040	2,280
Principal postal clerk	1,800	2,280
Superintendent of postal stations	1,980	2,400
Supervisor of city mail delivery	2,040	2,280
Rank 5:		
Head postal clerk	2,400	2,880
Supervisor of city mail delivery	2,280	2,520
Rank 6:		
Chief, inspection division	3,000	3,600
Chief, Railway Mail Service division	3,000	3,600
Inspector of Postal Service	2,400	3,000
Rank 7:		
Chief clerk, chief Post Office Department Office	3,300	3,700
Post-office inspector	3,300	4,020

In addition to these salaries the Canadian Government pays bonuses in certain cases ranging from $60 to $315 per annum. (For details see Exhibit No. 2, on file with the committee.)

A comparison of these salaries with the salaries now paid to our postal employees shows at a glance that our salaries as now fixed by law are very considerably higher than those paid by the Canadian Government.

The department was also requested to furnish information in regard to salaries paid to persons employed by business institutions throughout the country. For the purpose of furnishing such information the department secured data directly from a large number of firms in different cities throughout the country ranging in population from 1,972 to 5,600,000.

This information was compiled and tabulated by the department and submitted to the aforesaid joint subcommittee. This shows for each city the number of firms reporting, and the average salaries paid in each city for the class of employees named. It also shows the general average for the entire group for each class of employees. These general averages are as follows:

Bank clerks	$1,382
Stock clerks	1,223
Shipping clerks	1,119
Railroad clerks	1,455
Stenographers	1,299
Bookkeepers	1,398
General office clerks	1,176
Cashiers	1,033
Typists	1,029
Freight handlers	1,273
Express clerks	1,492
Express handlers	1,357
Delivery drivers	1,377
Express messengers	1,722

The cities from which these reports were secured are as follows: "New York, N. Y.; Chicago, Ill.; Detroit, Mich.; Boston, Mass; Kansas City, Mo.; New Haven, Conn.; Des Moines, Iowa; Scranton, Pa.; Utica, N. Y.; St. Joseph, Mo.; Harrisburg, Pa.; Montgomery, Ala.; Hagerstown, Md.; Jackson, Tenn.; Geneva, N. Y.; Guthrie, Okla.; Illion, N. Y.; Herkimer, N. Y.; Americus, Ga.; Tuscaloosa, Ala.; Salem, Ohio; Cadillac, Mich.; Webb City, Mo.; Seneca Falls, N. Y.; Bryan, Ohio; Danville, Ky.; Corinth, Miss.; Portland, Ind.; Ravenna, Ohio; Elkton, Md.; Newport, Pa."

The department also secured and started upon an annual basis statistics of the following character:

"Statement showing annual compensation of 16,216 employees (7,839 clerks, routine, experience required; 4,777 clerks, routine, no experience required; and 3,600 stenographers and typists) of 268 industries located in 85 cities and towns of New York, Connecticut, Massachusetts, and Rhode Island."

They were gathered by the New York, New Haven & Hartford Railroad Co. for their own purposes in May, 1923.

The statement gives the range from the minimum to the maximum and the average salary for the firms reporting for each of the cities named. As examples the following are included here, viz:

For Hartford, Conn. (number of firms reporting, 22):

Routine clerks, experience required—	
Number	3,077
Minimum	$919.79
Maximum	1,603.38
Average	1,126.28
Routine clerks, no experience required—	
Number	1,907
Minimum	$548.54
Maximum	1,157.56
Average	764.41
Stenographers and typewriters—	
Number	1,285
Minimum	$886.42
Maximum	1,564.28
Average	963.59

The department made a further compilation of statistics of wages and salaries, being excerpts from statistics prepared by the classification board "as the result of special investigation relative to salaries of employees in private employment throughout the United States." These excerpts show salaries for the following classes of employees:

"Auto truck or delivery wagon driver, chauffeur, teamster, laborers, telephone operators, routine typists, senior typists, routine stenographers, senior stenographers, head stenographers, routine accounting clerk, senior accounting clerk, head accounting clerk, routing general clerk, senior general clerk, head general clerk."

These are set forth in Exhibit No. 5 furnished the joint subcommittees.

The exhibit shows the State and city, the nature of business reported, the lowest rate of pay and the number receiving the same, the highest rate of pay and the number receiving the same, and the standard entrance pay. For example, in the class of routine general clerk, it is shown for Springfield, Mass., that 33 employees in a life insurance office received the lowest salary of $728 and 27 received the highest salary of $832, and for Minneapolis, Minn., 7 employees of a steel manufacturing plant received the lowest salary of $624 and 4 employees received the highest salary of $1,500.

The department also secured direct reports from postmasters throughout the country covering salaries paid to employees engaged in similar occupations in business establishments. These were tabulated and submitted under Exhibit No. 6 to the joint subcommittees.

It shows salaries paid in the different cities to employees in business establishments of the character named therein and covers a wide field of employment. For example, the report from the banks in Buffalo, N. Y., shows the minimum salary for clerks of $720 and the maximum of $1,800, and for office clerks in department stores minimum salary of $720 and maximum salary of $1,800. The report from Portsmouth, N. H., shows a minimum salary for bank clerks of $1,000 and a maximum of $1,800.

INCOMES AND TRIALS OF FARMERS

Further in support of the proposition that the postal salaries increase should be taken care of by increased revenues from the Post Office Department and should not be made a burden on the taxpayers of the country, let us look at the condition of the American farmers who, in the last analysis, together with the other producers of the country, bear the load of all tax burdens. Every additional tax burden, even though assessed against the few, is felt in one way or another by the entire population.

The farmers of the country have labored under unusual difficulties since the war. While analyzing salaries and wages of the employees, both public and private, it is proper to pause to ascertain what the incomes of the farmers are.

The Department of Agriculture advises us that the average size of an American farm is about 148 acres. Its average value is estimated at about $8,500. The average mortgage debt is about $3,400 per farm. The average personal debt is over $800 per farm. The average annual interest charges are about $315 per farm. The average annual taxes are about $105 per farm. Hence, interest and taxes alone take, roughly, $425 per annum from the farmer's income. The average income per farm family in 1919 has been estimated, roughly, at $1,774. The average in 1920 had fallen to $984. Estimates for 1921, though not on a wholly comparable basis, were $1,075. Estimates for 1922, though also on a different basis, indicate a return of $917 on the average to the owner-operator of over 6,000 representative farms included in a survey made by the Department of Agriculture. Although the foregoing figures of income are not wholly comparable, they indicate the low rate of income per farm family in the United States.

Further, for the purpose of presenting the condition of agriculture, the following excerpts from the report of the Secretary of Agriculture made December 10, 1923, are submitted for the consideration of the Members of Congress:

"In many regions agriculture still is at a disadvantage. The adverse influences of which mention was made in my report of a year ago still exists, though less powerful than at that time. The ratio between prices of most farm products and prices of other commodities is still far out of line.

* * * * * * *

"Studies by this department indicate that 42 per cent of the farmers feel that their financial difficulties are due to low prices of farm products; to high taxes, 17 per cent; high costs for farm labor, 11 per cent; high freight rates, 10 per cent; high interest, 10 per cent; reckless expenditures during boom period, 6 per cent; and too much credit, 4 per cent.

* * * * * * *

"Too frequently persons who have not inquired into the matter express the opinion that the farmers' difficulties are due to reckless expenditures for land, speculative securities, and other purposes during the flush years. The percentage who suffered in this way, however, does not seem to be large. The farmers' troubles are due primarily to the low prices of their farm products and the high prices for the services and articles they must buy.

* * * * * * *

"It would seem to be distinctly in the public interest that the price level during these years when we are working out of war difficulties be maintained at from 60 to 70 per cent above the pre-war level. Just as sound money requires a gold basis so sound business requires an equitable and stable price level.

* * * * * * *

"The result of the conditions which have prevailed during these years of agricultural deflation is reflected in the steady drift from the farms to the towns. Our estimates indicate that the net change in population from the farm to the town in 1922 was around 1,200,000. This drift is taking place not alone in those sections where agricultural depression is being felt most keenly just now but throughout the country. This is illustrated in a number of ways. For example, 4.7 per cent of the habitable farm houses were vacant in 1920, 5.7 per cent in 1921, and 7.3 per cent in 1922. A recent study indicates that in 1922 farmers occupied 86.3 per cent of the habitable farm houses as compared with 88.4 per cent in 1921 and 89.7 per cent in 1920. Because of the scarcity of houses available for them nearer their work, many farm houses within reasonable distances of cities are being occupied by people who work in the cities.

* * * * * * *

"It was found that of the owner farmers in 15 corn and wheat producing States on an average over 4 per cent had lost their farms through foreclosure or bankruptcy, while nearly 4.5 per cent had turned over their farms to creditors without legal process, making a total of about 8.5 per cent who had lost their farms with or without legal proceedings. In addition, more than 15 per cent were, in fact, bankrupt, but were holding on through leniency of their creditors. Considered by groups of States, the percentage of owner farmers who lost their farms since 1920 was found to be as follows: For five east North Central States, nearly 6 per cent; for seven west North Central States, over 9 per cent; and for three Mountain States nearly 20 per cent. The percentage of tenants who lost their property ran materially higher."

* * * * * * *

"The records of the Department of Justice indicate that in the pre-war years 5 per cent of all bankruptcy cases were farmers, but in 1922 it had grown to 14 per cent. In some of these States, where in pre-war years the farmers' bankruptcy cases represented about 7 per cent of all such cases, this percentage in 1922 had risen to nearly 30.

"These losses have not been due to inefficiency on the part of the farmers. Practically all of them were incurred by men who had been doing fairly well until they entered the period of drastic deflation. Some few were caused by overexpansion in the purchase of land during the period of high prices. In general, however, the trouble has been due to the deflation in prices of farm products and the increased cost of production and of the necessaries farmers must buy."

* * * * * * *

"This drift from the farms to the cities is due in part to inability to make a decent living on the farm and in part to the fact that the Nation has been willing to pay higher wages relatively for workers in the industries of various sorts than for workers who are producing food.

* * * * * * *

"The Nation has suffered in another way. The drastic economies which have become necessary on the farms have greatly reduced farm standards of living. They have compelled overwork by the farmers, unaccustomed farm work by farm mothers, increased work by children kept out of school—in too many cases the older children taken

out for good. Continued disappointment on the part of all members of the family, worry and discouragement, added to privations, have resulted in the breaking up of many a home.

* * * * * * *

"The Nation has suffered equally in depressed morale. There has been no satisfaction in the minds of the farmer or in the minds of the city dwellers over this agricultural depression. The farmer has no challenge to heroism. The farm wife has no glory in her sacrifice and disappointment and long days of toil. The result has been a social and political unrest which has not contributed to national welfare. The underserved fate and the powerlessness to pull out of difficulties has lessened hope and developed an unrest which will be felt for a long time. The farmer does not wish to complain, but he is driven to it; and at the same time he resents the condition which makes it necessary to complain."

Respectfully submitted,

C. W. RAMSEYER.

Mr. RAMSEYER. I reserve the remainder of my time.

The SPEAKER pro tempore. The gentleman reserves four minutes.

Mr. BELL. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. MEAD]. [Applause.]

M. MEAD. Mr. Speaker, the postal wage bill reported by the Post Office Committee, H. R. 9035, is generally satisfactory to the employees of the Postal Service.

While the employees generally held the hope that the Kelly-Edge or Paige bill would have been approved, they now realize that the committee bill is a suitable compromise, and they are urging its passage.

The House committee bill, H. R. 9035, provides for $300 increases for clerks and carriers, fixing a new scale of salary grades at $1,700, $1,800, $1,900, $2,000, and $2,100, and special clerk grades at $2,200 and $2,300.

The House bill provides for a new method of computing overtime which raises the overtime rate. It also has a time differential for night work which is of great importance to the clerical group.

The question of postal night work was thoroughly investigated by the Senate Post Office Committee, and its conclusion was the same as that proposed in H. R. 9035—namely, a time differential of 10 minutes in every hour between 6 p. m. and 6 a. m.

The report reads as follows:

Senate report on postal night work, January 16, 1923

SENATE INVESTIGATION OF NIGHT WORK

In an informative report to the Sixty-seventh Congress dated January 16, 1923, Senator TOWNSEND, chairman of the Senate Committee on Post Offices and Post Roads, said in behalf of the committee on this subject of postal night work:

(Report to accompany S. 3773)

The Committee on Post Offices and Post Roads, to whom was referred the bill (S. 3773) to reduce night work in the Postal Service, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

This bill was introduced subsequently to the consideration of Senate Resolution 259, Sixty-seventh Congress, second session, which was as follows:

> "*Resolved*, That the Senate Committee on Post Offices and Post Roads be, and hereby is, authorized to investigate the matter of night work by postal employees for the purpose of determining the extent of such work and the best method of reducing it, and whether necessary night work in the Post Office Department should be compensated by shorter hours or increased pay. Such committee shall report its findings to the Senate with such recommendations as to it may seem desirable not later than July 1, 1922."

In accordance with the terms of this resolution the committee submitted a report of its findings to the Senate on April 20, 1922.

During the consideration of this resolution hearings were held on May 11 and 18, 1922. The committee submitted a request to the Post Office Department for information as to the amount of night work in the service; its character; its necessity; the classes of mail handled at night and the relative amounts of each class worked; the department's opinion as to whether night work could in any manner be reduced without affecting detrimentally the service to patrons; and the department's estimate of the cost of a reduction of the hours constituting a day's work during night hours—i. e., between the hours of 6 o'clock p. m. and 6 o'clock a. m.

In order to obtain this information the department sent out questionnaires to over 100 postmasters in charge of the largest post offices throughout the country. Departmental representatives presented the replies of postmasters to the questionnaires and gave such other information as they possessed in reference to the subject matter to the committee. Representatives of the employees were also heard, especially representatives of employees performing night services.

As a result of its investigation the committee is convinced at the present time much unnecessary night work is being done in the Postal Service. It believes that the department should be able to devise methods whereby considerable reduction in the amount of night work may be effected. The committee is of the opinion that the passage of this bill will exert pressure upon the Post Office Department so that ways and means of reorganization of personnel will be adopted to eliminate such unnecessary night work. The committee further believes additional compensation in the form of a time differential for night work, such as is essential to the best interest of the service, should be awarded to employees performing such service.

It is well recognized that night workers in all lines of business are not as efficient as those who perform their functions during daylight hours. A contented employee in the Postal Service will without question accomplish more satisfactory work than one who is working unusual hours and under discouraging conditions. The reduction of night work as provided in this bill will promote better health and better social conditions for the largest possible number of employees in the Postal Service. The principle of additional compensation for night work has long since been recognized by the Government, the most notable beneficiaries being employees of the Government Printing Office.

It is very difficult to estimate with exactness the extra cost in money which this bill would impose upon the Post Office Department. If the present night force were not reduced, the cost might reach as much as $5,000,000, but since the hearings by the committee the department has reduced the number of night workers; and by limiting night work to first-class mail matter the night forces can be greatly reduced. The cause for such a large night force is due largely to the daily late mailing of postal matter. It is believed that proper departmental regulations can be issued materially expediting earlier mailings. The cost is secondary to the efficiency which would be secured through that contentment which would come from the shorter working hours at night. In a majority of cases six hours of work would be equal to that now performed in eight hours. The health of men and women would be conserved and that bulwark of our public, the American home, made happier and better.

The only question which divided the committee was whether night workers, of which there always will be some, should receive special consideration by increased pay or shorter hours, and the majority feel that the latter is the better and wiser method.

MILITARY CREDIT

Of great importance to the former military service men is the provision in the bill giving them credit in the Postal Service in promotions for the time they served in the military service. In short, military service is construed to be the same as postal service for those promotions which are based on length of postal service.

INCREASES JUSTIFIED

In view of the necessity for maintaining postal efficiency by attracting to the service and holding in the service the best type of employees, this wage bill is a good, sound investment for the American people.

That the postal workers are entitled to an adequate wage, regardless of the existence of a postal deficit, is clearly set forth in the following editorial from the Union Postal Clerk, the official journal of the National Federation of Post Office Clerks:

THE OUTCRY AGAINST POSTAL REVENUES

More has been written about postal revenues in the public press during the last few months than in the past decade. No one cared much about postal revenues until the postal workers started to speak up for a living wage. Then those in political control of the Nation's affairs let it be known there could be no pay increases without a corresponding increase in postage revenues. Otherwise the tax-reduction program would be much disturbed and the people disappointed.

While postal employees believe almost without exception that the service should be self-sustaining, they are a unit in protesting against a low-wage policy just because postage rates are too low to insure an equalization of income and outgo. If the party in political control believes in low postage rates that is its concern and there are ample grounds for defending such a policy. But a deliberate curtailment of postal revenues can not be successfully used as a justification for subnormal wage rates. The employees have no control over postage rates and they should not be made to stand the brunt of the effects of a low-rate policy that amounts to a virtual subsidy to a few business concerns already opulent beyond the safety point.

We hear nothing of a self-sustaining Navy or Army or State Department. The pay and pension privileges of the admirals and the generals are not predicated on the necessity of showing a surplus. Regardless of what the postal revenues may be, whether they be large or small, the facts stand out that the Government should pay its postal workers amply adequate pay. Then if it is deemed advisable to follow a policy of a self-sustaining Postal Service the postage rates should be adjusted accordingly.

Resorting, for emphasis, to swing-room vernacular, this stall of the department's regarding its cost-ascertainment data is a lot of "applesauce." The proper procedure, assuming that the party in political control wants a self-sustaining service, is to first fix postal wages and then fix postage rates. The employees, we repeat, are entitled to ample wages regardless of what the postal revenues may be. It is begging the question for the department to seek delay and to evade its duty toward its workers on the ground that possibly parcel-post rates can not be raised sufficiently high to provide a living wage. Even if they can not be so raised, this does not justify a denial of an obvious right to underpaid men performing an essential public service.

Moreover, it ill becomes some of the departmental experts to use the postal deficit as an argument against pay raises for the field workers when they are helping to create this deficit by reaching out for pay increases for themselves. All of the department's expenses, amounting to close to $4,000,000, are now paid from postal revenues. Formerly they were paid from other revenue sources. And out of the next year's postal revenues will come a 50 per cent increase in pay for the four assistants to the Postmaster General, and substantial increases for all of the bureau chiefs. These increases are deserved. We are not arguing against them. But it is manifestly unfair for a group that is decreasing postal revenues to use this shortage as a reason for denying a pay readjustment to the underpaid field workers. If the departmental chiefs were so much concerned about a postal deficit they could very easily have continued the former practice of paying the department's expenses out of general taxation revenue and saved the postal revenues to that extent. If pay increases are hereafter to be condition on a postal surplus, the departmental chiefs are prepared, we suppose, to refuse to accept their salary boosts until such time as the deficit is wiped out.

The rural mail carriers, by the provisions of this bill, are granted a maintenance allowance of 4 cents per mile, and they are generally satisfied with the committee's recommendations. The rural carrier has become a traveling post office, and as a result of the parcel post his work has increased tremendously. He richly deserves all the bill will give him.

THIRD AND FOURTH CLASS POSTMASTERS

The House Committee on the Post Office and Post Roads adopted certain amendments to the measure submitted by the joint subcommittee. Among them was a graduated scale of clerk hire for third-class post offices instead of the present lump-sum appropriation, and an increase in the percentage of cancellation of stamps on outgoing mail, from which the compensation of the fourth-class postmasters is derived. The reasons for these amendments are as follows:

Under the present law no third-class postmaster receives a sufficient amount to employ necessary help. Therefore he must take from his salary an amount sufficient to supplement the allowance the department can grant with the inadequate appropriation for this purpose. The law says the department may grant not to exceed certain amounts, but the department necessarily substitutes a scale far below the amounts indicated in order to spread the appropriation over this service.

Careful investigation by the committee disclosed that this group is the only one in the Postal Service which has no stated salary schedule. The Postmaster General recommended to our committee that specific amounts be allowed, based upon the salaries of the postmasters. After careful consideration this schedule was adopted by the committee and is before the House in H. R. 9035.

It must be understood that this amendment does not add anything to the compensation of the third-class postmasters for the reason that department regulations provide that vouchers must be submitted by the clerks in these offices showing that the amounts have been received by them for services rendered.

In adopting the Post Office Department recommendation our committee took into consideration the fact that the third-class post offices are the distributing agencies for a vast volume of parcel-post matter. The handling of this is not reflected in the receipts of their offices on which their compensation is based, but it comprises the bulk of the work. The volume of incoming parcel post is many times greater than the outgoing.

In order to permit some flexibility in this schedule for administrative purposes provision is made that the Postmaster General may modify the allowances to meet varying needs, but that they shall not be exceeded or reduced by more than 10 per cent.

Our committee is convinced, and the Post Office Department believes, that the specific schedule in the bill under consideration will make for efficiency in the nearly 11,000 third-class post offices. As a matter of justice it will permit the postmaster to retain for himself and family the salary to which he is entitled under the law.

For the fourth-class postmasters a slight increase is made in the percentages of cancellation of stamps on outgoing mail from which their compensation is derived. It was at first proposed by the joint subcommittee that allowances be granted this class for the items of rent, fuel, light, and equipment they must furnish at their own expense. The Postmaster General, while recognizing that the fourth-class postmasters are entitled to additional compensation, pointed out that for administrative purposes it would be better to have a direct increase rather than an allowance. In order to approximate the amount of the allowance proposed, our committee raised the percentage of cancellation of stamps. This gives a comparatively small amount annually to each postmaster of this class.

This increase is amply justified on account of the increase in the volume of incoming mail, for which they receive no pay, due principally to the tremendous growth of the parcel post business. The great bulk of parcel post matter goes from the cities to the country and the country postmasters are the distributing agents, performing the work and bearing the expense, but receiving no pay for it. It is conservatively estimated that incoming mail in these offices is six times greater than outgoing. The compensation is based on the outgoing; the incoming mail furnishes no revenue to the fourth-class postmaster.

Department regulations require the fourth-class office to be open during business hours. In these villages this means from 10 to 14 hours. If the postmaster needs help—which he does in many cases—he must hire it at his own expense. He is permitted to engage in other business, because if he were not, there would be no fourth-class post offices, due to the very small compensation. But the post office must have the postmaster's personal attention, and his other business must not interfere with his postal duties.

It is indefensible to say that this group of nearly 37,000 postal workers in the rural sections of the country should be compelled to donate quarters, equip the post office, and heat and light it without recompense. The additional percentage of cancellation, while not adequately compensating them for this, will in a measure help them to carry this burden.

I sincerely hope this meritorious measure will pass both the House and Senate and receive the signature of the President. It is a sound business investment on the part of the Federal Government. It is an act of simple justice in behalf of the 300,000 faithful employees of our Post Office Department.

Mr. GRIEST. Mr. Speaker, I yield half a minute to the gentleman from New York [Mr. MAGEE].

The SPEAKER. The gentleman from New York is recognized for half a minute.

Mr. MAGEE of New York. Mr. Speaker, in voting for this bill I appreciate the fact that it is the policy of the Government that the Post Office Department shall be practically self-sustaining. I hope the administration will find that the increased obligations created by this bill can be absorbed by increased postal receipts. [Applause.]

Mr. BELL. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. SITES].

The SPEAKER. The gentleman from Pennsylvania is recognized for two minutes.

Mr. SITES. Mr. Speaker, I desire to present some observations on the pending postal salary reclassification bill (H. R. 9035) and to set forth as clearly as possible a few of the many good reasons why this bill should be enacted into law. During my 8½ years' service as postmaster of Harrisburg, Pa., from June, 1913, to February, 1922, I learned a great deal about the actual workings of the Postal Service and the conditions among the men and women who make that service their work.

First, I can not speak too highly of the quality of the personnel of the Postal Service. Their efficiency, industry, and loyalty have been tried and proven time and time again. I do not believe in any business enterprise in the country—and the Postal Service is really a great Government enterprise—that you will find as high a class of employees on the whole as in the United States Postal Service. They are eminently deserving of fair and just treatment from the hands of their employer. Both in time of peace and war the Postal Service has been shown to be a wonderful organization, with an apparently unlimited capacity. And bear in mind that the postal establishment is wholly dependent upon the quality and morale of its employees for the class of service rendered. It manufactures nothing, produces nothing, but service to all of the people, and the efficiency of the service can at all times be directly measured by the capability and morale of the employees who produce it.

It seems to be almost unanimous opinion that postal employees should be given an increase in salaries. Such objection as has been made to the pending bill is based on the fact that it carries no provision for raising revenue to bear the cost of the increases. I believe the President is absolutely right in his idea

that the Postal Service should be so administered as not to show any appreciable deficit at the close of the fiscal year, as any deficit must necessarily be paid out of the General Treasury. It is sound public policy that the postal establishment be removed so far as possible from consideration in connection with the levying of taxes. However, the Postal Service belongs to the people and it is conducted for the use and benefit of the whole people. The people expect, and have a right to expect, the most efficient mail service possible. I maintain such service can only be furnished by paying the employees responsible for it salaries commensurate with their work, and salaries sufficiently attractive to prevent excessive turnover in personnel, which postal employees are not receiving at the present time.

Since 1913 up to the present time the increased cost of living has been estimated from 65 per cent to 80 per cent, varying, of course, in different sections of the United States. Postal employees during this period have been granted an increase of 50 per cent in salaries, notwithstanding the fact that postal receipts have doubled and the number of employees has not been correspondingly increased by any means. To be specific, postal revenues for the fiscal year 1913 were $266,619,525; for the fiscal year 1923, $532,827,925, an increase of 100 per cent minus a slight fraction. In 1913 there were approximately 183,842 postmasters and classified postal employees; in 1923 there were 264,340 such employees, an increase of 44 per cent. In other words, with an increase in personnel of 44 per cent the Postal Service is handling an increase in business of 100 per cent. Nothing could speak more highly for the efficiency and industry of the employees of the Postal Service of to-day. But, in spite of the fact of more work and added responsibilities, wages have not even kept pace with the increases granted in other lines of work because of higher living costs, and as a matter of fact the postal employee is much worse off to-day so far as salary is concerned than he was in 1913.

It is a serious question which confronts us, gentlemen, and one which demands attention at this session of Congress. A man can not give the best that is in him when his salary is such that he can not maintain the same standards which men in other lines of his brain and capacity are maintaining. It is against human nature. Where this salary is such that he can not keep up a decent standard of living, as living conditions are judged in the United States; when he can not give his wife and children some of the comforts and advantages of modern life, then it most seriously impairs his efficiency. His self-respect suffers, and where self-respect suffers usefulness to the community in which he lives and to his country declines. A man who is continually worrying over the butcher bill, the grocer bill, the doctor bill, and where the money is coming from to properly clothe himself and family is not rendering the best service that is in him to his employer. It is such a condition that confronts us in the Postal Service to-day, and it is one that demands immediate action, for we are all interested in the welfare of the Postal Service, although we may not realize it.

There are many precedents for the action contemplated by Congress in this bill. So far as I know no bill granting increases to postal employees has carried with it at the same time a revision in postal rates to meet the cost of the increases granted. So, as a matter of fact, every bill where an increase has been granted in salaries is a precedent. It is worth pointing out that the normal growth of the post-office revenues and business has always rapidly tended to absorb any increased expenses.

For example, the 1920 postal appropriation act granted increases to postal employees which the Postmaster General in his 1920 annual report states cost $33,202,600. House Joint Resolution No. 151, which became effective November 8, 1919, later granted a bonus on a sliding scale to postal employees for the same fiscal year, and cost an additional $35,698,400. No change was made in any of the postal rates and no provision made for raising the revenue, although an added expense of $68,901,000 was placed on the Postal Service for that fiscal year. The total deficit for the year was $40,000,000, but attention should be called to the fact that $23,000,000 of that sum was caused by the decision of the Interstate Commerce Commission granting increased pay to the railroads for carrying the mails. This made a total additional expense placed on the service for 1920 of $91,901,000, and as there was a deficit of $40,000,000, the Postal Service in that one year absorbed almost $52,000,000 of the added expense placed on it without any change in postal rates.

On June 5, 1920, the present postal salary act was passed, which the Postmaster General, in his annual report for 1921, estimated as costing $41,855,000 for that year. No provision was made for raising any additional revenue in the act of June 5, 1920, and the operations of the Postal Service showed a deficit of $81,387,387 assignable to the fiscal year 1921. In 1922 this deficit had been reduced to $60,815,400; in 1923 to $28,578,760. While no figures are available as yet for the fiscal year 1924, it is understood that the deficit will approximate $20,000,000. Bear in mind that no change has been made in the rates during this period, and from the foregoing it can readily be seen how the Postal Service by only its normal growth and increased efficiency has been absorbing the increase in salaries granted in 1919 and 1920, and for which no provision whatsoever was made for raising revenue.

The bill H. R. 9035 is estimated as costing $64,644,775. The salaries recommended therein are the lowest that the committee could consistently indorse as a living wage. Congress is not now in a position to intelligently revise postal rates; Congress is in a position to reclassify postal salaries. Where a decision must be made between a temporary deficit in operating the Postal Service or lowering the standard of efficiency of the service, I am for a temporary deficit every time. The Postal Service must not retrograde. Every business of any size encounters emergencies where it is necessary to operate at a loss for a period of time in order to keep up to its high standard and keep going until an intelligent adjustment can be made. The Postal Service is not different in this respect from any other large business institution.

The only reason a revision of rates is not carried in the present bill is that the committee had no data upon which to base such action. An appropriation of $500,000 was granted in the 1924 postal appropriation act for the purpose of enabling the Postmaster General to make an investigation and ascertain as nearly as possible the exact cost to the Government of handling the different classes of mail matter with a view to recommending equitable adjustments in the present postal rates. During the month September 21, 1923–October 20, 1923, exhaustive investigations were made at all points of the United States to be used as a basis for cost ascertainment. This data has been studied and been in process of tabulation since that time and the Postmaster General advises the committee that the complete report will not be available for several more months. Anyone can readily comprehend it is an enormous task. It is a matter of common sense that no fair revision of rates is possible until the report is available.

I believe the people who use the mails should pay for the service rendered at rates approximating the cost of the service. Congress has no way at the present time of determining just what classes of mail matter are being carried at a loss, or if at a loss how much loss.

There has been an ill-advised move in certain quarters to place the entire cost, or most of the cost, of the proposed postal salary increases on parcel post, which, in my opinion, would be most unfair and a rank imposition on the users of that service. While the Postal Service should be self-sustaining, the rates should not be so fixed that one class of mail matter must show a substantial profit in order to make up a deficit in another class or classes. The rates should be adjusted as nearly as possible so that each class of mail and special service will be self-supporting. In the absence of cost data I believe it would be most unfair and unwise that any attempt should be made to throw the expense of this bill on the Parcel Post Service.

As a matter of fact, if the report on cost ascertainment is made fairly and accurately, I doubt very much, indeed, whether the Parcel Post Service will show such a tremendous loss as has been generally circulated. I have heard the remark made frequently, on what basis I do not know, that the Postal Service was on a self-supporting basis until the inauguration of parcel post and that the deficits of the past few years are directly chargeable to parcel post. As a matter of fact, the exact opposite is true. For the fiscal years 1884 to 1911, inclusive, 28 years, the Postal Service showed a deficit each year. The years 1906, 1908, and 1909 showed an aggregate deficit of $45,000,000, or an average annual deficit of $15,000,000 for these three years. Parcel Post Service was placed in operation in 1913. For the first four years after its inauguration—1913 to 1916, inclusive—the Postal Service showed a net surplus of $3,383,040, an average annual surplus of $845,760. During this time the Postal Service was more nearly on a self-sustaining basis, without any idea of profit, than at any time in its entire history. No comparison should be made of the Postal Service during the war, as conditions were so changed that a fair comparison is not possible with any other period.

I do not intend to make the statement that parcel post was responsible for wiping out the previous deficit, but I believe

these figures effectively refute any contention that parcel post is wholly responsible for the present deficit in the Postal Service, and that any deficit should be made up by increasing the rates on this class of mail.

However, if parcel post is being handled at such a huge loss as has been generally circulated, and which I very much doubt, the report on cost ascertainment should bring out that fact. Prompt adjustment is then possible, as the Postmaster General already has authority, with the consent of the Interstate Commerce Commission, under the existing law to change the rates so that the service will pay for itself. No legislation is really required in the matter of parcel-post rates. In my opinion, any legislation at this time increasing the rates on parcel post might play havoc with that service and so reduce the business that the estimated increase in revenue to be derived therefrom would fade away. In other words, we would "kill the hen that laid the golden egg."

I honestly believe that a revision in postal rates is necessary and should be made at the earliest practicable date. Prices for every other article and service have advanced materially during the past 10 years. Comparatively no change has been made in postal rates, excepting second-class matter, or newspapers and magazines. But now is not the time and it can not be done at this time because we have nothing on which to work. Without any criticism of the Postmaster General, I merely want to suggest that there is probably no other business in the world that it would take more than 11 months to ascertain what articles it is handling at a profit, and what articles at a loss, and how much. It is now more than 11 months since the appropriation for cost ascertainment has been available to the Post Office Department.

When Congress convenes next December it will have data on which it can revise postal rates, and so revise them that the different classes of mail matter will pay for the cost of their handling. More definite figures will also be available at that time as to the actual cost of the increases given postal employees if the bill is passed at this time. In the meantime postal employees are more than entitled to the increases in salaries granted them in the proposed bill, and it seems to me that it would not only be poor business policy and detrimental to efficient administration but unjust to the employees themselves to expect them to continue to perform the increased volume of work for a wage which it is generally agreed, and which statistics of the United States Department of Labor confirm, is not even sufficient to decently support a family and totally inadequate for the character and the volume of work performed.

It has been said that the Postal Service is nearer the hearts of the American people than any other Government activity, and that its fullness and beauty of service is characterized by and made possible only by the spirit of sacrifice and unselfish devotion to duty of its employees. It is my sincere belief that this is true; it touches the human side of life. The mission of the Postal Service is nobly expressed in the inscription on the Washington City Post Office Building, perhaps one of the most beautiful in the world, in the words of Doctor Eliot, president emeritus of Harvard, and Woodrow Wilson:

> Messenger of sympathy and love. Servant of parted friends. Consoler of the lonely. Bond of the scattered family. Enlarger of the common life. Carrier of news and knowledge. Instrument of trade and industry. Promoter of mutual acquaintance, of peace and good will among men and nations.

[Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. RAMSEYER. Mr. Speaker, I yield two minutes to the gentleman from Indiana [Mr. SANDERS].

The SPEAKER. The gentleman from Indiana is recognized for two minutes.

Mr. SANDERS of Indiana. Mr. Speaker, I am opposed to a bill which carries additional expenditures by the Post Office Department of fifty to seventy million dollars without adequate assurance that at the same time the revenues will take care of those expenditures.

The great difficulty in Government ownership and operation of any business is that the Government is ready to perform the easy task of increasing expenditures and delays the performance of the more difficult and unpleasant task of increasing revenues falling on its customers in the business. When the Government controlled the railroads we increased expenditures of the railroads to the extent that it cost the Government in taxes billions of dollars, because the Government at the same time did not have the courage to make the revenues which came from freight and passenger charges sufficiently heavy to pay the expenditures.

So far as I am concerned, although I am in favor of increasing the pay of post-office employees to a just amount, I am unwilling to assist in a venture that goes aside from that principle; and for that reason, and that reason alone, I shall cast my vote against this measure. [Applause.]

Mr. RICHARDS. Did you believe in the same principle in the appointment of new district judges of the United States?

Mr. SANDERS of Indiana. Oh, the gentleman is not talking about a governmental business. I was talking about conditions when the Government engages in a business. The question of our courts is not a business.

Mr. RICHARDS. Is not the Government engaging in a business when it creates a new United States district court?

Mr. SANDERS of Indiana. It is not.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. GRIEST. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. PAIGE].

The SPEAKER. The gentleman from Massachusetts is recognized for two minutes.

Mr. PAIGE. Mr. Speaker, the question has been if there are any means of raising revenue to meet the increased salaries. It is the opinion of the committee that relief for the postal employees should not be deferred pending adjustment of the revenue measure.

The committee is informed by the Post Office Department that the ascertainment of cost of handling all classes of mail matter is being pursued as diligently as possible, but the result will not be available until the end of the fiscal year.

The department already has authority to raise the parcel-post rates, including the fees for insurance, C. O. D., and registration, subject to the approval of the Interstate Commerce Commission. Under that authority they can raise, without any additional legislation, some $35,000,000, without increasing rates on parcels weighing less than 8 ounces. These figures are the estimate made by the Post Office Department.

In the general consideration of the revenue question it should be remembered that experience has shown that in every instance when postal salaries were increased a large portion of the increases have been absorbed by the expansion of business yielding increased postal revenue. The receipts of the postal department in 1922–23 show an increase of approximately $48,000,000. The increased cost of handling this increased business was $18,000,000, showing a net increase of $30,000,000. Assuming that the same increase would occur next year, the amount the department can raise under the present law—some $35,000,000—will provide for the expenditure required by the passage of this legislation.

I think this answers the objection that there are no means provided to raise the revenue.

In addition, what the benefits might be in the way of increased efficiency and improvement in the morale of the personnel can not be overestimated.

The passage of this bill will be an answer to the appeals that have come to the committee and Congress from all parts of the country; from the business men, editorial expressions of the entire press, petitions of legislatures, great civic organizations, including chambers of commerce, rotary clubs, clergymen, and will meet the approval of the public.

I am confident that this is not the usual propaganda that comes to Congress, but that it is the earnest wish and desire of the people throughout the country that an increase be given to a class of men who constitute, in my judgment, one of the most faithful, intelligent, and loyal groups of employees in this Government. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. WILLIAM E. HULL. Mr. Speaker, the few minutes allotted to me will not allow a discussion of this bill to any extent. I will talk only on the humanitarian side of the question. My experience in life has been of such a nature that I can speak from first-hand experience and knowledge of the Postal Service. I was assistant postmaster in a small town; then a railway mail clerk; then postmaster of the city of Peoria for eight years, during which time I installed six of the original rural delivery experimental routes; and was vice president and president of the National Association of First Class Postmasters for six years.

During my term as postmaster I had the opportunity of appointing some thirty-odd clerks and carriers. The carriers, as a general rule, were sons of veterans of the Civil War; and to-day I see these men, who are practically my age, trudging down the streets with their shoulders bent with the heavy-laden bags of mail, crippled in feet and limbs so that they can hardly walk the stairways of the buildings, and I know

of my personal knowledge that they have not been able to reserve sufficient funds for the future so that they may retire in their old age.

The rural carrier is hit by present-day conditions in two ways. The popularity of the parcel post has forced him to greatly increase the carrying capacity of his equipment, while the cost of maintenance is nearly double what it was in former years.

I have also had enough experience to know what is required of these men in the way of mental ability. For instance, take the railway mail clerk. If he becomes proficient he must study his schemes continually. He must arise early in the morning and work until late at night; and during his rest period, which is costly to him financially, he does not have the opportunity that men in other lines of business have. The carrier must have the strength to face the weather conditions, whatever they are, and after a long period of service he breaks under the strain and as he grows older becomes incompetent for other positions; and the clerk likewise becomes a public servant for life, and as time passes he does not acquire a knowledge of the business world and can not demand the salaries that others receive.

Gentlemen, it is like this: These men go into the service as young men and retire as old men; and it is the duty of everyone who receives mail by the service of these men to be willing to see that they are paid in such a way that they can not only live well during their working years but that they may have enough money granted them at this time that their savings will be of such a nature when they reach the retirement age that they will not have to worry about what may befall them from a living standpoint. I am for this bill, and I hope there will not be a single Congressman within the hearing of my voice who will not support it.

Mr. TREADWAY. Mr. Speaker, in voting for the bill reclassifying the postal salaries I recognize that an increase of compensation will be paid to about 300,000 employees of the Federal Government. Such an increase is only commensurate with the advances being made in many lines of service, and is a partial offset to the advanced cost of living which reaches all our citizens alike. My experience is that postal employees are as attentive to their duties as any class of citizens. They are thrown directly in contact with the people. They must be men and women of education, of character, and at all times courteous. It has seemed to me that their request is one worthy of our best consideration.

After due inquiry their claim seemed a just and fair one, and contrary to my usual method when waited upon by committees of postal employees, I stated positively I would vote for such a bill as the committee having this legislation in charge would report. To-day it has been a pleasure to comply with that agreement, having, however, previously appeared before the subcommittee in favor of the principle of additional compensation in their behalf.

The Government is not a success as a business organization. The Post Office Department is an exception to this statement. It has been the policy of our Government for a long time to endeavor to carry on this department in a way to be self-supporting. The passage of this bill will create a large deficiency. It was gratifying during the discussion of the bill on the floor to have both the chairman of the committee, the gentleman from Pennsylvania [Mr. GRIEST], and the chairman of the subcommittee on reorganization, the gentleman from Pennsylvania [Mr. KELLY], state that a complete survey of the subject is being made by the department, and give their assurances to the House that at the session of Congress in December a bill making a revision of postal rates will undoubtedly be reported which will offset the deficiency this bill creates.

It was also stated that the department itself had especially asked that the revision of postal rates should not be included in this bill, in order that the examination being made by the department, under authority of Congress, could be concluded. This, it is expected, will be done within a few months and the information be available for congressional action in December.

The increase in salaries, involving an estimated expenditure of nearly $65,000,000, should naturally be followed by legislation to provide the necessary revenue and the assurances to which I have above referred, indicate favorable action of this nature by the proper committee at the proper time.

These advances in pay will be an incentive to the employees in all branches of the Postal Service for added efficiency as a suitable expression of their appreciation of the congressional action. I thoroughly believe that the postal workers have rightly earned the increases provided by the present bill.

Mr. O'CONNELL of New York. Mr. Speaker, I am in favor of this bill, as it is the best we can get at this time. I have the great honor to represent in this House one of the large and populous districts of the country located in the city of Brooklyn, in Richmond Hill, and Woodhaven within the confines of the Greater New York. I desire to record my emphatic approval of this legislation which seeks to substantially and at the same time to permanently increase the compensation of the men and women in the Postal Service of the Nation.

Hundreds of letters and telegrams are reaching my desk each day from all classes of people manifesting their great interest in this question and appealing to me as their representative for my voice and vote toward bringing this salary increase about. It is an acknowledged fact that the adjustment of these salaries in 1920 was totally inadequate to meet the cost of living or to permit these loyal men and women in the service to obtain or enjoy the ordinary comforts of life. It was the assumption at that time that the cost of living would be reduced, but we find that the contrary is the fact. I have personal knowledge of instances where, because of the high cost of living, the wives of Post Office employees have been compelled to seek employment in order to maintain their little homes and insure their children the blessings of education so necessary in these days of keen competition. May I direct the attention of the members of the committee to the loyalty of these employees during the World War, when hundreds upon hundreds of them refused opportunities for better positions, more pay, and more time at home with their families? The postal men and women are of the highes class of Government servants. They must be morally, mentally, and physically fit and sound. In addition they must pass a rigid mental examination and, at very inadequate pay, serve a long apprenticeship before they obtain the grade required by the service, together with better wages. Surely we should recognize their right to fair pay for good work.

I am speaking with knowledge and authority when I assure the House that the people of the United States are strongly behind this legislation, despite the statement of the President and the Postmaster General, as quoted in the newspapers. When it is enacted into law it will receive the acclamation of every right-minded citizen in the land who believes in the American spirit of fair play and fair pay for loyalty, honesty, and efficiency in governmental service.

Mr. CULLEN. Mr. Speaker, there are many reasons why I favor a substantial increase in salaries of postal workers. In the first place, the salaries now paid them are inadequate to enable them to provide the necessary living expenses for themselves and their families.

In the great city of New York, where rent and food prices have soared to very high levels, it has been found impossible for the letter carrier or the postal clerk in many instances to provide his family with comfortable living quarters, with clothing and wholesome food, and buy books to give his children an education. He has been forced in many instances to seek extra tasks after his arduous duties were completed for the day in order to try to fill up the gap in his insufficient earnings or, rather, pay from the Government.

The letter carrier—the postal clerk—is entitled to a better deal than this. He is a skilled worker and he is a hard worker. His service is of vital importance to the public. Who is more deserving than the letter carrier? He is a national institution, an important factor in our civilization. He comes to your home or to your office with his cheerful smile, with good news or bad news. He puts in long hours with a heavy bag strapped over his shoulders. He walks miles on his route. He performs a service without which business and home would be severely crippled. He is going in the dead heat of summer and plodding through the rain, sleet, and snow in winter. He is the most underpaid and overworked man in public service. His salary and that of the clerks should be readjusted to meet the cost of living to-day. The bill before us is a step in the right direction. Congress should pass it.

It is interesting to note that this increase, if passed, would be of very little, if any, cost to the Public Treasury. It is well known that the post office is virtually self-sustaining. Slight readjustments in some of the rates would make the Postal System wholly self-sustaining and would more than pay this increase. So we see that the postal worker is therefore a producer—filling a double rôle of performing public and necessary service and also producing profits or revenue for the Government. At least allow him a sufficient share in this productivity to render it unnecessary for him to seek arduous tasks to perform after his long day's work is done.

From the standpoint of an efficient service, this bill should be passed. Already, in this branch of the Government service

the personnel is constantly changing, due to unattractive wage standards and working conditions.

I am in receipt of communications from taxpayers in all walks of life, marveling at the efficiency that the department has been able to maintain thus far in the face of inadequate salaries. But the postal clerks and letter carriers have been looking forward for some time to the passage by Congress of a measure giving them the relief that this bill provides. If this bill fails to pass and they are again disappointed and afforded no relief, many more efficient carriers and clerks may be forced out of the service in the city of New York and in other cities where the high cost of living continues to be a problem.

The Sixty-eighth Congress should not adjourn until the salaries of these men are increased to a decent and living wage. Every citizen realizes the necessity and justice of this increase and they are all in favor of giving an increase to these worthy public servants.

Mr. VARE. Mr. Speaker, salaries of postal employees in general have not met the pace of increased cost of living, and in many instances with the great mass of clerks and carriers the rate of pay has never been high.

Based on the standards of increased living cost outlined by the Department of Labor, the postal employee has received in added pay since 1913 but a part of the amount deemed necessary for his proper maintenance of home and family. For instance, the Labor Department declares that the increase in living cost has jumped 70.4 per cent since 1913, while the postal salaries have increased about 50 per cent in that time.

The letter carrier has one of the most important positions in the Government service. Upon him the Nation relies in a great measure for the speedy conduct of business. He has had placed on his shoulders—more so in recent years than in the past—the carrying of a large part of the Nation's commerce. The parcel post has increased his load; C. O. D. parcel-post collections have increased his responsibilities, and the Government has not even met his increased living cost in return.

While this measure increases the already heavy financial load of the Government, it is well to remember that the Post Office Department is nearly self-supporting and that past increases in postal pay have soon been met by increased earnings in that department. A way must be found to meet this increase in postal pay, but we should not withhold what is justly due these men another day for that reason.

Letter carriers and clerks in the city of Philadelphia, for instance, would be given a $300 a year increase in salary by the terms of this bill. This will go a long way in providing a just and equitable salary for these men.

Mr. RAMSEYER. Mr. Speaker, I yield the balance of my time to the gentleman from New York [Mr. SNELL].

The SPEAKER. The gentleman yields two minutes to the gentleman from New York.

Mr. SNELL. Mr. Speaker, I want to take the time allotted to me to express my complete approval of the businesslike and concise statement made by the gentleman from Iowa [Mr. RAMSEYER]; and I would like to have some man answer that statement on the floor of this House to-day. I am just as much interested in the postal employees of this country as any other man. I believe those employees are rendering honest, faithful, efficient service and want to have them receive pay commensurate with their work. But I have been told time and time again by the proponents of this legislation and representatives of the postal employees that it would not entail one dollar of extra charge on the Federal Treasury. It has been stated from time to time on the floor of this House that this legislation would not entail any extra burden on the Treasury. With that understanding I expected to support this legislation. But I am not going to support it when it is shown to be a direct annual charge for all time to come on the Treasury of from $70,000,000 to $100,000,000. It has been the fundamental principle ever since the Post Office Department was established that it pay its own expenses; and yet here, with a $30,000,000 deficit already existing, we are proposing to start and add a $70,000,000 additional expense. If the people of the country want any one thing at this time it is reduced taxation, and therefore I am going to continue to vote on that principle and refuse to add an additional burden which places more taxation on the American people.

This legislation should wait until we receive the report from the special committee that we have appropriated $500,000 to obtain. Bring both increases in at the same time and carry out the original agreement, and then I will support this increase pay for the postal employees.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BELL. Mr. Speaker, I yield half a minute to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker, I am in favor of this bill and shall vote for it. Our Post Office Department is a great business institution. The postal employees are honest, faithful, efficient, and patriotic, and its success is due to them. If the Government expects its postal employees to render good and satisfactory service they must be paid a reasonable wage. The employees of the Government or private industries could not be expected to render the best service when they feel that they are not being paid sufficient and reasonable wages.

In fixing the salaries of the postal employees the proper criterion is what the service is reasonably worth, regardless of what the receipts of the department may be. However, the better the service the greater will be the receipts.

This bill provides for an increase in compensation of all of the postal employees and is not only in their interest but in the interest of the public also. This increase is not only due the employees, considering the cost of living at this time, but it will cause the experienced and efficient employees to remain in the service and the public will in this way reap the benefit. We have increased the salaries of many of the Government employees in other departments on account of the increased cost of living. The same has been done in private industries.

I introduced a bill at the beginning of this session of Congress providing for 6 cents per mile for maintenance equipment. The committee, after conducting extensive hearings, has recommended and provided in this bill 4 cents per mile, and while I do not think it is as much as it should be, still it is that or nothing, and I hope that at some future time they may be given at least the amount provided for in my bill.

A fair average of the expense of a rural letter carrier in maintaining his equipment for carrying the mail is $523.03 per annum, or $43.58 per month, as shown by the evidence submitted to the committee. The average total living expenses of a rural letter carrier, including the $43.58 maintenance of his equipment, amounts to $175.05 per month, and the average monthly pay is $150, leaving a monthly shortage of $25.05, and this shows that they should be allowed at least 6 cents per mile.

Postal employees, like other people, should have some margin so that in case of emergency, illness, or other misfortune, they will have some surplus revenue with which to meet it. The mounted city carriers are furnished cars and other vehicles at the expense of the Government, and I have always believed that the rural carrier should be furnished the same facilities, or an amount in money equivalent thereto. There has never been any reason for this discrimination between the city carrier and the carriers of the mail in the country. If there was any discrimination it should be in favor of the rural carriers for the reason that they travel over bad roads and the city carrier usually travels over paved streets. The general average of the increase in the salaries of the postal employees provided in this bill is about $25 per month, or $300 per year, and I believe will meet with very general satisfaction.

I also introduced at the beginning of the session a bill granting fourth-class postmasters an allowance for rent, fuel, light, and equipment, an amount equal to 15 per cent of the compensation of their offices in addition to the compensation now provided by law. But the committee recommended and this bill provides an increase in their compensation approximately 10 per cent in lieu of the request for allowance for rent, lights, and fuel.

I am indeed glad to know that there is so little objection to this bill and that it meets with such general approval, and will no doubt receive almost the unanimous vote of the Members of the House. I trust that the differences between the House and the Senate will be adjusted and that the bill will become a law before the adjournment of this session.

Mr. BELL. Mr. Speaker, I yield a half minute to the gentleman from New York [Mr. KINDRED].

Mr. KINDRED. Mr. Speaker and gentlemen of the House, I desire to add my most hearty and unqualified indorsement of this most worthy measure to increase the salaries of the worthy postal employees of our Government. There is no more worthy class than these employees, no more intelligent, no more loyal, and no more efficient, and, although in these increases we are not giving a sufficient allowance to meet the cost of living in the city of New York, we are going somewhat along the road of doing justice to this class, and I therefore most heartily support this measure. [Applause.]

Mr. BELL. Mr. Speaker, I yield to the gentleman from Ohio [Mr. CROSSER].

Mr. GRIEST. Mr. Speaker, may I ask how much time is left?

The SPEAKER. Eight and a half minutes.

Mr. BELL. May I ask how much time I have?

The SPEAKER. The gentleman has no time.

Mr. BELL. The chairman of the committee said he would yield me four minutes of his time, and I yield to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Speaker, the bill now before us for the increase of compensation of postal workers is a partial correction of an injustice which has long existed. The application of the simple principles of arithmetic would show any fair-minded man that the increase in salary of postal employees as provided in this bill, amounting to about $300 per year for each employee, is more than justified. If it were not for what might be called a habit on the part of some men of opposing any increase in salaries however reasonable, on the ground that they want to save the Government money, there would be no necessity for saying even one word in support of the present bill. In the discussion of wages, men too often forget that the number of dollars named gives very little indication as to the actual value of the compensation one receives for his services. For example, the value of the postal employees' salary in 1920 was only 63 per cent of what it was in 1913. That is to say, it would only buy 63 per cent in value of what the salary they received in 1913 would buy. In 1923 the Postal Service employee, notwithstanding an increase in the meantime, was still able to buy only 86 per cent in value of what he could buy in 1913 with the salary he then received from the Government. It is therefore exactly as if we had reduced the salaries which employees of the Post Office Department received in 1913, for wages are of no account except for what they will buy, and what they would buy to-day is much less than what the wages of the employee would buy in 1913, before the war. While it is true that this decrease of wages was not intentional and the depreciation of the money was not purposely brought about, the consequences to those who are paid salaries is just the same.

I have little patience with those who constantly proclaim their determination to save the Government expense, even if it be necessary to deny a just compensation to those who render the Government valuable service. They proceed to show how much more it costs to operate the Government now than it did at some other time, and how high are now, the taxes compared with what they were at some other time, but I submit, gentlemen, that that is no answer to the demand for fair wages. If either the postal employees, or any other employees of the Government are rightly employed, and give valuable, conscientious service, then they are entitled to the full value of that service in money, regardless of how it totals at the end of the year. Few of us would have much patience with any private employer who would insist that he did not propose to pay his employees all of their salary, for the reason that on looking over his bank account he had found that he did not have as much money as he would like to have on deposit. The value of service, in other words, a fair compensation for the work done by employees, does not depend on the nature of other expenses which the employer may be compelled to pay.

Another fact, to which I wish to call attention, is that the actual amount of work done by each mail carrier, on the average, has increased almost exactly one-half during the last 10 years.

We see, therefore, that not only has the compensation, paid to the postal employee, decreased to a point very much below what it was 10 years ago, but the employee does one-half more work for the reduced pay.

Now, we are told by some that the wage increase is fully justified, but that we should not increase the wages until the rates for postage are readjusted. Let me suggest that we establish reasonable salaries, and readjust the rates accordingly. If the Treasury officials are right, there will be this year a sufficient surplus in the Treasury to meet the increase, and then at the next session of Congress, the postal rates can be readjusted to provide for the increase in the wages of employees in a permanent way.

Those who are opposed to an increase in the pay of postal employees are the same men who thought that the only way to revise the tax law was to decrease the tax on very large incomes much more in proportion than we decreased the tax on ordinary incomes. I contend that it is immoral to advocate a policy which provides for the reduction by the Government below a reasonable standard the pay which men receive for their services. There is no more reason why to-day the Government should expect to be able to operate for the same amount of money as it did years ago, then there is to believe that such a thing is possible for private business, or a private individual.

Mr. BELL. Mr. Speaker, I yield two minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, I would like the attention of the chairman of the committee. I take the liberty of asking the chairman two questions which, I hope, he will not regard as personal. First, whether he favors the Borah amendment; and second, whether, if this matter goes to conference, he will contend for the retention of the Borah amendment in the legislation? I ask that because I think nothing is more important, as I have said before many times, than that we should prevent this Government, so far as elections are concerned, from being placed upon a money basis.

Mr. GRIEST. I will say in reply to the gentleman that I have not read the Borah amendment.

Mr. MOORE of Virginia. But the gentleman certainly knows the substance of it.

Mr. GRIEST. I know the general nature of the Borah amendment and I am perfectly willing to sit down in the conference committee with an open mind, provided I am appointed a conferee, and consider the Borah amendment. I will say to the gentleman also that in previous Congresses I have invariably voted for legislation of that character, but I will not commit myself on the Borah amendment.

Mr. MOORE of Virginia. I am sorry the gentleman is unable to commit himself on that point in view of the importance of the matter. I will use the balance of my time——

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. GARRETT of Tennessee. Did I understand the gentleman to say he had not read the Borah amendment?

Mr. MOORE of Virginia. He said he had not read it, as I understand.

Mr. GARRETT of Tennessee. And yet he has moved to strike out all the Senate bill, to which that amendment has been added, and substitute this bill without having read the Senate bill.

Mr. BARKLEY. Will the gentleman yield further?

Mr. MOORE of Virginia. Yes.

Mr. BARKLEY. If the motion to suspend the rules and pass the House bill is defeated, will the gentleman from Pennsylvania then move to suspend the rules and pass the Senate bill as it has been passed by the Senate?

Mr. GRIEST. I will decide that after consulting with the Speaker and my committee.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. BELL. Mr. Speaker, I yield one minute to the gentleman from Massachusetts [Mr. CONNERY].

The SPEAKER. The gentleman has a half minute remaining.

Mr. CONNERY. I think I can say all I desire to say in a half minute. To-day I have had an opportunity to vote for two bills which I heartily favor, the Veterans' Bureau bill, which we just passed unanimously a short time ago, and this bill raising the wages of the postal employees. It should have been passed long ago, and I am heartily in favor of it. I yield the balance of my time to the gentleman from Illinois [Mr. RATHBONE].

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. GRIEST. Mr. Speaker, how much time is remaining?

The SPEAKER. Four and a half minutes.

Mr. GRIEST. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio [Mr. LONGWORTH].

The SPEAKER. The gentleman from Ohio is recognized for four and a half minutes.

Mr. LONGWORTH. Mr. Speaker, I take the floor not so much to attempt to give enlightenment to the House on the bill before us as to receive it. I am in favor of increasing the compensation of postal employees as provided in this bill. I think it should be done, but, like the gentleman from Indiana, I would like to have some further and more definite enlightenment as to whether or not this increase is expected to cause a permanent charge upon the Treasury. For that reason I desire to ask the gentleman from Pennsylvania [Mr. GRIEST] whether he contemplates, or whether his committee contemplates, that after the report of the postal commission comes in the committee will undertake such a revision of the postal rates as will eventually provide against a permanent deficit in the Post Office Department.

Mr. GRIEST. I will say to the gentleman from Ohio, in reply to his query, that the Post Office Committee has already started machinery to consider that matter. A subcommittee upon revi-

sion of rates has been appointed. They are collecting information upon it now, but will reach no definite conclusions until the cost ascertainment now in process in the Post Office Department and authorized by the last Congress is completed. I do not have any doubt—but of course I am one of a committee of 21—that the Post Office Committee will report out some kind of a rate bill.

Mr. SNELL. Will the gentleman from Ohio yield in order that I may ask the gentleman from Pennsylvania one more question?

Mr. LONGWORTH. The gentleman will pardon me a moment. I gather from what the gentleman from Pennsylvania has said that the committee believes the Post Office Department of this Government should in the long run be self-sustaining, as it always has been.

Mr. GRIEST. Yes.

Mr. LONGWORTH. That is the policy of the committee, is it not?

Mr. GRIEST. I believe that is true.

Mr. LONGWORTH. And the reason the gentleman did not bring in as a part of this bill a revision of the rates was because, with the information in their possession, pending the time of the report of this postal commission, it was found quite impossible to provide rates which the committee would be confident would raise a certain given and definite sum of money.

Mr. GRIEST. We did not have the information to go on, and the Post Office Department asked us not to proceed until their cost ascertainment was finished.

Mr. LONGWORTH. And when that cost ascertainment commission does report, and that information is in the possession of the committee, it is confidently expected legislation will be proposed which will look after any deficit in the Post Office Department?

Mr. GRIEST. I do not have any doubt of that; but the chairman of the subcommittee having charge of that matter is sitting by my side, and I will ask him to answer your question also.

Mr. KELLY. Mr. Speaker, in response to the question, I want to say, as chairman of the subcommittee on reclassification of rates, we have bills before us for first-class, second-class, third-class, and fourth-class changes. We are assembling material as to revenues received and volume of mail carried, and the only thing we are waiting on is the cost ascertainment commission, which has had $500,000 of the taxpayers' money. We expect in the December session to report to this House a measure embodying our best judgment as to revision of rates, so that this entire amount will be cared for and the Post Office Department be on approximately a self-sustaining basis.

Mr. SNELL. Can the gentleman furnish the House any assurance that such legislation will be passed by the House and by the Senate when the newspapers are opposed to any increase on second-class matter and the farmers are opposed to any increase on fourth-class matter.

Mr. KELLY. The gentleman is facetious.

Mr. SNELL. No; I am not facetious. I am asking for information.

Mr. KELLY. I can not, of course, predict what action the Senate and House will take, but the committee proposes to bring in a measure to make the Post Office Department approximately self-sustaining. The postal employees benefited by this legislation under consideration now have uniformly followed the policy of favoring postal rates adequate to make the department practically self-sustaining.

Mr. CRAMTON. In the event such legislation should not follow, then the only place the department can get this $80,000,000 or $100,000,000 is out of an increase in parcel-post rates, that being the only place they now have any authority.

Mr. KELLY. They can get $30,000,000 on the rates in the bill proposed to the joint subcommittee by the Postmaster General without legislation.

Mr. CRAMTON. So you have left the farmer to hold the bag.

Mr. KELLY. No; we want the patrons of the post office to pay fair rates on mail matter.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. I feel justified on the information furnished me by responsible members of the Post Office Committee in voting for the bill.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas asks for the yeas and nays. All those in favor of taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Thirty-eight Members have risen, not a sufficient number, and the yeas and nays are refused.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 250, noes 14.

So two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A similar House bill was laid on the table.

CONSENT CALENDAR—CHINA TRADE ACT, 1922

The next business on the Consent Calendar was the bill (H. R. 7190) to amend the China trade act, 1922.

Mr. DYER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. DYER. Mr. Speaker, I ask unanimous consent that the bill may be passed without prejudice.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill may be passed over and retain its place on the calendar. Is there objection?

Mr. GARNER of Texas. Mr. Speaker, reserving the right to object, may I ask the gentleman a question? I shall not object if the gentleman will agree not to call this bill up unless I am present.

Mr. DYER. I will be glad to do that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 2257) to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act, as amended, and the vocational rehabilitation act, as amended, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. REED of Pennsylvania, Mr. SMOOT, and Mr. WALSH of Massachusetts as the conferees on the part of the Senate.

SHIPMENT OF ARTICLES CONTAMINATED WITH ANTHRAX

The next business on the Consent Calendar was the bill (H. R. 6425) to prohibit the importation and the interstate shipment of certain articles contaminated with anthrax.

The SPEAKER. Is there objection to the consideration of this bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That it shall be unlawful for any person to import into the United States from any foreign country any shaving brush containing horsehair.

SEC. 2. That any shaving brush containing horsehair, whether imported separately or contained in packages with other goods entitled to entry, shall not be admitted to entry; and all such articles shall be proceeded against, seized, and forfeited in manner prescribed by law.

SEC. 3. That it shall be unlawful for any person to ship any shaving brush containing horsehair from one State or Territory in the United States or the District of Columbia to any other State or Territory in the United States, or to the District of Columbia.

SEC. 4. That the word "person" as used in this act shall mean natural persons, firms, associations, copartnerships, and corporations.

SEC. 5. That any person violating any of the provisions of this act shall, upon conviction, be punished by a fine of not more than $1,000 or imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the court.

SEC. 6. That this act shall not be effective in the case of goods actually in transit at the time of the passage of this act.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

AUTHORITY TO CERTAIN INDIAN TRIBES TO SUBMIT CLAIMS TO THE COURT OF CLAIMS

The next business on the Consent Calendar was the bill (H. R. 2694) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains, to submit to the Court of Claims certain claims growing out of treaties and otherwise.

The Clerk read the title to the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, of the tribes and bands of Indians, or any of them,

except the S'Klallams, commonly known as the Clallams, with whom were made any of the treaties of Medicine Creek, dated December 26, 1854; Point Elliott, dated January 22, 1855; Point-no-Point, dated January 26, 1855; the Quin-ai-elts, dated May 8, 1859, growing out of said treaties, or any of them, including claims for allotments of land, or the value thereof, which they failed to receive under any of said treaties; and that all claims of whatever nature, both legal and equitable, which the Muckelshoot, San Juan Islands Indians; Nook-Sack, Suattle, Chinook, Upper Chehalis, Lower Chehalis, and Humptulip Tribes or Bands of Indians, or any of them (with whom no treaty has been made), may have against the United States shall be submitted to the Court of Claims, with right of appeal by either party to the Supreme Court of the United States for determination and jurisdiction, both legal and equitable, is hereby conferred upon the Court of Claims to hear and determine any and all suits brought hereunder and to render final judgment therein: *Provided*, That the right of appeal to the Supreme Court of the United States shall not extend to those tribes or bands of Indians, or any of them, with whom no treaty has been made: *Provided further*, That the court shall also consider and determine any legal or equitable defenses, set-offs, or counterclaims which the United States may have against any of said tribes, bands, or individual Indians.

SEC. 2. That the Court of Claims shall advance the cause or causes upon its docket for hearing and shall have authority to determine and adjudge all rights and claims, both legal and equitable, of said Indians, tribes or bands of Indians, or any of them, and of the United States in the premises, notwithstanding lapse of time or statutes of limitation.

SEC. 3. That suit or suits instituted hereunder shall be begun within five years from the date of the passage of this act by such Indians, tribe, tribes, or bands of Indians, as parties plaintiff, and the United States as the party defendant. The petition or petitions may be verified by attorney or attorneys employed by such tribes of Indians upon information and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided*, That the attorney or attorneys of said tribes or bands of Indians, or any of them, shall be selected by the claimant Indian or Indians with the approval of the Secretary of the Interior and the Commissioner of Indian Affairs, and upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the recovery, to be paid to the attorneys employed by the said tribes or bands of Indians, or any of them, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribes.

Amend the title so as to read: "A bill authorizing certain Indian tribes, or any of them, residing in the State of Washington to submit to the Court of Claims certain claims growing out of treaties or otherwise."

The following committee amendments were read:

Page 1, line 10, after the word "them," strike out all down to and including the word "treaties" in line 12.

Page 2, line 11, after the word "therein" strike out all down to and including the word "made" in line 14.

Page 2, line 16, after the word "counterclaims," insert the words "including gratuities."

Page 2, line 17, after the word "tribes," insert the word "or," and strike out the words "or individual Indians."

Page 2, line 21, after the word "said," strike out the word "Indians."

Page 3, line 1, after the word "such," strike out the words "Indians, tribe."

Page 3, line 4, after the word "Indians" insert the words "under contract approved in accordance with existing law."

Page 3, line 6, change the colon to a period and strike out all down to and including the word "and" in line 10.

Page 3, line 13, after the word "recovery," insert the following: "and in no event shall such fee amount in the aggregate under one attorneyship for each tribe to more than $25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit."

The committee amendments were agreed to.

Mr. CRAMTON. Mr. Speaker, I move to amend, on page 1, line 7, after the figures "1854" strike out the semicolon and insert a comma; the same amendment, in line 8, after the figures "1855" each time they appear; and on page 2, line 11, after the word "equitable" insert the words "and jurisdiction."

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 1, line 7, after the figures 1854, strike out the semicolon and insert a comma; page 1, line 8, after the figures 1855, where they occur in both places in the line, strike out the semicolons and insert in lieu thereof commas.

Page 2, line 11, after the word "equitable," insert the words "and jurisdiction."

Mr. CRAMTON. I will say that that is simply to improve the form, and the gentleman in charge of the bill is agreeable to it.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

COWLITZ TRIBE OF INDIANS, STATE OF WASHINGTON

The next business on the Consent Calendar was the bill (H. R. 71) authorizing the Cowlitz tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims.

The Clerk read the title to the bill.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, which the Cowlitz Tribe of Indians, residing in the State of Washington, may have against the United States shall be submitted to the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States for determination; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine any and all such claims and to render final judgment thereon.

The Court of Claims shall have authority to determine and adjudge the rights, both legal and equitable, of the said Cowlitz Tribe and of the United States in the premises, notwithstanding lapse of time or statutes of limitations. The suit or suits instituted hereunder shall be begun by the Cowlitz Tribe of Indians as parties plaintiff and the United States as the party defendant. The petition or petitions may be verified by the attorney or attorneys employed in said claims by the Cowlitz Tribe upon information and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided*, That upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the recovery, to be paid to the attorney or attorneys employed by the said Cowlitz Tribe of Indians, and the same shall be included in the decree and shall be paid out of any sum or sums found due said tribe.

The following committee amendments were read:

Page 1, line 14, change the period to a comma and insert the following: "and any payment including gratuities which the United States may have made to the said Indians shall not be pleaded as an estoppel, but may be pleaded as an offset in any suit or action, and the United States shall be allowed credit for all sums, if any, paid or expended for the said tribe. Any other band or tribe of Indians the court may deem necessary to a final determination of any suit or suits brought hereunder may be joined therein as the court may order."

Page 2, line 1, after the word "begun," insert "within five years after the date of the passage of this act."

Page 2, line 10, after the word "recovery," insert "and in no event to amount in the aggregate to more than $25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit."

Page 2, line 11, after the word "Indians," insert "under contract approved as required by existing law."

Page 2, line 12, strike out the words "the same" and insert in lieu thereof the words "such fee."

The SPEAKER pro tempore (Mr. CHINDBLOM). The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

TO AMEND AN ACT FULFILLING TREATY STIPULATIONS WITH VARIOUS INDIAN TRIBES

The next business on the Consent Calendar was the bill H. R. 7077, to amend an act entitled "An act to amend an act entitled 'An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914,' approved June 30, 1913," approved May 26, 1920.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of an act entitled "An act to amend an act entitled 'An act making appropriations for the current

and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914,' approved June 30, 1913," approved May 26, 1920, be amended by inserting in said section after the word "sewers" and before the word "abutting" heretofore or hereafter, so that the said section as amended will read:

"That the Secretary of the Interior is hereby authorized to pay, out of any funds of the Creek, Cherokee, Choctaw, Chickasaw, and Seminole Nations, on deposit in the Treasury of the United States, the proportionate cost of street paving, construction of sidewalks, and sewers heretofore or hereafter abutting on unsold lots belonging to any of said tribes and as may be properly chargeable against said town lots, said payments to be made upon submission of proof to said Secretary of the Interior showing the entire cost of the said street paving, sidewalk, and sewer construction, and that said improvement was duly authorized and undertaken in accordance with law: *Provided*, That the Secretary of the Interior shall be satisfied that the charges made are reasonable and that the lots belonging to the above-mentioned tribes against which the charges were made have been enhanced in value by said improvements to not less than the amount of said charges."

The following committee amendments were read:

Page 2, strike out lines 1, 2, and 3 and insert in lieu thereof the words "and is hereby amended to read as follows."

Page 2, line 9, after the word "hereafter," insert the words "constructed and."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. Without objection the spelling of the word "sewer" in line 15, page 2, will be corrected.

There was no objection.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

TO PERFECT TITLE TO CERTAIN INDIAN LANDS

The next business on the Consent Calendar was the bill (H. R. 4818) to perfect the title of purchasers of Indian lands sold under the provisions of any act of Congress and pursuant to regulations of the Secretary of the Interior.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will read the Senate amendment, which strikes out all after the enacting clause.

There was no objection.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That in all cases where lands allotted to members of any of the tribes belonging to the Quapaw Agency in Oklahoma are held under a trust or other patent containing restrictions on alienation, and said restrictions have been or shall hereafter be removed by order of the Secretary of the Interior pursuant to the act of March 3, 1909 (35 Stat. L. 751), or said lands or any portion thereof have been or shall hereafter be sold by said allottee or his heirs under the regulations of the Secretary of the Interior pursuant to said act, the deed of such allottee or his heirs executed after the removal of such restrictions, or when approved by the Secretary of the Interior, shall convey full title to the lands or interest so sold the same as if a fee simple patent without restrictions had been issued to the allottee: *Provided*, That nothing in this act shall be construed to apply to the lands of the Kaw or Osage Indians, or to lands of Indians of the Five Civilized Tribes in Oklahoma."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to perfect the title of purchasers of Indian lands sold under the provisions of the act of Congress of March 3, 1909 (35 Stat. L. 751), and the regulations pursuant thereto as applied to Indians of the Quapaw Agency."

ALLOTTEES OF QUAPAW AGENCY, OKLA.

The next business on the Consent Calendar was the bill (H. R. 7453), to amend an act approved March 3, 1909, entitled "An act for the removal of the restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal lands, school, agency, or other buildings on any of the reservations within the jurisdiction of such agency, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill.

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That section 1 of the act of March 3, 1909 (35 Stat. L., p. 751), being "An act for the removal of the restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal lands, school, agency, or other buildings on any of the reservations within the jurisdiction of such agency, and for other purposes," be, and the same is hereby, amended so as to authorize the sales, under regulations prescribed by the Secretary of the Interior, and upon application of allottees or heirs of lands allotted to Indians of the Quapaw Agency, Okla., and now held and designated as homesteads, whenever in the opinion of the Secretary such sales would be for the best interests of the applicants.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

SUPERINTENDENT OF DELIVERY, ETC., IN CERTAIN POST OFFICES

The next business on the Consent Calendar was the bill (H. R. 579), providing for the appointment of a superintendent and two assistant superintendents of delivery in certain post offices of the first class.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LOZIER. Mr. Speaker, I object.

The SPEAKER pro tempore. It requires three objectors.

Mr. BLANTON. I object, and here is another, the gentleman from Nebraska [Mr. HOWARD].

The SPEAKER pro tempore. Let the gentleman speak for himself.

Mr. BLANTON. Mr. Speaker, on this Consent Calendar does it take three to object under the rule?

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. LOZIER. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, the gentleman from Nebraska objected and I object.

The SPEAKER pro tempore. The Chair has not heard the gentleman from Nebraska object.

Mr. BLANTON. I understood that he objects.

Mr. HOWARD of Nebraska. If the Chair wants it any louder then I will say it three times.

The SPEAKER pro tempore. The Chair did not hear the gentleman object. Is the gentleman objecting now?

Mr. HOWARD of Nebraska. He is.

The SPEAKER pro tempore. The bill is objected to and the Clerk will report the next bill.

AIR MAIL SERVICE, POST OFFICE DEPARTMENT

The next business on the Consent Calendar was the bill (H. R. 3261) to authorize and provide for the payment of the amounts expended in the construction of hangars and the maintenance of flying fields for the use of the Air Mail Service of the Post Office Department.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLACK of Texas. Mr. Speaker, I object.

Mr. BEGG. Does the gentleman object to having the bill passed over without prejudice?

Mr. BLACK of Texas. No.

Mr. BEGG. Mr. LEATHERWOOD, my colleague, asked me to make that request.

Mr. McKEOWN. Mr. Speaker, will the gentleman reserve his objection, so that I may state that the Air Service proposition now from New York through is one of the most important matters in connection with the Post Office Department.

Mr. BLACK of Texas. That may be true, but I do not think that the passage of this bill is at all necessary.

Mr. BEGG. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice, to retain its place on the calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

FOREST RESERVES, NEW MEXICO AND ARIZONA

The next business on the Consent Calendar was the bill (S. 377) limiting the creation or extension of forest reserves in New Mexico and Arizona.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the report of the Secretary of Agriculture opposes the passage of the bill, and in view of that I object.

The SPEAKER pro tempore. The gentleman from Michigan objects.

Mr. RAKER. Mr. Speaker, as I understand it, it takes three objectors.

Mr. BEGG. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, I trust the committee will hear the gentleman from New Mexico [Mr. MORROW] for a minute.

Mr. BEGG. Mr. Speaker, I reserve my objection if the gentleman desires.

The SPEAKER pro tempore. The Chair has heard only two objections so far.

Mr. MORTON D. HULL. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the Clerk will report the next bill.

Mr. RAKER. Mr. Speaker, could we not have the objection reserved for a minute? [Cries of "Regular order."]

The SPEAKER pro tempore. The regular order is demanded and the Clerk will report the next bill.

AMENDING THE JUDICIAL CODE

The next bill on the Consent Calendar was the bill H. R. 64, to amend section 101 of the Judicial Code as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, the gentleman from New York, Mr. SNELL, wanted this bill objected to, and I shall object until he comes in. If he comes in later on and desires to O. K. it, I shall not object.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice, to retain its place on the calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PUBLIC PARKS AT SILVERTON, COLO.

The next business on the Consent Calendar was the bill H. R. 3927, granting public lands to the town of Silverton, Colo., for public-park purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby granted and conveyed to the town of Silverton, Colo., for public-park purposes, and for the use and benefit of said town, the following-described lands, or so much thereof as said town may desire, to wit:

A tract of land situate in township 40 north, range 7 west, New Mexico principal meridian, in the county of San Juan and State of Colorado, conforming as nearly as practicable to legal subdivisions, and not exceeding 320 acres in extent, which land embraces what is commonly known as lower Molas Lake, in said county.

That such conveyance shall be made of the said land to said town by the Secretary of the Interior upon the payment by said town for the said land, or such portion thereof as it may select, at the rate of $1.25 per acre, and patent issued to said town for the said land selected, to have and to hold for public-park purposes, subject to the existing laws and regulations concerning public parks, and the grant hereby made shall not include any lands which at the date of issuance of patent shall be covered by valid existing bona fide right or claim initiated under the laws of the United States: *Provided*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found in the land so granted and all necessary use of the land for extracting the same: *Provided further*, That said town shall not have the right to sell or convey the land herein granted, or any part thereof, or to devote the same to any other purpose than as hereinbefore described, and that if the said land shall not be used as a public park, the same, or such parts thereof not so used, shall revert to the United States.

Mr. CRAMTON. Mr. Speaker, I desire to offer an amendment. Page 1, lines 4 and 5, strike out the words "for the use and benefit of said town."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, lines 4 and 5, after the word "purposes," strike out the words "for the use and benefit of said town."

Mr. CRAMTON. Mr. Speaker, the reason for that is to make it conform to the language on page 2 where the bill says, "to hold for public-park purposes."

Mr. VAILE. If the gentleman will permit, let me suggest the bill as drawn is drawn in the form the Department of the Interior suggested. It was drawn in the department.

Mr. CRAMTON. But that does not necessarily matter. My amendment is to conform with page 2, lines 7 and 8, which says, "to have and to hold for public-park purposes." Page 1 it says, "for public-park purposes, for the use and benefit of said town," which is a very different matter.

Mr. VAILE. That is so the town is to control it for public-park purposes.

Mr. CRAMTON. If you convey it to the town, they control it.

Mr. VAILE. However, I do not suppose it makes much difference.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

CONVEYANCE OF LAND TO ASTORIA, OREG.

The next bill on the Consent Calendar was the bill (H. R. 7821) to convey to the city of Astoria, Oreg., a certain strip of land in said city.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object in order to ask a question, is the gentleman from Oregon here? Who is in charge of this bill; anyone?

Mr. BEGG. I would like to ask a question on that bill also.

Mr. BLANTON. I ask unanimous consent the bill may be passed without prejudice.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

SITE FOR CUSTOMHOUSE IN PORTO RICO

The next business on the Consent Calendar was the bill (H. R. 6143) to purchase grounds, erect and repair buildings for customhouses, offices, and warehouses in Porto Rico.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, which I do not expect to do, I have had some conversation with the gentleman from Porto Rico and he agreed to a certain amendment. That is the understanding?

Mr. DAVILA. Yes.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to purchase or otherwise secure grounds where necessary in the municipalities of Aguadilla, Arecibo, Arroyo, Guanica, and Fajardo, in Porto Rico, and to build or rebuild thereon customhouses, offices, and warehouses, the grounds and buildings not to exceed in cost as follows: Arecibo, $20,000; Aguadilla, $25,000; Arroyo, $30,000; Fajardo, $40,000; Guanica, $30,000; for repairs to the customhouse at Ponce, $18,000; for repairs to the customhouse at Humacao, $4,000; and for repairs to the custom warehouse at Mayagues, $8,000. Authority is also granted the Secretary of the Treasury to use the excess in any amount so specified not expended to any other item or items where the amount specified should be insufficient; all said amounts to be paid as needed out of duties collected in Porto Rico as an expense of collection, under such rules and regulations as may be prescribed by the Secretary of the Treasury.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment. In lines 3 and 5——

The SPEAKER pro tempore. The Chair is informed there is a similar Senate bill, and the Chair would suggest the bill be laid aside temporarily until the Senate bill is brought in. Without objection, the bill will be laid aside.

Mr. CRAMTON. With the understanding it is to be taken up later?

The SPEAKER pro tempore. Yes.

ESTABLISHMENT OF INDUSTRIAL SCHOOLS FOR ALASKAN NATIVE CHILDREN, AND FOR OTHER PURPOSES

The next bill on the Consent Calendar was the bill (H. R. 4825) for the establishment of industrial schools for Alaskan native children.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BEGG. Mr. Speaker, I object.

Mr. CRAMTON. Will the gentleman withhold his objection?

Mr. BEGG. Yes; I am perfectly willing.

Mr. CRAMTON. This is a matter I am somewhat familiar with, having studied somewhat the conditions in Alaska and gone over the matter with the committee——

Mr. BEGG. Who is going to finance it?

Mr. CRAMTON. Well, we are already financing it. This is to turn over certain buildings that are unused, that have been controlled by the War Department, to the Government for these purposes. We are already making an appropriation of something over $100,000 for this purpose, for medical relief, and will continue to do so.

Mr. BEGG. I am not willing to take anything away from them; but, in other words, I am anxious to help them if we can, but section 3 in the original bill carried an appropriation of $200,000. That has been stricken out by the committee and I immediately concluded that was done as a blind to get by and come in for an appropriation. But I am not in favor of extending industrial education up in Alaska to cost $100,000 or $200,000.

Mr. CRAMTON. The $200,000 would be subject to a point of order, anyway, in this bill.

Mr. BEGG. I understand it.

Mr. CRAMTON. There is one other feature to which I want to call attention. The committee having the Interior Department bill in charge have placed a limitation upon the admission of Alaska children to the Indian school at Chemawa, Oreg., believing it is better to have them receive their training in Alaska. Now, this bill, in part, is tending in that direction to fill that gap that will exist as to education of Alaskan natives. Even if the bill does not pass, the Appropriations Committee still has authority to report the appropriation and will do so, I am confident.

Mr. BEGG. For how much?

Mr. CRAMTON. For whatever it deems necessary for the program. It is not necessarily an authorization, because we are already authorized to report a bill for that purpose; but this smooths out the situation and enables them to use some other buildings, and I am sure it is in the interest of economy. I thought the gentleman ought to know about the situation as to Chemawa School in Oregon.

Mr. BEGG. I am glad to have the information, and I would like to ask the chairman of the committee a question. Does this bill carry an intention of a new appropriation to add education for the purpose of affording an experiment in industrial education?

Mr. ELLIOTT. The committee dropped that part out, on the theory that they had the right to make these appropriations. This bill was reported out by the unanimous report of the Committee on Territories, and it seems that it was highly advisable that we carry out this project. The hearings indicated that.

Mr. BEGG. I would like to have this passed over. I object.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the bill retain its place on the calendar without prejudice.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

SITE FOR CUSTOMHOUSE IN PORTO RICO

The SPEAKER pro tempore. Returning to Calendar No. 237—to the bill H. R. 6143—the Chair is advised that there is a slight change in the Senate bill. The gentleman from Indiana [Mr. FAIRFIELD] asks unanimous consent that the Senate bill (S. 2572) be considered instead of the House bill.

Mr. BEGG. Mr. Speaker, may we have it reported before we pass it?

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to purchase or otherwise secure grounds where necessary in the municipalities of Aguadilla, Arecibo, Arroyo, Guanica, and Fajardo, in Porto Rico, and to build or rebuild thereon customhouses, offices, and warehouses, the grounds and buildings not to exceed in cost as follows: Arecibo, $30,000; Aguadilla, $25,000; Arroyo, $30,000; Fajardo, $40,000; Guanica, $30,000; for repairs to the customhouse at Ponce, $18,000; for repairs to the customhouse at Humacao, $4,000; and for repairs to the custom warehouse at Mayagues, $8,000. Authority is also granted the Secretary of the Treasury to use the excess in any amount so specified not expended to any other item or items where the amount specified should be insufficient; all said amounts to be paid as needed out of duties collected in Porto Rico as an expense of collection, under such rules and regulations as may be prescribed by the Secretary of the Treasury.

The SPEAKER pro tempore. Is there objection to the consideration of the Senate bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the further reading of the bill will be dispensed with. The Senate bill is open for amendment.

Mr. CRAMTON. Mr. Speaker, I will offer what I have as a substitute for the Senate bill. It involves the amendment which we discussed with the gentleman from Indiana [Mr. FAIRFIELD].

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Strike out all after the enacting clause and insert: "That the Secretary of the Treasury be, and he is hereby, authorized to purchase or otherwise secure grounds where necessary in the municipalities of Aguadilla, Arecibo, Arroyo, Guanica, and Fajardo, in Porto Rico, and to build or rebuild thereon customhouses, offices, and warehouses, the grounds and buildings not to exceed in cost as follows: Arecibo, $30,000; Aguadilla, $25,000; Arroyo, $30,000; Fajardo, $40,000; Guanica, $30,000; for repairs to the customhouse at Ponce, $18,000; for repairs to the customhouse at Humacao, $4,000; and for repairs to the custom warehouse at Mayagues, $8,000. Authority is also granted the Secretary of the Treasury to pay said amounts as needed out of duties collected in Porto Rico as an expense of collection, under such rules and regulations as may be prescribed by the Secretary of the Treasury."

Mr. CRAMTON. Mr. Speaker, I am not familiar with the Senate bill, but all that this amendment does is to prevent their flapping these amounts around and greatly increasing some of them.

Mr. DAVILA. I understand this is offered as a substitute for the Senate amendment?

Mr. CRAMTON. Yes.

Mr. DAVILA. I prefer that the Senate amendment should be adopted by the House.

The SPEAKER pro tempore. The Chair would suggest that the proviso be added.

Mr. CRAMTON. The proviso is not necessary. As the House bill was drawn, the proviso is needed, but in the amendment which I have offered they can not take the surplus out of one item and add it to another item.

Mr. DAVILA. The amendment provides that they shall not use more than $65,000 a year.

Mr. CRAMTON. Does the gentleman want the Senate amendment?

Mr. DAVILA. Yes. We want the Senate amendment.

Mr. CRAMTON. I understood it limited it to an expenditure of $65,000 in one place.

Mr. DAVILA. It limits them in all to $65,000 every year. They can not spend any more than that.

Mr. CRAMTON. I ask unanimous consent to modify my amendment by adding the proviso, as provided in the report.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to modify his amendment by adding the proviso as provided in the report. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

Provided, That not more than $65,000 of the total expenditures herein authorized shall be made in any one year.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill as amended.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the similar House bill, H. R. 6143, will lie on the table.

There was no objection.

CONVEYANCE OF LAND TO ASTORIA, OREG.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 235, H. R. 7821, to convey to the city of Astoria, Oreg., a certain strip of land in said city.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent that the House return to Calendar No. 235. Is there objection?

Mr. BEGG. Reserving the right to object, Mr. Speaker, would the gentleman accept this kind of an amendment?

Provided, That the city pays the United States as high a price per square foot as for any other land in said city.

Mr. HAWLEY. All the other property owners in the city have ceded the land to the city for the purpose of widening the street.

Mr. BEGG. Why do you not make this a straight deal? I have not read this for a week, but as I recall there is wording in it to buy it at a less price, and so on. I thought it was only right that the Government should receive the same price as any other private man would receive.

Mr. HAWLEY. The bill provided that the Government should deed the land to the city.

Mr. BEGG. As I recall it, it is a sale.

Mr. BLANTON. When the gentleman from Ohio concludes, I want to be heard.

The SPEAKER pro tempore. Has the gentleman from Ohio concluded?

Mr. BEGG. My amendment would not hurt it any.

Mr. HAWLEY. This city, you will remember, was burned a little over a year ago. Eleven million dollars' worth of property was destroyed and 40 acres of the business part of the city was burned out. The Government of the United States, having helped out every other town in the country that had that kind of a misfortune, did not help out this one. It would be going far, there, not only in not giving help to the city but——

Mr. BEGG. I did not have that information.

Mr. BLANTON. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Texas reserves the right to object.

Mr. BLANTON. This bill seeks to cut 10 feet off of four lots and 5 feet off of one lot. Has the Government any improvement on the portion that is to be cut off?

Mr. HAWLEY. I think the gentleman is in error in his analysis.

Mr. BLANTON. That is what the bill provides—10 feet off of the end of four lots and 5 feet off of the end of another.

Mr. HAWLEY. No; it cuts 10 feet off of the south side of the entire block and 5 feet off of the north side.

Mr. BEGG. The bill says 10 feet from the north side.

Mr. BLANTON. And it mentions four lots. What I was getting at was this: Are there any improvements on the portion that is to be cut off?

Mr. HAWLEY. It is a block. The present building is in about the center of the block north and south, and it would be 30 or 40 feet on the north side of this street to the building and 50 or 60 feet on the south side.

Mr. BLANTON. Are there improvements that have to be removed or changed as to location.

Mr. HAWLEY. Nothing at all that I know of.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to convey to the city of Astoria, Oreg., a strip of land 10 feet wide from the north side of lots 1, 2, 3, and 4, block 23, and a strip 5 feet wide from the south side of lots 5, 6, 7, and 8, of block 23, as plotted and recorded by John McClure and extended by Cyrus Olney, to enable the said city to widen Bond Street and Commercial Street to a uniform width between Seventh Street and Fourteenth Street of the said city of Astoria, Oreg.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

INTERNATIONAL LIVESTOCK EXPOSITION OF CHICAGO

The next business on the Consent Calendar was House Joint Resolution 239, authorizing the Secretary of Agriculture to purchase and distribute suitable medals to be awarded to exhibitors winning first and championship prizes at the twenty-fifth anniversary show of the International Livestock Exposition of Chicago, Ill.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the resolution, as follows:

Whereas the International Livestock Exposition of Chicago, Ill., is the greatest show and educational exposition of livestock and other agricultural products in the world; and

Whereas the twenty-fifth anniversary exposition of this great agricultural institution will be held at Chicago, Ill., in December, 1924: Therefore be it

Resolved, etc., That the Secretary of Agriculture be, and is hereby, authorized to purchase suitable medals to be distributed by him to exhibitors showing champions and first-prize winners at the twenty-fifth anniversary show of the International Livestock Exposition to be held at Chicago, Ill., in the month of December, 1924. And the sum of $1,000 is hereby authorized to be appropriated for carrying out the purposes of this act.

Mr. BLANTON. Mr. Speaker, I move to strike out the last word. I believe in giving medals when they are deserved. I want to tell you something about a splendid young man who has just taken first honors at Annapolis.

When I first came to Washington and rented a house I had no proper light fixtures in it. I went into a store down here in Washington late that afternoon to get those light fixtures put in. They told me they could not attend to it until the next day. Observing my disappointment, one of the brightest-looking boys I ever saw walked from behind the counter and told me he would gladly put the fixtures in after supper for me if I would give him my address. I did it; and appearing promptly after supper, he put them in, using such dexterity and efficiency that only an expert can command, and when I asked him how much I owed him he said, "Nothing; I am always glad to help anybody when they need it."

I kept up with that young man because his personality greatly impressed me. He was working in the summer and going to school the rest of the year. He made the rifle team in Central High School; he became an expert rifle shot, and he stood near the top of his class there.

I learned that his life's ambition was to go to the Naval Academy at Annapolis, and I told his widowed mother that if she would manumit him, and if he would make a legal designation of my district as his permanent home, I would appoint him to the Naval Academy at Annapolis. She did manumit him, and he did make a legal designation of my district as his home and became one of my constituents, and I appointed him to Annapolis, and he is the first-honor man of his graduation class there this year. [Applause.]

That is the kind of men who make admirals, men who are willing to do hard work and who have the will power and the energy to accomplish things, and overcome obstacles. He did not have to come up and attend to that light matter for me. He was working in that store, with lots of other employees, the balance of whom probably hurried out to places of amusement. But that young fellow had something worth while in him; I recognized it, and he has conferred great honor on my district, my State, and our Nation. I expect some of these days to see him an admiral at the head of the United States Navy. I refer to Ensign Armand M. Morgan, who was raised here in this great city. [Applause.]

The SPEAKER pro tempore. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment: On page 2, line 6, strike out the period, insert a semicolon, and add: "*Provided*, That the medals be designed by an American artist selected by an open competition."

The SPEAKER pro tempore. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 2, line 6, after the word "act" strike out the period, insert a semicolon and the following language: "*Provided*, That the medals be designed by an American artist selected by an open competition."

Mr. LAGUARDIA. Mr. Speaker and gentlemen, this country is becoming the artistic center of the world. We are producing more artistic talent in the United States to-day than ever before. Yet on many occasions where we have an opportunity to give the artists a chance to display their talents we overlook it. On many occasions medals are awarded and we find that the donors go to a shop and select some stock design.

A medal of this kind, which carries the approval of the Government, it seems to me, should be something more than a stock design. Here is a splendid opportunity to give our art students a chance to submit designs for a medal of this kind, and to let the Secretary of Agriculture or any committee which he may designate select one of the designs.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. GARRETT of Tennessee. Does the gentleman think that could be done within the limit of the appropriation or authorization provided in this resolution, namely, $1,000?

Mr. LAGUARDIA. Well, of course, that is not very much to have any artist get excited about. It is a starter, and I am anxious to establish this method as the policy of the Government. It seems to me that if we are going to award medals in the name of this Government we ought to get something that at least has some artistic merit to it. We might increase the appropriation, but there are plenty of art schools, I will say to the gentleman, that would be glad to compete and give their students an opportunity to submit a design to the Government.

I submit my amendment, and I hope it will prevail.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 22, noes 13.

So the amendment was agreed to.

The SPEAKER pro tempore. The question is now on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the preamble is stricken out.

There was no objection.

ELECTRIC LIGHT AND POWER WITHIN THE DISTRICT OF HAMAKUA

The next business on the Consent Calendar was the bill (H. R. 6070) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, on the island and county of Hawaii, Territory of Hawaii.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, who can give us some information on this bill?

Mr. WEAVER. Mr. Speaker, this is a bill, I will explain to the gentleman, granting a franchise to a man by the name of Botelho to establish a light-and-power plant at one of the Hawaiian towns. It is not an exclusive franchise.

Mr. BEGG. Does this plan of procedure meet with the approval of the people over in Hawaii?

Mr. WEAVER. I will state to the gentleman from Ohio that the bill is here simply for this reason: Under the organic act, under which we annexed Hawaii, it is required that Congress shall approve all acts of the Hawaiian Legislature.

Mr. BEGG. Is this an act of the legislature?

Mr. WEAVER. And this is an act of the Hawaiian Legislature that we are simply approving.

Mr. BEGG. That is the information I wanted to get, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., SECTION 1. Franchise. M. S. Botelho, of Honokaa, district of Hamakua, county of Hawaii, Territory of Hawaii, his associates, successors, and assigns, or such corporations as he may or they shall cause to be incorporated under the laws of the Territory of Hawaii (he or they being hereinafter referred to as "the association"), are hereby granted the right, authority, and privilege to manufacture, sell, furnish, and supply electric light, electric current, or electric power in the district of Hamakua, on the island of Hawaii, Territory of Hawaii, for lighting the streets, roads, public and private buildings, or for motive power, or for any other purpose which the association may deem advisable, and from time to time, for the purposes above mentioned, subject to the approval and supervision of the board of officials having charge of said streets or roads, to construct, maintain, and operate suitable poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and such other appliances and appurtenances as may from time to time be necessary for the transmission, distribution, or supply of electricity to consumers thereof, under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district of Hamakua, on said island of Hawaii, and to connect the said wires, lines, and conductors with any manufactory, private or public buildings, lamps, lamp-posts, or other structure or objects with the place of supply.

SEC. 2. Rules and regulations. The officials or boards having charge of said streets or roads are hereby authorized to make from time to time, change, amend, or add to, reasonable rules regulating the placing of poles, the insulation of wires and apparatus carrying electric current, the excavation of conduits, and the maintenance in good repair of all poles, wires, and apparatus generally, concerning the manufacture and supply of electricity which may be necessary for the public safety and welfare.

SEC. 3. Poles not to interfere with streets, etc.: All poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and other apparatus constructed, maintained or operated under, along, upon, or over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district, on the island of Hawaii, shall be so constructed and maintained and operated by the association as not to unnecessarily interfere with the use of such streets, sidewalks, roads, squares, bridges, alleys, and lanes by the public.

SEC. 4. Plant subject to inspection: The entire plant, lines, poles, and all other apparatus and equipment shall at all times be subject and open to the inspection of the officials or boards having charge of said streets or roads, or any officer appointed by them for that purpose.

SEC. 5. Meters, charges, reasonableness, how determined: The association shall also have the right to maintain, use, and operate electric meters, or other means of measuring electric light, power, or current supplied from time to time and to locate the same at such places as may be deemed necessary for their protection; and also to charge, receive, and collect from all consumers of electricity such reasonable prices as may be from time to time fixed and determined by the association: *Provided, however*, That power is hereby conferred upon the courts of competent jurisdiction, or any utility commission which is, or may hereafter be, created by law of the Territory of Hawaii, or of the United States, at all times and upon the petition of any consumer of electric power or lights from the said association, to hear and determine from time to time whether an existing rate or rates are unreasonable; and if a rate be unreasonable to order the same to be decreased, and to enforce such orders by appropriate judgment or decree.

SEC. 6. Charges for making connections: The association shall also have the right to charge consumers or applicants for the use of electricity, one-half of the costs and expense of making connections between the nearest line of supply and the premises where the electricity is to be used; such cost and expense to include the price of all wires, poles, insulators, and other material and labor necessary to be used in making such connections: *Provided, however*, That the said association shall not be required to make, construct, or maintain said connections as aforesaid for supplying light or power, unless the applicant therefor, if required, shall deposit in advance with them a sum of money sufficient to pay one-half of the total estimated cost and expense of making and constructing such connections and for current for the period of one month.

SEC. 7. Right to acquire property, limits to: The association shall have the right to acquire, hold, or take over, either by purchase or lease, property, both real, personal, or mixed, as may be necessary or incidental to the proper conduct of his or their business; but he or they shall not have the power or right to purchase franchises and property of any other company of like nature.

SEC. 8. Power to borrow money and bonds: The association, whenever from time to time it shall be deemed expedient in furtherance of the objects for which this franchise is granted, shall have the power to borrow money, and to secure the payments thereof, with the interest agreed upon by the mortgage of any or all of its property, and all franchises and privileges granted or obtained by virtue of this act, or, if it is deemed advisable, bonds may be issued, secured by deed of trust of such property, not to exceed 60 per cent of the actual value thereof, and all future property acquired, as well as the income and receipts of the property from whatever source derived and in such form and upon such terms as he or they shall deem advisable: *Provided*, That nothing in this section contained shall operate to prevent the association from obtaining the usual business credits and to make promissory notes without security.

SEC. 9. Franchise not exclusive: It is hereby expressly provided that nothing herein contained shall be so construed as to grant to the association an exclusive right to furnish, sell, or supply the electric current for light and power, and said association and the franchise, rights, and privileges granted hereby shall be subject in all respects to such laws establishing a public-utility commission and such other laws of a general nature as may be applicable from time to time to electric light and power plants or companies operating them in the Territory of Hawaii, or the county of Hawaii, or their successors.

SEC. 10. Forfeiture of franchise: It is provided that if the said association shall fail or refuse to do or perform or comply with any of the provisions of this act or the laws of the Territory of Hawaii, or of the county of Hawaii, or the rules promulgated under section 2 of this act, and continues to refuse and fail to perform or comply therewith after reasonable notice given by the superintendent of public works, or any proper county or municipal officer or board, said officer or board may, with the consent of the governor and of the attorney general, cause proceedings to be instituted before an appropriate tribunal to have the franchise granted hereby and all rights and privileges accruing thereunder forfeited and declared null and void.

SEC. 11. Annual statement, payment to Government: The association shall, within one month after the expiration of each calendar year, file with the treasurer of the county of Hawaii a statement showing the gross receipts from the sale of electric current for light and power furnished by it during such year and shall at the same time pay to the treasurer of the county of Hawaii for and on behalf of said county 2½ per cent of the gross receipts from all electric current for light or power furnished to consumers during the year preceding.

SEC. 12. All property of every kind and nature, forming or used as a part of such electric system, including this franchise, shall be exempt from any and all taxes under the Territory of Hawaii until the expiration of five years from and after the commencement of the construction of buildings or other works for manufacturing and supplying electricity.

SEC. 13. Franchise subject to reasonableness; public utilities commission: This franchise and the person or corporation holding the same shall be subject as to reasonableness of rates, prices, and charges, and in all other respects to the provisions of chapter 128 of the Revised Laws of Hawaii, 1915, creating a public utilities commission, and all amendments thereto for the regulation of the public utilities in said Territory.

SEC. 14. The Public Utilities Commission of the Territory of Hawaii is hereby granted power, subject to section 2 hereof, to order said association, its successors or assigns, to make extensions of its service lines whenever it shall be made to appear that said extension is a public necessity and that the total plant of said association, including such extension or extensions, can be made to earn a reasonable profit on the cost and maintenance of the same: *Provided*, That orders of the public utilities commission herein provided for shall be subject to review by the courts of the Territory as provided by law.

SEC. 15. The right hereby granted shall cease and determine if operations hereunder are not commenced by beginning the construction of buildings or other work for manufacturing or supplying electric current for light or power or by placing poles and wiring the same, or constructing conduits and laying wires therein, in any of the streets, roads, or other places hereinbefore mentioned, for the purpose of conducting electric current for light and power, and unless the association shall actually have expended in such work a sum not less than $5,000 within one year from and after the date of the approval of this act by the Congress of the United States.

SEC. 16. That the Territory of Hawaii, the county of Hawaii, or any political subdivision thereof, may at any time and upon six months' notice in writing to the association, given pursuant to proper authority, when so authorized by the Legislature of the Territory of Hawaii, acquire by purchase all the property of the association, subject to the then existing charges thereon.

The amount to be paid to the association for such purchase shall be determined by a commission of three persons, one to be appointed by the association, or in case it should fail to do so within 30 days after having been requested to do so by the purchaser, then by the chief justice of the Supreme Court of Hawaii, one by the purchaser, and the third by the two so appointed, or in case they should fail to agree upon the third member within 30 days, then by said chief justice, any such action by the chief justice to be taken only after giving to each party notice and an opportunity to be heard, but such amount shall in no case exceed the actual cost or the actual value of tangible property, or the actual cost of reproducing or replacing it, less depreciation and less the charges thereon. The value of the franchise or good will or any other intangible element shall not be considered in determining the amount to be paid.

Either the association or the purchaser may appeal to the Supreme Court of the Territory of Hawaii from the decision of such commission by filing a written notice of appeal with the commission within five days after the decision is rendered. It shall thereupon be the duty of the commission immediately to certify up to the supreme court the record of its proceedings, showing in such certificate the valuation claimed by the association, the value claimed by the purchaser, and the valuation as determined by the commission. Such certificate shall be accompanied by copies of all papers, documents, and evidence upon which the decision of the commission was based, and a copy of such decision. Upon any such appeal, the supreme court may, in its behalf, take or require further evidence to be introduced by either party. Within six months after the determination of the purchase price as aforesaid, the same shall be paid to the association, and thereupon the franchise granted hereby shall cease and determine, and all the property of said association shall become the property of such purchaser without any further conveyance, but said association shall make all further conveyances as may be desired by the purchaser and approved by said commission or said court on appeal.

SEC. 17. Franchise subject to amendment or repeal: The Congress of the United States, or the Legislature of the Territory of Hawaii, may at any time alter, amend, or repeal this act.

SEC. 18. This act shall take effect and be law from and after the date of its approval by the Governor of the Territory of Hawaii, subject, however, to the approval of the Congress of the United States, such approval of Congress to be secured within two years from the date of such approval by the governor.

With the following committee amendments:

Page 1, line 3, strike out the word "franchise."

Page 2, line 19, strike out the words "rules and regulations."

Page 3, lines 3 and 4, strike out the words "poles not to interfere with streets," and so forth.

Page 3, line 12, strike out the words "plant subject to inspection."

Page 3, lines 17 and 18, strike out the words "meters, charges, reasonableness, how determined."

Page 4, line 10, strike out the words "charges for making connections."

Page 5, line 1, strike out the words "right to acquire property, limits to."

Page 5, line 8, strike out the words "power to borrow money and bonds."

Page 6, line 1, strike out the words "franchise not exclusive."

Page 6, line 12, strike out the words "forfeiture of franchise."

Page 7, lines 1 and 2, strike out the words "annual statement, payment to Government."

Page 7, lines 18 and 19, strike out the words "franchise subject to reasonableness, public utilities commission."

Page 10, lines 20 and 21, strike out the words "franchise subject to amendment or repeal."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

ESTABLISHMENT OF INDUSTRIAL SCHOOLS FOR ALASKAN NATIVE CHILDREN

Mr. SUTHERLAND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Alaska rise?

Mr. SUTHERLAND. Mr. Speaker, I ask unanimous consent at this time to revert to Calendar No. 241, H. R. 4825, for the establishment of industrial schools for Alaskan native children.

The SPEAKER pro tempore. The gentleman from Alaska asks unanimous consent that the House may return to Calendar No. 241, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to returning to the consideration of this bill?

There was no objection.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to establish a system of vocational training for the native people of the Territory of Alaska and those who are of the half blood, and to construct and maintain suitable buildings for schools and dormitories in such localities within the Territory of Alaska as he may select: *Provided*, That at least one such school shall be established in each judicial division of the Territory of Alaska where no industrial school for the native people of Alaska is at present maintained by the United States.

SEC. 2. That the Secretary of the Interior is hereby instructed to assign to the Bureau of Education any unoccupied buildings in Alaska which are in his custody at abandoned military posts or any other buildings controlled by the Department of the Interior, for use by the Bureau of Education as industrial schools; and the Secretary of War is hereby authorized to transfer to the Secretary of the Interior any unoccupied buildings in Alaska that in the opinion of the Secretary of War may be dispensed with by the War Department, to be used for industrial school purposes: *Provided*, That the Secretary of the Interior is hereby authorized to dismantle and remove any of the aforementioned buildings to such locations as may be decided upon for the erection of industrial schools.

SEC. 3. The sum of $200,000 is hereby appropriated from moneys in the United States Treasury, which are not otherwise appropriated, for carrying out the purposes of this act in the construction of buildings and the establishment of industrial schools as provided for in this act.

SEC. 4. That the annual maintenance estimates for the said industrial schools provided for in this act shall be furnished to Congress by the Budget Committee under the Interior Department expenditures.

Amend the title so as to read: "A bill for the establishment of industrial schools for Alaskan native children, and for other purposes."

With the following committee amendments:

Page 1, line 4, after the word "the," insert "aboriginal."

Page 1, lines 5 and 6, after the word "Alaska," strike out "and those who are of the half blood."

Page 1, line 7, after the word "dormitories," insert the words "and hospitals."

Page 1, lines 9 and 10, strike out the words "*Provided*, That at least one such school shall be established in each judicial division of the Territory of Alaska where no."

Page 2, lines 1 and 2, strike out the words "industrial school for the native people of Alaska is at present maintained by the United States."

Page 2, line 8, after the word "schools," insert "or hospitals that are held by him to be necessary or suitable for such purposes."

Page 2, line 13, after the word "school," insert "or hospital."

Page 2, line 14, after the word "purposes," insert "that are held by him to be necessary or suitable for such purposes."

Page 2, after line 18, strike out all of sections 3 and 4.

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title will be amended.

There was no objection.

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to extend the remarks I made this morning on the St. Marys bridge bill.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to extend the remarks he made this morning on the St. Marys bridge bill. Is there objection?

There was no objection.

TO AMEND THE PRACTICE AND PROCEDURE IN FEDERAL COURTS

The next business on the Consent Calendar was the bill H. R. 3260, to amend the practice and procedure in the Federal courts, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. HILL of Maryland, Mr. FENN, and Mr. BEGG objected.

TO PROMOTE THE SAFETY OF EMPLOYEES AND TRAVELERS ON RAILROADS

The next business on the Consent Calendar was the bill H. R. 8578, to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Reserving the right to object, is the gentleman from Ohio [Mr. COOPER] behind this bill?

Mr. COOPER of Ohio. I am.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the first sentence of section 1 of the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended, is amended to read as follows:

"That when used in this act the terms 'carrier' and 'common carrier' mean a common carrier by railroad, or partly by railroad and partly by water, within the continental United States, subject to the interstate commerce act, as amended, excluding street, suburban, and interurban electric railways unless operated as a part of a general railroad system of transportation."

SEC. 2. Section 2 of such act is amended to read as follows:

"SEC. 2. That it shall be unlawful for any carrier to use or permit to be used on its line any locomotive unless said locomotive, its boiler, tender, and all parts and appurtenances thereof are in proper condition and safe to operate in the service to which the same are put, that the same may be employed in the active service of such carrier without unnecessary peril to life or limb, and unless said locomotive, its boiler, tender, and all parts and appurtenances thereof have been inspected from time to time in accordance with the provisions of this act and are able to withstand such test or tests as may be prescribed in the rules and regulations hereinafter provided for."

SEC. 3. The last sentence of section 3 of such act is amended to read as follows:

"The office of the chief inspector shall be in Washington, D. C., and the Interstate Commerce Commission shall provide such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his said assistants may require."

SEC. 4. Section 4 of such act is amended by adding thereto a new paragraph to read as follows:

"Within the appropriations therefor and subject to the provisions of this act, the Interstate Commerce Commission may appoint, from time to time, not more than 15 inspectors in addition to the number authorized in the first paragraph of this section, as the needs of the service may require. Any inspector appointed under this paragraph shall be so assigned by the chief inspector that his service will be most effective."

SEC. 5. Section 10 of such act is hereby repealed.

SEC. 6. Hereafter the salary of the chief inspector shall be $6,000 per year; the salary of each assistant chief inspector shall be $5,000 per year; the salary of each inspector shall be $3,000 per year; and the annual allowance for each inspector for office rent, stationery, and clerical assistance fixed by the Interstate Commerce Commission shall not exceed $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

RELIEF OF FARM AREAS OF OKLAHOMA

The next business on the Consent Calendar was the joint resolution (H. J. Res. 202) for the relief of the boll weevil, drought, and flood-stricken farm areas of Oklahoma.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HILL of Maryland, Mr. BEGG, and Mr. ALDRICH objected.

HOSPITAL FACILITIES FOR UNITED STATES VETERANS' BUREAU

The next business on the Consent Calendar was the bill (H. R. 5209) to authorize an appropriation to enable the Director of the United States Veterans' Bureau to provide additional hospital facilities.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Reserving the right to object, I would like to ask the gentleman from Indiana if the bill passed by the Senate is exactly like the House bill?

Mr. ELLIOTT. It is not. The Senate bill carried $300,000 additional appropriation for a school for the blind.

Mr. LAGUARDIA. If the gentleman will turn to page 3 of his bill, line 7, after the figures $6,500,000, are the words "to be immediately available." What significance does that have in a bill which authorizes an appropriation?

Mr. ELLIOTT. I do not know that it has any significance.

Mr. LAGUARDIA. I see the distinguished chairman of the Committee on Appropriations here, and I would like to ask him the significance of those words in this bill.

Mr. MADDEN. It is within the province of the Committee on Appropriations to make the appropriation immediately available. It is not necessary to have those words in this bill.

Mr. LAGUARDIA. When the appropriation comes to be made by the gentleman's committee, that committee will examine, and if it wishes criticize the particular sites for which the appropriation is asked.

Mr. MADDEN. Yes; and the bill ought not to be worded so that the Appropriations Committee can not do it.

Mr. LAGUARDIA. Has the gentleman examined the bill?

Mr. MADDEN. I examined it some time ago, and I think it is in proper shape.

Mr. SNELL. I understood that all of the sites had been decided upon and submitted to the Veterans' Bureau, and the director says that it will not be changed.

Mr. LAGUARDIA. It ought to be safeguarded so that it could go properly to the Committee on Appropriations.

Mr. SNELL. The director told me that he would not change the sites; that they would not be changed.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Director of the United States Veterans' Bureau, subject to the approval of the President, is hereby authorized to provide additional hospital and out-patient dispensary facilities for persons who served in the World War and are patients of the United States Veterans' Bureau, by purchase and remodeling or extension of existing plants, and by construction on sites now owned by the Government or on sites to be acquired by purchase, condemnation, gift, or otherwise, such hospitals and out-patient dispensary facilities, to include the necessary buildings and auxiliary structures, mechanical equipment, approach work, roads, and trackage facilities leading thereto; vehicles, livestock, furniture, equipment, and accessories; and also to provide accommodations for officers, nurses, and attending personnel; and also to provide proper and suitable recreational centers; and the Director of the United States Veterans' Bureau is authorized to accept gifts or donations for any of the purposes named herein. Such hospital plants to be constructed shall be of fireproof construction, and existing plants purchased shall be remodeled to be fireproof, and the location and nature thereof, whether for the treatment of tuberculous, neuropsychiatric, or general medical and surgical cases, shall be in the discretion of the Director of the United States Veterans' Bureau, subject to the approval of the President: *Provided, however*, That the director, with the approval of the President, may utilize such suitable buildings, structures, and grounds now owned by the United States as may be available for the purposes aforesaid, and the President is hereby

authorized, by Executive order, to transfer any such buildings, structures, and grounds to the United States Veterans' Bureau upon the request of the director thereof.

SEC. 2. That for carrying into effect the preceding paragraph relating to additional hospital and out-patient dispensary facilities there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,500,000, to be immediately available and to remain available until expended. That not to exceed 8 per cent of this sum shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants at the customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the projects authorized herein and for the supervision of the execution thereof and for traveling expenses and field-office equipment and supplies in connection therewith.

Amend the title so as to read: "A bill to authorize an appropriation to enable the Director of the United States Veterans' Bureau to provide additional hospital facilities."

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the Senate bill S. 3181, be substituted for the House bill and considered.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent to substitute the Senate bill for the House bill. Is there objection?

Mr. BLACK of Texas. Reserving the right to object, what is the difference between the Senate bill and the House bill?

Mr. ELLIOTT. The difference is that the Senate bill provides an additional authorization of $350,000 to complete a training school for the blind.

Mr. BLACK of Texas. Has the gentleman gone into that project, and has the committee investigated it and decided whether it is a feasible one or not?

Mr. ELLIOTT. I think it is, and as far as I am individually concerned, I have no objection to it.

Mr. GARRETT of Tennessee. Reserving the right to object, may I ask the gentleman a question. Does the Senate bill—I did not know this was coming up and did not bring a copy of the Senate bill—provide the situs or is it a lump sum?

Mr. WAINWRIGHT. I am familiar with the provisions of the bill, the Senate bill simply changes the lump sum and the designation of the sites is the same as in the other bill.

Mr. GARRETT of Tennessee. Is it limited to the blind of the World War or is it like the hospital? I did not understand that this was to be a hospital for the blind but is to be a training school.

Mr. WAINWRIGHT. Let me answer the gentleman's question by quoting the language of the Senate bill. It adds these words to the first definition in the bill:

and facilities for a permanent national training school, at a cost not exceeding $350,000, for the blind who are beneficiaries of the United States Veterans' Bureau.

Mr. ELLIOTT. That takes in the veterans of all of these wars.

Mr. LAGUARDIA. Will the gentleman from Indiana yield?

Mr. ELLIOTT. Yes.

Mr. LAGUARDIA. So that I may ask the gentleman from New York how many blind veterans there are who would want to avail themselves of this training in this institution?

Mr. WAINWRIGHT. There have been an average of slightly under a hundred since the armistice, but there are some 700 more who from time to time might take advantage of the facilities.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and the Clerk will report the Senate bill.

The Clerk read the bill (S. 3181), as follows:

Be it enacted, etc., That the Director of the United States Veterans' Bureau, subject to the approval of the President, is hereby authorized to provide additional hospital and out-patient dispensary facilities for patients of the United States Veterans' Bureau, and facilities for a permanent national training school, at a cost not exceeding $350,000, for the blind who are beneficiaries of the United States Veterans' Bureau, by purchase and remodeling or extension of existing plants, and by construction on sites now owned by the Government or on sites to be acquired by purchase, condemnation, gift, or otherwise, such hospitals and out-patient dispensary facilities to include the necessary buildings and auxiliary structures, mechanical equipment, approach work, roads, and trackage facilities leading thereto; and also to provide accommodation for officers, nurses, and attending personnel; and also to provide proper and suitable recreational centers; and the Director of the United States Veterans' Bureau is authorized to accept gifts or donations for any of the purposes named herein. Such hospital plants and training school to be constructed shall be of fireproof construction and existing plants purchased shall be remodeled to be fireproof, and the location and nature thereof, whether for the treatment of tuberculous, neuropsychiatric, or general medical and surgical cases, shall be in the discretion of the Director of the United States Veterans' Bureau, subject to the approval of President: *Provided, however*, That the director, with the approval of the President, may utilize such suitable buildings, structures, and grounds now owned by the United States as may be available for the purposes aforesaid, and the President is hereby authorized, by Executive order, to transfer any such buildings, structures, and grounds to the United States Veterans' Bureau upon the request of the director thereof.

SEC. 2. That for carrying into effect the preceding paragraph relating to additional hospital and out-patient dispensary facilities there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,850,000, to be immediately available and to remain available until expended. That not to exceed 3 per cent of this sum shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants at the customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the projects authorized herein and for the supervision of the execution thereof, and for traveling expenses and field-office equipment and supplies in connection therewith.

Mr. LAGUARDIA. Mr. Speaker, I move to strike out the last word. I believe this bill has received the attention of nearly every Member of the House. When it was first called on the Consent Calendar I objected to it. I am glad that I did, because we succeeded in getting an intelligent understanding of just what would be done by the Veterans' Bureau in finishing the hospitalization program. I, for one, do not hesitate to say that this authorization would not be necessary now if the previous director of the Veterans' Bureau had rendered honest and faithful service to his Government. By reason of misfeasance or malfeasance in office the hospitalization program is not complete. Not only that, but I call the attention of the House to the fact that poor judgment was exercised in the purchase of certain hospitals in some of the districts. In district No. 2, in my city, the Bronx, for instance, they purchased a hospital for $3,500,000, for psychopathic cases. Now we find the site is not suitable and that the hospital is not suitable. We want to sell that property now at a loss of $1,500,000 and go elsewhere and build another hospital. There is $1,500,000 just going into the hands of land promoters and contractors on the original sale which should have been used for the benefit of the veterans. Down at Dawsonsprings, Ky., some of you will remember that we purchased a hospital in the Sixty-fifth Congress, or the early part of the Sixty-sixth, for tubercular patients, and now we are told that that place is not suitable for tubercular patients, and we are going to build a hospital elsewhere.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. HULL of Iowa. What is the reason that the one in the Bronx is not properly located?

Mr. LAGUARDIA. It is right in the city, and, of course, these cases would be better off in the country, not in the immediate vicinity of city streets.

Mr. MADDEN. Will the gentleman yield to me for a moment?

Mr. LAGUARDIA. Yes.

Mr. MADDEN. Mr. Speaker, some considerable time since the Public Buildings and Grounds Committee reported a bill carrying $17,000,000 to construct hospitals and provide facilities for the sick and wounded soldiers. That was following a bill for $18,000,000 some time prior thereto. When the bill was under consideration in the House I tried to place the responsibility for the distribution of the funds in the hands of the President. In the Committee of the Whole we were successful, but when it went to a separate vote on the amendment in the House, the House defeated the authority granted to the President and placed it in the hands of the Director of the Veterans' Bureau. That director is out of the service now and has been for some time.

Mr. LAGUARDIA. Let us hope that he will be in some other service soon.

Mr. MADDEN. Before the money was authorized to be distributed the Committee on Appropriations called the Veterans' Bureau officials before it and went into a thorough, comprehensive investigation as to what the money was going to be used for. We were not satisfied that the money was to be judiciously disposed of in the interest of the veterans. We tried to place every safeguard around the use of the money, and, as far as language could do so, we did; but notwithstanding that, they overrode the provisions of the law, and they let contracts here, there, and everywhere without justification; they bought sites that they had no justification for buying, and

while they promised the Committee on Appropriations that it would not cost more than $3,000 per bed for hospitals to be constructed under the act, the fact is that it has cost close to $5,000 per bed. That is why this $6,500,000 is needed now. It is to finish the buildings that should have been completed with the money that was appropriated some time ago. It is just a piece of extravagant waste and criminal negligence, and still we are called upon to meet the situation, and it can not be met without the appropriation of this money.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LAGUARDIA. And am I not correct in the statement that I made previously that notwithstanding $35,500,000 was originally appropriated with the assurance that it would complete our hospital program, yet, owing to negligence and criminal conduct, to which the chairman of the Committee on Appropriations has referred, it is not completed.

Mr. MADDEN. It is not completed, and you can not complete it without this money.

Mr. LAGUARDIA. And this will complete it?

Mr. MADDEN. I hope so.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. I want to say right now I am not changing my attitude on this. I shall not object on the assurance received from the chairman of the Committee on Appropriations that he will scrutinize the appropriation when it comes before his committee.

Mr. MADDEN. I will scrutinize it and do everything I can to safeguard its expenditure as far as words can safeguard it.

Mr. LAGUARDIA. So that the money that we appropriated for the veterans will go for their benefit and nobody else?

Mr. MADDEN. I hope no dollar of it will go to anyone else.

Mr. LAGUARDIA. That is what I am trying to get. But, gentlemen, the truth is that they play on the sentiment and feeling of this House, knowing we are willing and anxious to appropriate money for the welfare and protection of the disabled veterans, and come in here with a blanket appropriation, as the distinguished chairman of the Appropriations Committee has just stated, and we learn from experience that everybody gets something except the disabled veteran.

Mr. DENISON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. DENISON. Did I understand the gentleman to say it is now ascertained that Dawsonsprings is not a suitable place for tubercular patients?

Mr. LAGUARDIA. That is what we get from the Veterans' Bureau, that it is an ideal spot but not a very good spot for tubercular patients.

Mr. DENISON. When the matter came up originally I remember hearing here the statement it was one of the best places in the United States.

Mr. LAGUARDIA. The gentleman will recall we first defeated the bill in the House and the deficiency bill came from the Senate and they stuck on Dawsonsprings and we had to take it. That is how it got in there.

Mr. GARRETT of Tennessee. Mr. Speaker, I would like to be recognized in opposition to the pro forma amendment. Mr. Speaker, I think the attention of the Congress ought to be called to a condition which was described before the Committee on Rules, and I understand authentically described by a representative of the disabled veterans when application was being made for a rule for the consideration of this bill. It was stated before that committee that a contract was entered into between the Veterans' Bureau and the State of Illinois whereby the Veterans' Bureau paid to the State of Illinois $2 per day for the care of patients afflicted with nervous diseases. The State of Illinois actually maintained its patients, and these soldier patients are mixed with all the others, at a cost to the State of $1.25 a day, and this extra 75 cents being thus appropriated, this paid out by the Veterans' Bureau supposedly for the maintenance in proper style of the soldiers suffering from shell shock and other nervous diseases, is not being paid but it is being invested in new hospital property to belong to the State of Illinois. Now, some time ago I saw a statement of a very similar condition given in a magazine and making substantially the same character of allegation though I can not remember the State. I do not know the truth about that, but it was a magazine article and this was stated before the Committee on Rules.

Mr. MADDEN. I do not know whether there is any truth in the statement made before the Committee on Rules, but if there is any truth the contract ought to be abrogated, and I would be glad as a member of the delegation from Illinois to endeavor to help get it abrogated.

Mr. GARRETT of Tennessee. No; the contract ought not to be abrogated at all until there is some place to put these men in. But what ought to be done is that there ought to be an insistence some way that these men be separated and get the $2 worth of attention for the $2 that is being paid for them.

Mr. DENISON. I was present in the Rules Committee when the gentleman made the statement to which the gentleman from Tennessee refers, and I remember the gentleman from Tennessee expressing astonishment, as several others did. I followed the gentleman out of the Committee on Rules into the hall and I talked with the representative of the American Legion, and he stated in our presence that this statement made by the gentleman to the Rules Committee was very unfair and very uncalled for and was not the whole truth.

Mr. GARRETT of Tennessee. I hope it is not the truth.

Mr. DENISON. As a matter of fact, the State of Illinois appropriated money out of its own treasury and has a building to take care of these men, and the $1.25 does not take into consideration the cost of the building.

Mr. LAGUARDIA. I want to state to the gentleman that when that charge was made some years ago I happened to be connected with the city administration of New York City and I looked into the matter, and there was a confusion as to the actual cost to the city or State for the maintenance of an inmate in the institution. We found that the cost was figured in two ways, one the actual cost, including all the overhead, and the other simply the daily disbursement for feeding a patient. The difference between $1.25 and the $2 mentioned by the gentleman from Tennessee may be the difference between the actual cost in buying the food and the complete cost in keeping the man, considering the investment in the building and care and overhead charge.

Mr. GARRETT of Tennessee. At any rate it is extremely desirable to have separate Government hospitals for these patients, so that if these charges be true they can be stopped.

The SPEAKER pro tempore. Without objection the pro forma amendment will be withdrawn.

There was no objection.

Mr. ELLIOTT. Mr. Speaker, I move to strike out the last word. I just want to state to the gentleman from Tennessee that the object of this bill is to have an institution, Government owned, Government operated, to take care of these neuropsychiatric patients.

Mr. GARRETT of Tennessee. That is my understanding and that is one reason why I am very, very earnestly for it.

Mr. MADDEN. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Illinois will be recognized in opposition to the last pro forma motion.

Mr. MADDEN. Mr. Speaker, I do not know about the value of the statement made by the gentleman from Tennessee [Mr. GARRETT], and he repeated it only because it was made to the committee of which he is a member. But it does cost the Government of the United States in its own hospitals more than $4 a day for every patient of this class which it treats, so that if a contract could be entered into between the United States and any State of the Union at $2 and the service rendered by the State would equal that rendered by the Government itself at $4 a day, or more, it would not be a bad contract. But if the State of Illinois can maintain its own patients for $1.25, it ought not to charge the United States $2; and as a citizen of Illinois I am opposed to the State discriminating, if it does discriminate, against the Government of the United States in the charges made for the treatment of any man who served in the war and who is being treated because of the injury that happened to him because of his service in the war.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. DENISON. I think my colleague will find, if he looks into this matter, that that $1.25 is the actual charge of operation, and does not take into consideration in any way whatever the cost of the building.

Mr. MADDEN. I am going to find out, as soon as I can, whether there is any truth in the statement made. If there is no truth in it, it ought not to be made, and if there is any truth in it, it ought to be rectified. But I think there are so many loose statements made about the treatment of soldiers that it would be far better for those who make them to wait until they can get the facts.

Mr. DENISON. I will say to my colleague that I did hear the statement, and the gentleman from Tennessee [Mr. GARRETT] has correctly reported it.

Mr. MADDEN. I know the gentleman from Tennessee would not make it unless he heard it.

Mr. DENISON. It was a very astonishing statement, and I think it is an entirely irresponsible one.

Mr. MADDEN. I am going to make diligent inquiry into the facts, and as soon as I can get them I am going to furnish them to the House. [Applause.]

Mr. WATKINS. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Oregon offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WATKINS: Page 3 of the Senate bill, line 5, strike out the figures "$6,850,000" and insert in lieu thereof the figures "$7,350,000."

The SPEAKER pro tempore. Without objection, the pro forma amendment will be withdrawn. The gentleman from Oregon is recognized.

Mr. WATKINS. Mr. Speaker and gentlemen of the House, the purpose of this amendment is to increase the authorization by $500,000. In this connection permit me to give you some facts in order to warrant you in granting this authority: The thirteenth district of the Veterans' Bureau is composed of the States of Washington, Oregon, Idaho, and Alaska. In December, 1925, the lease on the only hospital in the State of Oregon will expire. The owners of that hospital will not extend the lease. In the State of Washington there is another leased hospital, and it has been leased for only one year longer. When these leases expire there will be no hospital of any value in that district for the care of these patients.

A bill was passed to-day giving general hospitalization to the veterans of any war, regardless of the origin of the disability. In the State of Oregon it has been estimated by Doctor Campbell, of hospital No. 77, in which there are now 112 patients, contrary to the expectations of the director, that the load is increasing. The said doctor stated that the capacity of the hospital at the present time is 150 beds, and that in a short time the hospital facilities of Portland will be outgrown, inasmuch as there will be possibly 75,000 ex-service men in the territory tributary to Portland, and that they will have to be provided for.

Mr. BEGG. Does not the gentleman think he is taking advantage of the present situation upon unanimous-consent day? This is unanimous consent. Now, to offer that amendment to the bill at this time under the unanimous-consent agreement does not seem to me to be quite fair. It does not seem to me that it is quite the proper place.

Mr. WATKINS. I disagree with the gentleman, for this reason: If we do not give the director authority, we will not give the authorities of that district an opportunity to provide sufficient hospitals in ample time to care for the disabled.

If we do not grant authority to provide this money we will not be able to establish a hospital in that district in time to take care of the boys who are in these two leased hospitals; but if you will grant the authority, then this summer, if it is determined that a hospital is needed, preparations can be made, because the land is ready—all the Government wants, for nothing. I know that if it is not justified it will not be recommended by the chairman of the Appropriations Committee.

Mr. BEGG. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. BEGG. Has the gentleman presented that argument for this hospital to the proper committee?

Mr. WATKINS. I have.

Mr. BEGG. And the committee turned the gentleman down?

Mr. WATKINS. They did not put it in the bill.

Mr. BEGG. Then it seems to me the gentleman is decidedly taking advantage of the Unanimous Consent Calendar.

Mr. WATKINS. I do not look at it in that way.

Mr. CARTER. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. CARTER. When unanimous consent is given to consider a bill consent is also given to amend the bill, so the gentleman is not taking advantage of anybody, but is exercising his functions and privileges as a Member of the House.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. WATKINS. Yes.

Mr. BLANTON. I was wondering whether the gentleman from Oregon was never going to be satisfied. He has had his way on every one of his other bills, and has forced the House to come over to his side and help him pass them, so it does look to me as though the gentleman ought to be satisfied.

Mr. WATKINS. But this is one in which I am very much interested because of the sick ex-service men in these hospitals.

Mr. BLANTON. I will say to the gentleman that I am going to vote with him.

Mr. WATKINS. I thank the gentleman. The gentleman from Texas is always fair.

Mr. SINNOTT. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. SINNOTT. The gentleman is certainly within his rights and within the rules of the House in offering his amendment. It is then a matter of whether it is justified or not. I do not think the gentleman can be criticized as being unfair to the House.

Mr. WATKINS. I am sorry that the gentleman from Ohio [Mr. BEGG] looks at it in that way. Nevertheless I feel that I am right and on that I justify my course. To postpone the matter is criminal; if we wait until December it will be too late.

Mr. MADDEN. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. MADDEN. I understood the gentleman in the course of his remarks to say that there was likelihood of the State of Oregon giving property upon which to erect this hospital.

Mr. WATKINS. Exactly; let me say that I appeared before the committee and I believe it was upon my suggestion that it changed the language of this bill by authorizing the director to accept lands by gift for hospital purposes. The city of Portland stands ready to give to the Government a tract of land of as many acres as it needs for such hospital.

Mr. LaGUARDIA. I will say to the gentleman that New York City offered lands at a proper place for the establishment of a tuberculosis hospital, but they went down to the foot of a mountain and bought land instead.

Mr. WATKINS. That practice seemed to be the rule. Let me say further that in the thirteenth district it has been estimated that there are 7,000 veterans eligible to hospitalization; the load is increasing; there are approximately 3,700 active compensation cases in the district; a hospital is fully warranted and now is the time to authorize it. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ELLIOTT and Mr. NEWTON of Minnesota rose.

Mr. ELLIOTT. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The Chair believes the chairman of the committee is entitled to be recognized first.

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House, I hope this amendment will not be agreed to for this reason: The representatives of the Veterans' Bureau have appeared before the House and Senate committees and made their statements as to what it needs to finish its hospital program. Never at any time has this proposal been mentioned by a representative of the Veterans' Bureau to any of the committees handling any of these hospital bills.

Another thing. If this bill is passed as it is it will go, as I understand, directly to the President, but if this amendment is added to the bill it will be necessary to send the bill back to the Senate and into conference, and it might result in the bill not becoming a law at this session of Congress.

Mr. WATKINS. Will the gentleman yield?

Mr. ELLIOTT. Certainly.

Mr. WATKINS. Senator ODDIE and others have favored this amendment, and they favor this hospital, so it will have no trouble over in the Senate.

Mr. ELLIOTT. Then why did they not put it on in the Senate when the bill was before the Senate?

Mr. WATKINS. Well, I will not criticize anybody over there as to why they did not. I wish I had been there, for then I would have called their attention to it.

Mr. ELLIOTT. The fact is, gentlemen, nobody in authority has ever asked for this appropriation. Nobody in authority has ever said it was necessary, but they have said that the $6,500,000 was all that was necessary, and then the Senate saw fit to put in this $350,000 for a training school for the blind. I submit to you, gentlemen, there is no necessity for putting this amendment on the bill, and if it is put on, it is likely to interfere with the welfare of the bill.

Mr. LANHAM. Will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Texas.

Mr. LANHAM. In addition to what the gentleman has said, would it not also be a change of policy with regard to matters of this character to be adopting amendments with reference to particular places? Has it not been the function of the committee to act legislatively in appropriating sufficient funds for necessary hospitals, and has it not been a matter of administration for the bureau to determine where the hospitals should be located?

Mr. ELLIOTT. The gentleman from Texas is right.

Mr. WATKINS. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. WATKINS. Does the language of my amendment contravene that policy? I have not designated Portland, Oreg. I have changed the figures here from $6,500,000 to $7,000,000, and I have not designated the place.

Mr. ELLIOTT. You are asking for something that the bureau has not said is necessary.

Mr. LANHAM. The director has not asked for this.

Mr. WATKINS. But we can give him this authority. Wherein have I designated Portland, I ask the gentleman from Texas?

Mr. LANHAM. The gentleman's whole remarks indicated that.

Mr. WATKINS. I claim you are misleading the House. I have not said it should be at Portland, Oreg.

Mr. LANHAM. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. LANHAM. I will say to the gentleman from Oregon that the gentleman's amendment does not make such reference; but the gentleman's remarks, as I understood them, were made for the purpose of getting this additional provision in order that there might be a building at Portland, Oreg.

Mr. WATKINS. They are only given the authority; and would not the gentleman be for it if the director saw fit to establish a hospital there?

Mr. LANHAM. I am for whatever is necessary to carry out a proper program for taking care of the disabled veterans, and we have authorized in this measure every cent that the Director of the Veterans' Bureau has asked for.

Mr. WATKINS. There would be no harm in giving this authority.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment increasing the amendment of the gentleman from Oregon $100,000.

The SPEAKER pro tempore. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment: Page 3 of the Senate bill, strike out "$7,350,000" in the amendment offered by Mr. WATKINS and insert "$7,450,000."

Mr. BLACK of Texas. Mr. Speaker, I make the point of order that is an amendment in the third degree.

The SPEAKER pro tempore. We are considering the Senate bill in lieu of the House bill, and not as an amendment to the House bill, and the amendment is therefore an amendment only in the second degree and is in order. The Chair overrules the point of order.

Mr. NEWTON of Minnesota. Mr. Speaker, the report shows that a portion of this money is to construct a tubercular hospital of 300 beds in district No. 10 to take care of the tubercular situation in the States of Minnesota, the two Dakotas, and Montana. I rise for the purpose of calling the attention of the House and those in authority in connection with the Veterans' Bureau to the fact that, in accordance with the evidence that has been presented to me—and this was following the report of this bill from the committee—that the provision made for a tubercular hospital of 300 beds will not meet the situation in district No. 10. More adequate provision should have been made; and, in addition to that, the evidence also presented to me is to the effect that the hospital which is now under construction at St. Cloud, Minn., has at present an inadequate number of beds to take care of the neuropsychiatric cases. I would like to ask the gentleman from Indiana whether he can recall from the hearings just to what extent the Milwaukee hospital is being used for tubercular cases and how many vacant beds there are there?

Mr. ELLIOTT. I can not at this time. It has been some five or six months since we held the hearings on this matter.

Mr. NEWTON of Minnesota. I can readily understand that. My information comes from the tenth district rehabilitation committee, which is formed by the representatives of the State departments of the American Legion. William T. Kroll, of my city, is the secretary of this organization. Among the representatives are specialists in tubercular, mental, surgical, and other medical fields. They have investigated and find not only that the present facilities are inadequate but that even with these additional hospital facilities they will still be inadequate. They have recommended additional facilities for both mental and tubercular patients.

Mr. Speaker, I believe that additional facilities should be provided, but I appreciate the present parliamentary situation. It is imperative that this bill becomes a law. This will give us some relief. It has already passed the Senate. We expect to adjourn here June 7. It has taken some time to get this bill before the House for consideration. There are Members here who would have objected to its consideration on Consent Calendar day if we had not advised them of the urgent necessity of its passage. If the bill should be amended, it would then have to go back to the Senate and take its chances there in the closing days of a session. Under different circumstances I would offer an amendment making further provision, and I hope that this will receive the immediate consideration of the Veterans' Committee upon the convening of Congress next session.

I ask unanimous consent to withdraw my pro forma amendment.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question is on the amendment offered by the gentleman from Oregon.

The question was taken; and on a division (demanded by Mr. WATKINS) there were—ayes 27, noes 57.

So the amendment was rejected.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title will be amended.

There was no objection.

The SPEAKER pro tempore. Without objection, H. R. 5209, and H. Res. 275, a rule for the consideration of the House bill, will be laid on the table.

There was no objection.

RECALL OF A BILL FROM THE PRESIDENT

Mr. McKENZIE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Concurrent Resolution 15, to recall from the President a bill in which an error was made by the enrolling clerk of the Senate. I would like to have the resolution passed in order that we can make progress.

Mr. BLANTON. What is it?

Mr. McKENZIE. It is a resolution to recall S. 2169. When we had the bill before the House the gentleman from Kansas [Mr. ANTHONY] proposed an amendment which was agreed to to loan horses to the National Guard. When we got into conference we took the amendment out.

Mr. BLANTON. Now we know what the bill is. I have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the resolution as follows:

[Sixty-eighth Congress, first session]

Concurrent Resolution 15

IN THE SENATE OF THE UNITED STATES,

May 31 (calendar day, June 2), 1924.

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be requested to return to the Senate enrolled bill (S. 2169) entitled "An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes."

Attest: GEORGE A. SANDERSON, *Secretary.*

The resolution was agreed to.

TO AMEND THE ORGANIC ACT OF PORTO RICO

The next business on the Consent Calendar was the bill (H. R. 6583) to amend the organic act of Porto Rico, approved March 2, 1917.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WILLIAMS of Texas. I object.

Mr. VARE. Will the gentleman withhold that, so that the gentleman from Porto Rico can explain the bill?

Mr. WILLIAMS of Texas. I will say that I have studied this matter and am opposed to the legislation. I am a member of the committee and voted against it in committee, and I object now. If the gentleman from Porto Rico wants to speak I will withhold my objection.

The SPEAKER pro tempore. Is there objection?

Mr. WILLIAMS of Texas. I object.

DESIGNATING THE STATE OF NEW MEXICO AS A JUDICIAL DISTRICT

The next business on the Consent Calendar was the bill (H. R. 7523) designating the State of New Mexico as a judicial district, fixing the time and place for holding terms of court therein, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SNELL. Reserving the right to object, I would like to have an explanation of the bill.

Mr. GRAHAM of Pennsylvania rose.

Mr. SNELL. Does this create any new offices?

Mr. GRAHAM of Pennsylvania. It creates no new offices, but a judicial district. It provides for the same officers. The Department of Justice approves of it. The Senate has approved of it and the judges approve of it. The bill was introduced by the gentleman from New Mexico [Mr. MORROW].

Mr. MORROW. Mr. Speaker, this bill proposes to make a new district of the entire State of New Mexico. We have two United States judges holding court in different places in the State. There are only three places designated for the judges to hold court and three other places optional. The purpose of the bill is to save expense to the United States Government. At the present time the litigants have to travel sometimes 150 or 200 miles to go to the district court.

Mr. SNELL. Mr. Speaker, there are additional offices established and created under the bill, and I object.

Mr. YATES. Mr. Speaker, a point of order. I fear that there is a misapprehension on the part of the gentleman from New York. This is not my bill.

Mr. SNELL. I will reserve the objection.

Mr. YATES. The State of New Mexico is about 375 miles square. The court is now held in two places, Albuquerque and Santa Fe, and is optional in three others. This bill tries to arrange to have a term of court at Roswell, and the bill provides for no extra expense, and I see no reason why it should not be passed. It has the approval of the Attorney General.

Mr. BLANTON. Will the distinguished governor tell us how many extra judges they have in New Mexico?

Mr. YATES. I understand there are two judges there.

Mr. SNELL. This provides for several additional places.

Mr. YATES. No; it names six places, of which only one is new, Roswell.

Mr. SNELL. Does it not provide that one deputy shall reside at each place?

Mr. YATES. Yes.

Mr. SNELL. And there are six or seven different places.

Mr. YATES. That is a repetition of the original bill.

Mr. SNELL. There are several names here.

Mr. YATES. There are six names here.

Mr. SNELL. Mr. Speaker, I object.

Mr. YATES. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice, to retain its place on the calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

REGULATING TRANSPORTATION OF LABOR IN INTERSTATE COMMERCE

The next business on the Consent Calendar was the bill (H. R. 7698) to regulate the transportation and importation of labor from one State to any point in another State where a labor disturbance or strike is then in progress.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ACKERMAN. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I object.

Mr. WINSLOW. Mr. Speaker, I object.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I object.

Mr. WOLFF. Mr. Speaker, I hope these gentlemen will withhold their objections for a moment. [Cries of "Regular order!"]

The SPEAKER pro tempore. The regular order is demanded. The Clerk will report the next bill.

Mr. WOLFF. Mr. Speaker, I was just going to make a request that the gentlemen withhold their objections for a few moments.

Mr. BEGG. Mr. Speaker, I demand the regular order.

Mr. WOLFF. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. SUTHERLAND. Mr. Speaker, I ask these gentlemen to give the author of the bill an opportunity to make a statement.

The SPEAKER pro tempore. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 16, noes 77.

The SPEAKER pro tempore. Does the gentleman insist on the point of no quorum?

Mr. WOLFF. Mr. Speaker, I withdraw the point of no quorum.

So the House refused to adjourn.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri be given five minutes.

Mr. BLANTON. Mr. Speaker, I reserve the right to object, that the gentleman may speak for five minutes.

The SPEAKER pro tempore. The gentleman from Texas reserves the right to object on the bill H. R. 7698.

Mr. MAPES. I make the point of order that three objections have already been raised, and these gentlemen can not reserve their objections.

Mr. BLANTON. We withdraw objection for a moment and reserve it. I ask unanimous consent that the gentleman from Missouri may proceed for five minutes.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the gentleman from Missouri may proceed for five minutes. Is there objection?

There was no objection.

Mr. WOLFF. Mr. Speaker and gentlemen of the House, I do not want to be contentious, I do not want to get the reputation of being a fighter or of trying to tie up everybody here. I know nearly every gentleman here has a bill that he is interested in. As this bill was originally introduced it was possibly objectionable to some manufacturing interests and some of the railroad interests in this country. The bill was withdrawn and was reintroduced with that objectionable section eliminated. This bill is reported out by the Labor Committee with a unanimous report. It is absolutely a fair bill and hurts no one, and I ask you gentlemen to judge the thing from a fair light. When a man is being sent down to a strike-infested district, after having read of men being killed and the hospitals being filled, do you gentlemen not think that that man is entitled to notice that there is a strike there before he is sent there into the district? That is everything in the world that the bill does. Some men would say that it is an organized labor bill. It is not. This bill was introduced before organized labor had a thing to say about it. After it was introduced organized labor did come in and indorse the bill. The bill simply provides that a man shall be notified if such conditions exists before he is sent into the particular district. If that notice is given, a union man will not go there, and do you not think that the other fellow is entitled to notice? Do you not think that it is fair that he should have notice? This is not class legislation, it includes all labor; any kind of labor. In addition to that, after the man is notified, he has the right to go there if he wants to go. This does not prohibit him from going. It does not interfere with his right of contract in any way. It simply provides a penalty in case he is not notified, and I contend that the bill is fair. The Labor Committee says that it is fair. If you gentlemen will go over the hearings before the committee you will see that every man who appeared there against the bill, after we had accepted the amendments that were suggested, agreed that he was not against it any further. That is all I have to say, and I ask you to give me the courtesy of considering this bill by a vote.

Mr. BLANTON. If we could adequately debate this bill and offer such amendments as would safeguard it, I would not object to it, but it is too important a piece of legislation to come up here and be passed in five minutes.

The SPEAKER pro tempore. The gentleman is speaking under the reservation?

Mr. BLANTON. Yes. It is a far-reaching piece of legislation, and by reason of the fact we can not give it sufficient time to-day at this hour I must object.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address by my colleague on the Banking and Currency Committee, Mr. GOLDSBOROUGH, of Maryland, made before the Maryland State Bankers' Association recently.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. WATKINS. Mr. Speaker, I ask the right to revise and extend my remarks and to extend them to the extent of inserting in my remarks my testimony to the extent of about three

pages which I delivered before the Committee on Public Buildings and Grounds.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent to extend his remarks on the hospital bill just passed, and to do so by inserting his own statement before the Committee on Public Buildings and Grounds.

Mr. SNELL. Reserving the right to object, that is already printed.

Mr. WATKINS. It is in the hearing.

Mr. SNELL. I do not think we ought to start to do that, and I object to that part of it, not to the other.

Mr. WATKINS. They are my own remarks.

Mr. WOLFF. I ask unanimous consent that the bill (H. R. 7698) may retain its place on the calendar.

The SPEAKER pro empore. Does the gentleman from Oregon modify his request?

Mr. WATKINS. The gentleman said to that extent. I ask consent with the modification.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.) The Chair hears none.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the bill (H. R. 7698) may retain its place upon the calendar without prejudice. Is there objection? [After a pause.] The Chair hears none.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the hospital bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. ZIHLMAN. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. BEGG. Mr. Speaker, after a bill has been objected to by three members, can it remain on the calendar?

The SPEAKER pro tempore. By unanimous consent.

Mr. BEGG. Then what is the use of requiring three men to object unless their objection throws the bill off the calendar?

Mr. BLANTON. I make the point of order the gentleman from Ohio could have stopped it by objecting, but he waived his right.

Mr. BEGG. I think that is the rule.

Mr. BLANTON. You can do anything by unanimous consent.

Mr. BEGG. You can do no such thing.

Mr. DENISON. The rule provides the bill shall not be on the calendar.

Mr. BEGG. I can not grant consent——

Mr. WOLFF. Mr. Speaker, a point of order. I believe the gentleman has made the objection too late. The Chair has ruled.

The SPEAKER pro tempore. The Chair will listen to the gentleman from Missouri on the point of order. The gentleman from Ohio makes the point of order that the second objection having been made by three members under the rule unanimous consent can not be granted for the purpose of continuing a bill upon the calendar. The Chair would like to hear the gentleman from Missouri.

Mr. WOLFF. Mr. Speaker, my point of order is the gentleman has made his objection too late, that the Chair had already ruled, and the House had given unanimous consent that the bill remain on the calendar.

The SPEAKER pro tempore. The Chair will say that the gentleman from Ohio is not now making objection. He is now making a point of order that unanimous consent can not be granted to keep a bill on the calendar after the second objection has been made by three members who objected. Upon that the Chair would like to hear the gentleman or any other gentleman who desires to address the Chair.

Mr. O'CONNOR of Louisiana. If you can suspend the rules by a two-thirds vote, why can not you suspend a rule by a unanimous-consent vote? That was the request of the gentleman from Missouri—that you suspend the operation of this rule by a unanimous-consent vote, and you have done that.

Mr. BEGG. You can not do it.

Mr. O'CONNOR of Louisiana. Why?

Mr. BEGG. The gentleman is asking to suspend the rule which says you can not keep the bill on the calendar under those conditions, and a reading of the rule shows "and shall not thereafter be placed thereon." That does not mean you can continue it further.

Mr. O'CONNOR of Louisiana. What is the gentleman's contention, that you can not suspend the rule?

The SPEAKER pro tempore. Does the gentleman from New York desire to be heard?

Mr. SNELL. All I desire to say is the intent and purpose of the rule is to give two chances, and the second time it is objected to by three Members it is stricken from the calendar. That is the intention of the rule.

Mr. BLANTON. Mr. Speaker, I would like to be heard for a moment.

The SPEAKER pro tempore. The Chair will hear the gentleman.

Mr. BLANTON. The rule clearly means that after this House adjourns there is no way of getting this matter back on the calendar. But here, with the very men who registered their objection to taking the bill off the calendar, there was a unanimous consent acceded to by these very men to let this bill retain its place on the calendar without prejudice. Clearly, you can do that. It has been done half a dozen times to-day. Other bills that ought to have gone off the calendar have retained their places on the calendar. I expect to object to it, but I think the gentleman has the right to ask to keep it on the calendar.

Mr. BEGG. I want to make only one observation as to the question of its right, as to whether or not it is right. A bill can be thrown off if inadvertently it has been placed on. The rules can not be set aside by unanimous consent. There is a procedure, however, whereby the rules can be changed. The rules can only be suspended under certain conditions. One of those conditions is that the Speaker agrees to recognize the mover for the purpose of suspending the rules. Now, it takes a two-thirds vote for that. None of those conditions were complied with. Hence, there is no way to avoid the rule which automatically throws it off.

Mr. CRAMTON. Does not the gentleman from Ohio think it would make some difference what the conditions were? If while the process of objection is going on, but before the matter is entirely disposed of, some one should ask unanimous consent to have the bill passed over without prejudice, no doubt that could be done by unanimous consent.

Mr. BEGG. If no one objected, it could.

Mr. CRAMTON. But if the matter is disposed of, and there has been discussion and debate, and later, as in this case, some one has asked unanimous consent, it may be that, other discussion and other business having taken place, it is possible that the three objectors have left the Hall, and their rights are violated thereby.

Mr. BLANTON. They may be present, or they may have left the Hall.

Mr. CRAMTON. There is no way of demonstrating that.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. BEGG. I yield to the gentleman from Kansas.

Mr. TINCHER. Is it the opinion of the gentleman from Ohio that if the gentleman from Missouri [Mr. WOLFF] had asked unanimous consent that this bill be placed on the Union Calendar, and no one objected, could it be placed on the Union Calendar?

Mr. BEGG. I do not think it could go on the House Calendar.

Mr. TINCHER. But it can go to another calendar?

Mr. BEGG. It can not go there if it has no right to be there.

Now objection was made, and the Chair announced it. When he asked if there was objection four men arose in their places and made objection; and a little later the gentleman from Missouri [Mr. WOLFF] asked for the withholding of the objection, and a call for the regular order was made, and the Chair ruled that the regular order was that the Clerk report the next bill. Then the gentleman from Missouri made a point of no quorum, and the gentleman from Ohio moved a call of the House. Then the gentleman from Texas [Mr. BLANTON] moved that the House adjourn, and the vote was taken. And after all that was done and the House refused to adjourn, then a request for unanimous consent to put the thing back on the calendar was made, and I contend that it can not be.

Mr. O'CONNOR of Louisiana. Mr. Speaker, I would like to be heard.

The SPEAKER pro tempore. The Chair will hear the gentleman.

Mr. O'CONNOR of Louisiana. Mr. Speaker, when we are in doubt in all probability the best thing to do is to rely upon the authorities with reference to the rules. I want to call to the mind of the Chair a statement made here by the lamented Champ Clark, who was at one time Speaker of the House. I am appealing to authority now.

I heard him state on the floor of this House that he remembered Uncle Joe Cannon, who was then Speaker of the House, declaring that anything could be done by unanimous consent—that you could drive an elephant through this House

by unanimous consent—and Speaker Champ Clark concurred in the viewpoint expressed by Mr. Cannon when and while he was the Speaker of the House. I mention that from the standpoint of authority of the highest order in considering, construing, and interpreting the rules of the House—the views of two illustrious Speakers.

Now, Mr. Speaker, if you can suspend a rule—and I am going to reiterate what I said a moment ago—by a two-thirds vote, you certainly can do so by a unanimous-consent vote, and that is what the gentleman from Missouri has asked, to suspend the operation of a rule by unanimous consent, and that unanimous consent was given. So that in so far as his bill is concerned the rule has been temporarily suspended, and will be revived into activity after it has been reached again, when objection, of course, may be made to its consideration. But it retains its place on the calendar by virtue of unanimous consent, as the House is the master of its rules and not the subject or vassal of master rules.

The SPEAKER pro tempore. The Chair is ready to rule. The Chair will read that portion of the rule which is applicable to this situation:

Should objection be made to the consideration of any bill so called, it shall immediately be stricken from such calendar, but such bill may be restored to the calendar at the instance of the Member, and if again objected to by three or more Members, it shall be immediately stricken from such calendar, and shall not thereafter be placed thereon.

In the opinion of the Chair this latter phrase would mean that it can not again be placed upon the calendar at the instance of the Member in the manner provided by the rule; that the Member has lost all rights to have his bill restored to the Consent Calendar under the rule. But gentlemen sitting in the House, having made objection to the consideration of a bill, and hearing a request made, after objection, for unanimous consent that a bill shall retain its place upon the calendar without prejudice, it seems to the Chair, are held to notice that that request is being made, and if they then wish to object it is their duty to prevent the granting of the unanimous-consent request. In the opinion of the Chair their silence amounts to a waiver on the part of those who have made objection under the rule, if they do not raise objection to the unanimous-consent request.

Mr. CRAMTON. How can the Chair assume that the three who objected will remain throughout the remainder of the session?

Mr. BLANTON. In this instance they did remain.

The SPEAKER pro tempore. In reply to that inquiry the Chair will say that in the opinion of the present occupant of the chair it is presumed that every Member of the House is in the House. [Applause.] Is there objection to the request of the gentleman from Missouri?

Mr. GRAHAM of Pennsylvania. I object.

Mr. BLANTON. I make the point of order that the time for objection has passed.

The SPEAKER pro tempore. The gentleman is right. The Chair inadvertently listened to a suggestion to put that question again. The Chair had put the question.

Mr. BLANTON. And there was no objection.

The SPEAKER pro tempore. And no objection was made at that time. Then the gentleman from Ohio [Mr. BEGG] made a point of order, and the Chair now feels he should not again put the request.

Mr. GRAHAM of Pennsylvania. I ask the Chair to permit just a word, and I speak in this respect for myself. Assuming the rule means exactly what it says, and that no word from me as one of the objectors was required, every man who objected to this measure for a second time, the number being three and calling for the operation of the rule, can not be assumed to have waived his rights in the light of what the rule itself expressly says—"shall not be placed upon the calendar." It does not say by the Member, but "it shall not be placed on the calendar."

The SPEAKER pro tempore. In reply the Chair will say, briefly, that when the objections were made those objections were made to the present consideration of the bill. Afterwards a different request was made, that the bill might retain its place on the calendar, and to that request a single objection would have been ample.

The Clerk will report the next bill.

INCORPORATED TOWN OF SITKA, ALASKA

The next business on the Consent Calendar was the bill (H. R. 5096) to authorize the incorporated town of Sitka, Alaska, to issue bonds in any sum not exceeding $25,000, for the purpose of constructing a public-school building in the town of Sitka, Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the incorporated town of Sitka, Alaska, is hereby authorized and empowered to issue bonds in any sum not exceeding $25,000 for the purpose of constructing a public-school building in the town of Sitka, Alaska.

SEC. 2. That before said bonds shall be issued a special election shall be ordered by the common council of the town of Sitka, at which election the question of whether such bonds shall be issued shall be submitted to the qualified electors of said town of Sitka whose names appear on the last assessment roll of said town for municipal taxation. Thirty days' notice of such election shall be given by publication thereof in a newspaper printed and published and of general circulation in said town before the day fixed for such election.

SEC. 3. That the registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as near as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued only upon condition that a majority of the votes cast at such election in said town shall be in favor of issuing said bonds.

SEC. 4. That the bonds above specified, when authorized to be issued as hereinbefore provided, shall bear interest at a rate to be fixed by the common council of Sitka, not to exceed 6 per cent per annum, payable semiannually, and shall not be sold for less than their par value, with accrued interest, and shall be in denominations not exceeding $1,000 each, the principal to be due in 20 years from date thereof: *Provided, however,* That the common council of the said town of Sitka may reserve the right to pay off such bonds in their numerical order at the rate of $2,000 thereof per annum from and after the expiration of five years from their date. Principal and interest shall be payable in lawful money of the United States of America at the office of the town treasurer or at such bank in the city of New York, in the State of New York, or such place as may be designated by the common council of the town of Sitka, the place of payment to be mentioned in the bonds: *And provided further,* That each and every such bond shall have the written signature of the mayor and clerk of the said town of Sitka and also bear the seal of said town.

SEC. 5. That no part of the funds arising from the sale of said bonds shall be used for any purpose other than specified in this act. Said bonds shall be sold only in such amounts as the common council shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the order and direction of said common council from time to time as the same may be required for said purposes.

Mr. CRAMTON. Mr. Speaker, I offer an amendment. On page 2, line 13, strike out the words "a majority" and insert "60 per cent."

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 13, strike out the words "a majority" and insert in lieu thereof "60 per cent."

Mr. CRAMTON. Mr. Speaker, I will simply say this is a provision requiring that bonds shall only be issued upon condition that 60 per cent of the votes cast are in favor of issuing them, a provision which is quite common in cities and States; and I understand the Delegate from Alaska [Mr. SUTHERLAND] is willing to accept the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

RURAL MAIL SERVICE

The next business on the Consent Calendar was the bill (S. 2111) authorizing the Postmaster General to conduct an experiment in the rural mail service, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLACK of Texas. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I reserve the right to object, if the gentleman wants to make a statement about it.

Mr. SCHAFER. Mr. Speaker, I reserve the right to object also.

Mr. MOORE of Ohio. Mr. Speaker, the report sets out the reasons for the proposed legislation. There are 50 rural mail

routes to be selected by the Post Office Department, and any number of them may be utilized in an experiment to try to carry food products from the producer to the consumer.

There will not be any new routes established. They will be self-supporting, in that the commission will be allowed from the postage on these particular routes. There will be no new routes established and no additional appropriation required. This is approved by the Post Office Department and the bill has already passed the Senate.

Mr. BLACK of Texas. Mr. Speaker, the rural carriers are already paid a salary by the Federal Government, and in the bill that was passed this afternoon they will be allowed 4 cents a mile for each mile. Now, this bill would set up in addition to that an additional compensation. In my judgment, it would be very unwise to pass this bill, and that is the reason I object.

Mr. MOORE of Ohio. I may say to the gentleman that this simply provides for an experiment for 12 months to see whether or not food products may be carried in this way and the amount carried increased in an effort to get the products directly from the producer to the consumer.

Mr. BLACK of Texas. Why should the rural carrier be paid anything extra for carrying products of this kind if they go in the regular course of the mail?

Mr. MOORE of Ohio. It is on the assumption that the amount of work the carrier will do will be greatly increased.

Mr. BLACK of Texas. The Government service is entitled to the best service that the employee can render; and I submit that we would not be justified in giving him here a special compensation any more than we would be justified in giving the city carrier a special compensation for carrying parcel-post mail.

Mr. MOORE of Ohio. If the gentleman will permit the observation, if this would greatly increase the amount of products he would have to carry, he might have to provide additional facilities for the handling of these products, and it might greatly increase his expenses, and it was thought necessary to provide for that contingency.

Mr. BLANTON. Mr. Speaker, reserving the right to object, this permits the Postmaster General to select 50 rural routes anywhere he wants to and to select 50 rural carriers, and this pay would be in addition to the regular compensation that all the others receive, in that the carrier is allowed a certain commission. It is going to make all of the balance of the rural carriers of the United States dissatisfied. What you do for 50 of them, the balance are going to expect, and you who have the rural districts and rural routes, if you want dissatisfaction to come among your rural carriers, pass this kind of a bill and let the Postmaster General select 50 pets or 50 favorites of his—and they will become pets, because the very minute he selects 50 to the exclusion of all the balance, they will look upon the 50 as his favorites, receiving special compensation; and this kind of a bill, gentlemen, ought not to pass here with five minutes' consideration.

Mr. MOORE of Ohio. I have not looked upon it so much as a matter of favoritism to the carriers as it might be an imposition upon them.

Mr. BLANTON. I object.

Mr. SCHAFER. I object.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLACK], the gentleman from Texas [Mr. BLANTON], and the gentleman from Wisconsin [Mr. SCHAFER] object.

HOSPITAL FOR DISABLED VOLUNTEER SOLDIERS, SANTA MONICA, CALIF.

The next business on the Consent Calendar was the bill (H. R. 2821) authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Santa Monica, Calif.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Board of Managers of the National Home for Disabled Volunteer Soldiers be, and it is hereby, authorized and directed to cause to be erected at the Pacific branch of said home at Santa Monica, Calif., on land now owned by the United States, a sanitary, fireproof hospital of a capacity of 500 beds. Such hospital shall include all the necessary buildings, with the appropriate mechanical equipment, including roads and trackage facilities leading thereto, for the accommodation of patients, and storage, laundry, and necessary furniture, equipment, and accessories as may be approved by the Board of Managers of the National Home for Disabled Volunteer Soldiers.

SEC. 2. That the persons who shall be entitled to the privileges of treatment in this hospital when constructed, and who may be admitted thereto upon the order of a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers, shall be the following: Honorably discharged officers, soldiers, sailors, and marines who served in the Regular, Volunteer, or other forces of the United States in the war with Mexico, the Civil War, the war with Spain, and the World War, or in any war in which the country has been engaged, in campaigns against hostile Indians, or who served in any of the extraterritorial possessions of the United States in foreign countries, including Mexican border service, or in the Organized Militia or National Guard when called into the Federal service, and who are disabled by diseases or wounds and by reason of such disability are either temporarily or permanently incapacitated from earning a living.

SEC. 3. That in carrying the foregoing authorization into effect the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby authorized to enter into contracts for the construction of the plant, or to purchase materials in the open market or otherwise, and to employ laborers and mechanics for the construction of the plant complete at a limit of cost not to exceed $1,500,000.

Mr. CRAMTON. Mr. Speaker, I offer two amendments. The first one I have sent to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 8, after the word "beds," insert "at a total cost of not more than $1,500,000."

Mr. CRAMTON. And also to strike out all of section 3; and, in connection with what I will say, I fear that section 2 as it stands might authorize them to enter into contracts before any appropriation was made; but if we strike out section 3, it is necessary to carry the limitation as to cost, which is in section 3, and hence I suggest putting that in section 1. I have discussed it with the gentleman from California [Mr. FREDERICKS] and he has no objection.

The SPEAKER pro tempore. The question is on the first amendment of the gentleman from Michigan which, for information, the Clerk will again report.

The amendment was again reported.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the second amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Page 2, line 22, strike out all of section 3.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

DESTRUCTION OF HORSES BELONGING TO THE SIOUX NATION OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 7400) authorizing the Secretary of the Interior to consider, ascertain, adjust, and determine claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent to substitute the bill (S. 1174) in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent to substitute the bill (S. 1174).

Mr. BLANTON. Are the bills identical?

Mr. WILLIAMSON. No; they are not. The committee cut out a part of the House bill so that it does not involve an appropriation.

Mr. BLANTON. It does not increase the charge on the Treasury?

Mr. WILLIAMSON. No; it decreases it.

The SPEAKER pro tempore. The Chair is advised that the Senate bill is not available.

Mr. WILLIAMSON. I sent a copy to the desk.

The SPEAKER pro tempore. It is not an engrossed copy, and the engrossed copy is not here. The Chair will suggest that the bill be passed over temporarily until the engrossed copy is obtained. Without objection that will be done.

There was no objection.

SALE OF ELECTRIC CURRENT FROM A GOVERNMENT-OWNED TRANSMISSION LINE

The next business on the Consent Calendar was the bill (H. R. 526) authorizing the Secretary of War to enter into an arrangement on behalf of the United States with the

Alexandria Light & Power Co. whereby civilians may obtain electric current from a Government-owned transmission line extending from Alexandria to Fort Humphreys, Va.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Reserving the right to object, I want to make this statement. These little cities around here contiguous to Washington over in Virginia and in Maryland ought to stand on their own bottoms. They ought to furnish their own electric-light plant; they ought to furnish their own water systems; they ought to furnish their own sewer system. They ought not to be continually coming to the Government for the privilege of connecting up with the Government facilities. If we once start on that business, there is no end to it.

If you grant this privilege to Alexandria, you will have to grant the same right to other towns and cities, both in Virginia and Maryland. There are other towns and cities seeking this privilege, seeking to connect with the sewer system, seeking to connect with the water system, seeking to get electric-light power from the United States Government. There ought to be a stop put to it. I would like to do anything in the world personally for my good friend from Virginia [Mr. MOORE]; he could not ask me for a personal favor that I would deny; but this is not a personal favor to him; it is a question of policy that affects the Government. If you let this bill pass, I warn you that you will set a precedent that is going to hamper and embarrass you at every turn you make in a legislative way. This bill ought not to pass. I would stop it if I could, but it takes three objections, and I only have one, but I will object with that one.

Mr. MOORE of Virginia. Mr. Speaker, in reply to my friend I want to say that this bill does not undertake to fix any policy. The transmission line from Alexandria to Camp Humphreys extends over a distance of 9 miles. The line is capable of supplying a great excess of current over the amount that is now transmitted. There is a civilian population that can be supplied from the line. And that will not cost the Government anything, but, on the contrary, the Government will receive something toward the upkeep of the line.

Mr. SNELL. Is this a high-tension line?

Mr. MOORE of Virginia. I believe it is.

Mr. SNELL. I should not suppose they could put on transformers to take care of individuals on a line of that character.

Mr. MOORE of Virginia. There is a letter in the hearings from the Secretary of War who says he would be glad to have Congress give him the same discretion with reference to similar situations all over the country which this bill proposes. The Senate has passed an omnibus bill to that effect, but there is no prospect of its being enacted at this session.

Mr. SNELL. Where is this power generated?

Mr. MOORE of Virginia. It is generated in Alexandria, and the distribution of the current as provided in the bill would not in any way inconvenience the Government.

Mr. SNELL. What is the voltage of this high-tension line?

Mr. MOORE of Virginia. I am unable to tell the gentleman what the voltage is.

Mr. SNELL. If it is a high-tension line. I did not suppose they could put small transformers on it so as to distribute light to individuals along the line.

Mr. MOORE of Virginia. They can, and until the Secretary of War found there was no legal authority for him to do so he had been authorizing the supply of the current from the line. It had been actually supplied to quite a large number of consumers.

Mr. SNELL. I would expect that if the corporation has a high-tension line, they would not drop down and put in transformers to serve individual customers, because it would cause trouble.

Mr. MOORE of Virginia. I have not sufficient detailed information about the line to tell my friend all that he would like to know, but as a matter of fact current has been supplied, and will again be furnished if authority is given to the Secretary. All that this bill does is to vest in him the discretion to make a contract. It does not bind him as to the terms of a contract, but allows him to use his judgment.

Mr. SNELL. From what I know of those high-power lines you could not afford to take the chance for any revenue that would come from a few people.

Mr. DENISON. What arrangement has been made for collecting the charges and where would the charge be paid? What would become of the funds? Would they go into the Treasury of the United States?

Mr. MOORE of Virginia. The bill simply gives the Secretary the right to enter into an agreement, and it provides that no agreement which he shall make shall interfere with the prompt supply to Fort Humphreys, or otherwise, to the Government of any current. It further provides that any such agreement shall be without additional cost or expense to the Government, in addition to that which is now incident to the maintenance and operation of the transmission line, and that any such agreement shall be revocable in the discretion of the Secretary.

Mr. DENISON. Evidently he is going to make a contract with some service company and let them furnish the current to individuals.

Mr. MOORE of Virginia. A service company already has a contract with the Government under which it furnishes the current. The simple proposition here is to allow the Secretary to make an arrangement which would allow this service company to furnish current to the civilians, they, of course, to pay for the current, and in that way contribute to the upkeep of the line.

The SPEAKER pro tempore. The gentleman from Wisconsin reserved the right to object. Does the gentleman object?

Mr. SCHAFER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Whereas the United States is the owner of a line about 9 miles in length between the city of Alexandria, Va., and Fort Humphreys, Va., for the transmission of electric current which is being furnished Fort Humphreys by the Alexandria Light & Power Co.: and

Whereas the volume of current transmissible over the line is greatly in excess of the needs of the fort or of the Government otherwise, and it is desirable that the civilians in the neighborhood of the fort should be permitted to receive current from said line for their own use: Now, therefore,

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to enter into any agreement which he may think proper between the United States and the Alexandria Light & Power Co. which will enable the latter to furnish current over the said line to civilians: *Provided, however*, That no such agreement shall interfere with the prompt supply to Fort Humphreys or otherwise to the Government of any current that may be required: *And provided further*, That any such agreement shall be without additional cost or expense to the Government in addition to that which is now incident to the maintenance and operation of the transmission line and the cost of service from the same: *Provided further*, That any such agreement shall be revokable in the discretion of the Secretary of War.

The SPEAKER pro tempore. The Chair calls attention to the fact that the language in this bill would not be complete without the preamble. It is customary to strike out the preamble. The Chair calls attention particularly to line 7 on page 2.

Mr. MOORE of Virginia. Mr. Speaker, as I understand it, there is not any rigid rule about striking out the preamble.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The question is now on agreeing to the preamble.

The question was taken, and the preamble was agreed to.

DESTRUCTION OF HORSES BELONGING TO SIOUX INDIANS

Mr. WILLIAMSON. Mr. Speaker, I now call up the bill S. 1174, the engrossed copy having come to the Speaker's desk.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent that the bill S. 1174 may be considered in lieu of the bill (H. R. 7400) authorizing the Secretary of the Interior to consider, ascertain, adjust, and determine claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion and under such rules and regulations as he may prescribe, to investigate, and report to Congress the facts in regard to the claims of members of the Sioux Nation of Indians residing in the State of South Dakota for horses killed on the Cheyenne River Indian Reservation in the years 1895, 1896, and 1897, which horses were erroneously suspected of being infected with glanders, and were killed by, or by order of, employees of the United States Government, and for which no compensation has been paid: *Provided*, That the Secretary of the Interior is authorized to determine what attorney or attorneys have actually rendered services of value to any of the Indians who may be found to be entitled to reimbursement in

accordance with the provisions of this act and what compensation such attorney or attorneys may be entitled to receive therefor on a basis of quantum meruit and report the amounts so ascertained and determined to be due the various claimants and attorneys to Congress not later than December 3, 1924.

Mr. WILLIAMSON. Mr. Speaker, I offer the following amendments, which I send to the desk.

The Clerk read as follows:

Amendments offered by Mr. WILLIAMSON: Page 1, line 4, after the word "authorized," strike out the balance of the line and also the first part of line 5, to and including the word "prescribe," and the comma following.

Page 2, line 1, strike out the word "were" and insert in lieu thereof the words "are alleged to have been."

Page 2, line 2, strike out the word "were."

The SPEAKER pro tempore. The question is on agreeing to the amendments offered by the gentleman from South Dakota.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The bill H. R. 7400, was ordered to lie on the table.

LAKE CAHOE, ELDORADO NATIONAL FOREST, CALIF.

The next bill on the Consent Calendar was the bill (H. R. 5555) to include certain lands in the county of Eldorado, Calif., in the Eldorado National Forest, Calif., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HILL of Maryland. Mr. Speaker, I object.

Mr. RAKER. Will the gentleman withhold his objection for a moment?

Mr. HILL of Maryland. I will withhold it.

Mr. RAKER. Mr. Speaker, this bill is for the disposition of about 40 acres of land around Lake Cahoe. The rest is in private ownership, and the Forest Service can handle it without expense to the Government whereby the public can go and secure the use of it.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

Mr. KNUTSON. I will say to the gentleman——

The SPEAKER pro tempore. Is there objection?

Mr. HILL of Maryland. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, I make the point of order there is no quorum present.

Mr. CRAMTON. Will the gentleman withhold that?

Mr. RAKER. No.

Mr. CRAMTON. I want to call the gentleman's attention to the next bill on the calendar, which is a very important bill in regard to a forest in California.

Mr. RAKER. Now, you gentlemen have made the point that you will not let this little bill go through. That is all there is to it, and I make the point of no quorum.

Mr. KNUTSON. It is on all fours with a similar bill I had before the committee last week.

Mr. RAKER. It is not anything of the kind.

Mr. KNUTSON. It looks like it.

Mr. RAKER. Is that the reason objection is made?

Mr. LONGWORTH. Mr. Speaker, I merely want to make this observation, that if the gentleman from California and others are going to take this attitude when a legitimate objection is made, it seems to me we can not proceed with the Unanimous Consent Calendar at this session, and I suggest to the gentleman that he withdraw his point of no quorum. There is an understanding I have made with the leader on the other side that we would run until 7 o'clock to-night.

Mr. RAKER. May I say this: I know the gentleman from Maryland does not understand this bill, and if the committee will let me explain it for a moment I will endeavor to find out the reason for the gentleman's objection.

Mr. HILL of Maryland. I shall not object to the bill keeping its place on the calendar, but do object to its consideration now.

Mr. RAKER. Just a moment. Does the gentleman know the purport of this bill?

Mr. HILL of Maryland. Yes; the gentleman knows that; and he knows also the attitude of the Secretary of the Interior toward the bill.

Mr. RAKER. We expected and hoped the Secretary would do exactly what he did. This is a 40-acre tract around Lake Cahoe, which the public can use. It is asked by the Secretary of Agriculture that this land be utilized for public purposes. People around that entire lake are shut out. There is only one tract of public land and thousands of people want to go there, and we ought to let them go and use that. I appeal to the gentleman from Maryland——

Mr. HILL of Maryland. I ask unanimous consent that the bill be allowed to keep its place on the calendar and it be passed without prejudice.

Mr. RAKER. All right. I withdraw the point of no quorum.

The SPEAKER pro tempore. Does the gentleman from California withdraw the point of no quorum?

Mr. RAKER. I withdraw it; yes.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent that the bill keep its place on the calendar without prejudice. Is there objection? [After a pause.] The Chair hears none.

PLUMAS NATIONAL FOREST, CALIF.

The next bill on the Consent Calendar was the bill (H. R. 103) for the inclusion of certain lands in the Plumas National Forest, Calif., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That within the following-described areas any lands not in Government ownership which are found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes may be offered in exchange under the provisions of the act of March 20, 1922 (Public, 173, 42 U. S. Stat. L. 465), upon notice as therein provided and upon acceptance of title shall become parts of the Plumas National Forest, and any of such described areas in Government ownership chiefly valuable for national-forest purposes and not now parts of any national forest may be added to said national forest as herein provided by proclamation of the President, subject to all valid existing entries: Township 22 north, range 4 east, sections 1, 12, and 13; township 23 north, range 4 east; township 20 north, range 6 east, east half of township; township 26 north, range 6 east; township 27 north, range 6 east; township 20 north, range 7 east; township 21 north, range 7 east; township 26 north, range 7 east; township 27 north, range 7 east; township 21 north, range 8 east, sections 4, 5, 6, 7, 8, 9, and 18; township 27 north, range 8 east; township 24 north, range 9 east, sections 10, 11, 16, 22, 23, and 24; township 27 north, range 9 east, sections 34, 35, and 36; township 23 north, range 10 east, north half of section 1; township 24 north, range 10 east, sections 19, 28, 29, and 36; township 26 north, range 10 east, sections 31, 32, and 33; township 22 north, range 11 east, sections 1 and 2; township 23 north, range 11 east; township 24 north, range 11 east, sections 31, 32, and 33; township 29 north, range 11 east, sections 25 to 36; township 22 north, range 12 east; township 28 north, range 12 east, sections 1, 2, 3, and 12; township 29 north, range 12 east, sections 26 to 35, inclusive; township 21 north, range 13 east, north half of township; township 22 north, range 13 east; township 23 north, range 13 east; township 21 north, range 14 east, sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32; township 22 north, range 14 east, sections 29, 30, 31, and 32; township 23 north, range 14 east, sections 7, 16, 17, 18, 19, 20, 21, 28, 29, 30, and 33; township 25 north, range 16 east, sections 15 and 16; all Mount Diablo base and meridian, California.

The committee amendment was read, as follows:

On page 2, line 5, after the word "entries," insert "claims and the provisions of existing withdrawals."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

THE GLOVER PARKWAY

The next business on the Consent Calendar was the bill (S. 1971) to authorize the Commissioners of the District of Columbia to accept certain land in the District of Columbia dedicated by Charles G. Glover for park purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to accept the land lying along Foundry Branch between Massachusetts Avenue and Reservoir Street, dedicated by Charles C. Glover for park purposes, and containing approximately 77½ acres, as more accurately

shown on map No. 1003, filed in the office of the surveyor of the District of Columbia, which tract of land shall be known as "The Glover Parkway and Children's Playground"; and the said commissioners are further authorized to accept any dedications of additional land contiguous to this tract for park purposes.

SEC. 2. That the Glover Parkway and Children's Playground and additions thereto, when acquired, shall become a part of the park system of the District of Columbia.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

Mr. BLANTON. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Texas moves to strike out the last word.

Mr. BLANTON. Mr. Speaker, just below this piece of ground, this 71 acres, is a large tract of land owned by Mrs. Hopkins, who is a daughter of Mr. Archibald, the oil man. I understand from Colonel Sherrill that she has agreed, when this bill is passed, to donate a driveway on her land on down, connecting with the Potomac; so that, aside from getting the piece of ground that Mr. Glover donates, the District will profit in another way by the passage of this bill.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

FEDERAL INDUSTRIAL INSTITUTION FOR WOMEN

The next business on the Consent Calendar was the bill (S. 790) for the establishment of a Federal industrial institution for women, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Attorney General, the Secretary of the Interior, and the Secretary of Labor, be, and are hereby, authorized and directed to select a site either in connection with some existing institution or elsewhere, for an industrial institution for the confinement of female persons above the age of 18 years, convicted of an offense against the United States, including women convicted by consular courts, sentenced to imprisonment for more than one year.

SEC. 2. That upon the selection of an appropriate site the Attorney General shall submit to Congress an estimate of the cost of purchasing same, together with estimates of the expense necessary to construct the proper buildings thereon. The Attorney General at the same time, and annually thereafter, shall submit estimates in detail for all expenses of maintaining the industrial institution for women, including salaries of all officers and employees.

SEC. 3. That the Secretary of the Treasury is hereby authorized, on request of the Attorney General, to cause plans, drawings, designs, specifications, and estimates for the remodeling of the present buildings and the construction of additional buildings, and such appurtenances as may be necessary on said reservation to be prepared in the Office of the Supervising Architect of the Treasury Department, and the work of remodeling and construction of such buildings and appurtenances to be supervised by the field force of that office: *Provided*, That the proper appropriations for the support and maintenance of the Office of the Supervising Architect be reimbursed for the cost of preparing such plans, drawings, designs, specifications, and estimates for the aforesaid work, and the supervision of the remodeling and construction of said buildings and appurtenances.

SEC. 4. That the control and management of such industrial institution shall be vested in the Attorney General of the United States, who also shall have power to appoint a superintendent, assistant superintendent, and all other officers and employees necessary for the safekeeping, care, protection, instruction, and discipline of said inmates.

SEC. 5. That it shall be the duty of the Attorney General to provide for the instruction of the inmates in such institution in the common branches of an English education, and for their training in such trade, industry, or occupational pursuit as will best enable said inmates on release to obtain self-supporting employment.

SEC. 6. That the Attorney General is hereby authorized, in his discretion, to transfer to such institution, as accommodations thereat become available, all persons eligible under the terms of this act for incarceration in said industrial institution, who are now, or shall hereafter be, incarcerated in other prisons, penitentiaries, reformatories, or houses of correction, and who are proper subjects for incarceration in said institution, and to transfer from such industrial institution to a suitable State or Territorial prison, penitentiary, or reformatory, any inmate who is found by him to be incorrigible, or whose presence in said industrial institution is found detrimental to its well-being. Such transfer shall be made by the United States marshal of the judicial district in which the institution from which the transfer is to be made is located. The actual and necessary expense incurred in such transfer shall be paid from the judicial funds.

SEC. 7. That four citizens of the United States of prominence and distinction, who shall be appointed by the President for terms of three, four, five, and six years, respectively, from the date of the taking effect of this act, the term of each to be designated by the President, but their successors shall be appointed for terms of four years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the citizen whom he shall succeed, and who shall serve without compensation, shall constitute, together with the Attorney General of the United States, the superintendent of prisons of the Department of Justice, and the superintendent of the United States Industrial Institution for Women, a board of advisors of said industrial institution. It shall be the duty of said board to recommend ways and means for the discipline and training of such inmates that on their discharge from such institution they may secure suitable employment.

SEC. 8. That the inmates of such industrial institution shall be eligible to parole under sections 1, 2, 3, 4, 5, 6, 7, and 8 of the act of Congress approved June 25, 1910, being an act to provide for the parole of United States prisoners and for other purposes. Such inmates shall be entitled to commutation allowance for good conduct in accordance with the provisions of the act of Congress approved June 21, 1902, and entitled "An act to regulate commutation for good conduct for United States prisoners," and the acts amendatory thereof and supplemental thereto.

SEC. 9. That every inmate when discharged from such industrial institution shall be furnished with transportation to the place of conviction or place of bona fide residence or to such other place in the United States as may be authorized by the Attorney General, and shall be furnished with suitable clothing and $20 in money.

SEC. 10. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

ESTABLISHMENT OF A UNITED STATES INDUSTRIAL REFORMATORY

The next business on the Consent Calendar was the bill (H. R. 2869) for the establishment of a United States industrial reformatory.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Attorney General, the Secretary of War, and the Secretary of the Interior be, and are hereby, authorized and directed to select a site for an industrial reformatory which shall be used for the confinement of male persons between the ages of 17 and 30 years who have been or shall be convicted of offenses against the United States, including persons convicted by general courts-martial and consular courts, and sentenced for terms of imprisonment for more than one year, with or without hard labor, and who have not been convicted previously of an offense punishable by imprisonment in a prison, except those convicted of treason, murder in the first or second degree, rape, or arson, and except also those sentenced to life imprisonment: *Provided*, That it shall be sufficient for the courts to sentence said class of offenders to imprisonment in the penitentiary without specifying the particular penitentiary or the United States industrial reformatory, and the imprisonment shall be in such penitentiary or the United States industrial reformatory as the Attorney General shall from time to time designate.

SEC. 2. That upon the selection of an appropriate site the Attorney General shall submit to Congress estimate of the cost of purchasing the same, together with estimates of the expense necessary to construct the proper buildings thereon. For the purpose of construction of such buildings the Attorney General shall employ the labor of such United States prisoners confined in the United States penitentiary, Atlanta, Ga., the United States penitentiary, Leavenworth, Kans., the United States penitentiary, McNeil Island, Wash., and State or Territorial prisons, penitentiaries, or reformatories, who are eligible for confinement in said United States industrial reformatory under the provisions of this act, and who can be used, under proper guard, in the work necessary to construct the buildings. The Attorney General at the same time, and annually thereafter, shall submit estimates in detail for all expenses of maintaining the said industrial reformatory, including salaries of all necessary officers and employees.

SEC. 3. That the Secretary of the Treasury is hereby authorized, upon the request of the Attorney General, to cause the plans, drawings, designs, specifications, and estimates for the remodeling and construction of the necessary buildings to be prepared in the Office of the Supervising Architect of the Treasury Department, and the work of remodeling and constructing the said buildings to be supervised by the field force of said office: *Provided*, That the proper appropriations for the support and maintenance of the Office of the Supervising Architect be reimbursed for the cost of preparing such plans, drawings, designs, specifications, and estimates for the aforesaid work, and the supervision of the remodeling and construction of said buildings.

SEC. 4. That the control and management of the United States industrial reformatory shall be vested in the Attorney General, who shall have power to appoint a superintendent, assistant superintendent, and all other officers necessary for the safe-keeping, care, protection, instruction, and discipline of the inmates.

SEC. 5. That the discipline to be observed in said United States industrial reformatory shall be correctional and designed to prevent young offenders from becoming habitual criminals. It shall be the duty of the Attorney General to provide for the instruction of the inmates in the common branches of an English education, and for their training in such trade, industry, or skilled vocation as will enable said inmates, upon release, to obtain self-supporting employment and to become self-reliant members of society. For this purpose the Attorney General shall establish and maintain a common school and trade schools in said industrial reformatory, and shall have authority to promulgate all such rules and regulations for the government of the officers of said industrial reformatory and the inmates thereof as he may deem proper and necessary.

SEC. 6. That the inmates of the United States industrial reformatory shall be employed only in the production and manufacture of supplies for the United States Government, and particularly in the production of farm and food products for consumption in United States institutions, and in duties necessary for the construction and maintenance of the institution.

SEC. 7. That the Attorney General is hereby authorized, in his discretion, to transfer to the United States industrial reformatory, as accommodations become available, all persons eligible under the terms of this act for confinement in said industrial reformatory who are now, or shall hereafter be, confined in the United States penitentiary, Atlanta, Ga.; the United States penitentiary, Leavenworth, Kans.; the United States penitentiary, McNeil Island, Wash.; and State and Territorial prisons, penitentiaries, or reformatories, and who are proper subjects for confinement in said United States industrial reformatory: *Provided*, That the Attorney General shall not transfer any prisoner who has less than nine months to serve of the term for which he was sentenced. The Attorney General is hereby authorized, in his discretion, at any time to transfer from the United States penitentiaries, or a suitable State or Territorial penitentiary or reformatory, any person who is ineligible for confinement therein under the terms of this act, or any person who is apparently incorrigible, and whose presence in the said United States industrial reformatory is detrimental to the well-being of the institution. Such transfer shall, in the case of the United States penitentiaries and industrial reformatory, be made by the warden or superintendent of the institution from which the transfer is to be made, and in the case of State and Territorial penitentiaries, or reformatories, such transfer shall be made by the United States marshal of the judicial district in which the institution from which the transfer is to be made is located. The actual and necessary expenses of such warden, superintendent, or marshal in making such transfer shall be paid, in the case of transfer from the United States penitentiaries and industrial reformatory, from the appropriation for the maintenance of the particular institution, and, in the case of transfer from State and Territorial penitentiaries, or reformatories, out of the judicial funds.

SEC. 8. That two citizens of the United States of prominence and distinction, who shall be appointed by the President for terms of two and four years, respectively, from the date of the taking effect of this act, the term of each to be designated by the President, but their successors shall be appointed for terms of four years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the citizen whom he shall succeed, and who shall serve without compensation, shall constitute, together with the Attorney General of the United States, the superintendent of prisons of the Department of Justice, and the superintendent of the United States industrial reformatory, who shall serve without additional compensation, a board of advisers of said reformatory. It shall be the duty of said board to devise ways and means looking to the reestablishment in society of the inmates discharged therefrom, whether by pardon, commutation, parole, or expiration of sentence, particularly with a view of securing suitable and remunerative employment for said discharged inmates: *Provided*, That the expenses of said board shall be paid out of the appropriation for the maintenance of the reformatory.

SEC. 9. That the inmates of the United States industrial reformatory shall be eligible for parole under sections 1, 2, 3, 4, 5, 6, 7, and 8 of the act approved June 25, 1910, being an act to provide for the parole of United States prisoners, and for other purposes, which provisions are hereby made to apply to all inmates of said reformatory. Such inmates shall be entitled to commutation allowance for good conduct in accordance with the provisions of the act of Congress approved June 21, 1902, and entitled "An act to regulate commutation for good conduct for United States prisoners," and the acts amendatory thereof and supplemental thereto.

SEC. 10. That every prisoner, when discharged from the United States industrial reformatory, shall be furnished with transportation to place of conviction, or place of bona fide residence, or to such other place within the United States as may be authorized by the Attorney General, and he shall also be furnished with suitable clothing and $10 in money.

SEC. 11. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

With committee amendments, as follows:

Page 1, line 7, after the word "years," strike out all the remainder of line 7, and all of lines 8, 9, 10, and 11, and on page 2 all of lines 1, 2, and 3, to and including the word "imprisonment," and insert in lieu thereof the following:

On page 4, line 25, strike out all of line 25.

The SPEAKER pro tempore. The question is on agreeing to the first committee amendment.

The first committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the next committee amendment.

Mr. BLANTON. I ask unanimous consent that we may vote on all of them en bloc.

The SPEAKER pro tempore. There is only one remaining committee amendment, on page 4, which has been read. The question is on agreeing to that committee amendment.

The committee amendment was agreed to.

Mr. FOSTER. Mr. Speaker, on page 5, line 19, there is a repetition of line 18. The line intended for 19 has been omitted. I send an amendment to correct that to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. FOSTER: On page 5, line 19, strike out the entire line and substitute in lieu thereof the following: "Industrial Reformatory to any of the aforesaid United States."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. FOSTER. Mr. Speaker, in line 7, page 5, the word is "person." It should have an "s" added to it, making it plural.

The SPEAKER pro tempore. Without objection the correction will be made.

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

UNANIMOUS-CONSENT REQUEST

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. LONGWORTH. Mr. Speaker, inasmuch as I told a number of gentlemen that we would stop at 7 o'clock, we will do so. Before making the motion to adjourn, I would like to ask unanimous consent to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Speaker, may I make this passing remark? I think we have made very good progress to-day on the Consent Calendar. Of course, it has become unusually long on account of circumstances over which some of us had no control. I hope, though—with the cooperation of the gentleman from Tennessee—that as legislation progresses day by day we may be able to get unanimous consent to take up this calendar for a short time rather than to have a night session. I think we can progress satisfactorily.

INDUSTRIAL REFORMATORY

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the two penitentiary bills just passed.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the two penitentiary bills just passed. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Speaker, this bill does not appropriate. It is, in substance, an enabling act. It provides that estimates must be submitted to Congress. It does not seek to locate the reformatory. It provides that the construction, when done, shall be by prison labor. Its construction is proposed to cover a 10-year period and will not be a drain on the Treasury at any time.

Only first offenders, between the ages of 17 and 30, will be admitted, excepting those convicted of treason, murder, rape, and arson.

About 1,900 Federal prisoners are now eligible under these terms, 600 of whom are World War veterans.

This bill is approved by the American Prison Association and seven other national organizations interested in prison care and discipline. No one has ever questioned the need or plan. Its location will be determined by a commission such as located our three present penitentiaries. The Judiciary Committee is unanimous in its recommendation.

This bill was prepared under the supervision of the Superintendent of Prisons of the United States. It was approved by the Department of Justice. It had the unanimous indorsement of the American Prison Association. Former President Harding, in a letter to the former chairman of the Judiciary Committee, approved a similar bill and called attention to the fact that the three Federal prisons were already overpopulated by more than 600, and if relief was to be had the project must of necessity be authorized by the last Congress.

The Judiciary Committee held exhaustive hearings during November and December, 1922, also this year. If the entire membership of the House were to read the hearings before the Judiciary Committee it is my judgment that there would not be one vote against the bill.

Among those who testified in behalf of the bill were Assistant Attorney General Holland; Assistant Attorney General Crim, who had charge of the criminal division of the Department of Justice; Mr. H. H. Votaw, superintendent of prisons; Assistant Attorney General Mabel W. Willebrandt; and Mr. F. F. Duehay, trustee, National Training School for Boys; all of whom heartily approved the bill.

In a memorandum filed in the Department of Justice by Superintendent of Prisons Votaw there appears this statement:

> The records of the United States courts show that the criminal business of the United States in the last 10 years has increased 800 per cent. Due to new criminal laws which have been passed during the last three or four sessions of Congress, including the antinarcotic act, the espionage act, the auto theft act, the income tax act, and the national prohibition act, at least 60 per cent of the increase has come within the last three or four years.

Assistant Attorney General Willebrandt testified that the records show that there are more than 400,000 men going out from our penitentiaries, State and Federal, annually. Practically all of the States have provided reformatories similar to the one proposed by this bill for Federal prisoners. Assistant Attorney General Crim, then in charge of the criminal division of the Department of Justice, in testifying before the committee, said:

> The greatly enlarged jurisdiction of the Federal criminal department during the past 10 years, caused by the enactment of a number of statutes which create new Federal offenses, has given us a very much greater number of prisoners than anyone dreamed of 20 years ago. When we first began to send Federal prisoners to Atlanta it was thought that the Atlanta prison would be adequate for a great number of years; a generation. The prison at Atlanta is now over capacity. The same is true of Leavenworth and McNeil Island.
>
> The new statutes under which these prisoners are being sent up are giving us a very different type of prisoner from the old Federal prisoner of 20 years ago. He was a man close to middle age. He was a post-office clerk, a counterfeiter, a pretty hard-boiled individual as prisoners went, if I may use that expression. Our average Federal prisoner of to-day is of a different type. He is a much younger man; he is in his twenties, and invariably he is sent there under a statute that does not involve moral turpitude.
>
> Moreover, we have still another type of prisoner, and that is the prisoner who is an addict. About 600 of the present occupants of the prison at Atlanta—and the percentage, I believe, holds true in the other prisons—are addicts. We have no means at Atlanta of segregating those men, giving them the care and attention they should have.
>
> Then, too, we have a percentage of tubercular prisoners. When I visited the prison at Atlanta about a year ago I found that we had them in the yard of the prison, in tents, but it was utterly impossible to give those men, under the then existing circumstances and the circumstances that exist to-day, the attention that they should have and the segregation that they ought to have.
>
> With this congestion in our prisons, with ever-increasing jurisdiction, it is high time for us to take up, step by step, some scheme of handling these men, and the step before you to-day is a proposed law providing for an industrial prison to take care of the prisoners between the ages of 17 and 30, prisoners who are first offenders, and who, in the judgment of the prison officials, can be saved and released as useful citizens with some means of making a livelihood. There are a great number, a great percentage, as our parole reports show, of young men who are convicted and sent to these prisons who, on getting out or being paroled, make good, and it is to assist those individuals in a subjective way that this theory of an industrial prison is adopted, and as an example to other prisoners as well.
>
> The conditions, if allowed to continue as they are, in a year or two will be absolutely immoral. You can not crowd men together as we have to do without having a very serious situation, not only with respect to life but to morals as well.

Superintendent of Prisons Votaw states that this bill is modeled along the lines of the best thought of practical penologists and will effect great improvement in the penal laws of the United States. He further states that the prison laws with regard to the treatment of United States prisoners are inadequate and far behind the laws of the more advanced States. Prior to the occupancy of the Atlanta and Leavenworth prisons the United States prisoners were confined in the penal institutions of the various States and were subjected to the same treatment and disciplined as State prisoners in the same institution. There were, therefore, as many as 25 different measures of treatment for the United States prisoner. When the Federal penitentiaries were constructed no consideration was given of a reformatory nature. The result is that while the United States has penitentiaries modern as to physical comforts, measures for the training and reformation are entirely inadequate.

Neither are any drastic or reactionary measures contemplated. On the contrary this bill is in harmony with the prevailing sentiment of enlightened practical prison administrators throughout the country. It is in accord with legislation already on the statute books of our advanced States. He stated to the Judiciary Committee:

> It is conceived in the spirit of the only principle of penology that is worthy of consideration—that is, to try to find out the reasons for a man's wrongdoing and endeavor to make it not worth his while to repeat it.

In an elaborate and exhaustive memorandum submitted by Mr. Votaw, he presents the arguments in support of this bill:

> First (a), to meet the needs of our rapidly increasing prison population, and (b) obviate the necessity of recourse to State institutions to care for the increase. Second, the desirability of the institution being a reformatory from (a) the humanitarian standpoint, and (b) the practical standpoint.

A commission appointed by the President in 1909 to investigate penal matters reported:

> We do not believe in taking any attitude toward the violators of law that will lead them to look upon their offenses as trivial, to look upon themselves as victims of oppression or upon governments as their debtors. But we do believe in taking a passionless, patient, and impartial attitude toward them, making it as easy as possible to do right, as difficult as possible to do wrong, and keeping always before their eyes the hope of redeeming themselves, in convincing them in every practicable way that they are still the makers of their own destiny. We believe that those who may be reasonably supposed to be reformable would be treated and employed with that end in view. We believe that for certain criminals there should be labor, long and severe. We believe that no system of dealing with the criminal classes should ever at any point lose sight of the fact that the criminal is a man. He should never be needlessly degraded, insulted, or abused. We believe that a vital and momentous point of time is when the prisoner is released and turned back upon the world, and that the law should employ all possible agencies to guard and assist him in making a new start.

It is upon this principle that the reformatory project is planned.

Every State prison to-day is congested, as will be shown by the hearings, on page 4. A table attached to the report on this bill shows the overcrowding of all three Federal prisons. The health and morals of the prisoners are greatly impaired. It

also shows that there are 1,900 first offenders between the ages of 17 and 30, of which number more than 600 are World War veterans.

It is contemplated that this reformatory will be constructed over a 10-year period with an annual appropriation not to exceed $150,000. It is intended that the work shall be done by these first offenders, who are to construct their own reformatory, thereby giving them employment and removing these young men from constant association with the hardened criminals.

This is a condition, not a theory, confronting Congress. Our three prisons are overcrowded. The health of the prisoners is seriously threatened. The morals of these 1,900 young men are being constantly jeopardized. The expense is inconsiderate, while the need is urgent. The bill seeks to provide a Federal reformatory such as all modern States have, in their wisdom and humanity, provided for their first offenders of tender years. I submit that the bill should be passed, both from a humanitarian standpoint as well as from a practical standpoint. It will save both money and men. It has the unanimous approval of the American Prison Association, practically all of the strong and influential women's organizations, the Secretary of War, the Department of Justice, and the former President and the present President of the United States. It is sound financially, it is sound socially, and I respectfully submit that it is the least the Government should do from both a commonsense and a humanitarian standpoint. This is a duty we owe not only to these unfortunate young men but it is a duty we owe to our Government and to ourselves.

FEDERAL INDUSTRIAL INSTITUTE FOR WOMEN

Mr. FOSTER. Mr. Speaker, this bill does not appropriate money. It is an act enabling the creation of a Federal industrial institute for women convicted of crimes in the United States courts. No such Federal institution has ever existed. All States have such institutions. The United States is the only civilized country which does not have such an institution.

This bill does not locate the institution at Mount Weather. The Judiciary Committee was given assurance that the consideration of Mount Weather had been abandoned, as it did not have sufficient acreage available.

Such institution will be for the confinement of female prisoners above the age of 18 convicted of offenses against the United States, including women convicted by the consular courts, and sentenced to imprisonment for more than one year.

It provides that estimates shall be submitted to Congress for the purchase of a site and costs of construction. Not a dollar is appropriated.

Originally Congress's plan provided for a place for the incarceration of Federal women offenders, and a small inclosure was built at Leavenworth. A wall was built around it, and it was called a women's prison. Soon it was found to be a mistake to have a women's prison as an annex to a men's penitentiary. It was abandoned on the advice of all penologists.

Since then these women have been placed in State prisons, county and city jails. It has been very unsatisfactory. The present situation is critical. These State, county, and city prisons are overcrowded. They are repeatedly raising the price for keeping these Federal female prisoners. And now they are absolutely refusing to receive them at all. We are now in the position of having these women prisoners, and no place at all to which they can be sentenced. This is a condition, not a theory.

Within the past year the following institutions have notified the Superintendent of Prisons that they can no longer accept female Federal prisoners:

Colorado State Penitentiary, Canon City, Colo.
Minnesota State Prison, Stillwater, Minn.
Missouri State Penitentiary, Jefferson, Mo.
Warrensville Correction Farm, Warrensville, Ohio.
Women's Reformatory, Rockwell City, Iowa.
State Reformatory for Women, Shakopee, Minn.
State Prison, Howard, R. I.
California State Prison, San Quentin, Calif.
Women's Reformatory, Leeds, Mo.
State Penitentiary, Lansing, Kans.
Indiana Women's Prison, Indianapolis, Ind.
Kentucky State Reformatory, Frankfort, Ky.
Reformatory for Women, Sherborn, Mass.
Essex County Penitentiary, Caldwell, N. J.
Hudson County Penitentiary, Secaucus, N. J.
Oregon State Penitentiary, Salem, Oreg.
South Dakota Penitentiary, Sioux Falls, S. Dak.
West Virginia Penitentiary, Moundsville, W. Va.
Wisconsin State Prison, Waupun, Wis.

This measure was prepared in the Department of Justice, under which the Superintendent of Prisons functions. It is the outgrowth of a conference called by the chairman of industrial institutes in the General Federation of Women's Clubs. That conference submitted its resolutions to the Department of Justice. That conference was composed of representatives of 11 general associations of women over the entire United States, all national organizations. They visited the Department of Justice, this bill was drawn, and they subsequently indorsed the bill. A partial list of these organizations which indorsed this measure reads as follows:

Woman's Christian Temperance Union.
General Federation of Women's Clubs.
Service Star Legion.
National League of Women Voters.
Girls' Friendly Society.
National Council of Women.
American Home Economics Association.
National Council of Jewish Women.

Representatives of many of these organizations appeared before the Judiciary Committee.

As to the number of Federal women prisoners, in 1921 there were 192, in 1922 there were 247, in 1923 there were 563.

Mrs. Willebrandt, Assistant Attorney General, testified before the Judiciary Committee recently as follows:

Now we have to place women Federal prisoners in any institution—State, county, or city—that the Federal Government is able to make a contract with. The contracts which the Federal Government had for the placement of these prisoners a few years ago have been one by one canceled by the local institutions until very shortly, just a very few weeks ago, we were faced with having no place to place some 20 women who had just been sentenced.

This condition is intolerable, and no relief can be granted except by the Congress.

As to what has produced this large increase of women prisoners, Mrs. Willebrandt said:

I think it is greatly due to the traffickers. There has been a great crusade, if I might use that word, on the part of the Department of Justice and the United States attorneys all over the country to make a drive against narcotic peddlers, and a great many of those peddlers, I am sorry to say, are women, and the Federal judges are not cringing from sentencing these women; so we are getting the flood in our department, and we do not know what to do with the women. That is what we are passing over to this committee.

Assistant Attorney General Crim supervised the administration of the United States criminal laws, except the Volstead law; Mrs. Willebrandt has charge of that. Mr. Crim, referring to the addicts, told the committee:

It is pretty difficult to get very much accurate information, because you have to rely on the addicts; but my observation has been that the war is very much responsible for the stimulation of the narcotic traffic. Many of these boys were over there in the trenches; they received narcotics in their treatment; they came back here as addicts, and they have spread it. A boy gets his chum into it; they get a woman into it, and the woman spreads it and the boy spreads it. It is pretty hard to get a cross-section on this narcotic situation. The physicians everywhere are astounded at its growth and development. Nearly all of our prisons, where there are any great number of prisoners, are filled with addicts, and it is utterly impossible to keep it out of the large prisons. The prison guard is a poorly paid man and he finds he can sell narcotics easily. Sometimes he can get a narcotic for $20 or $50 an ounce, and he can sell it at $1.50 and $2 for one-eighth of a grain—say, $16 a grain, 480 grains to an ounce—and he can put in his pocket a net profit of from $3,000 to $6,000 on an ounce of it. That is the insidious thing we are contending with, and we are in the dark until the medical profession tells us what is to be done.

This measure was recommended by former President Harding, President Coolidge, Attorneys General Palmer and Daugherty. The Department of Justice recently, in a letter to the chairman of the Judiciary Committee, referring to this bill, said:

Since I took office one of the most vexing administrative problems connected with prisons has arisen because of the lack of facilities for caring for women sentenced by Federal courts. The establishment of housing facilities owned by the Federal Government for such prisoners is prompted by considerations of both economy and humanity.

I earnestly hope that this measure may move speedily forward.

The superintendent of prisons, testifying before the Judiciary Committee, said:

No novel, fanciful, or idealistic theories of reformation have been invoked; neither are any drastic or reactionary measures contemplated.

On the contrary, this bill is in harmony with the prevailing sentiment of enlightened, practical prison administration throughout the country. It is in accord with legislation already on the statute books of several of the more progressive States, which has demonstrated its wisdom by its accomplishments. It is conceived in the spirit of the only principle of penology that is worthy of consideration; that is, to try to find out the reasons for a person's wrongdoing and to endeavor to make it worth his while not to repeat it. To this end the bill provides for an institution where every endeavor to morally uplift the inmates, improve their general education, and teach them remunerative employment will be made, and where at the same time they will be guarded with sufficient vigilance to maintain them in custody as directed by the court orders committing them.

The enforcement of prison rules and regulations is a discipline to the prisoner. It is conceded that prison punishment is not the end but the means to a much-desired result, namely, the improvement by corrective treatment of the individual. Preparation to come out of the institution in which confined should begin the day the individual goes in.

This bill provides for discipline of such a character as shall be correctional, and designed to prevent offenders from becoming habitual criminals. It also provides for the instruction of the inmates in the common-school branches for the training in such a trade, industry, or occupational pursuit as will best enable them to secure self-supporting employment when released and also to assist them in every way to become self-reliant members of society.

The need for such an institution as this bill contemplates is imperative. We are left with no alternative. Only two State institutions in the whole country will now receive Federal women offenders, and these, because of limited capacity, must soon refuse to accept any more. Practical necessity, unmixed with any sentimentality, demands immediate action. I would be remiss if I failed to urge this matter as strongly as it is possible for me to do.

"More respect of law" is heard on all sides. Respect for law is the need of to-day. Can we hope for such without a proper enforcement of our laws? The courts are working overtime in an effort to relieve congested criminal dockets. But this will avail nothing unless convictions can result in sentences properly enforced. These offenders have trebled in three years. All Government contracts, but two, with State, county, and city prisons have been canceled. They will expire soon. Then what will our courts do? What can they do?

The duty of the Congress is plain. Pass this bill—an enabling act. Take the first step toward furnishing our Federal women prisoners such treatment as your State furnishes your State women prisoners.

To do otherwise will invite contempt of the law. Failure to pass this bill will further embarrass Federal law enforcement. No gentleman who has read the hearings on this bill will oppose it. I ask your support in the name of law enforcement, in the name of humane treatment of these unfortunates, and in the name of an economical administration of our penal institutions.

THE MACE

Mr. BOYLAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and under that consent to submit an article on "The mace," which is the symbol of our authority here, written by Mr. Will P. Kennedy.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting an article written by Mr. Will P. Kennedy on "The mace." Is there objection? [After a pause.] The Chair hears none.

Mr. BOYLAN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

MACE, SYMBOL OF AUTHORITY IN CONGRESS, ORIGINATED IN DAYS OF ROMAN REPUBLIC

[By Will P. Kennedy]

WASHINGTON, D. C., May 24.—There is probably nothing that so attracts the attention of sightseers at the Capitol, and about which so little is known, as the mace, which is the symbol of authority in the House.

When the House is called to order each day an Assistant Sergeant at Arms, whose sole duty it is to preserve order on the floor, places the mace, which is his emblem of authority, on a cylindrical pedestal of polished green marble at the right of the Speaker's desk. When the House adjourns he removes it to the office of the Sergeant at Arms for safe-keeping until the House meets again.

While the mace is the symbol of authority for the Sergeant at Arms, Joseph G. Rogers, it has for the last five years been cared for and carried daily to its place in the House chamber by A. C. Jordan, of Lyons, Kans., a man of imposing physique and genial disposition. Although he is the police authority on the floor of the House, where Members in the heat of debate sometimes allow their overwrought zeal to get the better of their tempers, Mr. Jordan has at all times enjoyed the good will and friendliness of all Members of the House.

REPRESENTS AUTHORITY

The mace is of very ancient and honorable origin. In the old Roman Republic the magistrates, proceeding on foot from one place to another, set up their little court where they administered justice, tried public offenders, and imposed penalties and punishments. Each of these magistrates was attended by a small body of men, known as lictors, whose duty it was to make way for the officers of the law, preserve order, make arrests, and inflict punishment on condemned citizens. Each of these lictors carried with him a bunch of rods fastened together with thongs and having an ax bound to the outside. These rods were used for scourging and the ax for beheading.

The mace in the House of Representatives is made in facsimile of the bundle of rods carried by the lictors. These bundles of rods were known as fasces and came to be recognized as symbols of authority which every citizen had to respect. As the magistrates proceeded along the thoroughfares, the lictors, bearing the fasces, preceded them while the citizens made way. When there was any disorder the fasces were brought forward and quiet and peace were restored. So it is to-day in the House where the mace as a symbol of authority demands and is accorded instant recognition by the most belligerent Members.

The Romans when they conquered Britain brought with them the fasces as an emblem of authority, which, like many other Roman customs, remained with the British people and were subsequently introduced into American institutions. While no longer used for inflicting punishment, the fasces continued as a symbol of the early English magistrates.

The great councils of the early Saxons developed into one general body, which in the fourteenth century became known as the House of Commons, and the fasces, which preserved order in the earlier councils, then became known as the mace, which has since remained as the emblem of legislative authority.

PRESENT MACE MADE IN 1842

As the House of Representatives of the United States was modeled closely after the House of Commons by the framers of our Constitution, the use of the mace was borrowed from this English custom, which harked back to the ancient Roman Republic.

The first mace adopted by the House was destroyed by fire when the British burned the Capitol in 1814. From that date until 1842 a mace of painted wood did service, but in 1842 the present mace was made in reproduction of the original mace. It is a little over 3 feet in height and consists of a bundle of ebony rods, representing the States of the Union, bound together with a band of silver in imitation of the thongs which bound the fasces. From the center of this bundle of rods protrudes a silver stem on which is a silver globe nearly 5 inches in diameter. This globe is surmounted by an eagle of solid silver with outspread wings.

Whenever, as seldom happens, the House becomes unruly and seems beyond the Speaker's control, the Sergeant at Arms lifts the mace from its pedestal and walks up and down the aisles of the Hall. Order is promptly restored and absolute silence prevails, so great is the respect for the mace as a symbol of authority. Thus the Members of the House, who are themselves lawmakers, very properly set an example for the whole country of respect for law and authority.

Section 2 of Rule IV provides that the mace is the symbol of the office of Sergeant at Arms and is borne by that officer while enforcing order on the floor. This rule dates from 1789. It was originally proposed, following the parliamentary usage, that the mace should be placed on the Clerk's table during the sitting of the House and under it when the House should be in committee, but the House recommitted the proposition and it was not carried. The mace during the sessions of the House is kept in an upright position on a marble pedestal at the right of the Speaker's chair. It is not taken down during a recess, but it is taken down, however, when the House resolves into Committee of the Whole and is replaced in position when the Speaker resumes the chair. It is taken from its pedestal and borne by the Sergeant at Arms while enforcing order on the floor under direction of the Speaker or Chairman of the Committee of the Whole.

ORIGINALLY WEAPON OF OFFENSE

The mace was originally a weapon of offense made of iron or steel capable of breaking through very strong armor. The mace was carried in battle by medieval bishops (Odo of Bayeux is represented on the Bayeux tapestry as wielding one) instead of the sword, so as to conform to the canonical rule which forbade priests to shed blood.

As a weapon of war the mace was used in Europe, chiefly among the cavalry, as late as the sixteenth century, and is still used among savage tribes. It consists merely as a staff about 5 feet long, with a knob at the end made of iron or some other heavy substance. The knob was sometimes covered with spikes.

The earliest ceremonial maces, as they afterwards became, though at first intended to protect the king's person, were those borne by the

sergeants at arms, a royal bodyguard established in France by Philip II and in England probably by Richard I. By the fourteenth century a tendency toward a more decorative sergeant's mace, encased with precious metals, is noticeable. The history of the civic maces (carried by the sergeants at mace) begins about the middle of the thirteenth century, though no examples of that period are in existence today.

There are two maces in the House of Lords, the earliest dating from the reign of William III. There are eight large and massive silver-gilt maces of the sergeant at arms kept in the jewel house at the tower of London.

The remarkable mace or scepter of the Lord Mayor of London is of crystal and gold set with pearls. The head dates from the fifteenth century, while the mounts of the shaft are early medieval. A mace of an unusual form is that of the Tower ward of London, which has a bend resembling the White Tower in the Tower of London and which was made in the reign of Charles II. The beautiful mace of the Cork guilds, made by Robert Goble, of Cork, in 1696 for the associated guilds, of which he had been master, is in the Victoria and Albert Museum, where there is also a large silver mace of the middle of the eighteenth century, with the arms of Pope Benedict XIV, which is said to have been used at the coronation of Napoleon as King of Italy at Milan in 1805.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. STENGLE for two days on account of engagements to speak at school commencements.

PREHISTORIC AND SCENIC PLACES OF NEW MEXICO

Mr. MORROW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a historical sketch of New Mexico, written by Adela Holmquist, of Albuquerque.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent to extend his remarks in the RECORD by inserting a historical sketch of New Mexico, written by Adela Holmquist, of Albuquerque. Is there objection?

Mr. BEGG. Reserving the right to object, how long an article is it?

Mr. MORROW. It is a very short article. It is in regard to the national monuments in the State of New Mexico.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MORROW. Mr. Speaker, under the leave granted, I insert the following letter concerning the prehistoric and scenic places in the State of New Mexico, by Adela Holmquist, of Albuquerque, N. Mex., to an eastern professor, dated Albuquerque, N. Mex., May 20, 1924, and published in the Santa Fe New Mexican, of Santa Fe, N. Mex.:

———: Complying with your request for information about New Mexico, will say for the study of geography, geology, etc., you could not find more fascinating regions than these, which are appreciated by artists, scientists, and writers; yet people generally know little about them.

The name "Land of Enchantment" is more and more being used in regard to New Mexico, replacing the name "Land of Poco Tiempo," given it many years ago by that exquisite writer, Charles F. Lummis, because of alleged procrastinating habits of the aborigines and Mexicans. A teacher of geography such as you could do considerable missionary work; for instance, could enlighten people as to this State being in the United States and not a part of old Mexico. You would be appalled at some of the inquiries our chamber of commerce receives, revealing vast ignorance on the part of many easterners.

The north central part of New Mexico, regarding which I shall write, because I write only of places I have personally visited, is really like one great national park, yet more replete with human interest than any national park. I always include Mesa Verde National Park in my thought of New Mexico, however, for it is merely the terminus or climax of a succession of living and prehistoric pueblos contained within this State. It should really belong to New Mexico, and the most comfortable and interesting route by far as to climate, topography, scenery, and human appeal, lies through this State. Some day the Federal, National park, and State authorities will realize that, perhaps, and give us the necessary connection by road between our great places, for right in the heart of them, in the north central part, is a deadlock, precluding the continuity of travel which should be possible. I refer to the missing connection between the canyon of El Rito de los Frijoles, near Santa Fe, containing miles of famous cliff dwellings, so important a part of our country's history, and Chaco Canyon National Monument, containing Pueblo Bonito Point, and without doubt by Santa Fe. Regular motor stages ply between Raton and Taos (by way of Cimarron Canyon), between Taos and Santa Fe, and Santa Fe and Albuquerque, at very reasonable rates per person, and the rides are glorious. You could take in the Santa Fe fiesta September 1 and still be in time to visit the Gallup ceremonial on September 10.

From the city of Santa Fe take the regular motor stage ($7.50 round trip) for the two-hour ride to the cliff dwellings of El Rito de los Frijoles (Bandelier Monument), one of America's chief historic places, and a delightful spot in which to rest and imagine. Your imagination could have full sway there, and it is full of interest from geographic and geologic, ethnologic, archaeologic, etc., standpoints. If you like horseback you can have a glorious vacation in New Mexico. Try riding from Frijoles (as we call it familiarly) to Jemez or Sulphur Springs over a trail. Sulphur Springs is designed by nature to be one of the world's greatest resorts for health, marvelous air with sulphur and pine qualities, and beauty. There are so many springs I can't enumerate them all, and they are very efficacious. I believe it is claimed they do not know of a case of rheumatism Sulphur Springs has failed to cure. Hot sulphur mud, sulphur vapor oozing from yellow hills of sulphur encircled by mountains of pine; baths so hot people take vapor baths in boxes set over springs from the natural steam arising; waters of all kinds and temperatures to drink, which make a new creature of one. However, the "accommodations" there at present are not to be recommended, and you would have to come prepared to camp at Sulphurs. Jemez Springs has an excellent hotel; but, while its springs are very wonderful, they, or any other in the country, are as "a candle to the sun" when compared to Sulphurs, which I am hoping may be in our proper national park some day.

You can travel to Albuquerque either by motor stages from Jemez Springs, $5 one way, or from Santa Fe, $3.50, one way; big, comfortable cars, expertly driven. At Albuquerque we have marvelous accommodations: The Alvarado (Harvey's Hotel), in old Castilian style, looks like "Castles in Spain." "The Franciscan," built by Albuquerque's citizens, of a combination pueblo, mission, and Egyptian architecture, is one of the unique buildings of the entire world.

If you go to Taos Pueblo, try to procure accommodations from Miss Lena Scheurich, granddaughter of the first governor of New Mexico (Bent), who was killed in a massacre at that point. She is a very interesting, genial, and informative lady, and her rambling old adobe house with its ancient furniture and the flowers is delightful. You would also take much pleasure in visiting the Taos art colony and meeting the famous artists who make their summer home there. Kit Carson lived and is buried at Taos.

You may read about the cliff dwelling region of El Rito de los Frijoles in the Lummis book, Land of Poco Tiempo, chapter entitled "The Wanderings of the Cochiti." Bandelier has also written an archeological novel, if there is such a thing, about the greatest prehistoric ruin on the continent, where the fourth expedition sent out by the National Geographic Society, in charge of Dr. Neil M. Judd, is now doing most valuable research and restoration work. If those great places were connected by the short stretch of road necessary, and a little (just a little) work done on the road just north of Pueblo Bonito, leading to Aztec National Monument, all of New Mexico's great places would be in convenient sequence and easily accessible, and the most fascinating motor route in all America would be provided. Tourists could swing clear from Raton, N. Mex., across the north-central portion of the State and into Mesa Verde National Park, visiting en route innumerable great scenic places and living pueblos, than which there is nothing more absorbingly interesting to the traveling public.

Some of the main events of interest to tourists occur in early September, which you would not wish to miss. They are very entertaining and instructive. The first is the pageant of the coming of the Spanish conquerors, at Santa Fe, September 1 to 8, inclusive. I inclose booklet of last year's fiesta procured from the Santa Fe Chamber of Commerce. The new one has not yet been issued. The only change is in the date. You would meet the cream of cultured people of our country there at that time, and innumerable of the "first families of America" (the Indians themselves) in full gala attire. There is also an Indian fair for the sale of their wares, where very superior specimens can be purchased at reasonable prices.

At Gallup, on our western border, September 10 to 12, inclusive, occurs the great intertribal Indian ceremonial participated in by 13 tribes, with the same kind of travelers in attendance. I inclose booklet from the Gallup Chamber of Commerce. Gallup is the gateway to a perfect wonderland for the geologist and historian. En route you could visit one of America's great places, the Sky Pueblo, Rock Island of the Air, etc.

Acoma, 90 miles from Albuquerque, over a splendid highway, very fully described in George Wharton James's chapter on Acoma in his book, New Mexico, the Land of Delightmakers; also described in Charles F. Lummis's Land of Poco Tiempo. You would find these chapters fascinating reading, but no writer could visualize to you the strangeness, the unworldliness, of the pueblo itself, built on a rock table (mesa), rising abruptly 357 feet from the valley surrounding it; and that valley a veritable Garden of the Gods. I can't understand why it is not a Mecca for geologists. It is so full of things which would interest them. However, but little is

known of New Mexico. Acoma always has a queer effect on newcomers, they feel it can't be real, that it is a dream city or one constructed for film land. It is really ancient history living among us. Acoma is the oldest continuously inhabited place in America. It was similarly occupied when Coronado's Captain Alvarando discovered it in 1540, and no one knows how long before. Three miles before you reach Acoma you pass the Enchanted Mesa, about 500 feet high, and unscalable. This is described charmingly in Lummis's book, "A New Mexico David," and many people believe his legend, that the Acoma Indians (of Keresan linguistic stock) actually did at one time live upon the Enchanted Mesa.

Because of the break referred to in the north-central part of our State, I will cut the region into two groups for you. To visit the first section, you could alight from the westbound Atchison, Topeka & Santa Fe train at Raton, N. Mex., "do" so much as pertains to exquisite Cimarron Canyon, Taos Pueblo, the Cliff Dwellers of El Rito de los Frijoles, Santa Fe, and the pueblos near the region, called The Delightmakers.

For the second section of your tour, you could motor or take the A., T. & S. F. train to Gallup, on our western border; be there for September 10 to 12 (intertribal ceremonial), visit Zuni Pueblo, Inscription Rock (El Morro National Monument), and the ice caves near Ramah; Pueblo Bonita, in Chaco Canyon National Monument, and go from there to Aztec National Monument and to Mesa Verde National Park, in the southwestern corner of Colorado.

Gallup is at present the best point from which to start for Mesa Verde. Motor stages last year plied between the two places, via the Navajo Reservation and Shiprock, and I presume will be resumed this year. Anyway, during the ceremonial I presume numerous parties will be formed for the various tours.

If you should wish to visit Mesa Verde first, you could come down via Aztec to Gallup and tour New Mexico in the reverse order from that which I have given.

Acoma can be reached by getting off the train at Laguna, before you reach Gallup, going westward. At Laguna you could visit the charming pueblo and its remarkable Indian church (the best in the State), decorated by the Indians much after the manner in which they decorate their pottery. Or you could motor to Laguna and Acoma from Albuquerque. Parties are constantly being made up here.

Walter Sarracino, an Indian, native of Laguna, educated at Carlisle University, of which he is a graduate, owns a modern hotel and garage at the new town of Laguna, from whence he takes parties to Acoma (16 miles from Laguna) at very reasonable rates and guides them up the best trail and shows them unusual things.

If you will take these tours, I am sure you will feel grateful to me for telling you about them, and I can count on New Mexico's charm drawing you back again.

THE MAKING OF A REPRESENTATIVE—THE VALUE OF EXPERIENCE

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. LONGWORTH. I feel it my duty to ask on what subject?

Mr. HASTINGS. I want to extend my remarks in the RECORD by inserting an article on the value of legislative experience.

Mr. BEGG. Whose article?

Mr. HASTINGS. My own.

Mr. LONGWORTH. The purpose of it, no doubt, is to keep the gentleman in Congress as long a time as possible. I have no objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. HASTINGS. Mr. Speaker, ex-Speaker Champ Clark is affectionately remembered by the people of the country for his lofty patriotism and his long, honorable service in the Congress of the United States.

On March 16, 1916, he delivered an address at the Washington Press Club to the newly elected Members of Congress, of whom I was one, emphasizing the value of experience, which comes from length of service.

Everyone appreciates that a Member of Congress should (1) know conditions in his district; (2) keep in touch with and be in sympathy with the people of his district; and (3) be honest and have the capacity to represent them.

No one should be elected to serve in any capacity who is dishonest or incompetent. No one would think of employing an attorney unless he thought he was capable of representing him or calling in a physician unless he had confidence in him, and for that matter no one would contract for the services of anyone in a business capacity, as a carpenter, a machinist, or a laborer, or to work on the farm, without making some inquiry into the ability and experience of the person to serve them. The prudent person carefully investigates the record and qualifications and ability to serve of the person applying for employment in addition to the statements of the person interested in his own behalf. This speech of ex-Speaker Champ Clark is deserving of the thoughtful study of every voter of the country. We should exercise the same care in the selection of our public servants that we use in the selection of those who serve us personally.

The address is as follows:

THE MAKING OF A REPRESENTATIVE

REMARKS OF CHAMP CLARK AT THE WASHINGTON PRESS CLUB RECEPTION, THURSDAY, MARCH 16, 1916

[Printed in CONGRESSIONAL RECORD, March 17, 1916]

It is a high honor to be a Representative in Congress, if for only one term, and with the number of terms the honor increases in geometrical rather than in arithmetical proportion. A Member's usefulness to his country should increase in the same proportion. A man has to learn to be a Representative just as he must learn to be a blacksmith, a carpenter, a farmer, an engineer, a lawyer, or a doctor.

"Poeta nascitur non fit"—a poet is born, not made—says Horace; but Congressmen—that is, useful and influential Congressmen—are made largely by experience and practice.

The old Charlotte district in Virginia knew this and kept John Randolph of Roanoke in the House till he became a great national figure. Then the Old Dominion sent him to the Senate and General Jackson sent him to St. Petersburg. There are sporadic cases of similar action in other districts.

It is an unwise performance for any district to change Representatives at short intervals. A new Congressman must begin at the foot of the class and spell up. Of course, the more brains, tact, energy, courage, and industry he has the quicker he will get up. If he possesses these qualities, and if his constituents will keep him in the House, he is as certain to rise as the sparks are to fly upward. No human power can keep him down. It is only fair and rational to assume that every Representative's constituents desire to see him among the "top-notchers."

Let us take the present House and see how long the men who hold the high places have served. I can not name all, but will cite a few as samples.

Mr. Speaker Cannon is serving his fortieth year. He holds the record, or, in pugilistic parlance, "he holds the belt," for length of service in the House in our entire history. In several Congresses he was chairman of the great Committee on Appropriations and then was Speaker eight years, only one man, Henry Clay, having been Speaker longer.

I am serving my twenty-second year; Minority Leader Mann is serving his twentieth year; Mr. Kitchin, chairman of Ways and Means, his sixteenth; Mr. Fitzgerald, chairman of Appropriations, his eighteenth; Mr. Moon, chairman of the Post Office and Post Roads, his twentieth; Mr. Jones, chairman of Insular Affairs and "father of the House," his twenty-sixth; Mr. Flood, chairman of Foreign Affairs, his sixteenth; Mr. Hay, chairman of Military Affairs, his twentieth; Mr. Glass, chairman of Banking and Currency, his sixteenth; Mr. Adamson, chairman of Interstate and Foreign Commerce, his twentieth; Mr. Stephens, chairman of Indian Affairs, his twentieth; Mr. Slayden, chairman of the Library, his twentieth; Mr. Henry, chairman of Rules, his twentieth; Mr. Lever, chairman of Agriculture, his sixteenth; Mr. Padgett, chairman of the Navy, his sixteenth; Mr. Lloyd, chairman of Accounts, his twentieth; and Mr. Sparkman, chairman of Rivers and Harbors, his twenty-second. There are other big chairmanships, but these will suffice to show that as a rule the big places go to old and experienced Members, for most of the men who rank close to the chairmen are old-timers. The same thing holds good with reference to members of the minority. As an illustration, Messrs. GILLETT and COOPER, who are serving their twenty-fourth year, are the ranking Republicans on Appropriations and Foreign Affairs, almost certain to be chairmen thereof should the Republicans ever again have a majority in the House, as in that event, in all probability, Mr. Mann will be Speaker, unless he is nominated for President next June.

Go through the whole list and you will find, with few exceptions that the men of long service have the high places.

New England and the cities of Philadelphia and Pittsburgh have understood the value of long service all along, and, having elected a fairly good man to Congress, they keep him in the harness.

The Member of longest consecutive service is called "the father of the House." Five Philadelphians in immediate succession bore that honorable title—Randall, Kelly, O'Neill, Harmer, and Bingham. Then it went to Mr. Dalzell, of Pittsburgh. When General Bingham announced the death of General Harmer, his immediate predecessor as "father of the House," he stated that the five Philadelphia "fathers of the House" had served a total of 147 years, and he served 8 or 10 years after making that interesting statement.

In the second and third Congresses in which I served, Maine, with only four Members, had the Speakership and the chairmanship of the great Committees on Ways and Means, Navy, and Public Buildings and

Grounds—a most remarkable circumstance, giving the Pine Tree State an influence in the House and the country out of all proportion to her population and wealth. These four men—Reed, Dingley, Boutelle, and Millikin—each served in the House 20 years or more. Other States might profit by her example.

No man should be elected to the House simply to gratify his ambition. All Members should be elected for the good of the country.

The best rule, it seems to me, is for a district to select a man with at least fair capacity, industrious, honest, energetic, sober, and courageous, and keep him here so long as he discharges his duties faithfully and well. Such a man will gradually rise to high position and influence in the House. His wide acquaintance with Members helps him amazingly in doing things.

I can speak freely on this subject without violating the proprieties, for my constituents have kept me here 22 years, and for 20 years have given me nominations without opposition, for all of which favors I thank them from the bottom of my heart. Their generous action and unwavering friendship have enabled me to devote all my time to the public service. I have not been compelled to spend any portion of my time in "mending my fences." My constituents have attended to that. God bless them!

One other thing. I do not know what committee assignments you new Members secured. If they are good, you are to be congratulated. If bad, do not be cast down. No congressional tenderfoot ever had poorer assignments than I had—Claims and Old Pensions—but I never complained or kicked. I went to work as though those committees suited me exactly. Here is an illustration of what may happen and how luck plays an important part: I was next to top Democrat on both Foreign Affairs and Patents for eight years—never advanced a peg so far as committees went. Just when, at the beginning of the ninth year on those two committees, I was about to become top Democrat on Foreign Affairs, Hon. John Sharp Williams, then minority leader, assigned me to the foot of Ways and Means, and at the end of four years through the happenings of politics in five different States I jumped from the foot to the head of the Democratic minority on Ways and Means. So it may be with you. Events over which you have no control may advance you more rapidly than you dreamed of or hoped for. My advice is this: "Whatever your hand finds to do, do it with your might."

WORLD WAR VETERANS' LEGISLATION

Mr. MILLIGAN. Mr. Speaker, I take this opportunity to discuss the provisions of Senate bill 2257. The Committee on World War Veterans' Legislation has held hearings upon this bill for 31 days. There were some 200 amendments to the present law considered by that committee. This bill is the result of those hearings.

The members of the committee, after considering all phases of the problem of caring for the men disabled in the World War, believe that the passage of this act will do justice in many meritorious cases that are not provided for under the present law. I will attempt to explain in detail the provisions of the bill now under consideration.

Section 1 amends section 2 of the war risk insurance act giving the director power to administer, execute, and enforce the act and make all rules, and any decision that the director makes in regard to the act are conclusive; to delegate and assign duties to any of the subordinates and the acts of such subordinates so detailed shall have the same force and effect as had they been performed by the director in person.

The main objects of this amendment were to relieve the director, in regard to his decisions, from the rulings of the Comptroller of the Treasury, as under the present law there is a conflict of decisions between the Comptroller General of the Treasury and the Director of the Veterans' Bureau, and to detail officers and employees to perform certain acts which under the present law the director must perform in person.

Section 2 amends section 4 of the war risk insurance act in regard to the Public Health Service physicians detailed with the Veterans' Bureau. Under the amendment they hold the rank of the Public Health Service, but when detailed to the Veterans' Bureau shall be subject to the control and direction of the director.

Section 3 amends the present law by adding a new section, which provides that the files, records, reports, and documents pertaining to any claim are confidential and shall only be disclosed to the claimant or his representative when in the judgment of the director such disclosure will not be injurious to the health of the claimant, or when requested by a proceeding in the Federal court or State court or competent jurisdiction in any suit or proceeding, or when deemed by the director to be necessary in a suit brought under this act, or in any proceeding in the nature of an inquest into the mental competency of a claimant. Also to provide that the name and amount of compensation and maintenance and support allowance of any beneficiary shall be given when in the judgment of the director it is necessary, just, and proper. This section further provides that when production of records is permitted under this section a certified copy of same may be produced and received in evidence and have the same effect as the original.

Section 4 amends section 6 of the existing law by reducing the number of suboffices from 140 to 100. Authority is given to the suboffices to hear complaints, call examinations, make ratings, and award compensation claims, granting medical, surgical, and hospital care, make insurance awards, and grant vocational training. All regional and suboffices under the existing law terminate on June 30, 1926. But under the amendment hereto all authority to establish regional offices shall terminate on June 30, 1926, but the suboffices may continue in the discretion of the director. The object of this amendment was to abolish the regional offices and cut down the number of suboffices as suggested by the director and to give the office authority to hear claims and make ratings as they are the offices nearest to the men and would have the opportunity to see the man when the rating is made by the rating board.

Section 5 amends section 11 of the existing law by adding a new section known as section 11a. The new section gives the director authority to obtain opinions from the Attorney General arising in the administration of the Veterans' Bureau as the heads of other departments now have.

Section 6 amends section 13 of the present law by authorizing treatment for noncompensable disability where injury or aggravation was incurred as a result of his own willful misconduct. It provides that no claim of willful misconduct shall be set up by the bureau unless a conviction by court-martial is shown, and if a conviction by court-martial is shown the director may, if it appears an injustice has been done, award benefits of such treatment notwithstanding such conviction. The time of filing application for treatment is repealed.

Section 7 of the bill adds a new section to the present law, known as section 13a, which authorizes the Veterans' Bureau to furnish hospitalization, in the discretion of the director, and allow travel expenses to veterans of any war honorably discharged, who are in need of hospitalization, without regard to the nature or origin of the disability; preference, however, is given to the veterans who are not financially able to pay for hospitalization and travel expenses.

Section 8 amends section 14 of the present law by requiring the Director of the Veterans' Bureau to make a full, complete, and detailed report of the activities of the Veterans' Bureau to the Speaker of the House of Representatives and the President of the Senate on the first Monday of December of each year. The reason for this amendment is that under the present law the director is not required to make a complete and detailed report of the activities of the Veterans' Bureau.

Section 9 amends title 1 of the present law by adding five new sections, to be known as sections 14a, 14b, 14c, 14d, and 14e. Sections 14a and 14b apply only to the cases where, under the rules of the Comptroller General, the director is required to make recovery of payments from the beneficiaries where payments were made in good faith; where payments were made without fault of the beneficiary and recovery would be against equity and good conscience and improper in most cases. Under the present law and rulings of the Comptroller General the director has been ordered to bring suits to recover these amounts.

Fourteen c gives the director authority, in his discretion, to sell, lease, or exchange surplus equipment and supplies, and to make leases for not exceeding three years of any real estate. This will be necessary under the contemplated changes of the present law. A number of district and suboffices will be abolished.

Fourteen d provides that the provisions of the war risk insurance act, the vocational rehabilitation act, and the Veterans' Bureau act, and amendments thereto, shall not apply to conscientious objectors who refused to perform military duty or wear the uniform, or any alien who was discharged from the Army or Navy on account of his alienage.

Fourteen e specifies that this act may be cited as the Veterans' Bureau act.

Section 10 provides that section 13 of the war risk insurance act shall be amended, first, by making the director subject to the general direction of the President instead of the Secretary of the Treasury; second, by allowing attorney's fees of $10 instead of $3 for the preparation of compensation claims for claimants; third, by the procedure in suit on contracts of insurance and by allowing a fee of not exceeding 20 per cent of the amount recovered to the attorney of the successful claimant to be paid by the Veterans' Bureau under decree of the court.

Section 11 amends section 15 of the war risk insurance act by striking therefrom the conditions of "commissioners and

deputy commissioners" and substituting "and such persons as the director may designate." This is to conform with the present law as amended heretofore.

Section 12 amends the first paragraph of section 31 of the war risk insurance act by inserting the members of the National Guard who suffered injury after being called into Federal service, but before being drafted into Federal service. Many National Guard organizations were in service as early as June, 1917, and some were retained in service after their services on the Mexican border of that year. The object of this amendment is to take care of the members of the National Guard who were in Federal service but were not drafted into active service until August 5, 1917. The present law does not provide for the members of the National Guard who were in Federal service and disabled before August 5, 1917.

Section 13 amends section 300 of the war risk insurance act, first, by striking out the words "line of duty" and substituting therefor "in the service," giving the benefits of this section to the man who suffered a disability or was injured during the period of time that he was commissioned or enlisted in the armed forces of the United States. Second, to provide that no person shall be denied compensation for paralysis, paresis, blindness, or constitutional lues by reason of willful misconduct. The object of this provision is to provide compensation for men who on account of paralysis, paresis, blindness, or constitutional lues are now prevented from receiving compensation by the ruling of the Veterans' Bureau, which holds that those so disabled are the result of the man's own willful misconduct. This section further provides that if an ex-service man is shown to have had a neuropsychiatric disease, or mental or nervous disease or derangement, or active tuberculosis disease or encephalitis lethargica or amoebic dysentery, it is conclusively presumed to have been acquired in service. Under the present law, where an ex-service man is shown to have had a neuropsychiatric disease or active tuberculosis disease there must have been a clinical diagnosis within three years after his discharge by a medical officer of the Veterans' Bureau. This provision has prevented many ex-service men from receiving compensation; many tuberculosis cases were developed within the three-year limit but were not diagnosed by such officer of the bureau within the time limit. Many cases of insanity are barred by the same provisions. Many of these insane men are now being taken care of as public wards, placed in State, county, and city institutions. The experts before the committee testified that it was not known the causes of 60 per cent of insanity and that insanity among the soldier population is 100 per cent greater than among the civilian population. Under the present law the burden of proof is upon the ex-service man to prove that his disability is directly caused by his service. This is impossible in many cases. He can show that he was physically fit when he entered the service and shortly after his discharge he became insane or developed tuberculosis. The presumption should be in his favor, and he should be granted compensation.

There are some 45,000 men who have mental or nervous disease or derangements or tuberculosis that will be taken care of by this amendment; they are very pitiable cases, and the doubt should be resolved in their favor. The committee thought that in justice to these men this period should be made six years and the presumptions be in favor of the man. By the six-year period from the date of discharge, as a majority of these men were discharged in the latter part of 1918 or the early part of 1919, this will give them an opportunity to make application and be examined before the expiration of this period. Amœba dysentery is included, as there are now 120 of these and are the only cases of any number of this nature since the Spanish-American War. It is caused by a tropical parasite, we are told. These cases are helpless, and there is no doubt that they are the direct result of service, but evidence can not be produced to show this fact, and under the present law and rulings these men are barred. These serious conditions may not develop until months or years after the initial exposure to the infection.

There is also included in this presumptive clause encephalitis lethargica, so-called sleeping sickness, which was practically unknown until the last five years, and the causes are unknown, but it is presumed to be associated with influenza, as it follows influenza anywhere from six to nine months or a year or more, and for this reason should be regarded as a possible outcome of the disease that accrued in service. They are the most pitiable cases, due to the mental deterioration. But due to the little knowledge that medical service has of this disease, of course it is impossible for the man to prove that it is due to service.

This amendment provides that compensation paid under this presumptive period shall not be retroactive beyond the passage of this amendment. The estimated cost of this presumptive period by the director is $19,878,000 per year, yet it takes care of some 46,000 ex-service men who are to-day in destitute circumstances and dying with diseases which they can not by positive evidence prove were contracted in the service.

Section 14 amends section 301 of the war risk insurance act by increasing the payments to the widow and children of deceased ex-service men, payments not to be retroactive. It further amends this section by providing that a parent who is drawing a pension or compensation on the account of the death of one person is not barred from drawing compensation under this act for the death of another person. It also provides for burial expenses without regard to financial conditions where deceased is receiving compensation and where a person dies away from home, being away from home on orders of the bureau, and includes transportation costs of the body.

That the payment of compensation to a parent shall continue until the death of such parent.

Section 15 amends section 302 of the war risk insurance act in that the loss of the use of limbs or eyes is made equivalent to the loss of limbs, sight of eyes, and the loss of the use of both ears is added as a statutory permanent total disability. A special rate of $150 per month is made for the loss of both eyes and of $200 per month for the loss of both eyes and one or more limbs. In the case where the disabled person is in constant need of a nurse this sum is increased from $20 to $50 per month.

Subsection 6 of section 15 is amended to provide that where a beneficiary is entitled to compensation for a disability and is entitled to hospitalization under said subsection and an emergency develops relative to his injury or disease contracted in service entitles him to compensation that requires immediate treatment or hospitalization and there will be hazardous delay the director is authorized to reimburse such beneficiary for the reasonable value of service and treatment other than received from the bureau.

Subsection 7 of section 15 provides for apportionment of compensation where the disabled person, his wife, or dependent parents are not living together. It amends the present law by adding dependent parents. It is further amended to provide that where the beneficiary is in a penal institution, hospital, or under the domiciliary care, the director may apportion compensation as may be prescribed to the disabled man, his wife, children, or parents, collectively or separately.

Subsection 10 of section 302 of the war risk insurance act provides that compensation under this act shall be in addition to any gratuity or pension paid under other laws, except persons receiving a gratuity or pension under the pension laws for a disability incurred after April 6, 1917, must surrender all claim to such gratuity or pension before receiving compensation under this act. Subsection as amended is deemed to be in effect as of April 6, 1917.

Subsection 11 of section 15 has added to the present law a provision that ex-service men shown to have tuberculosis disease of compensable degree having been hospitalized for a period of one year and who, in the judgment of the director, will not reach a condition of arrest by further hospitalization, and whose discharge from the hospital will not be prejudicial to him or his family, upon his request may be discharged from the hospital and rated as temporary and total, rating to continue for a period of three years.

Section 16 amends section 305 of the war risk insurance act by providing that in cases, except those of fraud by the beneficiary, no reduction or discontinuance of compensation shall be effective until the first day of the third calendar month next succeeding month when reduction or discontinuance is made. No reduction shall be retroactive except in the case of fraud on the part of the beneficiary.

Section 17 amends section 309 of the present law by extending the time for filing claims from five years to six years from the date of discharge where disability arose in service, six years from beginning of disability where disability arose after separation from service, and six years from date of death, with discretion on the part of the director to extending time period one additional year.

Section 18 amends section 312 of the war risk insurance act, amending this section to provide that compensation shall not be paid to a person when said person is receiving active service or retirement pay.

Section 19 adds a new section to the war risk insurance act, to be known as section 316. This section provides that when injuries or death result from hospitalization or vocational training, not due to misconduct, are made compensable the same as though injury or death had occurred in military serv-

ice. Application must be made for such benefits within one year after such injury or aggravation was suffered or death occurred.

Section 20 amends section 408 of the war risk insurance act. This section as amended revives insurance in whole or in part in the case of a person who allows his insurance to lapse while suffering from a compensable disability and compensation was not collected, or such person dies or becomes permanently and totally disabled, the amount of uncollected compensation to be computed and the amount of insurance reinstated as such back compensation will pay when applied as premiums. The object of this is to correct the misconstruction of the law as held in the Schwartz case by the legal section of the bureau.

Section 21 amends section 409 of the war risk insurance act by providing that the payment of premiums may be waived and insurance deemed not to lapse where the insured is confined in a hospital by the bureau for a compensable disability during the period so confined, beginning with the month in which said confinement begins and ending with the month during the half or major fraction of which the person is confined in the hospital. Also those rated as temporary total disabled who are entitled to compensation, insurance shall not be deemed to have lapsed during the period of such temporary total disability, beginning with the month in which said disability rating begins and ending the month during the half or major fraction in which the person is rated as temporary or totally disabled; also those rated as mentally incompetent, insurance is not deemed to have lapsed during the period they have no legal guardian while they have been or hereafter may be so rated, beginning with the month in which such rating of mental incompetency begins, or shall begin, and ending with the second month after which a legal guardian is appointed and qualified, but not later than six months after a guardian has been appointed. Waiver of the payment of premiums, as provided by this section, shall be without application and may be allowed retroactively.

Section 22 of section 410 of the war risk insurance act is repealed.

SEC. 23. That section 4 of the vocational rehabilitation act is amended by adding a provision that the test of rehabilitation shall be employability, to be determined by the director, and provides further that allowance for maintenance and support, provided by section 2 of the vocational rehabilitation act, shall be payable for two months after employability of the rehabilitated person is determined, at the end of which time all obligations on the part of the Government ceases toward such person with respect to his vocational rehabilitation. It provides further that no course of vocational training shall be commenced after January 1, 1925; and no further extension of completed training shall be granted after that date.

The amendments to the present law carried in this bill will affect, according to the estimates made by the Veterans' Bureau, approximately 108,900 beneficiaries of the bureau; of this number 75,225 are veterans and the remaining 33,675 are dependents of deceased veterans.

I believe it is the duty of this Congress to pass this legislation in order that we may pay the obligation the Government owes to the men who were disabled in the World War, and to the dependents of the men who gave their lives in the service of their country.

Mr. THOMPSON. Mr. Speaker, it is extremely gratifying to me that H. R. 8869 is now before the House and that a majority of the Members appear to be in favor of its passage. It goes a long way toward correcting some evils, annoyances, and embarrassments thrust upon veterans through the passage of the last amendment to the war risk insurance act, and which amendment, although intended to relieve, actually made matters worse in a great many cases.

I have had literally hundreds of cases called to my attention by my constituents of veterans who are slowly dying of tuberculosis, many of them with large families, and who nevertheless can not receive any assistance from the Veterans' Bureau because there is no record of any medical examination showing the existence of tuberculosis within three years following discharge. Others, who had been receiving compensation because of tuberculosis or nervous trouble which had been proved of service origin, were arbitrarily cut off from further benefits for the same reason as above.

These men could not understand the technicalities back of the action. It looked like they were being cast off and forgotten. They had not the resources, either financial or physical, many of them, to engage in the tedious, exacting pursuit of proper evidence, affidavits, and so forth. Moreover, many of these men, having been well and healthy all their lives, were not accustomed to seeking the help of the doctor and, after discharge, tried to go along as usual in spite of the gradual lowering of their physical condition. Finally, when it could not be put off longer, they appealed to a doctor, and finally to the bureau, only to find that by their honest, though mistaken, efforts to conquer their ailments single-handed they had made it impossible to prove their cases to be of service origin. There was not a scrap of paper to show that their claims were legitimate.

Recognizing this as one of the greatest evils of the present law, I introduced a bill, H. R. 6203, on January 25, 1924, to extend the time limit within which a veteran, showing the symptoms of tuberculosis or neuropsychiatric trouble, would be presumed to have suffered same as a result of his military service. This time limit, extended to six years, is a provision of the bill now before you, and is one of the most gratifying features of the measure, in my opinion.

This bill will also provide hospitalization and treatment, with traveling expenses, to any veteran in need of same who was not dishonorably discharged from the service, regardless of whether his ailments were a result of the service or not. This, I believe, is the second best feature of the bill and is in line with the Government's established policy to care for its veterans in the most liberal manner consistent with the circumstances.

Then, there are a number of beneficiaries, some of them aged mothers and fathers, who, through no fault or deception on their part, drew considerable sums of money from the bureau under one interpretation of the law and later were asked to return same because of a decision of the Comptroller General invalidating the former interpretation. Others were allowed compensation while at the same time drawing pension, and were ignorant of the fact that this was contrary to law; and, indeed, the Veterans' Bureaus had not established the fact before paying compensation. Under this bill such amounts will not be recovered from the beneficiaries, nor will attempts be made to collect them.

In one or two minor points the bill could go further than it does, but it is infinitely better than the present law and will benefit approximately 108,900 disabled veterans, at a cost of between thirty-five and forty million dollars annually. It gives me much pleasure to support this measure.

Mr. HASTINGS. Mr. Speaker, I favor the legislation providing for the veterans of the World War as embodied in this bill. I appeared before the Veterans' Bureau Committee when this bill was under consideration and urged the enactment into law of many of the provisions embodied in the bill. I am glad to know we are assured of legislation before adjournment of Congress next Saturday. I am very glad, indeed, that the presumptive period of tuberculosis and mental cases has been extended from three to six years. Many ex-service men now find themselves suffering from tubercular trouble or other lingering diseases which developed more than three years after they were discharged from the Army.

Many of these men were in great haste to leave the Army and perhaps were not as carefully examined as they should have been, and in their eagerness to get home as careful a record may not have been made as otherwise would have been made if a patient, careful, and painstaking examination had been had. The result is that diseases in their incipient stages were aggravated and later on developed. Many of the ex-service men living in remote sections of the country were not advised as to how to properly present their claims, and they were not presented within the time permitted by the Veterans' Bureau under the existing law. I am glad that the time has been extended to six years. This will afford every ex-service man suffering from tuberculosis an opportunity to present his claim for compensation or for hospital treatment.

I am glad to know that the time has been extended in this bill for filing claims for disability, compensation, and increases in the rate of compensation paid to widows and children of veterans. I favor, and this bill provides, for additional hospital treatment for all ex-service men regardless of the origin of their disease. The splendid men of the country, to the number of 4,650,500, upon the passage of the war resolution in April, 1917, and before the armistice on November 11, 1918, joined the colors and about half of them saw service overseas. It is difficult for many to trace the origin of their diseases. One examining physician may affirm that it perhaps had origin during the war or was aggravated by the service in the Army, while another may hold to the contrary, and still others may hold that now that the war has been over for more than five years they are unable to determine the origin. Regardless of the origin of a lingering disease, in my judgment the least that a great nation can do is to furnish adequate hospital facilities to its defenders in time of war. I do not believe that the doors

of any hospital should ever be closed to the soldiers who left their homes upon the call of duty and who saw service in the St. Mihiel drive or the Argonne or were in waiting in our own country to sail overseas in its defense. If these ex-service men, now that they are separated in all parts of the country, are required by tedious correspondence to find those who saw service with them in order to make proof of their sickness in the Army, it will amount to a denial of hospital treatment in many cases, and for that reason I not only favor a liberalization of the law but I favor the opening of these hospitals to these ex-service men suffering with lingering diseases upon their making application for treatment, and, as above stated, without proof as to the origin of the disease. Let all who come enter—close the door against none.

Much complaint has been made because we have not had expeditious action upon claims of ex-service men for compensation. I believe that the delays are too tedious. I think the requirements of proof in many cases too technical. I have prepared the proof in a number of cases myself, and when once a district office decides against a case it is almost impossible to get a reversal, no matter what the proof of the origin or the argument. I think every presumption should be in favor of the ex-service men. I do not mean that I favor spurious or unjust claims against the Government, but I believe that this legislation will have the effect of humanizing the department and will cause more expeditious action to be had.

At the request of the Oklahoma delegation in Congress a committee of examining physicians was sent to Oklahoma for the purpose of examining every ex-service man having a claim pending for compensation and who desired a reexamination.

This bill also provides for more liberal compensation to the defenders of the Nation. I advocated that before the committee. Our Nation should be generous with the widows and the minor children of those who sacrificed life for the civilization of mankind. I do not believe that any taxpayer is adverse to generous treatment of those left behind.

To summarize, this bill provides:

First. That as to all ex-service men suffering with tuberculosis and certain other diseases prior to January 1, 1925, it is conclusive proof that these diseases originated in the service and that they are entitled to compensation, and as to certain other diseases the presumption is that they originated in the service, but this may be rebutted by proof on behalf of the Government.

Second. The bill provides for hospital treatment for all ex-service men of the World War, Spanish-American soldiers, and soldiers of the Civil War as long as there are any beds available for them in any hospital owned by the Government.

Third. Increased compensation is provided in the bill for dependents of soldiers, and increased amounts are given for certain disabilities.

Fourth. The bill provides for the codification of all laws affecting ex-service men which have been enacted to date. This will be of great service to all.

There are many other provisions of this bill which appeal to me, and I am glad to give it my earnest support. I know it will meet with the unanimous approval of the House.

I have also given much attention to another bill in which I am very greatly interested pending before the House for consideration, and which I am sure will receive favorable consideration before adjournment, and that is a bill authorizing expenditures for additional hospitals.

We have a splendid hospital in the city of Muskogee. It was built by the State of Oklahoma and leased to the Federal Government. It is ideally located, and the Federal Government should own and operate it. I trust that legislation will be enacted to this end before the adjournment of Congress. The hearings upon this bill show that the Director of the Veterans' Bureau, in justification of his request for an additional appropriation for hospital facilities, outlined the various projects for which the appropriation would be expended, and included the Muskogee hospital in the sixth project as follows:

"The sixth project is to purchase the now leased general hospital at Muskogee, Okla., in the fourteenth district. This hospital has a capacity of 300 beds, of which number 253 are occupied. It is a new, modern, fireproof structure constructed by the State for ex-service men. The annual rental is $23,500. The Veterans' Bureau at the present time does not own any general hospital in the States of Oklahoma, Arkansas, or Texas. The only other general facilities available in this district are at the Army hospitals at San Antonio and El Paso, Tex., and Hot Springs, Ark. These hospitals are so isolated that they can serve but a very limited area."

Let us have more sympathetic consideration as well as more humanizing legislaton for the benefit of the ex-service men of the country. They offered to make every sacrifice. They braved every danger, and we should now show that our Republic is not ungrateful.

Mr. TREADWAY. Mr. Speaker, the unanimity with which the House of Representatives passed the amendment known as the Veterans' Bureau act is positive proof of the attitude of Congress toward the disabled veterans of the World War and their dependents. This has been the history of congressional action since the first legislation was passed in behalf of the disabled. The present bill amends the act of August 9, 1921, and is the result of the work of the committee established at the beginning of this Congress, known as the Committee on World War Veterans' Legislation.

For the benefit of the veterans who will undoubtedly from time to time ask Congressmen to explain their rights under the new law, I wish to briefly refer to the changes and expansions that will result from this legislation.

At the request of the veterans, about two years ago 14 regional offices were established in anticipation that more prompt and better service could be secured than through the central office in Washington. This experiment has not proven satisfactory, so that now the files and records will be returned to Washington, but the director will have authority to establish suboffices having practically as broad powers as the central office itself. It is expected that this will be very beneficial in the administration of the new law.

HOSPITAL AND MEDICAL TREATMENT

Section 6, amending section 13 of the old law, is of such importance and of such broad scope that I am inserting it at this point. The purport of this section is to give hospital, dental, medical, surgical, and convalescent care to any person having been connected with the military or naval forces at any time, irrespective of the cause of the need of this treatment. It is further provided that hospitalization shall be furnished without regard to the nature or origin of disability and necessary traveling expenses to the veteran of any war or expedition who has not been dishonorably discharged.

SEC. 6. That section 13 of the said act is hereby amended to read as follows:

"SEC. 13. In addition to the care, treatment, and appliances now authorized by law, said bureau also shall provide without charge therefor hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances for any member of the military or naval forces of the United States separated therefrom, disabled by reason of any wound or injury received or disease contracted, or by reason of any aggravation of a preexisting injury or disease specifically noted at examination for entrance into or employment in the active military or naval service, while in the active military or naval service of the United States on or after April 6, 1917: *Provided*, That the wound or injury received or disease contracted, or aggravation of a preexisting injury or disease, for which such hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances shall be furnished was incurred in the service and not caused by his own willful misconduct during or subsequent to his service in the armed forces of the United States: *Provided further*, That no claim of willful misconduct in the service shall be set up by the director unless a conviction by court-martial is shown: *And provided further*, That if in the event of a court-martial conviction it is thereafter established to the satisfaction of the director that an injustice has been done the claimant in such court-martial, the director may award the benefits of this section."

In case of a claim being made by a veteran in suit against the Government, the Government shall pay the fees of the attorney of the veteran, not exceeding 20 per cent of the amount recovered.

Another provision of very great scope is section 13 of the bill, amending section 300 of the war risk insurance act. In brief, it provides that any veteran who becomes disabled through tuberculosis, neuropsychiatric disease, or mental or nervous disease, or encephalitis lethargica, or amoebic dysentery within six years of date of discharge establishes prima facie evidence of service origin.

NEW RATES OF COMPENSATION

The rates of payment of compensation under the war risk insurance act to dependents of deceased veterans are also very materially increased. A comparison of the new bill and the old law is as follows:

Widow and no child, $35 monthly (was $25).

Widow and one child, $47.50 monthly (was $35).

Widow and two children, $57.50 monthly (was $42.50), and $10 for each additional child (was $5).

No widow, but one child, $25 (was $20).

No widow, but two children, $40 (was $30).

No widow, but three children, $55 (was $40), and $10 for each additional child (was $5).

Under the new law deafness in both ears is deemed total and permanent disability. The compensation for the loss of the use of both eyes is increased to $150 per month, and for the loss of both eyes and one or more limbs is increased to $200 per month. Veterans so helpless as to be in constant need of a nurse or attendant are granted $50 per month for this expense, instead of the present sum of $20.

In the event a veteran is taken ill where there are no adequate Government hospitals he can be cared for in a private institution and the Government stands the expense.

MAY RECEIVE PENSION AND COMPENSATION

The present provision that widows and parents of deceased veterans may not receive death compensation on account of the loss of their husbands or sons, if already in receipt of a pension or compensation on account of some other person, has been remedied so as to permit the payment of compensation on account of such death, to the widow or parent, notwithstanding the receipt by the latter of a pension or compensation on account of the loss of some other person in some prior war.

ALLOWANCE FOR BURIAL EXPENSES

Another change in the law applies to the burial expense allowance, which is to be granted under the new law whenever a person dies while receiving from the bureau compensation or vocational training, without reference to the financial condition of the deceased, and whenever a veteran is receiving treatment or training and dies away from home at the place to which he was ordered by the bureau, or traveling under orders of the bureau, burial benefits are payable without reference to the indigency of the deceased, and transportation costs to a place of burial are also included. No deduction is to be made of accrued pension or compensation from the sum allowed.

TIME FOR FILING APPLICATION EXTENDED

The time for the filing of applications for compensation is extended to six years, and this can be extended another year in the discretion of the Director of the Veterans' Bureau.

There are numerous additional benefits that accrue to both the disabled and dependents which will permit those who have previously been refused assistance to again apply under the new law.

It is suggested that veterans familiarize themselves with the details of this legislation. As soon as the bill is enacted into law copies will, of course, be available, and it will be a pleasure to aid and assist any applicants in my congressional district to secure such benefits as the bill may entitle them to.

The Director of the Veterans' Bureau estimates that the additional cost to the Government of this legislation will be between $35,000,000 and $40,000,000 per annum.

This bill covers the best judgment of a committee especially appointed by the revised rules of the House to provide such assistance and benefits to World War veterans as, in the judgment of Congress, their needs require at the present time.

It was a pleasure to join my colleagues in the expression of appreciation of the services of the disabled veterans. I believe this bill carries out the desire of the people of the country in making every provision possible for the disabled, their dependents, and the widows, children, or parents of deceased veterans.

Mr. BLACK of Texas. Mr. Speaker, under leave granted to extend my remarks I insert an address of my colleague on the Banking and Currency Committee, Mr. GOLDSBOROUGH, of Maryland, made before the Maryland State Bankers' Association at Atlantic City on May 14, 1924, which is as follows:

Mr. Chairman and gentlemen of the Maryland State Bankers' Association, in the course of these remarks I hope you will not be forced to feel about me as a woman felt who met a friend she had not seen for several years and who said to her:

"Your husband does not knock you about as he used to do, eh?"

"No, sir," the woman answered.

"I am mighty glad to hear it. After all, his heart is in the right place."

"Oh, yes, sir; his heart's in the right place, and the rest of his body, too. He is in jail."

I trust, also, you will not be as careful to show this feeling as was Mrs. Maloney when she was brought before the magistrate for an assault on Policeman Casey. She had been unusually attentive throughout the proceedings, and now the judge was summing up the evidence.

"The evidence shows, Mrs. Maloney," he began, "that you threw a stone at Policeman Casey."

"It shows more than that, your honor," interrupted Mrs. Maloney. "It shows that Oi hit him."

When I was asked to address this distinguished body of representative Marylanders the question naturally arose as to what I could say which would be of interest and possibly of some service. Years ago in Caroline County, when I was a boy, we had only one bank, and the offering of a promissory note to that institution for discount was done with the humility proper in the asking of a great favor, while the board of directors in discounting that note, which, by the way, had to be protected by indorsements representing many times the amount asked for, deported themselves as if they were a charitable organization bestowing from their own individual resources largess to the benighted multitude. This is no longer the condition. With 10 banks in the county, each bidding for business, the danger now, in so far as there is danger, is toward too great laxity in loaning the funds of these banks. What has happened in Caroline County is typical of what has happened in the other counties of Maryland and in Baltimore City, is typical of what has happened in all the older communities through the length and breadth of the United States, and is typical of that spirit of democracy which is the result of a vastly increased average intelligence, enlightenment, and education, and which, in its spread not only throughout our own great people but the people of the world, is so great a part of the hope of the future.

It is extremely difficult to segregate basic human necessities and single out any given one or two as of paramount importance, but, based not only upon preconceived notion but upon what I believe has been a patient investigation, I have reached the conclusion that there are at least two fundamental human problems that our people are now prepared to consider and solve—the abolition of war and the stabilization of money. It is of this last I would speak.

My grandfather was a country doctor, and in 1885, as a very small boy, I began to drive with him constantly, except when I was in school. In those days the farmer had no hours; the farmer's wife had no hours. They worked from the time they could see in the morning until daylight down at night, and as a class they were always poor. This fact was driven home to me because time and again when it was necessary for the family doctor to make some sort of a collection in order to live, he found that after the interest and bonus on the bill of sale had been paid and the interest and part of the principal on the fertilizer note and the taxes and insurance attended to there was nothing left for the doctor, and a great many times, instead of making a collection, he "lightened his wallet" to him who was less well off than he. I wondered about this condition. I tried to think why it was that these people whose work was never done were always poor. Afterwards, with a broadening view, I wondered why it was that the average of those with things to sell were at such a great disadvantage relatively with those who had money to sell. About the time I graduated from college in 1899 I noticed a change. Those with things to sell had gradually begun to prosper and those with money to sell gradually began to do not so well, and finally I reached the conclusion that from my earliest recollection until near the beginning of the century the investor and the man with a fixed income appeared to be always in a gradually better position while the small business man, and especially the producer—having in mind the farmer—was constantly going back; and that since the beginning of the century and up to 1914 the position was exactly reversed, although the farmer, for other reasons, has always occupied a relatively unfavorable position. Finally it appeared to me that various social phenomena had resulted and were resulting from these varying conditions. The gradual fall in prices from 1873 to 1896 culminated in the Bryan free-silver campaign, which, if successful, would have resulted and was intended to result in the paying of debts with cheap money—that is, in the partial repudiation of obligations.

In the period from 1896 to 1914 we heard no more about free silver, but a wave of unrest began to spread among those with a fixed income; the clerk, the school-teacher, the salaried man of every class began to feel with ever increasing pressure the gradual rise in the cost of living. Labor unions were formed, strikes became common, radical legislation of all sorts was offered in Congress; some of it was passed. We began to hear of capital as distinguished from labor and labor as distinguished from capital, as if our people occupied two armed camps, each battling against the other. And then the World War came on. Providentially, just prior to that time the Federal reserve act was passed, which increased potential credit many times. We have seen the period of inflation in 1919 and 1920 with general commodity prices rising to about two and one-fourth times what they were in 1914; and then the collapse of the latter part of 1921 and 1922, and the conservative, careful period of 1923.

What does it all mean, and is there any solution after we find out what it all means? When I went to Congress in 1921, with some opportunity to investigate these things which I had been wondering about for so long, I began to mull around, and one day in the Bureau of Labor Statistics I was shown a curve of prices based on the bureau's index number, and as I ran my finger along the line of falling prices from 1873 to 1896 and of rising prices from 1896 to 1914 I began

to see why it was that the first period was one of prosperity for the man of fixed income, the mortgagee, and the bondholder, and why the last period was one of relative prosperity for the producer, the business man, and the stockholder, each period causing social misunderstanding, unrest, and misery to that part of our people not on the right side of the price trend. Now, there was a reason, of course, for these long periods of rising and falling prices, and remembering that we were on a gold basis it then occurred to me that gold began to be produced in South Africa and the Klondike just about 1896. By this time it seemed there was a little light just ahead and that the foundation of our changing economic conditions had been either a scarcity or a plentitude of gold. And now, what is the answer?

Careful economists tell us that there is a constant equation between the volume of production and its turnover and the volume of money and credits and their turnover (of course, I am speaking roughly), so that in order to preserve their relative positions of debtor and creditor, mortgagor and mortgagee, bondholder and stockholder, seller of goods and seller of money a means should be devised to preserve this ratio so that the volume of money and credit will expand only in the same proportion as production and turnover expands and contract as production and turnover subsides. In the March number of Harper's Magazine there is an article entitled "Stabilizing the dollar," which analyzes this subject in a very satisfactory way and which, incidentally, speaks favorably of certain legislation now pending in Congress and introduced by me. I mention this fact as indicating two things: First, that the stabilization of purchasing power is becoming a matter of public interest; and second, that I am discussing a question in the solution of which I am attempting to assist in a practical way. In the Bureau of Labor Statstics in Washington there is kept an index number of wholesale price levels made up of a composite of something over 400 commodities, each weighted in accordance with what experience has shown to be its relative market importance. The standard from which conclusions are now drawn is the average price level of 1914. The present price level relative to 1914 is about 161. The legislation referred to and now pending in Congress contemplates starting with the general price level at the time when the proposed legislation becomes law and afterwards maintain approximately that price level by means which I will indicate in a few moments. In the meantime I want to make it perfectly clear, of course, that there is no attempt in this legislation to control the price level of individual commodities. They will move in accordance with the law of supply and demand, but the purpose is to keep the average the same, so that the value of money in an aggregate of the general commodities which it will buy will not appreciably change. In other words, while flour and eggs and butter and chickens and meat and sugar and coffee will individually vary in price, the filled market basket made up of these different commodities can always be purchased with the same amount of money. And right here let me say that when the general price level is kept constant, when there is an automatic restraint against inflation and its consequent deflation and collapse, the tendency of individual prices to change will be immeasurably reduced, because the unhealthy economic conditions, the result of these abnormal periods, is the chief cause of the sudden rise and collapse of the price of any given commodity.

How can we keep this index number constant? How can we prevent periods of inflation succeeding periods of business expansion, culminating in periods of speculation and ending in periods of collapse? The quantity theory of money has been recognized as essentially sound by practically all economists for more than a century. Illustrating by reducing the theory to its simplest form, if the total volume of commodities consists of 20 bushels of wheat and wheat is only traded in by the use of money, and the total volume of money is $20, as long as all that wheat is being traded in and all that money is in circulation wheat will be worth $1 a bushel. If, under the same conditions, there are $40 in circulation, wheat will be worth $2 a bushel; if, with 20 bushels of wheat and $20 in money $10 of that money is withheld from circulation and all other conditions are as stated in the first previous illustration, wheat will be worth 50 cents a bushel; if, on the other hand, one-half of that wheat is being withheld from the market and there is only a turnover in 10 bushels of the wheat, other conditions remaining as in the first illustration, wheat will be worth $2 a bushel. Or, expressed in the generalization mentioned heretofore in these remarks, there is a constant ratio between the volume of production and turnover and the volume of money and credits and their circulation. So that if your index number of general price levels remains constant, you are assured that your volume of money and credits are expanding only in proportion as production and turnover expands—that is, only in proportion to the legitimate needs of business—and you can be assured that when you restrain the rise of the index number you are restraining credits beyond the legitimate necessities of business, you are restraining unhealthy and abnormal production, and you are restraining business expansion within wholesome limits and stopping in its inception overproduction, waste, speculation, and collapse.

The basis of our monetary system is gold; our entire credit structure is based on gold. Now, let's assume that all the gold is withdrawn from circulation, gold certificates being substituted; and let's assume that we start with a reserve of $1,000,000 in gold at the present number of grains of pure gold in the dollar, and that the index number goes up 1 per cent, indicating that our money and credit structure is expanding more rapidly than our production and turnover. If we then increase the theoretical gold content in a dollar by 1 per cent, we have reduced our gold reserve from $1,000,000 to $990,000 and the possibilities of our credit structure by 1 per cent, which in turn tends to reestablish the normal ratio between production and turnover on one side and money and credit in circulation on the other.

Without going into the details of the proposed legislation, the above illustrations will serve to indicate its theory. Now, the question arises, Is such legislation possible at this time? The law requires us to maintain our gold reserves at 40 per cent. We now have about 82 per cent, and in order to make this plan feasible without unduly weighting the dollar it will be necessary to legislate for a required gold reserve of about 70. It is, therefore, difficult to have passed such legislation at this time, but in the various discussions concerning stabilization caused by this proposed legislation various alternatives have been suggested, such as a legislative direction by Congress to the Federal Reserve Board to have raised rediscount rates in the Federal reserve banks when the index number is rising and reduce them when the index number is falling and in that way tend on the one hand to discourage unhealthy expansion and on the other hand to make money easy when business is not so good and thus tend to stimulate it. Another proposal is legislation requiring the Federal Reserve Board to have the reserve banks put securities on the market and thus tend to draw money from active circulation when the index number is rising and to buy them up and thus put money in circulation for business when the index number is falling.

In considering the necessity of legislation let us go over for a minute what happened in 1923. At that time the mental attitude of the country regarding economic conditions was the attitude of a people who had just been through a period of unhealthy inflation and drastic and stupefying deflation and corresponded to the way people feel about a war just after the war is over. We would never have wars if people kept in the same frame of mind they are in just after one is over. In 1923 we were cautious, not because we are habitually wise enough to be cautious but because and only because we had just had our lesson. Various banks in their monthly letters during 1923 gave reminders of the disasters of 1920; the monthly letter of the National City Bank of New York, for example, one of the most widely read of economic bulletins, in January advised business men to operate with caution. In February, it remarked that business men "are following conservative policies and showing little inclination to become extended, which is the part of wisdom in present conditions." In March, it warned its readers that every upward movement is in danger of running away. In April, it again called attention to the danger of inflation. "The industries of the country," it declared, "are already working practically at capacity or to the limit of the labor supply. Under this condition they can not use more credit to advantage."

These warnings are typical of the state of mind of bankers in the early months of 1923. In February and March, 1923, the reserve banks of New York, Boston, and San Francisco raised their rediscount rates. Due in part to this action, interest rates of commercial banks rose in February and again in March, rates on call loans on 60 to 90 day paper and on 4 to 6 months paper being all higher in March than in any month of the previous year. Raising of money rates was followed promptly by curbing of the upward movement of prices and overproduction. Not so generally understood is the fact that the open market operations of the Federal reserve banks in the first half of 1923 tended to curb the involuntary movement and in the second half of the year tended to sustain business on its new level. Early in January the Federal reserve banks held open-market acceptances and United States securities to the value of $734,000,000. These they reduced steadily throughout the period of incipient business boom. By July the total holdings were less than $300,000,000. Between October 17 and the end of the year, however, the holdings increased from about three hundred million to four hundred and seventy-three million dollars. Thus the open-market operations took money out of general circulation at a time when, according to our indices, money in circulation was increasing faster than the volume of trade, and later in the year when these same guides began to point in the other direction the open-market operations put more money into circulation. We were cautious in 1923 because we had had a recent lesson. We will be less cautious as time goes by, and in a very short time when credit begins to be demanded all over the country for developments of all sorts the Federal Reserve Board, without express legislative authority, will not be able to restrain a period of inflation greater, probably, than any we have ever known. In 1920, with our gold reserve down to 43.4 per cent, the index number was 226, or two and one-fourth times higher than in 1914. In 1922, with a reserve percentage of 77.9, the index number fell to 149. With the present reserve percentage of 82 per cent, the index number of wholesale prices is about 160, so that a determined demand for credit based on

our gold reserve could pull our reserve percentage down to 45, probably, before it could be stopped. The index number would rise to around 300, which would mean prices higher than this country has ever seen, and which would result in an economic collapse greater than that of 1921 and 1922. This problem, my friends, is on the very verge of being solved, but we can't wait too long. As I said before, human memory is short. Unless our obligations as a world power and a leader of civilization are fulfilled shortly, the gradual abolition of war never can be achieved until the lessons of the next war direct the human mind to the solution of the problem, and unless we have promptly some legislation looking to real scientific monetary stability, it will be too late until the next so-called business cycle has left in its wake its dreadful toll of economic waste, misery, and human despair.

I, personally, am an optimist. When I compare conditions now with what they were 30 years ago, I see tillage where there was swamp; I find sewers taking the place of unhealthy, insanitary conditions; I find the people willing to spend thousands of dollars a year to build roads to lighten the human burden and to draw the city, the town, and the country ever closer together; I find the body of the child taken care of in a manner undreamed of 30 years ago, and I see a public endeavor to surround with the beneficence of education every class from the highest to the lowest, and if you and I live out the normal span of our lives I have no doubt whatever that we will look back and wonder why we were ever short-sighted enough to allow a condition of constantly changing money value to exist without making the necessary changes in our system. A problem like the one we are discussing to-day is a problem of democracy, a democracy which is one in fact and not one in name only; a democracy which demands that that which one has accumulated by his industry and his endeavor shall not be taken away from him because of a fall in the value of the medium of exchange, and that the results of human toil shall not be dissipated and the toiler left in his despair because of an increase in the value of the medium of exchange.

In the course of some litigation several years ago a certain prominent manufacturer said during his cross-examination that he knew nothing of history and didn't recognize the value of such knowledge. This was either an ill-considered statement or else was the result of the kind of practical success along a given line which creates in some minds the obsession that they are blessed with all wisdom, an obsession which interferes with the process of reflection.

In an address delivered at the University of Michigan in April, 1911, on the study of ancient literature, the Hon. James Bryce, then ambassador to this country from Great Britain, had this to say concerning the study of history:

> "We can conjecture the future only from what we know of the past; that is to say, from what we know of human nature and the processes by which it and human institutions change. One who knows only his own country and people does not really know them, because it is only by knowing something of other countries and their peoples that he can tell which characteristics of his own people are normal, generally present in all peoples, and which are peculiar to his own. So likewise he who knows only his own time does not really know it, for he can not distinguish between characteristics that are transient and those that are permanent. This is the main use of history besides, of course, the pleasure which all knowledge gives. To know what we are, we must know how we came to be what we are, and must realize that we shall before long pass into something different."

The lessons of history teach of the cycle, inevitable under our present monetary system—expansion, inflation, speculation, collapse, slow recovery. Stabilization, restraining expansion at the point of overproduction and consequent inflation, is not only an economic problem the solution of which our people are ready to undertake, but is clearly a direct problem of civilization involving self-restraint and mental and spiritual elevation.

The great body of bankers, representing as they do much of the best thought of our communities, are bound to be conservative in the sense that they shrink from political nostrums and fundamentally unsound economic proposals, but pure conservatism is alike offensive to them, as it means stagnation and a refusal to note the march of civilization.

In the language of Edward G. Ryan, the great Wisconsin lawyer and judge—

> "Pure conservatism is always wrong, civilization is never fixed. No Joshua has power to stay the course of the human mind. Change is the necessity of human history, progress the duty of the human race. Pure conservatism has no place in the annals of mankind. It concedes the past, but denies the future. It worships the actual, but anathematizes the possible. Its creed is the present because it is the present. It holds with Pope that whatever is, is right. It is the bigot of the present, without sympathy with the past or prophecy of the future. Content where it finds itself, pure conservatism sits down by the wayside, while the march of civilization passes by and presses on the promised land of the future, guided on its dark way by faith in the destiny of man as by a pillar of fire."

FEDERAL RESERVE SYSTEM

Mr. FULMER. Mr. Speaker and gentlemen of the House, some time ago I introduced in the House H. R. 8206, which proposes to amend the Federal reserve act, and reads as follows:

> The Federal reserve banks are hereby obligated and required to pay every bank, banking association, or trust company which is or which becomes a member of any Federal reserve bank interest at the rate of 2 per cent per annum on all realized balances, whether reserve or otherwise.

The Federal reserve act was passed in the year 1913, but has been amended on several occasions since. I shall not go into details as to the organization of these banks or as to the selection of directors, boards, and so forth, but I do want to call your attention to paragraph 2 of section 2 of the act, which reads thus:

> Any national bank failing to signify its acceptance of the terms of this act within 60 days aforesaid shall cease to act as a reserve agent, upon 30 days' notice, to be given within the discretion of the said organization committee or of the Federal Reserve Board.
>
> Should any national banking association in the United States now organized fail within one year after the passage of this act to become a member bank or fail to comply with any of the provisions of this act applicable thereto, all of the rights, privileges, and franchises of such association granted to it under the national bank act or under the provisions of this act shall be thereby forfeited.

Now, gentlemen, this will establish in your minds how the national banks of the country were taken over and how they had to become submissive to the provisions of the act or cease to be a national bank, thereby forfeiting the privileges given national banks under the national bank act prior to the passage of the Federal reserve act. National banks were required to subscribe to the capital stock of the Federal reserve banks to the amount of 6 per cent of their capital and surplus and to pay in 3 per cent, leaving the remaining 3 per cent unpaid but subject to the call of the reserve banks. On this capital stock members received 6 per cent, which is very satisfactory.

Every bank, banking association, or trust company located outside of a reserve or central reserve city which is or which becomes a member of any Federal reserve bank shall establish and maintain certain reserve balances with its Federal reserve bank, namely, 7 per cent of its demand deposits, which deposits are subject to immediate check by its customers, and 3 per cent of its time deposits. Time deposits include savings accounts and certificates of deposit on which all banks in this class pay from 3 to 5 per cent interest to their customers.

These deposits are carried with the system by member banks without any returns whatsoever therefrom. I might say in passing that these balances at this time amount to about two billions of dollars, in round numbers, and they do not cost the Federal reserve banks one penny in the way of interest. It is also true that member banks are not allowed an average balance. That is, sometimes the balances carried by member banks may run a little below to-day and a little above to-morrow, but will average the required amount per month. On the other hand, if their balances should run below, even for one day, they are charged from 6 to 12 per cent on account of short reserves. From this source alone there has gone into the coffers of the system millions of dollars, which should be returned to these members. Here are the figures: For the year 1921, $1,177,562; 1922, $602,951; and 1923, $521,061. Total for the three years, $2,301,574.

For the past three years a great many banks in the agricultural districts have found it extremely difficult to maintain their required reserves, carry a balance with their correspondent bank, and sufficient cash in their vaults to enable them to keep their doors open. Gentlemen here who know nothing of the practical or actual operation of banks but who can only see the viewpoint of certain statisticians who are well paid to paint pictures of the Federal reserve banks and member banks which readily attract the eye, but are not true in every sense, can hardly grasp the true situation. For an instance they tell you that country banks carry less money in their vaults to-day than they did years ago, and that the reserve requirements with the system is considerably less than what they had to carry with their correspondent banks in the old days. This is true in part only. Country banks—and when I say country banks, I refer to two classes of banks, namely, the large city banks outside of reserve or central reserve cities yet classed as country banks, and the real "one-horse town, crossroad, agricultural, sure enough country bank." These country banks with capital from twenty-five to one hundred thousand, operating in small towns but serving the great farming sections of America, carry more money to-day in their vaults, with their

reserve banks and with their correspondent banks than they did in the old days. Why? Because in the old days their balances carried with their correspondent banks would vary from any small amount to whatever amount they had to carry and there was no kick coming and no penalty attached. They carry more money in their vaults to-day than in the old days because of the failure of so many banks, customers who usually would either make deposits or accept cashier's checks now call for the ready cash. These banks have to have it on hand or it would not be long before their doors would be closed on account of reports of short cash and a run on the bank.

The statement just made by me relative to the increased amount of cash carried in the vaults of country banks is backed by the following statement made by the Comptroller of the Currency, and will be found on page 29 of his 1923 report:

Cash in the vaults of national banks was increased in the year 1923 $30,000,000, in round numbers.

Now, this applies to country national banks, for there would be no excuse for banks located in reserve or central reserve cities to increase their holdings in their vaults, because their cash on hand could be replenished daily because of their proximity to Federal reserve banks or branches thereof.

During this Congress I have received letter after letter from bankers telling of various amounts they have had to pay because of short reserves, which they could not possibly keep up and keep their doors open. One bank from Minnesota says, "I had to pay $1,000 during 1923"; and there are hundreds of others in this same category.

I want it understood now that I am not kicking about the Federal reserve act as passed by Congress in 1914, but I am against the administrators of the act who have formulated rules and regulations that are paralyzing country banks to-day and which were undreamed of at the time of its passage. The system was not originally planned to enter into banking business in a wholesale way but to act as a reservoir, an insurance policy against panics, and to keep every section of the country supplied with available cash. I expect to show you at a later day that under the policy inaugurated May 18, 1920, the reverse has happened.

I shall now give you some figures, which will clearly demonstrate why the system can not pay 2 per cent on members' balances. The following figures will show you how it is growing in officers, employees, and expenses. From year to year its expenses are being increased in the taking away from members certain beneficial and inexpensive functions. Some of these functions are helpful to the large banks, but practically in every instance they are against the interests of the country banks:

Officers and employees

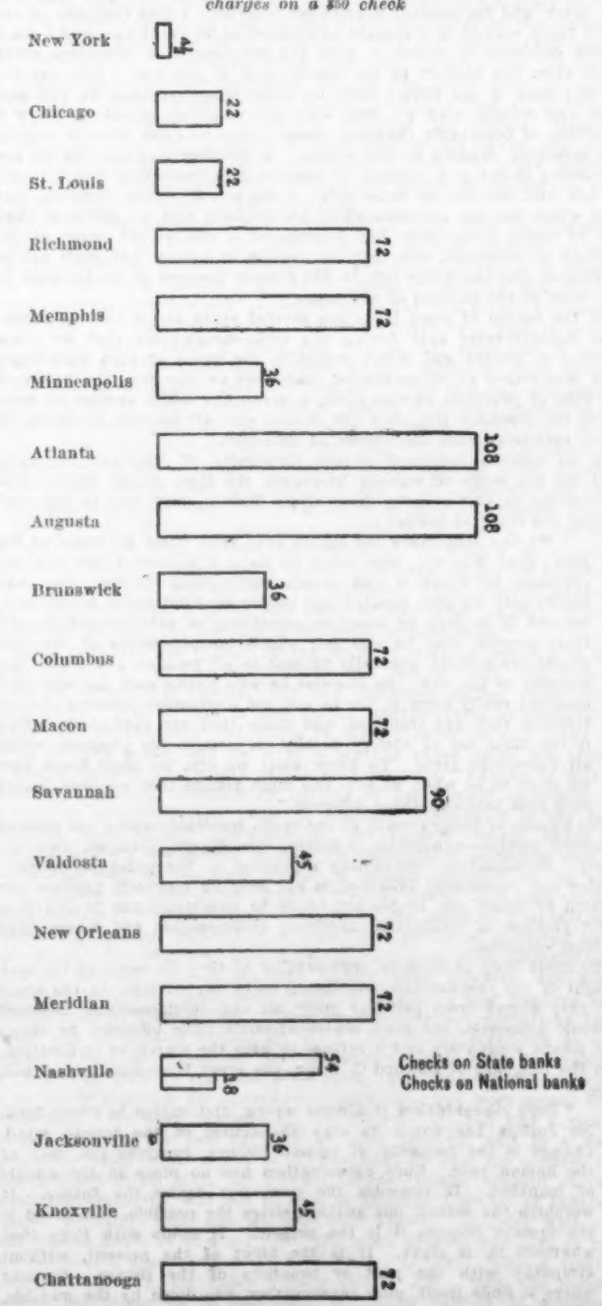
	Employees			Salaries		
	1915	1920	1923	1915	1920	1923
Chairman and Federal reserve agents	12	12	12	$118,000	$225,250	$229,000
Governors	12	12	12	189,500	274,000	309,000
Other officials (officers)	26	237	312	133,978	1,392,273	2,019,570
Employees, banking department	3,000	9,301	10,044	5,000,000	11,725,650	13,603,362
Federal Reserve Board				207,723	712,044	726,428
Total	3,050	9,562	10,380	5,956,924	15,041,261	17,613,788

In the old days these banks that I am talking about received immediate credit from their correspondent banks for their remittances, subject immediately as a reserve balance or subject to immediate checking. Now what happens in trying to keep up their reserves and funds to take care of their items coming through the system? Immediate credit is withheld in what the system calls a "float," from two to eight days elapsing, according to the time required in collecting each item. Thus you may have five thousand or fifty thousand dollars held up in the air by the system. In the meantime should your required reserve balance fall short you receive a telegram "collect" telling you about it, and the member bank is also penalized from 6 to 12 per cent. It should be borne in mind, too, gentlemen, that these remittances, which consist of various checks deposited by members customers, have already been credited to such customers. The member banks are required to pay reserve on same from the day so credited. The banks on which these out-of-town checks are drawn have these same amounts on deposit and have to carry reserve balances also with the system, which is but highway robbery, to say the least of it. Yet we are told by the Federal Reserve Board and by Mr. McFADDEN, chairman of Banking and Currency Committee, that this is scientific banking.

Gentlemen, no doubt you have received letters from various large banks of the country advising you to let the system alone; that it does so many things for members, and that they are tickled to death with the service rendered. They do not inform you that these large banks of the country are organized and have located in the United States 299 clearing houses which take care of them by charging exchange or service charges for handling checks and for interest losses caused by this float of from two to eight days. Country banks have not these organizations, neither can they charge their customers, who deposit with them, a service charge or exchange to take care of collecting items or of the loss of interest in this float.

Now, I purpose to insert in the RECORD a chart which will show you the per annum interest rates for one day based on minimum clearing-house charges on a $50 check:

Per annum interest rates for one day based on minimum clearing-house charges on a $50 check



No, they are not kicking about the "float." They make the other fellow pay the bill as you will readily observe from these

figures which vary in different cities according to their contracts. For an instance, New York at a rate of 4½ per cent; Chicago collects 22 per cent; Savannah 90 per cent; and Atlanta, the home of the Atlanta Federal Reserve Bank, charges its customers 108 per cent per annum for one day's delay in collecting checks deposited or collected through its bank. New York collects 4½ per cent per annum as interest for two days on a $50 check; Richmond 36 per cent per annum; Atlanta 54 per cent per annum. When we consider the millions of items handled and the millions of dollars received as collections because of these extortionate rates, we are not surprised at such enormous profits on the part of these big banks and so much poverty on the part of the banks for which I am pleading, and which can not collect a reasonable wage for services rendered.

Country banks formerly received a reasonable exchange for rendering a service to large banks by collecting and remitting for their items. But now these scientific bankers have caused their pet, the system, to take on another function—the collection of all items on member banks while member banks are required to do this work free of charge. This exchange item alone formerly brought from $500 to $2,000 per annum to country banks which contributed largely towards paying their expenses. Now they have to employ additional help, purchase additional stationery and stamps on account of increasing business from year to year and then collect items on every nook and corner of the earth free of charge for the big banker routed through the system. Yet these big bankers who seem to be able to dictate the policies of the system tell you that it is doing a fine service in collecting all of our items free. Yes; but look what they are doing (things that country banks can not do) that they do not advertise to Members of Congress.

I want you to take a look at this scientifically arranged scale of charges that these large city banks are collecting for items from these same country banks, State banks, and customers while thousands of country banks that are penalized by the system are going broke or dragging along and can not either charge off bad debts or pay dividends!

Clearing-house charges in Federal reserve districts

Districts and cities	Scale of charges	
Boston, city	One-tenth and one-fourth of 1 per cent.	One-tenth and one-fourth of 1 per cent.
New York City	One-tenth, one-twentieth, one-fortieth of 1 per cent representing the equivalent of 4½ per cent interest.	4½ per cent interest.
Richmond, city	Checks drawn on nonpar banks in fifth and sixth districts. These charges apply only to checks deposited by individuals, firms, and corporations.	One-eighth of 1 per cent.
Wilmington, N. C.	Outside city of Wilmington:	
	Items under $50	10 cents.
	Items of $50 and up to $100	25 cents.
	Items over $100 and under $800	One-fourth of 1 per cent.
	Items of $800 and over	One-eighth of 1 per cent.
	A fine of $500 is imposed on each violation.	
Chicago, city	Items under $50	5 cents.
	Items over $50	3 cents, plus 4½ cent interest.
St. Louis, city	Items under $100	5 cents.
	Items over $100	6 per cent, but minimum of 3 cents; one-tenth to be added in case of nonpar banks.
Memphis, Tenn	23 States	Three-twentieths of 1 per cent.
	26 States	One-fifth of 1 per cent.
Minneapolis, city, and St. Paul.	Items under $25	3 cents.
	Items over $25 to $200	5 cents.
	Items over $200	4½ per cent interest.
	Items from $100 to $200	5 cents.
	Items from $200 to $500	10 cents.
	Items from $500 to $1,000	25 cents; 5 cents additional for every $100.
Portland, Tacoma, Seattle, Spokane.	Items under $50—Oregon, Idaho, Montana, and Washington.	3 cents.
	Items from $50 to $100—Oregon, Idaho, Montana, and Washington.	5 cents.
	Items under $100 (all other points)	5 cents.
	Items over $100, 2-day point	One-twentieth (equal 9 per cent).
	Items over $100, 4-day point	4½ per cent.
	Items over $100, 8-day point	2½ per cent.
Atlanta	On each item up to $25	10 cents.
	On each item from $25 to $50	15 cents.
	On each item from $50 to $100	25 cents.
	On each item from $100 to $260	One-fourth of 1 per cent.

Clearing-house charges in Federal reserve districts—Continued

Districts and cities	Scale of charges	
Atlanta	On each item from $260 to $500	65 cents.
	On each item from $500 to $800	One-eighth of 1 per cent.
	On each item from $800 to $1,000	$1.
	On each item over $1,000	One-tenth of 1 per cent.
	These charges apply only to checks deposited by individuals, firms, and corporations. Checks deposited by banks; various arrangements.	
Augusta	Items of $10 and under	Discretionary.
	Items under $50	One-fifth of 1 per cent; minimum charge, 15 cents.
	Items from $50 to $75	20 cents.
	Items from $75 to $100	25 cents.
	Items from $100 to $500	One-fourth of 1 per cent; minimum charge, $1.
	Items from $500 to $1,000	$1.
	Items of $1,000 and over	One-tenth of 1 per cent.
Brunswick	One-tenth of 1 per cent on aggregate total of checks deposited any one day.	Do.
Columbus	Items $25 and under	5 cents.
	Items $25 to $50	10 cents.
	Items $50 to $100	15 cents.
	Items $100 to $250	20 cents.
	Items $250 to $400	25 cents.
	Items $400 and over	One-eighth of 1 per cent.
	On any one check of $1,000 or over	75 cents per $1,000.
Macon	Items $10 and under	5 cents.
	Items $10 to $50	10 cents.
	Items $50 to $100	15 cents.
	Items $100 and over	One-eighth of 1 per cent.
Savannah	26 States	One-fourth of 1 per cent.
	9 States	One-half of 1 per cent.
	13 States (which is the New York City rate plus from one-twentieth to one-tenth).	One-tenth of 1 per cent.
	Certain cities	One-tenth to three-sixteenths.
Valdosta	One-eighth of 1 per cent	One-eighth of 1 per cent.
New Orleans	Minimum charge any one item	5 cents.
	Items collectible through Federal reserve system.	One-twentieth to three-twentieths.
	Items not collectible through Federal reserve system.	Three-twentieths to one-fourth.
Meridian	Minimum charge	One-tenth of 1 per cent
	Rates to be determined by place of payment and customer's balance.	
Nashville	Federal reserve districts	1 to 8.
	National banks	One-twentieth.
	Also States of Michigan and Wisconsin.	One-tenth.
	State banks except States of Alabama, Arkansas, Florida, Georgia, Mississippi, North and South Carolina, Tennessee, which are subject to charge of.	Do
	Federal reserve districts	Three-twentieths of 1 per cent.
	National banks	9 to 12.
	State banks	One-tenth of 1 per cent.
	Also Louisiana	One-fifth of 1 per cent.
Jacksonville	All items received for deposit payable in Tennessee, Georgia, Alabama, Mississippi, North Carolina, South Carolina, Florida, and all States west of the Mississippi River.	One-tenth of 1 per cent; minimum charge of 10 cents.
Knoxville	One-eighth of 1 per cent	One-eighth of 1 per cent.
Chattanooga	Alabama, Florida, Georgia, South Carolina, Tennessee, Kentucky, North Carolina, Louisiana, Mississippi, Virginia, and West Virginia. No information regarding States west of the Mississippi. These charges made simply under a general understanding and no penalties are provided in case of noncompliance.	One-tenth of 1 per cent.
Vicksburg	No fixed charges	
Tampa	do	

You will notice that the clearing house at Wilmington, N. C., has as one of its laws, "any member bank of said clearing house violating or refusing to collect these specially arranged charges shall be fined $500." Now, as stated to you, the system has taken on the collection of checks and has taken away from country-member banks the exchange privileges formerly enjoyed by them. They are forced to collect checks on every nook and corner of the earth free of charge, while (as shown by these exchange and per annum interest rates

charts) the larger banks are collecting millions. In the meantime, gentlemen, the taking over of this new function which is paralyzing country banks, is costing the system millions of dollars.

Now, let's see what this new function or department is really costing it and who pays the freight. From July to December 31, 1922, the cost to the system was $2,765,514; in the year 1923 the cost reached the enormous sum of $5,742,220. These figures represent direct cost and do not include any amounts for rent, heat, light, fuel or power, or any proportion of the salaries paid to general and administrative officers whose time is not devoted primarily to supervising and handling of detailed operations of the bank.

This is clearly another good reason why the system can not pay 2 per cent on members' balances. I am not kicking about any legitimate charges made by the larger banks in the matter of exchange; neither are the country banks kicking on this score, but they are kicking and rightly so about this "float"—refusal of immediate credit for their remittances, and the taking away from them of a reasonable wage for services rendered in collecting for the large banks who are well fortified against this "float" and against free collections by the system.

CLEARING HOUSE ASSOCIATIONS LOCATED AT THE FOLLOWING POINTS IN THE VARIOUS FEDERAL RESERVE DISTRICTS OF THE UNITED STATES OF AMERICA

FIRST DISTRICT

Bangor, Me.; Portland, Me.; Manchester, N. H.; Providence, R. I.; New Bedford, Mass.; Boston, Mass.; Fall River, Mass.; Holyoke, Mass.; Lowell, Mass.; Springfield, Mass.; Hartford, Conn.; New Haven, Conn.; Waterbury, Conn.; Lynn, Mass.; Worcester, Mass. (15).

SECOND DISTRICT

Albany, N. Y.; Buffalo, N. Y.; Jamestown, N. Y.; Syracuse, N. Y.; Stamford, Conn.; Binghamton, N. Y.; Elmira, N. Y.; Rochester, N. Y.; New York City, N. Y.; Montclair, N. J.; Newark, N. J.; Orange, N. J.; Passaic, N. J.; Phillipsburg, N. J. (14).

THIRD DISTRICT

Allentown, Pa.; Altoona, Pa.; Easton, Pa.; Johnstown, Pa.; Lebanon, Pa.; Scranton, Pa.; Williamsport, Pa.; Atlantic City, N. J.; Camden, N. J.; Trenton, N. J.; Wilmington, Del.; Reading, Pa.; Wilkes-Barre, Pa.; Harrisburg, Pa.; Chester, Pa.; Hazleton, Pa.; Lancaster, Pa.; Morristown, Pa.; York, Pa.; Philadelphia, Pa. (20).

FOURTH DISTRICT

Cincinnati, Ohio; Akron, Ohio; Cleveland, Ohio; Dayton, Ohio; Hamilton, Ohio; Lima, Ohio; Springfield, Ohio; Lorain, Ohio; Youngstown, Ohio; Lexington, Ky.; Paris, Ky.; Greensburg, Pa.; Franklin, Pa.; New Castle, Pa.; Oil City, Pa.; Canton, Ohio; Mansfield, Ohio; Connellsville, Pa.; Butler, Pa.; Erie, Pa.; Homestead, Pa.; New Brighton, Pa.; Pittsburgh, Pa.; Columbus, Ohio; Toledo, Ohio; Wheeling, W. Va. (26).

FIFTH DISTRICT

Asheville, N. C.; Charlotte, N. C.; Greensboro, N. C.; Raleigh, N. C.; Wilmington, N. C.; Washington, D. C.; Spartanburg, S. C.; Cumberland, Md.; Baltimore, Md.; Frederick, Md.; Hagerstown, Md.; Charleston, S. C.; Columbia, S. C.; Greenville, S. C.; Charleston, W. Va.; Huntington, W. Va.; Newport News, Va.; Norfolk, Va.; Roanoke, Va.; Richmond, Va. (20).

SIXTH DISTRICT

Birmingham, Ala.; Dothan, Ala.; Mobile, Ala.; Augusta, Ga.; Montgomery, Ala.; Meridan, Miss.; Jackson, Miss.; Vicksburg, Miss.; Tampa, Fla.; Savannah, Ga.; Brunswick, Ga.; Albany, Ga.; Atlanta, Ga.; Columbus, Ga.; Cordele, Ga.; Elberton, Ga.; Hawkinsville, Ga.; Macon, Ga.; Newnan, Ga.; Valdosta, Ga.; Chattanooga, Tenn.; Knoxville, Tenn.; Nashville, Tenn.; Gainesville, Fla.; Jacksonville, Fla.; Pensacola, Fla.; Ocala, Fla.; New Orleans, La.; Washington, Ga.; Rome, Ga. (30).

SEVENTH DISTRICT

Ann Harbor, Mich.; Bay City, Mich.; Battle Creek, Mich.; Detroit, Mich.; Flint, Mich.; Grand Rapids, Mich.; Jackson, Mich.; Kalamazoo, Mich.; Pontiac, Mich.; Saginaw, Mich.; Fort Wayne, Ind.; Gary, Ind.; Hammond, Ind.; Muncie, Ind.; Indianapolis, Ind.; Bloomington, Ill.; Aurora, Ill.; Chicago, Ill.; Danville, Ill.; La Salle, Ill.; Lincoln, Ill.; Moline, Ill.; Peoria, Ill.; Rockford, Ill.; Rock Island, Ill.; Decatur, Ill.; Springfield, Ill.; South Bend, Ind.; Terre Haute, Ind.; Lansing, Mich.; Cedar Rapids, Iowa; Davenport, Iowa; Des Moines, Iowa; Dubuque, Iowa; Mason City, Iowa; Oelwein, Iowa; Osage, Iowa; Muscatine, Iowa; Sioux City, Iowa; Waterloo, Iowa; Webster City, Iowa; Green Bay, Wis.; Madison, Wis.; Oshkosh, Wis.; Milwaukee, Wis. (45).

EIGHTH DISTRICT

Brookfield, Mo.; Chillicothe, Mo.; Hannibal, Mo.; Sedalia, Mo.; Springfield, Mo.; St. Louis, Mo.; Jacksonville, Ill.; Quincy, Ill.; Bowling Green, Ky.; Glasgow, Ky.; Henderson, Ky.; Louisville, Ky.; Owensboro, Ky.; Memphis, Tenn.; Texarkana, Ark.; Cape Girardeau, Mo.; Evansville, Ind.; New Albany, Ind.; Greenville, Miss.; Helena, Ark.; Hot Springs, Ark.; Little Rock, Ark.; Pine Bluff, Ark. (23).

NINTH DISTRICT

Aberdeen, S. Dak.; Sioux Falls, S. Dak.; Faribault, Minn.; Duluth, Minn.; Redwing, Minn.; St. Paul, Minn.; Winona, Minn.; Dickinson, N. Dak.; Fargo, N. Dak.; Grand Forks, N. Dak.; Jamestown, N. Dak.; Minot, N. Dak.; La Crosse, Wis.; Superior, Wis.; Billings, Mont.; Great Falls, Mont.; Helena, Mont.; Lewistown, Mont.; Minneapolis, Minn.; Rochester, Minn. (20).

TENTH DISTRICT

Hutchinson, Kans.; Atchison, Kans.; Emporia, Kans.; Independence, Kans.; Kansas City, Kans.; Lawrence, Kans.; Leavenworth, Kans.; Manhattan, Kans.; Parsons, Kans.; Pittsburg, Kans.; Topeka, Kans.; Wichita, Kans.; Bartlesville, Okla.; Enid, Okla.; Guthrie, Okla.; Lawton, Okla.; McAlester, Okla.; Muskogee, Okla.; Oklahoma City, Okla.; Okmulgee, Okla.; Tulsa, Okla.; Kansas City, Mo.; Joplin, Mo.; St. Joseph, Mo.; Casper, Wyo.; Cheyenne, Wyo.; Colorado Springs, Colo.; Grand Junction, Colo.; Denver, Colo.; Pueblo, Colo.; Fremont, Nebr.; Grand Island, Nebr.; Lincoln, Nebr.; Omaha, Nebr.; Nebraska City, Nebr. (35).

ELEVENTH DISTRICT

Amarillo, Tex.; Beaumont, Tex.; Corsicana, Tex.; Dallas, Tex.; El Paso, Tex.; San Antonio, Tex.; Ennis, Tex.; Fort Worth, Tex.; Galveston, Tex.; Houston, Tex.; Palestine, Tex.; Sherman, Tex.; Waco, Tex.; Austin, Tex.; Roswell, N. Mex.; Tucson, Ariz. (16).

TWELFTH DISTRICT

Bakersfield, Calif.; Berkeley, Calif.; Long Beach, Calif.; Los Angeles, Calif.; Pasadena, Calif.; Riverside, Calif.; Sacramento, Calif.; San Francisco, Calif.; Santa Barbara, Calif.; Santa Monica, Calif.; Huntington Park, Calif.; San Diego, Calif.; Oakland, Calif.; Stockton, Calif.; San Bernardino, Calif.; Boise, Idaho; Pocatello, Idaho; Twin Falls, Idaho; San Jose, Calif.; Fresno, Calif.; Reno, Nev.; Phoenix, Ariz.; Eugene, Oreg.; Medford, Oreg.; Cache Valley Banks, Utah; Ogden, Utah; Salt Lake City, Utah; Bellingham, Wash.; Ritzville, Wash.; Seattle, Wash.; Spokane, Wash.; Tacoma, Wash.; Yakima, Wash.; Walla Walla, Wash.; Portland, Oreg. (35).

I will now call to your attention another chart or scale of figures which will show you the rate of interest per annum collected by these banks in the way of exchange according to rates, size of checks, and number of days required in collecting (from one to eight days). Just think of it, 10 cents out of a $25 check for one day means 144 per cent per annum. Fifteen cents out of a $50 check for one day means 108 per cent per annum. Just think about the thousands of checks handled and the thousands realized thereon. You will be surprised to know the large percentage of small checks out of the total number of checks handled by banks. These small checks draw the larger per cent as you have noticed in the chart just brought to your attention.

Per annum interest rates as charged by clearing houses in some cities in the sixth Federal reserve district

ATLANTA

	1 day	2 days	3 days	5 days	8 days
	Per cent	*Per cent*	*Per cent*	*Per cent*	*Per cent*
$25 at 10 cents	144	72	48	28.8	18
$50 at 15 cents	108	54	36	21.6	13.5
$100 at 25 cents	90	45	30	18	11.25
$260 at one-fourth of 1 per cent	90	45	30	18	11.25
$500 at 65 cents	46.8	23.4	15.6	9.3	5.8
$800 at one-eighth of 1 per cent	45	22.5	15	9	5.6
$1,000 at $1	36	18	12	7.2	4.5
$1,000 and over, one-tenth of 1 per cent	36	18	12	7.2	4.5

AUGUSTA

$50 at 15 cents	108	54	36	21.6	13.5
$75 at 20 cents	96	48	32	19.2	12
$100 at 25 cents	90	45	30	18	11.25
$200 at one-fourth of 1 per cent	90	45	30	18	11.25
$1,000 at $1	36	18	12	7.2	4.5
$1,000 and over, at one-tenth of 1 per cent	36	18	12	7.2	4.5

COLUMBUS

$25 at 5 cents	72	36	24	14.4	9
$50 at 10 cents	72	36	24	14.4	9
$100 at 15 cents	54	27	18	10.8	6.75
$250 at 20 cents	28.8	14.4	9.6	5.7	3.6
$400 at 25 cents	22.5	11.25	7.5	4.5	2.8
$500 at one-eighth of 1 per cent	45	22.5	15	9	5.6
Single check, $1,000 or over, at 75 cents	27	13.5	9	5.4	3.4

Memphis (Tenn.) clearing-house charges on each $100

	1 day	2 days	3 days	4 days	5 days	6 days	7 days	8 days
Per cent of 1 per cent: 3/20...$100 at 15 cents.	Per cent 54	Per cent 27	Per cent 18 Ark. Miss. Mo. Tenn.	Per cent 13.5 Del. Ill. Ind. Ky. Pa. Ohio.	Per cent 10.8 Conn. Kans. Me. Mass. Md. Mich. N. H. N. Y. N. J. R. I. Vt. Wis.	Per cent 9	Per cent 7.7	Per cent 6.75
1/5...$100 at 20 cents.	Per cent 72	Per cent 36	Per cent 24	Per cent 18 Iowa.	Per cent 14.4 Ala. Ga. Minn. Nebr. Okla. Va.	Per cent 12 Colo. Fla. La. N. C. N. D. S. C. S. D. Tex. W. Va.	Per cent 10.3 Ariz. Calif. Mont. Nev. N. Mex. Utah. Wyo.	Per cent 9 Idaho. Oreg. Wash.

MINIMUM CHARGE

In case the charge on any item in the rates above specified does not equal 10 cents, the collecting bank shall not charge less than that amount, but all the items received from any one person at the same time may be added together and treated as one item, for the purpose of fixing the amount chargeable.

The following figures are based on the number of items handled drawn on banks in the New York district by the New York Federal Reserve Bank on July 10, 1923

Amount of each item	Number	Percentage handled in each group
		Per cent
1 cent to $25	126,750	57
$25.01 to $50	39,342	17
$50.01 to $100	29,658	13
Over $100	27,880	13
Total number handled	223,630	100

A statement from the Federal reserve bank shows that 59 per cent of the items drawn on banks of the Richmond district are below $25 and 14.8 per cent are between $25 and $50. This, I think would be a fair average of the country. You will note that 87 per cent of the total number of checks handled that day in New York ranged from 1 cent to and including $100. You will also note from the chart showing the per annum interest rates on one-day checks that such rates range from 144 to 90 per cent per annum on $25, $50, and $100 checks, while that of the remaining 13 per cent of the total ranged from 90 to 26 per cent per annum.

Now, gentlemen, let us be fair. If these things are being done to weed out country banks and centralize money power in these large banks, why use these slow, painful methods? Remember, Mr. Speaker and gentlemen, that every bank that goes down and out not only hits the officers and directors of same, but also every stockholder, many of whom are farmers in the rural districts and small towns. Not only this but millions of deposits go with the going of the bank. Oftentimes these deposits represent a lifetime's work and savings of a poor, hard-working family.

I am interested in telling you why this great banking system can not pay 2 per cent on balances. I might say here that these large city banks in general are opposed to the payment of this 2 per cent. Why? Because they are the ones who get free collections. Because of their proximity to their reserve bank they get free shipments of currency. They get exchange and service-charge collections which the great majority of country banks can not take advantage of and perhaps there are a thousand and one other services in their favor. For an instance, "free shipment of gold," as Mr. Mellon says—something, of course, that a country bank does not handle.

The system, as well as the large city bank, delights in telling you about the free shipment of currency to and from members. Why should it take on this function, thereby augmenting its expenses millions of dollars, which comes out of members' profits and is another good reason why it can not pay members 2 per cent on balances? Now, let us see what this really is costing the system and who benefits therefrom.

The records will show shipping charges on currency and coin from the system to member banks and from member banks and nonmember banks to the system during the year 1921 amounting to $928,387; during the year 1922, $1,078,518; during the year 1923, $1,365,502; total for the three years, $3,372,407. This amount represents the actual shipping charges paid out of the profits made out of members' balances furnished free to the system, and practically all of it for the larger banks. Perhaps you want to ask me why this does not apply equally as well to the country banks which I am talking about. The average small-town or agricultural bank being far removed from the system is compelled to have its correspondent bank ship it currency in order to get quick service, perhaps daily service. The reasons are twofold. First, large demands are made on it daily during the marketing seasons of cotton, grain, and so forth, thus making it necessary to order currency daily in order to keep sufficient cash in its vault, a satisfactory balance with its correspondent bank, and to maintain its required reserve. Second, after keeping up these balances and standing for the system's "float," it has not a large balance that can be drawn heavily on at any one time. Now, you may say, why so many balances? Why not do all business through the system? Here is a reason given by one of the best bankers in South Carolina. He says:

> We are obliged to keep an account in Charleston; our customers ship cotton there.

There is no Federal bank in South Carolina, not even a branch bank; hence this account—to get service for cotton shippers. He further said:

> We keep an account in Wilmington, N. C., for the collection of checks throughout this State and a part of North Carolina.

Thus you see this bank has thousands of checks that can not go through the system, and therefore it maintains a balance in Wilmington and gets free collections. Continuing, this banker says:

> We keep an account in Richmond for the collection of items and convenience in dealing with the Federal reserve bank. The only other account we keep is with the Chase National Bank of New York.

Perhaps it may seem strange that country banks in the Richmond district carry an account in Richmond, yet thousands of them do so in order to keep their reserve balances in shape. Practically all country banks have to have a New York correspondent for various reasons. Thousands of them even borrow their money from their New York bank because of the red tape connected with loans from the system. Country and agricultural banks offer the system thousands of dollars worth of paper for rediscount which is turned down, yet this same paper can be passed through New York without a minute's delay.

When you talk with some of the members of the great Banking and Currency Committee of the House and with the Federal Reserve Board they will give you the net earnings of the system, and say, "Look at these figures. It is absurd to think that the system can pay 2 per cent." They do not give you gross earnings nor do they show you the tremendous expense account and franchise tax to the Government. I agree with them absolutely, but I contend that these enormous expenditures for everything on the face of the earth in the way of expense and salaries should make you people who claim to be the representatives of all the people and not of "special interests" blush with shame because of your failure to curb them.

The records show that the gross earnings of the system in 1921 amounted to $123,356,997; in 1922, $51,831,683; in 1923, $50,945,288; total for the three years, $226,132,968. We also find the expenses for the years 1921, 1922, and 1923 amounting to $41,269,772, $35,332,947, and $38,234,002, respectively, or a total of $114,836,721 for the three years. In 1915 the expense account amounted to about one-third of these amounts.

Here is another reason why the system can not pay 2 per cent on balances. It has certain directors scattered over the United States who have just about as much say-so in connection with its management as I have, but these are taken for the same good reason that the average bank would desire some directors scattered around in its immediate territory. The fees and traveling expenses of these directors for the three years 1921, 1922, and 1923 amounted to $168,556, $146,084, and $147,287, respectively. Some travelers!

The original act did not contemplate going into branch banking, but the system now has branches, the expenses of which must be paid by somebody. As previously stated, it was to

function for the Government and be a life-saver for members in times of panic and not be a money-making business. Instead it is the largest money-making business in the country, as well as the largest money spender. Do you not think, gentlemen, if its expenses, salaries, and functions were regulated by the Congress, and if the Federal Reserve Board should manage it like member banks have to manage their banks so as to be able to pay their stockholders a dividend and create a surplus, it could pay 2 per cent on balances? I think so. It now has the following capital, surplus, and balances on which to operate:

Capital furnished by members, $110,000,000, at a cost of 6 per cent.
Surplus made out of members' balances, $220,000,000, free of cost.
Member banks' reserve balances, $2,000,000,000, free of cost.

The rate of interest charged members is 4½ per cent. In 1921 they were charged from 6 to 8 per cent. I am going to tell you at a later date about this deflation policy, which has paralyzed agriculture and caused more individuals and banks to go broke than anything that has ever happened to the country. Do you not think you could take this great mountain of cash and so keep down expenses as to enable you to pay 2 per cent on balances? I think you could.

Here are some additional reasons why the system can not pay 2 per cent. Out of profits made from member banks' money—costing the system nothing save the 6 per cent dividend on the $110,000,000 capital—it has put into—

Buildings, sites (main banks and branches)		$18,331,753
Cost of remodeling buildings		2,481,191
Cost of new buildings, completed and unfinished, including cost of vaults, fixtures, etc		48,554,260
Added thereto is the cost of office furniture:		
Boston	$375,640	
New York	844,756	
Philadelphia	531,637	
Cleveland	799,454	
Richmond	584,864	
Atlanta	287,237	
Chicago	1,143,687	
St. Louis	491,822	
Minneapolis	335,873	
Kansas City	581,581	
Dallas	459,663	
San Francisco	923,638	
		7,359,862
Total		76,727,056

Remember that these buildings, sites, and the surplus belongs to the Government under the law and not to members who furnished the money to make them possible. In other words, if the system should liquidate to-morrow, member banks would not get a penny out of all these resources.

Again, the system can not pay 2 per cent on balances for the still further reason that not being satisfied with taking these profits to build these palaces, it is now taking the profits and using so much thereof each year to liquidate charges on its books known as buildings, fixtures, and so forth. Thousands of country banks would be very glad to make a little extra profit so as to charge off bad debts and pay their employees a decent salary. They are unable to do these things, let alone charge off of their books building and furniture charges.

Although the Government put only $83,000 into the system to set its machinery in motion, yet, as previously stated, it has received from the system $140,000,000 in the way of franchise taxes. Further, 26 per cent of the total expenses of the system is incurred by its acting in the capacity as fiscal agent for the Government, for which service the Government does not pay one cent. In other words, the members furnish capital, surplus, and balances amounting to $2,333,000,000, practically all of which is furnished free of charge. The Government gets free service to the extent of 26 per cent of the total expenses of the system, all of which, including the franchise tax, is but an indirect tax on members. I submit that this is wrong.

Still another reason why the system can not pay 2 per cent on balances is because of extravagance in expense accounts, salaries, and so forth. Here I want to put into the RECORD a list of salaries paid certain officers of the Federal Reserve Bank of New York, which shows a steady increase in salaries from the time of their employment, November, 1914, to 1920–21. In some instances 500 per cent increase is shown. These increases are typical of corresponding increases in other Federal reserve banks:

Benjamin Strong	$30,000 to $50,000
Pierre Jay	16,000 to 30,000
J. H. Case	20,000 to 30,000
E. R. Kenzel	4,000 to 25,000
L. F. Sailer	7,000 to 25,000
G. L. Harrison	4,000 to 22,000
Francis Oakey	——— to 20,000
L. H. Hendricks	6,000 to 18,000
H. A. Hopf	——— to 18,000
Shepard Morgan	5,000 to 15,000
E. H. Hart	——— to 15,000
A. W. Gilbart	$1,800 to $12,000
J. D. Higgins	2,500 to 12,000
J. W. Jones	2,500 to 12,000
L. R. Rounds	2,000 to 12,000
J. L. Morris	2,000 to 12,000
Charles Snyder	——— to 12,000
W. D. Matteson	1,500 to 10,000
A. J. Lins	1,500 to 10,000
G. E. Chapin	1,500 to 9,000
W. H. Jefferson	3,000 to 8,000
J. E. Crane	1,500 to 7,500
W. A. Hamilton	1,500 to 7,500
R. M. O'Hara	1,500 to 7,500

It will be observed that these salaries have been increased in numerous cases from 100 to 500 per cent. I have been advised that 60 per cent of these "officers" never received over $1,500 to $2,500 before they came to the reserve bank, but they are now drawing salaries as high as those paid to Cabinet officers.

The salaries paid to about 30 "officers" by the New York Federal Reserve Bank, exclusive of the salaries of other employees, amount to about as much as the combined salaries of one-half of the Members of the United States Senate plus the salaries of the President and Vice President of the United States.

I am also advised that although Cabinet officers and other high officials of the Government and national-bank examiners are limited in their expenses to $5 per day, that the expense allowance of officers and employees, including bank examiners of the Federal reserve banks, are practically unlimited, and that an inspection of some of the expense accounts of the Federal reserve banks would be decidedly edifying to a congressional committee if they should be looked into.

I think it would also be interesting to the public to be informed as to the payments made by the Federal Reserve Board and the Federal reserve banks for "publicity" and "propaganda" and for the printing and distributing of thousands of publications which are gotten out under the auspices of the reserve system, directly or indirectly, and paid for out of the profits made out of member banks' funds. I have reason to believe that the waste in this direction has been enormous.

The system has a department now reporting on crop conditions, railroad conditions, labor, and other business—and God knows what else! Why appropriate millions for the Departments of Agriculture and of Commerce for such purposes if these "big boys" are going to take over everything under the sun?

Let us look at the additional function known as "bank relation work" taken on by the system. This department is composed of I do not know how many men drawing a nice salary and running around over the country telling bankers how to run their banks and how to keep their books. In 1921 one of these so-called experts in scientific banking called upon a certain bank in South Carolina and directed its cashier to have his directors in meeting at 4 p. m. on a certain date that he might explain some of the great banking mysteries as worked out by the system. The bank where this occurred was loaded with frozen paper discounted for farmers and was struggling to keep its doors open until it could realize on this class of paper. When the hour for the meeting arrived the officers and directors, several of whom were farmers, were present. The first thing that the bank-relation worker said to this body of country bankers was: "Gentlemen, do you know that your bank is broke?" The president of this bank told me that on the following morning he could scarcely get into the front door of the bank because of the depositors standing around waiting to draw out their balances. That bank is still struggling, though badly affected, because of this "run" made on account of the unbusinesslike message delivered by one who did not have common sense or practical knowledge of a serious situation to help rather than to paralyze.

One of the biggest things these bank-relation workers do is to scatter well-rounded propaganda conducive to keeping members satisfied with the various things the system is doing.

For this service the system paid out of member banks' profits for the last six months of 1922, $133,443, and for $1923, $247,525. I predict a half million for 1924, for certain legislation must be defeated and branch banking must be established by members which will terminate independent banking and centralize money power in New York and other large cities.

While I believe that you will agree with me that the system could pay 2 per cent on balances and should do so, yet at this time I am not going to push this bill (H. R. 3206) because of a bill that I have since introduced (H. R. 7467) which will serve the same purpose and can not be objected to by anybody who wishes to be fair.

Unless the Congress would regulate the expenses, salaries, and so forth, of the system and put a maximum rate of rediscount to be charged by it, it would be hard to force it to pay

this 2 per cent to members. As the law now stands we have no way under the sun to regulate its expenditures. It can proceed as it has in the past, increasing its functions, salaries, and expenses from year to year. Under the law we could not prevent it from increasing its rediscount rate so that additional profits may be made to pay this 2 per cent. This would operate against country banks which do more discounting with the system than the city banks.

Therefore my bill (H. R. 7467) which proposes to reduce reserve balances of country banks with the reserve banks from 7 and 3 per cent, respectively, to 5 and 2 per cent, respectively, and count cash in their vaults and with correspondent banks, would accomplish the same end in view. Then, too, the system would not have to pay banks in reserve or central reserve cities anything.

Under the provisions of my first bill (H. R. 3206), a bank with deposits of $500,000, one half of which were time and the other half checking deposits, would have to carry with the system $25,000, and would receive at 2 per cent interest $500. A bank with $100,000 deposits, one half of which were time and the other half checking deposits, would carry a balance of $5,000, and at 2 per cent interest would receive $100; which, if applied to all banks, would amount to from $36,000,000 to $40,000,000.

Under my later bill, H. R. 7467, a bank with $500,000 deposits, one half of which were time and the other half checking deposits, would only have to carry 5 and 2 per cent, respectively, which would amount to $17,500, a difference of $7,500. This bank could use or loan this $7,500, which at 7 per cent would bring in $25 more than it would receive by the payment of 2 per cent on its balance. Then, too, the cash in its vault and with its correspondent bank could be counted as a part of its reserve, which does not count now.

This, gentlemen, applies to country banks only and will afford some relief and at the same time will not cause any trouble or hurt anybody or the system. I have received at least 2,000 letters from every State in the Union demanding this or some other measure of relief.

I have a statement from Mr. Crissinger, Governor Federal Reserve Board, to the effect that the system has 9,127 member banks outside of reserve and central-reserve cities, known as country banks. Under the present law the required reserves carried by these country banks with the system on December 31, 1923, amounted to $540,798,000, of which $395,887,000 represented the required 7 per cent reserve on net demand deposits, and $144,911,000 the required 3 per cent reserve on time deposits.

To carry out my proposed plan to reduce the required reserve balances from 7 and 3 per cent to 5 and 2 per cent, respectively, would reduce the amount to be carried with the system by country member banks to $379,385,000. In other words, it would give back to country member banks $161,413,000 for use in either helping them maintain their balances or for loans. If this $161,413,000 should be loaned at 7 per cent by these banks, it would bring in a revenue amounting to $11,299,000, which would help somewhat and amount to as much as if the system should pay them 2 per cent on their balances. The balances of all member banks now carried with the system amount to about $2,000,000,000 in round numbers. By reducing the balances carried by these country banks around $162,000,000 there would still remain with the system more money than it knows what to do with. This statement is borne out by the fact that demands from member banks are so slack at this time that the system has gone out into the open market in competition with member banks to the extent of over $800,000,000. It is also proven by the fact that two or three Federal reserve banks have reduced interest rates in order to create a demand for rediscounts. I may say here in passing that the Federal Reserve Board can not to-day give any reasonable excuse why it should not reduce rediscount rates to 3 per cent on account of the present situation in the money markets.

I expect to have something to say about this McFadden bill and about those appearing before the committee, especially those from the Boston district, which is now headed by W. P. G. Harding, the man who has through his pet scheme, the 1920 deflation policy, brought about more bankruptcies of individuals, corporations, and banks than any other one man under the sun.

On the other hand, if Mr. McFADDEN, head of the great Banking and Currency Committee, along with Mr. Platt, of New York, who seemingly represents the Wall Street interests of New York, seem determined to so regulate and so administer the great Federal reserve act as to puralyze independent banking and enthrone the money power in Wall Street, I want to throw out here and now to the representatives of the American people and to the independent bankers of this country a word of warning. Unless you open your eyes to this monstrous undercurrent coming from New England and New York you will wake up in the near future and find independent banking a thing of the past and Warburg and others of his class riding supremely the great financial system, that could mean so much to American citizens if properly administered.

ADJOURNMENT

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 5 minutes p. m.) the House adjourned, under its previous order, until Tuesday, June 3, 1924, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

543. Under clause 2 of Rule XXIV, a letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the Hydrographic Office, Navy Department, Washington, D. C., to do reproduction and lithographic work for other bureaus and offices of the Navy Department, other departments of the Government, and for foreign governments, was taken from the Speaker's table and referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. O'CONNOR of Louisiana: Committee on Rivers and Harbors. H. R. 9190. A bill to prevent the pollution by oil of navigable rivers of the United States; without amendment (Rept. No. 926). Referred to the Committee of the Whole House on the state of the Union.

Mr. DALLINGER: Committee on Elections No. 1. H. R. 9493. A bill to determine proceedings in contested elections of Members of the House of Representatives; without amendment (Rept. No. 927). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 6353. A bill to authorize the Postmaster General to grant sick leave to employees of the mail equipment shops; without amendment (Rept. No. 928). Referred to the Committee of the Whole House on the state of the Union.

Mr. LAGUARDIA: Committee on the Post Office and Post Roads. S. 1051. An act to authorize and provide for the payment of the amounts expended in the construction of hangars and the maintenance of flying fields for the use of the Air Mail Service of the Post Office Department; with an amendment (Rept. No. 929). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLY: Committee on the Post Office and Post Roads. S. J. Res. 115. A joint resolution to provide for the free transmission through the mails of certain publications for the blind; without amendment (Rept. No. 930). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM of Pennsylvania: Committee on the Judiciary. H. R. 9095. A bill to incorporate the American War Mothers; without amendment (Rept. No. 931). Referred to the House Calendar.

Mr. GRAHAM of Pennsylvania: Committee on the Judiciary. H. R. 9162. A bill to amend section 128 of the Judicial Code, relating to appeals in admiralty cases; without amendment (Rept. No. 932). Referred to the House Calendar.

Mr. GRAHAM of Pennsylvania: Committee on the Judiciary. S. 2209. An act to amend section 5147 of the Revised Statutes; without amendment (Rept. No. 933). Referred to the House Calendar.

Mr. GRAHAM of Pennsylvania: Committee on the Judiciary. S. 2693. An act in reference to writs of error; without amendment (Rept. No. 934). Referred to the House Calendar.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 8410. A bill to change the name of Third Place NE. to Abbey Place; without amendment (Rept. No. 935). Referred to the House Calendar.

Mr. FOSTER: Committee on the Judiciary. H. R. 3228. A bill to create a negro industrial commission; without amendment (Rept. No. 936). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H. R. 9607) to provide for holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea; to the Committee on Industrial Arts and Expositions.

By Mr. BUTLER: A bill (H. R. 9608) to authorize the Hydrographic Office, Navy Department, Washington, D. C., to do reproduction and lithographic work for other bureaus and offices of the Navy Department, other departments of the Government, and for foreign governments; to the Committee on Naval Affairs.

By Mr. MORRIS: A bill (H. R. 9609) to facilitate the marketing of farm products; to the Committee on Ways and Means.

By Mr. RANKIN: A bill (H. R. 9610) granting the consent of Congress to the Board of Supervisors of Lowndes County, Miss., to construct a bridge across the Tombigbee River; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH: A bill (H. R. 9611) to provide safeguards for future Federal irrigation development, and an equitable adjustment of existing accounts on Federal irrigation projects, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. LARSEN of Georgia: A bill (H. R. 9612) granting the consent of Congress to the State of Georgia, through its highway department, to construct a bridge across the Oconee River; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRIS: Joint resolution (H. J. Res. 276) for the relief of farmers; to the Committee on Ways and Means.

By Mr. OLIVER of New York: Joint resolution (H. J. Res. 277) directing the President to decrease the tariff rates on farm implements and farm essentials; to the Committee on Ways and Means.

By Mr. GREEN of Iowa. Joint resolution (H. J. Res. 278) in respect of salaries of original appointees to the board of tax appeals; to the Committee on Ways and Means.

By Mr. McLAUGHLIN of Nebraska: Resolution (H. Res. 335) to investigate the transactions of individuals, partnerships, associations, and corporations in connection with the administration and enforcement of standards of railway equipment and supplies prescribed by law or by the Interstate Commerce Commission; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Resolution (H. Res. 336) authorizing the select committee appointed under House Resolution 325 to employ stenographic and other assistance, and for other purposes; to the Committee on Accounts.

By Mr. RAKER: Resolution (H. Res. 337) for the appointment of a special committee composed of seven members of the House, appointed by the Speaker, to inquire into the operations of the United States Reclamation Service and the Federal reclamation projects, and for other purposes; to the Committee on Rules.

Also, resolution (H. Res. 338) directing the Speaker of the House of Representatives to appoint a select committee to inquire into the operation, policies, and affairs of the United States Reclamation Service in sale of water power and water-power-rights of the Klamath irrigation project, under date of February 24, 1917, and July 10, 1923; to the Committee on Rules.

By Mr. CONNALLY of Texas: Resolution (H. Res. 339) requesting the President of the United States to transmit to the House of Representatives a copy of the treaty between Germany and the United States having for its purpose the abolition of smuggling intoxicating liquors from Germany into America; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 9613) for the relief of Franklin Mott Gunther; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 9614) granting a pension to John Nelson West; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 9615) granting an increase of pension to Susan Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9616) for the relief of Charles B. Johnson; to the Committee on War Claims.

By Mr. DAVEY: A bill (H. R. 9617) granting a pension to Mary A. Zimmerman; to the Committee on Invalid Pensions.

By Mr. DRIVER: A bill (H. R. 9618) granting an increase of pension to Louisa Hargate; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 9619) granting an increase of pension to Mary H. Grant; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 9620) granting an increase of pension to Mary C. Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9621) granting a pension to Oliver H. Callam; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 9622) granting an increase of pension to Jane L. McNichols; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 9623) granting an increase of pension to Parmelia Swan; to the Committee on Invalid Pensions.

By Mr. QUAYLE: A bill (H. R. 9624) for the return of $5,000 to the New Amsterdam Casualty Co.; to the Committee on Claims.

By Mr. SMITH: A bill (H. R. 9625) granting an increase of pension to Rufus De Witt; to the Committee on Pensions.

By Mr. WOOD: A bill (H. R. 9626) granting an increase of pension to Agnes N. Aldridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9627) for the relief of John D. Eldred; to the Committee on Military Affairs.

By Mr. WURZBACH: A bill (H. R. 9628) to reinstate Charles McKee Krausse as a second lieutenant in the Marine Corps; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2986. By the SPEAKER (by request): Petition of Lieutenant Charles H. Field Camp, No. 51, United Spanish War Veterans, Greenfield, Mass., favoring the enactment of House bill 9270 into law; to the Committee on Invalid Pensions.

2987. By Mr. CARTER: Petition of members of the Choctaw Tribe of Indians, of McCurtain County, Okla., urging the enactment into law of House bill 9017; to the Committee on Indian Affairs.

2988. By Mr. GALLIVAN: Petition of J. Spaulding & Sons Co., Boston, Mass., urging early and favorable action on House bill 9035, to increase salaries of postal employees; to the Committee on Rules.

2989. By Mr. RAKER: Petition of C. B. Lindsey, Soldiers' Home, Calif., urging support of the new Bursum bill granting increase of pensions to war veterans; to the Committee on Invalid Pensions.

2990. Also, resolutions of the Chamber of Commerce of the State of New York, in regard to enforcement of section 28 of the merchant marine act; to the Committee on the Merchant Marine and Fisheries.

2991. Also, petition of Chamber of Commerce of the State of New York, indorsing honest merchandise bill and opposing truth in fabric and compulsory labeling measures; to the Committee on Interstate and Foreign Commerce.

2992. Also, petition of Paul J. McGahan, department commander, Department of District of Columbia, the American Legion, opposing closing of Fourteenth Street, as provided for in Senate bill 114; to the Committee on the District of Columbia.

2993. Also, petitions of C. C. Thomas Navy Post, No. 244, San Francisco, Calif., urging that the Navy Department be requested to allocate to the Naval Reserve Force of the twelfth naval district the U. S. S. *Albany*; and C. C. Thomas Navy Post, No. 244, urging that the necessary funds be provided for maintaining an active personnel of the Navy in conformity with the 5-5-3 ratio; to the Committee on Naval Affairs.

2994. Also, petition of C. C. Thomas Navy Post, No. 244, San Francisco, Calif., in favor of establishing a main operating base in San Francisco Bay; to the Committee on Naval Affairs.

2995. By Mr. ROBINSON of Iowa: Petition of Association of Carmen, Helpers, and Apprentices, Illinois Central system, Dubuque, Iowa, favoring no change in transportation act; to the Committee on Interstate and Foreign Commerce.

2996. By Mr. VARE: Memorial of Pennsylvania Federation of Labor, asking amendment of the Volstead Act; to the Committee on the Judiciary.

SENATE

TUESDAY, *June 3, 1924*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

O God, our Father, we come this morning with grateful hearts before Thee, thanking Thee for the continuance of life and the privileges and opportunities Thou hast afforded to us. Help us to realize constantly that it is for us to do our whole duty in Thy fear, for Thy glory, and see to the advancement of the country in the highest and best state, recognizing that righteousness alone exalteth a nation. We humbly ask for Thy guidance this day. Through Jesus Christ, our Lord. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Saturday, May 31, 1924, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Ernst	Ladd	Sheppard
Ashurst	Fernald	La Follette	Shields
Ball	Ferris	Lenroot	Shipstead
Bayard	Fess	Lodge	Shortridge
Borah	Fletcher	McKellar	Simmons
Brandegee	Frazier	McKinley	Smith
Brookhart	George	McLean	Smoot
Bruce	Gerry	McNary	Spencer
Bursum	Gillett	Mayfield	Stanfield
Cameron	Gooding	Moses	Stephens
Capper	Hale	Neely	Sterling
Caraway	Harreld	Norris	Swanson
Colt	Harrison	Oddie	Trammell
Copeland	Heflin	Overman	Underwood
Couzens	Howell	Owen	Wadsworth
Cummins	Johnson, Calif.	Pepper	Walsh, Mass.
Curtis	Johnson, Minn.	Phipps	Walsh, Mont.
Dale	Jones, N. Mex.	Pittman	Warren
Dial	Jones, Wash.	Ransdell	Watson
Dill	Kendrick	Reed, Mo.	Weller
Edge	Keyes	Reed, Pa.	Willis
Edwards	King	Robinson	

Mr. GEORGE. I desire to announce that my colleague, the senior Senator from Georgia [Mr. HARRIS], is absent owing to illness.

The PRESIDENT pro tempore. Eighty-seven Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the following bills of the Senate:

S. 790. An act for the establishment of a Federal Industrial Institution for Women, and for other purposes;

S. 1971. An act to authorize the Commissioners of the District of Columbia to accept certain land in the District of Columbia dedicated by Charles C. Glover for park purposes; and

S. 3181. An act to authorize an appropriation to enable the Director of the United States Veterans' Bureau to provide additional hospital facilities.

The message also announced that the House had passed the bill (S. 2572) to purchase grounds, erect and repair buildings for customhouses, offices, and warehouses in Porto Rico, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1174) authorizing the Secretary of the Interior to investigate and report to Congress the facts in regard to the claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 71. An act authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims;

H. R. 108. An act for the inclusion of certain lands in the Plumas National Forest, Calif., and for other purposes;

H. R. 526. An act authorizing the Secretary of War to enter into an arrangement, on behalf of the United States, with the Alexandria Light & Power Co. whereby civilians may obtain electric current from a Government-owned transmission line extending from Alexandria to Fort Humphreys, Va.;

H. R. 2694. An act authorizing certain Indian tribes, or any of them, residing in the State of Washington to submit to the Court of Claims certain claims growing out of treaties or otherwise;

H. R. 2821. An act authorizing the erection of a sanitary, fireproof hospital at the National Home for Disabled Volunteer Soldiers at Santa Monica, Calif.;

H. R. 2869. An act for the establishment of a United States industrial reformatory;

H. R. 3927. An act granting public lands to the town of Silverton, Colo., for public-park purposes;

H. R. 4818. An act to perfect the title of purchasers of Indian lands sold under the provisions of the act of Congress of March 3, 1909 (35 Stat. L. p. 751), and the regulations pursuant thereto as applied to Indians of the Quapaw Agency;

H. R. 4825. An act for the establishment of industrial schools for Alaskan native children, and for other purposes;

H. R. 5096. An act to authorize the incorporated town of Sitka, Alaska, to issue bonds in any sum not exceeding $25,000 for the purpose of constructing a public-school building in the town of Sitka, Alaska;

H. R. 6425. An act to prohibit the importation and the interstate shipment of certain articles contaminated with anthrax;

H. R. 7077. An act to amend an act entitled "An act to amend an act entitled 'An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914,' approved June 30, 1913," approved May 26, 1920;

H. R. 7453. An act to amend an act approved March 3, 1909, entitled "An act for the removal of the restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal lands, school, agency, or other buildings on any of the reservations within the jurisdiction of such agency, and for other purposes";

H. R. 7821. An act to convey to the city of Astoria, Oreg., a certain strip of land in said city;

H. R. 8578. An act to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended; and

H. J. Res. 239. Joint resolution authorizing the Secretary of Agriculture to purchase and distribute suitable medals to be awarded to exhibitors winning first and championship prizes at the twenty-fifth anniversary show of the International Live-stock Exposition of Chicago, Ill.

The message further announced that the House had concurred in the following concurrent resolution (S. Con. Res. 13) of the Senate:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed in the enrollment of the bill (S. 381) to amend section 2 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (39 Stat. L. p. 862), to strike out on page 2, in lines 21, 22, and 23 of the engrossed copy of the bill, the words "after the application for designation under this act, the applicant establishes and maintains residence on the land" and insert in lieu thereof a semicolon and the word "and."

BENWOOD, W. VA., MINE DISASTER

Mr. EDWARDS. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Wheeling (W. Va.) Sunday Register of May 11, 1924, setting forth the causes of the disaster which occurred at the Benwood mine of the Wheeling Steel Corporation.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article referred to is as follows:

[From The Wheeling Sunday Register, Wheeling, W. Va., Sunday, May 11, 1924]

JURY FINDS GAS ACCUMULATION AND DUST AFTER SLATE FALL SPREAD DEATH IN MINE—OPEN LAMP TOUCHED OFF BLAST FATAL TO 117, PROBERS ASSERT—MARSHALL COUNTY JURY GIVES OFFICIAL VERDICT ON CAUSE OF DISASTER; STORIES OF LACK OF INSPECTION AND IDLE FAN ARE REFUTED

Gas ignited by an open miner's lamp started the explosion which wrecked the Benwood mine of the Wheeling Steel Corporation causing the death of 117 men.

The gas accumulation resulted from a fall of slate in room 4 along the section known as No. 0 east off the right of entry (north) No. 8. The terrific concussion of the explosion was intensified and carried to all parts of the mine by coal dust.

The mine was thoroughly inspected just before the explosion and every reasonable precaution for the safety of the mine was taken.

These conclusions are the summary of the evidence presented yesterday at Benwood at the official inquest conducted by the Marshall County authorities.

EXAMINED TWENTY WITNESSES

Coroner J. T. McCombs presided at the inquest and the examination of more than 20 witnesses was conducted by Prosecuting Attorney Lloyd Arnold and R. M. Lamble, the latter chief inspector for the State Bureau of Mines.

The verdict of the coroner's jury was merely a formal finding that the miners came to their death in an explosion caused by an accumulation of gases, combined with coal dust, and ignited with an open miner's lamp.

MINE INSPECTED, FAN RUNNING

The testimony given yesterday by employees of the Wheeling Steel Corporation and supported by mining experts developed these facts:

1. J. J. Boyle was not employed as fire boss, as stated in sensational stories in a certain Wheeling newspaper.

2. The ventilation fan was in continuous operation for an indefinite time preceding the explosion.

3. Markings found inside the mine showed that all sections had been visited by the fire bosses, Jerome T. Pyles and Joshua Rawling, before the Monday morning shift entered the mine.

4. Six men, all certified as expert by the State bureau of mines, were actively in charge of the operations.

5. The No. 8 vein which is worked in the Benwood mine is peculiar all through this section in that it liberates large quantities of gas immediately following a slate fall.

6. Sufficient gas to have caused the initial explosion could have formed between the time of the fire boss's inspection and the time the men entered the mine.

7. The use of approved electric lamps might have prevented the explosion, although all mines in this district use the open lamps.

8. The mine was a dry one, and conducive to dust, due partly to its natural condition and to the great humidity of the past winter.

9. No one could be held accountable for the explosion, which, experts declared, came from natural causes.

BOYLE IS NOT FIRE BOSS AT MINE, STATED—JEROME PYLES, RESPONSIBLE FOR INSPECTION, NOT A VICTIM OF DISASTER

Information was revealed last evening by Wheeling Steel Corporation officials to the effect that Jerome T. Pyles, fire boss of the mill mine which was rocked by a terrific explosion, did not die in the mine, as was previously reported.

This statement also corrects an impression conveyed by another Wheeling morning paper yesterday in an article which placed entire blame of the catastrophe on J. J. Boyle, a timberman, erroneously reported as a fire boss.

Glaring headlines carried over a story, which related that Boyle had not left his boarding house until a very short time before he entered the mine and failed to make an inspection for gas, led to a thorough investigation by the corporation yesterday.

It was learned that the man listed as J. J. Boyle was working under an assumed name, and that his true name is Matt Herron. It was also found that he was a Federal Secret Service agent, and had been in Pittsburgh Sunday, returning to Benwood Monday morning. But Boyle had absolutely nothing to do with the inspection of the mine. All men holding a fire-boss position are required to pass an examination under the State department of mines.

PYLES BILLED MINE AS SAFE

Jerome T. Pyles is the fire boss of the ill-fated mine. He came out of the Benwood mill yard slope at 6 o'clock, signed the safety board at the entrance, and proceeded to make the usual notations on the fire-boss record in the mine office. These records show that Pyles has officially declared that conditions were normal in the mine during his usual inspection of the workings, and the record is written above his signature.

Efforts on the part of the Register to locate Mr. Pyles last evening were unavailing. He was formerly a resident of Elm Grove, and records held by Frank King, time clerk at the Benwood mill mine give his address as 40 Virginia Street, Elm Grove. It was learned that some months ago Mr. Pyles and family moved to Benwood.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and a joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 71. An act authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims;

H. R. 2694. An act authorizing certain Indian tribes, or any of them, residing in the State of Washington, to submit to the Court of Claims certain claims growing out of treaties or otherwise;

H. R. 4818. An act to perfect the title of purchasers of Indian lands sold under the provisions of the act of Congress of March 3, 1909 (35 Stat. L. p. 751), and the regulations pursuant thereto as applied to Indians of the Quapaw Agency;

H. R. 7077. An act to amend an act entitled "An act to amend an act entitled 'An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914,' approved June 30, 1913," approved May 26, 1920; and

H. R. 7453. An act to amend an act approved March 3, 1909, entitled "An act for the removal of the restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal lands, school, agency, or other buildings, or any of the reservations within the jurisdiction of such agency, and for other purposes"; to the Committee on Indian Affairs.

H. R. 7821. An act to convey to the city of Astoria, Oreg., a certain strip of land in said city; to the Committee on Public Buildings and Grounds.

H. R. 8578. An act to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended; to the Committee on Interstate Commerce.

H. R. 2869. An act for the establishment of a United States industrial reformatory; to the Committee on the Judiciary.

H. R. 103. An act for the inclusion of certain lands in the Plumas National Forest, Calif., and for other purposes; and

H. R. 3927. An act granting public lands to the town of Silverton, Colo., for public-park purposes; to the Committee on Public Lands and Surveys.

H. R. 526. An act authorizing the Secretary of War to enter into an arrangement, on behalf of the United States, with the Alexandria Light & Power Co. whereby civilians may obtain electric current from a Government-owned transmission line extending from Alexandria to Fort Humphreys, Va.; and

H. R. 2821. An act authorizing the erection of a sanitary, fireproof hospital at the National Home for Disabled Volunteer Soldiers at Santa Monica, Calif.; to the Committee on Military Affairs.

H. R. 6425. An act to prohibit the importation and the interstate shipment of certain articles contaminated with anthrax; to the Committee on Finance.

H. R. 4825. An act for the establishment of industrial schools for Alaskan native children, and for other purposes; and

H. R. 5096. An act to authorize the incorporated town of Sitka, Alaska, to issue bonds in any sum not exceeding $25,000 for the purpose of constructing a public-school building in the town of Sitka, Alaska; to the Committee on Territories and Insular Possessions.

H. J. Res. 239. Joint resolution authorizing the Secretary of Agriculture to purchase and distribute suitable medals to be awarded to exhibitors winning first and championship prizes at the twenty-fifth anniversary show of the International Livestock Exposition of Chicago, Ill.; to the Committee on Agriculture and Forestry.

PETITIONS AND MEMORIALS

Mr. WILLIS presented a petition of sundry citizens in the State of Ohio, praying an amendment to the Constitution granting equal rights to men and women, which was referred to the Committee on the Judiciary.

Mr. LENROOT. I present a resolution adopted by citizens of River Falls, Wis., relative to the Upper Mississippi Wild Life and Fish Refuge. The resolution is very short and I ask consent that it may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

The citizens of River Falls, Wis., and vicinity in mass meeting assembled, after consideration of what is known as the Izaak Walton League bill for the establishment of the Upper Mississippi River Wild Life and Fish Refuge, deplore what seems to be the fact that Congress may adjourn without favorable action on the bill.

The residents of this portion of the United States believe that unless some action, such as is proposed by this bill, be taken, and refuge provided for wild life it will soon become extinct; they believe that the proposed bill is a practical measure for the conservation of such wild life and that the bill is of such importance and the need of such legislation so urgent that political lines should not be drawn and that Congress should not adjourn without the passage of the law. Therefore be it

Resolved, by such mass meeting, That this locality is heartily in favor of the passage of such bill and of its passage at this session. And be it further

Resolved, That our representatives in Congress are urged to support the measure, and that a copy of this resolution be sent to each, the President of the United States, Hon. R. M. LA FOLLETTE, Hon. I. L. LENROOT, and Hon. J. A. FREAR.

Dated May 20, 1924.

J. H. AMES, *Chairman,*
J. W. ALLARD, *Secretary.*

Mr. CURTIS presented the petition of sundry members of the Methodist Episcopal Church of Miltonvale, Kans., praying an amendment to the Constitution relative to the regulation of child labor, which was referred to the Committee on the Judiciary.

He also presented a resolution of the Kansas Grain Dealers' Association in annual convention assembled, at Kansas City, protesting against the passage of the so-called McNary-Haugen export corporation bill, which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 4) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes, reported it without amendment and submitted a report (No. 699) thereon.

Mr. REED of Pennsylvania, from the Committee on Finance, to which was referred the joint resolution (S. J. Res. 131) authorizing the Director of the United States Veterans' Bureau to take assignments of certain claims of officers, employees, and patients of General Hospital No. 55, Fort Bayard, N. Mex., reported it with amendments and submitted a report (No. 700) thereon.

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (S. 2534) for the relief of J. E. Saucier, reported it without amendment and submitted a report (No. 701) thereon.

Mr. JOHNSON of Minnesota, from the Committee on Claims, to which was referred the bill (S. 1885) for the relief of Ella H. Smith, reported it with an amendment and submitted a report (No. 703) thereon.

He also, from the same committee, to which was referred the bill (H. R. 4318) for the relief of Edward S. Scheibe, reported it without amendment and submitted a report (No. 704) thereon.

Mr. SPENCER, from the Committee on the Judiciary, to which was referred the bill (S. 99) authorizing the President to appoint two additional circuit judges for the eighth circuit, reported it without amendment and submitted a report (No. 705) thereon.

Mr. BRUCE, from the Committee on Claims, to which was referred the bill (S. 2552) for the relief of Leslie Warnick Brennan, reported it without amendment and submitted a report (No. 706) thereon.

Mr. MAYFIELD, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 3411) for the relief of Mrs. John P. Hopkins (Rept. No. 707);

A bill (H. R. 4290) for the relief of W. F. Payne (Rept. No. 708); and

A bill (H. R. 8893) for the relief of Juana F. Gamboa (Rept. No. 709).

Mr. BURSUM, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3370) for the relief of Mary T. Metcalfe, reported it without amendment and submitted a report (No. 711) thereon.

Mr. HARRELD, from the Committee on Claims, to which was referred the bill (S. 2139) for the relief of Bertha N. Rich Reisinger, reported it with amendments and submitted a report (No. 712) thereon.

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 3046) for the relief of J. W. Cook (Rept. No. 713); and

A bill (H. R. 3505) for the relief of Fred W. Stickney and H. A. Reynolds (Rept. No. 714).

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 1082) for the relief of Henry A. Kessel Co. (Inc.) (Rept. No. 715);

A bill (H. R. 1333) for the relief of Joseph P. Ryan (Rept. No. 716);

A bill (H. R. 2005) for the relief of William J. McGee (Rept. No. 717);

A bill (H. R. 2745) for the relief of J. M. Farrell (Rept. No. 718);

A bill (H. R. 2989) for the relief of Mrs. E. L. Guess (Rept. No. 719);

A bill (H. R. 3477) for the relief of James B. Porter (Rept. No. 720); and

A bill (H. R. 8343) for the relief of Jim Hennessee (Rept. No. 721).

Mr. ERNST, from the Select Committee on Revision of the Laws, to which was referred the bill (H. R. 12) to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923, submitted a report (No. 722) accompanied by a joint resolution (S. J. Res. 141) providing for the appointment of a commission to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923, which was read twice by its title and ordered to be placed on the calendar.

Mr. SHORTRIDGE, from the Committee on the Judiciary, to which was referred the bill (H. R. 62) to create two judicial districts within the State of Indiana, the establishment of judicial divisions therein, and for other purposes, reported it with an amendment.

Mr. LADD, from the Committee on Agriculture and Forestry, submitted a report (for himself and Senators SMITH, HARRISON, HEFLIN and CARAWAY) (Rept. No. 678, pt. 2), to accompany the bill (H. R. 518) to authorize and direct the Secretary of War, for national defense in time of war and for the production of fertilizers and other useful products in time of peace, to sell to Henry Ford, or a corporation to be incorporated by him, nitrate plant No. 1, at Sheffield, Ala.; nitrate plant No. 2, at Muscle Shoals, Ala.; Waco Quarry, near Russellville, Ala.; steam power plant to be located and constructed at or near Lock and Dam No. 17 on the Black Warrior River, Ala., with right of way and transmission line to nitrate plant No. 2, Muscle Shoals, Ala.; and to lease to Henry Ford, or a corporation to be incorporated by him, Dam No. 2 and Dam No. 3 (as designated in H. Doc. 1262, 64th Cong., 1st sess.), including power stations when constructed as provided herein, and for other purposes, heretofore reported from that committee with amendments.

Mr. CUMMINS (Mr. JONES of Washington in the chair), from the Committee on the Judiciary, to which was referred the bill (S. 2835) to amend an act entitled "An act authorizing insurance companies or associations and fraternal beneficiary societies to file bills of interpleader," approved February 22, 1917, reported it with amendments.

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 223) authorizing the appointment of a special committee to investigate the Federal farm-loan system and the Federal Farm Loan Board, reported it without amendment.

Mr. STERLING, from the Committee on Post Offices and Post Roads, to which was referred the joint resolution (S. J. Res. 133) authorizing and requesting the Postmaster General to design and issue a special postage stamp to commemorate the arrival in New York on October 9, 1825, of the sloop *Restaurationen,* bearing the first shipload of immigrants to the United States from Norway; and in recognition of the Norse-American centennial celebration in 1925, reported it with an amendment.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2053) to provide for designating the route of the Old Oregon Trail, reported it with amendments.

CONNECTICUT-NEW YORK BOUNDARY LINE AGREEMENT

Mr. BRANDEGEE. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 3058) giving the consent of Congress to a boundary agreement between the States of New York and Connecticut, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Connecticut?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BRANDEGEE. The matter has been agreed to by commissions appointed by the two States—New York and Connecticut—several years ago, by the governors and the legislatures of the States. There is a long engineering descrip-

tion of the boundary which I do not see the necessity of reading. If the clerk will read on the last page simply the language giving the consent of Congress to the agreement, I think it will be sufficient. I will ask then, that the entire bill and the preamble be printed in the RECORD. On the last page of the bill is the enacting clause and what follows, which I think is all that it is necessary to read.

The reading clerk read the bill, omitting the preamble.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The preamble and the bill are as follows:

Whereas the commissioners duly appointed on the part of the States of New York and Connecticut, respectively, for the purpose of settling the boundary line between said States, did execute an agreement in the words following, to wit:

"Memorandum of agreement by and between the subscribers, the Governor of the State of Connecticut and the State engineer of the State of New York.

"Whereas acting under an agreement signed on the 26th day of September, 1908, by the above-named officials the boundary line between the States of New York and Connecticut has been resurveyed from the State of Massachusetts southerly to Long Island Sound, and new monuments have been set, more permanently marking the same; and

"Whereas although as provided in the said agreement the new monuments have been set as nearly on the line of 1860 as the same could be ascertained, yet owing to the more accurate methods employed in the survey a description is now available which more closely defines this boundary as it is monumented; and

"Whereas it is desirable that this more accurate description be recorded in both of the States concerned and that it be recognized as the official description of the said boundary:

"Now, therefore, be it known that the description of the boundary between the States of New York and Connecticut as it has now been ascertained to be is as follows:

"Commencing at a granite monument (numbered 1) at the northwest corner of the State of Connecticut, marking the corner of Massachusetts, New York, and Connecticut, in latitude forty-two degrees two minutes fifty-eight and four hundred and twenty-seven one-thousandths seconds, and longitude seventy-three degrees twenty-nine minutes fifteen and nine hundred and fifty-nine one-thousandths seconds; thence south two degrees forty-two minutes thirty seconds west thirty thousand five hundred and sixty-nine feet to a granite monument (numbered 12) four hundred and seventy feet south of the Bird Hill road between Millerton and Ore Hill in latitude forty-one degrees fifty-seven minutes fifty-six and seven hundred and seventy-two one-thousandths seconds, and longitude seventy-three degrees twenty-nine minutes thirty-five and seventy-eight one-thousandths seconds; thence south three degrees fifty-three minutes forty-four seconds west fifteen thousand eight hundred and forty-six feet to a monument (numbered 18) in the south side of the highway from Millerton to Sharon along the north shore of Indian Pond in latitude forty-one degrees fifty-five minutes twenty and five hundred and eighty-six one-thousandths seconds, and longitude seventy-three degrees twenty-nine minutes forty-nine and three hundred and eighteen one-thousandths seconds; thence south two degrees forty-seven minutes fifty-one seconds west ten thousand six hundred and eighty-one feet to a monument (numbered 21) on the cliff north of Webatuck Creek in latitude forty-one degrees fifty-three minutes thirty-five and one hundred and ninety one-thousandths seconds, and longitude seventy-three degrees twenty-nine minutes fifty-six and two hundred and ten one-housandths seconds; thence south four degrees thirty-nine minutes one second west ten thousand six hundred and eighty-three feet to a monument (numbered 24) in the rear of R. E. Randall's house on the east road from Sharon Valley to Leedsville in latitude forty-one degrees fifty-one minutes forty-nine and nine hundred and ninety-five one-thousandths seconds, and longitude seventy-three degrees thirty minutes seven and six hundred and fifty-two one-thousandths seconds; thence south three degrees forty-nine minutes ten seconds west twenty-six thousand four hundred and five feet to a monument (numbered 32) on the westerly slope of a rocky hillside at the corner of the towns of Sharon and Kent in latitude forty-one degrees forty-seven minutes twenty-nine and seven hundred and nine one-thousandths seconds, and longitude seventy-three degrees thirty minutes thirty and eight hundred and seventy-one one-thousandths seconds; thence south three degrees fifty-two minutes thirty-five seconds west ten thousand four hundred and fifty-seven feet to a monument (numbered 35) on the shoulder of a mountain northeast of Bog Hollow, in latitude forty-one degrees forty-five minutes forty-six and six hundred and thirty-seven one-thousandths seconds, and longitude seventy-three degrees thirty minutes forty and one hundred and ninety-nine one-thousandths seconds; thence south three degrees six minutes eighteen seconds west sixteen thousand forty-five feet to a monument (numbered 41) at the easterly edge of a large pasture north of Preston Mountain, known as the Chapel lots, in latitude forty-one degrees forty-three minutes eight and three hundred and fifty-four one-thousandths seconds, and longitude seventy-three degrees thirty minutes fifty-one and six hundred and fifty-eight one-thousandths seconds; thence south three degrees fifty-seven minutes three seconds west ten thousand six hundred and fifty-seven feet to a monument (numbered 45) at the southerly end of Schaghticoke Mountain, in latitude forty-one degrees forty-one minutes twenty-three and three hundred and twenty one-thousandths seconds, and longitude seventy-three degrees thirty-one minutes one and three hundred and thirty-five one-thousandths seconds; thence south two degrees forty-one minutes forty-one seconds west ten thousand five hundred and thirty-four feet to a monument (numbered 48), on the northwesterly slope of Tenmile Hill, in latitude forty-one degrees thirty-nine minutes thirty-nine and three hundred and fifty-nine one-housandths seconds, and longitude seventy-three degrees thirty-one minutes seven and eight hundred and sixty one-thousandths seconds; thence south three degrees thirty-one minutes thirty-three seconds west twenty-one thousand one hundred and forty feet to a monument (numbered 55) at the northerly end of a rocky hill about a mile south of the northeast corner of the town of Pawling, New York, in latitude forty-one degrees thirty-six minutes ten and eight hundred and ninety-four one-thousandths seconds, and longitude seventy-three degrees thirty-one minutes twenty-four and nine hundred and seventy-two- one-thousandths seconds; thence south four degrees twenty-four minutes fifty-two seconds west ten thousand seven hundred and eighty-five feet to a monument (numbered 59) in a field east of a right angle in the road from Quaker Hill to Sherman, in latitude forty-one degrees thirty-four minutes twenty-four and six hundred and fifty-nine one-thousandths seconds, and longitude seventy-three degrees thirty-one minutes thirty-five and eight hundred and ninety-three one-thousandths seconds; thence south three degrees fifty-two minutes fifty-two seconds west ten thousand five hundred and twenty feet to a monument (numbered 64) on a ledge falling southwest to a brook in the southwestern part of the town of Sherman, in latitude forty-one degrees thirty-two minutes forty and nine hundred and sixty-three one-thousandths seconds, and longitude seventy-three degrees thirty-one minutes forty-five and two hundred and fifty-seven one-thousandths seconds; thence south four degrees twenty-eight minutes forty-eight seconds west ten thousand four hundred and ten feet to a monument (numbered 68) on Cranberry Mountain, in latitude forty-one degrees thirty minutes fifty-eight and four hundred and twenty-four one-thousandths seconds, and longitude seventy-three degrees thirty-one minutes fifty-five and nine hundred and forty-six one-thousandths seconds; thence south two degrees twenty-four minutes thirty-eight seconds west ten thousand six hundred and seventeen feet to a monument (numbered 72) on the northerly slope of a hill a mile south of Haviland Hollow, in latitude forty-one degrees twenty-nine minutes thirteen and six hundred and twenty-seven one-thousandths seconds, and longitude seventy-three degrees thirty-two minutes one and eight hundred and thirteen one-thousandths seconds; thence south three degrees three minutes twelve seconds west twenty thousand seven hundred and thirty-one feet to a monument (numbered 80) in a mowed field southeast of an angle in the road from Brewster to Ball Pond, in latitude forty-one degrees twenty-five minutes forty-nine and one hundred and eight one-thousandths seconds, and longitude seventy-three degrees thirty-two minutes sixteen and three hundred and nine one-thousandths seconds; thence south four degrees fifty-three minutes twelve seconds west ten thousand two hundred and seventy-nine feet to a monument (numbered 84) on the northerly side of a rocky summit northwest of Mill Plain in latitude forty-one degrees twenty-four minutes seven and nine hundred and fifteen one-thousandths seconds and longitude seventy-three degrees thirty-two minutes twenty-seven and seven hundred and ninety-eight one-thousandths seconds; thence south two degrees forty-five minutes forty-eight seconds west ten thousand five hundred and twenty-seven feet to a monument (numbered 89) in a swampy pasture south of a right angle in a back road which runs along the line between the towns of Danbury and Ridgefield in latitude forty-one degrees twenty-two minutes twenty-four and thirty one-thousandths seconds and longitude seventy-three degrees thirty-two minutes thirty-four and four hundred and fifty-six one-thousandths seconds; thence south four degrees thirty-six minutes thirty-nine seconds west ten thousand eight hundred and seventy-eight feet to a monument (numbered 91) in a swamp near Mopus Brook in latitude forty-one degrees twenty minutes thirty-six and nine hundred one-thousandths seconds and longitude seventy-three degrees thirty-two minutes forty-five and nine hundred and twenty one-thousandths seconds; thence south four degrees twelve minutes sixteen seconds west ten thousand four hundred and ninety-three feet to a monument (numbered 96) south of a ledge on Titicus Mountain in latitude forty-one degrees eighteen minutes fifty-three and five hundred and seven one-thousandths seconds and longitude seventy-three degrees thirty-two minutes fifty-six and one one-thousandths seconds; thence south six degrees thirty-two minutes twenty-one seconds west seven thousand two hundred and fourteen feet to a monument (numbered 98)

known as the Ridgefield Angle on a steep side hill sloping toward South Pond in latitude forty-one degrees seventeen minutes forty-two and six hundred and ninety one-thousandths seconds and longitude seventy-three degrees thirty-three minutes six and seven hundred and sixty-four one-thousandths seconds; thence south thirty-two degrees forty-six minutes six seconds east fourteen thousand one hundred and nine feet to a monument (numbered 103) in a swamp near a small brook in latitude forty-one degrees fifteen minutes forty-five and four hundred and sixty one-thousandths seconds and longitude seventy-three degrees thirty-one minutes twenty-six and seven hundred and seventy-five one-thousandths seconds; thence south thirty-two degrees forty-one minutes forty-six seconds east ten thousand four hundred and forty-three feet to a monument (numbered 106) at the westerly side of a rocky ridge near the southwest corner of Ridgefield in latitude forty-one degrees fourteen minutes eighteen and six hundred and twenty-six one-thousandths seconds and longitude seventy-three degrees thirty minutes twelve and nine hundred and forty one-thousandths seconds; thence south thirty-two degrees two minutes and twenty-eight seconds east eleven thousand and forty-seven feet to a monument (numbered 109) known as the Wilton Angle in woodland northwest of Bald Hill in latitude forty-one degrees twelve minutes forty-six and one hundred and one one-thousandths seconds and longitude seventy-three degrees twenty-eight minutes fifty-six and two hundred and sixty-three one-thousandths seconds; thence south fifty-nine degrees fifty-nine minutes fifty-eight seconds west nine thousand five hundred and eighty-eight feet to a monument (numbered 112) on the south side of a short crossroad leading west from the Vista Road in latitude forty-one degrees eleven minutes fifty-eight and seven hundred and twenty-one one-thousandths seconds and longitude seventy-three degrees thirty minutes forty-four and eight hundred and seventy-seven one-thousandths seconds; thence south fifty-seven degrees fifty-eight minutes forty-nine seconds west six thousand and two feet to a monument (numbered 115) on the northeasterly slope of a low wooded hill one-half mile west of Mud Pond and northeast of Sellicks Corners in latitude forty-one degrees eleven minutes twenty-seven and two hundred and seventy-two one-thousandths seconds and longitude seventy-three degrees thirty-one minutes fifty-one and four hundred and thirty-eight one-thousandths seconds; thence south fifty-nine degrees nine minutes fifty-eight seconds west fifteen thousand nine hundred and eighty-three feet to a monument (numbered 120) on the summit of a rocky ridge halfway between two large swamps, northeast of Long Ridge in latitude forty-one degrees ten minutes six and two hundred and ninety-four one-thousandths seconds and longitude seventy-three degrees thirty-four minutes fifty and eight hundred and seventy-one one-thousandths seconds; thence south fifty-eight degrees fifty-six minutes twenty-two seconds west twenty-one thousand one hundred and ninety-three feet to a monument (numbered 127) in level woodland west of a low hill west of Banksville in latitude forty-one degrees eight minutes eighteen and one hundred and eighty-nine one-thousandths seconds and longitude seventy-three degrees thirty-eight minutes forty-eight and one hundred and twenty-nine one-thousandths seconds; thence south fifty-eight degrees thirty-two minutes forty-seven seconds west twenty-six thousand three hundred and fifty-five feet to a rough granite monument (numbered 140) known as the Duke's Trees Angle, set in concrete, with its top below the roadway called King Street in latitude forty-one degrees six minutes two and two hundred and five one-thousandths seconds and longitude seventy-three degrees forty-three minutes forty-one and seven hundred and seventy-eight one-thousandths seconds; thence south thirty-one degrees twenty-nine minutes forty-one seconds east eleven thousand four hundred and forty feet to a monument (numbered 148) three hundred feet north of the road leading west from King Street south of Rye Lake in latitude forty-one degrees four minutes twenty-five and eight hundred and fourteen one-thousandths seconds and longitude seventy-three degrees forty-two minutes twenty-three and seven hundred and forty-seven one-thousandths seconds; thence south thirty-two degrees ten minutes fifty-seven seconds east fourteen thousand nine hundred and seventy-five feet to a monument (numbered 153) at the east side of King Street one thousand feet north of Ridge Street in latitude forty-one degrees two minutes twenty and five hundred and seventy one-thousandths seconds and longitude seventy-three degrees forty minutes thirty-nine and six hundred and sixty-six one-thousandths seconds; thence south thirty-two degrees seven minutes thirty seconds east eleven thousand four hundred and sixty-one feet to a granite monument (numbered 158) set at the north side of Byram Bridge in a concrete pier on a granite ledge known since 1684 as the Great Stone at the Wading Place in latitude forty-one degrees forty-four and six hundred and sixty-two one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes twenty and one hundred and seventy-two one-thousandths seconds; thence south nine degrees fifty-three minutes forty-three seconds west eight hundred and thirty-five feet to a brass bolt and plate (numbered 159) set in the top of a large boulder in Byram River in latitude forty-one degrees thirty-six and five hundred and thirty-five one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes twenty-two and forty-four one-thousandths seconds; thence south eighteen degrees fifty-six minutes forty-one seconds west three thousand seven hundred and thirty-five feet to angle numbered 161 in Byram River in latitude forty-one degrees one and six hundred and twenty-six one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes thirty-seven and eight hundred and sixty-three one-thousandths seconds, this tangent being produced and referenced on the shore by a brass bolt and plate leaded into the rock on a steep hill; thence south twelve degrees fifty-seven minutes two seconds east nine hundred and sixty-five feet to angle (numbered 162) in Byram River in latitude forty degrees fifty-nine minutes fifty-two and three hundred and thirty-five one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes thirty-five and forty-four one-thousandths seconds, the line being produced and referenced by a bolt and plate in the rock on a hill east of the river; thence south five degrees fourteen minutes eight seconds west nine hundred and fifty feet to angle (numbered 163) in Byram River in latitude forty degrees fifty-nine minutes forty-two and nine hundred and ninety-five one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes thirty-six and one hundred and seventy-three one-thousandths seconds; the line being produced and referenced by a bolt and plate in the ledge on the west shore of the river; thence south nine degrees ten minutes nineteen seconds east six hundred and ninety-two feet to angle (numbered 164) in Byram River in latitude forty degrees fifty-nine minutes thirty-six and two hundred and forty-nine one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes thirty-four and seven hundred and thirty-six one-thousandths seconds, the line being produced and referenced by a bolt and plate in the shore; thence south thirty-four degrees thirty-five minutes four seconds east six hundred and eighty-four feet to angle (numbered 165) in Byram River in latitude forty degrees fifty-nine minutes thirty and six hundred and eighty-two one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes twenty-nine and six hundred and seventy-one one-thousandths seconds, both ends of this and the three subsequent tangents being produced and referenced by brass bolts and plates set in the ledge on the shore of the river; thence south twenty-six degrees two seconds east two hundred and twenty-nine feet to angle (numbered 166) in latitude forty degrees fifty-nine minutes twenty-eight and six hundred and forty-six one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes twenty-eight and three hundred and sixty one-thousandths seconds; thence south five degrees twenty-six minutes thirty-eight seconds west four hundred and two feet to angle (numbered 167) in latitude forty degrees fifty-nine minutes twenty-four and six hundred and ninety-four one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes twenty-eight and eight hundred and fifty-seven one-thousandths seconds; thence south fifty degrees forty-nine minutes fifty-one seconds west eight hundred and fifteen feet to angle (numbered 168) in latitude forty degrees fifty-nine minutes nineteen and six hundred and eight one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes thirty-seven and ninety-six one-thousandths seconds; thence south thirty degrees one minute forty-one seconds east one thousand nine hundred and twenty-four feet to angle (numbered 169), a point in the center of the channel in line with the breakwater at Lyons or Byram Point in latitude forty degrees fifty-nine minutes three and one hundred and fifty-two one-thousandths seconds and longitude seventy-three degrees thirty-nine minutes twenty-four and five hundred and forty-six one-thousandths seconds the northerly end of this tangent being produced back and referenced by a brass bolt and plate in the ledge overlooking the harbor; thence south forty-five degrees east seventeen thousand one hundred and sixty feet or three and one-quarter miles to angle (numbered 170) in latitude forty degrees fifty-seven minutes three and two hundred and twenty-eight one-thousandths seconds, and longitude seventy-three degrees thirty-six minutes forty-six and four hundred and eighteen one-thousandths seconds, the first angle point in Long Island Sound described by the joint commissioners of New York and Connecticut by a memorandum of agreement dated December 8, 1879; thence in a straight line (the arc of a great circle) north seventy-four degrees thirty-two minutes thirty-two seconds east four hundred and thirty-four thousand three hundred and ninety-four feet to a point (numbered 171) in latitude forty-one degrees fifteen minutes thirty-one and three hundred and twenty-one one-thousandths seconds and longitude seventy-two degrees five minutes twenty-four and six hundred and eighty-five one-thousandths seconds, four statute miles true south of New London Lighthouse; thence north fifty-eight degrees fifty-eight minutes forty-three seconds east twenty-two thousand six hundred and four feet to a point (numbered 172) in latitude forty-one degrees seventeen minutes twenty-six and three hundred and forty-one one-thousandths seconds, and longitude seventy-two degrees one minute ten and nine hundred and thirty-seven one-thousandths seconds marked on the United States Coast Survey chart of Fishers Island Sound annexed to said memorandum, which point is on the long east three-fourths north sailing course drawn on said map one thousand feet true north from the Hammock or North Dumpling Lighthouse; thence following said east three-fourths north sailing course north

seventy-three degrees thirty-seven minutes forty-two seconds east twenty-five thousand seven hundred and seventeen feet to a point (numbered 173) in latitude forty-one degrees eighteen minutes thirty-seven and eight hundred and thirty-five one-thousandths seconds, and longitude seventy-one degrees fifty-five minutes forty-seven and six hundred and twenty-six one-thousandths seconds marked (numbered 2) on said map; thence south seventy degrees seven minutes twenty-six seconds east six thousand four hundred and twenty-four feet toward a point marked (numbered 3) on said map until said line intersects the westerly boundary of Rhode Island at a point (numbered 174) in latitude forty-one degrees eighteen minutes sixteen and two hundred and forty-nine one-thousandths seconds, and longitude seventy-one degrees fifty-four minutes twenty-eight and four hundred and seventy-seven one-thousandths seconds as determined by the joint commissioners of Connecticut and Rhode Island by a memorandum of agreement dated March 25, 1887.

"The geodetic positions given in this description are based on Clarke's Spheroid of 1866 and the astronomical data adopted by the United States Coast and Geodetic Survey in 1880, and are computed from data given in Appendix Numbered 8 to the report of the said survey for 1888, entitled 'Geographical positions in the State of Connecticut.'

"And we agree that the boundary line hereinbefore described and determined is fully and accurately laid down on a map, a copy of which we agree shall be deposited with the secretary of each State.

"*Provided, however,* That nothing in the foregoing agreement contained shall be construed to affect any existing title to property, corporeal or incorporeal, held under grants heretofore made by either of said States, nor to affect existing rights which said States, or either of them, or which the citizens of either of said States may have, by grant, letters patent, or prescription of fishing, in the waters of said sound, whether for shell or floating fish, irrespective of the boundary line hereby established, it not being the purpose of this agreement to define, limit, or interfere with any such right, rights, or privileges, whatever the same may be.

"And we agree that as soon as this agreement shall have been ratified and confirmed by the legislatures of our respective States, copies of the acts of ratification duly authenticated shall be forwarded by the secretary of each State to the chief executive magistrate of the other State to be deposited among the records thereof, in perpetual testimony of such ratification.

"Dated at Hartford this 3d day of January, 1911, and signed on this day by Frank B. Weeks, Governor of Connecticut, and at Albany, New York, on March 15, 1912, by J. A. Bensel, State engineer and surveyor of New York. (Seal.)"

And

Whereas said agreement and the location of said boundary line as therein described have been duly ratified and confirmed by the said States, and the congressional approval thereof has been authorized by said States: Therefore

Be it enacted, etc., That the consent of the Congress of the United States be, and hereby is, given to said agreement, and to each and every part thereof; and the boundaries established by said agreement are hereby approved.

REORGANIZATION OF THE EXECUTIVE DEPARTMENTS (S. DOC. NO. 128)

Mr. SMOOT. From the joint committee on reorganization created under a joint resolution passed December 17, 1920, I report the bill which I send to the desk, and I also present the report of the joint committee on the bill. I ask that the report, together with the bill as Appendix C to the report, may be printed in the RECORD.

I wish to add that there is a supplemental report signed by the Senator from Mississippi [Mr. HARRISON] and Congressman MOORE of Virginia. I ask that that be printed in the RECORD also.

I do not expect to call up the bill for consideration during this session of Congress, but I do want to have it printed in the RECORD, so that every Senator may see exactly what changes are recommended by the joint committee in the departments of our Government.

Mr. STERLING. Should it not be printed also as a public document, may I ask the Senator from Utah?

Mr. SMOOT. I think perhaps it ought to be so printed, because it will be studied from one end of the country to the other. If there is no objection, I ask that it be printed as a public document as well.

Mr. OVERMAN. The Senator does not ask the Senate to take action on the bill now?

Mr. SMOOT. Oh, no; not at this session.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Utah? The Chair hears none. The report and bill will be printed as a public document and will be printed in the RECORD.

Mr. SMOOT, from the Joint Committee on Reorganization of the Executive Departments, reported a bill (S. 3445) to provide for the reorganization and more effective coordination of the executive branch of the Government, to create the department of education and relief, and for other purposes, which was read twice by its title and ordered to be placed on the calendar and to be printed in the RECORD, as follows:

A bill to provide for the reorganization and more effective coordination of the executive branch of the Government, to create the department of education and relief, and for other purposes

Be it enacted, etc.—

TITLE I.—DEPARTMENT OF EDUCATION AND RELIEF

SECTION 1. There is hereby established at the seat of government an executive department to be known as the department of education and relief. The chief officer of the department of education and relief, who shall have control and direction of said department, shall be appointed by the President, by and with the advice and consent of the Senate. He shall be known as the secretary of education and relief, and shall receive a salary of $12,000 per annum. His term and tenure of office shall be the same as that of the heads of the other executive departments. Section 158 of the Revised Statutes is hereby amended to include the department of education and relief, and the provisions of Title IV of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department. The secretary of education and relief shall cause a seal of office to be made for the department of education and relief of such device as the President shall approve, and judicial notice shall be taken thereof.

SEC. 2. There shall be in the department of education and relief three assistant secretaries, to be appointed by the President by and with the advice and consent of the Senate. They shall be known, respectively, as the assistant secretary for education, the assistant secretary for public health, and the assistant secretary for veteran relief. Each assistant secretary shall perform such duties as may be prescribed by the secretary or required by law. There shall also be a solicitor, a chief clerk, and a disbursing clerk, and such other officers and employees as may from time to time be authorized by Congress.

SEC. 3. It shall be the province and duty of the department of education and relief to foster and promote public education and health, and the interests, as determined by law, of persons separated from the military or naval forces of the United States; and to this end it shall be vested with jurisdiction and control over the bureaus, offices, and branches of the public service hereinafter specified. All unexpended appropriations which shall be available at the time when this act takes effect in relation to the various bureaus, offices, and branches of the public service which are by this act transferred to or included in the department of education and relief, or which are abolished by this act, and their authority, powers, and duties transferred to the department of education and relief shall become available for expenditure by the department of education and relief and shall be treated as if said branches of the public service had been directly named in the laws making said appropriations as parts of the department of education and relief.

SEC. 4. (a) The Bureau of Pensions, the Bureau of Education, St. Elizabeths Hospital, Howard University, and Freedmen's Hospital, and all pertaining thereto, are hereby transferred from the Department of the Interior to the department of education and relief.

(b) The Public Health Service, including all that pertains thereto, is hereby transferred from the Department of the Treasury to the department of education and relief.

(c) The Federal Board for Vocational Education is hereby abolished, and the authority, powers, and duties conferred and imposed by law upon such board shall be held, exercised, and performed by the assistant secretary for education, under the general direction of the secretary of education and relief.

(d) The office of Commissioner of Education is hereby abolished, and the authority, powers, and duties conferred and imposed by law upon the Commissioner of Education shall be held, exercised, and performed by the assistant secretary for education, under the general direction of the secretary of education and relief.

(e) The assistant secretary for veteran relief shall be ex officio a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers, in addition to the members heretofore provided for by law; and all reports of expenditures and receipts and all other reports required by law to be submitted by the Board of Managers, and all accounts and estimates of appropriations, shall be submitted to and supervised by the secretary of education and relief, who shall transmit the same to Congress, to the General Accounting Office, or to the Bureau of the Budget, as may be required by law, together with any recommendations which he may deem proper.

(f) The authority, powers, and duties conferred and imposed by law upon the Secretary of the Interior with relation to the Columbia Institution for the Deaf, shall be held, exercised, and performed by the Secretary of Education and Relief; and the Assistant Secretary for Education shall be ex officio a director of such institution, in addition to the directors whose appointment has heretofore been provided by law.

(g) The United States Veterans' Bureau, including all that pertains thereto, is hereby transferred to and made a part of the Department of Education and Relief. The office of Director of the United States Veterans' Bureau is hereby abolished, and the authority, powers, and duties conferred and imposed by law upon the Director shall be held, exercised, and performed by the Assistant Secretary for Veteran Relief, subject to the general direction of the Secretary of Education and Relief: *Provided*, That the Assistant Secretary for Veteran Relief shall have final authority in the adjudication and settlement of any claim or other matter involving or affecting the rights and interests of any beneficiary of the United States Veterans' Bureau. The Assistant Secretary for Veteran Relief shall receive a salary of $10,000 per annum.

SEC. 5. The official records and papers on file in and pertaining to the business of any bureau, office, or branch of the public service which is transferred by this act to the Department of Education and Relief, or which is abolished by this act and its authority, powers, and duties transferred to the Department of Education and Relief, together with the furniture, equipment, and other property in use in such bureau, office, or branch of the public service, are hereby transferred to the Department of Education and Relief.

SEC. 6. The Secretary of Education and Relief shall have charge, in the buildings and premises occupied by or assigned to the Department of Education and Relief, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter acquired for use in its business. Until other quarters are provided, the Department of Education and Relief may occupy the buildings and premises occupied by the bureaus, offices, and branches of the public service which are by this act transferred to or included in said department, or which are abolished by this act, and their authority, powers, and duties transferred to said department. Except as otherwise provided by this act, the officers and employees employed in or under the jurisdiction of any bureau, office, or branch of the public service which is by this act transferred to or included in the Department of Education and Relief, or which is abolished by this act and its authority, powers, and duties transferred to said department, are each and all hereby transferred to said department without change in classification or compensation.

SEC. 7. Except as otherwise provided by this act, all authority, powers, and duties held, exercised, and performed by the head of any executive department in and over any bureau, office, officer, or branch of the public service which is by this act transferred to the Department of Education and Relief, or which is abolished by this act and its authority, powers, and duties transferred to said department, or in and over any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, office, officer, or branch of the public service, whether of an appellate or revisory character or otherwise, shall be vested in and exercised and performed by the Secretary of Education and Relief: *Provided, however*, That this shall not be construed to affect the provisions of the act approved August 18, 1894, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," relating to the annual inspection of the National Home for Disabled Volunteer Soldiers under the direction of the Secretary of War.

SEC. 8. The Secretary of Education and Relief shall make annually, at the close of each fiscal year, a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department, describing the work done by the department, and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of the department. He also shall make from time to time such special investigations and reports as may be required of him by the President or either House of Congress, or as he himself may deem necessary and urgent.

TITLE II.—DEPARTMENT OF COMMERCE

SEC. 200. The Department of Commerce shall be vested with jurisdiction and control over the bureaus, offices, and branches of the public service hereinafter specified. All unexpended appropriations, which shall be available at the time when this act takes effect, in relation to the various bureaus, offices, and branches of the public service which are by this act transferred to or included in the Department of Commerce, shall become available for expenditure by the Department of Commerce, and shall be treated as if said branches of the public service had been directly named, in the laws making said appropriations, as parts of the Department of Commerce. There shall hereafter be in the Department of Commerce two additional Assistant Secretaries of Commerce. The Assistant Secretaries of Commerce shall be appointed by the President, by and with the advice and consent of the Senate, and they shall be known respectively as the Assistant Secretary for Industry, the Assistant Secretary for Trade, and the Assistant Secretary for Merchant Marine. Each Assistant Secretary shall perform such duties as may be prescribed by the Secretary or required by law.

SEC. 201. (a) The Bureau of Mines and the Patent Office, and all pertaining thereto, are hereby transferred from the Department of the Interior to the Department of Commerce.

(b) The National Advisory Committee for Aeronautics is transferred to and made a part of the Department of Commerce, where it shall perform its duties in accordance with rules and regulations approved by the Secretary of Commerce and under his general direction. The committee's annual report shall hereafter be submitted through the Secretary of Commerce, who shall transmit it to Congress with such recommendations as he may deem proper.

(c) The Lake Survey Office, now under the jurisdiction of the Chief of Engineers of the United States Army, including all that pertains thereto, is hereby transferred from the Department of War to the Department of Commerce; and the detail of all officers of the United States Army assigned to the Lake Survey Office shall cease and terminate on September 30, 1925, unless sooner terminated by the Secretary of War. In addition to the surveys now made under its supervision in accordance with existing law, the Department of Commerce shall be charged with making all surveys now or hereafter required by the United States to facilitate the navigation of the waters of the Great Lakes and other navigable lakes and the waters adjacent to Cuba, the Island of Haiti, and the Virgin Islands, and with the preparation and distribution of all nautical charts and sailing directions relating to or required in the navigation of such waters.

(d) The authority, powers, and duties conferred and imposed upon the Secretary of War under the provisions of sections 201 and 500 of the transportation act, 1920, shall be transferred to the Secretary of Commerce, to be held, exercised, and performed by him in the same manner as if he had been directly named in said act instead of the Secretary of War; and all boats, barges, tugs, and other transportation facilities transferred to the Secretary of War under the provisions of said act, and all transportation facilities and all agencies and instrumentalities acquired or established by the Secretary of War to carry into effect the provisions of said act, are hereby transferred from the Department of War to the Department of Commerce. The detail of all officers of the United States Army assigned to assist the Secretary of War in the discharge of his duties under the provisions of said act shall cease and terminate on September 30, 1925, unless sooner terminated by the Secretary of War.

(e) The Bureau of the Census shall hereafter be known as the Bureau of Federal Statistics and the Director of the Census as the Director of Federal Statistics. The authority, powers, and duties conferred and imposed by law upon the Director of the Geological Survey with relation to the collection and publication of statistics of mineral resources and production in the United States, and the authority, powers, and duties conferred and imposed by law upon the Secretary of War or the Chief of Engineers of the United States Army with relation to the collection and publication of statistics of waterborne commerce in the United States, shall be held, exercised, and performed by the Director of Federal Statistics under the general direction of the Secretary of Commerce.

SEC. 202. (a) There is hereby established in the Department of Commerce a bureau to be known as the Bureau of Transportation. The chief officer of the Bureau of Transportation, who shall have control and direction of said bureau, shall be appointed by the President, by and with the advice and consent of the Senate. He shall be known as the Director of the Bureau of Transportation and shall receive a salary of $7,500 per annum. There shall also be in said bureau an assistant director, who shall receive a salary of $6,000 per annum, and who shall, in the absence of the director, act as and perform the duties of the director. The assistant director shall also perform such other duties as may be assigned to him by the Secretary of Commerce or by the director. There shall also be in the said bureau a chief clerk and such other officers and employees as may be authorized by law.

(b) It shall be the province and duty of the Bureau of Transportation, under the general direction of the Secretary of Commerce, to make diligent investigation into all matters affecting the facilities of the United States for interstate transportation by rail, highway, water, and air, and to gather such information and data as will enable the President of the United States to make recommendations to Congress looking to the development and improvement of the transportation facilities of the Nation. The bureau shall make such special investigations and gather such data as the President or the Secretary of Commerce may from time to time require, and it shall publish and supply useful information relating to national transportation questions to other branches of the Government and to the public.

SEC. 203. The official records and papers on file in and pertaining to the business of any bureau, office, or branch of the public service which is by this act transferred to or included in the Department of Commerce, together with the furniture, equipment, and other property in use in such bureau, office, or branch of the public service, are hereby transferred to the Department of Commerce.

SEC. 204. Until other quarters are provided, the Department of Commerce may occupy any buildings and premises occupied by any bureau, office, or branch of the public service which is by this act

transferred to or included in the Department of Commerce. The officers and employees employed in or under the jurisdiction of any bureau, office, or branch of the public service which is by this act transferred to or included in the Department of Commerce are each and all hereby transferred to said department without change in classification or compensation.

SEC. 205. All authority, powers, and duties held, exercised, and performed by the head of any executive department in and over any bureau, office, officer, or branch of the public service which is by this act transferred to or included in the Department of Commerce, or in and over any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, office, officer, or branch of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised and performed by the Secretary of Commerce.

TITLE III.—DEPARTMENT OF THE INTERIOR

SEC. 300. The Department of the Interior shall be vested with jurisdiction and control over the bureaus, offices, and branches of the public service hereinafter specified. All unexpended appropriations which shall be available at the time when this act takes effect, in relation to the various bureaus, offices, and branches of the public service, which are by this act transferred to or included in the Department of the Interior, or which are abolished by this act, and their authority, powers, and duties transferred to the Department of the Interior, shall become available for expenditure by the Department of the Interior and shall be treated the same as if said branches of the public service had been directly named, in the laws making said appropriations, as parts of the Department of the Interior. The Assistant Secretaries of the Interior shall hereafter be known, respectively, as the Assistant Secretary for Public Domain and the Assistant Secretary for Public Works.

SEC. 301. (a) The Bureau of Public Roads, including all that pertains thereto, is hereby transferred from the Department of Agriculture to the Department of the Interior.

(b) The Office of the Supervising Architect, including all that pertains thereto, is hereby transferred from the Department of the Treasury to the Department of the Interior.

(c) The Board of Road Commissioners for Alaska, under the jurisdiction of the Department of War, is hereby abolished; and the authority, powers, and duties conferred and imposed by law upon said board shall be held, exercised, and performed by the Secretary of the Interior through such instrumentalities as he may determine, with the approval of the President.

SEC. 302. The official records and papers on file in and pertaining to the business of any bureau, office, or branch of the public service which is transferred by this act to the Department of the Interior, or which is abolished by this act and its authority, powers, and duties transferred to the Department of the Interior, together with the furniture, equipment, and other property in use in such bureau, office, or branch of the public service, are hereby transferred to the Department of the Interior.

SEC. 303. Until other quarters are provided, the Department of the Interior may occupy any buildings and premises occupied by any bureau, office, or branch of the public service which is by this act transferred to or included in the Department of the Interior, or which is abolished by this act and its authority, powers, and duties transferred to said department. The officers and employees employed in or under the jurisdiction of any bureau, office, or branch of the public service which is by this act transferred to or included in the Department of the Interior, or which is abolished by this act and its authority, powers, and duties transferred to said department, are each and all hereby transferred to said department without change in classification or compensation.

SEC. 304. All authority, powers, and duties held, exercised, and performed by the head of any executive department in and over any bureau, office, officer, or branch of the public service which is by this act transferred to the Department of the Interior, or which is abolished by this act and its authority, powers, and duties transferred to said department, or in and over any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, office, officer, or branch of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised and performed by the Secretary of the Interior.

TITLE IV.—BUREAU OF PURCHASE AND SUPPLY

SEC. 400. There is hereby established at the seat of government a bureau to be known as the Bureau of Purchase and Supply, which shall be independent of any executive department. The chief officer of the bureau of purchase and supply, who shall have control and direction of said bureau, shall be appointed by the President, by and with the advice and consent of the Senate. He shall be known as the director of purchase and supply, and shall receive a salary of $10,000 per annum. The director of purchase and supply is authorized to appoint an assistant director of purchase and supply, a chief clerk, a disbursing officer, and such experts, clerks, chauffeurs, storekeepers, laborers, and other employees as may be authorized by law. In connection with the establishment and maintenance of the Bureau of Purchase and Supply said director is authorized to procure by purchase or lease for such periods as may be necessary, buildings for office or warehouse purposes, and such lands, wharves, railroad trestles, spurs, and sidings as may be necessary for the handling of supplies; and to purchase, maintain, equip, and exchange such freight-carrying, motor-propelled, and horse-drawn vehicles and appurtenances thereto as may be required. The director of purchase and supply shall cause a seal of office to be made for the Bureau of Purchase and Supply of such device as the President shall approve, and judicial notice shall be taken thereof.

SEC. 401. The Bureau of Purchase and Supply shall contract for, purchase, and distribute supplies for the executive departments and independent establishments in the District of Columbia, for the municipal government of the District of Columbia, and, when in the opinion of the head of the executive department or independent establishment concerned it is practicable to do so, for field services; and except as expressly provided herein all supplies for the use of any executive department or independent establishment in the District of Columbia, or of the municipal government of the District of Columbia, shall be contracted for and purchased exclusively by the Bureau of Purchase and Supply: *Provided*, That the President, after consultation with the Director of Purchase and Supply, may authorize the purchase of supplies without the intervention of the Bureau of Purchase and Supply when in his opinion the public interest so demands: *Provided further*, That in cases where the President authorizes the procurement of supplies through other channels than the Bureau of Purchase and Supply he shall in the order of authorization make provision for such restriction upon the methods of purchase as he may deem necessary. The word "supplies," as used under this title, shall be construed to include everything, except real estate, and printed or engraved matter obtainable through the Government Printing Office or the Bureau of Engraving and Printing which may be needed in the transaction of official business or for public use: *Provided*, That nothing in this act shall be construed to affect the contracting for paper or supplies used by the Government Printing Office or the Bureau of Engraving and Printing in printing, binding, or engraving processes.

Except as the President may otherwise direct, the Bureau of Purchase and Supply shall contract, on behalf of the executive departments and independent establishments in the District of Columbia, for all telephone, telegraph, electric light, electric power, and laundry service and for the collection and disposal of ashes and other débris in the District of Columbia.

SEC. 402. The Bureau of Purchase and Supply is authorized, in the discretion of the director, to contract for and purchase the supplies ordinarily and commonly needed by any executive department or independent establishment or by the municipal government of the District of Columbia in quantities sufficient for annual requirements. Such supplies shall be stored under the direction of the Director of Purchase and Supply, and he shall be responsible for their custody and issue. Supplies shall be furnished to the several executive departments and independent establishments and to the municipal government of the District of Columbia upon presentation of appropriate requisition therefor; and supplies not in ordinary and common use shall be procured by the Bureau of Purchase and Supply only after presentation of such requisition: *Provided*, That no department or establishment shall requisition supplies from the Bureau of Purchase and Supply through more than one office. Every requisition made by any executive department or independent establishment or by the municipal government of the District of Columbia shall be accompanied by a certificate, signed by an officer designated for that purpose by the head of the executive department or independent establishment concerned or by the Commissioners of the District of Columbia, to the effect that an appropriation is available from which payment for the supplies may be made, and that the estimated amount of such payment has been set aside on the books of the office concerned.

SEC. 403. There is hereby authorized to be set aside as a special fund in the Department of the Treasury to be known as the general purchase and supply fund, such sum as may be appropriated by Congress for the payment by the Bureau of Purchase and Supply of the cost of the supplies purchased under the provisions of section 401 of this act; and said bureau shall charge the cost of supplies furnished to the agencies requisitioning the same, and reimbursement therefor shall be made by such agencies out of the appropriations which may be applicable upon presentation of regular monthly statements of account: *Provided*, That all such reimbursements shall be placed to the credit of the general purchase and supply fund, and the same are hereby reappropriated for the same purposes as the original fund.

SEC. 404. All surplus, discarded, or useless supplies now in the possession of the several executive departments and independent establishments and of the municipal government of the District of Columbia, and all such supplies which may be accumulated in the future, shall be consigned to the Bureau of Purchase and Supply for sale

or other disposition; and the proceeds of sales of such supplies shall be credited to the respective appropriations applicable: *Provided*, That this shall not be construed to apply to supplies acquired for the Military or Naval Establishments or for any field service: *And provided further*, That supplies acquired by the Bureau of Purchase and Supply which, due to breakage, spoilage, deterioration, obsolescence, or other cause, become unsuited for issue upon requisition for Government use, may be disposed of by the director in such manner as the President may approve.

SEC. 405. (a) The General Supply Committee established under the provisions of section 4 of the act approved June 17, 1910, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1911, and for other purposes," is hereby abolished. The authority, powers, and duties conferred and imposed by said section upon said committee and upon the Secretary of the Treasury shall cease and terminate; and the Director of Purchase and Supply shall secure the proper fulfillment of all unexpired contracts for supplies contracted for under the provisions of said section. All unexpended appropriations which shall be available at the time when this act takes effect, in relation to the General Supply Committee, shall become available for expenditure by the Bureau of Purchase and Supply and shall be treated as if said Bureau of Purchase and Supply had been directly named in the laws making said appropriations instead of the General Supply Committee. The officers and employees employed by the General Supply Committee are hereby transferred to the Bureau of Purchase and Supply without change in classification or compensation; and the official records and papers on file with and pertaining to the business of the General Supply Committee, together with all furniture and property of said committee, are hereby transferred to the Bureau of Purchase and Supply.

(b) The fuel storage and distributing yards established under the provisions of the act approved July 1, 1918, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes," known as the Government fuel yards, and all that pertains to the same, are hereby transferred from the Department of the Interior to the Bureau of Purchase and Supply; and the authority, powers, and duties held, exercised, and performed by the Secretary of the Interior in and over the Government fuel yards shall hereafter be vested in and exercised and performed by the Director of Purchase and Supply. All unexpended appropriations which shall be available at the time when this act takes effect in relation to the Government fuel yards shall become available for expenditure by the Bureau of Purchase and Supply and shall be treated as if said Government fuel yards had been directly named in the laws making such appropriations as a part of the Bureau of Purchase and Supply. All officers and employees employed by or in the Government fuel yards are hereby transferred to the Bureau of Purchase and Supply without change in classification or compensation; and the official records and papers on file in or under the jurisdiction of the Department of the Interior pertaining to the business of the Government fuel yards, together with the supplies, furniture, equipment, and other property now in use in or in the possession of said Government fuel yards, are hereby transferred to the Bureau of Purchase and Supply.

(c) Until other quarters and facilities are provided the Bureau of Purchase and Supply may occupy the buildings and premises occupied by the General Supply Committee and the Government Fuel Yards.

SEC. 406. The Director of Purchase and Supply, with the approval of the President, shall make all regulations necessary to carry into effect the provisions under this title; and he shall make annually, at the close of each fiscal year, a report in writing to Congress, giving an account of all moneys received and disbursed by the Bureau of Purchase and Supply, describing the work done by said Bureau of Purchase and Supply and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of said bureau. He also shall make from time to time such special reports as may be required of him by the President or either House of Congress, or as he himself may deem necessary and urgent.

TITLE V.—OFFICE OF PUBLIC BUILDINGS AND PARKS IN THE DISTRICT OF COLUMBIA

SEC. 500. There is hereby established at the seat of government an office to be known as the Office of Public Buildings and Parks in the District of Columbia, which shall be independent of any executive department. The chief officer of the Office of Public Buildings and Parks in the District of Columbia, who shall have control and direction of said office, shall be known as the Superintendent of Public Buildings and Parks in the District of Columbia. He shall be appointed by the President and shall receive a salary of $7,500 per annum: *Provided, however*, That the President may in his discretion designate from the Corps of Engineers of the Army an officer well qualified for the purpose as Superintendent of Public Buildings and Parks in the District of Columbia to serve without additional compensation. The Superintendent of Public Buildings and Parks in the District of Columbia is authorized to appoint an assistant superintendent, a chief clerk, a disbursing officer, and such other officers and employees as may be authorized by law: *Provided, however*, That the President is hereby authorized to designate not to exceed two qualified officers of the United States Army for duty in the Office of Public Buildings and Parks in the District of Columbia, under the direction and control of the Superintendent, to serve without additional compensation.

SEC. 501. (a) The commission established by the act approved March 3, 1883, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes," for the purposes of the care and supervision of the State, War, and Navy Department Buildings is hereby abolished, together with the office known as the Office of the Superintendent of the State, War, and Navy Department Buildings; and all authority, powers, and duties conferred and imposed by law upon said commission or upon said office shall be held, exercised, and performed by the Superintendent of Public Buildings and Parks in the District of Columbia, under the general direction of the President.

(b) The Office of Public Buildings and Grounds, under the direction and control of the Chief of Engineers of the United States Army, is hereby abolished, and all authority, powers, and duties conferred and imposed by law upon the Secretary of War or upon the Chief of Engineers of the United States Army in relation to the construction, maintenance, care, custody, upkeep, or repair of public buildings, grounds, parks, monuments, or memorials in the District of Columbia, together with the authority, powers, and duties conferred and imposed by law upon the officer in charge of public buildings and grounds, shall be held, exercised, and performed by the Superintendent of Public Buildings and Parks in the District of Columbia, under the general direction of the President.

SEC. 502. All unexpended appropriations, which shall be available when this act takes effect, in relation to the offices abolished by the preceding section, shall become available for expenditure by the Office of Public Buildings and Parks in the District of Columbia, and shall be treated as if that office had been directly named in the laws making such appropriations, instead of the offices so abolished. The officers and employees employed in the offices so abolished are hereby transferred to the Office of Public Buildings and Parks in the District of Columbia without change in classification or compensation; and the official records and papers on file in or under the jurisdiction of the said offices, together with the supplies, furniture, and other property in use in or in the possession of such offices, are hereby transferred to the Office of Public Buildings and Parks in the District of Columbia.

SEC. 503. The superintendent of public buildings and parks in the District of Columbia, with the approval of the President, shall make all regulations necessary to carry into effect the provisions under this title; and he shall make annually, at the close of each fiscal year, a report in writing to Congress, describing the work done by the office of public buildings and parks in the District of Columbia, and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of said office. He also shall make from time to time such special reports as may be required of him by the President or either House of Congress or as he himself may deem necessary and urgent.

TITLE VI—DEPARTMENTAL SOLICITORS

SEC. 600. The Solicitor of the Treasury, the Solicitor of Internal Revenue, the Solicitor for the Department of State, the Solicitor for the Department of the Interior, the Solicitor for the Department of Commerce, and the Solicitor for the Department of Labor, and all officers and employees of the Department of Justice subordinate thereto, are hereby transferred, without change in classification or compensation, as hereinafter specified: The Solicitor of the Treasury and all officers and employees of the Department of Justice who are subordinate thereto, to the Department of the Treasury; the Solicitor of Internal Revenue, to the office of the Commissioner of Internal Revenue in the Department of the Treasury; the Solicitor for the Department of State, to the Department of State; the Solicitor for the Department of the Interior, to the Department of the Interior; the Solicitor for the Department of Commerce and all officers and employees of the Department of Justice who are subordinate thereto, to the Department of Commerce; and the Solicitor for the Department of Labor, and all employees of the Department of Justice who are subordinate thereto, to the Department of Labor; and the officers and employees so transferred shall hereafter perform their several duties under the general direction of the heads of the departments to which they are respectively transferred: *Provided*, That all published opinions and rulings by the law officers of the several departments and independent establishments shall be promulgated in accordance with rules and regulations issued by the Attorney General, and any opinion or ruling by the Attorney General upon any question of law arising in any executive department or independent establishment shall be treated as binding upon all executive departments, bureaus, agencies, or offices therewith concerned; but this provision shall not be construed as affecting the jurisdiction

exercised under the authority of existing law by the Comptroller General of the United States or the Judge Advocates General of the Army and Navy: *Provided further*, That instructions to United States attorneys, United States marshals, and clerks of United States courts may be issued by the Attorney General or other duly authorized officer of the Department of Justice, and by no other officer in any executive department. All unexpended appropriations which shall be available at the time when this act takes effect for the payment, under the supervision of the Attorney General, of salaries to the officers and employees by this act transferred from the Department of Justice to other departments shall become available for expenditure by the respective departments to which said officers and employees are transferred, and shall be treated as if said departments had been directly named in the laws making said appropriations instead of the Department of Justice.

TITLE VII.—BUREAU OF THE BUDGET

SEC. 700. The Bureau of the Budget, created by section 207 of the Budget and accounting act, 1921, shall hereafter be independent of any executive department. The Director of the Bureau of the Budget shall cause a seal of office to be made for the Bureau of the Budget of such device as the President shall approve, and judicial notice shall be taken thereof.

TITLE VIII.—GENERAL PROVISIONS

SEC. 800. This act may be cited as the "departmental reorganization act, 1924."

SEC. 801. This act shall take effect March 4, 1925: *Provided, however*, That the provisions of this act in relation to the transfer of any agency from the jurisdiction and control of one officer to the jurisdiction and control of another, or in relation to the abolishment of any existing agency, or in relation to the transfer of authority, powers, and duties from one officer or agency to another, shall take effect and be in force July 1, 1925, and not before.

SEC. 802. No suit, action, or other proceeding lawfully commenced by or against the head of any department or bureau or other officer of the United States in his official capacity, or in relation to the discharge of his official duties, shall abate by reason of the transfer of authority, powers, and duties from one officer or agency of the Government to another under the provisions of this act, but the court, on motion or supplemental petition filed at any time within 12 months after this act shall take effect, showing a necessity for a survival thereof to obtain a settlement of the questions involved, may allow the same to be maintained by or against the head of the department or other officer of the United States to whom said authority, powers, and duties are transferred by this act.

SEC. 803. The head of each executive department is hereby given power and authority to make, subject to the approval of the President, such changes in the organization of the bureaus, offices, and other branches of the public service included in his department as he may deem essential to economical and effective administration; and he is hereby authorized and empowered to reorganize or consolidate, with the approval of the President, any of the bureaus, offices, or other branches of the public service under his jurisdiction, and to set up such divisions, offices, and districts as may be best adapted to accomplish the purposes for which the department was established: *Provided*, That the head of each department shall specially report to Congress at the beginning of each regular session any action taken under the provisions of this section, with the reasons therefor.

The report is as follows:

[Senate Document No. 128, Sixty-eighth Congress, first session]

REORGANIZATION OF THE EXECUTIVE DEPARTMENTS

REPORT OF THE JOINT COMMITTEE ON REORGANIZATION CREATED UNDER THE JOINT RESOLUTION ADOPTED DECEMBER 17, 1920, AS AMENDED BY RESOLUTION APPROVED MAY 5, 1923

(Presented by Mr. SMOOT June 3, 1924. Ordered to be printed)

The Joint Committee on Reorganization, created under the joint resolution adopted December 17, 1920 (Public Res. No. 54, 66th Cong.), as amended by the joint resolution approved May 5, 1921 (Public Res. No. 1, 67th Cong.), submits the following report:

THE COMMITTEE'S DUTIES

The duties of the committee were described in section 2 of the resolution by which it was created, in the following language:

"It shall be the duty of the Joint Committee on Reorganization to make a survey of the administrative services of the Government for the purpose of securing all pertinent facts concerning their powers and duties, their distribution among the several executive departments, and their overlapping and duplication of authority; also to determine what redistribution of activities should be made among the several services, with a view to the proper correlation of the same, and what departmental regrouping of services should be made, so that each executive department shall embrace only services having close working relation with each other and ministering directly to the primary purpose for which the same are maintained and operated, to the end that there shall be achieved the largest possible measure of efficiency and economy in the conduct of Government business."

Section 3 of the resolution provided:

"That the committee shall, from time to time, report to both the Senate and the House of Representatives the results of its inquiries, together with its recommendations, and shall prepare and submit bills or resolutions having for their purpose the coordination of Government functions and their most efficient economical conduct." * * *

THE COMMITTEE'S INVESTIGATIONS

In view of the peculiar interest of the President and his Cabinet officers in the question of reorganizing the executive services of the Government, charged as they are with the management and control of those services, Congress saw fit to invite the active participation of the President in the study of the problems intrusted to the committee; and by the joint resolution of May 5, 1921, it authorized the President to designate a representative to cooperate with the committee. The President's representative has served as chairman.

As a preliminary to active work it was deemed expedient to secure an expression from the President representing his conclusions, after study and conference with the members of his Cabinet, concerning the steps which should properly be taken to reorganize the departments and services under his direction. On February 13, 1923, President Harding transmitted to the committee a plan for the rearrangement of the executive services, which has served as the basis for the committee's investigations and discussions. (The President's communication was printed as S. Doc. No. 302, 67th Cong., 4th sess.; it is reproduced as Appendix A of this report.) The adjournment of the Sixty-seventh Congress, however, shortly after the President submitted his proposals made it necessary for the committee further to postpone its work. But as soon as practicable after the organization of the Sixty-eight Congress hearings were begun on the President's plan. With the exception of the Secretary of State, whose department is but little involved, all members of the Cabinet testified before the committee, as well as a considerable number of bureau officers and persons representing private organizations. Public hearings were concluded on April 8, 1924.

HISTORICAL SKETCH OF THE EXECUTIVE DEPARTMENTS

A brief sketch of the history and growth of the principal executive establishments of the Government will be instructive.

Following the adoption of the Federal Constitution the first executive agency created by Congress was the Department of Foreign Affairs, which was established by the act of July 27, 1789. (Its name was changed to Department of State by the act of September 15, 1789.) The War Department, with jurisdiction over both military and naval affairs, as well as over land grants to veterans for military service and the Government's dealings with the Indians, was established by the act of August 7, 1789, and the Treasury Department by the act of September 2 of the same year. The office of Attorney General, the forerunner of the Department of Justice, was created by the act of September 24, 1789; and the President's Cabinet was originally composed of the Secretary of State, the Secretary of War, and the Secretary of the Treasury, heads of the three executive departments, and the Attorney General, who was legal adviser to the President and the department heads.

By the act of April 30, 1798, creating the Navy Department, the number of executive departments was increased to four, the new department taking from the War Department jurisdiction over naval affairs, including naval pensions. For more than 50 years the organization of the executive branch of the Government remained on substantially this basis. A temporary Postmaster General, however, had been provided for by an act of September 22, 1789, and by the act of May 8, 1794, a general post office was established, to have supervision over postal affairs, with a Postmaster General in charge. But this establishment was not then recognized as an executive department and its head was not originally of Cabinet rank. It was not until 1829 that the Postmaster General was admitted to the Cabinet (The President's Cabinet is not provided for by law, but exists only by custom. The President may include in his Cabinet any executive officer, whether or not the head of an executive department. Thus the Attorney General was a member of the Cabinet from the beginning, although he did not become the head of an executive department until 1870. And although the Postmaster General was a member of the Cabinet from Jackson's time, his department did not become an executive department until 1872), and the Post Office Department was not established on its present footing until after the Civil War.

The first important reorganization of the executive branch of the Government occurred in 1849, with the establishment of the Interior Department by the act of March 3. The new department was intended to be the home department, as its name implies, to have jurisdiction over strictly domestic affairs coming within the scope of the Federal Government. To it were transferred from the four existing departments—State, War, Treasury, and Navy—the Government's activities relating to patents, public buildings, pensions, and the

accounts of officers of the United States courts, as well as those relating to the public lands and to Indians. The head of the department was of Cabinet rank from the beginning.

As above noted, the office of Attorney General was created in 1789. This officer, always a member of the Cabinet and the legal adviser of the President and his department heads, was also charged with the conduct of all litigation to which the Government was a party before the Supreme Court. By act of June 22, 1870, Congress established the Department of Justice, and placed the Attorney General at its head. The purpose was to centralize the legal work done on behalf of the Government. Two years later, by the act of June 8, 1872, the Post Office Department was formally established, of equal rank with the other executive departments.

The next executive department to be established was the Department of Agriculture, which had its inception in the growing desire of the farming, stock-raising, and horticultural interests of the country for the active support and help of the Federal Government. The act of May 15, 1862, had created an establishment independent of any executive department, known as the Department of Agriculture, with a Commissioner of Agriculture at its head. This officer, however, was not of Cabinet rank. Twenty-seven years later, by the act approved February 9, 1889, Congress established the Department of Agriculture as an executive department, providing for the office of Secretary of Agriculture, a post on equal footing with the heads of the other executive departments. This department has since been marked by steady growth and development.

An important realignment in the organization of the executive branch of the Government came in 1903, when Congress, by the act of February 14, created the Department of Commerce and Labor. This was in recognition of the growing interests of trade and industry in the Government and the desire for the separate treatment of the special problems arising in these fields. The following services were transferred to the new department from the Department of the Treasury: The Lighthouse Board, the Lighthouse Establishment, the Steamboat Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners, the Bureau of Standards, the Coast and Geodetic Survey, the Bureau of Immigration, and the Bureau of Statistics. The Department of the Interior contributed the Census Office, and the State Deparment the Bureau of Foreign Commerce. (The act of February 14, 1903, required the consolidation of the Bureau of Foreign Commerce with the Bureau of Statistics transferred from the Treasury Department, under the name Bureau of Statistics. This organization became the present Bureau of Foreign and Domestic Commerce by the act approved August 23, 1912.) Three independent establishments, the Department of Labor, created by the act approved June 13, 1888, the Fish Commission, and the office of the Commissioner of Fish and Fisheries, were also incorporated in the new department.

The Department of Commerce and Labor was in reality a compromise of two propositions recommended to Congress, the one for a separate department given over to the general idea of fostering and encouraging manufactures and commerce, and the other for a similar organization to represent the interests of labor. Labor was never satisfied with the Department of Commerce and Labor, and, largely as a result of its representations, Congress passed the act of March 4, 1913, which effectually split the Department of Commerce and Labor into two separate executive departments—the Department of Commerce and the Department of Labor. The Department of Labor was given jurisdiction of the Immigration and Naturalization Services (then jointly administered, but separated by the act creating the Department of Labor), the Bureau (formerly the Department) of Labor (the act changed the name of the Bureau of Labor to Bureau of Labor Statistics), and the Children's Bureau. The other services under the Department of Commerce and Labor were given to the Department of Commerce.

Establishments independent of any executive department have been present in the administrative organization of the Government from the beginning. The first one of importance was the Post Office Department, whose head did not enter the Cabinet until 1829, and which did not become in name an executive department until 1872, as has been noted. The Smithsonian Institution was created by act of Congress in 1846, under the terms of the will of James Smithson, an Englishman, who in 1826 bequeathed his fortune to the United States to found at Washington, under the name "Smithsonian Institution," an establishment for the "increase and diffusion of knowledge among men." The Columbia Institution for the Deaf was established in 1857 (by the act approved February 16, 1857) under the management of a board of directors. The so-called Department of Agriculture was created as an independent establishment in 1862. Following the Civil War, the act of March 21, 1866, created the National Home for Disabled Volunteer Soldiers and provided for its administration independently of any executive department, although the Secretary of War was ex officio a member of its board of managers. The Soldiers' Home had already been established, after the war with Mexico, by the act of March 3, 1851.

The growing dissatisfaction of the country with the spoils system of filling Federal offices led, in 1883, to the passage of the civil service act and the establishment of the Civil Service Commission. The Interstate Commerce Commission followed, under the act approved February 4, 1887. The Bureau of Labor, created as a subdivision of the Interior Department by the act of June 27, 1884, was made an independent establishment by the act of June 13, 1888, under the name Department of Labor. It was not, however, an executive department, and its head was not a member of the Cabinet. (As has been noted, the Department of Labor was incorporated in the Department of Commerce and Labor upon the establishment of that department in 1903.)

The act of March 4, 1913, creating the separate Departments of Commerce and Labor was the last legislation affecting the organization of the executive departments as such. Since that time the number of branches presided over by officers of Cabinet rank has remained at 10. The period from 1913 up to the entry of the United States into the war with Germany, however, witnessed the origin of an additional number of establishments independent of the executive departments. Prominent among these were the Federal Reserve Board, created by the act of December 23, 1913, to have supervision of the new Federal reserve system; the Federal Trade Commission, established under the act of September 26, 1914, to take over from the Department of Commerce the function of investigating and checking unfair competition in interstate trade; the Council of National Defense, established by the act of August 29, 1916, to make dispositions for the impending entry of the United States into the European war; and the Shipping Board, established by the act of September 7, 1916, to regulate carriers by water engaged in interstate and foreign commerce and to encourage and assist the development of an American merchant marine.

Other independent establishments of less general importance created in this period were the Bureau of Efficiency, originally set up as a division of the Civil Service Commission under the act of March 4, 1913; the Board of Mediation and Conciliation, established by the act of July 15, 1913; the National Advisory Committee for Aeronautics, created by the act of March 3, 1915; the Employees' Compensation Commission, established by the act of September 7, 1916; the Tariff Commission, created by the act approved September 8, 1916; and the Federal Board for Vocational Education, established by the act of February 23, 1917.

The war with Germany, opening in 1917, resulted in an extraordinary and unprecedented expansion of the executive services of the Government. First affected, of course, were the War and Navy Departments, charged with the mobilization of our armed forces at the seat of war. But the Treasury Department had the burden of financing the Government, and its forces were augmented quite as rapidly and extensively as the civilian staffs of the departments having supervision over combat operations. The public-debt service, with the duty of floating the great Liberty loans, the revenue services, responsible for the collection of the war taxes, and the Bureau of War Risk Insurance, charged, under the Secretary of the Treasury, with the task of insuring the lives of our soldiers and sailors, of adjudicating their claims for compensation for disability, and of paying allotments and allowances to their dependents, were the outstanding instances of war expansion in the Treasury Department.

Every department of the Government was given extraordinary war duties, resulting invariably in its temporary enlargement and many times in the creation of bureaus or offices to handle particular tasks. The Department of Agriculture attended to the important work of stimulating agricultural production at a time when the bulk of able-bodied young men had left the farms for military service. The State Department had a large burden in connection with the conduct of our difficult foreign relations and safeguarding the persons and property of our nationals abroad. The Department of Justice was charged with keeping radical agitation in check and preventing espionage by alien enemies resident in this country. The Post Office Department had a large part in the flotation of the war loans. The marine services of the Department of Commerce were mobilized, wholly or in part, as auxiliaries of the Naval Establishment, and the department was called upon to help in the stimulation of manufacturing production through its contacts with trade and industry. The Department of Labor established an employment service to facilitate the distribution of available labor and set up an organization to provide housing and transportation facilities for labor at congested manufacturing and shipbuilding centers. The Interior Department was possibly the least affected by the emergency, although that department participated actively in the war program, perhaps chiefly in the stimulation of the private production of certain minerals required in military operations.

No less noteworthy than the expansion of the 10 executive departments to meet the exigencies of the war period was the growth of those agencies of the Government which were managed independently of the executive departments. Many new independent organizations

were added to the existing structure, and there was hardly one of those already in operation but that was called upon for extraordinary service. The Shipping Board was given, under war legislation, comprehensive authority over all phases of the shipping problem which confronted the United States during the war, including the authority to purchase, construct, equip, lease, charter, maintain, and operate ships for the Government as a part of the war program. This establishment, with its auxiliary, the Emergency Fleet Corporation, was one of the outstanding agencies of the period. The Council of National Defense extended its organization, largely recruited on a volunteer basis, throughout the entire country, aiding in a hundred ways the permanent establishments of the Government in the conduct of the war program. The Federal Reserve Board, as controlling head of the Federal reserve banking system, through which the Liberty loans were principally financed, was a tremendous support to the Treasury. The Federal Trade Commission administered the provisions of the trading-with-the-enemy act relating to enemy owned or controlled letters patent, and made important investigations into production costs to serve as the basis of price regulation.

By Executive or administrative action, if not by legislation, literally scores of new agencies came into being during this period. Some were given departmental affiliation, but many operated virtually as independent establishments. Perhaps the most important of these were the office of the Alien Property Custodian, established on October 22, 1917, under the provisions of the trading-with-the-enemy act of October 6, 1917, to discover, take over, administer, and dispose of enemy-owned property in the United States and its Territories; the Railroad Administration, organized under the proclamation of the President dated December 26, 1917, for the purpose of operating the railroads during the period of Federal control; the War Finance Corporation, created by the act of April 5, 1918, to provide financial assistance to enterprises engaged in the production of war materials or in other operations contributory to the successful prosecution of the war; the War Industries Board, created July 28, 1917, by the Council of National Defense, to facilitate the production of war materials with the minimum dislocation of industry; the War Trade Board, established by Executive order of October 12, 1917, primarily to restrict the trade of enemy countries; and the Food and Fuel Administrations, created by the President in August, 1917.

Following the termination of the war came the period of demobilization. Very rapidly, after the armistice of November 11, 1918, the executive organization of the Government began disbanding the civilian forces recruited during the war. Some evidence of the speed with which this was done is found in the following table showing the estimated number of persons on the Federal pay roll at various dates before, during, and after the war. It is interesting to note that the "peak of the load" came on November 11, 1918, the day of the armistice, following which the recruiting of civilian workers was stopped short and the reduction of personnel begun.

Statement showing the approximate number of employees of the Government on certain dates before, during, and since the war

Date	Number of employees		
	Departmental service	Field service	Total
June 30, 1916	39,442	398,615	438,057
Nov. 11, 1918	117,760	800,000	917,760
June 30, 1919	100,640	675,538	776,178
July 31, 1920	90,559	600,557	691,110
July 31, 1921	78,865	518,617	597,482
June 30, 1922	69,980	490,983	560,963
June 30, 1923	66,290	482,241	548,531

No particular purpose would be served by tracing in detail the steps followed in restoring the executive branch of the Government to a peace basis. The move was gradual, of course. It was seldom found possible abruptly to discontinue a "war" organization and disband its forces. Time was always required to complete pending transactions, to put records in order, to dispose of property, and so on. Many war-time agencies carried on for years and some, such as the Railroad Administration and the office of the Alien Property Custodian, are still in existence.

It is important to note also that as the result of the war the Government has assumed permanently some functions which will require for many years the continuation of agencies set up during the period of hostilities. The Bureau of War Risk Insurance in the Treasury Department was, practically speaking, established during the war for the purpose of insuring the lives of our soldiers and sailors, providing them "compensation" for disabilities incurred in line of duty, and paying allotments and allowances to their dependents. This organization obviously could not be demobilized upon the cessation of hostilities. It has continued, and must remain in operation for many years, the third of its original functions—the payment of allotments and allowances—having been superseded by the more perplexing problem of providing hospitalization and rehabilitation to injured or disabled veterans. One of the most important organization changes occurring since the war was the establishment of this bureau as an agency directly responsible to the President, under the name United States Veterans' Bureau, and the transfer to it of certain functions previously performed by the Public Health Service and the Federal Board for Vocational Education, namely, the hospitalization and rehabilitation of veterans. This is the outstanding example of the conversion of temporary agencies set up under the war emergency into permanent establishments.

On the other hand, certain normal Government functions have been so enlarged and so increased in importance as a result of the war as to necessitate the material expansion of the agencies performing them. The Treasury Department, for instance, has never returned and probably never will return to its pre-war status. The war has left upon the organization of that department an indelible mark—at any rate a mark that will not be eradicated for many years. The public debt of the country was increased by the war to upward of $26,000,000,000. The tasks connected with floating this debt were, of course, enormous, and they necessitated a large increase in the staff of the department. These tasks are done long since, but there remain the problems of interest payments, redemptions, refundings, and the accounting for these and other transactions involved in the normal public-debt movement. The public-debt service, under the Treasury, including two pre-war organizations, the office of the Register of the Treasury and the Division of Loans and Currency, while, of course, smaller than during the war, will remain for an indefinite period many times larger than the numerically unimportant staffs provided in former days for the administration of our nominal pre-war debt.

The same thing is true of the Internal Revenue Service, which during and since the war has been much increased in size and greatly changed in character. Before the war Federal internal revenue was derived chiefly from excise taxes levied on liquors and tobacco, although beginning with 1913 taxes were assessed against large incomes. To meet the tremendous increase in Government expenditures caused by our participation in the war the income taxes came to be applied to practically all incomes and business profits; and, with the enactment of prohibition legislation, the income and profits taxes, supplemented by luxury, amusement, and sales taxes, virtually superseded the excise taxes as the source of Federal internal revenue, although these latter taxes were, of course, continued in the case of numerous commodities, notably tobacco. The result was the material expansion and the almost complete transformation of the Internal Revenue Service, which without any doubt will remain on its present basis for many years to come, collecting the revenues required to care for the veterans of the war, to pay the interest on the war debt, and gradually to liquidate that debt. Incidentally, it is noteworthy that the Internal Revenue Service has been given responsibility for the enforcement of Federal prohibition legislation, one of its largest subdivisions being the so-called Prohibition Unit.

Other examples—usually of less consequence than those given—could be cited of executive departments whose functions have been permanently increased as the result of the war. The general tendency, however, has been otherwise. Most establishments of the Government have reverted to their peace-time or pre-war status, though here and there war functions and war agencies still may be found.

THE COMMITTEE'S RECOMMENDATION

The foregoing sketch of the historical development of the executive branch of the Government touches only the high spots in the growth of Federal administrative agencies. Needless to say, the details of form and organization in the many Government departments are constantly changing as the result of congressional and administrative action. Hardly a session of Congress passes without the enactment of legislation creating new executive agencies, transforming old ones, or imposing new or larger duties upon existing establishments. Hardly a year goes by when some executive department does not organize a new bureau or division for the purpose of carrying out new requirements of law.

This is important to remember in considering the organization of the executive branch of the Government and the present distribution of work among the services of which it is composed. The departments and establishments are not more than the instruments made available to carry into execution the laws from time to time enacted by Congress. In form and organization, therefore, they have always been, and must continue to be, sensitive to the action of successive Congresses in modifying or repealing existing laws and in writing new ones. Congress passes the reclamation act, for instance, putting into force under the Secretary of the Interior the policy of reclaiming arid lands. Immediately there comes into existence under the Department of the Interior the administrative organization necessary to carry out the law. Congress passes the insecticide and fungicide act, providing for the Federal inspection of insecticides and fungicides entering interstate commerce. It is at once necessary to set up an organization to enforce the procedure prescribed. The work is intrusted to

the Department of Agriculture, which appears to have jurisdiction of the interests most vitally affected, and there soon appears the Insecticide and Fungicide Board.

In such cases Congress is interested in providing for specific governmental action. It intrusts the action to whatever agency already in existence seems in all the circumstances to be best equipped to act. If no existing agency is available, it creates or authorizes a new organization to handle the business, sometimes making it a part of one of the executive departments, sometimes making it an establishment independent of any executive department, and sometimes making it interdepartmental; that is, subject to the joint control of two or more department heads. It is probably true that Congress is usually less interested in the selection of the agency through which the Government is to act than in reaching the decision as to what the action shall be. Not infrequently the selection turns upon such considerations as the individualities of the heads of particular offices and their personal fitness to direct the business in project. Usually, at any rate, it rests upon wholly practical grounds, and as the result the assignments of particular activities to particular agencies are not always entirely logical or defensible from theoretical points of view.

In a sense, then, the executive branch of the Government is a composite resulting from the action of successive Congresses, each of which adds to and subtracts from the duties of existing bureaus and offices and occasionally creates new agencies as it prescribes new functions. It is but natural under these circumstances to find some need for reorganization, involving the simultaneous consideration of the work done by all services and such rearrangements as may be necessary to reduce duplications of activities and to bring about more effective administration. This need, which might be apparent at any time, was undoubtedly made more pressing by reason of the expansion of the services as a result of the war with Germany.

The irregularities of organization which exist in the executive establishments to-day are probably well known to everyone who follows public affairs. Unanimity of opinion in matters of detail is not found among students of government, and of course could not be expected. But there is substantial agreement that attention should be given to three points: First, the presence in certain departments of bureaus or offices which perform functions having little or no apparent relation to the major departmental purposes; second, the maintenance by two or more departments of agencies which do work in the same or analogous fields of activity; and, third, the existence of a considerable number of governmental agencies outside the 10 executive departments.

In the main these conditions are so evident that it is hardly necessary to discuss them at any length as matters of fact. The Treasury Department furnishes a good example of the condition first cited. It is the fiscal agency of the Government. But in addition to its fiscal bureaus it includes such patently nonfiscal establishments as the Public Health Service and the Supervising Architect's Office. The War Department embraces a large organization engaged in public works of a strictly civil character. The administration of national forests and of the Government's public-roads program is intrusted to the Department of Agriculture, although on their face these matters seem to have but an indirect relation to the major functions of that department. And so it goes. There is hardly a department which does not have some administrative task or other which has no apparent connection with the larger problems absorbing its chief interest.

It should not be supposed, however, that these cases invariably represent structural defects—that they are irregularities which must be eliminated in order to pave the way to effective administration. Some cases are, of course, fairly obvious. The Treasury Department, for instance, makes no secret of its desire to be rid of the nonfiscal functions which it now exercises, frankly acknowledging not only that they constitute a real embarrassment to the fiscal work of the department, but also that the departmental officers are not able to give expert supervision to such diversified nonfiscal matters as are represented by the Supervising Architect's Office and the Public Health Service. In the case of the War Department and the Department of Agriculture, on the other hand, the facts are not so clear. There are those who believe strongly that much or all of the civil work of the War Department should be permitted to remain in its present status, and those again who believe that the presence of the Bureau of Public Roads and the Forest Service in the Department of Agriculture is amply justified on theoretical as well as practical grounds. One of the most perplexing matters presented by the reorganization problem is to determine the proper action to be taken in such instances as these.

The second of the conditions cited is the scattering among several departments of agencies which work in substantially the same fields. It might be more accurate to characterize this as the performance by two or more departments or establishments of the same or similar functions—functions which tend to conflict or overlap—for it is this condition which has given rise to the charges commonly made of duplication of work. As illustrating this condition it may be pointed out that marine charts are published and distributed and hydrographic surveys made by three departments—Commerce, War, and Navy—each of which maintains an organization exclusively for this purpose. Both the Veterans' Bureau, an independent establishment, and the Bureau of Pensions, of the Department of the Interior, attend to the claims of veterans of our wars, while the institutional care of our ex-soldiers and sailors is divided among three departments and two independent establishments. These examples could be multiplied almost without limit. Here again the solution is not obvious. There are always reasons—sometimes sufficient reasons—for the arrangement which prevails in any of these matters. And almost invariably any realignment which may be proposed presents complicated controversial aspects. But as a general proposition it is true that there are many cases where agencies working in the same field in different establishments could, in the long run, be more satisfactorily administered if brought together under the same departmental supervision.

The importance of the third condition enumerated is indicated to some extent by the fact that there now exist in the executive branch of the Government almost 30 bureaus, offices, boards, or commissions which maintain their existence independently of the 10 executive departments. The independent status of most of these organizations is completely justified; but there are some which do work that lies in the same direction as the work of certain of the executive departments. So far as practicable these should be abolished and their duties combined with those performed by the departments having the supervision of members of the President's Cabinet.

Very accurately Congress appraised the situation in its resolution establishing the Joint Committee on Reorganization. It required the committee to determine two things: First, what redistribution of work should be made among Government agencies, spoken of as services; and, second, what regrouping of the services themselves should be made among the departments. According to section 2 of the resolution, the object to be achieved by the redistribution of work among the services is the better correlation of the efforts of Government agencies which work in the same or related fields. And the departmental regrouping of services is to be such a reordering of the several agencies of the Government that each executive department "shall embrace only services having close working relations with each other and ministering directly" to a common purpose.

With these objects in mind the committee submits the following recommendations (a chart exhibiting the present organization of the Government and showing the effect of the committee's recommendations is submitted as Appendix B of this report):

I. The establishment of a new department, to be known as the department of education and relief, and the concentration under that department of the scattered agencies which now perform work in the fields of public health, public education, and the care of veterans. Specifically these are: The Bureau of Pensions, the Bureau of Education, St. Elizabeths Hospital, Howard University, and Freedmen's Hospital, all now situate in the Interior Department; the Public Health Service, now in the Treasury Department; and the Veterans' Bureau, an independent establishment. The committee also recommends that the new department assume the functions now performed by the Federal Board for Vocational Education, and that it be given the nominal supervision of the Columbia Institution for the Deaf, now exercised by the Department of the Interior. It is further recommended that the National Home for Disabled Volunteer Soldiers be associated with the department of education and relief and required to transmit its accounts, reports, and estimates of appropriations through the head of that department.

II. The transfer to the Department of Commerce of certain agencies now situated in other departments whose work is in the field which the Department of Commerce was established to cover. These are: The Bureau of Mines and the Patent Office, now in the Department of the Interior, the Lake Survey Office, now under the Chief of Engineers, United States Army; the Inland and Coastwise Waterways Service, now under the War Department; and the independent National Advisory Committee for Aeronautics. The committee also recommends the transfer from the Geological Survey and the War Department, respectively, to the Bureau of the Census of the work of collecting and publishing statistics of mineral production and of waterborne commerce, and the establishment of a new bureau in the Department of Commerce to be known as the bureau of transportation.

III. The erection in the Interior Department of two subdivisions, one charged with the administration of the public domain, the other with the administration of public engineering works; the withdrawal from the Interior Department of all functions not connected with public works or with the public domain; and, comportable with the foregoing, the transfer to that department of the Bureau of Public Roads from the Department of Agriculture and the Supervising Architect's Office from the Treasury Department. The committee also recommends the discontinuance of the Board of Road Commissioners for Alaska and the transfer of the board's functions to the Interior Department.

IV. The creation of a centralized purchasing agency for the Government, to be known as the bureau of purchase and supply.

V. The creation of an office to be known as the office of public buildings and parks in the District of Columbia, which will assume the functions now performed by two separate offices—the Office of Public Buildings and Grounds, under the War Department, and the Office of Superintendent of the State, War, and Navy Department Buildings.

VI. The transfer of the departmental solicitors from the Department of Justice to the executive departments which they serve.

VII. The removal of the Bureau of the Budget from its nominal connection with the Treasury Department and its establishment as an independent office directly under the control of the President.

Most of the changes proposed by the committee were included in the plan submitted by the President on February 13, 1923. (See Appendix A.) Due to a variety of reasons, however, the committee, after a careful consideration of the many aspects of its problem, was unable to concur in all the suggestions coming from the Chief Executive; but it feels that the proposals which are now made go directly to the point of correcting, so far as it is now possible for Congress to do so, the most prominent faults which characterize the organization of the executive branch of the Government. Generally speaking, their adoption would result, first, in removing from all departments those functions, extraneous to the major departmental purposes, which interfere with effective administration or which, being secondary, are not vigorously handled; second, in assembling under the same departmental supervision all activities which are closely related and which, therefore, should be coordinated in administration; and, third, the extension of the control of the Cabinet officers to reach all matters save those which must, in the nature of things, be handled by agencies independent of the regular departmental organization.

THE DEPARTMENT OF EDUCATION AND RELIEF

The proposal for the establishment of a department of education and relief is, from a superficial view, the most radical of the committee's recommendations. This is the only new department suggested. But the proposed department would be created out of agencies which already exist and would perform no functions not now performed by those agencies. This recommendation is not more than a logical part of the effort to divest each existing department of functions which are clearly extraneous and to assemble under unified supervision all activities which are or should be in close working relationship.

Reference has been made to the fact that the departments at the present time frequently embrace activities having little apparent relation to the more important departmental purposes. Reference has been made also to another condition which is almost a corollary—the location in different departments of agencies whose work lies in the same field. These conditions are nowhere better exemplified than in the case of those establishments which deal with medical, institutional, and educational questions, and which look out for the interests of veterans and their dependents—a work which itself has medical, institutional, and educational aspects of the greatest importance.

The Treasury Department, which is essentially the fiscal branch of the Government, has supervision of the Public Health Service, an organization which has no connection with financial matters. The Department of the Interior, whose primary interest has always been the protection and disposition of the public domain, is required to perform a number of functions entirely outside the scope of the department's jurisdiction as it was originally conceived. The Bureau of Education and Howard University are agencies whose functions are patently educational in character; while St. Elizabeths Hospital and the Freedmen's Hospital are institutions given over to the care and medical treatment of various groups of Government beneficiaries. The Pension Office is responsible for the payment of service and disability pensions to certain classes of war veterans and their dependents, an activity which involves to a considerable extent the supervision and use of a medical staff.

It is unnecessary to repeat here the arguments which support the proposition to divest an executive department of all extraneous functions. Suffice it to say that the particular agencies enumerated have no logical place in the departments in which they are now found, and should be located elsewhere in affiliation with other Government establishments whose prime purposes are similar. The proposal to set up a department of education and relief proceeds directly from the fact that the educational and health work of the Government, and the work which the Government does on behalf of its veterans—with its important medical, institutional, and educational aspects—is big enough as it now stands, and requires a sufficiently extensive machinery, even though it is dispersed among several departments and independent establishments, to warrant its concentration in an executive department devoted exclusively to the management of these matters.

In addition to the Public Health Service, of the Treasury Department, and the branches of the Interior Department having educational or health functions or responsibility for the care of veterans, a number of agencies with similar purposes are found outside the executive departments. The Columbia Institution for the Deaf is a corporate organization, nominally connected with the Interior Department, providing academic education for deaf mutes. The committee recommends that the secretary of education and relief be given the nominal supervision of the institution now exercised by the Secretary of the Interior.

The independent Veterans' Bureau, itself larger than most of the executive departments, is the principal establishment for the care, assistance, and treatment of veterans. The Veterans' Bureau, in addition to providing insurance and compensation to ex-soldiers and sailors, maintains extensive hospital facilities for their medical treatment. But a considerable number of former service men are given asylum and hospitalization by the National Home for Disabled Volunteer Soldiers, an independent Government organization with headquarters at Dayton, Ohio, with nine branches in different parts of the country, and having a certain degree of supervision of all State soldiers' homes receiving financial support from the Federal Government.

An important function of the Veterans' Bureau is the vocational, as well as the physical, rehabilitation of disabled veterans. This results in a similarity between some parts of the work of that bureau and the work of the Federal Board for Vocational Education, an interdepartmental agency which lends Federal aid to State governments not only for the promotion of vocational education in the public schools, but also for the rehabilitation of persons disabled in industry—a service identical to that performed by the Veterans' Bureau for persons disabled in the performance of military duty.

The Federal board, on the other hand, in its function of establishing vocational-training courses in the public schools, finds itself trending on the heels of the Bureau of Education, which serves as a national clearing house on virtually all educational questions.

And so it goes. To a certain extent practically all the educational, health, and veterans' relief agencies of the Government interlock, if not on one side on another; so that it seems not merely logical but imperative that they be put under the same departmental control if duplication and actual conflict of effort is to be avoided. By the establishment of a department of education and relief a place will be found for these branches where they can work in harmony and where opportunity may be given to amalgamate agencies with similar purposes and functions and to effect a more logical distribution of projects among them. This action will insure a permanent and definite field of operations for the so-called educational and welfare agencies of the Government, give better representation in the Cabinet to the interests of veterans and to the general interests of the country in health and educational matters, and permit a more effective execution of the work which the Government may undertake in these fields. Moreover, by concentrating the educational and health activities of the Government in a single department, it will not merely bring about the more effective conduct of those activities, but will facilitate the future development of the health and educational work of the Government in accordance with such policies as Congress may from time to time determine to an extent that would not be possible should these activities remain scattered among a number of different departments.

The present proposal to establish a department of education and relief should not, however, be confused with various recommendations which have been made to Congress for new departments—such as a department of education, a department of education and science, a department of health, and so on. Practically all these suggestions, although of course they naturally involve the better arrangement of existing services, contemplate primarily an immediate expansion and extension of the work now done by the Government in the special fields of health or education.

The recommendation here made has an entirely different basis. The committee is without authority to suggest any change in the Government's program or its policies with respect to its work in the fields of education, health, or veteran care. The proposed establishment of a department of education and relief rests solely upon the ground that the existing agencies doing work in these three fields, although scattered among several departments and establishments of the Government, have a real community of aims, have many points of contact, and to some extent duplicate each other's equipment if not actually each other's work and could, therefore, be administered with greater singleness of purpose, with less cost, and with improved practical efficiency, if they were assembled under the same administrative supervision.

This will be evident from a general classification of the activities proposed to be drawn into the department of education and relief. They fall into three groups: First, the educational group, consisting of the Bureau of Education, Howard University, and the Columbia Institution for the Deaf, all now either actually or nominally under the Interior Department, and the Federal Board for Vocational Education, now an independent establishment; second, the health group, including the Public Health Service of the Treasury Department, St. Elizabeths Hospital, and Freedmen's Hospital of the Interior Department; and, finally, the veteran relief group, consisting of the

independent Veterans' Bureau, the Bureau of Pensions of the Interior Department, and the National Home for Disabled Volunteer Soldiers, an independent establishment which the committee proposes should be given affiliation with the new department.

The committee gave careful consideration to the question of transferring also the following services to the new department: The Indian schools, now under the Interior Department; the Children's Bureau and the Women's Bureau, of the Department of Labor; the Soldiers' Home, now under the War Department; the Federal prisons, under the Department of Justice; and the Smithsonian Institution. By some it has been argued that these establishments should be included in any department of the kind recommended by the committee. But the reasons commonly advanced are largely theoretical and, in the judgment of the committee, should not prevail against the practical consideration that all these agencies are being satisfactorily administered under their present auspices.

The Soldiers' Home does not, practically speaking, overlap the field of the Veterans' Bureau or the National Home for Disabled Volunteer Soldiers, since, for the most part, it undertakes to provide asylum only for disabled or superannuated veterans of the Regular Army, as distinguished from the much larger class of war veterans, composed chiefly of volunteers or drafted men. The committee feels that there should eventually be an amalgamation of all the services which provide institutional care for disabled war veterans, but it believes that there should be no interference at the present time with the Regular Army and Navy homes.

Nor does it believe that Indian schools should be placed in the department of education and relief. The administration of Indian affairs has always been regarded by the Government as a single problem. It, of course, presents educational and health questions of large importance, but no practical basis suggests itself for the separation of these questions from the whole problem of attending to the Government's relations with its Indian wards, which, due to the relative importance of land matters, seems properly to belong under the Interior Department.

The Smithsonian Institution is one of the chief educational establishments under the Government, and the suggestion that it should be incorporated in the department of education and relief seems, at first blush, to be entirely logical. But the institution is effectually a corporation established under the terms of a private bequest. It is only quasi-public in character. Its growth and its splendid success have been due not less to private benefactions than to public support; and there is every reason not to endanger its development by altering its relationship to the Government or by superseding the arrangements under which it has so greatly prospered.

THE DEPARTMENT OF COMMERCE

In establishing the Department of Commerce and Labor in 1903 Congress provided that "it shall be the province and duty of said department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishing industries, the labor interests, and the transportation facilities of the United States." And the new department was at the outset organized to promote and regulate trade and manufactures, to protect shipping, and to foster the interests of the working classes. The Bureau of the Census, the Bureau of Statistics, the Bureau of Manufactures, the Bureau of Fisheries, and the Bureau of Standards dealt with the promotion of commerce and industry, while the Bureau of Corporations (since superseded by the independent Federal Trade Commission) was authorized to conduct necessary investigations and to make recommendations to the President concerning the regulation of interstate trade. Four bureaus were engaged in the protection and regulation of shipping—the Coast and Geodetic Survey, the Lighthouse Establishment, the Bureau of Navigation, and the Steamboat Inspection Service. The interests of the laboring classes were looked after by the Bureau of Labor and the Bureau of Immigration. (Labor matters were transferred to the Department of Labor in 1913.)

The integration of bureaus dealing with commerce and industry, however, was incomplete. The Patent Office, which promotes the control and protects the use of patented appliances, equipment, and processes in industry and business was left in the Interior Department, while the collection of mineral-production statistics was likewise allowed to remain in that department, under the control of the Geological Survey. Similarly, only a part of the bureaus charged with the protection and facilitation of navigation were concentrated in the new department. The lake survey office, which charts the Great Lakes and other navigable lakes in the United States, remained in the War Department; and responsibility for the distribution of charts and other marine data pertaining to foreign waters was left in the Navy Hydrographic Office, which now has authority to make marine surveys in certain waters in the Caribbean Sea which are effectually under the jurisdiction of the United States. The Life Saving Service was continued in the Treasury.

Certain further anomalies came about later. Although the Department of Commerce and Labor had been specifically charged by its organic act with the duty of promoting the mining interests of the country, the Bureau of Mines, created in 1910, was placed under the Department of the Interior. In 1920, the Inland and Coastwise Waterways Service was established in the War Department to take over the operation of barge lines (these had been established by the Railroad Administration during the period of Federal operation of the railroads) along the middle and southern Atlantic coast and on the Mississippi and Warrior Rivers, and, in addition, to investigate the commercial possibilities of water transportation along our coasts and inland waterways and to compile tariff, rate, tonnage, and financial statistics.

At the present time, therefore, the Department of Commerce shares with other departments the authority which Congress originally intended it should exercise in the interests of commerce, industry, and navigation. It is most active, for instance, in the promotion, protection, and regulation of fisheries, and in the development of foreign markets; but relatively much less effective in promoting the manufacturing interests, although it devotes considerable attention to the development of standards of measurement and the establishment of specifications of materials and equipment. Functions of such direct and vital interest to commerce and industry as the supervision of patents, the improvement of mining methods, the collection and dissemination of statistics of mineral production, the collection and distribution of nautical information relating to the Great Lakes and to foreign waters, and the management and operation of the life-saving stations, are entirely outside its jurisdiction.

It is believed that Congress should, so far as practicable, place in the Department of Commerce all agencies which perform work which comes within the scope of the department's business as defined by the act of February 14, 1903, as amended.

The committee recommends the transfer of the following services:

From the War Department: The Lakes Survey and the Inland and Coastwise Waterways Service.

From the Interior Department: The Patent Office and the Bureau of Mines.

From the independent establishments: The National Advisory Committee for Aeronautics.

The committee also recommends the establishment in the Department of Commerce of a bureau of transportation.

The Department of Commerce has never had opportunity to develop the function of promoting the interests of transportation. Such studies as are made by the Government of the needs of the country for trunk highways and motor-truck trade routes are made by the Bureau of Public Roads of the Department of Agriculture, whose duty it is to provide the proper coordination of State highway construction. The Post Office Department is the only Federal agency which is promoting commercial aviation, its efforts, as a matter of fact, being devoted more particularly to the improvement of the aerial mail service. In the matter of developing transportation by inland waterways and in the investigation of terminal facilities at the seaboard some steps have been taken by the Inland and Coastwise Waterways Service and the Corps of Engineers, of the War Department. It is believed that all these functions should be given to the Department of Commerce, as obviously was contemplated by its organic law, and that the department should have exclusive cognizance of the problem of promoting the interests of transportation. This explains the committee's recommendation for the establishment of a bureau of transportation, as well as the proposal to transfer to the Department of Commerce the National Advisory Committee for Aeronautics, an independent establishment engaged in scientific research in the field of aeronautics.

The other changes suggested require little comment. They are obviously designed to effect the concentration under the Department of Commerce of all Federal instrumentalities which perform duties connected with the promotion of trade and industry, or the protection and facilitation of navigation and transportation. The committee feels that these matters will receive more sympathetic and intelligent attention if placed in the department originally established to handle them. And it feels, moreover, that if the services which have these duties are placed in a single department, many opportunities will be presented to the administrative officers in charge for shrinking overhead, eliminating duplications, increasing the value of the service, and reducing operating costs.

The committee does not recommend any change, at the present time, in the status of the Coast Guard, situated in the Treasury Department. The Life Saving Service, it is true, is maintained as an aid and a protection to navigation, and, as a matter of theory, might properly be situated in the Department of Commerce along with the Lighthouse Establishment and the other maritime agencies of that department. But the Coast Guard, which embraces also the Revenue Cutter Service, is now an important agency of the Treasury in the protection of our coasts against smuggling, and especially against the operations of rum runners; and to the committee this is a sufficient reason for continuing it in the Treasury Department.

Serious consideration was given to a suggestion that the Navy Hydrographic Office should be transferred to the Department of Commerce, and that department given the function now performed by the Naval

Establishment of manufacturing and distributing nautical charts of foreign waters. The argument in favor of this change rests upon the ground that the Coast and Geodetic Survey, of the Department of Commerce, prepares and distributes such charts for our own coastal waters and the waters contiguous to our insular and territorial possessions. The committee was not convinced, however, that there is in fact any duplication between the two departments concerned in the matter of collecting and disseminating nautical information. On the other hand, there seems to be a real economy in utilizing naval vessels from time to time to make soundings in foreign waters and on the high seas. Under these conditions no recommendation is made to alter the status of the Hydrographic Office, although the committee believes that the scope of the work of the Coast and Geodetic Survey should be extended to include all waters contiguous to the United States and its dependencies, including the Great Lakes and other navigable lakes in the continental United States, and the waters adjacent to Cuba, Haiti, and the Virgin Islands.

THE DEPARTMENT OF THE INTERIOR

Recommendations have been presented to the committee by a number of groups—chiefly the engineering societies—looking to the establishment of a department of public works. These suggestions have much to commend them, for it has long been evident that the Government's engineering and public works enterprises, although divided among a number of departments, are of sufficient importance and require so large a personnel in their prosecution as to raise a presumption in favor of their concentration in a department devoted exclusively to their administration. The organization maintained under the Chief of Engineers of the Army for the improvement of rivers and harbors, the Bureau of Public Roads, the Supervising Architect's Office, the Board of Road Commissioners for Alaska, the Federal Power Commission, the Office of Public Buildings and Grounds, the Reclamation Service, and the Geological Survey are all alike in that they deal primarily with civil engineering questions. Although their problems are essentially divergent in detail and their purposes clearly separated, it is of course true that they all involve the application of the same scientific principles and substantially similar practical methods. It is true also that the technical personnel of the several agencies enumerated is much the same in character and training and, to a lesser extent, in form of organization. It is claimed by engineers that many advantages would result from the association of these establishments in a single department devoted exclusively to public works and related matters. The committee does not, however, recommend such action at this time. It proposes instead a concentration of certain public works activities under the Department of the Interior, leaving in their present status a few engineering functions which, in the judgment of the committee, can be performed to best advantage by the organizations which now have them in charge.

The primary concern of the Interior Department is now the conservation of the public lands and the resources which underlie them. It has, however, certain entirely extraneous duties in the fields of health and education. These, as has been seen, it is proposed to transfer to the department of education and relief, leaving in the Interior Department only those services which have responsibility for the various phases of the administration of the public domain and of Indian and Territorial affairs. There is an obvious connection between the administration of the public domain, including Indian lands and reservations, involving as it does immense engineering undertakings—buildings, roads, dams, irrigation and drainage works, power projects, and so on—and the Government's engineering work in other fields. And the joining of the public-works functions now performed in certain other departments with those functions performed by the Interior Department in the administration of the public domain would, in the judgment of the committee, be a practical move in the direction of better administration.

The important services now in the Department of the Interior which deal with engineering matters or have a connection with the administration of the public lands are as follows: The General Land Office, the Reclamation Service, the Geological Survey, the National Park Service, the Alaskan Engineering Commission (in charge of railroad construction and operation in Alaska), and the Indian Service. To these it is proposed to add the Office of Supervising Architect from the Treasury Department, and the Bureau of Public Roads from the Department of Agriculture, together with the organization now maintained for the construction and maintenance of roads and trails in Alaska under the Board of Road Commissioners for Alaska, which is connected with the War Department, and which the committee recommends should be abolished.

The general similarity of the work of the agencies which it is proposed to locate in the Department of the Interior will be evident from an enumeration of their activities as they will appear under the organization recommended. The department will in reality become a department of public domain and public works, and its principal subdivisions will be as follows:

Public domain.—Alaska and Hawaii, Indian Lands and Reservations, General Land Office, Geological Survey, and National Parks.

Public works.—Public Roads, Alaskan Railroads, Alaskan Roads and Trails, Reclamation and Water Power, and Public Buildings.

These activities all involve important engineering operations, even those which are here classified under the heading public domain. They all require, to a considerable extent, a personnel and an administrative organization of the same general character. And the committee believes that if they are placed in the control of the same department—a department having these responsibilities exclusively—a general improvement of the service will result, together with a lessening of administrative costs.

The committee gave careful consideration to a recommendation urged by many that river and harbor work should be withdrawn from the War Department, where it is now handled by the Chief of Engineers, and placed in the Department of the Interior along with the engineering functions above enumerated. It is true, of course, that at the present time the improvement of rivers and harbors and the construction and maintenance of river and port works are chiefly done in the interests of navigation and commerce and presents few, if any, military aspects; and this constitutes the basis for the view that river and harbor work should be removed from the jurisdiction of the Military Establishment.

With this view, however, the committee is not in accord. The assignment of Army engineers to river and harbor work is at the present time the principal means whereby these officers can acquire the engineering experience necessary to fit them to meet the demands put upon them in time of war; and, on the other hand, there is a measure of economy in using the personnel of the Corps of Engineers on necessary public works of a nonmilitary character. Although these matters are subject to violent differences of opinion, there is little doubt in the minds of the committee that the present arrangement tends to increase the value and efficiency of Army engineers, without material disadvantage, if any at all, to the Government. River and harbor work seems to present special phases of engineering, which would make it difficult to consolidate or amalgamate the organization maintained for its prosecution with other engineering agencies of the Government; and the committee finds itself unable to recommend any change at this time in the arrangement under which the major responsibility for the engineering maintenance of inland navigable waters and port works is lodged in the War Department.

THE BUREAU OF PURCHASE AND SUPPLY

The executive departments and independent establishments in the District of Columbia annually purchase materials and supplies to the value of many millions of dollars. The General Supply Committee, an interdepartmental committee functioning under the supervision of the Secretary of the Treasury, acts as a central contracting agency for the Government in the case of supplies in common use by two or more branches of the service. Its contracts are usually made for a year, for indefinite quantities, and for deliveries as may be called for by the various departments. The prices fixed are published in a general schedule, and the departments do the rest; that is, they order the supplies as needed, take delivery, make necessary inspections, and pay the bills.

In a sense, this is centralized purchasing, so far as common supplies are concerned. And it is a great improvement over the system which prevailed before the establishment of the General Supply Committee in 1910. Common supplies are now to a large extent standardized, and much has been done to eliminate unnecessary grades and varieties. Prices are, of course, uniform and constant during a given period. But each department makes its own purchases in lots large or small as may suit its needs and as frequently as it chooses. Contractors are compelled to accept orders for small quantities, and they must look to the separate departments and bureaus for the payment of their bills. In a word, they deal with the several establishments on a piecemeal basis, leaving the Government without most of the advantages which would result from a real centralization of purchases.

In the judgment of the committee, better prices would be bound to obtain under an arrangement whereby the supply requirements of all departments and establishments in the District of Columbia were actually consolidated and handled by a single purchasing organization. It accordingly proposes the creation of a bureau of purchase and supply, with authority to buy, store, and issue the supplies commonly needed by the departments. Since such a bureau would serve all the departments alike, it is recommended that it be made an independent establishment directly under the control and supervision of the President.

With such an agency it would be possible for the Government to substitute, where desirable, short-term contracts for definite quantities for the present annual contracts for indefinite quantities. This would enable the Government to take advantage of seasonal fluctuations in commodity prices. It would also enable contractors to deal with a single agency and in large lots, not merely in the delivery of goods, but

in such related matters as inspection, payment, and accounting. The committee feels that the proposed arrangement should result in material savings to the Government.

It is recognized that with respect to many classes of supplies it would not be expedient for the departments uniformly to buy through the central purchasing establishment; and provision should be made for the President by order to authorize the procurement of supplies, when occasion demands, through other channels than the bureau of purchase and supply. The committee believes, however, that although the central purchasing agency could not at once begin to function with complete effectiveness, it would within a short period be able to assume the purchasing function for the entire governmental establishment in the District of Columbia, and, to some extent, for the field services, to the decided advantage of the operating departments.

The theory of centralized purchasing is, of course, not new even in the Federal Government. Purchasing for the Naval Establishment is handled by the Bureau of Supplies and Accounts, and for the Military Establishment by the Quartermaster General. Each of these agencies supplies an organization much larger and much more scattered than that which would be attended to by the bureau of purchase and supply, whose jurisdiction would for the most part be limited to Government offices in the District of Columbia. The Government fuel yards, under the Interior Department, is a central purchasing agency for all services situated at the seat of government so far as fuel is concerned. It buys coal and other fuel direct from the producers, stores it, and issues it upon requisition to Government offices, making deliveries from its yards. It pays the contractors out of a revolving fund and renders bills against the departments for fuel delivered. Its receipts are credited back to the fund and become again available for expenditure, the revolving fund being thus used as working capital.

With the establishment of a central purchasing agency for supplies of all kinds, as the committee contemplates, the administration of the fuel yards should logically be assumed by that organization, and the transfer of the yards from the Interior Department to the Bureau of Purchase and Supply is accordingly recommended.

The usefulness of the General Supply Committee would, of course, be terminated upon the establishment of the purchasing bureau, and it should, therefore, be discontinued.

OFFICE OF PUBLIC BUILDINGS AND PARKS IN THE DISTRICT OF COLUMBIA

The creation of the office of public buildings and parks in the District of Columbia, as proposed by the committee, is a step recommended for the purpose of consolidating two offices, nominally separate at the present time, but actually administered by the same officer. These are the Office of the Superintendent of the State, War, and Navy Department Building and the Office of Public Buildings and Grounds. The former is under the supervision of a commission composed of the heads of the State, War, and Navy Departments, while the latter is subject to the control of the Secretary of War.

The Office of Superintendent of the State, War, and Navy Department Building was established in 1883, when the State, War, and Navy Department Building was erected, for the purpose of maintaining that building. During and after the war it assumed the management of the new structures erected to house the enlarged offices of the three departments. More recently it has been given jurisdiction of the buildings occupied by other departments, and at the present time it maintains the larger part of the office buildings used by the executive branch of the Government. The notable exceptions are the buildings occupied by the Veterans' Bureau, the Department of the Treasury, and the Department of Agriculture. The functions of the office are to keep the buildings in good repair, to maintain and operate the heating and lighting plants, to attend to the cleaning, to operate the elevators, and so on. The watchmen and guards are under its supervision, and it has entire responsibility for the safety as well as the maintenance and upkeep of the buildings and premises under its control.

The Office of Public Buildings and Grounds, under the War Department, is responsible for the maintenance and upkeep of public buildings, grounds, parks, and memorials in the District of Columbia, exclusive of those occupied by the executive departments. These include such buildings as the Executive Mansion, the Washington Monument, and the Lincoln Memorial, and the entire park system, including Rock Creek and Potomac Parks.

The close relationship of the work of the two offices is obvious and the advantages of joining them in administration so evident that it has long been the custom to assign the officer in charge of public buildings and grounds to serve also as Superintendent of the State, War, and Navy Department Building. The supervision exercised over this officer in his dual capacity is purely nominal. By custom he has been the military aide to the President and effectually subject to the President's direct control.

The proposal to consolidate the two offices as an independent establishment directly under the President follows the theory that an organization maintained for the benefit of all Government offices generally should be independent of any executive department. The Office of Public Buildings and Parks in the District of Columbia would as a matter of fact correspond almost exactly to the arrangement which now prevails, but would unify two establishments which are now nominally separate, and bring about a single cohesive organization to accomplish the purposes for which the two agencies are now maintained.

THE DEPARTMENTAL SOLICITORS

The committee recommends that those departmental solicitors who are now under the Department of Justice be transferred to the departments which they severally serve. They are the law officers of the departments, and the legal advisers to the secretaries. Their status in the departments where they perform their duties is precisely the same, in effect, as that of the regular officers of those departments. Their connection with the Department of Justice is entirely nominal. They deal with the special questions arising in their respective organizations and act under the supervision of the secretaries. The present arrangement, under which a number of the solicitors remain under the nominal control of the Attorney General, is an anomaly and should be changed.

In order, however, to prevent the possibility of misunderstandings and conflicts of jurisdiction, the committee feels that the final authority of the Attorney General in legal matters arising in the departments should be recognized by statute; and it believes that Congress should provide that any opinion by the Attorney General upon a question of law arising in any executive branch shall be binding upon all departments of the Government.

THE BUREAU OF THE BUDGET

By the Budget and accounting act, 1921, the Bureau of the Budget was placed in the Treasury Department, although made subject to the exclusive control of the President. The committee recommends that Congress provide definitely by law that the Bureau of the Budget shall be independent of any executive department.

INDEPENDENT ESTABLISHMENTS

The recommendations made by the committee involve the incorporation in the regular departmental organization of a number of establishments which are now independent of any of the executive departments. These include the Federal Board for Vocational Education and the United States Veterans' Bureau, placed in the Department of Education and Relief; and the National Advisory Committee for Aeronautics, placed in the Department of Commerce. The greater number of the present independent bureaus, offices, and commissions should, however, in the judgment of the committee, be permitted to retain their present status.

In view of the popular impression that for the most of these independent establishments there is little or no justification in necessity, it is worth while briefly to consider the motives which have actuated Congress to intrust certain functions to establishments free from the control of the officers who head the executive departments and have places in the President's Cabinet. Although the existence of the large number of agencies of this kind has been in recent years the cause of much criticism, yet as a matter of fact Congress seems to have acted with much consistency in their creation. Its reasons for providing these independent organizations have not always been the same, but they appear to have been always forceful, and in most cases entirely sufficient.

In the first place, some agencies have been set up outside the executive departments in the interests of preserving a principle which has been repeatedly mentioned in this report, that each department should, so far as possible, be restricted to a single field of work. This was unquestionably the reason which made the Department of Agriculture an independent establishment in 1862, the Department of Labor in 1888, and, in more recent times, the Veterans' Bureau. In such cases Congress has decided, with much reason, not to confuse the administration of the work involved by putting it under some executive department whose primary interests lie in an entirely different direction.

In the second place, many agencies have been set up outside the jurisdiction of any executive department for the reason that they are designed to attend to the common interests of two or more departments. In these cases Congress has authorized a form of organization in which all the departments concerned have an equal voice. There have been, and still are, many independent establishments of this type. The Office of Superintendent of the State, War, and Navy Department Building, originally established to care for the State, War, and Navy Department Building, was placed under the control of a commission composed of the Secretaries of State, War, and the Navy. The Rock Creek and Potomac Parkway Commission, charged with the acquisition of certain lands for park purposes in the District of Columbia, is composed of the Secretaries of the Treasury, War, and Agriculture. The Federal Board for Vocational Education, responsible for carrying out a program to encourage vocational education in the trades, commerce and manufactures, and agriculture, is composed of the Secretary of Labor, the Secretary of Commerce, the Secretary of Agriculture, and the Commissioner of Education, ex officio, together with three appointive members representing respectively the labor interests of the country, the

manufacturing and commercial interests, and the agricultural interests. The work of the Federal Power Commission involves navigable streams, under the jurisdiction of the War Department; reclamation and the public lands, under the Interior Department; and the national forests, under the Department of Agriculture, and it is accordingly composed of the heads of these three departments.

That it would be proper to intrust the functions given to agencies of this type to any single department is in most cases doubtful. The criticism would usually appear that the interests of certain departments were unnecessarily and improperly subordinated to the control of the particular department selected.

In the third place, certain functions have been undertaken by the Government which pertain exclusively to such details of administration as the recruitment of civilian personnel for executive agencies, the regulation of disbursing and accounting, and the procurement of supplies, materials, and equipment. Many objections are apparent to intrusting centralized control over these matters, which affect all the executive departments and establishments alike, to any single department—particularly a department which itself functions primarily as an operating unit. This explains the independent status of the Civil Service Commission, charged with the examination and certification of candidates for employment in all branches of the executive service, and its direct responsibility to the President and to Congress. And the same theory has justified the independent Bureau of Efficiency, created to study the personnel needs of all departments, look into their methods of business, and investigate the duplication and overlapping of their work; the General Accounting Office, responsible for the audit and settlement of the revenue and expenditure accounts arising in all departments; and the Government Printing Office, which supplies the needs of all branches, including Congress, for printing.

It is important to note, however, in considering "service" agencies of this kind that there is an entirely tenable theory that the Treasury Department should be given responsibility for many if not all of these supply and control functions. There is little doubt that such was the theory of the founders of the Government, who gave to the Treasury strong powers of fiscal control over the other branches. In a sense the Treasury Department is itself primarily a service agency. In collecting the revenues, caring for and disbursing public funds, and planning the Nation's fiscal program, it functions to provide ways and means by which the Government, through its executive agencies, may operate. All fiscal matters were originally concentrated here, including the audit and settlement of the accounts of collecting and disbursing officers attached to the operating departments, and the sale of the public lands—at one time a most important source of revenue. The theory suggested forms the justification for the supervision by the Treasury of the work of providing and maintaining quarters for all Government branches throughout the country—through the Office of the Supervising Architect; and it is responsible for the supervision exercised by the Secretary of the Treasury over the General Supply Committee, which contracts for the supplies required by the Government departments and establishments in the District of Columbia.

In more recent years, the policy of the Government on this point has undergone a change, unquestionably hastened by the imposition upon the Treasury of duties of such large importance as to convert the department into one of the largest operating establishments of the Government. Under these circumstances, the wisdom of continuing the service, supply, and control functions of the Treasury came to be doubted in many quarters; and already Congress has acted to remove some of these functions. The authority to audit and settle the public accounts was transferred to the independent General Accounting Office by the Budget and accounting act of 1921. And the committee now proposes the withdrawal of the General Supply Committee and the Supervising Architect's Office.

The most powerful of the independent establishments of the Government owe their existence to a still different consideration from the three which have been discussed. From time to time Congress has delegated to the executive branch certain functions with both legislative and judicial aspects, necessitating for their satisfactory performance the employment of the board or commission form of organization. The first important instance of this kind is found in the interstate commerce act of February 4, 1887, creating the Interstate Commerce Commission, and giving it broad powers to regulate transportation rates in interstate commerce. Although the commission has certain investigative and administrative duties which might conceivably be as well performed by a bureau located, say, in the Department of Commerce, yet its more consequential functions are legislative—fixing transportation rates—or judicial—hearing and acting upon complaint. Powers of this kind could not be bestowed upon any single authority, such as the head of an executive department, without giving rise to general distrust and dissatisfaction.

By some it has been suggested that establishments like the Interstate Commerce Commission should be given departmental affiliation, without, however, destroying the form of their organization as it now stands. These suggestions may be dismissed with the comment that the principle involved requires the complete independence of all organizations having quasi judicial functions from even the appearance of arbitrary control. Short of terminating their work altogether, there seems to be no alternative to continuing establishments of this type, among which may be mentioned, in addition to the Interstate Commerce Commission, the Federal Reserve Board, created by the act of December 23, 1913; the Federal Trade Commission, established under the act approved September 26, 1914; the Shipping Board, created by the act of September 7, 1916; and the Railroad Labor Board, established by the act of February 28, 1920. With respect to the Federal Reserve Board, it is to be noted that in view of the paramount interest of the Treasury in the business subject to the board's jurisdiction, two officers of that department, the Secretary himself and the Comptroller of the Currency, are members of the board ex officio. Since the board has five other members, however, it is not under the administrative control of the Treasury.

Some attention should be given to a fifth type of independent establishment—the corporation organized under general laws, but controlled entirely by the Government. Two such bodies are included in the list of independent establishments—the Emergency Fleet Corporation and the War Finance Corporation. The reason for this form of organization is the necessity for complete freedom of action in carrying out certain emergency programs prescribed by Congress. The acquisition, by construction and otherwise, and the maintenance and operation of merchant vessels is a function which is altogether commercial in character. And in requiring the Shipping Board to assume this task in furtherance of the Nation's war program, Congress which granted the board authority to prosecute the work through a corporate agency, free from the restrictions which apply uniformly to the executive departments with respect to the recruitment and payment of personnel, accounting, purchasing, and so on, and squarely in accordance with commercial and industrial practices. Similar considerations operated to justify the War Finance Corporation, created and capitalized by the Government during the war and authorized to operate as a financing corporation to lend necessary credit to concerns engaged in the production of materials required for defense purposes. The Secretary of the Treasury is ex officio chairman of the board of directors, but, as in the case of the Federal Reserve Board, has no administrative control of the corporation's activities.

It will be apparent that for the most part the existence of those establishments which are maintained outside of the 10 executive departments is justified on both theoretical and practical grounds; and, with the exceptions which have been noted, the committee feels that no action should be taken looking toward their absorption by the executive departments.

THE NECESSARY LEGISLATION

The committee submits a bill (Appendix C) designed to effectuate the changes proposed, and it recommends its favorable consideration by Congress. Following is the plan of the bill:

TITLE I.—DEPARTMENT OF EDUCATION AND RELIEF

Section 1: Department of Education and Relief created. Secretary of Education and Relief provided for.

Section 2: Three Assistant Secretaries of Education and Relief provided for.

Section 3: Province of Department of Education and Relief defined. Unexpended appropriations transferred to Department of Education and Relief.

Section 4: Bureaus, offices, and branches of service included in Department of Education and Relief, as follows:

(a) From Department of the Interior—
Bureau of Pensions.
Bureau of Education.
St. Elizabeths Hospital.
Howard University.
Freedmen's Hospital.

(b) From the Department of the Treasury—
Public Health Service.

(c) Federal Board for Vocational Education (abolished and its functions transferred to Bureau of Education).

(d) Office of Commissioner of Education abolished.

(e) National Home for Disabled Volunteer Soldiers.

(f) Columbia Institution for the Deaf.

(g) United States Veterans' Bureau (placed under the direction of the Assistant Secretary for Veteran Relief).

Section 5: Official records and property transferred to Department of Education and Relief.

Section 6: Quarters provided; employees transferred.

Section 7: Authority now exercised by other department heads over branches of service transferred to new department given to Secretary of Education and Relief.

Section 8: Secretary of Education and Relief required to submit annual report.

TITLE II.—DEPARTMENT OF COMMERCE

Section 200: Appropriations transferred to Department of Commerce; two additional assistant secretaries provided for.

Section 201: Bureaus, offices, and branches of service transferred to Department of Commerce as follows:

(a) From the Department of the Interior—
Bureau of Mines.
Patent Office.

(b) National Advisory Committee for Aeronautics.

(c) From the Department of War—
Lake Survey Office.

(d) Inland and Coastwise Waterways Service, transferred from Department of War.

(e) Name of Bureau of the Census changed to Bureau of Federal Statistics; statistics of mineral production and of waterborne commerce transferred to Bureau of Federal Statistics.

Section 202: Bureau of Transportation created.

(a) Director and assistant director provided for.

(b) Province of Bureau of Transportation defined.

Section 203: Official records and property transferred to Department of Commerce.

Section 204: Quarters provided; employees transferred.

Section 205: Authority now exercised by other department heads over branches of service transferred to Department of Commerce given to Secretary of Commerce.

TITLE III.—DEPARTMENT OF THE INTERIOR

Section 300: Appropriations transferred to Department of the Interior.

Section 301: Bureaus, offices, and branches of service transferred to Department of the Interior, as follows:

(a) From the Department of Agriculture—
Bureau of Public Roads.

(b) From the Department of the Treasury—
Supervising Architect's Office.

(c) From the Department of War—
Board of Road Commissioners for Alaska (abolished and its functions transferred to the Department of the Interior).

Section 302: Official records and property transferred to the Department of the Interior.

Section 303: Quarters provided; employees transferred.

Section 304: Authority now exercised by other department heads over branches of service transferred to Department of the Interior given to the Secretary of the Interior.

TITLE IV.—BUREAU OF PURCHASE AND SUPPLY

Section 400: Bureau of Purchase and Supply created as independent establishment. Chief officer to be Director of Purchase and Supply.

Section 401: Province of Bureau of Purchase and Suply defined.

Section 402: Purchase and issue of supplies restricted.

Section 403: General purchase and supply fund authorized.

Section 404: Bureau of Purchase and Supply to receive and dispose of surplus property of executive departments.

Section 405: (a) General Supply Committee abolished. Appropriations and personnel transferred to Bureau of Purchase and Supply.

(b) Government fuel yards transferred from Department of the Interior to Bureau of Purchase and Supply.

(c) Quarters provided for Bureau of Purchase and Supply.

Section 406: Director of Purchase and Supply required to submit annual report.

TITLE V.—OFFICE OF PUBLIC BUILDINGS AND PARKS IN THE DISTRICT OF COLUMBIA

Section 500: Office of Public Buildings and Parks in the District of Columbia created as independent establishment. Chief officer to be Superintendent of Public Buildings and Parks in the District of Columbia.

Section 501: (a) Office of Superintendent of State, War, and Navy Department Building abolished and its functions transferred to Office of Public Buildings and Parks in the District of Columbia.

(b) Office of Public Buildings and Grounds, War Department, abolished and its functions transferred to Office of Public Buildings and Parks in the District of Columbia.

Section 502: Unexpended appropriations, personnel, official records and property transferred to Office of Public Buildings and Parks in the District of Columbia.

Section 503: Superintendent of Public Buildings and Parks in the District of Columbia required to submit annual report.

TITLE VI.—DEPARTMENTAL SOLICITORS

Section 600: Departmental solicitors transferred from the Department of Justice to executive departments to which they are severally attached.

TITLE VII.—BUREAU OF THE BUDGET

Section 700: The Bureau of the Budget made an independent establishment.

TITLE VIII.—GENERAL PROVISIONS

Section 800: Short title provided for act.

Section 801: Effective date fixed.

Section 802: Suits by or against officers of the Government not to abate.

Section 803: Head of each department authorized to reorganize branches of service under his jurisdiction.

The committee's bill seeks to take away from each executive department all services which perform functions that are clearly extraneous to the major departmental purposes. It seeks also to concentrate under unified supervision those services whose duties lie in the same field, whose working programs have important points of contact, or which employ similar plant and equipment in the accomplishment of their objects. It is unnecessary to say, however, that the mere shifting of executive agencies from one department to another will be itself of little benefit. The real reorganization must come later, as the result of executive action.

The committee's specific recommendations go only to the question of so realigning existing services as to place all those which perform analogous or related functions, involving greater or less duplication of personnel and equipment, if not actual duplication of work, under the executive direction of a single officer. Upon that officer must devolve the responsibility for effecting such a rearrangement of the agencies intrusted to his department as may be necessary to reduce overhead to a minimum, to eliminate duplications of plant and effort, and to bring about the most efficient and economical prosecution of the department's work as a whole.

Although there are numerous exceptions, virtually all existing executive agencies have been established by legislative enactment. Without specific statutory authority, therefore, they can seldom be discontinued or combined by executive action, even where a more satisfactory arrangement for the performance of the functions intrusted to them might be obvious. Under these circumstances it will be necessary, if a real benefit is to be derived from any realignment of services which may be determined upon, for Congress, as a part of its reorganization legislation, to convey to the head of each department the authority to make such a redistribution of the work of the agencies placed under his direction as may seem appropriate in the interests of effective administration. This authority should be comprehensive enough to permit the transfer of work from one departmental subdivision to another, the elimination of agencies which may be found superfluous, and the consolidation of agencies whose work can best be performed under single direction.

In establishing the Department of Commerce and Labor, by the act of February 14, 1903, Congress gave authority of this kind, although limited in extent, to the head of the new department. The Secretary of Commerce and Labor was granted "the power and authority to rearrange the statistical work of the bureaus and offices confided to said department, and to consolidate any of the statistical bureaus and offices transferred to said department."

Congress here recognized the necessity of giving the head of the department something of a free hand to set up the form of internal organization which would best lend itself to the accomplishment of the department's purposes. Following the more extensive shifting of bureaus which would be involved in any general reorganization of the executive branch of the Government, the need for administrative action of this kind would be much greater; and the heads of the departments should, it is believed, be uniformly authorized and directed to proceed with such steps of internal reorganization as they may consider proper. To insure the necessary consistency of action, however, as between different departments, and to provide for reasonable formality, it is suggested that legislation on this point should stipulate that all intradepartmental changes of the kind specified should require approval by the President. The committee's bill in section 803 makes provision accordingly.

The committee proposes that the reorganization legislation, if adopted, shall be effective on March 4, 1925—at the beginning of the next administration. The bill has been drafted accordingly; but in order to allow for necessary preliminary arrangements, it provides that those sections which relate to the transfer of agencies from one department to another shall not be operative until July 1, 1925, the beginning of the fiscal year.

Respectfully submitted.

REED SMOOT.
J. W. WADSWORTH, Jr.
CARL E. MAPES.
H. W. TEMPLE.

SUPPLEMENTAL REPORT

It will appear from the hearings that very many of the suggestions that were submitted to the committee by President Harding, as, for instance, that of consolidating the War and Navy Departments, have been rejected because of the conflicting views of Cabinet officials.

It has become evident that the expectation of reaching results which would bring about any considerable economies will not be realized. It

is believed, however, that a number of the changes recommended may and should tend to promote greater efficiency in the conduct of the activities of the Government.

The undersigned are opposed to the transfer to the Department of the Interior of the Bureau of Public Roads. The work of that bureau has proven satisfactory and no mere theory would seem to justify the transfer. In their opinion, its retention in the Department of Agriculture will be a case of "letting well enough alone."

Those who are anxious for an orderly and vigorous administration of existing law, whether they approve or disapprove the policy of prohibition, may well consider whether it would not be desirable to make the Prohibition Unit an independent establishment under the immediate control of the President.

It is insisted by those who have given the subject much investigation and thought that the new department which is designed to be created should be confined to education, without being charged with the other duties proposed to be assigned it, and this also is a matter which deserves serious consideration.

There is another matter of very great importance to which it is proper to call attention. The Secretary of Agriculture very strongly urged before the committee that the great public domain, now under the jurisdiction of the Interior Department, is being so devastated that to a large extent it has already become, and as to the residue is becoming, useless for productive purposes, and should be transferred to the jurisdiction of the Agricultural Department, that its use may be so regulated as to check the present destructive processes. He was supported by a representative of the agricultural interests, and there was no evidence to the contrary.

PAT HARRISON.
R. WALTON MOORE.

APPENDIX A

A CHART EXHIBITING IN DETAIL THE PRESENT ORGANIZATION OF THE GOVERNMENT DEPARTMENTS AND THE CHANGES SUGGESTED BY THE PRESIDENT AND THE CABINET

(Presented by Mr. SMOOT February 13 (calendar day February 16), 1923.—Ordered to be printed)

THE WHITE HOUSE,
Washington, February 13, 1923.

MR. WALTER F. BROWN,
Chairman Joint Committee on the Reorganization of Government Departments, Washington, D. C.

MY DEAR MR. BROWN: I hand you herewith a chart (see Appendix A–1) which exhibits in detail the present organization of the Government departments and the changes suggested after numerous conferences and consultations with the various heads of the executive branch of the Government. The changes with few exceptions, notably that of coordinating all agencies of national defense, have the sanction of the Cabinet. In a few instances, which I believe are of minor importance, the principle of major purpose has not been followed to the letter, in order to avoid controversies which might jeopardize reorganization as a whole.

Permit me to repeat what I have said to the members of the Joint Committee on Reorganization that I regret deeply the delay in placing our suggestions in your hands. It has been caused solely by the difficulty which has been encountered in reconciling the views of the various persons charged with the responsibility of administering the executive branch of the Government.

With the earnest hope that the suggestions submitted may be of material assistance to the committee in performing its most important task, I am,

Very truly yours,

WARREN G. HARDING.

OUTLINE OF THE REORGANIZATION PLAN RECOMMENDED BY THE PRESIDENT AND THE CABINET

SUMMARY OF RECOMMENDATIONS

The outstanding recommendations are as follows:

I. The coordination of the Military and Naval Establishments under a single Cabinet officer as the Department of National Defense.

II. The transfer of all nonmilitary functions from the War and Navy Departments to civilian departments—chiefly Interior and Commerce.

III. The elimination of all nonfiscal functions from the Treasury Department.

IV. The establishment of one new department—the Department of Education and Welfare.

V. The change of the name of the Post Office Department to Department of Communications.

VI. The attachment to the several departments of all independent establishments except those which perform quasi judicial functions or act as service agencies for all departments.

THE MORE IMPORTANT CHANGES, BY DEPARTMENTS

STATE DEPARTMENT

(a) The Bureau of Insular Affairs is transferred from the War Department to the Department of State.

TREASURY DEPARTMENT

(a) The General Accounting Office, now an independent establishment, is transferred to the Treasury Department.

(b) The following bureaus, now in the Treasury Department, are transferred to other departments, as noted:

Bureau or office	Transferred to—
Bureau of the Budget	Independent establishment.
General Supply Committee	Independent establishment.[1]
Public Health Service	Education and Welfare.
Coast Guard	Commerce, Defense.[2]
Supervising Architect's Office	Interior.

WAR AND NAVY DEPARTMENTS

(a) These departments are placed under a single Cabinet officer, as the department of defense. Three Undersecretaries are provided—for the Army, for the Navy, and for national resources.

(b) The nonmilitary engineering activities of the War Department, including the Board of Engineers for Rivers and Harbors, the District and Division Engineer Offices, the Mississippi River and California Débris Commissions, the Board of Road Commissioners for Alaska, and the Office of Public Buildings and Grounds (District of Columbia), are transferred to the Department of the Interior.

(c) The marine activities of the War Department, including the Lake Survey Office, the Inland and Coastwise Waterways Service, and the Supervisor of New York Harbor, are transferred to the Department of Commerce.

(d) The Bureau of Insular Affairs is transferred from the War Department to the Department of State.

(e) The Hydrographic Office and the Naval Observatory are transferred from the Navy Department to the Department of Commerce.

(f) The Revenue Cutter Service, now a part of the Coast Guard in the Treasury Department, is transferred from that department to the Naval Establishment.

DEPARTMENT OF THE INTERIOR

(a) The Interior Department is given two major functions—the administration of the public domain and the construction and maintenance of public works. The subdivisions of the department are grouped accordingly under two Assistant Secretaries.

(b) The educational and health activities of the department, including the Bureau of Education, Indian Schools, Howard University, the Columbia Institution for the Deaf, St. Elizabeths Hospital, and Freedmen's Hospital, together with the Bureau of Pensions, are transferred to the new Department of Education and Welfare.

(c) The Bureau of Mines (except the Government fuel yards, which is to become a part of the proposed Bureau of Purchase and Supply (independent)) and the Patent Office are transferred to the Department of Commerce.

(d) The nonmilitary engineering activities of the War Department (see (b) under the War and Navy Departments, above) are transferred to the Department of the Interior, as is also control over the National Military Parks.

(e) The Supervising Architect's Office is transferred from the Treasury Department to the Department of the Interior.

(f) The Bureau of Public Roads is transferred from the Department of Agriculture to the Department of the Interior.

(g) The functions of the Federal Power Commission, an independent establishment, are transferred to the Department of the Interior.

DEPARTMENT OF JUSTICE

(a) The solicitors of the several departments, now nominally under the control of the Department of Justice, are transferred to the departments to which they are respectively attached.

(b) The Office of the Alien Property Custodian, now an independent establishment, is transferred to the Department of Justice.

(c) The administration of United States prisons is transferred from the Department of Justice to the Department of Education and Welfare.

DEPARTMENT OF COMMUNICATIONS

(a) The Post Office Department is renamed as the Department of Communications. The only important change contemplated is the addition of a bureau to develop and extend telephone and telegraph communications, including wireless, for the general public benefit.

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[1] A Bureau of Purchase and Supply is proposed, to be an independent establishment. It would assume the functions now performed by the General Supply Committee.

[2] The Coast Guard is now composed of the former Revenue Cutter and Life Saving Services (consolidated by the act approved Jan. 28, 1915). It is proposed that the Revenue Cutter Service shall be transferred to the Naval Establishment (Department of Defense) and the Life Saving Service to the Department of Commerce.

DEPARTMENT OF AGRICULTURE

(a) The Bureau of Public Roads is transferred to the Department of the Interior.

(b) The Bontanic Garden is transferred from congressional supervision to the control of the Department of Agriculture.

DEPARTMENT OF COMMERCE

(a) The Department of Commerce is given three major functions: The promotion of industry, the promotion of trade, and the development, regulation, and protection of the merchant marine. The subdivisions of the department are organized accordingly, under three Assistant Secretaries.

(b) The Bureau of Mines and the Patent Office are transferred to the Department of Commerce from the Department of the Interior, as well as the compilation of statistics of mineral production. (Statistics of mineral production are compiled by the Geological Survey, of the Interior Department.)

(c) The Lake Survey, the Inland and Coastwise Waterways Service, the supervisor of New York Harbor, and the compilation of statistics of internal commerce are transferred from the War Department to the Department of Commerce.

(d) The Hydographic Office and the Naval Observatory are transferred from the Navy Department to the Department of Commerce.

(e) The Life Saving Service is transferred from the Treasury Department (Coast Guard) to the Department of Commerce, which is given control likewise over the United States section of the Inter-American High Commission, now in the Treasury Department.

DEPARTMENT OF LABOR

(a) The functions of the Women's and Children's Bureaus, except such as relate to women and children in industry, are transferred to the Department of Education and Welfare.

DEPARTMENT OF EDUCATION AND WELFARE

(a) This is a new department, to have four major subdivisions, each in charge of an Assistant Secretary, as follows:

Education.
Health.
Social service.
Veteran relief.

(b) Existing bureaus and offices to be transferred to the Department of Education and Welfare are as follows:

From the Department of the Interior:
Bureau of Education.
Indian schools.
Howard University.
St. Elizabeths Hospital.
Freedmen's Hospital.
Bureau of Pensions.
From the Department of Labor:
Women's Bureau (part).
Children's Bureau (part).
From the Treasury Department:
Public Health Service.
From the War Department:
Soldiers' Home.
From the Department of Justice:
Office of the Superintendent of Prisons.
Independent establishments:
Smithsonian Institution. (There is some doubt, considering the legal character of the Smithsonian Institution, whether it can be incorporated in a Government department. Its functions, however, are in harmony with those of the proposed Department of Education and Welfare, and the propriety of its inclusion therein is unquestioned, if it can legally be accomplished.)
Federal Board for Vocational Education.
National Home for Disabled Volunteer Soldiers.
Columbia Institution for the Deaf.
Veterans' Bureau.

INDEPENDENT ESTABLISHMENTS

(a) To the greatest possible extent, the existing independent establishments have been placed under the administrative supervision of some department. Only those remain which are quasi judicial in character, necessitating a board or commission form of organization, or which perform a service function for all branches of the Government. These are as follows:

Commissions, boards, etc.:
Civil Service Commission.
Shipping Board.
Emergency Fleet Corporation.
Tariff Commission.
Interstate Commerce Commission.
Federal Trade Commission.
Federal Reserve Board.
War Finance Corporation.
Coal Commission.
Railroad Administration.
Railroad Labor Board.
World War Foreign Debt Commission.
Service bureaus and offices:
Bureau of the Budget.
Government Printing Office.
Bureau of Efficiency.
Bureau of Purchase and Supply.
Government Fuel Yards.

APPENDIX A-1

SCHEME OF REORGANIZATION OF THE EXECUTIVE DEPARTMENTS SUGGESTED BY THE PRESIDENT AND THE CABINET AT THE REQUEST OF THE JOINT COMMITTEE ON REORGANIZATION

CHART A—*The existing organization of the executive departments*

THE PRESIDENT

INDEPENDENT EXECUTIVE ESTABLISHMENTS

Smithsonian Institution (Education and Welfare):
National Museum.
National Gallery of Art.
International Exchange Service.
Bureau of American Ethnology.
Astrophysical Observatory.
National Zoological Park.
International Catalogue of Scientific Literature.
National Home for Disabled Volunteer Soldiers (Education and Welfare).
Superintendent of the State, War, and Navy Buildings (Interior).
Civil Service Commission.
Interstate Commerce Commission.
Geographic Board (omitted).
Commission of Fine Arts (Interior).
Rock Creek and Potomac Parkway Commission (Interior).
Bureau of Efficiency.
Federal Reserve Board.
Federal Trade Commission.
National Advisory Committee for Aeronautics (Defense).
Employees' Compensation Commission (Pensions).
Shipping Board:
Emergency Fleet Corporation.
Tariff Commission.
Federal Board for Vocational Education (Education and Welfare).
Alien Property Custodian (Justice).
Railroad Administration.
War Finance Corporation.
Railroad Labor Board.
Federal Power Commission (Interior).
Veterans' Bureau (Education and Welfare).
Coal Commission.
General Accounting Office (Treasury).
World War Foreign Debt Commission.

(1) DEPARTMENT OF STATE

Secretary of State

Diplomatic Service.
Consular Service.
United States Sections, International Commissions.
Undersecretary of State:
Office of Economic Adviser.
Division of Latin-American Affairs.
Division of Mexican Affairs.
Division of Current Information.
Division of Publications.
Office of Special Agent.
Assistant Secretary:
Division of Western European Affairs.
Division of Near Eastern Affairs.
Division of Eastern European Affairs.
Bureau of Appointments.
Second Assistant Secretary:
Division of Passport Control.
Visé Office.
Diplomatic Bureau.
Bureau of Indexes and Archives.
Third Assistant Secretary:
Office of Ceremonials.
Division of Far Eastern Affairs.
Bureau of Accounts.
War Trade Board Section.
Director of the Consular Service:
Consular Bureau.
Office of Consular Personnel.
Commercial Office.
Division of Political and Economic Information.
Office of Chief Clerk.
Solicitor.

(II) DEPARTMENT OF THE TREASURY

Secretary of the Treasury

Undersecretary, in charge of fiscal bureaus:
- Commissioner of the Public Debt—
  - Division of Loans and Currency.
  - Register of the Treasury.
  - Division of Public Debt Accounts and Audit.
  - Savings Division.
- Commissioner of Accounts and Deposits—
  - Division of Bookkeeping and Warrants.
  - Division of Deposits.
- Treasurer of the United States.
- Comptroller of the Currency.
- Bureau of the Budget (independent).
- Bureau of the Mint.
- Federal Farm Loan Bureau.
- Secret Service Division.

Assistant Secretary, in charge of foreign loans and miscellaneous:
- United States Section, Inter-American High Commission (Commerce).
- Bureau of Engraving and Printing.
- General Supply Committee (independent).
- Departmental Executive Offices.

Assistant Secretary, in charge of public health, public buildings, and Coast Guard (omitted):
- Public Health Service (Education and Welfare).
- Supervising Architect's Office (Interior).
- Coast Guard (Revenue Cutter Service to Defense—Life Saving Service to Commerce).

Assistant Secretary, in charge of the collection of the revenues:
- Bureau of Internal Revenue—
  - Prohibition Commissioner.
- Division of Customs.
- Customs Service—
  - Bureau of Custom Statistics (Commerce).

(III) DEPARTMENT OF WAR (DEFENSE)

Secretary of War
Assistant Secretary
Executive offices

General Staff.
War boards and commissions.
Office of The Adjutant General.
Office of the Inspector General.
Office of the Judge Advocate General.
Office of the Quartermaster General.
Office of the Chief of Finance.
Office of the Surgeon General.
Office of the Chief of Ordnance.
Office of the Chief of Chemical Warfare Service.
Militia Bureau.
Bureau of Insular Affairs (State).
Office of the Chief of Chaplains.
Office of the Chief Signal Officer.
Office of the Chief of Air Service.
Office of the Chief of Infantry.
Office of the Chief of Cavalry.
Office of the Chief of Field Artillery.
Office of the Chief of Coast Artillery.
Office of the Chief of Engineers:
- Board of Engineers for Rivers and Harbors (Interior).
- Board of Engineers, New York City (Interior).
- Supervisor of New York Harbor (Commerce).
- United States engineer offices (Interior).
- Lake Survey (Commerce).
- Mississippi River Commission (Interior).
- California Débris Commission (Interior).
- Board of Road Commissioners for Alaska (Interior).
- Office of Public Buildings and Grounds (Interior).

Military Academy.
Inland and Coastwise Waterways Service (Commerce).
Panama Canal.
National Military Park Commissions (Interior).
Soldiers' Home (Education and Welfare).

(IV) DEPARTMENT OF THE NAVY (DEFENSE)

Secretary of the Navy
Assistant Secretary
Executive offices

Office of Naval Operations.
Navy boards
Bureau of Navigation:
- Hydrographic Office (Commerce).
- Naval Observatory (Commerce).
- Naval Academy.

Bureau of Yards and Docks.
Bureau of Ordnance.
Bureau of Construction and Repair.
Bureau of Engineering.
Bureau of Aeronautics.
Bureau of Supplies and Accounts.
Bureau of Medicine and Surgery.
Headquarters, Marine Corps.
Judge Advocate General:
- Solicitor.

(V) DEPARTMENT OF THE INTERIOR

Secretary of the Interior
Executive offices

First Assistant Secretary:
- General Land Office.
- Reclamation Service.
- National Park Service.

Assistant Secretary:
- Bureau of Indian Affairs (Schools to Education and Welfare).
- Bureau of Pensions (Education and Welfare).
- Patent Office (Commerce).
- Bureau of Education (Education and Welfare).
- St. Elizabeths Hospital (Education and Welfare).
- Howard University (Education and Welfare).
- Freedmen's Hospital (Education and Welfare).
- Columbia Institution for the Deaf (Education and Welfare).

Administration of Alaska and Hawaii.
Geological Survey.
Bureau of Mines (Commerce):
- Government Fuel Yards (Bureau of Purchase and Supply, independent).

Alaskan Engineering Commission.
War Minerals Relief Commission.

(VI) DEPARTMENT OF JUSTICE

Attorney General
Solicitor General

War Contracts Section.
Assistant to the Attorney General:
- Anti-Trust Division.

Assistant Attorney General:
- Division for the Defense of Suits.

Assistant Attorney General:
- Public Lands Division—
  - Office of Titles.
  - Office of Land Litigation in the District of Columbia.

Assistant Attorney General:
- Criminal Division.

Assistant Attorney General:
- Division of Admiralty, Finance, Foreign Relations, Territorial and Insular Affairs.

Assistant Attorney General:
- Division of Taxation, Insurance, Prohibition, and Minor Regulations of Commerce.

Assistant Attorney General:
- Customs Division.

Assistant Attorney General:
- Executive Offices.

Solicitor of the Treasury (Treasury).
Solicitor of Internal Revenue (Treasury).
Solicitor for the Interior Department (Interior).
Solicitor for the Department of Commerce (Commerce).
Solicitor for the Department of Labor (Labor).
Bureau of Investigation.
Office of Superintendent of Prisons (Education and Welfare).
Office of Pardons.

(VII) POST OFFICE DEPARTMENT (COMMUNICATIONS)

Postmaster General
Executive offices

First Assistant Postmaster General:
- Postmasters' Appointments Division.
- Post Office Service Division.
- Dead Letter Division.

Second Assistant Postmaster General:
- Railway Mail Service Division.
- Railway Adjustments Division.
- Foreign Mails Division.
- Air Mail Service Division.

Third Assistant Postmaster General:
- Money Orders Division.
- Postal Savings Division.
- Registered Mails Division.
- Stamp Division.
- Finance Division.
- Classification Division.

Fourth Assistant Postmaster General:
Rural Mails Division.
Motor Vehicle Service Division.
Equipment and Supplies Division.
Chief Inspector.
Purchasing Agent (omitted).
Office of the Comptroller.
Solicitor.

(VIII) DEPARTMENT OF AGRICULTURE

Secretary of Agriculture
Assistant Secretary
Executive offices.

Administration of Packers and Stockyards and Trading in Grain Futures.
Weather Bureau.
Bureau of Animal Industry.
Bureau of Plant Industry.
Forest Service.
Bureau of Chemistry.
Bureau of Soils.
Bureau of Entomology.
Bureau of Biological Survey.
Division of Publications.
States Relations Service.
Bureau of Public Roads (Interior).
Bureau of Agricultural Economics.
Insecticide and Fungicide Board.
Federal Horticultural Board.
Solicitor.

(IX) DEPARTMENT OF COMMERCE

Secretary of Commerce
Assistant Secretary
Executive offices

Bureau of the Census.
Bureau of Foreign and Domestic Commerce.
Bureau of Standards.
Bureau of Fisheries.
Bureau of Lighthouses.
Coast and Geodetic Survey.
Bureau of Navigation.
Steamboat Inspection Service.

(X) DEPARTMENT OF LABOR

Secretary of Labor
Assistant Secretary
Second Assistant Secretary
Executive offices.

Bureau of Immigration.
Bureau of Naturalization.
Bureau of Labor Statistics.
Children's Bureau (part to Education and Welfare).
Women's Bureau (part to Education and Welfare).
Division of Conciliation.
Employment Service.
Housing Corporation.

ESTABLISHMENTS UNDER CONGRESSIONAL DIRECTION

Library for Congress.
Architect of the Capitol (Interior).
Government Printing Office (independent).
Botanic Garden (Agriculture).
Miscellaneous commissions.
National Forest Reservation Commission.
Public Buildings Commission (independent).

CHART B—*The organization of the executive departments recommended by the President and the Cabinet.*

THE PRESIDENT

Secretary and staff

INDEPENDENT EXECUTIVE ESTABLISHMENTS

Budget Bureau (Treasury).
Civil Service Commission.
Bureau of Efficiency.
Bureau of Purchases and Supply (new):
Government Fuel Yard (Interior).
Government Printing Office (Congress).
Shipping Board:
Emergency Fleet Corporation.
Tariff Commission.
Railroad Administration.
Interstate Commerce Commission.
Federal Trade Commission.
Federal Reserve Board.
War Finance Corporation.
Coal Commission.
Railroad Labor Board.
World War Foreign Debt Commission.
Public Buildings Commission (Congress).

(I) DEPARTMENT OF STATE

Secretary of State

Diplomatic Service.
Consular Service.
United States Sections, International Commissions.
Undersecretary of State:
Office of the Economic Adviser.
Division of Latin American Affairs.
Division of Mexican Affairs.
Division of Current Information.
Division of Publications.
Office of Special Agent.
Assistant Secretary:
Division of Western European Affairs.
Division of Near Eastern Affairs.
Division of Eastern European Affairs.
Bureau of Appointments.
Assistant Secretary:
Division of Passport Control.
Visé Office.
Diplomatic Bureau.
Bureau of Indexes and Archives.
Assistant Secretary:
Office of Ceremonials.
Division of Far Eastern Affairs.
Bureau of Accounts.
War Trade Board Section.
Assistant Secretary:
Bureau of Insular Affairs (War).
Consular Bureau.
Office of Consular Personnel.
Commercial Office.
Division of Political and Economic Information.
Office of Chief Clerk.
Solicitor.

(II) DEPARTMENT OF THE TREASURY

Secretary of the Treasury

Undersecretary, in Charge of Fiscal Bureaus:
Commissioner of the Public Debt—
Division of Loans and Currency.
Register of the Treasury.
Division of Public Debt Accounts and Audit.
Savings Division.
Commissioner of Accounts and Deposits—
Division of Bookkeeping and Warrants.
Division of Deposits.
Treasurer of the United States.
Comptroller of the Currency.
Bureau of the Mint.
Federal Farm Loan Bureau.
Secret Service Division.
Assistant Secretary, in Charge of Foreign Loans and Miscellaneous:
Bureau of Engraving and Printing.
General Accounting Office (independent).
Departmental Executive Offices.
Solicitor of the Treasury (Justice).
Assistant Secretary, in Charge of the Collection of the Revenues:
Bureau of Internal Revenue—
Solicitor of Internal Revenue (Justice).
Prohibition Commissioner.
Division of Customs.
Customs Service.

(III) DEPARTMENT OF DEFENSE (WAR, NAVY)

Secretary for Defense

Undersecretary for the Army.
Assistant Secretary.
Executive Offices:
General Staff.
War Boards and Commissions.
Office of the Adjutant General.
Office of the Inspector General.
Office of the Judge Advocate General.
Office of the Quartermaster General.
Office of the Chief of Finance.
Office of the Surgeon General.
Office of the Chief of Ordnance.
Office of the Chief of Chemical Warfare Service.
Militia Bureau.
Office of the Chief of Chaplains.
Office of the Chief Signal Officer.
Office of the Chief of Air Service.

Executive Offices—Continued.
Office of the Chief of Infantry.
Office of the Chief of Cavalry.
Office of the Chief of Field Artillery.
Office of the Chief of Coast Artillery.
Office of the Chief of Engineers.
Military Academy.
Panama Canal.
Undersecretary for the Navy.
Assistant Secretary.
Executive Offices:
Office of Naval Operations.
Navy Boards.
Bureau of Navigation—
Naval Academy.
Bureau of Yards and Docks.
Bureau of Ordnance.
Bureau of Construction and Repair.
Bureau of Engineering.
Bureau of Aeronautics.
Bureau of Supplies and Accounts.
Bureau of Medicine and Surgery.
Revenue Cutter Service (Coast Guard, Treasury).
Headquarters, Marine Corps.
Judge Advocate General—
Solicitor.
Undersecretary for National Resources (new).
Assistant Secretary.
Executive Offices:
Men.
Munitions.
Food and Clothing.
Transportation.
Communications.
Fuel.
Miscellaneous.
Joint Boards (War and Navy).
National Advisory Committee for Aeronautics (independent).

(IV) DEPARTMENT OF THE INTERIOR
Secretary of the Interior
Executive offices

Assistant Secretary for Public Domain:
Administration of Alaska and Hawaii.
Indian Lands and Reservations.
General Land Office.
Geological Survey.
War Minerals Relief Commission.
National Park Service.
National Military Park Commissions (War).
Federal Power Section (Federal Power Commission, independent).
Assistant Secretary for Public Works:
Bureau of Public Roads (Agriculture).
Supervising Architect's Office (Treasury).
Alaskan Engineering Commission.
Reclamation Service.
Board of Engineers for Rivers and Harbors (War)—
Board of Engineers, New York City (War).
United States Engineer Offices (War).
Mississippi River Commission (War).
California Débris Commission (War).
Board of Road Commissioners for Alaska (War).
Bureau of District of Columbia Buildings and Grounds—
Office of Public Buildings and Grounds (War).
Commission of Fine Arts (Independent).
Superintendent of the State, War, and Navy Department Buildings (Independent).
Architect of the Capitol (Congress).
Rock Creek and Potomac Parkway Commission (independent).
Solicitor (Justice).

(V) DEPARTMENT OF JUSTICE
Attorney General
Solicitor General

War Contracts Section.
Bureau of Investigation.
Office of Pardons.
Assistant to the Attorney General:
Antitrust Division.
Assistant Attorney General:
Division for the Defense of Suits.
Assistant Attorney General:
Public Lands Division—
Office of Titles.
Office of Land Litigation in the District of Columbia.
Assistant Attorney General:
Criminal Division.
Assistant Attorney General:
Division of Admiralty, Finance, Foreign Relations, Territorial and Insular Affairs.
Alien Property Custodian (Independent).
Assistant Attorney General:
Division of Taxation, Insurance, Prohibition, and Minor Regulations of Commerce.
Assistant Attorney General:
Customs Division.
Assistant Attorney General:
Executive Offices.

(VI) DEPARTMENT OF COMMUNICATIONS (POST OFFICE)

Secretary of Communications.
Undersecretary of Communications.
Executive Offices.
Assistant Secretary for Postal Service:
Postmasters' Appointments Division.
Post Office Service Division.
Dead Letter Division.
Assistant Secretary for Postal Transportation:
Railway Mail Service Division.
Railway Adjustments Division.
Foreign Mails Division.
Air Mail Service Division.
Assistant Secretary for Postal Finance:
Office of the Comptroller.
Money Orders Division.
Postal Savings Division.
Registered Mails Division.
Stamp Division.
Finance Division.
Classification Division.
Assistant Secretary for Postal Purchases and Supplies:
Rural Mails Division.
Motor Vehicle Service Division.
Equipment and Supplies Division.
Assistant Secretary for Telephone and Telegraph (including radio) (new):
Telephone Division.
Telegraph Division.
Chief Inspector.
Solicitor.

(VII) DEPARTMENT OF AGRICULTURE
Secretary of Agriculture
Assistant Secretary
Executive offices

Administration of Packers and Stockyards and Trading in Grain Futures.
Weather Bureau.
Bureau of Animal Industry.
Bureau of Plant Industry.
Botanic Garden (Congress).
Forest Service.
Bureau of Chemistry.
Bureau of Soils.
Bureau of Entomology.
Bureau of Biological Survey.
Division of Publications.
States Relations Service.
Bureau of Agricultural Economics.
Insecticide and Fungicide Board.
Federal Horticultural Board.
Solicitor.

(VIII) DEPARTMENT OF COMMERCE
Secretary of Commerce
Executive offices

Assistant Secretary for Industry:
Bureau of Standards.
Bureau of Mines (Interior).
Bureau of Fisheries.
Bureau of Federal Statistics (new)—
(Bureau of the Census).
Bureau of Customs Statistics (Treasury).
Mineral Production Statistics (Geological Survey).
Internal Commerce Statistics (War).
Bureau of Patents (Interior).
Assistant Secretary for Trade:
Bureau of Foreign and Domestic Commerce.
United States Section, Inter-American High Commission (Treasury).
Bureau of Transportation (new)—
Airways.
Waterways (Federal canals, except Panama).
Highways.

Assistant Secretary for Merchant Marine:
Coast and Geodetic Survey—
Lake Survey (War).
Hydrographic Office (Navy).
National Observatory (Navy).
Bureau of Lighthouses.
Life Saving Service (Coast Guard, Treasury).
Bureau of Navigation.
Steamboat Inspection Service.
Inland and Coastwise Waterways Service (War).
Supervisor of New York Harbor (War).
Solicitor (Justice).

(IX) DEPARTMENT OF LABOR
Secretary of Labor
Assistant Secretary
Second Assistant Secretary
Executive offices

Bureau of Immigration.
Bureau of Naturalization.
Bureau of Labor Statistics.
Children's Bureau (less nonindustrial service).
Women's Bureau (less nonindustrial service).
Division of Conciliation.
Employment Service.
Housing Corporation.
Solicitor (Justice).

(X) DEPARTMENT OF EDUCATION AND WELFARE
Secretary of Education and Welfare
Executive offices

Assistant Secretary for Education:
General Education—
Bureau of Education (Interior).
Indian Schools (Interior).
Howard University (Interior).
Columbia Institution for the Deaf (Interior).
Smithsonian Institution (independent)—
National Museum.
National Gallery of Art.
International Exchange Service.
Bureau of American Ethnology.
Astrophysical Observatory.
National Zoological Park.
International Catalogue of Scientific Literature.
Physical Education (new).
Vocational Education (Federal Board for Vocational Education, Independent)—
Section of Vocational Rehabilitation.
Assistant Secretary for Public Health:
Public Health Service (Treasury)—
Quarantine and Sanitation.
Hospitalization—
National Home for Disabled Volunteer Soldiers (Independent).
Soldiers' Home (War).
St. Elizabeths Hospital (Interior).
Freedmen's Hospital (Interior).
Research.
Assistant Secretary for Social Service:
Women's Bureau (Labor—part).
Children's Bureau (Labor—part).
Office of Superintendent of Prisons (Justice).
Assistant Secretary for Veteran Relief:
Veterans' Bureau (Independent).
Bureau of Pensions (Interior).
Solicitor.

ESTABLISHMENTS UNDER CONGRESSIONAL DIRECTION
Library of Congress.
National Forest Reservation Commission.
Miscellaneous commissions.

FEBRUARY 13, 1923.

APPENDIX B

SCHEME OF REORGANIZATION OF THE EXECUTIVE DEPARTMENTS RECOMMENDED BY THE JOINT COMMITTEE ON REORGANIZATION

A.—*The existing organization of the executive departments*

THE PRESIDENT

INDEPENDENT EXECUTIVE ESTABLISHMENTS

Smithsonian Institution:
National Museum.
National Gallery of Art.
International Exchange Service.
Bureau of American Ethnology.
Astrophysical Observatory.
National Zoological Park.
International Catalogue of Scientific Literature.
National Home for Disabled Volunteer Soldiers (Education and Relief).
Superintendent of the State, War, and Navy Buildings.
Civil Service Commission.
Interstate Commerce Commission.
Geographic Board.
Commission of Fine Arts.
Rock Creek and Potomac Parkway Commission.
Bureau of Efficiency.
Federal Reserve Board.
Federal Trade Commission.
National Advisory Committee for Aeronautics (Commerce).
Employees' Compensation Commission.
Shipping Board:
Emergency Fleet Corporation.
Tariff Commission.
Federal Board for Vocational Education (Education and Relief).
Alien Property Custodian.
Railroad Administration.
War Finance Corporation.
Railroad Labor Board.
Federal Power Commission.
General Accounting Office.
Veterans' Bureau (Education and Relief).
World War Foreign Debt Commission.
Federal Narcotics Control Board.
Personnel Classification Board.
American Battle Monuments Commission.

(I) DEPARTMENT OF STATE
Secretary of State

Diplomatic Service.
Consular Service.
United States Sections, International Commissions.
Undersecretary of State:
Geographical Divisions (political questions).
Division of Political and Economic Information.
Division of Publications.
Division of Current Information.
Office of Special Agent.
The Assistant Secretary:
Geographical Divisions (economic questions).
Office of the Economic Adviser.
Second Assistant Secretary:
Division of Passport Control.
Visé Office.
Third Assistant Secretary:
Office of Ceremonials.
Bureau of Accounts.
Bureau of Indexes and Archives.
Bureau of Appointments.
Office of Chief Clerk.
Director of the Consular Service:
Consular Bureau.
Office of Consular Personnel.
Commercial Office.

(II) DEPARTMENT OF THE TREASURY
Secretary of the Treasury

Undersecretary of the Treasury:
Bureau of the Budget (independent).
Commissioner of Accounts and Deposits—
Division of Bookkeeping and Warrants.
Division of Deposits.
Treasurer of the United States.
Comptroller of the Currency.
Federal Farm Loan Bureau.
Assistant Secretary in charge of Fiscal Offices:
Commissioner of the Public Debt—
Division of Loans and Currency.
Register of the Treasury.
Division of Public Debt Accounts and Audit.
Division of Paper Custody.
Savings Division.
Bureau of Engraving and Printing.
Mint Bureau.
Secret Service Division.
Assistant Secretary in charge of Foreign Loans, Railroad Advances, and Miscellaneous:
Departmental Executive Offices.
General Supply Committee (independent).
Public Health Service (Education and Relief).
Assistant Secretary in charge of the Collection of the Revenues, Public Buildings, and the Coast Guard:
Bureau of Internal Revenue—
Prohibition Unit.
Division of Customs.
Customs Service.
Coast Guard.
Supervising Architect's Office (Interior).

(III) DEPARTMENT OF WAR

Secretary of War
Assistant Secretary
Executive offices

General Staff.
War Boards and Commissions.
Office of The Adjutant General.
Office of the Inspector General.
Office of the Judge Advocate General.
Office of the Quartermaster General.
Office of the Chief of Finance.
Office of the Surgeon General.
Office of the Chief of Ordnance.
Office of the Chief of Chemical Warfare Service.
Militia Bureau.
Bureau of Insular Affairs.
Office of the Chief of Chaplains.
Office of the Chief Signal Officer.
Office of the Chief of Air Service.
Office of the Chief of Infantry.
Office of the Chief of Cavalry.
Office of the Chief of Field Artillery.
Office of the Chief of Coast Artillery.
Office of the Chief of Engineers:
  Board of Engineers for Rivers and Harbors.
  Supervisor of New York Harbor.
  United States Engineer Offices.
  Lake Survey (Commerce).
  Mississippi River Commission.
  California Débris Commission.
  Board of Road Commissioners for Alaska (Interior).
  Office of Public Buildings and Grounds (independent).
Inland and Coastwise Waterways Service (Commerce).
Panama Canal.
Military Academy.
National Military Park Commissions.
Soliders' Home.

(IV) DEPARTMENT OF THE NAVY

Secretary of the Navy
Assistant Secretary
Executive offices

Office of Naval Operations.
Navy Boards.
Bureau of Navigation:
  Hydrographic Office.
  Naval Observatory.
  Naval Academy.
Bureau of Yards and Docks.
Bureau of Ordnance.
Bureau of Construction and Repair.
Bureau of Engineering.
Bureau of Aeronautics.
Bureau of Supplies and Accounts.
Bureau of Medicine and Surgery.
Headquarters, Marine Corps.
Judge Advocate General:
  Solicitor.

(V) DEPARTMENT OF THE INTERIOR

Secretary of the Interior
Executive offices

First Assistant Secretary:
  General Land Office.
  Bureau of Reclamation.
  National Park Service.
  Bureau of Mines (Commerce)—
    Government Fuel Yards (independent).
Assistant Secretary:
  Bureau of Indian Affairs.
  Bureau of Pensions (education and relief).
  Patent Office (Commerce).
  Bureau of Education (education and relief).
  St. Elizabeths Hospital (education and relief).
  Howard University (education and relief).
  Freedmen's Hospital (education and relief).
  Columbia Institution for the Deaf (education and relief).
  Administration of Hawaii and Alaska.
  Geological Survey.
The Alaska Railroad.

(VI) DEPARTMENT OF JUSTICE

Attorney General
Solicitor General

War transactions section.
  Assistant to the Attorney
  Antitrust division.
Assistant Attorney General:
  Division for the defense of suits.
Assistant Attorney General:
  Public lands division—
    Office of titles.
    Office of land litigation in the District of Columbia.
Assistant Attorney General:
  Criminal division.
  Office of pardons.
Assistant Attorney General:
  Division of admiralty, finance, foreign relations, Territorial and insular affairs, and minor regulations of commerce.
Assistant Attorney General:
  Division of taxation, insurance, and prohibition.
  Office of superintendent of prisons.
Assistant Attorney General:
  Customs division.
Assistant Attorney General:
  Executive offices.
  Bureau of investigation.
Solicitor of the Treasury (Treasury).
Solicitor of Internal Revenue (Treasury).
Solicitor for the State Department (State).
Solicitor for the Interior Department (Interior).
Solicitor for the Department of Commerce (Commerce).
Solicitor for the Department of Labor (Labor).

(VII) POST OFFICE DEPARTMENT

Postmaster General
Executive offices

First Assistant Postmaster General:
  Postmasters' appointments division.
  Post office service division.
  Post office and garage quarters division.
  Dead letter division.
Second Assistant Postmaster General:
  Railway Mail Service division.
  Railway adjustments division.
  Foreign mails division.
  Air Mail Service division.
Third Assistant Postmaster General:
  Money orders division.
  Postal savings division.
  Registered mails division.
  Stamp division.
  Finance division.
  Classification division.
Fourth Assistant Postmaster General:
  Rural mails division.
  Topography division.
  Equipment and supplies division.
Chief inspector.
Purchasing agent.
Office of the comptroller.
Solicitor.

(VIII) DEPARTMENT OF AGRICULTURE

Secretary of Agriculture
Assistant Secretary
Executive offices
Director of scientific work,
  Office of Experiment Stations
Director of extension work,
  Agricultural Extension Service
Director of regulatory work

Administration of Packers and Stockyards and Trading in Grain Futures.
Weather Bureau.
Bureau of Animal Industry.
Bureau of Plant Industry.
Forest Service.
Bureau of Chemistry.
Bureau of Soils.
Bureau of Entomology.
Bureau of Biological Survey.
Bureau of Home Economics.

Bureau of Public Roads (Interior).
Bureau of Agricultural Economics.
Insecticide and Fungicide Board.
Federal Horticultural Board.
Solicitor.

(IX) DEPARTMENT OF COMMERCE

Secretary of Commerce
Assistant Secretary
Executive offices

Bureau of the Census.
Bureau of Foreign and Domestic Commerce.
Bureau of Standards.
Bureau of Fisheries.
Bureau of Lighthouses.
Coast and Geodetic Survey.
Bureau of Navigation.
Steamboat Inspection Service.
United States Section, Inter-American High Commission.

(X) DEPARTMENT OF LABOR

Secretary of Labor
Assistant Secretary
Second Assistant Secretary
Executive offices

Bureau of Immigration.
Bureau of Naturalization.
Bureau of Labor Statistics.
Children's Bureau.
Women's Bureau.
Division of Conciliation.
Employment Service.
Housing Corporation.

ESTABLISHMENTS UNDER CONGRESSIONAL JURISDICTION

Library of Congress.
Architect of the Capitol.
Government Printing Office.
Botanic Garden.
Miscellaneous commissions.
National Forest Reservation Commission.
Public Buildings Commission.

B.—*Scheme of reorganization of the executive departments recommended by the joint committee on reorganization*

THE PRESIDENT

INDEPENDENT EXECUTIVE ESTABLISHMENTS

Smithsonian Institution:
- National Museum.
- National Gallery of Art.
- International Exchange Service.
- Bureau of American Ethnology.
- Astrophysical Observatory.
- National Zoological Park.
- International Catalogue of Scientific Literature.

Office of Public Buildings and Parks in the District of Columbia (new):
- Office of Public Buildings and Grounds (War).
- Superintendent of the State, War, and Navy Buildings (independent).

Civil Service Commission.
Interstate Commerce Commission.
Geographic Board.
Commission of Fine Arts.
Rock Creek and Potomac Parkway Commission.
Bureau of Efficiency.
Federal Reserve Board.
Federal Trade Commission.
Employees' Compensation Commission.
Shipping Board:
- Emergency Fleet Corporation.

Tariff Commission.
Alien Property Custodian.
Railroad Administration.
War Finance Corporation.
Railroad Labor Board.
Federal Power Commission.
Budget Bureau (Treasury).
General Accounting Office.
World War Foreign Debt Commission.
Federal Narcotics Control Board.
Personnel Classification Board.
American Battle Monuments Commission.
Bureau of Purchase and Supply (new):
- General Supply Committee (Treasury).
- Government Fuel Yards (Interior).

(I) DEPARTMENT OF STATE

Secretary of State

Diplomatic Service.
Consular Service.
United States Sections, International Commissions.
Undersecretary of State:
- Geographical Divisions (political questions).
- Division of Political and Economic Information.
- Division of Publications.
- Division of Current Information.
- Office of Special Agent.

The Assistant Secretary:
- Geographical Divisions (economic questions).
- Office of the Economic Adviser.

Second Assistant Secretary:
- Division of Passport Control.
- Visé Office.

Third Assistant Secretary:
- Office of Ceremonials.
- Bureau of Accounts.
- Bureau of Indexes and Archives.
- Bureau of Appointments.
- Office of Chief Clerk.

Director of the Consular Service:
- Consular Bureau.
- Office of Consular Personnel.
- Commercial Office.

Solicitor (Justice).

(II) DEPARTMENT OF THE TREASURY

Secretary of the Treasury

Undersecretary of the Treasury:
- Commissioner of Accounts and Deposits—
  - Division of Bookkeeping and Warrants.
  - Division of Deposits.
- Treasurer of the United States.
- Comptroller of the Currency.
- Federal Farm Loan Bureau.

Assistant Secretary in Charge of Fiscal Offices:
- Commissioner of the Public Debt—
  - Division of Loans and Currency.
  - Register of the Treasury.
  - Division of Public Debt Accounts and Audit.
  - Division of Paper Custody.
  - Savings Division.
- Bureau of Engraving and Printing.
- Mint Bureau.
- Secret Service Division.

Assistant Secretary in Charge of Foreign Loans, Railroad Advances, and Miscellaneous:
- Departmental Executive Offices.
- Solicitor of the Treasury (Justice).

Assistant Secretary in Charge of the Collection of the Revenues and the Coast Guard:
- Bureau of Internal Revenue—
  - Solicitor of Internal Revenue (Justice).
  - Prohibition Unit.
- Division of Customs.
- Customs Service.
- Coast Guard.

(III) DEPARTMENT OF WAR

Secretary of War
Assistant Secretary
Executive offices

General Staff.
War Boards and Commissions.
Office of The Adjutant General.
Office of the Inspector General.
Office of the Judge Advocate General.
Office of the Quartermaster General.
Office of the Chief of Finance.
Office of the Surgeon General.
Office of the Chief of Ordnance.
Office of the Chief of Chemical Warfare Service.
Militia Bureau.
Bureau of Insular Affairs.
Office of the Chief of Chaplains.
Office of the Chief Signal Officer.
Office of the Chief of Air Service.
Office of the Chief of Infantry.
Office of the Chief of Cavalry.
Office of the Chief of Field Artillery.
Office of the Chief of Coast Artillery.

Office of the Chief of Engineers:
Board of Engineers for Rivers and Harbors.
Supervisor of New York Harbor.
United States Engineer offices.
Mississippi River Commission.
California Débris Commission.
Military Academy.
Panama Canal.
National Military Park Commissions.
Soldiers' Home.

(IV) DEPARTMENT OF THE NAVY

Secretary of the Navy
Assistant Secretary
Executive offices

Office of Naval Operations.
Navy Boards.
Bureau of Navigation:
Hydrographic Office
Naval Observatory.
Naval Academy.
Bureau of Yards and Docks.
Bureau of Ordnance.
Bureau of Construction and Repair.
Bureau of Engineering.
Bureau of Aeronautics.
Bureau of Supplies and Accounts.
Bureau of Medicine and Surgery.
Headquarters, Marine Corps.
Judge Advocate General:
Solicitor.

(V) DEPARTMENT OF THE INTERIOR

Secretary of the Interior
Executive offices

Assistant Secretary for Public Domain (new):
Administration of Alaska and Hawaii.
Bureau of Indian Affairs (including Indian schools).
General Land Office.
Geological Survey.
National Park Service.
Assistant Secretary for Public Works (new):
Bureau of Public Roads (Agriculture).
Supervising Architect's Office (Treasury).
The Alaska Railroad.
Bureau of Reclamation.
Board of Road Commissioners for Alaska (War).
Solicitor (Justice).

(VI) DEPARTMENT OF JUSTICE

Attorney General
Solicitor General

War Transactions Section.
Assistant to the Attorney General:
Antitrust Division.
Assistant Attorney General:
Division for the Defense of Suits.
Assistant Attorney General:
Public Lands Division—
Office of Titles.
Office of Land Litigation in the District of Columbia.
Assistant Attorney General:
Criminal Division.
Office of Pardons.
Assistant Attorney General:
Division of Admiralty, Finance, Foreign Relations, Territorial and Insular Affairs, and Minor Regulations of Commerce.
Assistant Attorney General:
Division of Taxation, Insurance, and Prohibition.
Office of Superintendent of Prisons.
Assistant Attorney General:
Customs Division.
Assistant Attorney General:
Executive Offices.
Bureau of Investigation.

(VII) POST OFFICE DEPARTMENT

Postmaster General
Executive offices

First Assistant Postmaster General:
Postmasters' Appointments Division.
Post Office Service Division.
Post Office and Garage Quarters Division.
Dead Letter Division.
Second Assistant Postmaster General:
Railway Mail Service Division.
Railway Adjustments Division.
Foreign Mails Division.
Air Mail Service Division.
Third Assistant Postmaster General:
Money Orders Division.
Postal Savings Division.
Registered Mails Division.
Stamp Division.
Finance Division.
Classification Division.
Fourth Assistant Postmaster General:
Rural Mails Division.
Topography Division.
Equipment and Supplies Division.
Chief Inspector.
Purchasing Agent.
Office of the Comptroller.
Solicitor.

(VIII) DEPARTMENT OF AGRICULTURE

Secretary of Agriculture
Assistant Secretary
Executive offices
Director of Scientific Work
Office of Experiment Stations
Director of Extension Work
Agricultural Extension Service
Director of Regulatory Work

Administration of Packers and Stockyards and Trading in Grain Futures.
Weather Bureau.
Bureau of Animal Industry.
Bureau of Plant Industry.
Forest Service.
Bureau of Chemistry.
Bureau of Soils.
Bureau of Entomology.
Bureau of Biological Survey.
Bureau of Home Economics.
Bureau of Agricultural Economics.
Insecticide and Fungicide Board.
Federal Horticultural Board.
Solicitor.

(IX) DEPARTMENT OF COMMERCE

Secretary of Commerce
Executive Offices

Assistant Secretary for Industry (new):
Bureau of Standards.
Bureau of Mines (Interior).
Bureau of Fisheries.
Bureau of Federal Statistics (new)—
The Census.
Customs Statistics.
Mineral Production Statistics (Geological Survey).
Internal Commerce Statistics (War).
Patent Office (Interior).
Assistant Secretary for Trade (new):
Bureau of Foreign and Domestic Commerce.
United States Section, Inter-American High Commission:
Bureau of Transportation (new)—
Airways.
Rail.
Waterways (Federal canals, except Panama).
Highways.
National Advisory Committee for Aeronautics (independent).
Assistant Secretary for Merchant Marine (new):
Coast and Geodetic Survey—
Lake Survey (War).
Bureau of Lighthouses.
Bureau of Navigation.
Steamboat Inspection Service.
Inland and Coastwise Waterways Service (War).
Solicitor (Justice).

(X) DEPARTMENT OF LABOR

Secretary of Labor
Assistant Secretary
Second Assistant Secretary
Executive offices

Bureau of Immigration.
Bureau of Naturalization.
Bureau of Labor Statistics.

Children's Bureau.
Women's Bureau.
Division of Conciliation.
Employment Service.
Housing Corporation.
Solicitor (Justice).

(XI) DEPARTMENT OF EDUCATION AND RELIEF (NEW)

Secretary of Education and Relief
Executive offices

Assistant Secretary for Education:
Bureau of Education (Interior)—
General Education.
Physical Education (new).
Vocational Education (Federal Board for Vocational Education, independent).
Howard University (Interior).
Columbia Institution for the Deaf (Interior).
Assistant Secretary for Public Health:
Public Health Service (Treasury)—
Quarantine and Sanitation.
Hospitalization—
St. Elizabeths Hospital (Interior).
Freedmen's Hospital (Interior).
Research.
Assistant Secretary for Veteran Relief:
Veterans' Bureau (independent).
Bureau of Pensions (Interior).
National Home for Disabled Volunteer Soldiers (independent).
Solicitor.

ESTABLISHMENTS UNDER CONGRESSIONAL DIRECTION

Library of Congress.
Architect of the Capitol.
Government Printing Office.
Public Buildings Commission.
Botanic Garden.
Miscellaneous commissions.
National Forest Reservation Commission.

ALEXANDRIA LIGHT & POWER CO.

Mr. WADSWORTH. From the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 526) authorizing the Secretary of War to enter into an arrangement, on behalf of the United States, with the Alexandria Light & Power Co. whereby civilians may obtain electric current from a Government-owned transmission line exending from Alexandria to Fort Humphreys, Va. It is a very simple matter. I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole, and was read as follows:

Whereas the United States is the owner of a line 9 miles in length between the city of Alexandria, Va., and Fort Humphreys, Va., for the transmission of electric current which is being furnished Fort Humphreys by the Alexandria Light & Power Co.; and

Whereas the volume of current transmissible over the line is greatly in excess of the needs of the fort or of the Government otherwise, and it is desirable that the civilians in the neighborhood of the fort should be permitted to receive current from said line for their own use: Now therefore

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to enter into any agreement which he may think proper between the United States and the Alexandria Light & Power Co. which will enable the latter to furnish current over the said line to civilians: *Provided, however*, That no such agreement shall interfere with the prompt supply to Fort Humphreys or otherwise to the Government of any current that may be required: *And provided further*, That any such agreement shall be without additional cost or expense to the Government in addition to that which is now incident to the maintenance and operation of the transmission line and the cost of service from the same: *Provided further*, That any such agreement shall be revocable in the discretion of the Secretary of War.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

ENROLLED BILLS PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on June 2, 1924, that committee presented to the President of the United States enrolled bills of the following titles:

S. 81. An act for the relief of the owners of the steamship *Lexington;*

S. 243. An act for the relief of Frank Yumbaca;
S. 593. An act for the relief of the United Dredging Co.;
S. 935. An act for the relief of the Erie Railroad Co.;
S. 1013. An act for the relief of Gordon G. MacDonald;
S. 1213. An act for the relief of Harold Kernan;
S. 1330. An act for the relief of the estate of Ely N. Sonnenstrahl, deceased;
S. 1941. An act for the relief of Ezra S. Pond; and
S. 3395. An act granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River near Masontown, Fayette County, Pa.

INTERNATIONAL EXPOSITION AT SEVILLE, SPAIN, IN 1927

Mr. LODGE. From the Committee on Foreign Relations I report back favorably without amendment the joint resolution (S. J. Res. 130) for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927. I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent for the immediate consideration of the joint resolution, which will be read.

The joint resolution was read, as follows:

Whereas the United States has been invited by the Government of Spain to take part in an international exposition of the arts, sciences, history, industries, commerce, and resources of Spain, Portugal, and the Republics of America, to be held at Seville, Spain, commencing April 17, 1927, and continuing throughout the year: Therefore be it

Resolved, etc., That said invitation is accepted.

SEC. 2. That the President is hereby authorized to appoint a commissioner general and five commissioners to represent the United States in the proposed exposition, the amount of whose compensation shall be determined by the Secretary of State. The said commissioner general shall, under the direction of the Secretary of State, make all needful rules and regulations in reference to the contributions from this country, and to control the expenditure incident to the installation and exhibit thereof, the pay of the commissioner general, commissioners, officials, and employees, and the preparation of the reports of the exposition, and the general results thereof; and he shall make all arrangements necessary for the preparation, transportation, installation, display, and proper care of the exhibits of the Government of the United States, with the cooperation and assistance of the various executive departments, institutions, and branches of the Government that may participate in the exposition, as well as to furnish such information service to private exhibitors and prospective exhibitors as he may deem necessary and feasible: *Provided*, That the executive departments of the Government may designate officials or employees of their respective departments for service in connection with said commission, but no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department where employed, plus such reasonable additional allowance for expenses not now authorized by law as may be deemed proper by the Secretary of State, in view of the fact that such service is to be performed in a foreign country: *Provided further*, That no person appointed or employed by virtue of the provisions of this act shall receive a greater salary than $15,000 per annum, and not more than one person shall receive a salary in excess of $10,000 per annum, and not more than five persons shall receive salaries in excess of $7,500 per annum.

SEC. 3. That officers and employees of the executive departments and other branches and institutions of the Government in charge of or responsible for the safe-keeping of objects, articles, etc., property of the United States, which it is desired to exhibit, may permit such property to pass out of their possession for the purpose of being transported to and from and exhibited at said exposition as may be requested by the commissioner general, such exhibits and articles to be returned to the respective departments and institutions to which they belong at the close of the exposition: *Provided*, That the commissioner general, with the approval of the President, at the close of the exposition, may make such disposition of the buildings and other property of the United States used at the exposition, which it will not be feasible to return to the United States, as he may deem advisable.

SEC. 4. That the Shipping Board is authorized to give the commission such assistance as may be necessary and to make special rates and special sailing schedules for the transportation of governmental and private exhibits and participants to and from the exposition.

SEC. 5. That the Secretary of Agriculture is hereby authorized to collect and prepare suitable exhibits of the agricultural staples and products and forestal productions of the several States of the Union for exhibition at the exposition and accompany the same with a report respecting such products and productions, including the qualities and standards of cotton, the wheat and corn produced, and their uses, the standards of which they are being marketed, and the character and quality of American animal products, to be printed in the English,

Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

SEC. 6. The Secretary of Commerce is hereby authorized to collect and prepare a suitable exhibit of the fisheries industry and the commerce of the United States for exhibit at the said exposition and accompany the same with a report respecting such industries, to be printed in the English, Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

SEC. 7. That the Secretary of the Interior is hereby authorized to collect and prepare suitable exhibits by the Reclamation Service, the General Land Office, the Alaskan Engineering Commission, the Bureau of Education, the Patent Office, the National Park Service, and the Bureau of Mines, for exhibition at the said exposition, and to accompany the same with a report respecting such exhibits, to be printed in the English, Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

SEC. 8. That in order to defray the necessary expenses above authorized, including the salaries of commissioners and employees, the cost of preparing the various Government exhibits, transportation, installation, display, and return of exhibits, construction and equipment of building, and acquisition, preparattion, and maintenance of site and grounds, the sum of $700,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available for the purpose of this resolution, and to remain available until expended or no longer required, all expenditures out of said appropriation being made subject to approval by the Secretary of State: *Provided*, That no indebtedness shall be incurred hereunder in excess of the amount herein authorized to be appropriated.

SEC. 9. That it shall be the duty of the Secretary of State to transmit to Congress within six months of the close of said exposition a detailed statement of the expenditures which may have been incurred under the provisions of the resolution, together with all reports called for under sections 5, 6, and 7 of this resolution, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. FLETCHER. Mr. President, may I inquire of the Senator from Massachusetts what appropriations are provided for by the joint resolution?

Mr. LODGE. The joint resolution makes no appropriation at the present time, but merely authorizes an appropriation for 1927. The total appropriation which is authorized will be $700,000.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IMPROVEMENT OF THE SENATE CHAMBER

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate Resolution 231.

Mr. COPELAND. Mr. President, I ask unanimous consent for the present consideration of the resolution which has just been reported by the Senator from New Hampshire [Mr. KEYES].

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. OVERMAN. Mr. President, let us hear what the resolution is.

Mr. KING. Let the resolution first be read, Mr. President.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The reading clerk read the resolution (S. Res. 231) submitted by Mr. COPELAND on May 21, 1924, as follows:

Resolved, That the Architect of the Capitol be authorized and directed, under the supervision of the Senate Committee on Rules, to consult with architects of repute and expert in ventilation and acoustics with a view of improving the living conditions of the Senate Chamber, and giving attention to rearrangement and reconstruction, including a plan to place the Chamber in direct contact with the outer wall or walls of the building, and to report with plans to the President pro tempore of the Senate on the first Monday of December, 1924. The expenses hereunder, not to exceed the sum of $10,000, shall be paid out of the contingent fund of the Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. OVERMAN. I object.

Mr. COPELAND. Mr. President, I hope the objection to the resolution will be withdrawn.

Mr. OVERMAN. Mr. President, I desire to say that we have, from time to time, had investigations similar to the one which is provided for in the resolution. We have spent money and never done anything. Here is a provision for an appropriation of $10,000 in order, perhaps, to change the beauty of this Chamber, to connect it with the outer walls of the building, and so forth. I myself do not know what is proposed, and I am going to object. I should like to have an opportunity to look into the matter further and see what is the real intent of the resolution. I know perfectly well that we ought to have better air in this Chamber, but if what is proposed in the resolution shall be done, as I understand, this beautiful Chamber will be torn to pieces. I am not going to consent that anything shall be done until I understand what is proposed.

The PRESIDENT pro tempore. Objection is made, and the resolution goes to the calendar.

Mr. COPELAND. Mr. President, I wish to say that the chief object of the resolution, if passed, is to prolong the life of the Senator from North Carolina.

Mr. OVERMAN. I do not desire that my life shall be prolonged at an expense of $10,000 of the taxpayers' money. Such an expenditure will not help me any.

CHURCH OF OUR LADY OF THE ROSARY, PROVIDENCE, R. I.

Mr. GERRY. From the Committee on Finance I report back favorably without amendment the bill (S. 3397) to remit the duty on a carillon of bells to be imported for the Church of Our Lady of the Rosary, Providence, R. I. I ask unanimous consent for the immediate consideration of the bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to admit free of duty a certain carillon of 16 bells to be imported for the Church of Our Lady of the Rosary, Providence, R. I.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TRANSFER OF LIGHTHOUSE RESERVATION LAND TO NEW YORK

Mr. WILLIS. From the Committee on Commerce I report back favorably without amendment the bill (S. 2887) authorizing the transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes, and I submit a report (No. 702) thereon. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of Commerce be, and hereby is, authorized to transfer and convey to the State of New York all right and title now vested in the United States in land and buildings known as the Lloyds Harbor Lighthouse Reservation, located in Suffolk County at Lloyds Harbor, Long Island, N. Y., consisting of about 2.5 acres, located and described as follows:

Beginning at a rock or bowlder near low-water mark on the east beach in Huntington Bay and running thence due west to a stake on the highest part of the neck and thence on the same line (due west) to the water on the west side of the point in Lloyds Harbor, containing 2½ acres, more or less, and the right of way to and from it.

And to transfer and convey to the State of New York all right and title now vested in the United States in certain lands forming a part of the Fire Island Lighthouse Reservation, Fire Island, Suffolk County, Long Island, N. Y., consisting of about 600 acres, located and described as follows:

Beginning at a line drawn from north to south through a United States Coast and Geodetic Survey monument, located 2,225 feet, 225° 16', from the Fire Island Lighthouse tower and extending to the western end of Fire Island, with the exception of such land as is occupied or needed by the United States Coast Guard: *Provided*, That any leases with private parties which the Lighthouse Service may have at the time of passage of this act will not be affected until the expiration of such leases: *Provided*, That the said lands transferred from the United States shall be forever reserved by the State of New York as public parks: *Provided further*, That if the said lands are not used as public parks they shall revert to the United States.

SEC. 2. The lands transferred from the United States shall be subject to the right of the United States to at any and all times in any manner assume control of, hold, use, and occupy, without license, consent, or lease from the State of New York or the city of New York, any or all of the said lands for any and all military, naval, or other governmental purposes, free from any conveyances, charges, encumbrances, or any license made, created, permitted, or sanctioned therein by the State of New York. The rights reserved to the United States shall apply to all additional lands that may be formed by accretions of the sea at Fire Island. The United States further reserves the right of access to the land and water adjacent to Lloyds Neck for the purpose of taking gravel for the use of the Lighthouse Service.

Mr. OVERMAN. Mr. Chairman, I should like to inquire how much land it is proposed to donate to the State of New York?

Mr. WILLIS. The bill provides that 2.5 acres of unused lighthouse reservation land shall be donated to the State. The State intends to use the land for park purposes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WILLIS. The report accompanying the bill is very brief, and I ask that it may be printed in the RECORD for information.

There being no objection, the report (No. 702) submitted by Mr. WILLIS on the 3d instant, was ordered to be printed in the RECORD, as follows:

LIGHTHOUSE LANDS FOR PARK PURPOSES, NEW YORK

Mr. WILLIS, from the Committee on Commerce, submitted the following report to accompany S. 2887:

The Committee on Commerce, to whom was referred the bill (S. 2887) authorizing transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes, having considered the same, report favorably thereon and recommend that the bill do pass without amendment.

The bill has the approval of the Department of Commerce, as will appear by the annexed communication.

The reasons for this action are fully set forth in the accompanying correspondence passing between the Department of Commerce and Hon. JAMES W. WADSWORTH and between the Department of Commerce and Hon. SAMUEL E. WINSLOW. This correspondence related to H. R. 8088, which is identical with S. 2887.

Since the property proposed to be transferred is to be used by the State of New York for public park purposes, and since the rights of the United States are fully protected in section 2 of the bill, it is believed by your committee that the enactment of this measure would be productive of public good.

The correspondence referred to, and which is made a part of this report, is as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, May 23, 1924.

Hon. JAMES W. WADSWORTH, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR WADSWORTH: Following our various conversations on the subject of the bills introduced to provide for the transfer to the State of New York of certain lighthouse property at Lloyds Harbor and Fire Island, I have given further consideration to the matter and have personally looked into it.

I have reached the conclusion that inasmuch as the property is to be used for public purposes the department should withdraw any objections to its transfer at this time, in spite of the fact that there is other New York property which the Lighthouse Service desires to obtain. I have, therefore, to-day written a letter to Mr. WINSLOW, chairman of the Committee on Interstate and Foreign Commerce, expressing my present views. A copy is inclosed for your information.

Faithfully yours,

HERBERT HOOVER, *Secretary of Commerce.*

MAY 23, 1924.

Hon. SAMUEL E. WINSLOW,
House of Representatives, Washington, D. C.

MY DEAR MR. WINSLOW: In my letter of March 31, 1924, I advised against the passage of H. R. 8088, which provided for the transfer to the State of New York of the lighthouse property at Lloyds Harbor and Fire Island, N. Y., for the reason that it did not provide for the reciprocal conveyance to the United States of the site at Hallets Point, which the Lighthouse Service desires to obtain in exchange. I have given further thought to the matter.

The financial side of the transaction is not important, since on the basis of exchange the United States is transferring property of the value of $14,000 and receiving property valued only at $4,000. I believe that the financial consideration is outweighed by the fact that the property received by the State of New York is to be devoted to public purposes, for use as a public park. Under such circumstances the financial feature becomes of minor importance. The money difference between the outright transfer and the exchange is only one of degree. It is a gift to the State in either case. It may well be that the United States can now properly transfer its property without a prior agreement for the conveyance of the Hallets Point site, rather than insisting upon that transfer as a prior condition. Obviously the question of advisability is one for Congress to determine. If this legislation is enacted transferring the sites in question to the State of New York without consideration, it is believed that the department may properly look to the State of New York to authorize the city of New York to grant the Hallets Point site to the United States for lighthouse purposes and the city to make this grant.

I therefore wish to modify my letter of March 31, 1924, and to state now that I have no objection to the passage of the bill.

Faithfully yours,

HERBERT HOOVER,
Secretary of Commerce.

There is added the following explanatory letter from the Hon. ROBERT L. BACON to the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, D. C., May 24, 1924.

The CHAIRMAN COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE,
House of Representatives.

MY DEAR MR. WINSLOW: Mr. Hoover, the Secretary of Commerce, has just written me that on yesterday he addressed a letter to you to the effect that he has withdrawn his objection to the passage of H. R. 8088, introduced by me, providing for the transfer to the State of New York of the lighthouse property at Lloyds Harbor and Fire Island, N. Y., to be used by the State for public park purposes.

Your files will indicate that there have been three bills introduced by me on this subject: H. R. 7405, H. R. 8088, and H. R. 9097. On May 8, I wrote you that in view of the objection by Mr. Hoover to H. R. 8088 that this bill and also H. R. 7405 be given no further consideration by your committee and requested that the committee confine its consideration to H. R. 9097. This, you stated, would be done.

As I have written you a number of times, the State of New York is vitally interested in securing for public park purposes the two properties described in H. R. 8088. This bill simply provides for the transfer to the State of New York of property at Lloyds Harbor and Fire Island and does not include any exchange provision. Heretofore the Secretary of Commerce has opposed this measure because it does not contain any provision for the transfer to the Federal Government of certain city property at Halletts Point, Queens County, N. Y., which is now being used by the Government under agreement with the city of New York. Mr. Hoover favored the bills H. R. 7405, which authorized the exchange of the Federal lands for the property of New York City at Halletts Point, and also H. R. 9087, which is the same as H. R. 7405, except that no mention is made in it of the money value of the properties.

The State of New York, through its Long Island State Park Commission, has consistently urged the passage of H. R. 8088. This bill heretofore failing to receive the approval of Mr. Hoover, the commission then favored H. R. 9097, feeling, as it put it, "that any kind of a bill was better than none." Since its expressed approval in favor of H. R. 9097 this commission further studied the question from a legal viewpoint and came to the conclusion that the State could not take title to the Federal lands under the provisions of the bill and again urged the passage of H. R. 8088.

As stated above, the Secretary of Commerce has reconsidered the entire question and has now withdrawn his objections to the passage of H. R. 8088, which is the bill that has been advocated by the State of New York. While this bill does not provide for the transfer to the Government of the property of the city of New York at Halletts Point, there is every prospect that the city will transfer this land to the Government. In fact, the State of New York, by legislation quite some time ago, paved the way for the transfer of this property to the Government.

Upon transfer of this property by the Government to the State of New York the Long Island State Park Commission will at once take measures to convert this abandoned lighthouse property into public parks. The State of New York already has a public park on Fire Island, and would at once begin operations to extend it by taking in the acreage transferred by the Government at this point. The park commission is very anxious to make use of the Government property at Fire Island during this coming summer. As I wrote you on May 12, plans are now in progress to use this Fire Island property for the benefit of ex-service men who are either disabled or have been in poor health and who could thus get some real recreation near home. This property is ideally situated from a recreational standpoint, and its general use for park purposes would be much welcomed by everybody.

Furthermore, I believe the transfer of this land to the State of New York is in direct line with the objects aimed at by the President's recreation conference. The State of New York would put these properties to just those recreational uses which the President's conference regards as highly desirable.

I am sure you will appreciate that if the State of New York is to be able to use the Federal property at Fire Island for the disabled ex-service men this coming summer that immediate action on H. R. 8088 is necessary. You will appreciate that the State could not go ahead with any permanent plans for the development of this property until it is actually transferred. Therefore I will appreciate anything you may do that will expedite a favorable report on this legislation to the House.

Thanking you for your kind courtesy in the matter, I am,

Yours sincerely,

ROBERT L. BACON.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Minnesota:

A bill (S. 3436) authorizing the adjudication of claims of the Chippewa Indians of Minnesota; to the Committee on Indian Affairs.

By Mr. SPENCER:

A bill (S. 3437) authorizing the President to reappoint William Henry Carthy, formerly a first lieutenant in the Air Service, United States Army, an officer of Air Service, United States Army; to the Committee on Military Affairs.

By Mr. BRANDEGEE:

A bill (S. 3438) granting an increase of pension to Fannie R. Carey (with accompanying papers);

A bill (S. 3439) granting an increase of pension to Virginia DeLere Hendrey (with accompanying papers); and

A bill (S. 3440) granting an increase of pension to Anna Nicholson (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 3441) for the relief of Stanton & Jones, contractors, of Leavenworth, Kans.; to the Committee on Claims.

By Mr. SHIELDS:

A bill (S. 3442) authorizing the President to appoint J. H. S. Morison to the position and rank of major, Medical Corps, in the United States Army; to the Committee on Military Affairs.

By Mr. DALE:

A bill (S. 3443) granting an increase of pension to Jenette L. Gates (with accompanying papers); to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 3444) granting an increase of pension to Fanny M. Jones (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3446) to authorize the President, on recommendation of the Secretary of Agriculture, to accept lands donated to the United States as preserves or refuges for wild birds and animals, and for other purposes; to the Committee on Agriculture and Forestry; and

A bill (S. 3447) for a commission to study the questions of land settlement and home ownership in the United States; to the Committee on Public Lands and Surveys.

By Mr. JONES of New Mexico:

A bill (S. 3449) to amend an act entitled "Victory Liberty loan act," approved March 3, 1919, as amended; to the Committee on Finance.

By Mr. WILLIS:

A bill (S. 3450) for the relief of C. Earl Smith and Marie Patton; to the Committee on Claims.

By Mr. COLT:

A bill (S. 3451) to acquire by purchase, condemnation, or otherwise, additional land for a driveway to the post-office building at Bristol, R. I., and to construct said driveway, and for certain improvements and repairs to the post-office building at Bristol, R. I.; to the Committee on Public Buildings and Grounds.

By Mr. KEYES:

A joint resolution (S. J. Res. 138) permitting certain States to sue the United States to recover direct taxes alleged to have been illegally collected; to the Committee on the Judiciary.

By Mr. FRAZIER:

A joint resolution (S. J. Res. 139) providing for the demonstration of the motor invented by Claus J. H. Hoffmann, and for other purposes; to the Committee on Patents.

AMENDMENT OF NATIONAL BANK ACT, ETC.

Mr. SHIPSTEAD. Mr. President, I introduce a bill and ask that it may be printed in full in the RECORD and referred to the proper committee.

There being no objection, the bill (S. 3448) to amend the national bank act approved June 3, 1864, as amended, and to amend the Federal reserve act approved December 23, 1913, as amended, was read twice by its title and referred to the Committee on Banking and Currency, as follows:

A bill (S. 3448) to amend the national bank act approved June 3, 1864, as amended, and to amend the Federal reserve act approved December 23, 1913, as amended

Be it enacted, etc., That from the date of the approval of this act it shall not be lawful, without the specific approval of the Senate in each such case, for any of the classes of persons enumerated in section 2 hereof to hold formally or informally positions of trust or responsibility in or in connection with, or have a financial interest in the conduct of, or to buy or sell, or otherwise to acquire, securities, obligations, or commercial paper or other evidences of indebtedness of banks and banking institutions established outside the jurisdiction of the United States of America for any of the purposes enumerated in section 3.

SEC. 2. The persons governed by the provisions of this act are as follows:

1. Directors of all classes, officers and employees of the Federal reserve banks, members of the Federal Advisory Council, and members, officers, and employees of the Federal Reserve Board.

2. Directors, trustees, officers, and employees of member banks of the Federal reserve banks.

3. Directors, officers, and employees of national banks and national banking associations.

SEC. 3. The banks and banking institutions established outside the jurisdiction of the United States in the Government of which the classes of persons enumerated in section 2 hereof are prohibited by virtue of section 1 hereof from assuming any position of trust or responsibility, formally or informally, and in which the classes of persons enumerated in section 2 are prohibited by virtue of section 1 from acquiring or retaining, after the approval of this act, any financial interest, shall include banks, or banking houses hereafter established or, if already established, now or hereafter authorized; (a) to act for any public authority as agent in the direct or indirect effectuation of international treaties, protocols, agreements, and understandings, formal or informal; (b) to supervise the conduct of trade, or act as custodian of the proceeds of trade, in whose ever name and for whatever purpose deposited or entrusted thereto; (c) to serve as banks of issue, or as banks of reserve for banks of issue: *Provided*, That banks or banking houses established under the provisions of section 25 (A) of the Federal reserve act for the conduct of an ordinary banking business of deposit and other banking operations shall not be included within the purview of this act so long as they do not fulfill, directly or indirectly, any of the purposes or acts described in this section.

SEC. 4. The classes of persons enumerated in section 2 hereof are prohibited from assuming any position of trust or responsibility in connection with the regulation of exchange, the supervision of industry, commerce, and finance, the performance of engagements entered into by treaty or other diplomatic instrument between sovereign governments or subordinate political divisions thereof.

SEC. 5. Any person who shall, after the approval of this act, perform any of the actions or hold any of the positions specifically enumerated or implied in sections 1 and 4 of this act shall be permanently ineligible thereafter to enter any of the classes of persons enumerated in section 2.

SEC. 6. Jurisdiction over any proceedings arising under this act shall vest in the respective district courts of the United States.

SEC. 7. Violation of the provisions of this act shall be punishable by a fine not to exceed $50,000, by imprisonment not to exceed two years in duration, or by both penalties.

SEC. 8. The governor of the Federal Reserve Board and the Comptroller of the Currency, and the responsible heads of the executive departments and independent establishments are authorized and directed to communicate the provisions of this act to all subject thereto, and to promulgate such administrative regulations as may be required.

SEC. 9. The fact that any provision or section of this act be declared unconstitutional shall not affect the validity and force of the other sections.

SEC. 10. This act shall take effect upon its approval.

INTERNATIONAL CONFERENCE OF FARMERS

Mr. SHIPSTEAD. I introduce a joint resolution, which I ask be referred to the Committee on Agriculture and Forestry and printed in the RECORD.

There being no objection, the joint resolution (S. J. Res. 140) authorizing the President to call an international conference of representatives of agricultural and farmers' organizations was read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Joint resolution (S. J. Res. 140) authorizing the President to call an international conference of representatives of agricultural and farmers' organizations

Whereas the production of staple farm products which enter into international commerce, if unregulated and unadjusted to the effective consumptive demand at a fair price to producers, will inevitably result in a production in excess of the prompt, profitable demand therefor; and

Whereas severe world-wide fluctuations in the demand for staple farm products, due to changing economic conditions, and similar fluctuations in the supply thereof due to climatic and marketing conditions, injure both the producers and consumers of such staple farm products, but are used by speculators in such products to reap unconscionable profits; and

Whereas the restriction by one nation alone of the planted acreage of any world-staple crop would tend to create an increase in the planted acreage of such crop in one or more other nations, and since even acreage limitation, with the uncertainties of crop yields per acre, would not definitely insure a currently consumable or desirable crop: Therefore be it

Resolved, etc., That the President is hereby authorized and requested to call an international conference of representatives of agricultural and farmers' organizations of every nation to be held in Washington, D. C., on or before December 1, 1924, to consider, among other things:

First. Whether it is feasible to seek an adjustment of the world's acreage of staple farm products which enter into international commerce, such as cotton, wheat, wool, rice, and sugar, to the probable effective consumptive demand therefor, at a price profitable to the producers thereof; and if so, by what methods such adjustment may be attained; and

Second. Whether it is feasible to arrange an international pool of the surplus of such staple farm products through governmental control and cooperation in order to stabilize the marketing of such products from year to year, so that a surplus of any crop produced in one year, above the potential consumption thereof at a fair price to producers, may not be used by international speculators to beat down the price to producers below a fair price, and so that a shortage of any crop in one year may not be used by international speculators to extort excessive prices from consumers thereof.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000, or so much thereof as may be necessary, to meet the actual and necessary expenses of organizing and conducting such conference.

AMENDMENT TO GENERAL DEFICIENCY APPROPRIATION BILL

Mr. BORAH submitted an amendment proposing to appropriate $863,000 for continued investigations, continuation of construction, and incidental operations of the Hillcrest unit of the Boise project, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

PENSIONS AND INCREASE OF PENSIONS

Mr. DIAL submitted an amendment intended to be proposed by him to the bill (H. R. 6941) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which was ordered to lie on the table.

ASSISTANT CLERK TO THE DISTRICT COMMITTEE

Mr. BALL submitted the following resolution (S. Res. 244), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution No. 13 agreed to December 19, 1923, authorizing the Committee on the District of Columbia to employ an assistant clerk be, and hereby is, continued in full force and effect until the end of the Sixty-eighth Congress.

THE REVISED ANNOTATED CONSTITUTION

Mr. BRANDEGEE submitted the following concurrent resolution (S. Con. Res. 16), which, with the accompanying paper, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved by the Senate (the House of Representatives concurring), That 5,000 additional copies of the revised annotated Constitution be printed for the use of the Congress, 1,500 copies for the Senate and 3,500 copies for the House of Representatives, and that the Senate Committee on the Judiciary, be, and it is hereby, authorized to employ a competent person to assist in bringing the same up to date, his compensation to be paid out of the contingent fund of the Senate: *Provided*, That the Public Printer shall print not more than 10,000 additional copies of said revised annotated Constitution, and offer the same for sale at the cost of printing and binding, plus 10 per cent, to persons who agree not to resell or distribute the same for profit.

PRESERVATION OF WORLD PEACE

Mr. SHIPSTEAD submitted the following concurrent resolution (S. Con. Res. 17), which was referred to the Committee on Foreign Relations:

Senate Concurrent Resolution 17

Whereas a fundamental menace to world peace in the last century and a quarter has been the momentum of competitive armaments, all predicated upon untrammeled governmental power of life and death over vast populations at any time liable to be summoned and hurled against each other; and

Whereas the hope of contributing to the moral and material pacification of the world by a constructive measure suggests to the President the desirability of proposing, and he is hereby respectfully requested to propose, to all the nations of the world the conclusion of a convention definitely binding them to terminate all compulsory military, naval, and related service: Therefore be it

Resolved by the Senate (the House of Representatives concurring)—

I. That in terms substantially as follows the high contracting parties to such convention be requested to solemnly engage, each within three years from the date of its ratification of this instrument, to place all their military, naval, aerial, and subsidiary services of offense and defense, and all human labor required for the preliminary preparation of material for such services, on a strictly voluntary basis, and never during the life of this treaty, in peace or in war, in any circumstances or on any grounds whatsoever, to compel their nationals, or to permit them to be compelled, by conscription or by any other form of compulsion, whether direct or indirect, whether public or private, to perform military, naval, aerial, or subsidiary service at home or abroad, or wage any war for the collection of any public or private debt.

II. This treaty shall be unconditionally binding upon each of the high contracting parties for 30 years from the date of its ratification, and may not be denounced by any high contracting party within that time. It shall continue to be binding upon each of the high contracting parties indefinitely thereafter, unless denounced by that high contracting party, formal notice given, or the withdrawal three full years in advance of its effective date.

III. The high contracting parties, having in view the possibility that in some countries constitutional provisions may require considerable time to be adjusted so that this treaty may in no way conflict with any fundamental law, agree to regard the adoption by national legislatures of resolutions, or equivalent formal expressions, recording formal acceptance in principle of the treaty as ample guaranty of eventual ratification and as sufficient warrant for action in good faith by each and all of themselves.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFEREES

Mr. SHEPPARD. I ask unanimous consent that I may be excused from further service as a member of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to House bill 8839, the District of Columbia appropriation bill.

The PRESIDENT pro tempore. Without objection, the request is granted; and the Chair appoints the Senator from New Jersey [Mr. EDWARDS] in the place of the Senator from Texas [Mr. SHEPPARD] as a conferee on the part of the Senate.

INVESTIGATION OF COMMERCIAL WHEAT-FLOUR MILLING

On motion of Mr. NORRIS, it was

Ordered, That the report of the Federal Trade Commission on the wheat and flour milling industry, submitted to the Senate in response to Senate Resolution 212 (agreed to January 18, 1922), be printed as a Senate document.

REPORT ON RURAL POST ROADS

On motion of Mr. NORRIS, it was

Ordered, That the Committee on Agriculture and Forestry be discharged from the further consideration of the report submitted in compliance with law on March 10, 1924, by the Secretary of Agriculture concerning the appropriations for the construction of rural post roads in cooperation with the States, the Federal administration of this work, and the survey, construction, and maintenance of roads and trails within or only partly within the national forests, and that it be referred to the Committee on Printing.

REDUCTION IN FREIGHT RATES

Mr. SMITH. Mr. President, some time ago I inquired of the Interstate Commerce Commission what freight rate reductions had been made subsequent to the general freight increase in 1920 and what rate reductions were pending. I have their answer in detail, and I ask that it may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, May 23, 1924.

Hon. E. D. SMITH,
Chairman Committee on Interstate Commerce,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In your letter of the 21st instant, previously acknowledged, you ask me to inform you (1) what freight rates have been lowered subsequent to the general increases which terminated with the general increase of August 26, 1920, and (2) what rates are now being considered looking toward their reduction. I reply to these two queries in their order.

1. RATE REDUCTION SINCE AUGUST 26, 1920

We have no compilation of data in a readily available form which will show specifically each rate reduction made since August 26, 1920, and up to the present time. Every rate change is shown in tariffs filed with us, and increases or decreases are indicated thereon by appropriate symbols. The number of tariffs filed with us each year sometimes exceeds 100,000, and for the period covered exceeds a third of a million. It would be wholly unprofitable to attempt to compile from these tariffs the specific increases and decreases, even if we had the money for that purpose.

Prior to the general 10 per cent reduction in freight rates which became effective July 1, 1922, a list of rate reductions since August 26, 1920, was prepared and published as House Document No. 115, copy attached. The list contained in this publication, although not complete, covers the more important reductions in rates made subsequent to August 26, 1920, and up to about October 26, 1921. Many of those reductions in the rates on particular commodities, including agricultural products, were in a sense anticipatory of the subsequent general reduction of 10 per cent on all freight, it having developed that with the depression of business which set in at the end of 1920 the level of freight rates was beginning to bear heavily upon industry of all kinds, and particularly agriculture. The first and greatest reductions were upon agricultural commodities of various kinds.

No similar list has been compiled since that time. Shortly thereafter the commission entered upon an investigation of the general level of all freight rates, which resulted in the general 10 per cent reduction of July, 1922, and that general reduction, coupled with the individual reductions previously made, had a tendency to stabilize the rate structure so far as the general level of the rates was concerned.

In the attached statement, marked "Appendix 1," will be found a list of the important general rate reductions between October 26, 1921, when House Document No. 115 was ordered to be printed, and July 1, 1922. Since the latter date there have been many reductions in individual cases, but they have been relatively unimportant as compared with those made previous to and including the general reduction of July 1, 1922.

Generally speaking, the net effect of the general rate changes made subsequent to June 24, 1918, was to increase the rates in the eastern group 57.5 per cent, in the southern and mountain-Pacific groups 40.5 per cent, in the western group 52 per cent, and on interterritorial traffic 50 per cent. There were some exceptions to the above increases, due to the fact that the director general made flat increases instead of percentage increases in the rates on lumber, grain, flour, petroleum and its products, coal, brick, sugar, and certain other commodities. These figures are general and do not allow for individual changes in particular rates or for changes of importance on particular commodities not made applicable upon traffic generally.

All general increases or reductions authorized or required by us are, of course, without prejudice to attacks on particular rate situations; and where evidence has been presented to us in formal cases establishing the unreasonableness of particular rates, the carriers have been required to reduce such rates, regardless of our previous approval of the general increase or decrease. In some instances the carriers voluntarily reduced rates to reflect a reduction greater than the 10 per cent reduction required by us in 1922.

Under the heading "Reduction in rates" in the index digest appearing in each volume of our reports will be found a brief statement of each case in which we have prescribed reductions or approved reductions proposed by the carriers. Since House Document No. 115 was published reports have been issued disposing of over 2,200 formal complaints and of numerous investigations instituted by us. These reports are contained in over 14 volumes of our reports and cover approximately 11,000 printed pages. In addition, there are millions of rates in force throughout the country which are being changed from time to time by the carriers and which are not considered in our formal reports. It would be a tremendous task to compile a list indicating the nature and extent of all reductions made since August 26, 1920, and a mere enumeration of the rate changes since that time would afford very little basis for determining the extent to which transportation charges in the aggregate have been increased or reduced.

It has been estimated that from July 1, 1922, to the end of 1923 the shippers and consumers of the country have paid nearly $800,000,000 less in charges for transportation of property than would have accrued if no reductions had been made below the basis established on August 26, 1920. Of this, it has been roughly estimated that more than $175,000,000, or about 22 per cent of the total, represents decrease in freight charges on livestock and the products of agriculture. The latter constitute approximately 15 per cent of the tonnage.

The attached statement marked Appendix 2 shows representative rates now in effect on lumber, base bullion, packing-house products, sugar, and iron ore as compared with the rates in effect on August 26, 1920. The precentage relationship of the present rates to the August 26, 1920, rates is also shown.

2. RATES UNDER CONSIDERATION WITH A VIEW TO REDUCTION

Since July 1, 1922, there have been no general reductions over the country as a whole or throughout any of the major rate groups. Readjustments of rates on some 30 commodities in the Southwest involving both increases and reductions, but not designed to affect the carriers' aggregate revenues, became effective November 27, 1923. Other commodity rates in that territory are now in the course of similar revision. A revision of the same nature is contemplated with respect to class rates in the Southeast under an investigation now pending before us in Docket 13494, known as the Southern Class Rate Investigation, which is to be followed by a readjustment of the commodity rates in that territory. As a result of our decision in Docket 10733, known as the General Brick case, a general revision of rates on brick throughout the Southeast is required to be made effective on or before July 28. This revision will result in both reductions and increases in rates and will produce a more consistent adjustment of brick rates within that territory, but it is not designed to reduce the aggregate revenues of the carriers. A revision of the class rates within trunk line territory in the eastern district, and between that territory and adjacent territories, is also contemplated. There is now pending before us a general investigation, No. 15263, instituted upon our own motion into the reasonableness of the rates on grain, grain products, and hay throughout the United States. With this investigation has been consolidated a proceeding upon complaint by the Kansas Public Utilities Commission which was reopened by us for further hearing. Hearings and argument therein were concluded March 22.

There are now pending before us over 1,800 formal complaints in which it is alleged that particular rate situations are unreasonable or otherwise in violation of the interstate commerce act. In many of the cases in which the measure of the rates is assailed if developed upon hearing that complainants are interested primarily in the relationship of their rates to the rates enjoyed by their competitors, and until the cases have been heard and a conclusion reached based on the evidence submitted it is impossible to express an opinion as to the extent of any rate reductions that may result. I attach as Appendix 3 a list of the various commodities rates on which are attacked in proceedings pending on the formal docket.

It is assumed that you are interested primarily in the general nature and scope of the rate changes, and it is hoped that the information contained herein, which I have endeavored to furnish as specifically as possible under the circumstances, will be sufficient to serve your purpose.

Very truly yours,

H. C. HALL, *Chairman.*

APPENDIX 1

IMPORTANT GENERAL RATE REDUCTIONS BETWEEN OCTOBER 26, 1921, AND JULY 1, 1922, INCLUSIVE

1. A 10 per cent reduction in rates on all products of farm, garden, orchard, and ranch—other than grain, hay, and their products, and livestock—which became effective about January 1, 1922.

2. A reduction of 10 per cent in rates on livestock between any two points, both of which are located west of the Indiana-Illinois State line or the Mississippi River, where such rates were 50 cents per 100 pounds or less. This reduction became effective about January 1, 1922.

3. Reductions in rates on grain, hay, and their products made by the order of the commission effective about January 21, between any two points located west of Lake Michigan or the Indiana-Illinois State line and east of the Rocky Mountains; on wheat, hay, and their products, such as flour, cornmeal, bran, alfalfa meal, etc., 13 per cent; on corn, oats, barley, and other so-called coarse grains, and their products, 21 per cent.

4. Reductions ranging from 1 to 15 per cent on forest products from southern, southeastern, and southwestern producing territory to points in eastern trunk line and central territories, including points in Illinois and Wisconsin. These reductions became effective about May 10, 1922, and were the result of the commission's opinion in the Southern Hardwood Traffic Association case, Docket No. 12995.

5. Material reductions in rates on coal, both bituminous and anthracite, from Lake Superior docks to points in Minnesota, and also in South Dakota on and east of the Missouri River. These reductions were made effective about April 1, 1921, and were the result of the commission's decision in the Holmes & Hallowell Case, Docket No. 6194.

6. General reductions in rates under the commission's opinion in Reduced Rates, 1922, Docket No. 13293. These reductions became effective July 1, 1922, and applied to all classes and commodities. The general effect was to make a reduction of 10 per cent in the rates of June 30, 1922, except in cases where prior thereto and subsequent to the general increase of August 26, 1920, reductions had been made by that per cent or more. Generally speaking, no rates were to be higher than 90 per cent of the August 26, 1920, rates, and where reductions had been made but not to that basis, such further reductions were required to be made to bring the rates to that level.

APPENDIX 2

Carload rates on commodities indicated

[Rates in cents per 100 pounds, except as noted]

Commodity	From—	To—	Rate Aug. 26, 1920	Rate May 1, 1924	Percentage of decrease
Lumber	Wausau, Wis	Chicago	17	15.5	9
	do	Indianapolis	32.5	29.5	9
	do	Pittsburgh	39.5	35.5	10
	Beaumont, Tex	Oklahoma City.	39	35	10
	North Pacific Coast (Portland, Oreg.)	Chicago	80	72	10
		Buffalo	101	88.5	12
		New York	106.5	90	15
	Alexandria, La	St. Louis	32.5	29.5	9
	do	Chicago	44	39.5	10
	do	New York	54.5	49	10
Base bullion	Anaconda, Mont	Chicago	$15.30	[1] $9.50	38
				[2] $12.00	22
Copper and lead (except as noted).	do	Seattle	[2] $7.90	[2] $7.09	10
	do	New York	$22.00	[1] $12.50	43
				[2] $16.50	25
Rates in amounts per net ton.	International, Utah	Chicago	[2] $16.30	[2] $9.50	42
	do	New York	[2] $19.40	$12.50	36
Packing-house products.	Kansas City	Chicago	40	36	10
	do	New York	103	92.5	10
	Fort Worth, Tex	St. Louis	61	55	10
	do	Buffalo	94.5	93	2
Sugar	New Orleans	Chicago	60	54	10
	New York	do	63	56.5	10
	San Francisco	do	[3] 93.5	[3] 84	10
			[4] 109.5	[4] 91	17
	New Orleans	Kansas City	72	65	10
Iron ore	Mesabi Range (Virginia, Minn.).	Duluth	[5] 95	[5] 86	10

[1] Copper.
[2] Lead.
[3] Minimum weight, 80,000 pounds.
[4] Minimum weight, 60,000 pounds.
[5] Per 2,240 pounds—proportional rate applying on traffic destined outside State.

APPENDIX 3

BUREAU OF ADMINISTRATION,
SECTION OF INDICES,
May 27, 1924.

COMMODITIES INVOLVED IN PENDING CASES

Acid, acetic; acid, muriatic; acid, picric; acid, sulphuric; acitone; agricultural implement material; alcohol; alloy, lead; alls, iron and steel; aluminum articles; angles, iron and steel; animals; apples; apples, cull; apples, fresh; apples, green; apricots; arms, bull wheel, wooden; arms, cross, creosoted wooden; asparagus; asphalt; asphalt, liquid; asphalt, solid; asphaltum; assemblies, operating; automobile bodies, unfinished; automobile parts, iron and steel; automobile parts, sheet metal; automobiles; automobiles, freight; automobiles, passenger; autos and auto parts.

Baggage cars; bagging; bags, burlap; bags, cement; bags, paper; bags, woven paper fabric; bakery goods; bakery products; balls, steel grinding; bamboo; bananas; banding, gross; barges; bark, tan; barley; barrels; barrels, iron; barrels, steel; barrels, truck; bars; bars, angle; bars, mine; bars, steel; beams; beans, dried; bedding; beef, dried sliced; beer, near; beets, sugar; benzol; beverage packages, returned empty; beverages; beverages, cereal; bicycles; billets; billets, steel; bits, rotary rock drill; blocks, tank (firebrick of large size); blood, dried; board, chip; board, compo; board, paper; board, straw; board, wall; bobbins; boilers; boilers, marine; boilers, steam, cast iron; boilers, steam power; bones; boots; bottles, beer, empty; bottles, cereal beverage; bottles, empty beverage; bottles, glass; bottles, glass water (5-gallon); bowls, glass lighting; bows, automobile wooden; box material; boxes, ballot, iron; boxes, corrugated; boxes, fiberboard; boxes, fiberboard, corrugated; boxes, paper; boxes, pulpboard; boxes, strawboard; boxes, strawboard, corrugated; boxes, wooden, empty; bran; bran, rice; bran, wheat; branches (shrub and tree); brandy; brass articles; brass scrap; bread; brick; brick, building; brick common; brick, fire; bridge material; bridles; brimestone, crude; bristles, hog, crude; bronze articles; brooms, Bahia fiber; brooms, bassine fiber; brooms, vegetable fiber; building material; buildings, carbon black and parts; bullion; bullion, copper; butter; buttermilk.

Cabbage; cabinets, kitchen; cake, cottonseed; cake, oil; cake, salt, cake, vegetable; calves; cane; canned goods; cans, galvanized; cans, iron; cans, steel; cans, tin; cantaloupes; cants; cants, bull wheel; cap, tin roofing; car; carbon black; carbon, petroleum coke, ground calcinized; car-building materials; cardboard; carpeting, asphalt paper felt; carpeting, paper felt; carriers, beverage, empty; cars; cars, club; cars, coal; cars, dump, secondhand; cars, empty tank; cars, logging; cars, parlor; cars, sleeping; cases, show; casing; casing pipe; castings, rough cast-iron; cattle; cattle, beef; cattle, feeder; cattle, range; cattle, stock; ceiling, iron and steel; celery; cells, battery; cement; cement, Portland; cement, roofing; cereals, flaked; channels, iron and steel; charcoal; chasses, automobile; chat; cheese; cheese, pot; cherries; cherries, preserved; chilli sauce; china; chops, apple; cider; cigars; clams; clay; clay, crude; clay, ground, burned (haydite); clay products; cloth; cloth, abrasive; coal; coal, anthracite; coal, anthracite, buckwheat; coal, bird's-eye; coal, bituminous; coal, bunker; coal, cargo; coal, coking; coal, dead; coal, fuel; coal, hard; coal, lignite; coal, lump; coal, mine run; coal, nut; coal, N. O. S.; coal, peanut; coal, rice; coal, semibituminous; coal, slack; coal, smithing; coal, soft; coal, unprepared; coconuts; coffee; coffee, green; coffee, roasted; coils, heating iron or steel; coin; coke; coke, petroleum; coke, pitch; coke, Reilly carbon; collars, leather; collars, steel; columns; compounds, cleaning; compounds, fertilizer; compounds, scouring; concentrates; concentrates, copper; concentrates, zinc; conduit, steel; cones; connections, speedometer; containers; containers, returned empty; contractor's supplies; coping, wall; copper articles; copper scrap; copra cake; copra, imported; cores, paper winding; corn; corn, pop; corn, shelled, bulk; corpse; cotton; cotton, baled; cotton, compressed; cotton, flat; cotton, junk; cotton goods; cotton piece goods; cotton piece goods (cut in shirt forms); cottonseed; covers, tub; cranes, locomotive; cranes, locomotive, Browning; cranke, starting, automobile; crate material; crate material, wood; crates, poultry; cream; Cream of Wheat; cucumbers, raw (in brine); cullet; currency;

Denims; derricks, drilling; derricks, pumping; dirt; distillate; distillate, fuel oil; distillate, kerosene; disks, soapstone; dogmats, imported; dolomite, roasted; doors; doors, unglazed, common; dross, rosin; dross, spelter; dross, zinc; drugs; drums, steel, returned empty; drums, steel shipping, empty; dyestuffs.

Earthenware; earth, fuller's; eggs; engines; engines, gas; engines, marine; envelopes, seed; ewes; explosives; explosives, high; extracts, dyewood; extracts, flavoring; extracts, tanning.

Fastenings; fastenings, rail; feed; feed, mixed; feldspar; felt, roofing or building; felt, sheathing, asbestos; ferromanganese; fertilizer; fertilizer material; fiber; fiber, cottonseed hull; files, steel, worn out; fillers; fish; fish, fresh; fish, pickeled; fishing taps; fittings; fittings, pipe; fixtures, bath-room, enameled; flaxseed; flour; flour, cassava; flour, edible; flour, rice; flourspar, ground; food products; foots, coconut oil; forest products; forgings; forks, bicycles, unfinished; frames, automobile gear; frames, furniture, wooden; frogs, railway; fruit; fruit, canned; fruit, citrus; fruit, deciduous; fruit, dried; fruit, fresh or green; fuller's earth; furnace parts; furnaces; furniture; furniture, dining room; furniture, fiber.

Gas, petroleum, liquified; gasoline; gasoline, casinghead; gasoline, natural; gin; glass, broken; glass, plate; glassware; glass, window; globes, lamp; glucose; glycerine, crude; goats; grain; grain products; granite; granite, decomposed; granite, dressed; granite, rough; grapefruit; grapes; grapes, Concord; grapes, wine; graphite; grass; gravel; gravel, bird (in boxes); grease; grease, lubricating; grease, petroleum; grease, refuse; grits; groats, oat; groceries.

Hair, camel's; halters; handles, broom; handles, mop; hanger parts; harness; hay; hay, alfalfa; hay, prairie; haydite (ground clay, burned); heading; heading, hogshead; heading, pine slack barrel; heaters, electric; heaters, steam; herring, pickled; hides; hides, cow; hides, green; hides, green, salted; hides, horse; hogs; hoists; hoops; hoops, elm, coiled; horses; hosiery, cotton, unfinished; household furnishings; household goods; hubshot plates, electric; Hughes tool joints; hullers, pea; hulls, cottonseed; hulls, rice; hydrogen.

Ice; ice cream; "ice-cream mix"; implements, agricultural; indicators, weight; ingots, brass; ingots, copper; insulators, common pottery; iron articles; iron articles, manufactured; iron articles, special; iron, bridge; iron, material; iron, pig; iron, rig; iron products; iron, scrap; iron, sheet; iron, spiegel; iron, tank; irons, plow; irons, rig; ironware, enameled.

Jars, glass, fruit; jellies; joints, Hughes tool; joints, paving, expansion; jugs, earthenware; junk.

Kerosene; kids.

Lambs; lard; lard, steam; lard substitutes; lath; laundry; lead, pig; leather; leather, imitation; lemons; lenoleum; lettuce; licorice, stick; lime; lime, agricultural; limestone; limestone, ground; linoleum; linters, cotton; linters, munition; livestock; locomotives; locomotives, gasoline; locomotive parts; logs; logs, gum; logs, saw; logs, walnut; lumber; lumber, cypress; lumber, dry; lumber, hemlock; lumber, hickory; lumber, locust; lumber, Philippine mahogany; lumber, pine; lumber, rough; lumber, spruce; lumber, thin; lumber, yellow pine; lumber articles; lumber products.

Macaroni; macaroni products; machinery; machinery, textile; machines, adding; machines, computing; magnesite, calcinized, ground; manufactured articles; manure; manure, unmanufactured; manure, animal; marble; marble, crushed; marine engine parts; marine parts; matches; matte, copper; mattresses, metallic; mattresses, woven wire; meal, alfalfa; meal, copra; meal, cottonseed; meal, edible; meal, oat; meal, oil; meal, vegetable; meal, velvet bean; meat, canned; meat, cooked; meat, cured; meat, dry salted; meat, fresh; meat, preserved; meat, sweet pickled; medicines; melons; merchandise; milk; milk, canned; milk, condensed; milk, evaporated; milk, skim; milling taps;

millwork; mine equipment; mirrors; mohair; molasses; molasses, blackstrap; molasses, refuse; monochlorobenzol; money; monuments, granite; mops; moss; moldings; molds, broken plaster; mules.

Nails; nails, brass; nails, bronze; nails, copper; nails, galvanized; nails, roofing; naphtha; naphtha, solvent; napkins, paper; nitrocellulose, wet; noils, wool; notes, bank; nut flats; nuts, edible; nuts, hickory.

Oatmeal; oats; oats, rolled; oil; oil, bulk; oil, China wood; oil, cocoanut; oil, cooking; oil, copra; oil, cottonseed; oil, creosoting; oil, crude; oil, fuel; oil, gas; oil, linseed; oil, lubricating; oil, peanut; oil, perilla; oil, petroleum; oil, pine; oil, refined; oil, salad; oil, soya bean; oil, vegetable; oil-well supplies; oilcloth; oleine, coconut; oleomargarine; oranges; ore, copper; ore, crude iron; ore, iron; ore, lepidolite; ore, manganese; ore, zinc; outfits, contractor's; outfits, oil well; outfits, pile-driving; outfits, pig iron; outfits, well-boring; overalls; oxygen; oysters.

Packages, beer, returned empty; packages, fruit; packages, grape; packages, vegetable; packing-house products; paint, dry earth; paper; paper, book; paper, book printing; paper, building; paper, flat writing; paper, newsprint; paper, printing; paper, pulp; paper, roofing; paper, scrap; paper, stock; paper, tissue; paper, toilet; paper, waste; paper, waxed wrapping; paper, wrapping; paper articles, paper-mill products, paving material, peaches, peanuts, shelled; pears; peas; peas, dried; peas, Garbanzo; pebbles, flint; pecans; pelts, goat; pelts, green; pelts, green salted; pelts, sheep; perishable freight; petroleum; petroleum products; phosphate, acid; phosphate of lime; phosphate, trisodium; pickled goods; pickles; pigs, brass; piling; piling, cedar; piling, fir; pins, bull wheel; pipe; pipe, cast iron; pipe, cast-iron soil; pipe, concrete sewer; pipe, iron; pipe, sewer; pipe, steel; pipe, wrought iron; plank, bridge; plaster, cement; plates; plates, brass; plates, bronze; plates, copper; plates, iron; plates, ship; plates, steel; plates, terne; plow parts; plumbago; poles; poles, cedar; poles, telegraph, trussed steel, electric; polish, furniture; posts; posts, red cedar; potash; potash, bicarbonate of; potash, caustic; potash, muriate of; potatoes; potatoes, sweet; poultry, dressed; poultry, live; powder; powder, soap; powder, washing; power brakes; preserves; projectiles, empty; props, mine; pulp, mechanical; pulp, rag, wet; pulp, wood; pumice, apple; pump; pyrites.

Rags; rags, machine compressed; rags, old; rails; rails, old; rails, relaying; rails, secondhand; rails, steel; raisins; ranges; rattan; reed; refrigerators; regins, cotton; residuum, petroleum; rice; rice, cleaned; rice, rough; rice products; rivets; rock, broken; rock, crushed; rock, gypsum; rock, lime; rock, phosphate; rods, brass; rods, bronze; rods, copper; rods, sucker; rods, wire; roll, bridge; roofing; roofing, composition; roofing, galvanized; roofing, iron; roofing, prepared; roofing, steel; roofing material; rosin; "rotary rock drill bits and parts"; rugs, linoleum; rye.

Sacks, bed; sacks, cement; saddlery; salmon, canned; salt; salts, alkali; salts, Epsom; salts, manure; sand; sand, flint; sand, molding; sand, sea; sand, silica; sandstone; sash; sauerkraut; sawdust; scallops; scrap, iron; scrap, steel; seed, cane; seed, rape; seed, sorghum; seed, Sudan; seeds; shale, burnt; shapes, steel; shavings, cottonseed hull; shears, tinner's; sheep; sheets, brass; sheets, bronze; sheets, copper; sheets, steel; shell; shell, mussel; shell, clam; shellers, corn; shingles; shingles, asphalt; shingles, cedar; shingles, cypress; shingles, fir; shingles, flexible asbestos; shingles, zinc; shoes; shooks, box; shooks, box, wire bound; shrubs; siding, iron and steel; siding, tank; silica; silk, artificial; silo material, redwood; sisal; skins, apple; skins, kangaroo; skins, goat; skins, rabbit; skins, sheep; slack, dead; slag; slag, crushed; slate, crushed; slats, pencil, cedar; sleigh material; snips, tinner's; snow; soap; sockets, bow, automobile; soda ash; soda, bicarbonate; soda, caustic; soda, nitrate of; soda, silicate of; solder (in pigs, slabs, or bars); soles, fiber (chemically hardened); sound-mechanism assemblies; spars; speedometer heads; speedometers; spelter; spelter by-products; spices; spikes; spinach; spokes; spools; spreaders, manure; stands, railway; starch; staves, ash; staves, hogshead; staves, rough; steam-heater parts; stearine; stearine, coconut; steel articles; steel articles, manufactured; steel articles, special; steel, bar; steel, bundles of; steel, cold-rolled strip; steel, hoop; steel material, fabricated, K. D.; steel products; steel, scrap; steel, sheet; steel, structural; steel, tank; steel-tank material; stock, paper; stone; stone, broken; stone, crushed; stone, crystallized lime, sawed, unpolished; stone, rough; stone, rough, quarried; stoneware, broken; stoneware, common; stoves; stoves, electric; straw; strawberries; strawboard; strips, roofing cap; sugar; sugar, beet; sugar, raw; sulphate of alumina; sulphur; sulphur, crude; sulphur, ground; sulphur, refined; sweepings, cotton-factory; sweepings, cotton-mill; switch and attachments (railway); switches; switches and mates (railway); sirup; sirup, Coca-Cola; sirup, refuse; sirup, table.

Tables; tacks, iron and steel; tagboard; talc; talc, crude lump; talc, roofing; tallow, edible; tankage; tank material; tank material, iron; tank material, redwood; tank material, steel; tank material, wood; tanks; tanks, steel; tanks, water-closet, earthenware; taps, fishing; taps, milling; tar; tar, coal; tar, pine; tea; ties; ties, mine; ties, railroad cross; ties, wooden; tile, broken; tile, drain; tile, hollow building; timber; timber, long; timber, mine; tin plate; tires, rubber; toasters, electric; tobacco, leaf; tobacco, plug; tobacco, unmanufactured; tomatoes; tomatoes, canned; tomatoes, fresh; tonics; tools; tops, wool; towels, cotton; tower material; toys, cast iron; track, portable railway; track material; tractors; tractors, Fordson; trailers, truck; trees; trimmings, zinc roof; trinitrotoluol; Tripoli; trucks; trucks, auto; trucks, motor freight; trucks, motor; trunks, wrapped; tubes, boiler; tubing; tubing, steel; tubing, wrought iron or steel; tubs; tumblers; turkeys, dressed; turpentine; twine, cotton.

Vegetables; vegetables, canned; vegetables, fresh; vegetables, green; vegetables, precooled; vehicle material, wooden; veneer; veneer, gum; veneer, lumber; vinegar; vitrolite.

Wagons; waste, lumber products; waste, wool; water; watermelons; wax, paraffin; wethers; wheat; wheels, automobile; whisky; willow; windlasses, ship; wire; wire, copper; wire, galvanized; wire, steel; wood; wood, built up; wood, compound; wood, cord; wood, fuel; wood, ground dry; wood, pine; wood, pulp; wool; wool, in grease; wool, scoured.

Yolks, egg, dried.

Zinc, corrugated; zinc, sheet; zinc.

S. C. EDSON,
Chief of Section.

DANIEL A. SPAIGHT

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 588) for the relief of Daniel A. Spaight and others, which was, to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, as follows, to wit: To Daniel A. Spaight $5,000, to Mary F. Spaight $2,812.70, to Thomas F. Sutton $273.42, to Elizabeth Tabele $1,140.50, to Thomas A. Tabele $102.96, in full settlement of all damages against the Government for injuries received on June 25, 1922, at North Westport, Mass., when struck by an auto-truck belonging to and negligently operated by the War Department: *Provided*, That no part of the amount of any item appropriated in this bill in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered or advances made in connection with said claim: *Provided*, That it shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum which in the aggregate exceeds 10 per cent of the amount of any item appropriated in this bill on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $2,000.

Mr. GERRY. I move that the Senate concur in the House amendment.

The motion was agreed to.

MUSCLE SHOALS

Mr. UNDERWOOD. Mr. President, I desire to see if we can secure unanimous consent at this time for the consideration before adjournment of House bill 518, a bill to authorize and direct the Secretary of War to consider the proposals in reference to the disposition of Muscle Shoals.

We have waited with a good deal of patience for a report to come before the Senate on this subject, and I understand now that the bill has been reported back with an amendment by way of substitute, and is on the calendar. I should like to have us come to some understanding, if we can, as to when this bill will be taken up for consideration and when it will be voted upon. I will ask the Senator from Nebraska [Mr. NORRIS], who is chairman of the committee and reported the substitute, whether he has any objection to fixing an hour for the consideration of that bill?

Mr. NORRIS. Mr. President, I will say to the Senator that in my opinion we shall not be able to dispose of that measure unless we succeed in defeating the resolution for the adjournment of Congress. If we are to adjourn on Saturday, I do not believe it will be a possible thing to dispose of the bill, particularly when there are several other things that will take up less time, but that it is conceded have to be taken up. If we should fail—and I am one of those who want to defeat the adjournment resolution; I am willing to recess over the conventions—if we should fail to defeat the resolution providing for adjournment, I will say to the Senator that I do not see any possibility of disposing of Muscle Shoals at this session; but if we do fail I will say to the Senator that it has been my intention to submit a unanimous-consent request fixing a definite day within a day or two after the reconvening of Congress to take it up and dispose of it.

Mr. UNDERWOOD. I had a conversation on the floor with the Senator from Nebraska about this matter some months ago,

at which time he gave me his assurance that he desired to dispose of the matter one way or another. I am not talking about how he will vote on it, because the Senator from Nebraska has one viewpoint in regard to it and I have another.

Mr. NORRIS. I will say to the Senator that I have the same intention now.

Mr. UNDERWOOD. Of course, I do not know what impediments may lie in the way of the passage of the bill, but I do know that there is no chance to dispose of it unless we try. The Senator has made his report. The issue is well defined before the Senate. The Senator believes that the Government should operate this plant under the terms of his bill.

Mr. NORRIS. Yes.

Mr. UNDERWOOD. I believe that the most economic way to handle the situation is to accept the offer made by Mr. Ford. That offer has been before the Senate for a long time. It was not at Mr. Ford's request that it came here. The Government, through the Secretary of War, asked for proposals for the disposition of the Muscle Shoals project. Mr. Ford three years ago made a proposal to the Government for its disposition. His proposal has been knocked around through the two Houses of Congress. He has been patient, and has allowed his proposal to stand, although it is a matter that involves millions of dollars for him as well as for the Government.

More than that, at this time next year the great dam at Muscle Shoals will be completed. It will not only be completed as a dam but the hydroelectric power plant will be in position, and it will be ready to dispose of the electric power coming from the dam by turning a switch, as far as the Government work is concerned. If we are going to have that power used, either by the Government as the Senator from Nebraska suggests, or by Mr. Ford in accordance with the terms of his proposition, it will take at least a year, if not more than a year, to prepare for its use. If we postpone the consideration of this proposition until next December, it merely means that for a year at least we are going to allow the water to run over the dam with no value returned to the people of the United States or to the Government. There are great companies that have come before the Congress and said that they are willing to pay as much as 5 per cent a year on the Government investment, which amounts to something like $60,000,000, at least, in that dam. We are throwing away the return on that money if we do not act, at least for a year or more.

Mr. NORRIS. Mr. President, may I ask the Senator if he will join with me and use his powerful influence to defeat this adjournment resolution, in order that we may not be put in that predicament?

Mr. UNDERWOOD. I do not think there is any necessity for us to be put in that predicament. I am not willing to make terms on a question of adjournment about a matter that I think is a matter of abstract right. The Senator from Nebraska and I have been associated for many years. I have the highest respect for the Senator from Nebraska, and I value his friendship to me, and I reciprocate it to him; but I want to say to the Senator from Nebraska that if he does not propose to move in this matter, I intend to move myself, because I think it is due to the constituency I represent and the Government of the United States that the Senate should have an opportunity to determine whether or not it is going to consider this bill. I do not wish to take the matter out of the hands of the Senator from Nebraska.

Mr. NORRIS. I have no objection to the Senator making a motion of that kind at any time that it is in order. I should be glad to make it myself if I thought there was a possibility of disposing of the matter before Saturday. If the adjournment resolution is voted down, and we recess over the convention and go on, it is my intention to move to take up the bill just as soon as I possibly can.

Mr. UNDERWOOD. I should like to have a vote or an agreement.

Mr. NORRIS. I should, too.

Mr. UNDERWOOD. Has the Senator any objection to asking consent that the bill be made the unfinished business and laid aside for the present, until to-morrow or next day, and that we agree upon a time to vote?

Mr. BORAH. Mr. President——

Mr. NORRIS. I have an objection to agreeing to a time to vote at the present time. I am perfectly willing to take up the bill, but I will not agree at the present time to a time to vote. I think the Senator must concede that a question of that importance can not be disposed of in that way.

Mr. UNDERWOOD. I realize that I can not force the Senator to agree; but I will ask the Senator, then, if he will object if I ask unanimous consent now that the bill be made the unfinished business of the Senate? There is no unfinished business, as I understand.

Mr. NORRIS. Yes; there is unfinished business.

Mr. UNDERWOOD. Then I suggest that we arrange to have it immediately follow, as the unfinished business, the unfinished business now pending before the Senate.

Mr. NORRIS. There is just one objection to that that I see, and that is, the people from the West are going to try to enact some legislation before we adjourn on a point in the reclamation situation that needs settlement, and that is crying aloud for settlement. Personally, I think it is of more importance that it be settled now than any other thing, but I am willing to take a vote as between those matters. I have no objection if the Senate wants to start in right now with Muscle Shoals, and continue to consider it until Saturday night; but if we adjourn then, of course, our work is ended, and the other bills that might be passed will have no opportunity to be considered.

Mr. ROBINSON. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Arkansas.

Mr. ROBINSON. I merely want to ask the Senator from Nebraska how long he thinks it will require to dispose of the reclamation bill to which he refers?

Mr. NORRIS. The Senator from Idaho can give the Senator a more definite idea as to that than I can.

Mr. ROBINSON. Let me say that my impression is that it will not require more than an hour or two, unless some Senator sees fit to prolong the discussion.

Mr. NORRIS. It will take longer than that. I want to talk on it myself, I think, as much as half of that length of time.

Mr. ROBINSON. I am sure the Senator would so illuminate the subject that he would obviate the necessity for a prolonged discussion of the bill.

Mr. GOODING. Mr. President, I might say that Senate bill 3372 is known as the relief bill for the irrigation projects. This is a bill that has been prepared or recommended by the fact-finding commission that was appointed last fall, some time in October, by the Secretary of the Interior, to investigate the condition of the reclamation projects. The committee reported this bill out yesterday unanimously, and I am sure that it will give relief to the irrigation projects.

I do not believe that it is going to take long to dispose of this measure. It is so fair and so just that I am sure it will be nothing less than a public calamity if Congress adjourns without giving relief to the men who are making possible the reclamation of our arid lands in the West.

Mr. UNDERWOOD. The Senator probably was not in the Senate Chamber several days ago when this matter came up. I stated at that time that I was in thorough accord with the men from the West who wanted this bill considered, and that so far as the granting of an extension of time on these works was concerned I should be very glad to vote for it. I do not know what else the Senator may have in the bill.

Mr. GOODING. Knowing the Senator as well as I do, and knowing his spirit of fairness in all matters, I am sure that when the bill is presented it will appeal to his spirit of fairness, and I am satisfied that that is true of all of the Senators on the other side as well as the Senators on this side.

Mr. UNDERWOOD. I have no doubt that is true. As far as I know the sentiments of my colleagues on the bill to which the Senator refers, they are desirous of helping to pass it.

Mr. BORAH. Mr. President——

Mr. UNDERWOOD. Here, however, is a matter of governmental importance. Here is a plant that is worth at least 5 per cent a year on $60,000,000, and if the Senate allows the session to end without considering it the plant will lie idle at least for a year, and nobody will get the benefit of it.

Mr. NORRIS. Mr. President, may I interrupt the Senator to say just a word? I agree with the Senator that before Muscle Shoals Dam is completed the Government ought to decide on its course, and I would like to have that done now if it were possible. If those who want to adjourn the Congress consider it of sufficient importance to settle that important question they can do it by defeating the adjournment resolution.

If we can not do that, and the matter does go over until December, we will have from December until July, if we pass it then, to get ready for its operation, whatever we may have. It will not mean a year's delay, although I fear it will mean some delay. We ought to do it, if we can, a year in advance.

Mr. UNDERWOOD. Let me put a proposition to the Senator. I know, so far as the Ford proposal is concerned, that it will take more than a year, if his proposal is adopted, from the hour of its adoption to put the machinery to work so that he can consume that power, the actual coupling up of the

machinery. I do not mean the work on the dam itself, but I mean the machinery to use the power. It will take more than that time to organize it. The Senator is more familiar with his bill than I am, and I ask him, if the terms of his bill were adopted, providing for the manufacture of fertilizer by the Government, does he conceive that it would take less than a year for the Government to organize the machinery for the manufacture of fertilizer?

Mr. NORRIS. I do not think it would take a year, but I will say frankly to the Senator that I would be very glad if we had a year.

Let me ask the Senator, does he not believe, taking his experience in this body as a criterion, that it will be a physical impossibility to take up a question of that importance and dispose of it between now and Saturday?

Mr. UNDERWOOD. No; I do not think so.

Mr. NORRIS. It seems to me, if we take the history of this body into consideration—and some other things may come in between now and Saturday—it would be a physical impossibility. It appears to me the way to dispose of it is to prevent an adjournment; and if we had the Senator's assistance, we could prevent an adjournment.

Mr. CURTIS. Mr. President, I suggest that we might have some night sessions. That would help in getting through with the debate, and if we could have an agreement entered into we could dispose of the reclamation bill this morning, between now and 2 o'clock.

Mr. BORAH. We can not dispose of the reclamation bill between now and 2 o'clock unless you bring up the emergency appropriation bill, because to pass the reclamation bill and send it over to the House without the accompanying bill which will insure it going through would be useless.

Mr. CURTIS. I understood that the reclamation bill would be taken care of in the general deficiency appropriation bill. I was so informed by the Senator from Utah.

Mr. SMOOT. I have not any doubt but that that will be done.

Mr. BORAH. Mr. President, I quite agree with the Senator from Alabama that the matter of which he speaks ought to be disposed of. It has been here for a long time, and whichever view is taken, it is exceedingly important that it should be disposed of. But I rather agree with the Senator from Nebraska that it is impossible to take care of it between now and Saturday night. I am perfectly willing to go ahead and undertake it, but we might just as well understand that we are trying to do things here which are impossible, by reason of the fact that we have made up our minds to adjourn on Saturday. We could stay here 8 or 10 days or longer and clean up all these matters, and would not have any controversy or conflict between ourselves as to the precedence of bills, or anything of that kind. I do not see why we do not address ourselves to the proposition of arranging for a longer time in which to do this business.

Mr. UNDERWOOD. I will say to the Senator from Idaho that I am not of the governing party on either side of the Senate, and I do not know what the plans are. I am not prepared to say that something must be done or I will not do something else. I am not holding a figurative pistol in the face of anybody. All I want is consideration. I am perfectly willing to assist the Senator in getting consideration of what he wants to take care of, and I will not delay it in any way. If the Senate will take it up and make it the unfinished business, I am willing to have it temporarily laid aside so as to dispose of urgent matters we can dispose of, such as the measure the Senator speaks of. I am not proposing to take it up to kill somebody else's proposition, but I am asking that it may be considered.

Mr. BORAH. I do not want to be placed in the position of opposing the program of the Senator, and I certainly do not want the reclamation matter and the Muscle Shoals matter to come in conflict. There is no need that they should. But I do say to the Senator now in advance that it is perfectly apparent that we can not dispose of these matters between now and Saturday night.

Mr. UNDERWOOD. We can try.

Mr. BORAH. I am perfectly willing to try.

Mr. UNDERWOOD. We have to consider something in the meantime.

Mr. NORRIS. Permit me to interrupt the Senator again. There is still one possibility of some farm-relief measure coming up. As soon as the vote on the Haugen bill is taken in the House, it will be in order here to move to take up another bill on our calendar. There are a good many Senators who want to do that, and although I reported the bill, it looks to me as if it would be impossible to pass that bill by Saturday night, but there are Senators who are going to move to take it up if I do not.

I feel that if we take up the Muscle Shoals proposition we will get into the midst of it and not get through, but will adjourn. I do say to the Senator that I dislike going over a thing several times. I would not like to take up any bill when it is known in advance we are not going to finish it by Saturday, if we adjourn on Saturday, but come back in December and start in again. The Senator knows we would be thrashing out the same old straw we have gone over at this session. I do not see any practical benefit in taking up anything that we are not going to be able to dispose of before Saturday night, unless we may vote down the motion to adjourn Congress, and stay here until we finish the business.

Mr. UNDERWOOD. The motion to adjourn has not come before the Senate yet. It is in the offing, I admit.

Mr. NORRIS. It seems to me we ought to determine that question.

Mr. UNDERWOOD. That is a question which must be determined.

Mr. NORRIS. When that is determined, if it is voted down, then all these things can be accomplished. There will not be any trouble.

Mr. BROOKHART. Mr. President, in view of the present situation, I do not feel that I can consent to proceeding with the Ford proposition, which has been disapproved by the committee, and lay aside the Norris farm bill, which has been approved and reported by the committee. I am one of those who want to move to take up that measure, if the Senator from Nebraska himself does not. Until it is disposed of I simply shall object to the consideration of the Muscle Shoals proposition ahead of it.

Mr. UNDERWOOD. I will say to the Senator that of course the Ford proposition may have an adverse report, and I myself am for the Ford proposition, but the real issue before the Senate is not the Ford proposition, but what the Senate of the United States and the Congress are going to do to dispose of a great Government work that is waiting for action; and a majority of the committee have not disposed of that proposition. They have brought in a different proposal from the proposal of the House, that is all. It is just as live an issue as the one the Senator speaks of, except that there is a difference between the two Houses, and the only way that difference can be worked out is to send it to conference, unless the Senate accepts the views of the minority in favor of the House proposal.

Mr. BROOKHART. Assuming all that to be true, this other proposition is of so much greater importance, so many times more urgent, that I do not want the Senate to proceed with the consideration of the Ford proposition and neglect the general farm relief bill.

Mr. UNDERWOOD. The Senator may think it is more urgent, but other people may think differently. That is only a matter of viewpoint.

Mr. HARRISON. Mr. President, it seems to me that there is an eleventh-hour conversion here to the proposition of opposing adjournment. There are Senators here advancing propositions now that certain bills should be taken up for consideration which should have been taken up for consideration months ago, and those of us who are championing the Ford proposal, or the development of Muscle Shoals, should not be obstructed in the consideration of such proposals by the laches of some Senators here who have had bills on the calendar, who have gone to sleep at the switch, and have made not even a gesture to have those bills taken up for consideration on the floor of the Senate.

What are the facts? The Ford proposal was accepted by the House months ago. It came to the Senate, and the Committee on Agriculture and Forestry in the Senate took it up for consideration. That same committee had considered the question for months and months. There was not anything about it the Senators did not understand. So some of us on the committee, away back on the 7th day of April, tried to get the hearings upon the proposition closed after a consideration of the bill for 10 days; in other words, we asked that on April 22d the committee should consider the proposition in executive session, and vote upon it. That was opposed by the distinguished Senator from Nebraska. It is opposed by other Senators now who would block all consideration of the development of Muscle Shoals.

Some of us then asked that an executive session be held a week later; asked them to set a time for the closing of the hearing, that we might report the bill to the Senate.

I have expressed myself several times upon the floor of the Senate, as have both the Senators from Alabama and other Senators here, to the effect that the Muscle Shoals proposition should be dealt with before this session adjourns. I pleaded with the Senator from Nebraska and other members of the Committee on Agriculture to close the hearings on Muscle Shoals that we might bring the bill out on the floor of the Senate and get action.

Three years have elapsed since that great undertaking has been stopped and two years or more since Ford made his proposal. But we were told that we would get action in the Senate before the adjournment of Congress. Even the Senator from Nebraska stated that upon the floor of the Senate. He said he was going to cooperate with us to see that that was done, and so we allowed the testimony to go on for days in the Committee on Agriculture. And now the Senator from Nebraska, notwithstanding he said he was going to cooperate, says, "Oh, no; we do not want an adjournment. Let us get a vote on the adjournment resolution and take up these things afterwards."

There is not a Senator here who does not know how he is going to vote upon the Ford proposition or the Government ownership proposition. We ought to take them up. We ought to set a definite time, whether it is Thursday or Friday or Saturday, and the fact that the Senator from Nebraska has the so-called Norris-Sinclair bill upon the calendar, which had four weeks of consideration in the Sixty-seventh Congress and was defeated, the fact that the McNary agriculture bill is upon the calendar and has been there for months, should not delay us. Why should we be held up now and denied consideration of the Muscle Shoals measure? There is no reason in the proposition.

The Senator from Nebraska knows, and the Senator from Oregon and other Republican Senators upon the Committee on Agriculture and Forestry know, that while I differ from them on certain proposals they have made touching agricultural relief I have never tried to block in the Senate Committee on Agriculture and Forestry a single bill. I voted against this bill in the committee, but I voted to report it out, that the Senate might consider it and that the action of the Senate might be taken upon it. I did the same thing with the McNary bill. I fought with Senators from the West with respect to the long and short haul and other things, but we are told to-day that until we have a vote upon this motion to end the session of Congress we will not get a vote upon the Muscle Shoals proposition. We are entitled to it, and the question of the motion to adjourn should not enter into it. We have a right to have our day in court here.

Senators from the West have received our votes in the past upon questions and proposals that have benefited their people. I for one have voted ungrudgingly for them, and I shall do so in the future, but I plead with Senators that in this matter they should give us a definite time to vote upon it. If we are defeated that is all right, but do not use chloroform on us. Do not try to strangle us. Do not try to hold us up here with a motion to adjourn. I am going to vote against adjournment, may I say to the Senator from Nebraska, but that has nothing to do with the proposition of whether we ought to vote on the Muscle Shoals proposition. I plead with the Senator from Nebraska, and I plead with other Senators here that after three years of delay we should set a time and vote upon the Ford proposal.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Nebraska?

Mr. UNDERWOOD. I yield.

Mr. NORRIS. Much that the Senator from Alabama has said in reference to what happened in the committee is true. There was a contest at the beginning. The Ford people were opposed to any extended hearings. They would have been glad to have us vote without hearings. They would have been glad to decide the case without evidence. There is no question about that. I concede that. But we went on and held the hearings, and it is conceded by everyone who followed them that the only place where there was any delay was in the case of one or two Ford witnesses who took up two or three days' time in talking about personal matters that had not anything to do with Ford or Muscle Shoals, either one. We have held night sessions for the last couple weeks. We were in session until 10 o'clock at night, or I was at least. The members of the committee, of course, were not all present at any of those hearings. We kept up our sessions from 10 o'clock in the morning on. While other committees were meeting at 10.30, we met at 10 o'clock, and we met again at 7.30 in the evening and stayed in session until after 10.

It is conceded, and will be conceded by every student who ever looked up the record we made, that there is accumulated in those hearings the best evidence and digest of the water-power proposition and the fertilizer proposition that has ever been brought together in one report or in one set of volumes since Adam left the Garden of Eden. It was an educational campaign.

We did not finish. We stopped the hearings before we were through. There are multitudes of things that have a direct bearing upon the question. For instance, we did not go into the propaganda, that ought to be investigated in the interest of the country, that has been carried on over the country for two years in behalf of the Ford offer.

I am not to blame if the Senate adjourns. I did say, and I repeat now, that I want the question settled before the Congress adjourns. I am pleading with those men who are out over the country running for office and taking up political matters—with which I do not find fault—that they allow those who want to stay here and work to stay here and finish this Government job. I want it decided, but I am not willing and I am not going to consent, so far as I am concerned, to taking up this great question, one of the most important that Congress was ever called upon to settle, and decide it without a full debate in this body and full consideration. That is all I want. That is all I am pleading for.

I plead with those Senators on both sides of the aisle to vote down the motion to adjourn. Let us stay here and do the country's work. Let those who want to travel over the country and make campaign speeches go and do so. But let us stay here and finish our job. Let us not chop something off in the middle.

Now, I want to say a word about the farm bill that has been on the calendar of the Senate. The Senator from Mississippi knows that the McNary-Haugen bill, after extended hearings in the committee, was reported to the Senate. He knows that I and one or two others of the committee were in favor of reporting what is known as the Norris-Sinclair bill, but the majority of the committee outvoted us, and so we reported the McNary-Haugen bill. I was not opposed to that measure. If it comes to a vote I am going to vote for it. But it was discovered that it contained a revenue provision which under the provision of the Constitution made it necessary that it should originate in the House. Therefore, being subject to a point of order, it was thought best by those in charge of it—not myself, though I believe they acted wisely—that the House should first dispose of it.

I felt in honor bound, as a member of the committee, that I should never make the motion to take up the other bill here until the McNary-Haugen bill, which was the first choice of the committee, should have been disposed of. I have been waiting ever since for the House to act. I understand it is going to act to-day. I have talked with those Senators who are in favor of the bill about making a motion to take it up. I have said that I did not believe I would make such a motion, because it is evident to start with that we can not dispose of it by Saturday night; but if we will vote down the motion to adjourn, then I will move to take it up and let the question be settled by the Senate. I will do the same with reference to the Muscle Shoals proposition.

I plead with Senators now to vote down the motion to adjourn. But until that question is settled we can not come to any understanding as to what we are going to do. If the Senate decides to adjourn and approves the House concurrent resolution providing for adjournment, we are up against an impossibility in the matter of the consideration of these bills. It would be a physical impossibility. There is no doubt about it. It seems to me that is all there is to it.

Mr. UNDERWOOD. Mr. President, I only want to say further that the McNary-Haugen bill is in the House. I do not know what its fate there will be. I have not the slightest idea. However, if it is adversely voted on in the House, of course there is no use talking about it in the Senate, because it would be dead if we sent the Senate bill over there. They are going to have a try out on it in the House to-day. If it is passed and comes here it will have to go to the committee. It certainly has to be considered at this end of the Capitol.

On the other hand, here is the Muscle Shoals bill that is on the calendar. It is a bill of pressing governmental importance. If Senators do not think that cheaper fertilizer is of any value to the farmers of America, they should remember one thing, and that is that the building of the great dam and the spending of the money there was for national defense; that the primary purpose of making the air nitrogen was to defend the Government in time of war. God knows I hope that the war clouds may never again gather upon the horizon of our

country, but I know that in the last great war, when we had to beg, borrow, and almost steal ships in order that we might supply our troops on the front lines, one-third of the tonnage that was under the command of the American Government was being used hourly and daily and monthly to bring Chilean nitrates from the saltpeter beds of Chile in order that we might have powder enough to supply our men on the front line.

Every great nation in the world is supplying itself with the ability and means to make air nitrogen, and here we are about to have the machinery ready to go ahead for national defense. The bill is here. I have my viewpoint about it. The Senator from Nebraska has his viewpoint. But the Congress of the United States ought to have a definite viewpoint one way or the other, and adopt some program and go ahead with it.

Mr. SWANSON. Mr. President, will the Senator permit me to interrupt him? This will largely control my vote on the question of whether we shall adjourn or not adjourn. I agree with the Senator that we ought to have cheap fertilizer. I think that is one of the main points in connection with the Muscle Shoals proposition.

Mr. UNDERWOOD. We ought to have national defense, also.

Mr. SWANSON. Yes; but I think that is a little remote.

Mr. UNDERWOOD. I hope it is.

Mr. NORRIS. We have that now at Muscle Shoals.

Mr. SWANSON. I would like to ask this question: In case the Muscle Shoals matter goes over, will it retard in any way the consummation of the project, whether the Government runs it or whether it goes to Ford, in connection with acquiring at an early date the ability to manufacture fertilizer for the benefit of the farmer?

Mr. UNDERWOOD. Unquestionably; this plant was organized and equipped at the end of the war and was making air nitrogen by the cyanamide process.

Mr. SWANSON. If no action is taken by the Congress at this session, will the Government continue and complete the enterprise and turn it over to Mr. Ford, or is it absolutely necessary for something to be done at this session?

Mr. UNDERWOOD. Wait a minute. Of course, so far as the building of the dam is concerned and the putting in of the hydroelectric machinery, the action of Congress now will not avail anything, because the appropriations have been made.

Mr. SWANSON. But what I——

Mr. UNDERWOOD. Now, wait a minute. I am coming to what the Senator wants to know, and that is whether it will delay the farmer in getting fertilizer. If the Senator will allow me, I will tell him. It will not delay us in building the dam. It will not delay us in equipping the hydroelectric machinery. But if Mr. Ford takes over the property it will take him a year at least, if not more, to put the present machinery in operation to manufacture air nitrogen, and without that he can not make fertilizer. Everybody concedes that the plant has to be remodeled. It does not make any difference whether we have Government operation or Ford operation, we have to remodel the plant.

Mr. SWANSON. I am not acquainted with the situation, and I want to get the facts to control my vote.

Mr. UNDERWOOD. I appreciate that.

Mr. SWANSON. Will the Senator permit the Senator from Nebraska to answer that question?

Mr. UNDERWOOD. I will not allow the Senator from Virginia to dispute my facts in my time.

Mr. SWANSON. I am not disputing them. I am simply anxious to get the facts.

Mr. UNDERWOOD. I have stated the facts to the Senator. If he does not take them, he can read the testimony and take somebody else's facts.

Mr. SWANSON. Does the Senator from Nebraska concur in the statement of the Senator from Alabama?

Mr. UNDERWOOD. The Senator from Nebraska just stated that he did not think it would take a year, but he recognizes that it would take a considerable time, even under his own plan, to equip the property to be operated.

Mr. SWANSON. May I ask the Senator from Nebraska a question?

Mr. UNDERWOOD. If the Senator desires to do so, although I think the Senator from Virginia is not overly polite in the way in which he enters into the debate. However, I will yield to him for that purpose.

Mr. SWANSON. I want to know whether the failure to act at this session of Congress, and if we wait until December to act, will delay in any way the equipment of the plant, whether the Government operates it or whether Mr. Ford operates it in obtaining cheap fertilizer?

Mr. NORRIS. I can not answer for Mr. Ford. It will take some time necessarily to get the organization together. In my own private opinion, under the bill that the committee has reported it would be possible, if it was settled early in December, for them to get the organization completed by the time the dam is completed. They would not be able to remodel the nitrate plant. If we are going to operate nitrate plant No. 2 for the manufacture of explosives in time of war, we can do it now on two hours' notice. It is there complete. It has already made its output. It has a steam plant by its side large enough to operate it so far as the manufacture of explosives is concerned. I am not agreeing, perhaps, with the Senator from Alabama about the manufacture of fertilizer.

Mr. SWANSON. I am not concerned about explosives. I anticipate there is no war cloud in front of us and no emergency near. Nobody is going to declare war against us. We have always declared every war we have had. I want to know whether it will delay cheap fertilizer for the farmers.

Mr. NORRIS. The fertilizer proposition, if the Senator from Alabama will still permit me to answer——

Mr. MOSES. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from New Hampshire will state the inquiry.

Mr. MOSES. Who is entitled to the floor?

Mr. UNDERWOOD. I am entitled to the floor, but the Senator from Virginia insisted on having the Senator from Nebraska sustain my statement, and so I am allowing him to do so.

Mr. NORRIS. I have no doubt that if fertilizer to be produced at Muscle Shoals is to be of any material advantage to the farmer it needs further improvement entailing additional experiments. Some of the best experts in the world, including Government experts, testified before our committee, and they believe they have improved the fertilizer to some extent, but nowhere near what the Ford adherents contend it can be done by Ford. The process, however, has got to be improved before it becomes practical to reduce the cost of fertilizer very materially over what is now practicable in the present state of the knowledge of scientific men in reference to the subject.

Mr. SWANSON. Mr. President, if the Senator will permit me, I desire to ask will the postponement of this subject from now until next December delay to any appreciable extent the farmers in getting fertilizer? That is what I want to know.

Mr. NORRIS. So far as our Government experts are concerned, they have been working on the matter in our own plant ever since the World War, and they will continue to do so.

Mr. UNDERWOOD. Mr. President, I am glad to try to enlighten the two distinguished Senators who are friends of the farmers and are interested in the farmers getting fertilizer. I myself think that the farmers should have their fertilizer, but I think now, as I have always thought, that national defense is the first care of the Government. Of course, if my friends had carefully studied this matter and understood what it takes in order to make fertilizer, and understood the character of the machinery which has been installed at Muscle Shoals, neither of them would have controverted what I have said. The great plant at Muscle Shoals was built during the World War to make ammonia for powder, and it was equipped along the lines for producing powder. There is no plant there for the production of sulphate of ammonia. I am sure the Senator from Nebraska knows, if the Senator from Virginia does not——

Mr. SWANSON. I do not——

Mr. UNDERWOOD. That lime nitrogen has either got to be converted into fertilizer through the sulphate of ammonia process, which is the old process that all manufacturers of fertilizer have used in the past, or it is necessary to make phosphate of ammonia, which is a new process and which may be the way out. However, there is no building at Muscle Shoals and no machinery there now with which that process can be carried on. When we entered upon the construction of the Muscle Shoals plant during the war we only had powder ahead and fertilizer was in the offing. No money has been appropriated for that purpose up to this time. Therefore, although the plant is well equipped, we stopped it before we got to a point where we could go on and make fertilizer. We shall have to contract for and put in new machinery and build the plant before we can convert an establishment which has been used for making powder into one for making fertilizer for the farmers. I do not care what anyone says, but I know that that equipment can not be completed within a year, either by Ford or by the Government under the proposal of the Senator from Nebraska [Mr. NORRIS].

I know that within a year this great power will be there trembling in its majesty without serving the people of the

United States, and the man who says he is a friend of the American farmer and desires to give him cheap fertilizer and will not allow the Senate to consider this grave question when it is before it, is pretending at the mouth to be friendly to the agricultural interests of America but is denying them behind their backs. That is all there is in this proposition. It is here; it is entitled to honest consideration; and that is all I am demanding for it at this time.

Mr. McKELLAR. Mr. President, will the Senator from Alabama yield to me?

Mr. UNDERWOOD. I yield to the Senator.

Mr. McKELLAR. I will ask the Senator if it is not also true that no proposition which has been before Congress in many years has had the publicity that the Ford proposal for Muscle Shoals has had; that no proposition has been so much discussed by Senators and others? Does not the Senator, therefore, believe that whether we vote on this matter within a week or the vote is postponed, the vote is going to be substantially the same; that there will be no changes by reason of delay?

Mr. UNDERWOOD. In my judgment—and I do not say this to reflect on anybody, but it is merely a statement of judgment—if the Senate will take the bill up immediately after the unfinished business shall have been disposed of, and there be merely a fair view of the two sides of the case presented, and the measure then may be allowed to come to a vote, we can dispose of it in two or three days, without interfering with other business. In my mind there is no question about that.

Mr. President, Senators have indicated that they propose to object, but before I take my seat I am going to give them an opportunity to do so by asking for a unanimous-consent agreement. Then, I wish to say, if objection is made, I intend at the first opportunity to move for the consideration of the bill in the Senate, and let the Senate come to a vote as to whether it will consider the measure or whether it will spurn it from its consideration before it adjourns.

Therefore, Mr. President, I ask unanimous consent that an order be entered making House bill 518, the Muscle Shoals bill as passed by the other House, the unfinished business, to follow the unfinished business which is now before the Senate, being House bill 6941, a bill granting pensions.

Mr. CURTIS. Mr. President, I desire to state to the Senator from Alabama that there is another pension bill that was included in the order to which the Senator has referred, and which is to follow House bill 6941.

Mr. UNDERWOOD. Very well. Then I ask unanimous consent that, upon the disposition of those two pension bills, House bill 518, being the Muscle Shoals bill, be made the unfinished business of the Senate.

The PRESIDENT pro tempore. The Chair is of the opinion that a bill can not be made the unfinished business by unanimous consent; but, if it is requested that the Senate proceed to the consideration of the bill upon the disposition of the special orders that are now or will be the unfinished business, the Chair is of the opinion that such a request may be entertained.

Mr. UNDERWOOD. I accept the suggestion of the Chair, and ask unanimous consent that House bill 518 be taken up for consideration immediately after the disposition of the two pension bills to which reference has been made.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama for unanimous consent?

Mr. DIAL. Mr. President, I understand the Senator's request is for the consideration of the Muscle Shoals bill and not for the pension bills.

Mr. UNDERWOOD. No; an order has been made, as I understand, for the consideration of the pension bills. I am not proposing to interfere with that.

Mr. DIAL. I do not understand that an order was made for two pension bills, but only one.

Mr. UNDERWOOD. That is a question to be settled when the time comes.

Mr. DIAL. I do not object to the request of the Senator from Alabama as to the Muscle Shoals bill, but I am opposed to the pension bills.

Mr. UNDERWOOD. All I am asking is that after the disposition of the pension bills, to which reference has been made, the Muscle Shoals bill may be taken up for consideration.

Mr. BROOKHART. Mr. President, for the reasons stated, I shall have to object to the request of the Senator from Alabama.

The PRESIDENT pro tempore. The Senator from Iowa objects.

Mr. UNDERWOOD. I give notice, as I have stated I would, that if I can not get unanimous consent—and I do not care to interfere with the unfinished business or with business that other Senators may have on the calendar—at the earliest opportunity I shall move the consideration of the Muscle Shoals bill and give the Senate an opportunity to vote on it.

DEMOCRATIC CONVENTION PLANK ON SOLDIERS' BONUS

Mr. BRUCE. Mr. President, I desire to make a very brief statement. Yesterday I asserted that there was a declaration in the last Democratic national platform against the bonus. The Senator from Montana [Mr. WALSH] was unable, in the beginning, to remember whether or not there was such a declaration; but after a colloquy with the Senator from Missouri [Mr. REED], he said:

> I have refreshed my recollection concerning the Democratic platform of 1920 concerning the bonus, and I am pleased to advise the Senator from Maryland that he is in error in imagining that there was a declaration against bonus legislation in the Democratic platform.

It so happens that I have a copy of the Democratic campaign textbook for the year 1920, which contains a copy of the national Democratic platform.

The soldiers' bonus plank in the national Democratic platform of 1920, to which I refer, was adopted after an effort was made by representatives of the American Legion to induce the Democratic convention of that year to declare in favor of the bonus. This was the plank:

> The fine patriotism exhibited, the heroic conduct displayed by American soldiers, sailors, and marines at home and abroad constitute a sacred heritage of posterity, the worth of which can never be recompensed from the Treasury—
>
> Although it is about to be so recompensed now—
>
> and the glory of which must not be diminished—

Although I am sorry to say that it is about to be thrown into a state of painful obscurity.

So it will be seen, Mr. President, the Senator from Montana, who, I think, has his full share of accuracy as a lawyer and as a parliamentary speaker, was entirely wrong when he said that there was no declaration in the last Democratic national platform against the bonus.

Now I have corrected his statement, because I do not wish it to be subject to the reproach expressed in the old couplet that we all remember, which runs:

> He has keen optics, I ween,
> Who sees what is not seen.

If the Senator from Montana will again turn to the text of the national Democratic platform of 1920 he will find the very words, ipsis simis verbis, that I have just cited. I suppose the real trouble with his memory is that after having voted for the bonus he finds it impossible to realize that he ever subscribed to such exalted sentiments.

During the delivery of Mr. BRUCE's speech,

Mr. BRUCE. Mr. President, it is quite useless for me to attempt to make any statement if such disorder is to prevail in the Chamber while I am endeavoring to make it.

Mr. WALSH of Massachusetts. Is it unusual?

Mr. BRUCE. No.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. WALSH of Massachusetts. Mr. President, may we have the unusual experience of order in the Chamber?

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The Senate will be in order.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Nevada?

Mr. BRUCE. I yield.

Mr. PITTMAN. I wish to say, in justice to the Senate, that all of the noise is not on the floor of the Senate. A habit has grown up here of bringing tourists into the galleries in groups, and they are not even warned to be quiet. The buzz and hum that go on while they come in and go out and move around contribute very largely to the confusion. The officers at the doors and the guides who take the tourists around the Capitol ought to instruct the visitors to make as little noise as they possibly can.

The PRESIDING OFFICER. The Chair will instruct the doorkeepers to put forth every effort to preserve order in the galleries and advise those who come in to maintain as much quiet as possible.

FRANK STINCHCOMB

After the conclusion of Mr. BRUCE's speech,

Mr. SWANSON. Mr. President, I have here a House bill of a great deal of merit. It is a private bill. If there is any objection to it, I will withdraw it.

I ask unanimous consent for the consideration of House bill 8961, which, as I say, is a measure of unusual merit.

Mr. SMOOT. What is the title of the bill?

Mr. SWANSON. I will state what it is for.

The bill is for the relief of a man who served in the Navy 16½ years. During the war these gunners, or warrant officers as they are called, were given temporary appointments. This man was given a temporary appointment during the war. Under the act which expired on the 30th of June, 1921, pending that time, he was ordered before a retirement board for inquiry as to his health. They decided that they would give him six months before they would retire him. Then he was ordered up for promotion. He had passed an examination for promotion, and they delayed the matter, on account of physical condition, and then this statute was repealed. He was to have been retired on the 30th of December, 1921, and he could be neither retired nor promoted on account of a conflict of opinion in this board.

The Navy Department has reported the bill favorably, the House committee recommended it unanimously, it has passed the House, the Naval Affairs Committee of the Senate has unanimously reported it and urged its passage, and I ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that the Senate proceed to the consideration of House bill 8961, for the relief of Frank Stinchcomb. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to appoint Chief Gunner Frank Stinchcomb, United States Navy, a lieutenant on the active list of the United States Navy, subject to qualification on physical examination, to take rank next after Lieut. William E. Snyder, United States Navy: *Provided*, That in the event of the failure of said Chief Gunner Frank Stinchcomb to qualify for such appointment, and if found incapacitated for active service by a naval retiring board, the President be, and he is hereby, authorized to appoint the said Frank Stinchcomb a lieutenant on the retired list of the Navy with the retired pay of that grade.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRINTING OF REVENUE ACT OF 1924

Mr. SMOOT. Mr. President, I offer a concurrent resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Utah asks for the present consideration of a concurrent resolution which will be read.

The concurrent resolution (S. Con. Res. 18) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 41,000 additional copies of Public Law No. 176, known as the revenue act of 1924, of which 13,000 copies shall be for the use of the Senate Document Room; 25,000 copies for the use of the House Document Room; 1,000 copies for the use of the Committee on Finance of the Senate; and 2,000 copies for the use of the Committee on Ways and Means of the House of Representatives.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. NORRIS. Mr. President, I have been so busy with matters coming before the committee that I have not been able to attend to them; but there are several reports—I am reminded of them because this concurrent resolution provides for the printing of something—made by the Federal Trade Commission upon resolutions introduced by me and adopted by the Senate that have not been printed.

I notice the Senator from North Dakota [Mr. LADD] in the Chamber, and I should like to have his attention.

I had up here some time ago a resolution for printing the report of the Federal Trade Commission in regard to the controversy about the Chamber of Commerce of Minneapolis. I thought I had that arranged at the time we had it up in the Senate, and that it was to be printed; but, as I understand, it has not been printed.

Mr. LADD. Mr. President, I understand there was objection at the time on the ground that this is an independent bureau, and therefore objection was made to the printing.

Mr. NORRIS. I want to include that report, Mr. President, and a report from the Federal Trade Commission, which is on my desk, now before me, in regard to the flour proposition, in response to a resolution. Most of these resolutions in reality came from hearings that the Agricultural Committee had on various subjects, and I brought in the resolutions here, and they were adopted by the Senate, and reports have been made in response to them.

Some time ago, it seems, the Federal Trade Commission, having exhausted their appropriation, were unable to get anything printed. I am informed now from the Federal Trade Commission that a different ruling has been made, and that printing done by order of the Senate will not be charged against the appropriation for printing of the Federal Trade Commission. It is usual and customary, when these reports are made, to have them printed; and I ask that this report on the wheat-flour milling industry, made April 28, 1924, together with the report made by the Federal Trade Commission in regard to the Chamber of Commerce of Minneapolis being charged with unfair practices in trade, be printed with illustrations as a Senate document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

Mr. FLETCHER. Mr. President, I do not know that I object to it. Of course, there is an appropriation made for this commission to do their own printing; but I understand the Senator to say that they can not print these reports within their appropriation.

Mr. NORRIS. No.

Mr. FLETCHER. Of course, if it is done here, it will be charged up to Congress.

Mr. NORRIS. I should like to say to the Senator that this report was made upon the order of the Senate. The Federal Trade Commission did not begin the investigation themselves. We ordered them to make it, so it is unfair for them to have to pay for its printing.

Mr. FLETCHER. I presume it ought to be printed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

Mr. NORRIS. Mr. President, there have been on my desk for a long time some reports relating to the building of public roads through the appropriations of Congress. My clerk tells me that there have been coming in almost daily requests from Members of the Senate and the House and others asking for information that is contained in these reports. I was not here when they were laid on my desk; but these are reports made to the Senate, and, I think, it was intended that the Agricultural Committee should take them up. I think the only question involved is whether these reports should be printed. As I understand, they show the expenditure of public funds upon public highways, and ought to be very interesting documents; but I do not want to pass on the matter myself, and I ask that they be referred to the Committee on Printing.

The PRESIDING OFFICER. The Senator from Nebraska asks for the reference to the Committee on Printing of the reports referred to by him. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President, I desire now that the concurrent resolution be acted upon.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

BOARD OF TAX APPEALS

Mr. SMOOT. Mr. President, there is an urgent matter that I was requested by the Finance Committee to report to the Senate and ask for its immediate consideration.

From the Committee on Finance I report back favorably, without amendment, Senate Joint Resolution 137, in respect of salaries of original appointees to the Board of Tax Appeals; and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The Senator from Utah asks unanimous consent for the present consideration of the joint resolution reported by him, which will be read.

The joint resolution (S. J. Res. 137) was read, as follows:

Resolved, etc., That the provisions of section 1761 of the Revised Statutes shall not apply to any person appointed as an original member of the Board of Tax Appeals, established by section 900 of the revenue act of 1924, if such appointment is made prior to December 1, 1924.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. ROBINSON. Mr. President, I ask the Senator from Utah to explain the purpose of the joint resolution.

Mr. SMOOT. Certainly. It will take only a minute.

The revenue act of 1924 provides for a board of tax appeals, to be composed of 28 members, appointed by the President, with the advice and consent of the Senate. No assessment of additional income, war-profits, excess-profits, or estate taxes

under any revenue act can be made after June 2, the date of the approval of the revenue act of 1924, unless the taxpayer is given the right prior to the assessment to appeal to the board of tax appeals. In order to avoid serious delay in the collection of the revenues it is necessary that the board begin functioning immediately after the approval of the act, and that happened yesterday.

The revenue act of 1924, creating the board of tax appeals, was not approved until June 2. In all probability Congress will adjourn on June 7. It is impossible for the President to select 28 men for the board of tax appeals, nominate them for the positions, and have the appointments confirmed by the Senate prior to its adjournment. The appointments to these positions must, therefore, be made as recess appointments.

Section 1761 of the Revised Statutes provides that no money shall be paid from the Treasury as salary to any person appointed during the recess of the Senate to fill a vacancy in any existing office if the vacancy existed while the Senate was in session, and was by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate. This section, as construed by the Comptroller General, would prohibit any member of the Board of Tax Appeals appointed after the adjournment of the present Congress from drawing any salary until his appointment is confirmed by the Senate at the next session of Congress. In addition, the receipt of any compensation for services rendered prior to the action of the Senate on his appointment would be conditioned upon his confirmation by the Senate. (21 Comp. Dec. 726, and 27 Comp. Dec. 521.) Obviously, it would be impossible to get anyone to accept a recess appointment to the Board of Tax Appeals if he were to receive no compensation until his confirmation by the Senate at its next session, and if the receipt of any compensation for his services prior to action on his appointment by the Senate were to be conditioned upon his subsequent confirmation.

The solution of the difficulty seems to be in a joint resolution by Congress providing that section 1761 of the Revised Statutes shall not apply to persons appointed as original members of the Board of Tax Appeals during the coming recess of Congress. Such a resolution would place these original appointees to the board on the same basis as other recess appointees appointed to fill a vacancy which did not exist while the Senate was in session, and would be in perfect harmony with the spirit of section 1761 of the Revised Statutes, since in this instance the vacancy did not exist for a long-enough period prior to the adjournment of Congress to enable the President to nominate members and the Senate to confirm the appointments prior to its adjournment.

I will say to the Senator that the same joint resolution will pass the House.

Mr. ROBINSON. I will ask the Senator if the joint resolution has been considered by the Finance Committee?

Mr. SMOOT. It has been, and reported unanimously from that committee.

Mr. ROBINSON. The report is unanimous?

Mr. SMOOT. Unanimous.

Mr. ROBINSON. The Senator from North Carolina [Mr. SIMMONS] is not present, but——

Mr. SMOOT. I will assure the Senator that he agreed to the joint resolution.

Mr. ROBINSON. I make no objection, then.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committe of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF COTTON FUTURES ACT

Mr. DIAL. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of Senate bill 3197, and that the bill be placed on the calendar.

Mr. ROBINSON. What is the bill?

The PRESIDING OFFICER. The Senator from South Carolina asks unanimous consent that the Committee on Agriculture and Forestry be discharged from the consideration of Senate bill 3197, to amend section 5 of the United States cotton futures act to enable the buyer of a cotton-futures contract to demand actual delivery in fulfillment thereof prior to the close of the delivery month.

Mr. ROBINSON. Has the bill been considered by the committee?

Mr. DIAL. No; not this particular bill. I have another one as to which I desire to make the same request.

Mr. ROBINSON. I suggest to the Senator that he present his requests one at a time.

Mr. NORRIS. Mr. President, so far as the committee is concerned, or at least so far as I am concerned—there are other members of the committee, of course—I have no objection to that being done. There was some difference of view among the members of the committee from States in which cotton is raised. They did not agree on this proposition. I do not know what this particular one is, but so far as I am concerned I have no objection to the request of the Senator from South Carolina.

Mr. ROBINSON. Mr. President, I have had no opportunity of studying the provisions of the bill. It has just been laid before me. I inquire of the Senator from South Carolina whether he knows of objections to the course he is asking?

Mr. DIAL. I know of no objection as to that particular bill. The committee has been very busy. It has not had time to discuss the bill. I fear it will not have time to pass at this session, but I want it on the calendar.

Mr. ROBINSON. Mr. President, in view of the Senator's statement I shall not object to his request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and the Committee on Agriculture and Forestry is discharged from the consideration of Senate bill 3197.

Mr. DIAL. Mr. President, I make the same request as to another bill to amend the same act as to which I have made a similar motion.

The PRESIDING OFFICER. The Senator from South Carolina asks unanimous consent that the Committee on Agriculture and Forestry be discharged from the consideration of Senate bill 386, to amend section 5 of the United States cotton futures act, approved August 11, 1916, as amended.

Mr. DIAL. I will state that that is the measure we have been discussing.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered.

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. SMOOT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 47 to the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the amendment of the House to the amendment of the Senate numbered 47, and agree to the amendment of the House to the amendment of the Senate numbered 47.

REED SMOOT,
CHARLES CURTIS,
WM. J. HARRIS,
Managers on the part of the Senate.

LOUIS C. CRAMTON,
FRANK MURPHY,
C. D. CARTER,
Managers on the part of the House.

Mr. SMOOT. I ask for the immediate consideration of the report.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report? The Chair hears none.

Mr. SMOOT. Mr. President, I want to make a brief statement. The Senate will remember that the item in the appropriation bill affecting the Bright Angel Trail has been in dispute now for over a month. The Senate has voted upon the matter three times. It insisted upon its amendment. The House has positively refused to yield to the Senate amendment. The conferees on the part of the Senate feel that they dare not and should not hold out longer than they have done and ultimately defeat the great appropriation bill. If it were not so, I assure the Senate that its conferees would still insist upon that amendment, the Senate having voted three times upon it, but it became evident to every member of the conference that the House would not yield, and that is why the con-

feres on the part of the Senate yielded, and now ask that the conference report be agreed to.

Mr. CAMERON obtained the floor.

Mr. KING. Will the Senator from Arizona yield while the Senator from Ohio [Mr. FESS] calls up a bill which is quite important?

Mr. CAMERON. I yield to the Senator from Ohio.

Mr. FESS. I ask unanimous consent for the present consideration of House bill 5478.

The PRESIDING OFFICER. Under the rule of the Senate the Senator from Arizona can not yield for that purpose, and it is made the duty of the Chair to enforce the rule.

Mr. CAMERON. Mr. President, the Senate has been most patient in considering the Interior Department appropriation bill, and particularly the amendment thereto, No. 47, affecting the future of the Bright Angel Trail and Coconino County, Ariz. It has not been my desire in the various discussions of this matter to presume upon my friends to assist my side of the issue because of our personal relations, but I have heretofore presented to this body sound reasons of policy and justice and legal arguments as to why the House amendment should not be adopted. In the light of all the discussion in both Chambers I feel more determined and encouraged than ever to insist that the Senate continue to recognize the rights of my State and Coconino County in this connection, even though we shall permit this bill, with this obnoxious amendment, to pass as a matter of expediency for the public welfare.

I do not seek nor do I desire to violate the rules of this body, but, as a matter of personal privilege, I state that a most vicious and unwarranted attack has been made upon me, upon my character, my integrity, my good faith, and my loyalty by a Member of the lower House from the State of Michigan. He has spread upon the pages of the CONGRESSIONAL RECORD the most libelous statements regarding me which are wholly without any substance of truth, and he has distorted facts in order to support a proposition about which he apparently knows nothing. I now deny any and all the allegations made by him against me, and defy him to prove a single one of them.

Briefly, I shall recount my reasons for asking your support of my position, which has heretofore been sustained by an overwhelming vote of this body.

No one has yet disputed the absolute title of Coconino County, Ariz., to the Bright Angel Trail, which brings an annual revenue to the county of from $5,000 to $8,000. No one has disputed the fact that the trail has served the public well under its present status. No one surely will say that Coconino County, Ariz., the second largest county in the United States, with 89 per cent of its domain already withdrawn by the Federal Government, is not entitled to fair play and entitled to retain this one last great source of revenue without being coerced and harassed into selling it for a mess of pottage. The people of Coconino County do not want to sell their trail; this is evidenced by numerous telegrams and letters I have heretofore put into the RECORD.

Now, Mr. President, what is behind this scheme to force Coconino County to sell this trail? For more than 40 years I have lived in Arizona, and for 30 years I lived in this county, and I have represented my State in each House of Congress, and so far as I can recall such tactics as have been employed in an endeavor to force this sale are without parallel. The attacks made upon me have been made simply to becloud the issue. I ask the Senate to forget me personally, but not to lose sight of the issue which is simply an attempt to have a forced sale of this trail without giving the people, whose heritage it is, a right to express their will. Mr. President, when was a Member of the House from the State of Michigan delegated by the voters of that State to champion the transportation monopoly of the Santa Fe Railroad and the Harvey House interests in my State, which are behind this attempted coercion? He seems to have listened well to their propagandists, some of whom are foreigners and who have been here in Washington lobbying for this amendment. In the attacks upon me which have appeared in the RECORD it is alleged that I have ignored a decree of the Supreme Court of the United States; that I have great personal financial interests involved in this matter; that I seek to maintain a monopoly in the Grand Canyon in an illegal and immoral manner. These statements are wholly without foundation in fact. For years past I have had no financial interest in any claims, trails, or otherwise in the Grand Canyon National Park. I do have a great interest in the Grand Canyon. It has held my life in its many wonders. It was through my personal initiative that it was made accessible to tourist travel, and I have given my all in developing and making it known to the world. My only interest is one of sentiment and national pride, and to my dying day I shall not subscribe to any schemes of interlopers who seek to divest my old home county, peopled by my lifelong friends, of this great asset which was built by me and my associates, and operated since my withdrawal, many years ago, by Coconino County. These pseudo crusaders have tried to show that the officials of Coconino County want to sell the trail, that they attended a certain meeting and so agreed. This is not the truth and when this fight first arose on the floor of the Senate the true facts were brought to light.

The board of supervisors of Coconino County on March 10, 1924, unanimously went on record as opposed to the House amendment. Yet in the face of this these same would-be crusaders still seek to force the Senate to submit to their amendment and agree to this sale without giving the people of Coconino County, Ariz., a voice in the matter. I invite your attention to the fact that in two letters to Senator SMOOT I pointed out the legal obstacles to such a sale under the laws of the State of Arizona. For this trail can not be sold without condemnation, and there can not be condemnation, under Arizona statutes, of toll trails unless they are of no public use. Therefore, the amendment which I offered was to give the people of this county the right of expression; and if this is done and they vote for the sale of this trail, I will gladly cooperate in amending our State laws to permit such a sale. Then will be the time for such authority as is now sought to buy on the part of our Government.

There is no need of further discussion of this proposition, as various discussions on this floor revealed the true facts; and at that time the Senate voted overwhelmingly, 47 to 26, for an amendment permitting, without cost to the Government, the citizens of Coconino County, Ariz., to register their approval or disapproval of the sale of this cherished asset, and the Senate's action was applauded by those splendid, law-abiding people. Yet this Representative from the State of Michigan, who has so distorted the facts and who has seen the Grand Canyon not more than once in his life, says absolutely not, they shall not have this right; they must either do what he says or there will be no appropriation bill; and because of his peculiar position as manager of the whole Interior bill, and in view of only four more days of Congress, he carries on with his idea of coercion and says, "I will kill the whole bill in the lower House at this session unless the Senate yields." This attitude I declare to be unjustified, un-American, is not popular Government, and I know the Senate would not recede from its position of right and justice except for the danger within this man's power of killing the whole bill.

I invite your attention to the fact that only recently, on April 9, we passed a bill, which has since become a law (H. R. 3682), appropriating $7,500,000 for the construction, reconstruction, and improvements of roads and trails, and so forth, in our national parks, which I now read:

[Public, No. 70, Sixty-eighth Congress]

An act (H. R. 3682) authorizing the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior

Be it enacted, etc., That the Secretary of the Interior, in his administration of the National Park Service, is hereby authorized to construct, reconstruct, and improve roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior.

SEC. 2. That for such purposes, including the making of necessary surveys and plans, there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the following sums, to be available until expended: The sum of $2,500,000 for the fiscal years ending June 30, 1924, and June 30, 1925; the sum of $2,500,000 for the fiscal year ending June 30, 1926; and the sum of $2,500,000 for the fiscal year ending June 30, 1927.

SEC. 3. That the Secretary of Agriculture is authorized to reserve from distribution to the several States, in addition to the 10 per cent authorized by section 5 of the act of November 10, 1921 (42 Stat. L., p. 213), not exceeding 5 per cent of the material, equipment, and supplies hereafter received from the Secretary of War, and to transfer said material, equipment, and supplies to the Secretary of the Interior for use in constructing, reconstructing, improving, and maintaining roads and trails in the national parks and monuments: *Provided*, That no charge shall be made for such transfer except such sums as may be agreed upon as being reasonable charges for freight, handling, and conditioning for efficient use.

Approved April 9, 1924.

Now, why should we go outside of this legislation at this time, when we are daily enjoined to practice strict Government economy, and appropriate an additional $100,000, as the House amendment proposes to do, for the purchase of the Bright

Angel Trail to gratify certain monopolistic interests in my State?

Mr. President, I maintaL further that there is a deeper issue involved here than the mere sale of the Bright Angel Trail. There is involved in the settlement of this matter the sacred and inviolable right of a Senator to voice the sentiments of his home State and to represent and guard the rights of his constituency in this body, and if we sanction the proposition that a Member of the other House from a far-distant State can dictate to this body in matters of legislation affecting a Senator's home State, against the Senator's vigorous protest, we are establishing a precedent for all time, and one that I warn Senators we will live to regret.

Mr. President, I am most conscious of my present position in any further attempt to send this bill back to conference, because Congress is scheduled to adjourn this week. Because of this fact I do not want to assume the responsibility of continuing the good fight on this obnoxious and un-American provision. To do so might imperil the whole Interior Department appropriation bill, which carries many important items affecting my State, and its passage is eagerly awaited by my good friends on this floor who have similar interests. However, let it be not forgotten that I know how well fate has played against the people of Coconino County through these circumstances which were seized upon by this same individual at the other end of the Capitol to force through his selfish and un-American amendment. The people of Coconino County will carry their fight to the courts, where individuals are all alike, and in the courts every right will be protected. It is a sorry day when a Congress can be so ruthless as to subscribe to such a strong-arm proposition, and, needless to say, we are sadly disappointed in the conferees of the Senate in overlooking these undeniable facts and subscribing to the House amendment in the face of previous overwhelming votes of this Chamber sustaining my position.

It was a surrender of justice and right in order to appease the venom of this same individual. My fight shall continue, my conscience is clear, the responsibility for this amendment rests with others. Mr. President, we are lectured here day by day on economy, popular will of the people, and Republican ideals by those who subscribe to this outrage. Here is an attempt to waste $100,000 in my State which is secured through sheer coercion, yet when we ask for proper relief for the farmers of Yuma Valley in my State with which to fight the awful farm pests we are given only a few thousand; when we ask for adequate amounts to fight the terrible diseases now destroying our great livestock industry we are similarly treated. The word "consistency" becomes obsolete and is replaced with the individual floutings of ruthless power. I have made my fight for right and justice; a fight single-handed and alone; a fight of which I am very proud; a fight to protect my neighbors and old-time friends of dear old Coconino County which already stands disfigured and scarred because of Government withdrawals and intrusions; a fight, although lost in the first round, it is one which gives us greater courage to carry on until our interests are undenied.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

RELIEF OF DISTRESS IN GERMANY

Mr. LA FOLLETTE. Mr. President, I desire at this time to give notice of a motion to discharge the Committee on Foreign Relations from the further consideration of House Joint Resolution 180, for the relief of the distressed and starving women and children of Germany.

The PRESIDING OFFICER. The notice will be entered.

VOCATIONAL REHABILITATION

Mr. FESS. Mr. President, I ask unanimous consent for the present consideration of House bill 5478, to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio?

Mr. KING. With the understanding that the amendments to be suggested are to be adopted, I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. KING. Let the amendments be reported.

Mr. FESS. I ask that the amendments I send to the desk be stated in their order.

The amendments submitted by Mr. FESS were, on page 2, line 4, after the word "for," to insert the words "each of"; on line 4 to strike out the word "year" and insert in lieu thereof the word "years"; at the end of line 4, after the numerals "1925," to strike out the comma and insert the words "and June 30, 1926"; on line 5 to strike out the words "and thereafter for a period of three years, the sum"; on line 6 to strike out the word "annually"; on line 14 to strike out the word "year" and insert in lieu thereof the word "years"; on line 14, after the numerals "1925," to strike out the comma and to insert the words "and 1926"; on line 14 to strike out the words "and annually thereafter for a period of three years"; on page 5, line 8, to strike out "four" and to insert in lieu thereof "two," so as to make the bill read:

Be it enacted, etc., That effective on and after July 1, 1924, sections 1, 3, and 6 of the act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, are hereby amended to read as follows:

"SECTION 1. That in order to provide for the promotion of vocational rehabilitation of persons disabled in industry or in any legitimate occupation and their return to civil employment there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this act, for the purpose of cooperating with them in the maintenance of vocational rehabilitation of such disabled persons, and in returning vocationally rehabilitated persons to civil employment for each of the fiscal years ending June 30, 1925, and June 30, 1926, $1,000,000. Said sums shall be allotted to the States in the proportion which their population bears to the total population in the United States, not including Territories, outlying possessions, and the District of Columbia, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall not be less than a minimum of $5,000 for any fiscal year. And there is hereby authorized to be appropriated for the fiscal years ending June 30, 1925 and 1926, the sum of $34,000, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section.

"All moneys expended under the provisions of this act from appropriations authorized by section 1 shall be upon the condition (1) that for each dollar of Federal money expended there shall be expended in the State, under the supervision and control of the State board, at least an equal amount for the same purpose: *Provided*, That no portion of the appropriations authorized by this act shall be used by any institution for handicapped persons except for the special training of such individuals entitled to the benefits of this act as shall be determined by the Federal board; (2) that the State board shall annually submit to the Federal board for approval plans showing (a) the kinds of vocational rehabilitation and schemes of placement for which it is proposed the appropriation shall be used; (b) the plan of administration and supervision; (c) course of study; (d) methods of instruction; (e) qualifications of teachers, supervisors, directors, and other necessary administrative officers or employees; (f) plans for the training of teachers, supervisors, and directors; (3) that the State board shall make an annual report to the Federal board on or before September 1 of each year on the work done in the State and on the receipts and expenditures of money under the provisions of this act; (4) that no portion of any moneys authorized to be appropriated by this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, preservation, erection, or repair of any building or buildings or equipment, or for the purchase or rental of any lands; (5) that all courses for vocational rehabilitation given under the supervision and control of the State board and all courses for vocational rehabilitation maintained shall be available, under such rules and regulations as the Federal board shall prescribe, to any civil employee of the United States disabled while in the performance of his duty.

"SEC. 3. That in order to secure the benefits of the appropriations authorized by section 1, any State shall, through the legislative authority thereof, (1) accept the provisions of this act; (2) empower and direct the board designated or created as the State board for vocational education to cooperate in the administration of the provisions of the vocational education act, approved February 23, 1917, to cooperate as herein provided with the Federal Board for Vocational Education in the administration of the provisions of this act; (3) in those States where a State workmen's compensation board, or other State board, department, or agency exists, charged with the administration of the State workmen's compensation or liability laws, the legislature shall provide that a plan of cooperation be formulated between such State board, department, or agency and the State board charged with the administration of this act, such plan to be effective when approved by the governor of the State; (4) provide for the supervision and support of the courses of vocational rehabilitation to be provided by the State board in carrying out the provisions of this act; (5) appoint as custodian for said appropriations its State treasurer, who shall receive and provide for the proper custody and disbursement of all money paid to the State from said appropriations: *Provided*, That any State which, prior to June 30,

1924, has accepted and otherwise complied with the provisions of the act of June 2, 1920, shall be deemed to have accepted and complied with the provisions of this amendment to said act.

"SEC. 6. That there is hereby authorized to be appropriated to the Federal Board for Vocational Education the sum of $75,000 annually for a period of two years, commencing July 1, 1924, for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and for the administrative expenses of said board incident to performing the duties imposed by this act, including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere as the board may deem necessary, actual traveling and other necessary expenses incurred by the members of the board and by its employees, under its orders, including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia and elsewhere, purchase of books of reference, law books, and periodicals, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding to be done at the Government Printing Office, and all other necessary expenses.

"A full report of all expenses under this section, including names of all employees and salaries paid them, traveling expenses, and other expenses incurred by each and every employee and by members of the board, shall be submitted annually to Congress by the board."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PENSIONS AND INCREASE OF PENSIONS

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 6941.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6941) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, which had been reported from the Committee on Pensions with amendments.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Edwards	King	Robinson
Ashurst	Ernst	Ladd	Sheppard
Ball	Fernald	La Follette	Shields
Bayard	Ferris	Lodge	Shipstead
Borah	Fess	McKellar	Shortridge
Brandegee	Fletcher	McKinley	Simmons
Brookhart	Frazier	McLean	Smith
Broussard	George	McNary	Smoot
Bruce	Gerry	Mayfield	Spencer
Bursum	Glass	Moses	Stanfield
Cameron	Gooding	Neely	Stephens
Capper	Hale	Norbeck	Sterling
Caraway	Harreld	Norris	Swanson
Colt	Harrison	Oddie	Trammell
Copeland	Heflin	Overman	Underwood
Couzens	Howell	Owen	Wadsworth
Cummins	Johnson, Calif.	Pepper	Walsh, Mass.
Curtis	Johnson, Minn.	Phipps	Walsh, Mont.
Dale	Jones, N. Mex.	Pittman	Warren
Dial	Jones, Wash.	Ransdell	Watson
Dill	Kendrick	Reed, Mo.	Weller
Edge	Keyes	Reed, Pa.	Willis

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

FINAL ADJOURNMENT

Mr. LODGE. Mr. President, I ask the Chair to lay before the Senate the concurrent resolution from the House of Representatives with reference to final adjournment.

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution No. 27, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 7th day of June, 1924, at 7 o'clock p. m.

Mr. LODGE. I move that the Senate concur in the resolution of the House.

Mr. LA FOLLETTE. Mr. President, I call up the concurrent resolution which I offered yesterday and as to which I gave notice that I would present it as a substitute for the proposed concurrent resolution. I now offer it as a substitute.

The PRESIDING OFFICER. The Senator from Wisconsin offers the following substitute.

Mr. LA FOLLETTE. First I will ask to have it read.

The PRESIDING OFFICER. It will be read.

The concurrent resolution (S. Con. Res. 14) submitted by Mr. LA FOLLETTE yesterday was read, as follows:

Whereas the Secretary of Agriculture has reported that in the 15 wheat States alone more than 108,000 farmers have since 1920 lost their farms or other property through foreclosures or bankruptcy, over 122,000 have lost their property without legal proceedings, and nearly 373,000 have retained their property only through the leniency of creditors, making a total of 602,000 farmers, or 26 per cent of all, who are virtually bankrupt in these 15 States; and

Whereas the conditions are even more appalling in particular States, as, for example, in South Dakota, where, according to the Secretary of Agriculture, 40 per cent of all farmers are virtually bankrupt; Colorado, 42 per cent; North Dakota, 50 per cent; Wyoming, 51 per cent; and Montana, 62 per cent; and

Whereas as a result of this acute agricultural distress during the four years, 1920 to 1923, 1,357 State and National banks have failed, with total liabilities of more than $500,000,000; and

Whereas during the first three months of the present year 265 banks failed, with total liabilities of $100,275,600, or at the unprecedented rate of 1,060 bank failures for the year; and

Whereas this constitutes conclusive evidence that the alarming conditions in the agricultural States above described are not only increasing but threaten the financial and commercial stability of the entire Nation:

Resolved by the Senate (the House of Representatives concurring), That when the two Houses complete the business of the calendar day of Saturday, June 7, 1924, they shall stand adjourned until 12 o'clock meridian Monday, July 7, 1924; and

Resolved further, That when the Congress reconvenes on July 7, 1924, the two Houses shall proceed to consider and vote upon the following measures in the order named: (1) Emergency legislation for the relief of agriculture; (2) the Howell-Barkley bill for the settlement of disputes between carriers and their employees; (3) amendment of the rate-making sections of the transportation act; and (4) reclamation relief legislation.

Mr. NORRIS. Mr. President, I want to make a suggestion to the Senator from Wisconsin. I have examined the resolution which he has offered as a substitute, and he has included several definite measures that the Congress shall consider if the resolution is adopted. There is not included in the list, however, the Muscle Shoals proposition. I want to offer an amendment—or perhaps if I suggest it, the Senator may accept it—that he add to the list of measures the settlement of the Muscle Shoals question.

Mr. LODGE. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The Senator will state the point of order.

Mr. LODGE. I make the point of order, first, that the House concurrent resolution is not amendable. A resolution of adjournment never is amendable. I make the further point of order that it is not debatable and that the resolution not being debatable and being privileged, it can not be debated under the guise of an amendment. That would destroy what has been the accepted rule in regard to such resolutions. Finally, the amendment that is offered clearly is out of order in the last clause, if the Chair will take the trouble to look at it. In the last clause of the substitute resolution it undertakes and in fact does, if it has the power to do so, alter the rules of both the House and the Senate, which I think can not be done by a resolution of adjournment.

The PRESIDING OFFICER. Will the Senator state in what particular it tends to alter the rules? The Chair has not the resolution before him.

Mr. LODGE. It reads:

Resolved further, That when the Congress reconvenes on July 7, 1924, the two Houses shall proceed to consider and vote upon the following measures in the order named: (1) Emergency legislation for the relief of agriculture; (2) the Howell-Barkley bill for the settlement of disputes between carriers and their employees; (3) amendment of the rate-making sections of the transportation act; and (4) reclamation relief legislation.

To do anything of that sort would be in violation of the rules. The rules of both Houses make different provisions for introducing, considering, and taking up measures. I do not think it is open to either House to undertake to amend the rules of the other. There are rules for dealing with all these measures which have to be observed in all legislation passed by either House.

Mr. LA FOLLETTE. Mr. President, with regard to the proposition just made by the Senator from Massachusetts I suggest that it is in the power of the two Houses to take such action

with respect to their program of legislation as they may see fit to take. This is a concurrent resolution. Action by the Senate upon it is not binding upon the House, of course, until the House concurs.

This is not an ordinary motion to adjourn, if I may be permitted to say so at this time. Most of the precedents which might be cited with regard to the amendment, by substitution or otherwise, of such a motion are not applicable to the pending motion at all. But I will await further discussion upon the proposition which is presented.

Mr. LODGE. My first point of order is that this is a motion simply to adjourn sine die and is not amendable. I never heard of a motion to adjourn being amendable.

The PRESIDING OFFICER. The Chair is of the opinion that the resolution is amendable. The Chair is also of the opinion that the latter part of the resolution is not subject to the point of order made by the Senator from Massachusetts because the other House would have to concur in it. But as to the third point of order, that it is not debatable, while the Chair's personal opinion is that it is debatable, the Presiding Officer of the Senate passed upon the proposition some time ago and held that it was not debatable. So the present occupant of the Chair, following that decision, will hold that it is not debatable. So the question is on the amendment in the nature of a substitute proposed by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. NORRIS. Mr. President, I desire to offer the amendment to which I have referred.

Mr. LA FOLLETTE. I accept the amendment offered by the Senator from Nebraska in perfection of the substitute amendment which I have offered.

The PRESIDING OFFICER. Will the Senator from Nebraska state what the amendment is which he desires to propose?

Mr. NORRIS. It is to insert as No. 5 the words "settlement of the Muscle Shoals controversy." I think that will be a sufficient designation of it.

The PRESIDING OFFICER. Does the Senator from Wisconsin so modify his amendment?

Mr. LA FOLLETTE. I modify the amendment so as to incorporate the suggestion of the Senator from Nebraska; and upon the vote upon the amendment which I have offered, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are asked for on the amendment.

The yeas and nays were ordered.

Mr. HARRISON. May I ask the Senator from Wisconsin and the Senator from Nebraska whether they will not place Muscle Shoals second on the list, putting the emergency legislation for the relief of agriculture first? The Muscle Shoals development will tend to give relief to the farmer and is right in line with agriculture; so, instead of placing it at the bottom of the list, so that the farmer may be denied the privilege of getting some cheap fertilizer, we might at least lift it up a little bit and make it second in order.

The PRESIDING OFFICER. Pursuant to the ruling a moment ago the Chair will have to hold debate to be out of order.

Mr. NORRIS. I have no objection to the suggestion of the Senator from Mississippi, and would be willing to put the Muscle Shoals measure up first.

The PRESIDING OFFICER. The question is upon the adoption of the amendment proposed by the Senator from Wisconsin.

Mr. HARRISON. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARRISON. I ask unanimous consent that the amendment offered by the Senator from Nebraska be inserted following the designation of emergency legislation for the relief of agriculture.

The PRESIDING OFFICER. That is not a parliamentary inquiry, but the Chair will present the unanimous-consent request of the Senator from Mississippi. The Senate has heard the request. Is there objection?

Mr. LA FOLLETTE. Probably having the right to perfect the amendment which I have offered, I accept the suggestion of amendment as made by the Senator from Nebraska, the amendment to be made at the point indicated by him.

The PRESIDING OFFICER. And that the amendment be inserted as No. 5, as suggested by the Senator from Nebraska. The Chair will now inquire, Is there objection to the request of the Senator from Mississippi?

Mr. MOSES. I object.

The PRESIDING OFFICER. The Chair hears an objection to the request.

Mr. HEFLIN. Who made the objection?

Mr. MOSES. The senior Senator from New Hampshire objected.

The PRESIDING OFFICER. The question is on the adoption of the substitute, as modified, proposed by the Senator from Wisconsin, on which the yeas and nays have been ordered.

Mr. HARRISON. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARRISON. I am a little bit confused as to where the Muscle Shoals proposition comes in.

The PRESIDING OFFICER. It comes in as No. 5, as the Chair understands, in the amendment of the Senator from Wisconsin. The question is on the amendment as modified proposed by the Senator from Wisconsin. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. ERNST (when his name was called). I have a general pair with the Senator from Kentucky [Mr. STANLEY]. I transfer that pair to the senior Senator from Vermont [Mr. GREENE], and vote "nay."

The roll call was concluded.

Mr. OWEN. I transfer my pair with the Senator from Illinois [Mr. MCCORMICK] to the junior Senator from Montana [Mr. WHEELER], and vote "yea."

Mr. GERRY. I desire to announce the unavoidable absence of the junior Senator from Indiana [Mr. RALSTON].

The result was announced—yeas 36, nays 47.

Mr. LODGE. Mr. President, I ask that the vote just taken be recapitulated. I think there was a mistake in the total.

Mr. LA FOLLETTE. I suggest that the vote be recapitulated. I think there is some misunderstanding about how Senators are recorded.

The PRESIDENT pro tempore. The Secretary will recapitulate the vote.

The reading clerk recapitulated the vote.

Mr. NORRIS. I inquire how I am recorded.

The PRESIDENT pro tempore. The Senator from Nebraska is recorded as voting in the affirmative.

Mr. LA FOLLETTE. Mr. President, I hope there is no misunderstanding about how I am recorded. [Laughter.]

The PRESIDENT pro tempore. The Senator from Wisconsin is recorded as voting in the affirmative.

On a recapitulation the result was announced—yeas 36, nays 52, as follows:

YEAS—36

Adams	Gooding	Ladd	Pittman
Ashurst	Harrison	La Follette	Sheppard
Borah	Heflin	McKellar	Shields
Brookhart	Howell	McNary	Shipstead
Capper	Johnson, Calif.	Mayfield	Stanfield
Copeland	Johnson, Minn.	Neely	Trammell
Dill	Jones, N. Mex.	Norbeck	Underwood
Fletcher	Jones, Wash.	Norris	Walsh, Mass.
Frazier	Kendrick	Owen	Walsh, Mont.

NAYS—52

Ball	Dial	King	Shortridge
Bayard	Edge	Lodge	Simmons
Brandegee	Edwards	McKinley	Smith
Broussard	Ernst	McLean	Smoot
Bruce	Fernald	Moses	Spencer
Bursum	Ferris	Oddie	Stephens
Cameron	Fess	Overman	Sterling
Caraway	George	Pepper	Swanson
Colt	Gerry	Phipps	Wadsworth
Couzens	Glass	Ransdell	Warren
Cummins	Hale	Reed, Mo.	Watson
Curtis	Harreld	Reed, Pa.	Weller
Dale	Keyes	Robinson	Willis

NOT VOTING—8

Elkins	Harris	McCormick	Stanley
Greene	Lenroot	Ralston	Wheeler

So Mr. LA FOLLETTE's amendment as modified was rejected.

The PRESIDENT pro tempore. The question is upon concurring in the concurrent resolution.

Mr. JONES of Washington. On that I call for the yeas and nays.

Mr. FRAZIER. Mr. President——

Mr. LODGE. It is not debatable.

Mr. FRAZIER. I move to amend the concurrent resolution by striking out "7th" and inserting "21st," so that it will read "June 21st."

Mr. LODGE. I make the point of order that a motion to adjourn sine die is not amendable.

Mr. LA FOLLETTE. The Chair has already decided that, I suggest.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. ASHURST. Mr. President, I appeal from the decision of the Chair.

Mr. LA FOLLETTE. Mr. President, the Chair upon the other vote decided that question the other way, and we would like to know what consistency is to be the standard of the decisions of the Chair. My offer of the amendment was accepted as being within the rule, and not in violation of any rule of the Senate. Precisely a similar offer of an amendment is made by the Senator from North Dakota and now held out of order.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. LA FOLLETTE. I yield.

Mr. ASHURST. With the Chair's indulgence—I know that the Chair wishes to do what is absolutely right and fair—there are a number of precedents that settle the matter. Let Senators turn to the Precedents, by Mr. Gilfry, page 22:

AMENDING MOTIONS FOR ADJOURNMENT

A motion simply to adjourn can not be amended.

This is not simply a motion to adjourn.

The instances are too numerous to cite where the Senate has amended motions or resolutions fixing a day certain to which adjournment shall be taken. Concurrent resolutions proposing adjournments over the Christmas holidays have most frequently been amended. Resolutions of this character, fixing the time for the final adjournment of a session of Congress, have sometimes been amended, reconsidered, and amended again; and then, after having been agreed to in both Houses, a concurrent resolution has been necessarily resorted to for further extending the time of the session.

The PRESIDENT pro tempore. The Chair has no doubt whatever about the proposition made by the Senator from Arizona. A resolution for final adjournment is amendable, of course; but the amendment of the Senator from Wisconsin was voted upon and voted down, and there is no amendment——

Mr. ASHURST. Oh, yes; the Senator from North Dakota [Mr. FRAZIER] proposed an amendment to the concurrent resolution. I beg the Chair's pardon. The Senator from North Dakota proposed an amendment to the concurrent resolution, to strike out "7th" and insert "21st." I am sure the distinguished occupant of the Chair will readily reverse his attitude when he understands the condition that exists.

The PRESIDENT pro tempore. The Chair entirely misunderstood the amendment proposed by the Senator from North Dakota. The Chair supposed he was endeavoring to amend the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. ASHURST. No.

The PRESIDENT pro tempore. As at present advised, the Chair overrules the point of order. The question is upon agreeing to the amendment offered by the Senator from North Dakota to the concurrent resolution.

Mr. LA FOLLETTE. I call for the yeas and nays upon that amendment.

Mr. LODGE. I ask that the amendment be stated again.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. The Senator from North Dakota proposes to strike out "7th" and insert "21st," so that it will read:

by adjourning their respective Houses on the 21st day of June, 1924.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from North Dakota. On that amendment the yeas and nays have been demanded.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. ERNST (when his name was called). Making the same announcement as before, I vote "nay."

The roll call was concluded.

Mr. OWEN. I transfer my pair to the Senator from Montana [Mr. WHEELER], and will vote. I vote "yea."

Mr. GERRY. I desire to announce the unavoidable absence of the Junior Senator from Indiana [Mr. RALSTON].

The result was announced—yeas 35, nays 53, as follows:

YEAS—35

Ashurst	Harrison	La Follette	Sheppard
Borah	Heflin	McKellar	Shields
Brookhart	Howell	McNary	Shipstead
Capper	Johnson, Calif.	Mayfield	Stanfield
Copeland	Johnson, Minn.	Neely	Trammell
Dill	Jones, N. Mex.	Norbeck	Underwood
Fletcher	Jones, Wash.	Norris	Walsh, Mass.
Frazier	Kendrick	Owen	Walsh, Mont.
Gooding	Ladd	Pittman	

NAYS—53

Adams	Broussard	Caraway	Curtis
Ball	Bruce	Colt	Dial
Bayard	Bursum	Couzens	Edge
Brandegee	Cameron	Cummins	Edwards
Ernst	King	Ransdell	Sterling
Fernald	Lenroot	Reed, Mo.	Swanson
Ferris	Lodge	Reed, Pa.	Wadsworth
Fess	McKinley	Robinson	Warren
George	McLean	Shortridge	Watson
Gerry	Moses	Simmons	Weller
Glass	Oddie	Smith	Willis
Hale	Overman	Smoot	
Harreld	Pepper	Spencer	
Keyes	Phipps	Stephens	

NOT VOTING—8

Dale	Greene	McCormick	Stanley
Elkins	Harris	Ralston	Wheeler

So Mr. FRAZIER's amendment was rejected.

The PRESIDENT pro tempore. The question is upon concurring in the concurrent resolution.

Mr. JONES of Washington. I call for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. ERNST (when his name was called). Making the same transfer as on the last vote, I vote "yea."

Mr. OWEN (when his name was called). Making the same announcement as before, I vote "nay."

The roll call was concluded.

Mr. GERRY. I desire to announce the unavoidable absence of the junior Senator from Indiana [Mr. RALSTON].

The result was announced—yeas 53, nays 36, as follows:

YEAS—53

Ball	Edge	Lodge	Smith
Bayard	Edwards	McKinley	Smoot
Brandegee	Ernst	McLean	Spencer
Broussard	Fernald	Moses	Stephens
Bruce	Ferris	Oddie	Sterling
Bursum	Fess	Overman	Swanson
Cameron	George	Pepper	Wadsworth
Caraway	Gerry	Phipps	Warren
Colt	Glass	Ransdell	Watson
Couzens	Hale	Reed, Mo.	Weller
Cummins	Harreld	Reed, Pa.	Willis
Curtis	Keyes	Robinson	
Dale	King	Shortridge	
Dial	Lenroot	Simmons	

NAYS—36

Adams	Gooding	Ladd	Pittman
Ashurst	Harrison	La Follette	Sheppard
Borah	Heflin	McKellar	Shields
Brookhart	Howell	McNary	Shipstead
Capper	Johnson, Calif.	Mayfield	Stanfield
Copeland	Johnson, Minn.	Neely	Trammell
Dill	Jones, N. Mex.	Norbeck	Underwood
Fletcher	Jones, Wash.	Norris	Walsh, Mass.
Frazier	Kendrick	Owen	Walsh, Mont.

NOT VOTING—7

Elkins	Harris	Ralston	Wheeler
Greene	McCormick	Stanley	

So House Concurrent Resolution No. 27, fixing the date of final adjournment on June 7, 1924, was concurred in.

MUSCLE SHOALS

Mr. UNDERWOOD. Mr. President, the concurrent resolution of the two Houses providing for a final adjournment having now been passed, and the hour fixed, the attitude of some of the Senators who disagreed with my proposal this morning may be changed. I think the matter of allowing the plant at Muscle Shoals to be put in operation at an early hour through one process or another is so important, and that legislation by the Congress on the subject is so proper, that I renew my request for unanimous consent that immediately upon the disposition of the two pension bills, which are now the unfinished business of the Senate, House bill 518 be taken up immediately for consideration by the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama?

Mr. LA FOLLETTE. Let the request be stated so that it can be heard by the Senate. What is the request?

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent that when the special order, which is now the unfinished business, is disposed of, the Senate shall proceed to the consideration of House bill 518.

Mr. LA FOLLETTE. Mr. President, with agriculture generally throughout the country in dire distress, the facts of which have been presented to the Senate, I feel compelled, as representing one of the States included within the agricultural region so affected, to oppose any request for the consideration of other legislation than legislation which will relieve agriculture.

The PRESIDENT pro tempore. Objection is made.

CUMBERLAND RIVER BRIDGE, KENTUCKY

Mr. LADD. I report back favorably with amendments from the Committee on Commerce the bill (S. 3380) to grant the consent of Congress to the Cincinnati, New Orleans & Texas Pacific Railway Co. to construct, maintain, and operate a new bridge across the Cumberland River, in the county of Pulaski, State of Kentucky, near the town of Burnside, and I submit a

report (No. 710) thereon. I ask unanimous consent for the present consideration of the bill.

Mr. ROBINSON. I desire to have a statement from the Senator presenting the bill as to what it relates to.

Mr. UNDERWOOD. I will say to the Senator from Arkansas that a constituent of mine brought forward this bill, which is to allow a railroad company to build a bridge over the Cumberland River, in Kentucky, in place of a worn-out bridge.

Mr. ROBINSON. I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. The amendments were, on page 1, line 7, before the word "bridge," to strike out the word "new," and in line 8, after the word "River," to insert "at a point suitable to the interests of navigation," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Cincinnati, New Orleans & Texas Pacific Railway Co., lessee of the Cincinnati Southern Railway, and to its successors and assigns, to construct, maintain, and operate a bridge and the approaches thereto across the Cumberland River, at a point suitable to the interests of navigation, in the county of Pulaski, in the State of Kentucky, near the town of Burnside, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to grant the consent of Congress to the Cincinnati, New Orleans & Texas Pacific Railway Co. to construct, maintain, and operate a bridge across the Cumberland River, in the county of Pulaski, State of Kentucky, near the town of Burnside."

FEDERAL IRRIGATION DEVELOPMENT

Mr. GOODING. Mr. President, I wish to give the following notice.

The PRESIDENT pro tempore. The Senator from Idaho sends to the desk a notice, which the Secretary will read.

The reading clerk read as follows:

I hereby give notice that when the general deficiency bill, House bill 9559, is under consideration in the Senate, I shall move to suspend Senate Rule XVI, and especially the clause of said rule prohibiting amendments proposing general legislation to general appropriation bills, for the purpose of offering as an amendment to said bill the following:

Insert at the proper place, Senate bill 3872, "to provide safeguards for future Federal irrigation development and an equitable adjustment of existing accounts of Federal irrigation projects, and for other purposes."

ALIEN PROPERTY TRADE INVESTMENT CORPORATION

Mr. DIAL. Mr. President, I move that we take up Senate Joint Resolution 121, to create a body corporate by the name of the "Alien Property Trade Investment Corporation."

Mr. President, we have now fixed an hour for the final adjournment of Congress. We have been talking for a long time of trying to devise some way for helping agriculture. This is a joint resolution which was unanimously reported——

Mr. NEELY. Mr. President, I wish to make a point of order. The unfinished business of the Senate is the omnibus pension bill. I make a point of order that the Senator from South Carolina is out of order and can not interrupt the special order at this time.

The PRESIDENT pro tempore. The point of order is overruled.

Mr. DIAL. Mr. President, this is a joint resolution which was unanimously reported by the Committee on Agriculture and Forestry. It is simple and it will aid agriculture in this country to a very great degree. If we expect to pass anything to help the farmers of the country, now is the time, and we should pass this joint resolution and let it go to the House and become a law at the present session. That is the only practical way I see of accomplishing the desired result, and I hope the Senate will take it up.

Mr. BURSUM. I rise to inquire whether or not the unfinished business has been laid before the Senate.

The PRESIDENT pro tempore. Undoubtedly it has.

Mr. BURSUM. It is now before the Senate?

The PRESIDENT pro tempore. If the Senate proceeds to the consideration of the joint resolution mentioned by the Senator from South Carolina, the unfinished business will be displaced.

Mr. BURSUM. Therefore, unless it is the desire of the Senate to set aside the unfinished business, the vote upon the motion will be in the negative.

The PRESIDENT pro tempore. That would seem to follow.

Mr. DIAL. Mr. President, it behooves us to try to help the people of the country to make some money instead of trying to appropriate all the money there is in the Treasury through pension bills. It is our duty to pass something along this line and let the Senator take up his pension bill later. We ought to pass this anyway.

The PRESIDENT pro tempore. The question is upon agreeing to the motion of the Senator from South Carolina.

Mr. DIAL. I ask for the yeas and nays.

The yeas and nays were not ordered.

The motion was rejected.

PENSIONS AND INCREASE OF PENSIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6941) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The PRESIDENT pro tempore. The Secretary will proceed with the reading of the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Pensions was, on page 2, to strike out lines 5 to 8, inclusive, in the following words:

The name of Marietta Bishop, former widow of Henry H. Crocker, late of Company A, One hundred and twenty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

Mr. KING obtained the floor.

Mr. BAYARD. Mr. President, will the Senator from Utah yield to me a moment?

Mr. KING. I yield.

Mr. BAYARD. I ask unanimous consent to call up calendar No. 746, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The Senator from Delaware asks unanimous consent for the present consideration at this time of Order of Business No. 746, House bill 4985. Is there objection?

Mr. WILLIS. I object, not because I oppose calendar No. 746, a bill the passage of which I favor, but because it would displace the pension bill, the unfinished business.

The PRESIDENT pro tempore. Objection is made.

REVISED ANNOTATED CONSTITUTION

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Concurrent Resolution No. 16, reported it favorably without amendment.

Mr. BRANDEGEE. Mr. President, this is a concurrent resolution authorizing a reprint of the Constitution of the United States as annotated, bringing it down to date. The document is in great demand by all the Members of Congress.

Mr. KING. I do not see the necessity for it, but I hope the Senator will add as an annotation the act of the Senate on yesterday in trying to abrogate the Constitution.

Mr. ROBINSON. Mr. President, what is it all about? I hope the Senator will suspend until conversation has ceased.

Mr. BRANDEGEE. It is a concurrent resolution authorizing the Committee on the Judiciary to bring down to date the publication known as the Constitution of the United States annotated. It is desired by Members of Congress of both Houses, and it is the intention to have a new index and the whole matter brought down to date. The concurrent resolution authorizes the printing of a new edition.

Mr. ROBINSON. How far behind is the present edition?

Mr. BRANDEGEE. It is several years behind. This is a unanimous report from the Committee on the Judiciary.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

Mr. BURSUM. I reserve the right to object if there is to be any debate.

Mr. BRANDEGEE. If it causes debate I will withdraw it.

The concurrent resolution was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That 5,000 additional copies of the revised annotated Constitution be printed for the use of the Congress, 1,500 copies for the Senate and 3,500 copies for the House of Representatives, and that the Senate

Committee on the Judiciary be, and it is hereby, authorized to employ a competent person to assist in bringing the same up to date, his compensation to be paid out of the contingent fund of the Senate: *Provided*, That the Public Printer shall print not more than 10,000 additional copies of said revised annotated Constitution and offer the same for sale at the cost of printing and binding, plus 10 per cent, to persons who agree not to resell or distribute the same for profit.

THE LAUSANNE TREATY AND THE CHESTER OIL CONCESSION

Mr. KING. Mr. President, the American people are profoundly interested in the Lausanne treaty recently transmitted to the Senate by the President of the United States. This is a treaty between our Government and Turkey. It is pending before the Senate Committee on Foreign Relations. What its action will be I have not been advised.

In view of the deep interest which the American people have in the matter with which this treaty deals, and in view of the unsatisfactory character of the treaty and the suspicious circumstances attending its negotiation, I have felt constrained to submit the following resolution:

Whereas the United States and the allied nations, following the World War, contended for the establishment of an Armenian State, the return to Greece of territory to which she was entitled, and the protection of Christian minorities residing within Turkish territory; and

Whereas the treaty of Sevres made provisions for the realization of such contention, and an independent Armenian State was set up, and certain territory to which Greece was entitled was restored to her; and

Whereas President Harding, on the 8th day of November, 1922, gave assurance that "everything which may be done will be done to protect the Armenian people and preserve to them the rights which the Sevres treaty undertook to bestow"; and

Whereas Turkey repudiated said treaty and joined with Soviet Russia in the destruction of the Armenian State, brutally murdered hundreds of thousands of Armenians, drove those remaining in Anatolia and in Turkish Armenia from their homes, and confiscated their property, massacred hundreds of thousands of persons of Hellenic descent who were residing in Anatolia and Thrace and expelled more than a million others from their homes and appropriated their property; and

Whereas the United States participated in the Lausanne Conference which met on November 20, 1922, and prior to its meeting the Secretary of State laid down seven conditions to be complied with before any treaty would be entered into by the United States with the Turkish Government; and

Whereas Ambassador Child, the American official observer, declared before the Lausanne conference in December, 1922, a number of the essential conditions laid down by the Secretary of State and implied in the assurance given by President Harding; and

Whereas a treaty with Turkey was negotiated by the United States August 6, 1923, which abandons the essential conditions announced by Secretary Hughes and indicated in the assurances of President Harding, and is tantamount to a betrayal of Armenia; and

Whereas certain concessions, commonly called the Chester oil concessions, were obtained by citizens of the United States, and it is claimed that said concessions were granted by the Angora or Turkish Government prior to the negotiation of the Lausanne treaty, and were a matter of consideration in the negotiation of said treaty, and were potential in bringing about a treaty which was unfavorable to the United States and its citizens and contrary to the position taken by the officials of our Government with respect to Turkey and the Christian minorities therein and with respect to Armenia; and

Whereas said treaty so negotiated has been transmitted by the President of the United States to the Senate for its action thereon, and the same is now pending before the Committee on Foreign Relations of the Senate; and

Whereas no hearings have been had upon said treaty, and no information has been submitted by the State Department with reference to the matters herein referred to or justifying the ratification of said treaty; and

Whereas the Turkish Government, both before and since the signing of said treaty, has exhibited a contemptuous disregard of treaty obligations and has continued its cruel and despotic course toward Christian minorities within its borders, and has expelled more than a million persons of Greek descent and hundreds of thousands of Armenians, more than a million and a quarter of whom have taken refuge in Greece and are now the recipients of financial and other aid from the people of the United States, as well as from other countries; and

Whereas the American people are profoundly interested in all questions affecting the Near East, and particularly the Armenians and the Christian minorities who have resided within the Turkish Empire, and are desirous of knowing the facts surrounding the negotiation of said treaty of Lausanne and the present conditions in the Turkish Empire, and whether or not it is a Government worthy of being recognized by the United States, and is competent to discharge its international obligations and is willing to conform to the standards which should guide civilized nations in their relations: Therefore be it

Resolved, That the Committee on Foreign Relations be, and is hereby, directed to inquire into the matters and things herein recited, and particularly to ascertain—

(A) What reasons led to the abandonment of the conditions laid down by the Secretary of State October 30, 1922, as conditions precedent to the negotiation of a treaty with Turkey and to the disregard of the assurances contained in the statement of President Harding under date of November 8, 1922.

(B) What, if any, action was taken by the State Department in procuring, preserving, or protecting the Chester oil concessions.

(C) What action, if any, was taken by the State Department in organizing or reorganizing the Ottoman Development Co. or any other company to take over and hold any rights obtained under such concession, or what action was taken by said department in the control of the stock or the selection of any officers of said company.

(D) What instructions, if any, were given by the State Department to the representatives of the United States at the Lausanne Conference in connection with said Chester oil concessions or said Ottoman Development Co., and what correspondence was had between the State Department and said representatives concerning said oil concessions.

(E) Whether it is a fact that the American representatives at the Lausanne conference cordially supported the Allies in the Lausanne Conference prior to the ratification of the Chester concessions, April 10, 1923, and thereafter supported the position of the Turkish representatives as against the Allies in favor of the abrogation of capitulations and the abandonment of the conditions announced by the Secretary of State as essential terms of any treaty with Turkey.

(F) What causes led to the abandonment by American representatives at the Lausanne Conference of the position theretofore taken by the State Department and by President Harding, and what reasons led to the signing by the American representatives of the Lausanne treaty?

(G) What discussions ensued at the Lausanne conference concerning the Chester concessions or the Ottoman Development Co., and what notes or other communications were exchanged between the State Department and the representatives of the United States at said conference, or between the representatives of the United States and the representatives of the Turkish Government concerning said concessions; also what conversations occurred between the representatives of the Turkish Government and the United States respecting said treaty, and particularly with reference to said Chester concessions, or any other concessions with respect to oil or railroads within Turkish territory?

The resolution (S. Res. 245) was ordered to lie on the table and to be printed.

Mr. KING. The resolution which I have offered calls for an investigation of the conduct of the State Department in connection with the so-called Chester oil concession, and also an investigation of the part which that concession and its promoters played in the initiation and negotiation, by this Government, of the treaty of Lausanne, with Turkey, which was signed August 6, 1923.

May I add in passing that international controversies have arisen in the efforts of nations to obtain oil lands and oil concessions and to exploit the natural resources of other countries.

The Lausanne treaty has been characterized by 107 representative Americans, including three former ambassadors to Turkey, as a purposeless and abject surrender to a military junta masquerading under the title of a republic.

It has been charged—and the facts which I shall present tend to support the charge—that the United States participated in the Lausanne Conference apparently for the sole purpose of securing and confirming the Chester oil concession, and that, in pursuance of that purpose, vested and essential rights of American nationals in Turkey were sacrificed and Armenia forsaken, if not betrayed.

Senators will recall that the relations of the United States with Turkey are based upon the treaty of 1830, which grants capitulatory rights to American nationals in Turkey, rights without which Americans could not safely engage in enterprise—missionary or commercial—in Turkey. The Turks abrogated these capitulations in 1914, and this Government protested against that arbitrary and illegal act. In 1917 the Turks severed diplomatic relations with us without provocation. When the Allies and Turkey, in 1920, made the treaty of Sevres, America declined to participate. She was not at war with Turkey and took the position that the old treaty was still in force, and that, therefore, no new treaty was necessary. This Government based its position regarding this matter upon an established principle of international law which Chancellor Kent, the great legal luminary, states in the following terms:

And it is well to be understood, at a period when alterations in the constitutions of governments and revolutions in states are familiar, that it is a clear position of the law of nations that treaties are not affected, nor positive obligations of any kind with other powers or with creditors weakened, by such mutations. A state neither loses any of its rights nor is discharged from any of its duties by a change in the form of its civil government. The body politic is still the same, though it may have a different organ of communication.

The Lausanne Conference of 1922–23 was held in order to rewrite that same Sevres treaty, and the position which America had taken in 1920, when the Sevres conference met, was still the natural and logical one for her to adhere to.

Why, then, did this Government reverse itself and participate in the Lausanne Conference? It is believed by some that its animating purpose was to secure and confirm the Chester oil concession.

Senators will recall that the Lausanne Conference met on November 20, 1923. Senators will also recall that on October 30, 1922, Secretary Hughes laid down seven conditions as a sine qua non for the acceptance by the United States of a new treaty with Turkey. They were:

1. The maintenance of the capitulations;
2. The protection, under proper guaranties, of our philanthropic, educational, and religious institutions;
3. The open door;
4. Indemnity for damages;
5. Protection of minorities;
6. Freedom of the straits; and
7. Opportunity for archæological research.

On November 8, 1922, President Harding, by letter, said:

Everything which may be done will be done to protect the Armenian people and preserve to them the rights which the Sevres treaty undertook to bestow.

At the time the conference met the Chester concession had been approved in principle by the Angora government, but was not yet formally ratified.

Let me first present a brief history of the so-called Chester concession. In 1905 Rear Admiral Colby M. Chester, commanding the *Kentucky*, was sent to Constantinople to enforce a claim for damages suffered by our missionaries during the Armenian massacres of 1896. According to a public statement by him, he was royally entertained by the Sultan, and saw, or was shown, great opportunities for American capital in Asia Minor. He returned to Constantinople the following year, in a private capacity, to advance the schemes for business exploitation which he had hatched while on an official mission. In 1909 he, with others, launched in New York, the Ottoman-American Development Co., which was reorganized in 1921, Gen. George W. Goethals becoming president and Kermit Roosevelt one of the directors. Immediately prior to the Lausanne Conference the company had reached an agreement with the minister of public works at Angora for certain concessions, which included the construction of 2,500 miles of railroads in Asia Minor, and the exploitation thereafter of all the subsoil resources within a zone of 20 miles on either side of the proposed railroads. The subsoil resources comprised chiefly the Mosul and Armenian oil. These latter, however, were claimed by England and Armenia, and that section of the railroads known as the Sivas-Samsun line was claimed by France. It was expected that the subject of the proposed concession would be brought up at the conference. The Turks were avowedly anxious to grant it to the Americans. They did not conceal their motives in the matter. They wanted the diplomatic support of America at Lausanne and, likewise, a large loan to be raised in America. They carried on in America a most active propaganda in support of their schemes. It was reliably reported that they had deposited $244,000 in a New York bank for that purpose. But the Chester group of propagandists were the outstanding spokesmen for them. It has been said that they sold themselves to be the devil's advocates. It was under these circumstances that the administration announced its intention to take part in the forthcoming Lausanne conference.

The Chester concession had been, as I have already indicated, approved in principle by the Angora Government, but was not yet formally ratified.

On December 10, 1922, Lord Curzon, in an impressive address, served notice on the Turkish delegation at Lausanne, that the Allies would insist upon the erection of a State or national home for the Armenians, and was vigorously supported by the delegates of France, Italy, and Japan. But, on December 12, Ambassador Child, our observer, contrary to the assurances of President Harding, and, obviously, acting upon instructions from the Department of State, spoke "in principle" and "unofficially" in favor of assigning a "refuge" to the Armenians. The Lausanne correspondent of Vakit, a semiofficial Turkish daily of Constantinople, in a telegram to his paper, stated that he

* * * learned from a highly placed personage that the American delegation, under the pressure of religious organizations, may find itself in the necessity of speaking, in a perfunctory way, for the Armenians.

And Vakit, in an editorial article, complimented Rear Admiral Mark L. Bristol, one of our observers at Lausanne and the American High Commissioner at Constantinople, for his—

* * * unvarying efforts in behalf of the Turks—

and expressed—

gratitude to America for the benevolent attitude of her representatives at Lausanne.

If time permitted much might be said concerning the activities of Rear Admiral Bristol in behalf of Turkey and the Turks. He has evinced a callous disregard of the rights and interests of the Armenians and the Greeks. He has not represented American sentiment, and ought to have been removed long ago from the important position which he held and still holds at Constantinople.

The deal, however, for the Chester concession, it would appear, was not yet completed, and Mr. Child, as a prudent man, must have felt that it was necessary to refrain from definite action until the Turks had "delivered the goods," for, on December 28, 1922, he addressed the conference, in part, as follows:

* * * The United States enjoys certain treaty rights which are obligations of Turkey, which can not be set aside by Turkey alone, except by repudiation. * * * Nationals of the United States have invested their personal or material fortunes in Turkey * * *. The protection upon which they have counted can not be withdrawn without the creation of an obvious injustice.

* * * The position of Turkey toward the juridical status of the foreigners and their property in Turkey, as we are now led to understand it, is that Turkey asserts that she possesses a juridical system—including not only laws but their application in her courts—which will satisfy the other nations and their nationals.

Unfortunately, this satisfaction does not appear at the moment to be a fact. The fact appears to be that the other nations and their nationals are testifying that Turkey does not offer either continuance of the existing rights or the substitution for them of a system which will safeguard foreign persons and property in Turkey.

The Allies were aware of the value and necessity of the capitulations and were earnest in their efforts to preserve them. They knew by the experience of hundreds of years that the venal Turkish courts and the oppressive and corrupt Turkish police would make it impossible for their nationals to continue in business in Turkey. They informed the Turks that they would not surrender these vested and essential rights, and they naturally expected the United States to support their position in the matter, since her national interests were identical.

The Allies declined to make concessions to the Turks, both on the subject of the capitulations and upon the Armenian case. The conference was deadlocked largely upon these two points, and it was finally suspended on February 4, 1923.

Meanwhile, on April 10, 1923, the crafty Turks ratified the Chester concession. The conference was resumed on April 23, 1923, and the American observers, who, during the first session of the conference, had supported the Allies, whole-heartedly in some matters, half-heartedly in others, transferred their support in all matters to the Turks, with the result that the Turks were enabled to impose their views and will upon the Allies.

The subject of the concessions came up on July 12, 1923, when Great Britain and France challenged the legality of the Chester concession; and we learn from an Associated Press dispatch in the New York Times that—

The active intervention of Joseph C. Grew in defense of American interests in Turkey is one reason why the Allies and Turks have been obliged to reconsider the whole question of concessions.

The evidence at hand indicates that the American observer, supported by the Turks, consummated an arrangement to which the latter and the State Department were parties, and, on August 6, 1923, signed a treaty, which is discreditable to the United States and dishonors American diplomacy.

The treaty surrenders to the Turks those American rights which our observer had claimed to be just and essential before the date of the granting of the Chester concession.

The treaty surrenders all the rights which we had under the treaty of 1830, and gains nothing in return. It puts our na-

tionals and the remnants of our missionary institutions under the "protection" of those laws which Secretary Hughes, speaking through Mr. Child, had condemned as impossible before the granting of the Chester oil concession. It surrenders all pretense of protecting the so-called minorities—in other words, the Christian and Jewish populations. Indeed, it does not even mention them.

Under the formula of the open door the treaty permits us to resume our former privilege of trading with and investing in enterprises in Turkey. But in 1913, when Turkey had an estimated population of 18,000,000—now reduced to 5,000,000—our exports to that country amounted only to $3,313,821. The treaty also grants to our archæologists the same rights which are to be enjoyed by nonexistent Turkish archæologists—if such ever exist—and it leaves the question of indemnity for damages to a later discussion. It furthermore permits our merchant vessels to pass through the Dardanelles; also, three war vessels, each not to exceed 10,000 tons, may be allowed that privilege in times of peace. The Black Sea and Mediterranean entrances of the Straits are to be demilitarized; but in time of war, Turkey, if a belligerent, "may alter the condition of demilitarization," thus making it a wholly illusory proviso.

Oscar S. Straus, who was under three administrations our ambassador to Turkey, in a speech at the Yale Club on November 24, 1923, said:

> The system of capitulations was a necessary result of the absence of a competent and even-handed judiciary. Justice was sold to the highest bidder. And a nation does not turn a new leaf overnight. * * * I congratulate the Turks on having written the best one-sided bargain in international treaty making. * * * The treaty proposes that Americans shall have the same rights in Turkey as the natives. The irony of this is that the natives have no rights. And what has Turkey hitherto done with agreements? She has never kept one and does not know how to. We would be better off without any agreement with Turkey at all. In that event our hand would be just as free as the Turkish hand which, under the circumstances, will be free anyway. If the Senate ratifies this treaty, we will be thrown into the maelstrom of Europe.

And we know, on the authority of Secretary Hughes, that—

> * * * Turkey does not offer a system—juridical—which will safeguard foreign persons and property * * *

The Lausanne treaty subjects our nationals to Turkish laws and accepts their promises to protect our rights. Prof. A. D. F. Hamlin, of Columbia University, who was born in Turkey in 1855 and whose father founded Robert College, says this of the treaty:

> I fail to discover a single point in which the treaty, if ratified, would benefit the United States of America or its nationals in Turkey. It provides no protection, secures no rights, exacts no guaranties for the lives, liberty, or property of Americans. America would gain nothing by ratifying the treaty.

But the Secretary of State seeks justification for his adherence to this treaty on the ground that the Allies and the missionaries accept it and that we do not want to fight the Turks.

I have already shown that the Allies yielded to the Turks because America assumed a "benevolent" attitude toward them. But why follow in the footsteps of the Allies? Have we not been told by the spokesman of the administration that America must pursue an independent course in her international relations? Moreover, the Allies were at war with Turkey; we were not. The Allies have received ample compensation for the concessions which they have made to the Turks. We find in the Allied-Turkey treaty that Great Britain has acquired sovereign rights over the island of Cyprus and over the Soudan, and through her possession of the Nile she controls the economic life of Egypt. Also, under her mandate over Mesopotamia, she secures her land communication with India. Italy has acquired 14 Turkish islands and numerous islets, and France, Syria.

On the subject of the attitude of the missionaries toward this treaty, former Ambassador Gerard makes the following observations:

> As to the missionaries, it is not true they favor the treaty. They have been abandoned by their Government, and they are helpless hostages in the hands of the Turks. Evidently they dare not testify either against their own Government or against the Turks.
>
> Doctor Barton, whom Secretary Hughes summons as a witness in favor of the treaty, recently expressed the belief that "the Senate will not ratify it." Also Doctor Gates, president of Robert College, whom Secretary Hughes quotes as favoring the treaty, has said that the Kemalist régime is doomed, and has also predicted the dissolution of the Turkish nation. One missionary, now resident in Turkey, has written Secretary Hughes in favor of ratification, but has written a private letter to a friend in Princeton against ratification.
>
> A report made in 1923 by the American Board of Commissioners for Foreign Missions disclosed the facts that the missionary churches in Turkey had been reduced by 90 per cent; that 6 out of 9 colleges and 40 out of 43 high schools had been closed; that 1,000 native schools, affiliated with the missionaries, had been abandoned; that 95 per cent of the constituencies of the missionaries had been murdered or deported or enslaved, and that the American missionaries had but 10 stations remaining.
>
> The Lausanne treaty makes no mention of and no provision for the missionaries. But a letter by Ismet Pasha to our Observer, which is annexed to the treaty, puts the missionaries under Turkish law. Since then the Turks have closed 4 of the remaining 10 stations, namely, those at Mersina, Sarea, Konih, and the medical branch of the Girls' College at Constantinople, and, further, have forbidden the teaching of any religion except Mohammedanism in the American schools.
>
> The few remaining American institutions in Turkey are thus made subject to the supervision and direction of the Turkish Government, and are allowed to teach only such subjects as Turkish inspectors may prescribe. In other words, they are no longer, in any sense, missionary institutions; they can no longer promote the purpose for which they were established. The Turks will allow Americans to furnish the funds for the maintenance of "American schools," but the Turks, themselves, will direct and operate them. Furthermore, if they should find it profitable to "nationalize" their own schools, they will have the right, under the provisions of Ismet's letter, to nationalize also the American schools.
>
> Are the evangelically minded Christians of America willing to pay taxes to the Turkish Government and to assume the expense of the educational system of Turkey in order to teach Islam and to make more successful the murderers and marauders who will continue to endanger the peace of the world?
>
> For nearly 90 years our missionaries have done a great work solely among the Christians in Turkey, for it is they only that were open to the enlightenment they brought. Now that these Christians have been either slaughtered, enslaved, or expelled, and we are forbidden to evangelize the others, submission to Turkish "laws and regulations" will clearly constitute a deliberate conspiracy to pervert the funds of faithful Christians. If there should be a few so-called missionaries who, at the dictation of their own government or that of the Turks, or in furtherance of their own schemes of personal or institutional aggrandizement, would use Christain funds for the propagation of Islam, it becomes our solemn duty to prevent the perpetration of such a monstrous crime.
>
> In view of the precarious and intimidated position in which the missionaries find themselves, we can not look to them for reliable guidance.
>
> The problem that is presented to us concerns the American people and Government. The defense and protection of American rights and interests in Turkey devolve upon the American people. Unconditional surrender to the Turks, as is proposed by this treaty, would so embolden them that upon its ratification they would feel safe in resorting to further oppressive measures, which well might result in war.
>
> As for the argument that we do not want to fight the Turks, and that therefore we must submit to them, it is unworthy of consideration. It postulates conditions which do not exist; and assumes a position of vantage for the Turks which no one concedes that they possess.
>
> Is it possible that surrender is to be made to a primitive and poverty-stricken nation of 5,000,000, with a continuous record of murder and rapine, and that this great Republic can not and will not defend its rights? As I understand, we are assured that by surrendering to the Turks we win their good will—the good will of those whom the Secretary himself characterized only recently as murderers.
>
> Who says that America must resume formal relations with the Turks, and that to secure their good will we must sacrifice American rights? If our few remaining nationals in Turkey must submit to Turkish law in any case, why do we need to acknowledge that condition by a formal act? What have the Turks done to earn the concessions which Secretary Hughes would have us make to them? Why not keep them on probation? Indeed, why not leave them alone—severely alone—as a solemn protest against the unnamable barbarities which they have perpetrated and are even now perpetrating?
>
> The Old Turks richly deserved the unanimous condemnation of the civilized world for their continued misrule—their oppression and slaughter of the Christian populations. The Young Turks, according to the testimony of the Harbord Mission, murdered in cold blood 800,000 Armenian men, women, and children, and, according to Henry Morgenthau, over 200,000 Greeks.
>
> But the Kemalists excelled both the Old Turks and the Young Turks in the war of destruction which they waged upon the

Christians. Of the estimated pre-war Greek population of 3,000,000 in Turkey, we find to-day but 200,000, and 1,100,00 who are refugees in Greece. Greeks and Armenians in Turkey continue to be expelled and their property seized in spite of the Turkish promises to the contrary.

The policy of the Angora Government toward the Greeks and the Armenians, who have been promised civil, religious, and political equality, has been announced by Ileri, the official Kemalist journal, in these terms:

> • • • The Greeks and Armenians must forget their own languages and become Turks or they must get out. • • •

Ikdam, another Turkish journal, observes:

> • • • The Armenians in Turkey are to enjoy two privileges only, namely, to pray to their God and to bury their dead. • • •

According to an estimate by American missionaries, from 300,000 to 500,000 Christian women and children are in slavery in Turkish harems. For the first time in 1,900 years Christianity has been extinguished in Asia Minor.

We are now asked to enter into friendly relations with a Government which has perpetrated and is perpetrating these revolting crimes. We are asked to condone and confirm the slaughter of whole populations and to acquiesce in the enslavement of multitudes of women and children. We are asked to admit murder as a legitimate policy of government. And the Government to which we are asked to surrender is, according to all available information, threatened with imminent and inevitable disintegration and dissolution. Civil strife, economic chaos, and widespread banditry threaten not only the régime of Kemal but the very life of the Turkish nation. The Young Turks who dominate the situation in Constantinople are working zealously for the restoration of the sultanate. It was as a means of removing the chief source of power of his opponents that Kemal abolished the sultanate and caliphate and set up the so-called Republic. We find that 85 per cent of the 5,000,000 population of Turkey are threatened with starvation and afflicted with various destructive diseases, and the Turkish Premier himself states that the suppression of banditry must become the chief task of the Government. With the elimination of the Christians, who were the chief productive element, the revenues of the Government now represent about one-tenth of its expenditures, which are estimated at $150,000,000. We are asked to enter into formal relations with this weak and dying nation.

I submit, Mr. President, that Secretary Hughes does not interpret the sentiment nor the conscience of the American people. There are many who think that the policy pursued by the State Department has disregarded the wishes and expectations of the 20,000,000 Americans who have manifested their interest in the welfare of the stricken Christians of the Near East by their contributions toward their relief, and has sacrificed the moral rights as well as the material interests of our country.

In a collective memorandum against this treaty, signed by 107 eminent Americans, including ex-Ambassadors Straus, Gerard, Morris, Morgenthau, Elkus, and Johnson; ex-President Eliot; ex-Governor Allen; Governor Smith, of New York, and Governor Cox, of Massachusetts; Bishops Manning, Brent, and Freeman, of the Episcopal Church, and Bishop Cannon, of the Methodist Church; Presidents Angell, Penniman, Wheeler, and Wilbur; ex-Secretaries Baker, Garrison, and Daniels, and others, we find the following denunciation of the treaty:

> It is morally an indefensible treaty. It is an utterly humiliating and purposeless treaty. It surrenders all apd every American right in Turkey. It renders impossible the continuance of American educational and philanthropic enterprises in that country. It ignores our solemn pledges to Armenia. The economic concessions which it purports to secure for a few Americans are now admitted to be of dubious value, and have already been transferred into alien hands. The Turks have broken thus early their promises of good behavior and their guaranties to our missionaries and to the remnants of the Christians in Turkey. All reports which have recently reached the outside world from Turkish and foreign sources show that factional armed conflicts, widespread banditry, and hopeless economic chaos seriously threaten Kemal's régime, and that the task which confronts his Government is, according to the admission of its own leaders, a truly impossible one. American stands to gain absolutely nothing by resuming relations with a Turkey in this state, and can lose nothing further by maintaining the status quo and awaiting developments. The downfall of the Kemalists appears inevitable and imminent. By now surrendering our rights to Kemal we shall find it difficult to reassert them against any régime which may overthrow and succeed him.

But it is curious, it is indeed significant, that Secretary Hughes denies, in general terms, that the State Department has been concerned in any manner with the Chester concession; and that denial, in the light of the facts which have been called to our attention, makes it all the more necessary to investigate the connection between the Lausanne treaty and the Chester oil concession.

Senators may recall that on January 23 last Secretary Hughes made a speech in New York on our foreign relations, and, incidentally, discussed American-Turkish relations. In the course of that speech he said:

> 1. At no stage in the negotiations was the American position determined by the so-called Chester concession.
> 2. This had been granted before negotiations of our treaty with Turkey had begun.
> 3. This Government took no part in securing it.

These statements appear to be contradicted by the records and by prior declarations of the Secretary.

In October and December, 1922, Secretary Hughes laid down definite conditions as a sine qua non for the acceptance by the United States of a new treaty with Turkey. He asserted that he would not abandon the vested and essential American rights, nor would he intrust American live to the caprice of Turkish laws. But in August, 1923, a treaty was signed, which does not contain these conditions—a treaty which leaves American lives at the mercy of the Turks.

What, then, took place between October–December, 1922, and August, 1923, to necessitate or justify so complete an abandonment of his declared policy?

The new factor, it is claimed, was that in April, 1923, the Turks granted the Chester concession, and in July, when that subject came up at the conference, they made common cause with the American observer against the Allies.

It would appear that the Chester concession was the objective of our Government in its participation in the Lausanne conference, and that the price paid for the attainment of that objective was the abandonment of the vested and essential rights of America and the betrayal of Armenia.

Secretary Hughes errs in his statement that the Chester concession was granted before our negotiations with Turkey had begun.

The conference met on November 20, 1922.

The American observer reiterated, on December 12, 1922, the conditions which were laid down by Secretary Hughes on October 30, 1922.

The Chester concession was formally ratified by Turkey on April 10, 1923, and the Lausanne treaty was signed on August 6, 1923.

Secretary Hughes denies that this Government took any part in securing the Chester concession.

On the other hand, Premier Ismet Pasha, chief Turkish delegate to the Lausanne Conference, in the Angora Assembly, on March 31, 1924, said that the intervention of the United States in the matter of the Chester concession, which was contested by England and France—

> • • • caused serious difficulties at Lausanne, nearly plunging the country again into war.

That is, Turkey supported America in the Chester concession against the Allies, and had the Allies not yielded hostilities would have been resumed and America would have been the instigator and ally of Turkey.

The declaration of Ismet Pasha, contradicting Secretary Hughes, is confirmed by the Associated Press, in a dispatch which I have already quoted and which speaks of the active intervention of the American observer in behalf of this concession.

In confirmation of the same contention let me quote from a Washington dispatch, obviously on the authority of the Secretary of State, to the New York Evening Post under date of July 18, 1923:

> • • • agreement of the negotiators at Lausanne to leave the question of the Mesopotamian oil rights, to be thrashed out later, is wholly satisfactory from the American official point of view.

The American delegation at Lausanne has maintained that—

> • • • there should be no action at Lausanne which would interfere with any obviously established vested rights. The American position relative to the Chester concession stands upon this basis.

The New York Evening Post, commenting upon the treaty, said editorially:

> • • • We refused to associate ourselves with the Allies or act with vigor (in regard to Armenia). Our principal display of energy was in asserting certain American commercial rights which struck Europe as showing that the open-door policy can be made to cover a wonderfully wide field. • • •

There is a further sinister aspect to this matter. The most important part of the Chester concession is the oil privilege in that part of Armenia which was allotted to her by President Wilson in November, 1920, at the invitation of the Allies and of Turkey. Therefore Secretary Hughes, by lending support to the Chester concession in July, 1923, a month before the signing of the treaty, prejudged and disregarded the rights of Armenia, rights which both President Wilson and President Harding had recognized and indorsed.

The State Department thus repudiated before the world the word of President Wilson and ignored the promise which President Harding had made on the eve of the conference, that this Government would sponsor and defend the Armenian case on the basis of the provisions of the Sevres treaty. Thus the State Department openly and cynically repudiated the promises of this Government and forsook the helpless, and sacrificed the interests of American citizens and institutions.

Even with no other evidence, the provisions of this treaty, which are those of a victor imposed upon the vanquished, should arouse a natural suspicion concerning the reasons for its negotiation. And the fact that the Secretary of State has publicly denied that the State Department has had anything to do with the Chester concession, in spite of contradicting evidence to the contrary, deepens that suspicion and calls for an investigation.

We learn, on the authority of a news item in the Evening Post of December 19, 1923, that General Goethals accepted the presidency of the Chester Co. at the request of the Department of State.

We know, from a statement by Frederick S. Blackall, general manager of the Chester Co., published in the New York Evening Post of June 9, 1923, that the company was reorganized at the request of the Department of State.

The facts which I have referred to establish some connection between the Department of State and the Chester concession, and a withholding of the facts connected with the negotiation of the treaty and the relation of the Chester concession to such treaty.

The New York World of April 23, 1923, made the following pertinent observations upon this attitude of Secretary Hughes in the matter of the Chester concession:

> There is no reason why the State Department should make itself the attorney for or the promoter of the Chester business enterprises. If the Angora Government has granted privileges to the admiral's company, then the admiral's business is with Angora and not with Washington.
>
> Certainly the American people have no more interest in taking up the Chester concessions diplomatically than they would have if the admiral were proposing to open a candy store in Piccadilly, a dressmaking establishment in the Rue de la Paix, or a beauty parlor on the Riviera.

The Secretary of State has taken an unusually deep interest in American commercial adventures in the Near East, particularly during 1923. He placed at the disposal of American business interests in the Near East the United States naval squadron, which was dispatched there in 1919 to protect the legitimate vested missionary and other American interests in Turkey.

I now quote from a paper entitled "The United States Navy as an Industrial Asset," issued by the Office of Naval Intelligence in 1923, which reads, in part:

> Early in 1919 several American destroyers were ordered to Constantinople for duty in the Near East. Although these destroyers are good fighting ships, it costs some $4,000,000 a year to maintain them on this particular duty, which does not train the crews for use in battle. * * * The possible development of the economic resources of this part of the world was carefully investigated by representatives of American commercial interests. These representatives were given every assistance by the Navy, transportation furnished them to various places, and all information of commercial activities obtained by naval officers in their frequent trips around the Black Sea given them. * * *
>
> The Navy not only assists our commercial firms to obtain business, but when business opportunities present themselves American firms are notified and given full information on the subject. One destroyer is kept continuously at Samsun, Turkey, to look after the American tobacco interests at that port.

This is the situation as diagnosed by the Navy Department itself.

> With the assistance of a small force of destroyers based on Constantinople—
>
> According to an instructor in the United States Naval Academy—
>
> * * * * * * * * *
>
> * * * Destroyers are entering Turkish ports with "drummers" as regular passengers, and their fantails piled high with American samples. An American destroyer has made a special trip at 30 knots to get American oil prospectors into a newly opened field.

Here is "dollar diplomacy" with a vengeance.

> "If this continues," says Allen Westcott in Our World, February, 1923, "we shall cease to take a purely academic interest in the naval problems of the Near East. These problems are concerned with the protection of commerce, the control of narrow places in the Mediterranean waterways, and the naval forces which the interested nations can bring to bear. They can not be discussed without constant reference to political and commercial aims."

There are yet two other perplexities in the situation which call for an investigation.

Since the Chester concession appears to be the only inducement offered for the sacrifice of American rights and for the abandonment of Armenia, and since that concession is now defunct, why do the Secretary of State and the administration still desire the treaty ratified?

We know that of the pre-war stations and schools, numbering over 1,100, either directly under the American missionaries or affiliated with them, there were but 10 stations remaining in 1923. According to the understanding at Lausanne, these few remaining stations were to operate without molestation under Turkish laws.

In spite of this agreement the Near East Relief Society was compelled to withdraw from Turkey altogether; and a Constantinople dispatch to the New York Times dated March 21, 1924, announced the closing by the Turks of the American station at Mersina and of the Y. M. C. A. at Stamboul.

On March 24, 1924, Secretary Hughes made representations to the Angora government against the flagrant violation of its pledges, threatened to withhold the sending of the treaty to the Senate, and demanded fresh assurance that the Turks would not interfere with American missionary activities.

In answer to this representation, we learn from a Constantinople dispatch to the Times that the American orphanage at Cesarea and the hospital at Konieh have been closed; that the Turks are levying exorbitant taxes upon the remnants of American institutions in Turkey, and are demanding that our missionaries teach Mohammedanism at the Smyrna College. Also, an Associated Press dispatch dated April 12, 1924, states that—

> The American high commissioner was informed by Vassif Bey, minister of public instruction, that the Government has definitely decided to close all foreign schools where religious instruction, except Mohammedanism, was given.

And another Constantinople dispatch, dated April 17, 1924, announces that the Turkish Government has closed the medical branch of the American Girls College on the ground that—

> the Government alone can conduct institutions of higher learning.

It has been said that Turkey has demanded that the Department of State proceed with the ratification of the treaty, and in conformity therewith the administration hastened to transmit it to the Senate, and, under the rules of this body, the treaty was referred, without any disclosures as to its provisions, to the Committee on Foreign Relations.

All these questions which I have suggested connected with the Lausanne treaty can be answered only by means of an investigation. The American people, whose rights have been ignored, and whose wishes have been disregarded, are entitled to know the facts. This treaty does not meet the requirements of the hour. It is a surrender, if not a betrayal, of the rights of the citizens of the United States.

Mr. President, I have offered this resolution for the purpose of learning those facts. We have not been advised as to the facts, and so far as I can learn there is no purpose to advise us. Whether the Foreign Relations Committee intends to bury the treaty or to report it we do not know. We do know that the administration is committed to the treaty. It has been sent to the Senate for ratification. Before any action is taken by the Senate or any committee of the Senate all the facts should be revealed.

The PRESIDING OFFICER. Does the Senator from Utah desire action on his resolution.

Mr. KING. Let the resolution lie on the table for the present. Before the Senate adjourns I shall move its adoption.

During the delivery of Mr. KING's speech,

Mr. BORAH. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Adams	Curtis	Jones, Wash.	Shipstead
Ball	Dale	King	Smith
Bayard	Dial	Ladd	Smoot
Borah	Dill	Lenroot	Stephens
Brookhart	Edge	Lodge	Sterling
Broussard	Fernald	McKellar	Swanson
Bruce	Ferris	McKinley	Trammell
Bursum	Fess	McLean	Wadsworth
Cameron	Frazier	McNary	Walsh, Mass.
Capper	George	Norris	Walsh, Mont.
Caraway	Gooding	Oddie	Warren
Colt	Hale	Overman	Willis
Copeland	Heflin	Phipps	
Couzens	Howell	Robinson	
Cummins	Johnson, Calif.	Sheppard	

Mr. LADD. I desire to announce that the Senator from South Dakota [Mr. NORBECK] and the Senator from Oregon [Mr. STANFIELD] are engaged in committee work, and have requested that I report that fact to the Senate.

The PRESIDING OFFICER. The announcement will be recorded. Fifty-seven Senators have answered to their names. A quorum is present.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on June 3, 1924, the President approved and signed acts of the following titles:

S. 3249. An act granting the consent of Congress to the construction of a bridge across the Niagara River and Black Rock Canal; and

S. 3272. An act granting the consent of Congress to the Panola-Quitman Drainage District to construct, maintain, and operate a dam in Tallahatchie River.

AMENDMENT OF NATIONAL DEFENSE ACT

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

In compliance with the resolution of the Senate (the House of Representatives concurring) of June 2, 1924, I return herewith Senate bill No. 2169, "An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes."

CALVIN COOLIDGE.

THE WHITE HOUSE, *June 3, 1924.*

Mr. WADSWORTH. Mr. President, I offer a concurrent resolution, which I send to the desk, its purpose being to correct the error that was made in the enrolling of the bill just before it was sent to the President. I think the concurrent resolution is privileged, and will not displace the unfinished business.

The PRESIDING OFFICER. The concurrent resolution will be read.

The resolution (S. Con. Res. 19) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the enrolled bill (S. 2160) entitled "An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes," be rescinded, and that in the enrollment of the said bill the following amendment be made, viz: On page 2, line 12, strike out the words "for animals loaned to the National Guard."

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

Mr. SMOOT. Mr. President, I should like to ask the Senator from New York just what this change means.

Mr. WADSWORTH. The conferees on this bill finally agreed to strike out a certain House amendment, that amendment reading—

for animals loaned to the National Guard.

The conference report was presented with that language stricken out and was adopted in that form by both Houses. Then, when the bill was enrolled before being sent to the President, by an error, that language was reinserted. We want it stricken out.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered by the Senate and concurred in.

CLAIMS OF MEMBERS OF THE SIOUX NATION OF INDIANS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill from the Senate (S. 1174) authorizing the Secretary of the Interior to investigate and report to Congress the facts in regard to the claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses, which were, on page 1, to strike out all after "authorized" in line 4 down to and including "prescribe" in line 5; on page 2, line 1, to strike out "were" and to insert in lieu thereof "are alleged to have been"; and on page 2, line 2, to strike out the word "were."

Mr. STERLING. I move that the Senate concur in the House amendments.

Mr. KING. May I ask the Senator what the amendments are?

Mr. STERLING. One of the amendments strikes out the words "in his discretion and under such rules and regulations as he may prescribe" and provides that the Secretary of the Interior be, and is hereby, authorized to investigate and report to Congress the facts. With the exception of the words I have named——

Mr. KING. Then no appropriation is made?

Mr. STERLING. No appropriation at all is made.

The PRESIDING OFFICER. The Senator from South Dakota moves that the Senate concur in the amendments of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House further insisted upon its amendments to the bill (S. 114) to vacate certain streets and alleys within the area known as the Walter Reed General Hospital, District of Columbia; and to authorize the extension and widening of Fourteenth Street from Montague Street to its southern terminus south of Dahlia Street, Nicholson Street from Thirteenth Street to Sixteenth Street, Colorado Avenue from Montague Street to Thirteenth Street, Concord Avenue from Sixteenth Street to its western terminus west of Eighth Street west, Thirteenth Street from Nicholson Street to Piney Branch Road, and Piney Branch Road from Thirteenth Street to Butternut Street, and for other purposes, requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ZIHLMAN, Mr. LAMPERT, and Mr. BLANTON were appointed managers on the part of the House at the further conference.

The message also announced that the House insisted upon its amendment to the bill (S. 1898) reclassifying the salaries of postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, and for other purposes, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GRIEST, Mr. PAIGE, and Mr. BELL were appointed managers on the part of the House at the conference.

The message further announced that the House had insisted upon its amendments to the bill (S. 2257) to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act as amended, and the vocational rehabilitation act as amended, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JOHNSON of South Dakota, Mr. SNYDER, and Mr. BULWINKLE were appointed managers on the part of the House at the conference.

The message also announced that the House had receded from its disagreement to the amendment of the Senate to the bill (H. R. 7041) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, and concurred therein.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

PROTECTION OF ALASKAN FISHERIES

Mr. JONES of Washington. Mr. President, I present the conference report on House bill 8143, the Alaskan fisheries bill, and ask for its immediate consideration. I think it will take just a minute.

The PRESIDING OFFICER. The conference report will be read.

The principal clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 4.

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agrees to the same with the following amendment:

"It shall be unlawful to import or bring into the Territory of Alaska, for purposes other than personal use and not for sale or barter, salmon from waters outside the jurisdiction of the United States taken during any closed period provided for by this act or regulations made thereunder."

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agrees to the same with the following amendment:

"Whenever the Secretary of Commerce shall find that conditions in any fishing area make such action advisable, he may advance 12 hours both the opening and ending time of the minimum 36-hour closed period herein stipulated."

W. L. JONES,
BERT M. FERNALD,
Managers on the part of the Senate.
WILLIAM S. GREENE,
L. LAZARO,
EWIN L. DAVIS,
Managers on the part of the House.

Mr. KING. Mr. President, does that mutilate the bill as it passed the Senate?

Mr. JONES of Washington. It does not. It simply makes clear what we intended.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the conference report? The Chair hears none. The question is on agreeing to the conference report.

The report was agreed to.

JESSE L. MEEKS

After the conclusion of Mr. KING's speech,

Mr. BROOKHART. Out of order, from the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 2607) for the relief of Jesse L. Meeks, and I submit a report thereon. I should like to have the bill considered at this time.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the bill. It has been unanimously reported by the Committee on Military Affairs of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill reported by the Senator from Iowa from the Committee on Military Affairs?

Mr. JONES of Washington. Let the bill be read by title.

The PRESIDING OFFICER. The Secretary will state the bill by its title.

The READING CLERK. A bill (H. R. 2607) for the relief of Jesse L. Meeks.

Mr. JONES of Washington. I can not catch the purport of the bill from hearing the title read.

Mr. ROBINSON. I will make an explanation of the bill.

Mr. JONES of Washington. I shall be glad to have the Senator from Arkansas make a brief statement as to the bill.

Mr. ROBINSON. Mr. President, I can explain the purpose and effect of the bill in a moment. This soldier, Jesse L. Meeks, enlisted in the Union Army in November, 1863, and actually served until about the 1st of April, 1864. The company in which he enlisted was recruited at the instance of General Steele, who was the Union commander in that area at the time. Some question arose on the part of the military authorities as to the authority of General Steele to organize the company. For that reason the record of the company's service is not complete.

Mr. JONES of Washington. The Senator's explanation is satisfactory to me.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Jesse L. Meeks, late private and second lieutenant in Company A, Fourth Regiment Arkansas Volunteer Mounted Infantry (Fishback's command), shall hereafter be held and considered to have been in the military service of the United States as a private and second lieutenant of that organization from the 17th day of November, 1863, to the 28th day of March, 1864, and shall be held to have been honorably discharged therefrom, but no back pay, pension, or allowance shall be held to have accrued prior to the passage of the act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL AND URBAN CONDITIONS

Mr. COPELAND. Mr. President, on yesterday, in his protest against the adjournment of Congress, the Senator from Wisconsin [Mr. LA FOLLETTE] epitomized the distress of the farmer. I quote from the Senator's resolution, as follows:

The Secretary of Agriculture has reported that in the 15 wheat States alone more than 108,000 farmers have since 1920 lost their farms or other property through foreclosures or bankruptcy, over 122,000 have lost their property without legal proceedings, and nearly 373,000 have retained their property only through the leniency of creditors, making a total of 603,000 farmers, or 26 per cent of all who are virtually bankrupt in these 15 States.

He continues:

The conditions are even more appalling in particular States, as for example, in South Dakota, where according to the Secretary of Agriculture 40 per cent of all farmers are virtually bankrupt; Colorado, 42 per cent; North Dakota, 50 per cent; Wyoming, 51 per cent; and Montana, 62 per cent.

FARM RELIEF

Mr. President, we hear much these days about the distress of the farmer. His sufferings are brought home in such convincing manner as to make us pause. The country and the Congress, too, I trust, are convinced that some action must be taken to relieve the necessity of the farm group.

It might seem that the calls for succor made by the farmers would be drowned by the turmoil of the great metropolitan city which I represent. As a matter of fact, however, in this matter the demands of my constituents are just as insistent as are those of the Senators from the West and Northwest.

It is not alone because I was born on a farm and spend much of my time on the farm that I am interested in the agricultural problem.

The manufacturers of my State must suffer if the farmer can not buy their products. But it is not alone because the commercial prosperity of New York is at stake that I am interested.

THE DISTRESS OF THE CITY

My official interest in the proper solution of the farm problem lies in the necessity for cheaper food and for a greater abundance of foodstuffs for the teeming millions of city dwellers in the Empire State, as well as in the other cities of our country.

How many Members of the Senate realize that thousands of American children go to bed hungry every night? How many of you know that hundreds of thousands of American children are undernourished, and that thousands of them are actually in need of medical attention because of conditions due to the lack of proper and adequate food?

I shall not rest my argument on mere statements. It is my purpose to bring to the attention of the Senate facts and figures to prove how appealing and necessitous is the situation.

The Great War forced me into a position which gave first-hand information regarding the home surroundings of great masses of people. You who live in the midst of open spaces and in homes of every comfort know little or nothing of how the submerged millions exist. But if words do not fail me you will know before I finish.

In my city of New York is a square mile where live 500,000 persons. Just think of it; a half million in one square mile! Nowhere else on earth—not in India or China or the isles of the sea—is there anything like it.

I can take you to thousands of houses in that square mile where 12 persons live in 3 rooms, where 4 sleep in the kitchen every night. In hundreds of those so-called homes they live in inside rooms, without light or outside air.

While some live amid such conditions from choice, most of them are there from necessity. Poverty, paltry wage, and social injustice have reduced thousands of families to live in places which animals would flee from.

THE FAILURE OF CONGRESS TO STUDY HUMAN PROBLEMS

Forgive me if I suggest that too much of our time in Congress is devoted to property, to material things. Humanity and the creature needs of God's children demand more serious thought

than we are inclined to give. We can not be content to devote our legislative acts to business and property if there are suffering bodies and shriveling souls in our fair land. Certainly no one can turn aside if the cry of a child is in the air.

Let me tell you about the child life of my city. Remember, too, the child life of New York does not differ from that of Chicago, and San Francisco, and Philadelphia, and Boston, and New Orleans, and St. Louis. It is the same in every city.

While commissioner of health of New York City I ordered a survey to determine the effects of the deprivation of the necessary food upon the health of the children. Areas representative of the congested sections of the city were chosen in each borough. The nurses engaged in this work were instructed to go into every home in the districts assigned to them, to interview the mother of each family, and to note the physical condition of the children.

The number of children examined in this way was 19,037. The large percentage of nutritional disorders was startling. It showed the following:

One thousand two hundred and ninety-four children were found to be suffering from malnutrition.

Nine hundred and ninety-three had anemia.

Seven hundred and eighty-five were under normal weight.

Six hundred and eight had other disorders due to the lack of proper food.

Three thousand six hundred and forty-eight were markedly undernourished.

In short, 7,328 out of 19,037 children showed more or less evidence of the lack of proper and adequate food.

UNDERNOURISHMENT OF CHILDREN

A further survey was made in 33 selected schools in the Borough of Manhattan, to determine the nutritional status of the children. The percentage of undernourished children in these schools varied from 17 per cent, the lowest, to 50 per cent in one school. The number of children in these 33 schools, so badly undernourished as to be actually in need of medical care, amounted to 4,575.

These particular schools represent localities where we would naturally expect to find undernourishment due to poverty of the parents, but when it is borne in mind that there are 500 schools in the city of New York, to say nothing of the children under school age, the number of children suffering from malnutrition and undernourishment is so startlingly great as to demand the thoughtful consideration of the public.

It makes no difference whether the number of undernourished children runs into the hundreds of thousands or whether the number is only a few thousand, if there is any undernourishment in the city of New York or any other American city due to lack of food, it is an evil which must be removed.

There can be no doubt that the conditions due to the war have made it difficult for the poor to obtain enough of the important foods. It is not alone the children who have been affected, the grown-ups have suffered, too. High prices to those who buy are just as fatal to human happiness as are low prices and lack of sales to those who produce the food.

In view of what I know of the effects of the deprivation of food upon the health of our people, I can not be satisfied with any sort of legislation which fails to consider the consumer of food as well as the producer. Both producer and consumer have suffered from the effects of the war and other modern evils. They must make common cause in seeking a means of escape from their common distress.

THE DISTRESS OF THE COUNTRY

It is a trite saying that the fundamental industry of America—and, for that matter, of every country—is agriculture. Unless the farmer prospers there can not be permanent prosperity for any nation. For reasons which we need not discuss at great length now the farmer is not prospering. In terms of barter he is at a tremendous disadvantage.

In normal times we export from this country 170,000,000 bushels of wheat yearly. Conditions in Europe are such that Europeans have no money to pay for our products. Their poverty and depreciated currency make it impossible for them to buy. The result is that in granaries of the Northwest and in vacant lots along the railroads during the threshing season are piled quantities of grain for which there is no demand. A few days ago there were stored 29,000,000 bushels of grain in the Chicago elevators, and no loaded cars were on the way to the empty elevators in Baltimore and Philadelphia. This is striking proof of the loss of foreign trade and the inability of the American farmer to meet the world price levels which are far below our production costs.

The effect of the stagnation is not confined to the farmers of the Northwest. It reaches into the South. If this grain is not to be sent to Europe, there is no demand for the cotton sacks in which to ship it. The result is the cotton farmer suffers along with his colleagues in the North.

The truth is prosperity is like a chain. There may be golden links of great strength, iron and steel links, and there may be the appearance of strength through the whole length of the chain. But if some of these links are made of wood or of straw woven and painted to appear like iron the chain will deceive the eye only. If stress and strain are placed upon it, it must break.

There can be no permanent prosperity anywhere in the world unless there is prosperity everywhere in the world. We have gone past that period in the world's history when each nation and each State and each locality is independent of every other nation and every other State and every other locality. There must be found a way to open the streams of commerce and to reestablish the marts of trade.

THE GROWING NEED OF THE FARMER

As I view it, several things are essential to the welfare of agriculture, among them being education of the public to the needs of the farmer and the national importance of his welfare; changes in the tariff, in transportation, and taxation; diversification of crops; cheaper fertilizer; restoration of foreign markets; and, by no means least, cooperation among the farmers in the sale of their products.

Life was simple in pioneer days. The wild game furnished much of the food as well as the materials for shoes and clothing. Log cabins were easily constructed and produced no bills for lumber or labor.

With the progress of what we call civilization there was increasing demand for statelier mansions and more decorative and expensive clothing. In consequence, there were developed elaborate machinery, high-priced building materials, and all the many agencies associated with the complexities of the new conditions.

It is easy to see that the per capita expense of living has steadily increased through these scores of years. The quantity sales of everything having to do with the clothing and housing of mankind have gone forward by leaps and bounds, out of all proportion to the increase in population. Costs have pyramided. The great theaters and other places of amusement, the palatial banks and business houses, the gorgeous churches and schools, the luxurious railroad coaches, and the automobiles have made further demands for large incomes.

The point I wish to emphasize is that the personal demands of the individual have increased amazingly in quantity and cost.

Among all the things which mark this stupendous progress there is just one factor which has not changed. Man eats no more than did his ancestors. Indeed, with his greater refinement and increased discrimination, he eats less than did his forbears.

FARMERS ENTITLED TO FAIR SHARE OF WORLD'S PROGRESS

Disregarding the modern demand for special dishes and exotic foods, and considering alone the per capita consumption, it will be seen that the individual citizen eats no more than his great-grandfather did.

What does this mean to the food producer? It means that the farmer must get from the ancient and but slightly unchanged proportionate amounts of farm products he can raise enough money to supply his own increased needs. Modern machinery helps production, of course, but not in the same proportion that the farmer's own needs have multiplied. He lives in a better home, wears more expensive clothing, drives an automobile, and travels more than his ancestors did. His wife and children are entitled to a fair share in the world's progress.

If the farmer received a larger percentage of the ultimate price there would be no trouble to give him sufficient income from the sale of his crops. Unfortunately, however, as a result of the territorial expansion of the country with its dispersion of population, the long hauls, and unscientific distribution, there is a terrific addition to the original cost which does not profit the farmer. It is shocking to find what the difference really is.

OLD-TIME METHODS MUST BE CHANGED

The total receipts of the American farmers for all their crops are seven and one-half billion dollars per year. When you and I buy the same produce it costs us twenty-two and one-half billions, exactly three times what the farmers get. Between the farmer and the consumer there have been added $15,000,000,000.

If it were possible to take up all the slack between producer and consumer, the farmer could get twice as much for his goods

and the consumer would buy his food for at least one-third off the present prices.

It is perfectly obvious that the old-time methods of distribution must be changed. The practices of olden days are effective no longer.

In business, in labor circles, and in manufacturing better means have been found to conduct the given enterprise. With the exception of the farmer, almost every group has found ways of improving its welfare. They may not be methods adequate to deal with future conditions, but at least these plans of organization will suffice to tide over a period which for the farmer is fraught with trouble and disaster.

Perhaps the outstanding feature of our time is the development in the field of cooperation. The individual found he was no longer able to meet all by himself the disadvantages and difficulties that beset him. As a result, two great classes—capital and labor—have adopted systems of cooperation.

DAY OF THE INDIVIDUAL IS PAST

Capital entered into combination to increase economy and efficiency in production, in buying and selling, and in distribution. In a word, capital has combined to increase the profits.

To obtain better wages and better working conditions labor has combined. The chief characteristic of this combination is the insistence upon collective bargaining. The day is past when the individual workman deals with his employer. By collective bargaining labor has made itself secure. By combination both labor and capital have been able, in a degree at least, to overcome the ordinary harsh operations of the laws of supply and demand. They have been able to avoid the open, unrestrained, unqualified competition which would otherwise prevail.

It is hardly necessary to enumerate the financial benefits to capital or the monetary and physical benefits to labor which have grown out of their respective systems of cooperation. Everybody is aware of what labor has gained through collective bargaining. Every honest man must admit how impossible would have been this advance of labor from a veritable serfdom to its present position without collective bargaining. Likewise, all are aware of what capital has accomplished by combination. The great corporations of this country are an evidence of this fact.

The farmers have not entered into combination. As a matter of fact, they have been embarrassed in many ways by the other combinations—the combinations of capital and of labor. One of the effects of labor's combination is that the better pay of labor in the cities has drained labor from the farms. As a result, the combination of labor has raised the price of farm labor without giving the farmer the wherewithal to meet the higher demands.

Combinations of capital and of labor, together with the operation of protective tariffs dictated by capital, have raised the prices of everything the farmer has to buy. Consequently, the farmer has been adversely affected by the conditions under which all the things he must have are made and distributed.

Without criticizing the efforts of capital or of labor to better their conditions, we can see that the farmer is affected by these combinations and organizations, and, being unorganized himself, he is struggling unaided in the open field of competition.

The conclusion seems inevitable that we no longer live in an age of individualism. In the complexities of modern industrial and commercial life, cooperation, organization, or combination seems to have become almost essential to the efficient production and distribution of farm commodities. In view of the logic of the situation, why should not the farmers organize, combine, and cooperate?

ORGANIZATION SAVED DAIRYMEN AND BENEFITED CONSUMERS

I have had an unusual opportunity to witness the birth, development, and growth of the Dairyman's League of New York. Official duties necessitated an intimate knowledge on my part of milk production, processing, and distribution. Here is an organization of 75,000 dairy farmers, representing a majority of the milk producers of five States. While the conditions of the dairy farmer may not be ideal, even as yet, there can be no doubt that through the operation of this beneficent organization the dairy industry in the East has been preserved from destruction. The consumers have been given a better product, too, than they would have had otherwise and for less money. And, what can not be disregarded because of its beneficial psychological effect, there is a growing understanding between the producer and the consumer of dairy products.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Nebraska?

Mr. COPELAND. I yield to the Senator.

Mr. NORRIS. I have likewise given some attention to the very organizations of which the Senator is speaking. They have been successful. I desire, however, to call this point to the attention of the Senator, and ask him whether he has given it consideration:

In my study of the production of dairy products and their distribution I have learned that in round numbers it costs just as much to distribute dairy products to the consumer after they have reached the city as it costs to produce the products and bring them to the city.

Mr. COPELAND. That is correct.

Mr. NORRIS. In the case of milk, for instance, the cost to the consumer is practically doubled by the cost of distribution that takes place after the milk has reached the city.

Mr. COPELAND. That is true.

Mr. NORRIS. I have often wondered why it would not be possible to lessen very materially that cost of distribution. The Senator undoubtedly has observed that in one locality there will be perhaps seven or eight different milk wagons delivering milk, when one could do it all. Has the Senator given any attention to that branch of the subject?

Mr. COPELAND. I have. Nine distributers of milk bring milk to the apartment house in which I live in the city of New York. I have crossed Brooklyn Bridge many times going toward Brooklyn, and have met great wagons filled with milk coming from Long Island to go over the bridge and up through the city to the Bronx, to be delivered in the Bronx. Then, when I came back from Brooklyn to my home in Manhattan, I have met wagons coming from the Bronx going over to Brooklyn. Wasteful methods of distribution add materially to the cost of the milk. Where the farmer in my State receives perhaps 5 cents a quart for the milk, when it gets to the ultimate consumer it may cost him 14 or 15 cents a quart, due to such wasteful method of distribution.

So the plea which I am making here, a large part of which I had elaborated before the Senator from Nebraska came into the Chamber, is that there can be no real solution of this great problem until there is a combination of the producer and the consumer. They have a common need, and there should be a common impulse to bring about a correction of this situation. If I had more time at my disposal, I should like to speak about the waste in the terminals of perishable foods—not milk, but other perishable foods. The food comes into the terminal perhaps 5 or 6 miles from the city itself, and stays there until the food deteriorates so that it is spoiled.

The whole question of food must be solved by cooperation of the producer and the consumer in order that there may be built up in the city terminal markets and better facilities for the distribution of food. So it is one great big problem, which will never be solved, in my judgment, until it is dealt with as one problem, giving consideration to the food from the time it leaves the producer until it reaches the ultimate consumer. I have spoken about the Dairyman's League. I want to speak about that just a moment more.

I recognize that, great as it is, the Dairyman's League is a tiny thing compared to the sort of a cooperative organization which would be required to handle the agricultural products of this great Nation. But who can doubt that exactly the same methods which have made for the success of the league, if applied by capable men to the administration of the farm industry in general, would meet with the same success?

One of the fine things the league has undertaken in my territory is to bring about an improvement in distribution, a zoning of the city, and proper distribution of wagons, so that, for instance, only one wagon will go to the apartment house where I live. Through those means the overhead cost of distribution will be materially reduced, and the cost of food to the ultimate consumer will be materially lessened.

Mr. McKELLAR. Mr. President, would the Senator include in his plan the power of these organizations to limit the quantity of production as well?

Mr. COPELAND. The Senator is asking me a question which I am glad to answer, and I shall answer it more fully later, because I am going to make a reference to the McNary-Haugen bill and to the Norris-Sinclair bill. I do think that in any great organization which is made up to handle agricultural products there must be the power which the Senator mentions. Whether that power should simply be an advisory power or whether there should be actually force of law to compel, of course is a question that should be discussed before determining a course of action.

Mr. McKELLAR. Take the question of cotton. Suppose a general association of cotton raisers should meet in the winter or early spring and, making a survey of the cotton situation, should reduce acreage by a majority or more than a majority vote if necessary. Why could they not protect themselves against a low price by not raising so much cotton?

Mr. COPELAND. Undoubtedly it could be accomplished in that way.

Mr. McKELLAR. It could be done, not by unanimous consent, but by organizations of their own, by cooperative organizations, and it would be done by themselves and not by the Government at all. It should not be done by the Government, it seems to me.

The same reasoning would apply to wheat in the West. When the world was surfeited with wheat, before the raising of the next crop this cooperative association, if the wheat growers acted together, could easily limit the amount of wheat produced. I have no final views about the matter, but I am simply giving that as one of the thoughts that has occurred to me, which might be practicable.

Mr. COPELAND. Mr. President, this is a digression from the main thought, but we are having to deal with two diseases, to put it in the language of my profession. We have the chronic disease, which is the one suggested by the Senator, and then we have the acute disease, which is the situation in the wheat country of the Northwest, where, by reason of the failure of the banks, the normal agencies for the reestablishment of the farmer have been wiped out, so that the acute condition can not be dealt with in the way the Senator from Tennessee suggests. We have, as has been brought out time and again on the floor of the Senate during this session, this great economic disaster in the Northwest, which must be dealt with in some unusual manner.

This much is certain: The farmer can not compete in the game of life with labor and capital so long as the individual farmer makes his fight single-handed and alone. It is only by combination of the energies, capabilities, and brains of the agricultural group that the farmer can hope for victory in the contest.

GOVERNMENT SHOULD AID

If the situation were not such as to be so critical, if the peril were not so imminent and unusual, I can see how it would be wise to leave it to the farmers themselves to work out localized cooperative movements which ultimately could be associated in one great national organization. Unfortunately, however, the situation is so pressing that it is not wise to wait for the ordinary operations of economic laws. Society is so interested in this problem that Government itself should furnish the initiative and loan the money to create machinery for the immediate relief of agriculture.

Under the general-welfare clause of the Constitution Congress has ample power for such a purpose. When the health and welfare of our citizens, dependent as they are upon the unfailing supply of foodstuffs, are at stake all the resources of the people must be at the disposal of the Government. An unusual exercise of the power of taxation is justified, provided the expenditure is intended to meet some public service, or if its object concerns the public welfare. Is the present situation concerned with the common good?

We are dealing with an abnormal situation. In certain industries there were more failures in 1923 than ever before in our modern history. In the agricultural sections of the West and the Northwest there have been bank failures every day. Hundreds of banks have gone to the wall. In one city eight banks failed on one day. It will be seen that private enterprise in that section certainly is incapable of financing a great farm organization.

Last year there were 530 bank failures in the United States, and from January 1 to April 1 of this year there were 322 additional failures in the United States, mostly in the Northwest.

DEBT OWED TO AGRICULTURE

In view of all the circumstances, it is idle to suggest, as does the President in his first message to Congress, that "simple and direct methods put into operation by the farmer himself are the only real sources for restoration." I utterly disagree with the attitude of the President. He dismisses the farmer's problem by the statement that no "scheme of relief" or "resort to the Public Treasury will be of any permanent value in establishing agriculture."

Why make such suggestions to a group of persons utterly incapable financially of doing for themselves the things which common sense says must be done? By governmental aid there can be at least a beginning toward better things, and without it there is no hope. There must be found a way to bridge over this period, to save agriculture, and, ultimately, to permit it to do what the President thinks might be done now.

It must not be forgotten either that society owes a recently incurred debt to agriculture. Had the Government left the farmer free to sell his products in conformity to the laws of supply and demand he would have been just as much benefited financially as were the profiteers who made millions during the war. His present plight in some ways is due to the interference of the Government with effective selling operations during the war and since. The Government fixed a price at $2.26 on No. 2 wheat when the same goods were selling at $4 and $5 a bushel in Europe. In the same period the Government permitted those who supplied "war materials" to get the "cost of manufacture plus 10 per cent." These persons were favored, but a ring was placed in the farmer's nose.

But it is useless to talk about what might have been. In the face of the present situation the farmer can not do for himself individually the things which the public welfare demands must be done. As I see it, groan as we may over the violation of customs and the generally effective economic laws, the Government must lend its assistance to the financing of some Federal agency for farm relief.

REAL FARMERS SHOULD BE IN CHARGE

Measures have been proposed to provide for the appointment of Federal boards and commissions. Some of these plans appear to me as violative of the first principle of success. Labor organizations would never thrive if ruled over by bankers. Any combination of capital would be distressed if its employees took charge. Why, then, should farmers be expected to accept politicians or trust to haphazard chance for directors of the industry which is their sole means of livelihood?

It goes without saying that cooperative movement must depend for success on cooperation. Just as the name implies, there must be sympathy and mutual interest between directors and farmers; otherwise there can be no cooperation. To this end, therefore, there must be found a method of administration which places the oversight and direction of the organization in the hands of real farmers.

It seems to me no one should doubt the wisdom of this suggestion. There are many farm organizations, civic societies, cooperative corporations, and other groups which are capable of being linked up with any governmental agency created for the protection of farmers and consumers. No chance must be taken on the creation of antagonisms at the very outset. The spirit of fraternity is stronger among farmers than almost anywhere else in society.

PRACTICAL SOLUTION IMPERATIVE NOW

That the farmers are capable of furnishing the business and administrative personnel for this great undertaking is proven by the management and success of the Dairyman's League, to which I have referred. There are other notable examples of financial and business genius coming from the farm. I am confident there will be no difficulty in finding the managerial talent for this stupendous movement.

Wheat, corn, meat, cotton, wool, sugar beets, dairy products, poultry and eggs, fruit, potatoes and other vegetables—it is a long list when these and all the other products of the farm are considered. It will be seen that in the creation of a board of management there are many interests to consider. Likewise, every section of our great country must be kept in mind.

We are discussing a serious question, but it must be discussed with but one thought in every mind: The Nation must provide a practical solution now.

The financial requirement of any agricultural relief plan is staggering. So is the solution of every other national crisis or cataclysm. Earthquakes, tornadoes, fires, epidemics, and especially war make staggering demands upon the purse. But this particular demand is not for money which is to be lost forever. It is a demand for the use of public funds which will be returned to the Public Treasury.

RECLAMATION

May I say in passing that in other ways the agricultural needs of our country are not given the attention their importance demands. For instance, reclamation has been sorely neglected by our Government for many years. We should adopt a broad and effective reclamation policy.

No part of our great country can long thrive at the expense of other parts. A sound reclamation policy will cure the ills now strangling great sections of the United States. I submit that some constructive course should be adopted and carried forward to success.

THE NECESSITY FOR FARM RELIEF

There can be no doubt of the necessity for farm organization in order that the needs of agriculture may be under constant study. Cooperation is demanded, but let no one think that cooperation is the sole thing needed to place the farmer on the highroad to unexampled prosperity or as promising the mil-

lenium. It is only a means of assisting him to make some progress toward that desirable end. Organization has done much for labor already, but there is still much within reasonable desires left to be attained. Combination has done much for capital, but I doubt not that the owners of wealth still have unsatisfied desires. Yet, that both capital and labor have benefited by the practice of cooperation is not questioned. Let us now help the farmer to take this one step toward a betterment of his condition.

THE EFFECT OF THE FARMER'S TROUBLE ON CITY LIFE

Why should a city Senator argue for the farmer?

I have referred to the undernourished condition of thousands of persons in New York City. It is argued that the enactment of a farm relief bill may slightly increase the cost of living, at least with reference to meats.

Of course such a thought must be founded on the assumption that the food manipulators and food gougers will benefit by relief legislation rather than the farmers. Have legislators become so impotent that they can devise no means to guard the public against unfair and uncalled-for prices for the necessities of life? Have legislators forgotten the Mobile bread case and the Chicago elevator case? Surely there can be found a means to guard the public against any ill effects which might tend to grow out of legislation for farm relief.

When it is recalled that a bushel of wheat for which the farmer receives 90 cents at present is made into 60 loaves of bread and sold to the public at $6.90 there is something wrong with the machinery between producer and consumer. The duty of lawmakers is not completely fulfilled until the consumer is guarded against the encroachments of selfish distributors. The problem confronting society can not be fully solved until State and municipal officials, as well as Members of Congress, do their duty. It lies not alone in Federal hands to heal the wounds of the people.

Of course if there is the slightest chance that the cost of living may be increased even in the least degree there will be some who will think I have placed myself in an inconsistent position. But have I?

During the last three years hundreds of thousands of the best acres in America have been sold under the sheriff's hammer. Before relief can possibly come to a stricken agriculture, through the operation of this measure or any other, thousands of other farms will suffer a similar fate.

Thousands of farms have been abandoned outright. Their erstwhile owners have said to the loan company or the bank, "We are tired of the struggle; take the farms and do with them what you please."

If there be those who question the accuracy of these statements, I refer them to the publishers of the farm papers of the Corn Belt and of the other great farming areas. There are numerous Senators on this floor who know I am not exaggerating in the slightest degree.

What will be the inevitable result if endless numbers of farms are abandoned? Almost before we know it we will have such a decreased production that the food prices will soar to prohibitive heights. There will be brought about conditions which will menace the very existence of the children of the poor. Not only in New York City but in every great congested center of population in the land there will be multiplied suffering.

In discussing the causes for the high cost of living we must not overlook the fact that it does not spring alone from the cost of food products. Clothing, dry goods, kitchen utensils, furniture, bedding, and other household necessities carry the burdens of the Fordney-McCumber tariff act and the very proper but generous wage scales of organized labor.

It may be interesting to Senators to know that the farmer receives less than a cent and a half for the wheat in a loaf of bread for which the consumer pays from 10 to 12 cents. When in these circumstances I appeal for a "square deal" for the farmer, I am not taking bread out of the mouths of the children of the poor in New York City or elsewhere. On the contrary, I am pleading for conditions which will enable our children and their children to eat their full allowance of bread in the days to come. This is a hope which is utterly futile if we do not arrest the complete collapse of American agriculture, a collapse which is so perilously near at this hour.

THE RUSH TO THE CITY

I raise my voice on behalf of some relief measure for another reason. Unless we can stop the rush of hundreds of thousands of young farmers from the abandoned farms to our great industrial centers, then as certain as the sun rises and sets the day of the soup kitchens is not far away. When I contemplate what has been taking place during the last 18 months and what is taking place with increasing momentum during each passing day, I can not conceal my astonishment at the apparent indifference with which some Members of this body seem to view this phase of the situation.

The leaders of organized labor are most emphatic in demanding a rigid exclusion of foreign immigration from this time forward. Why? Because very naturally and with much justice they do not want the jobs of American workingmen to be menaced by classes of labor which are accustomed to a much lower plane of living than are the toilers of our own country. But of what practical benefit are rigid exclusion laws which annually shut out some tens of thousands of foreigners when ten times this number of farmers are flocking to our large cities, where, unhampered by the ties of unionism, they become bidders for the union man's job?

During the latter part of 1922 we had a great nation-wide strike of railway shopmen, and in the end, on some railroads, the unions suffered disastrous defeat. Why? Because their places were taken by thousands of husky young farmers who wanted a chance to earn a living for themselves and their families and who therefore gladly accepted the wage scales offered by the railroads.

I understand that representatives of the American Federation of Labor have appeared before the House and Senate Committees on Agriculture advocating the passage of this bill. One of the chief reasons they advanced was the ever-increasing migration of the farm workers to the cities. The labor leaders must not content themselves with casual support of farm relief, because there exists an economic condition which menaces the security of American labor a thousandfold more than the menace of immigration. The time is not far distant when to the cry of "America for Americans" there will be added the slogan, "The city job for the city toiler, and a decent living for the farmer, who gives life to all."

When I plead for a condition of happiness and prosperity on the myriad farms of the Nation that shall make the farm worker content to remain at the crossroads, I am not merely pleading for the well-being of agriculture. On the contrary, I am pleading for every working man and woman in the State of New York and of the country. I am doing what little I can to prevent the coming of the soup kitchens which, unless the impending collapse of agriculture is arrested, are just a little way round the corner.

I venture to say to the Senators from New England that if they want to keep their mills and factories running full time, they must come to the support of farm legislation. To assume that this can be done when the more than 40,000,000 persons who reside upon the Nation's farms have been impoverished to such a degree that they are no longer able to purchase such merchandise would be the height of folly. Even as Nero fiddled while Rome burned, gentlemen are the victims of a smug and foolish complacency if they fail to recognize the farmers' plight. I warn the Senate that if agriculture is permitted to go into the ditch, then as certain as the sun rises and sets we and our mills and factories will go into the ditch also. Enthroned behind the frowning battlements of the Fordney-McCumber Act the world has been looking very lovely, but a fatal day of reckoning with the millions on the farm is not very far away.

THE DAMAGE DUE TO THE TARIFF

The great industries of the Nation are fighting their battles from behind the highest tariff wall ever enacted by an American Congress. In the prices thus established on merchandise are included the generous wage scales of organized labor, which have created living standards higher and more costly than those of any other country on earth, standards which the farmer has no desire to change.

On the other hand, the price which the farmer receives for his wheat, pork, beef, cotton, and other similar commodities is determined, not in accordance with the living standards created by American industry and labor, but in the world markets, where he is forced to meet the competition of the peasant and peon farmers of the four corners of the earth. In these circumstances, is it any wonder that farmers by the tens of thousands are struggling in the throes of bankruptcy?

If agriculture is to be preserved from the impending collapse, one of two things must inevitably happen. Either industry must consent to reduce the cost of its wares and labor must reduce the amount of its wage scales to the level of the world markets; refusing to do this, all concerned must consent to raising the price of farm commodities to a point where the purchasing power of the farmer's dollar will be restored to a 100 per cent basis.

The disparity of the present situation can be judged from the fact that the average bricklayer or plasterer receives as much for eight hours' work as the farmer received for an acre

of good wheat last year or as he receives to-day for a 240-pound hog. It takes the farmer an entire year to provide an acre of wheat and seven or eight months to develop the hog.

I am not saying that labor is receiving more than it is entitled to receive nor do I mean to imply that our manufacturers could, under existing conditions, successfully compete against the manufacturers of Europe, but, assuming that both industry and labor are not in position to meet foreign competition, then what right have they to expect the farmer to do so?

Farmers are human. Their needs and impulses are like everybody else's. They may well repeat the pitiful plea of Shylock, "If you tickle us, do we not laugh? If you prick us, do we not bleed?"

Under one bill which was considered in the other House, it was proposed to establish a "ratio price" to adjust the price of wheat, pork, beef, and possibly other similar products to the "all-commodities price," which really is what we commonly call the "cost of living." Regardless of what might be concluded ultimately with respect to this particular bill, is there anything unfair in such a suggestion? Have we a right to buy the farmer's food on a basis of approximately 40 per cent less than by means of artificial economic devices we compel him to pay for clothing, dry goods, fencing, farm implements, hardware, lumber, freight rates, and so forth?

Well, if we have not, then let us quit finding fault with what many have called "price fixing," "paternalism," and other disagreeable names. Especially let those of you who bow at the sacred shrine of the Fordney-McCumber Act put off your vestments of virtuous horror. The only material difference between the proposed measure and the Fordney-McCumber Act is that the plan provides for the removal of the surplus wheat, pork, and beef from the domestic markets, and in this way makes the tariff effective with reference to the ratio price as applied to these commodities.

In the end the Government would not lose a single penny, for whatever loss was sustained on the surplus, as well as the cost of operating the commission, would come out of the farmer's pocket. Therefore, the real question is whether or not the Government should take this extra step, making it possible for the farmer to pay the tariff on everything he buys, a thing he can not do under existing conditions. With nearly 7,000,000 farmers of this country facing wholesale bankruptcy, is it unfair for them to demand a dollar with purchasing power equal to the dollar demanded of them by organized industry and labor?

CONCLUSION

Finally, let me say that as a Member of the Senate I profoundly deprecate the temptations which come to us to be governed exclusively by the manifest interests of our particular constituencies. God knows I want to represent as best I know how the interests of the people of the great State of New York. In the final analysis, can I do this, unless at the same time I represent the broad interests of the whole Nation? In my humble opinion agriculture is still the great basic industry and will remain so as long as the Republic stands. Therefore, in pleading the just cause of those who toil in the fields and feed lots I am seeking to make more secure the lot of those other millions who toil in our shops and factories and who in the years to come must be fed and clothed at a cost within their reach. I am confident this end can not be assured unless happiness and contentment are brought back to the millions of farm homes scattered between the two seas.

It is a pity to adjourn until some plan of agricultural relief has been agreed upon and enacted into law. We can not thrive as a nation if our basic industry is destroyed. We must not disregard the appeal of the farmers. As I see it, our manifest duty is to stay here until a means of relief has been determined.

The purpose of government is to do for the citizen what he can not do for himself. It must provide for the common welfare. In the statutes of humanity self-preservation is the first law. Agriculture has come to the edge of the precipice. The masses in the cities have arrived at the breaking point. In short, the individual food producer and the individual food consumer can take no further step without disaster. Sole hope of assistance lies in Government.

With all the power for instant relief in its hands, will Government fail?

To preserve itself, it must not!

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House disagreed to the amendments of the Senate to the bill (H. R. 5478) to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DALLINGER, Mr. REED of New York, and Mr. LOWREY were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the joint resolution (S. J. Res. 137) in respect of salaries of original appointees to the Board of Tax Appeals.

The message further announced that the House had passed a bill (H. R. 6070) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, on the island and county of Hawaii, Territory of Hawaii.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States, and it was thereupon signed by the President pro tempore.

VOCATIONAL REHABILITATION

Mr. FESS. I ask the Chair to lay before the Senate the action of the House upon House bill 5478.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 5478) to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. FESS. I move that the Senate insist upon its amendments, agree to the conference and that the President pro tempore appoint the conferees on the part of the Senate.

The motion was agreed to, and the President pro tempore appointed Mr. STERLING, Mr. DALE, and Mr. JONES of New Mexico conferees on the part of the Senate.

BUILDINGS IN PORTO RICO

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2572) to purchase grounds, erect, and repair buildings for customhouses, offices, and warehouses in Porto Rico, which was to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury be, and he is hereby, authorized to purchase or otherwise secure grounds where necessary in the municipalities of Aguadilla, Arecibo, Arroyo, Guanica, and Fajardo, in Porto Rico, and to build or rebuild thereon customhouses, offices, and warehouses, the grounds and buildings not to exceed in cost as follows: Arecibo, $30,000; Aguadilla, $25,000; Arroyo, $30,000; Fajardo, $40,000; Guanica, $30,000; for repairs to the customhouse at Ponce, $18,000; for repairs to the customhouse at Humacao, $4,000, and for repairs to the custom warehouse at Mayaguez, $8,000. Authority is also granted the Secretary of the Treasury to pay said amounts as needed out of duties collected in Porto Rico as an expense of collection, under such rules and regulations as may be prescribed by the Secretary of the Treasury: *Provided*, That not more than $65,000 of the total expenditure herein authorized shall be made in any one year.

Mr. WILLIS. The amendment proposed by the House does not make a material change in the bill, and I therefore move that the Senate concur in the amendment.

The motion was agreed to.

NATIONAL PARK IN TERRITORY OF HAWAII

Mr. BAYARD. I ask unanimous consent for the immediate consideration of the bill (H. R. 4985) to repeal the first proviso of section 4 of an act to establish a national park in the Territory of Hawaii, approved August 1, 1916. I will explain to the Senate that this is a bill repealing the act of 1916, which limits the amount which may be utilized by the Hawaiian National Park to $10,000 every year. The bill has been reported unanimously by the Committee on Territories and Insular Possessions.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. WILLIS. When this bill was called up a little while ago I objected to its consideration because it would interfere with the unfinished business. I withdraw that objection. I think the bill ought to pass.

The PRESIDENT pro tempore. The Chair hears no objection to the consideration of the bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the first proviso of section 4 of an act entitled "An act to establish a national park in the Territory of Hawaii," approved August 1, 1916, which is in words and figures following: "*Provided*, That no appropriation for the maintenance, supervision, and improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GERARD E. BESS

Mr. OVERMAN. I am interested in a small House bill, and should like to ask unanimous consent for its immediate consideration. It is the bill (H. R. 905) for the relief of Gerard E. Bess. It is to pay a poor fellow who was run over and injured by a Government truck. The bill has passed the House, and its passage is unanimously recommended by the Senate Committee on Claims.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. BURSUM. I have no objection to the consideration of the bill, with the understanding that it will not interfere with the unfinished business.

The PRESIDENT pro tempore. The Chair does not think the consideration of the bill will interfere with the unfinished business.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to Gerard E. Bess $540 in full settlement against the Government, as compensation for injuries sustained while in charge and under the direction of a sergeant of the United States Army and a passenger on a Government truck en route from Fort Bragg to Charlotte, N. C., on May 23, 1922.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CENTENNIAL OF LEGISLATIVE COUNCIL OF FLORIDA

Mr. TRAMMELL. Mr. President, about four days ago the Senate passed a concurrent resolution authorizing the President to name a delegate to attend the centennial of the holding of the first council of the Legislature of the Territory of Florida. House Members have informed me that the parliamentary status there is such that they can handle a joint resolution better. I now introduce a joint resolution which is in the same language as the concurrent resolution, the only difference being as to the form.

The joint resolution (S. J. Res. 142) providing for the United States Government to have representation at the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida was read the first time by its title and the second time at length, as follows:

Whereas the citizens of Tallahassee, Fla., the State capital, joined by the citizens of the entire State of Florida, are planning an appropriate celebration in November, 1924, of the centennial of the first meeting of the legislative council of the Territory of Florida, said celebration to be held at Tallahassee; and

Whereas it is desirable and fitting that the United States Government should be represented on the occasion of the said celebration: Therefore be it

Resolved, etc., That the President be, and he is hereby authorized and directed to name and appoint a representative of the United States Government to attend and participate in the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida, said celebration to be held at Tallahassee, Fla., the State capital, during the month of November, 1924.

Mr. TRAMMELL. In view of the circumstances which I have stated I ask unanimous consent, without disturbing the unfinished business, for the present consideration of the joint resolution.

The PRESIDENT pro tempore. The Senator from Florida asks unanimous consent for the consideration of a joint resolution. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXAMINATION OF CHICAGO RIVER AND BRANCHES

Mr. JONES of Washington. From the Committee on Commerce I report back favorably with an amendment the bill (S. 3192) to provide for an examination of the Chicago River and its branches, and I submit a report (No. 723) thereon. I ask unanimous consent for the immediate consideration of the bill.

Mr. CURTIS. Let the bill be read.

The bill was read, and, there being no objection, the Senate as in Committee of the Whole proceeded to its consideration.

The amendment of the Committee on Commerce was, in line 5, after the word "branches," to strike out the words "with a view to reporting as to the advisability of granting permission to the local authorities to establish fixed bridges across said waters," and in lieu thereof to insert "to determine whether fixed bridges should be permitted and, if permitted, what clearances for navigation should be observed in their construction"; so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause an examination to be made of the Chicago River and its branches to determine whether fixed bridges should be permitted and, if permitted, what clearances for navigation should be observed in their construction.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6941) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The next amendment of the Committee on Pensions was, on page 4, after line 4, to strike out:

The name of Rebecca Pedrick, widow of William Pedrick, late of Company H, Thirty-second Regiment Pennsylvania Emergency Militia Volunteer Infantry, and Company H, Seventh Regiment Pennsylvania Militia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 9, line 19, after the words "rate of," to strike out "$50" and to insert "$47," so as to read:

The name of Lucena Brown, widow of James Brown, late of Company H, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $47 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

The name of Emily J. Hormel, widow of Joel Hormel, late of Company F, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 16, after line 2, to strike out:

The name of Mary Burdick, widow of Lewis B. Burdick, late of Company K, One hundredth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 18, after line 15, to strike out:

The name of Sarah A. Fitzgerald, former widow of William H. Cox, late of Company I, Fifty-fifth Regiment Kentucky Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, after line 12, to strike out:

The name of Martha E. Leach, widow of John W. Leach, late of Company C, Fifth Regiment West Virginia Volunteer Infantry, and Company G, First Regiment West Virginia Veteran Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 22, to strike out:

The name of Julia Beckley, helpless and dependent daughter of Benjamin F. Padgitt, late of Company G, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 5, to strike out:

The name of Eliza M. Trayler, former widow of George W. Hughson, late of Company G, Twelfth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 32, after line 20, to strike out:

The name of Eunice A. Myers, widow of James A. Myers, late of Company F, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 34, after line 12, to strike out:

The name of Adaline M. Shaub, helpless and dependent daughter of Samuel M. Trulock, late of Company I, Seventy-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 35, line 3, after the words "rate of," to strike out "$50" and to insert "$35," so as to read:

The name of Grace E. Ash, widow of Reuben Ash, late of Company F, Second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 35, at the end of line 15, to strike out "$50" and to insert "$35," so as to read:

The name of Bridget Palmer, widow of Richard Palmer, late of Company D, Twenty-fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 36, to strike out:

The name of Isabel Sandlin, widow of Huriah Sandlin, late of Company I, Fourth Regiment Kentucky Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 36, after line 19, to strike out:

The name of Angeline Preston, widow of Samuel Preston, late of Company C, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 36, after line 23, to strike out:

The name of Mary V. Scriven, widow of Gardner R. Scriven, late assistant surgeon, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, after line 19, to strike out:

The name of Mary J. Tosh, widow of William M. Tosh, late of Company G, Fifth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 40, after line 21, to strike out:

The name of Mary L. Harvey, widow of John H. Harvey, late of Company C, Seventy-fourth Regiment New York National Guard Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, at the top of page 41, to strike out:

The name of Julia Murphy, widow of Patrick Murphy, late of Company I, Eighth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 41, after line 11, to strike out:

The name of John Bywater, alias John Tallman, late of Company H, Eighth Regiment Michigan Volunteer Infantry, and Company E, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 43, after line 19, to strike out:

The name of Amanda T. Fuller, widow of David Fuller, late of Company C, One hundred and sixty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 45, after line 4, to strike out:

The name of Mamie Watters, helpless and dependent daughter of John J. Watters, late of Company E, One hundred and sixteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 45, after line 8, to strike out:

The name of Candace A. Kain, widow of Silas D. Kain, late of Company K, Sixteenth Regiment Ohio Volunteer Infantry, and Company F, Sixty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 46, after line 7, to strike out:

The name of Katie M. Grein, former widow of Nathaniel H. Stubbs, late of Company E, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 46, after line 11, to strike out:

The name of Mary A. Anderson, widow of John Anderson, late of Companies F and A, Second Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving:

The amendment was agreed to.

The next amendment was, on page 47, after line 5, to strike out:

The name of Rodia A. Dunifer, widow of Edward R. Dunifer, late of Company H, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 49, after line 7, to strike out:

The name of Thomas C. Jones, late of Company F, Eleventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 49, after line 10, to strike out:

The name of Annie L. Durham, former widow of Tolford Durham, late of Company A, Fourth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month, this being in addition to the pension of $20 a month now being received by William H. Durham, helpless and dependent son of soldier.

The amendment was agreed to.

The next amendment was, on page 51, line 12, after the words "rate of," to strike out "$40" and to insert "$35," so as to read:

The name of Ella Watts, widow of Michael Watts, late of Company I, Fourth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 52, after line 23, to strike out:

The name of Margaret C. Miller, widow of John W. Miller, late of Company I, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 53, after line 2, to strike out:

The name of Rachel E. Diehl, widow of Milton Diehl, late of Company G, Twenty-sixth Regiment Indiana Volunteer Infantry, and Company H, Thirty-second Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 56, after line 6, to strike out:

The name of Rachel M. Goin, former widow of William B. McDaniel, late of Battery C, First Battalion, Tennessee Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 57, after line 10, to strike out:

The name of Mary A. Lavery, widow of Hugh Lavery, late of unassigned Sixth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 57, at the end of line 20, after the words "rate of," to strike out "$40" and to insert "$35"; so as to read:

The name of Lavina Craig, widow of James L. Craig, late of Company C, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 58, line 22, before the word "widow," to insert "former," so as to make the paragraph read:

The name of Ruth V. Hutchens, former widow of Joseph Harris, late of Company H, Fifty-third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 60, line 21, after the words "rate of," to strike out "$20" and to insert "$12," so as to make the paragraph read:

The name of William M. Keen, helpless and dependent son of Anderson Keen, late of Company B, Ninety-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 61, after line 2, to strike out:

The name of Lena Campbell, widow of Thomas W. Campbell, late of First Sharpshooters, attached to Twenty-seventh Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 62, after line 4, to strike out:

The name of Sophia Hubbard, widow of William McK. Hubbard, late of Company C, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 63, after line 8, to strike out:

The name of Ellen Cross, widow of George Cross, late of Companies G and K, Ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 64, after line 15, to strike out:

The name of William G. McElhaney, late of Company D, Third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 65, after line 7, to strike out:

The name of Elizabeth J. Thorn, widow of Levi Thorn, alias John Sunney, late of Company M, Fourth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 65, after line 12, to strike out:

The name of Rachel Murphy, widow of Samuel Murphy, late of Company C, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 67, line 21, after the words "rate of" to strike out "$50" and to insert "$30"; so as to make the paragraph read:

The name of Esther A. Deyo, former widow of Charles G. Deyo, late of Company G, Ninth Regiment, New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 72, after line 12, to strike out:

The name of Rose E. Cain, widow of Anthony Cain, late of Company A, Sixth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 73, after line 2, to strike out:

The name of Harriet C. Bristol, former widow of James F. Woodruff, late of Company K, Nineteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 74, after line 8, to strike out:

The name of Sarah A. Gill, former widow of John A. Klein, late of Company C, Eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 76, after line 16, to strike out:

The name of Angie H. Skinner, widow of Andrew A. Skinner, late unassigned, Twenty-eighth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 77, after line 3, to strike out:

The name of Dora A. Lee, helpless and dependent daughter of Andrew J. Lee, late of Company C, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The amendment was agreed to.

The next amendment was, on page 77, after line 15, to strike out:

The name of Martha J. Dukate, widow of John S. Dukate, late of Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 81, line 20, after the word "of," to strike out "Company F, Fifty-second Regiment New York Volunteer Infantry, and," so as to read:

The name of Alice Luth, widow of Albert Luth, late of Company H, Second Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 82, line 12, after the words "rate of" to strike out "$20" and to insert "$12," so as to make the paragraph read:

The name of Edith M. Ball, helpless and dependent daughter of Charles E. Ball, late of Company G, Ninety-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month through a legally appointed guardian.

The amendment was agreed to.

The next amendment was, on page 82, line 23, after the words "late of," to strike out "Company A, Twenty-second Regiment New York Volunteer Cavalry, and," so as to read:

The name of Joseph Ham, late of Company D, One hundred and ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 87, after line 17, to strike out:

The name of Ellen L. Stone, widow of Joseph C. Stone, late captain and assistant adjutant general United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 87, line 23, after the words "late of," to strike out "Company E, Fourth Regiment Wisconsin Volunteer Cavalry, and," so as to read:

The name of Susan Ritter, widow of Frank Ritter, alias Frank Hilb, late of Company D, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 90, after line 2, to strike out:

The name of Asa Daniel, late of Company A, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 92, at the beginning of line 21, to strike out "$50" and to insert "$42," so as to read:

The name of Elizabeth Sutton, widow of Henry H. Sutton, late of Company H, Thirty-fourth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $42 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 95, to strike out:

The name of William H. McIntosh, helpless and dependent son of James D. McIntosh, late of Company A, One hundred and twentieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The amendment was agreed to.

The next amendment was, on page 103, after line 7, to strike out:

The name of Clara Collins, widow of John H. Collins, late of Company B, Twentieth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 107, after line 2, to strike out:

The name of Elizabeth Brillhart, former widow of James Dunbar, late of Company A, Sixty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 107, line 12, after the word "Company," to strike out "C, One hundred and twenty-fourth" and to insert "K, Ninety-first," so as to make the paragraph read:

The name of Irene S. Slagle, widow of David C. Slagle, late of Company K, Ninety-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 110, line 20, after the words "late of," to strike out "Company L, Ninth Regiment New York Heavy Artillery, and," so as to read:

The name of Elisha L. Bennett, jr., late of Company C, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 111, after line 4, to strike out:

The name of S. Harriet Morris, widow of Caleb M. Morris, late of Company C, One hundred and ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 120, after line 9, to strike out:

The name of Alexander Surrell, late of Company C, One hundred and sixty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 126, after line 6, to strike out:

The name of Frances D. Stewart, widow of David C. Stewart, late of Company F, Fifty-fifth Regiment Pennsylvania Emergency Militia Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 126, after line 10, to strike out:

The name of Evaline Harris, widow of Wilson Harris, late of Company A, Hatch's independent battalion, Minnesota Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 128, line 14, after the word "Company," to strike out "G, One hundred and fourteenth Regiment United States Colored Volunteer Infantry," and to insert "L, Eleventh Michigan Cavalry," so as to read:

The name of Orilla S. Earl, now known as Spicer, former widow of Porter B. Earl, late of Company L, Eleventh Michigan Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 130, after line 6, to strike out:

The name of Harriett Allen, widow of Bennett Allen, late of Company G, One hundredth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The amendment was agreed to.

The next amendment was, on page 132, after line 4, to strike out:

The name of Sophie P. Harris, widow of James N. Harris, late of Company C, Sixty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John E. Harris, helpless and dependent son of said Sophie P. and James N. Harris, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sophie P. Harris the name of said John E. Harris shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sophie P. Harris.

The amendment was agreed to.

The next amendment was, on page 134, after line 19, to strike out:

The name of Richard Hagan, late of Company A, First Battalion District of Columbia Volunteers, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 135, line 18, after the words "rate of" to strike out "$50," and to insert "$42"; so as to read:

The name of Isabella Hunter, widow of Michael L. Hunter, late of Company H, First Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $42 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 139, after line 3, to strike out:

The name of Evelina C. Gross, widow of George M. Gross, late of Company B, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Irvin P. Gross, helpless and dependent son of Evelina C. and George M. Gross, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Evelina C. Gross, the name of said Irvin P. Gross shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the death of said Evelina C. Gross.

The amendment was agreed to.

The next amendment was, on page 140, line 2, after the words "rate of" to strike out "$36" and to insert "$30", and in the same line, after the words "per month" to strike out "in lieu of the pension of $12 a month now being received by Roy G. Hudson, minor child of said Delia E. and Richard W. Hudson, payment of $6 a month of the pension of $36 a month herein granted said Delia E. Hudson to cease and determine when the said minor child, Roy G. Hudson, reaches the age of 16 years, December 14, 1925," and to insert: "and $6 additional on account of the soldier's minor child until it attains the age of 16 years; the pension now being paid to said child to cease and determine upon the approval of this act."

So as to make the paragraph read:

The name of Delia E. Hudson, widow of Richard W. Hudson, late of Company K, Third Regiment Pennsylvania Provisional Cavalry, and pay her a pension at the rate of $30 per month and $6 additional on

account of the soldier's minor child until it attains the age of 16 years; the pension now being paid to said child to cease and determine upon the approval of this act.

The amendment was agreed to.

The next amendment was, on page 140, after line 11, to strike out:

The name of Ellen Williams, widow of Noah S. Williams, late of Company F, Fortieth Regiment Illinois Volunteer Infantry, and Company K, Thirteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles M. Williams, helpless and dependent son of said Ellen and Noah S. Williams, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Ellen Williams, the name of said Charles M. Williams shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Ellen Williams.

The amendment was agreed to.

The next amendment was, on page 144, at the beginning of line 7, to strike out "(Thirty-second Volunteers), and Battery C, Fifth Regiment United States Artillery," and to insert "Infantry," so as to make the paragraph read:

The name of Nellie Wells, widow of Charles V. Wells, late of Company C, Third Regiment Pennsylvania Reserves Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 145, after line 9, to strike out:

The name of Mary J. Steele, widow of John H. Steele, late of Company G, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, at the top of page 147, to strike out:

The name of Abram Jones, late of Companies A and C, Sixth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 148, after line 6, to strike out:

The name of Mary E. Blanchard, widow of Asa Blachard, late of Company F, thirty-ninth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 149, line 7, before the word "widow," to strike out "Valen" and to insert "Valeu"; and in line 8, before the words "late of," to strike out "Valen" and to insert "Valeu," so as to make the paragraph read:

The name of Elenor J. Valeu, widow of Joseph A. Valeu, late of Company D, One hundred and eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 154, line 11, after the words "rate of," to strike out "$50" and to insert "$42," so as to read:

The name of Hannah Bailey, widow of James W. Bailey, late of Company E, Ninety-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $42 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 152, line 7, after the words "rate of," to strike out "$50" and to insert "$42," so as to read:

The name of Lottie Frailey, widow of William Frailey, late of Company D, Forty-eighth Regiment Kentucky Volunteer Infantry and Company E, Twenty-sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $42 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 152, line 24, before the words "per month," to strike out "$50" and to insert "$35," so as to read:

The name of Lucy Jane McGrayel, widow of James McGrayel, late of Company G, Twenty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 156, line 3, after the words "rate of," to strike out "$50" and to insert "$45," so as to make the paragraph read:

The name of Sarah Adams, widow of Edwin H. Adams, alias Francis P. Wyse, late seaman, United States Navy, Civil War, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 158, after line 17, to strike out:

The name of Elizabeth Sizemore, widow of Wilburn Sizemore, late of Company L, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 161, line 12, after the words "late of," to strike out "Company A, Eighty-seventh Regiment New York Volunteer Infantry, and," and in line 15, after the words "rate of," to strike out "$50" and to insert "$35," so as to make the paragraph read:

The name of Carrie M. Flandreau, widow of Daniel A. Flandreau, late of Company G, Seventh Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 162, line 22, after the words "late of," to strike out "Company H, Twelfth Regiment Missouri Volunteer Cavalry, and," so as to make the paragraph read:

The name of John Kinchlow, late of Company B, Third Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 164, after line 2, to strike out:

The name of Emily Stewart, former widow of William Stewart, late of Company I, Thirty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 165, after line 18, to strike out:

The name of Lucretia Bernard, widow of Lemuel Bernard, late third assistant engineer United States Navy, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 166, at the beginning of line 8, to strike out "$50" and to insert "$35," so as to make the paragraph read:

The name of Emily White, widow of Thomas White, late of Company A, Ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 167, after line 14, to strike out:

The name of Lucy S. Faser, widow of Ziba M. Faser, late of Company F, Forty-first Regiment Pennsylvania Emergency Militia Infantry, and Company I, Third Pennsylvania Militia Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 167, after line 23, to strike out:

The name of Ann K. Kindred, widow of Thomas J. Kindred, late of Company K, Ninety-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 168, after line 23, to strike out:

The name of Adaline Walker, widow of Henry Walker, late of Company B, Eighth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 172, after line 9, to strike out:

The name of John W. Genung, late of Graham's Company, attached to Fourteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The next amendment was, on page 175, after line 18, to insert:

The name of Clara I. Willis, helpless and dependent daughter of Edwin S. Willis, late of Companies B and A, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Martha C. Roberts, widow of Burdett L. Roberts, late of Company A, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Clara D. Rehrer, helpless and dependent daughter of E. Godfrey Rehrer, late of Company E, One hundred and twenty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Catherine E. Stewart, widow of John C. Stewart, late of Company H, Seventy-fourth Regiment, and Company A, Twenty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma Cora White, widow of David T. White, late of Company B, One hundred and forty-ninth Regiment Ohio National Guard Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary L. Thompson, widow of Allen W. Thompson, late of Company H, Seventy-sixth Regiment New York Volunteer Infantry, and Companies D and B, Sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Reeves, widow of David L. Reeves, late of Company A, One hundred and fifty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lucinda Bittner, widow of Samuel Bittner, late of Company H, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza J. Dunkerson, widow of William D. Dunkerson, late of Company B, Seventeenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Betsy A. Booth, widow of George F. Booth, late of Company H, Thirty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna E. Pierce, widow of William Pierce, late of Companies A and K, Third Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Etta S. Barnes, widow of Edward L. Barnes, late an adjutant, Ninety-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Richard H. Murch, late a teamster Quartermaster Corps, Civil War, and pay him a pension at the rate of $30 per month.

The name of Amy Keele, widow of Andrew H. Keele, late of Company F, Forty-ninth Regiment New York Volunteer Infantry, and Company K, First Regiment New York Frontier Cavalry, and pay her a pension at the rate of $30 per month.

The name of Henrietta C. Geiger, widow of Washington F. Geiger, late colonel Eighth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Phebe Clark, widow of Jacob Clark, late of Company A, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of May T. Edgeler, widow of George W. Edgeler, late of Company F, Fourth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Charles C. Miller, helpless and dependent son of Harvey M. Miller, late of Company F, Sixth Regiment Michigan Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Sarah J. Pettit, widow of Stephen M. Pettit, late of Company A, One hundredth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Nellie Pettit, helpless and dependent daughter of said Sarah J. and Stephen M. Pettit, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah J. Pettit the name of said Nellie Pettit shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sarah J. Pettit.

The name of Francie Simpson, widow of William H. Simpson, late of Company H, First Regiment Michigan Engineers and Mechanics, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Kittie C. Simpson, helpless and dependent daughter of said Francie and William H. Simpson, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Francie Simpson the name of said Kittie C. Simpson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Francie Simpson.

The name of Fabel A. Swarthout, helpless and dependent daughter of Oliver C. Swarthout, late of Company B, Forty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Ida M. Knox, widow of Jackson P. Knox, late of Company F, Fourth Regiment, and Company G, Twelfth Regiment, Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Margaret Gerber, widow of Valentine Gerber, late of Company D, First Regiment Indiana Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Clara Short, now known as Clara A. Short, former widow of William H. Short, late of Company B, Eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha J. Nickel, widow of James R. H. Nickel, late of Company G, Thirtieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Hettie J. Stephens, widow of William Stephens, late of Company K, Thirty-sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sophia Mullennax, widow of Washington J. Mullennax, late of Company K, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elcie Jenkins, widow of Samuel Jenkins, late of Company K, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Emma J. Daugherty, widow of Louis H. Daugherty, late of Company E, Fifteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Priscilla A. Pinney, widow of Chauncey G. Pinney, late of Company D, One hundred and fifty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ency A. H. Wheeler, widow of Alonzo A. Wheeler, late of Company I, Seventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Cloe Jones, widow of Benjamin Jones, late of Company H, Second Regiment United States Colored Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Minnie Brisco, widow of Martin Brisco, late of Company L, Second Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Andrew Boyer, late of Troop K, Sixth Regiment United States Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The name of Catherine A. Lunger, widow of John Stoops Lunger, alias John Stoops, late unassigned, Thirty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Albert Jacobs, helpless and dependent son of Joseph Jacobs, late of Company B, Fifty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Julia Lukenbill, widow of Samuel C. Lukenbill, late of Company C, Twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lottie B. Reid, widow of Joseph N. Reid, late of Company C, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rebecca Duty, widow of George W. Duty, late of Company K, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Guy W. Rowe, helpless and dependent son of Charles W. Rowe, late of Second Battery Connecticut Volunteer Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Rachel A. Roden, widow of Charles Roden, late of Company H, Third Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Julia Gregory, widow of John Gregory, late of Company I, Ninth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Lucetia Beekman, widow of Lewis C. Beekman, late of Company D, One hundred and fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Parker, widow of Joseph M. Parker, late of Company G, Thirty-second Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cora B. Remington, widow of Byron D. Remington, late of Company A, First Regiment Rhode Island Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Gibson, widow of John Gibson, late of Company C, Fifth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rachel Everson, widow of Elmer Everson, late of Company E, Fifty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nancy Halcum, widow of John Halcum, late of Company B, Eighth Regiment Tennessee Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cynthia E. King, former widow of David Blankenship, late of Company B, Osage County Missouri Home Guards, and pay her a pension at the rate of $30 per month.

The name of Libbie Searing, widow of Leander Searing, late of Company A, Second Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth M. Laird, widow of Amos T. Laird, late of Company B, Fortieth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Irwin E. Warner, alias John Shay, and pay him a pension at the rate of $50 per month.

The name of Henry Marsh, helpless and dependent son of William R. Marsh, late of Company E, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Charles Cooper, helpless and dependent son of Charles W. Cooper, late of Company F, One hundred and seventy-eighth Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary E. Bassett, widow of David L. Bassett, late of Company D, Eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Stevens, widow of John B. Stevens, late of Company D, Forty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary J. Farlee, widow of Henry Farlee, late of Company I, Thirty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Laura C. Granger, former widow of Benjamin F. Adams, late of Company H, Third Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Temple, widow of Thomas J. Temple, late of Company K, Thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary C. S. Frank, widow of Harvey B. Frank, late of Company A, Forty-third Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Clara J. Foss, widow of Joseph H. Foss, late of Company A, Fifth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Angelina Shaw, widow of Menzo Shaw, late of Company H, Fourth Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of James Duffy, alias Henry L. Forbes, late of Company K, Fifteenth Regiment Illinois Volunteer Cavalry, and Company K, Tenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The name of Alice M. Gay, widow of John Gay, late of Company F, Fourteenth Regiment United States Infantry, and pay her a pension at the rate of $30 per month.

The name of Lany M. Brelsford, widow of Milton Brelsford, late of Company A, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha A. Howard, widow of Martin V. Howard, late of Company A, First Regiment Minnesota Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clifton E. Lime, helpless and dependent son of Martin L. Lime, late of Company H, Fifty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Sarah E. Coleman, widow of Philander W. Coleman, late of Company G, Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $50 per month through a legally appointed guardian in lieu of that she is now receiving.

The name of Alice C. Rea, helpless and dependent daughter of Joseph C. Rea, late of Company E, Thirty-first Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Jennie M. Bond, widow of Charles K. Bond, late of Company H, Fourth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William B. Kimbrel, late of the Indiana Legion, Civil War, and pay him a pension at the rate of $24 per month.

The name of Mary L. Bender, widow of Andrew Bender, late of Battery D, Second Regiment United States Volunteer Artillery, and Company B, First Regiment United States Volunteer Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna Preston, helpless and dependent daughter of Samuel Preston, late of Company I, Thirty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Julia E. Forbes, widow of Francis A. Forbes, late of Company B, Sixteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of May V. Humphrey, former widow of Francis H. Dusenbury, late landsman, U. S. S. *Prairie Bird*, United States Navy, and pay her a pension at the rate of $30 per month.

The name of Elizabeth J. Stetson, helpless and dependent daughter of George H. Stetson, late of Company F, One hundred and eightieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Armelda Eversole, widow of John Eversole, late of Company F, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice B. Hartshorne, widow of William R. Hartshorne, late of the Forty-second and One hundred and ninetieth Regiments Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan Bentz, widow of Lewis Bentz, late of Company G, One hundred and forty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Minnie L. Crowl, widow of John Crowl, late of Company H, One hundred and sixty-sixth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Sharpp, widow of Leopold Sharpp, late of Company C, Tenth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary C. Derby, widow of William S. Derby, late of Company A, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha A. Straight, widow of Merrit Straight, late of Company H, Second Regiment Minnesota Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Stella Garnhart, widow of Washington Garnhart, late of Company H, Eighty-fourth Regiment, and Company F, One hundred and sixty-third Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of James Percival, late of Company C, Ninety-ninth Regiment New York National Guard Infantry, and pay him a pension at the rate of $50 per month.

The name of Anna Comstock, widow of Herman L. Comstock, late of Company H, First Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Lucy DeGroff, widow of Elias DeGroff, late of Company E, Twenty-ninth Regiment Connecticut Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Philia R. Friesner, widow of William S. Friesner, late of Fifty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Leivelsberger, widow of Jacob C. Leivelsberger, late of Company B, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Louise Scott, widow of John A. Scott, late of Company K, Third Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of $30 per month, commencing July 1, 1925, or in the event of the death of Helen L. and Arthur A. Scott, minor children of Louise and John A. Scott, now on the pension roll at the rate of $42 per month and paid to Louise Scott as the natural guardian of said minor children.

The name of Daisy Johnson, widow of John Johnson, late of Company K, Third Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Jane Bradley, widow of Henry Bradley, late of Company G, Seventeenth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret M. Bratton, widow of John E. Bratton, late of Company E, Twentieth Regiment, and Company H, Eighteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jane A. Banner, widow of Samuel H. Banner, late of Company A, Fifth Independent Battalion Ohio Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah A. Jones, widow of Pleasant A. Jones, late of Company I, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Catharine Pierce, widow of Levi Pierce, late of Company I, Fourth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $42 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Dayton Pierce, helpless and dependent son of said Catharine and Levi Pierce, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Catharine Pierce the name of said Dayton Pierce shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Catharine Pierce.

The name of Tabitha T. Craven, widow of Ira R. Craven, late of Company D, Seventieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sallie Miller, widow of William H. Miller, late of Company C, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Botimer, widow of William Botimer, late of Company C, Thirteenth Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Drusilla Fortner, widow of Josiah Fortner, late of Company I, Fifth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of California Haysmer, helpless and dependent daughter of James Haysmer, late of Company F, First Regiment Michigan Volunteer Engineers and Mechanics, and pay her a pension at the rate of $20 per month.

The name of Alice M. Barnard, widow of Henry C. Barnard, late of Company G, One hundred and twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Frances M. Boye, helpless and dependent daughter of Charles Boye, late of Company C, Twenty-sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary W. Noll, widow of John Noll, late of Company A, Nineteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hattie M. Willard, widow of James D. Willard, late of Company F, Fourth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lucinda J. Jay, widow of William A. Jay, late of Company F, Eighth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charles Abbott, helpless and dependent son of John Abbott, late of Company F, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Josephine Gerard, widow of William Gerard, late of Company I, Ninth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Harriet E. Larimore, widow of Henry Larimore, late of Company B, One hundred and forty-second Regiment Ohio National Guard Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emily J. Miller, widow of John H. Miller, late of Company K, Thirty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Esther Barton, widow of Nathan A. Barton, late of Company F, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy A. Cotterel, widow of John Cotterel, late of Company H, One hundred and thirtieth Regiment Illinois Volunteer Infantry, and Company B, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ira Cotterel, helpless and dependent son of said Nancy A. and John Cotterel, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Nancy A. Cotterel the name of said Ira Cotterel shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Nancy A. Cotterel.

The name of Nancy C. Troupe, former widow of James L. Forgey, late of Company L, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah E. Fetters, widow of David Fetters, late of Company C, Eighth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month, commencing August 22, 1926, or in the event of the death of Mabel F. Fetters, minor child of Sarah E. and David Fetters, now on the pension roll at the rate of $36 per month, and paid to Sarah E. Fetters as the natural guardian of said minor child.

The name of Sallie Dewitt, widow of William H. Dewitt, late of Company G, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Catharine J. Woodfield, widow of Joseph P. B. Woodfield, late of Company A, First Regiment Delaware Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Melissa E. Dickinson, widow of Solomon A. Dickinson, late of Company I, Sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susanna Bulla, widow of Levi D. Bulla, late of Company G, Twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rose Jackson, helpless and dependent daughter of Alexander C. Jackson, late of Company B, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Hannah Bower, widow of Lafayette Q. Bower, late of Company E, Fourth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Tenny A. Littlejohn, widow of Amos W. Littlejohn, late of Company H, Seventy-first Regiment Indiana Volunteer Cavalry; Company G, One hundred and fifteenth Regiment Indiana Volunteer Infantry; Company F, Eighty-fifth and Thirty-third Regiment Indiana Volunteer Infantry; and Company I, Sixth Regiment United States Cavalry, and pay her a pension at the rate of $30 per month and $6 a month additional for each of three minor children, Verlen Littlejohn, Vesta Littlejohn, and Leatha Littlejohn, until each attains the age of 16 years, as provided by the pension laws and regulations, in lieu of that she is now receiving.

The name of Olive R. Milton, widow of Edward J. Milton, late of Company I, First Regiment Maine Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Barbara L. Houston, helpless and dependent daughter of Joseph Houston, late of Company E, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary Robinson, widow of Isom Robinson, late of Company F, One hundred and thirty-sixth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Deborah C. McNary, widow of Robert B. McNary, late assistant surgeon, Third Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Catherine Beigh, widow of John R. Beigh, late of Company K, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jane M. T. Porter, widow of Thomas A. Porter, late of Lieutenant Nield's Independent Battery, Delaware Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Adelia V. Myres, widow of Jacob W. Myres, late of Company G, Sixty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Robinson, widow of David Robinson, late of Company I, Fifty-sixth Regiment New York Volunteer Infantry, and Company K, One hundred and fourth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Priscilla Ridenour, widow of George Ridenour, late of Company F, One hundred and sixty-eighth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna E. Legg, widow of Andrew J. Legg, late of Captain Mallicoat's Company N, Green and Christian Counties Missouri Home Guards, and Company C, Fifty-first Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Flora B. Benham, widow of Joel Benham, late of Company K, Second Regiment Illinois Volunteer Light Artillery, and Company G, Forty-fifth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Flora B. Benham, widow of Joel Benham, late of Company D, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jessie M. Monroe, widow of John Monroe, late of Company E, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Elizabeth Dossett, widow of Jackson Dossett, late of Company G, Sixty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Augustus H. List, helpless and dependent son of John L. List, late first-class fireman, United States Navy, Civil War, and pay him a pension at the rate of $20 per month.

The name of Annie Greeser, widow of Jacob Greeser, late of Company D, Two hundredth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Oscar J. Dunn, helpless and dependent son of Benjamin J. Dunn, late of Company H, One hundred and forty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Hester A. Black, widow of George B. Black, late of Company H, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Andrews, widow of Joseph Andrews, late of Company C, Twenty-second Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Jane Ross, widow of William E. W. Ross, late of Thirty-first Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie Kenny, widow of Daniel J. Kenny, late of Company D, Fourth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Delhi, widow of Enoch Delhi, late of Company G, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rosalie H. Webster, widow of Charles F. Webster, late of Fourteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martin A. Jones, late of Company I, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Margaret A. Kerkendall, widow of Benjamin W. Kerkendall, late of Company D, Twelfth Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary Kistler, helpless and dependent daughter of Jonas K. Kistler, late of Company D, One hundred and seventy-third Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary C. Benson, widow of Israel T. Benson, late of Company G, One hundred and eighty-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cora F. Marlette, widow of Samuel P. Marlette, late of Company A, First Regiment Minnesota Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Edmund J. Cain, helpless and dependent son of Thomas Cain, alias Thomas McGraw, late of Company B, One hundred and eighty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Margaret Lindsey, widow of Lafayette F. Lindsey, late of Company E, Forty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Nichols, widow of William H. Nichols, late of Company E, Twenty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Devlin, widow of John R. Devlin, late of Company H, Eighth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Delia Riggin, widow of Isaac J. Riggin, late of Company D, Eleventh Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louisa K. Johnson, former widow of Marcus Holbert, late of Company A, Eighth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Livonia Nicholson, widow of Albert Nicholson, late of Company D, One hundred and twenty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martin Guthrie, helpless and dependent son of Perry Guthrie, late of Company K, Sixty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month, through a legally appointed guardian, in lieu of that he is now receiving.

The name of Sarah Blakely, widow of Elbert F. Blakely, late of Company B, One hundred and eightieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Grace M. Lauter, widow of Edward Lauter, late of Company A, Forty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret L. Routh, widow of Charles W. Routh, late of Company B, Fifth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rachel Dunning, widow of John Dunning, late of Company F, First Regiment United States Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cassandra Jerrell, widow of Milton M. Jerrell, late of Companies D and E, Third Regiment Maryland Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Amanda Clemens, widow of Alexander Clemens, late of Company C, One hundred and ninty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name Martha K. Grenewald, widow of Leonard H. Grenewald, late of Company M, First Regiment Potomac Home Brigade, Maryland Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Effie Lancaster, widow of James Lancaster, late of Company H, Fifty-third Regiment Kentucky Mounted Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Angeline G. Hunter, widow of James Hunter, late of Company H, Sixth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah Brudon, widow of Charles W. H. Brudon, late of Twenty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hulda Young, widow of Powers Young, late of Company G, Thirty-first Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lydia J. Austin, widow of Harvey H. Austin, late of Company B, Fourteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Flora L. Gammon, helpless and dependent daughter of Benjamin Y. Gammon, late of Company D, Seventeenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Maggie Wilson, widow of Joseph B. Wilson, late of Company I, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The name of Leona G. Howe, widow of Martin L. Howe, late of Thirteenth Battery Michigan Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Adelia Chill, widow of Zebulon Chill, late of Company F, Tenth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret B. Blunt, former widow of Washington Bird, late of Company H, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of John Watts, helpless and dependent son of Little B. Watts, late of Company G, First Regiment Alabama and Tennessee Vidette Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Clara H. Johnson, widow of Lorenzo E. Johnson, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $30 per month.

The name of Robert H. Hendershot, alias Robert H. Henderson, late of Company B, Eighth and Fifth Regiments Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Carrie Baker, widow of Christopher P. Baker, late of Company A, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah W. Cameron, widow of John H. Cameron, late of Company G, Third Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jacob G. Smuck, helpless and dependent son of William Smuck, late of Company G, One hundred and sixty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Susan Jane Henry, widow of James Henry, late of Company E, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mable Andrews, helpless and dependent daughter of William Andrews, late of Company C, Twenty-second Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Henrietta Stahl, widow of Howard Stahl, late of Company K, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Harriet E. Thompson, widow of Hugh C. Thompson, late hospital steward, Fifteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Charlotte A. Daily, widow of Elgin J. Daily, late of Company C, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of James P. Shewman, helpless and dependent son of Sidney A. Shewman, late of Company I, Twenty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month, through a legally appointed guardian, in lieu of that he is now receiving.

The name of Sarah Q. Green, widow of Elias B. Green, late of Battery D, Third Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Agnes Touchette, widow of Frank Touchette, late of Company B, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of John W. Stokesberry, helpless and dependent son of John W. Stokesberry, late of Company D, Thirteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Sarah Branch, widow of Marcus L. Branch, late of Company C, One hundred and fourth Regiment Illinois Volunteer Infantry, and Company A, One hundred and eighty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lucy A. Gates, widow of Edward W. Gates, late of Company H, Ninety-sixth Regiment Illinois Volunteer Infantry, and Company F, Twenty-third Regiment Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Clarence D. Gates, helpless and dependent son of said Lucy A. and Edward W. Gates, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Lucy A. Gates the name of said Clarence D. Gates shall be placed on the pension roll, subject to the provisions and limitations of the pension laws at the rate of $20 per month from and after the date of death of said Lucy A. Gates.

The name of Washington Stram, alias John Gibson, late of Companies H and I, Sixty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Louisa Pennisten, widow of George T. Pennisten, late of Company G, Seventy-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Couch, widow of Joseph C. Couch, late of Company H, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month, through a legally appointed guardian, in lieu of that she is now receiving.

The name of Polly Garbison, widow of Jacob B. Garbison, late of Company D, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Edith Vore, widow of Mahlon Vore, late of Company E, Twenty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lizzie Krebs, helpless and dependent daughter of Henry Krebs, late of Company D, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of John Abear, helpless and dependent son of Trifle Abear, late of Company I, Seventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of David Abear, helpless and dependent son of Trifle Abear, late of Company I, Seventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Sophia Scarbo, widow of Midos Scarbo, late of Company I, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Guy, former widow of William H. Guy, late of Company F, Fourteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The name of Elizabeth F. Long, widow of Andrew K. Long, late major and assistant adjutant, United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cordelia F. McInroe, widow of James D. McInroe, late of Company E, Eighth Regiment Tennessee Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Leandra Montoya de Pfeiffer, former widow of Peter Pfeiffer, late of Company F, Second Regiment Missouri Infantry, and pay her a pension at the rate of $30 per month.

The name of Nestor Alarcon, late of Captain Atanacio Ulibarri's company, New Mexico Mounted Militia, and pay him a pension at the rate of $30 per month.

The name of Fannie E. Hilton, widow of Charles S. Hilton, late of Company B, Fifty-sixth Regiment Massachusetts Infantry, and pay her a pension at the rate of $30 per month.

The name of Felipe Peratay Cisneros, late of Company K, Second Regiment New Mexico Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of James Colson, late of Company G, Thirty-fifth Regiment Missouri Enrolled Militia, and pay him a pension at the rate of $50 per month.

The name of Francisca Chavez de Pena, widow of Pedro Pena, late of Captain Aird's Independent Company B, New Mexico Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Josefa Uriaste de Lovato, widow of Polinario Lovato, late of Company A, Second Regiment New Mexico Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Maria Maloney, widow of Michael Maloney, late of Company E, Fifth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Jose Montano, blind son of Manuel Montano, late of Companies D and A, Second Regiment New Mexico Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary Dosch, widow of John C. Dosch, late of Company I, Nineteenth Regiment Wisconsin Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane Kane, widow of Washington Kane, late of Company H, Sixty-eighth Regiment United States Colored Infantry, and pay her a pension at the rate of $30 per month.

The name of Agnes Kelso, widow of Martin G. Kelso, late of Company A, Eighteenth Regiment Illinois Infantry, and pay her a pension at the rate of $30 per month.

The name of Maria Anastacia Maes, widow of Felipe Maes, late of Company A, First Regiment New Mexico Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Francisca F. Chavez, widow of Ysidora Chaves, late of Company H, First Regiment New Mexico Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma L. Tappan, widow of Major George Arthur Tappan, late of Company A, Forty-sixth Regiment Massachusetts Volunteer Infantry, and Companies G and H, Eighty-second Regiment United States Colored Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alice B. Baldwin, widow of Frank D. Baldwin, late major general, United States Army, and pay her a pension at the rate of $150 per month in lieu of that she is now receiving.

The name of Alexander R. Banks, formerly provost marshal, second district, State of Kansas, and pay him a pension at the rate of $50 per month.

The name of Charlotte Stone, former widow of Henry C. Smith, late unassigned recruit, Twenty-second Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Robert B. Martin, late of Capt. W. H. Ferguson's company, Crawford County Missouri Provisional Enrolled Militia, and Capt. N. G. Clark's company, Crawford County Missouri Militia, and pay him a pension at the rate of $50 per month.

The name of Mary E. Lewis, widow of Joseph A. Lewis, late of Company H, Twenty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth S. F. Bailey, widow of John W. Bailey, late of Company I, One hundred and ninety-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Thomas G. Dawson, late of Company A, Sixth Regiment Delaware Volunteer Infantry, and Company F, Seventh Delaware Infantry, and pay him a pension at the rate of $30 per month.

The name of Elizabeth A. McGinley, widow of John McGinley, late of Company E, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Harriet A. Parker, widow of Nathan A. Parker, late of Company F, First Regiment New Hampshire Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of George W. Johnson, a teamster, a State scout during the War of the Rebellion, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Emma J. Eley, widow of Joseph Eley, late of the United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charles Green, son of William H. Green, late of Company B, Thirty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of James Saulspaugh, late of Company D, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Flora Hopkins Devereux, widow of Augustus R. Devereux, late of Company D, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary F. Spurling, widow of Brewer W. Spurling, late of Company A, Thirteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Thomas Hapkins, late of Company D, Second Battalion, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of $50 per month.

The name of Mary M. Joy, widow of Stephen D. Joy, acting master, United States Navy, and pay her a pension at the rate or $30 per month.

The name of Nellie E. Wilson, widow of George A. Wilson, late of Company A, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Delia Rich, widow of Rishworth Rich, late colonel Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Meldon A. Neally, late of Company B, Maine Regiment State Guards, and pay him a pension at the rate of $50 per month.

The name of Hattie C. Knowlton, helpless and dependent daughter of James L. Knowlton, late of Company G, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Albertina M. Dam, widow of Charles F. Dam, late of Company F, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Annie B. Watson, widow of Increase B. Watson, late of Company K, Twenty-fourth Maine Infantry, and pay her a pension at the rate of $30 per month.

The name of Sylvanus Chapman, helpless and idiotic child of Sylvester Chapman, late of Company D, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Elizabeth Reardon, widow of William Reardon, late of Company F, Tenth Regiment, and Company G, Second Regiment New Hampshire Volunteer Infantry, Civil War, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rosa A. Newhall, widow of Daniel B. Newhall, late of Company F, First Regiment New Hampshire Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah E. Carroll, widow of Henry Carroll, late of United States Navy, and pay her a pension at the rate of $30 per month.

The name of Hattie G. Bates, widow of George L. Bates, late of Company B, First Vermont Regiment Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cleora D. Sprague, widow of Jeremiah E. Sprague, late of Company G, Fourteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Richard Lockey, late of Quartermaster Corps, United States Army, and pay him a pension at the rate of $50 per month.

The name of Lizzie F. Dailey, former widow of John Adams, late of Company K, One hundred and forty-ninth Indiana Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Ballinger, widow of John Ballinger, late of Company G, First Regiment Missouri State Militia, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Sarah J. Brown, widow of Solomon F. Brown, late of Company D, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Caroline M. Bemore, widow of Valentine Bemore, late of Company I, Ninety-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hannah E. Grow, widow of Daniel Grow, late of Company C, Eighth Regiment Indiana Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary M. Geist, former widow of James Glass, late of Company E, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ada N. Gahm, helpless and dependent child of George W. Hubbard, late of Company E, One hundred and fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate $20 per month.

The name of Sarah Emma Garvin, widow of Lucius F. C. Garvin, late of Company E, Fifty-first Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month and an additional allowance of $6 per month for each of the minor children of the soldier until they attain the age of 16 years: *Provided*, That upon the allowance of the pension to the widow, the pension to the minor children shall terminate.

The name of Nancy Ross, widow of Charles C. Guard, late surgeon, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $75 per month in lieu of that she is now receiving.

The name of Martha E. Jackman, widow of Jacob C. Jackman, late of Company G, Forty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha J. Rolfe, widow of Thomas E. Rolfe, late of Company F, Forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ida M. Stewart, widow of William H. Stewart, late of Company K, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary Jordan, widow of Patrick Jordan, late of Company C, ——— Battalion, United States Engineers, United States Army, and pay her a pension at the rate of $30 per month.

The name of James H. Pipes, late of Company D, Forty-sixth Regiment Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month.

The name of Phebe S. Riley, blind and invalid daughter of Lucas S. Riley, late of Company D, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Fermon L. Botkin, helpless and dependent son of Amos H. Botkin, late of Company G, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Carra Belle Jacobs, widow of John W. Jacobs, late of Company H, Sixteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Emma G. Walker, widow of Lewis H. Walker, late of Company G, Forty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Eliza Dunn Minard, widow of Nathan Minard, late of Companies E and B, Ninety-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Henry Stockford, late of Company G, Thirty-first Regiment United States Infantry, and pay him a pension at the rate of $50 per month.

The name of James Mullin, late of Company I, Eleventh Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Jane W. Smith, widow of Theodore Smith, late of Company D, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Indiana Fleisher, former widow of Henry Kennedy, late of Company K, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rosaithe L. Warner, widow of Hiram Warner, jr., late of Company A, One hundred and eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha A. Gould, Jacksonville, Fla., widow of F. J. Gould, a contract surgeon, United States Army, and pay her a pension at the rate of $30 per month.

The name of Maria L. Clark, widow of Charles Edgar Clark, late rear admiral, United States Navy, and pay her a pension at the rate of $150 per month in lieu of that she is now receiving.

The name of Fannie Bonk, widow of Geike Johnson Bonk, late of Company F, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The names of Charles W. Halls, late of Company H, Third Regiment United States Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Matilda Greer, widow of William Greer, late of Company M, Ninth Regiment Illinois Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rachel A. Wamsley, widow of Dallas Wamsley, late of Company A, Eleventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charles Edwards, late of Second Independent Battery, National Guard, Ohio Light Artillery, and pay him a pension at the rate of $50 per month.

The name of Eldora Mallon, widow of Maston Mallon, late of Company F, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Sanderson, widow of William A. Sanderson, late of Company A, One hundred and sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Bertha Bassett, widow of William H. Bassett, late of Company E, First Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma L. Perry, widow of George M. Perry, late of Company G, Fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Fannie N. Brooks, widow of Albert J. Brooks, late of Company D, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mertie M. Turner, widow of William F. Turner, late of Company I, One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Sue Myrina Rector, widow of Frederick Rector, late of Company D, Ninety-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lavinia Dillahay, widow of Benjamin F. Dillahay, late of Company F, Sixth Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Ella R. Shaw, helpless and dependent daughter of George R. Shaw, late of Company E, Twelfth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah E. Sprague, widow of Henry R. Sprague, late of Company H, First Regiment United States Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Sherbocker, wife of Charles Sherbocker, late of Company B, Twentieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William Shurman Sharp, dependent son of Isaac A. Sharp, late of Company G, Eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Catharine Smith, former widow of Theodore T. Smith, late of Company B, Thirteenth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Samanda Sweazy, widow of Anthony Sweazy, late of Company D, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Anna Taggart, widow of John Taggart, late of Company E, One hundred and twenty-third Regiment, also Company I, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Mary Walden, former widow of Calvin Walden, late of Company F, Seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of George M. Younger, late of Capt. George Meller's additional company, Cooper County, Missouri Military Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James F. Hargett, late of Capt. George B. Barber's company, Fleming County, Kentucky State Troops, and pay him a pension at the rate of $50 per month.

The name of Orpha F. Hampton, widow of Hiram L. Hampton, late of Company K, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret Hamilton, widow of John Hamilton, late of Company E, Eighty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Kissire Hotchkiss, widow of Orson Hotchkiss, late of Company K, Twenty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Ellen W. Inman, widow of George B. Inman, late of Company H, Seventh Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Lake, widow of Gibson L. Lake, late of Company E, Seventh Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Carthenia H. Moore, widow of Josephus Moore, late captain Company E, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Matilda McMurray, widow of James McMurray, late of Company D, Twelfth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Jennie E. Neely, widow of Alexander F. Neely, late of Company B, Second Regiment Kansas State Militia, and pay her a pension at the rate of $50 per month.

The name of Emma G. Randall, widow of Daniel B. Randall, late of Company A, One hundred and second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lela Z. Raper, former widow of John R. Marshall, late of the First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Susie Pugh, widow of Humphrey Pugh, late of Company F, Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Williams, widow of George Williams, alias Thomas Dailey, late of Company G, One hundred and twenty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cyrus T. Wardwell, late of Company K, Seventeenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Edith Ellen Farnum, crippled and dependent daughter of Dexter Farnum, late of Company C, Fourteenth Regiment Vermont Militia Infantry, and pay her a pension at the rate of $20 per month.

The name of Susan S. Farris, widow of Isaac F. Farris, late of Company E, Forty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rachel C. Franklin, widow of Henry H. Franklin, late of Company A, Seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of John H. Malaby, late of Troop H, Eighth Regiment United States Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sarah J. Helton, widow of Martin V. Helton, late of Company E, Third Missouri State Militia Cavalry, and Company E, Sixth Missouri, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Armilda S. Loe, widow of Andrew J. Loe, late of Company F, Third Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Sarah A. Constable, widow of Salem Constable, late of Company C, Thirty-fifth Missouri Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary Cumming, widow of Thompson Cumming, late of Company B, Twenty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Maggie E. McCollum, widow of Nelson McCollum, late of Company D, Twenty-second Illinois Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Emma Ashmead, widow of James T. Ashmead, late of Company K, Thirty-third Iowa Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Abigal Stuteville, widow of Boswell Stuteville, late of Company E, Eleventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Sarah E. Embry, widow of John A. Embry, late private, Company H, Fourth Missouri Provisional Enrolled Militia, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Julia A. Hinds, widow of Samson Hinds, late Company D, One hundred and seventy-ninth Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Holman, widow of Joseph W. Holman, late of Company F, Seventeenth Iowa Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Almeda Hart, widow of John S. Hart, late of Company F, Thirty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Mary E. Jefferson, widow of Henry H. Jefferson, late Company H, First Iowa Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Mariah Jane Green, widow of Charles Green, late of Company B, Seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Matilda Ross, widow of Andrew J. Ross, late of Company K, Eighth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha J. Overton, widow of William Overton, late of Company I, Fourth Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Euphenia Washburn, widow of Lloyd C. Washburn, late of Company C, One hundred and sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriet Combs, widow of Dewitt C. Combs, late of Company A, Forty-fourth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $50 per month.

The name of Mary C. Hall, widow of Andrew J. Hall, late of Company F, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of John King, late of Company D, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $72 per month.

The name of Ada Souder, widow of Henry Souder, late of Company G, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth N. Potter, widow of William R. Potter, late of Company E, Third Regiment New York Volunteer Cavalry, and pay her a pension of $30 per month.

The name of Ella M. Morrow, widow of Albert P. Morrow, colonel Third United States Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Eck, widow of Alfred Eck, late of Company A, Sixth Pennsylvania Reserve Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane Crandall, widow of Alfred J. Crandall, late of Company C, Fifty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nettie Belle Perkins, helpless daughter of Amos Garrett Perkins, late of United States battleship *Exchange*, United States Navy, and pay her a pension at the rate of $20 per month.

The name of May Williams, widow of Thomas C. Williams, late of Companies I and D, Ninth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Lucy R. Allen, widow of Cyrus G. Allen, late of Company A, Fifth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Minerva J. Elliott, widow of Samuel P. Elliott, late of Company D, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Lydia M. Myers, widow of William H. Myers, late of Company G, Thirty-fourth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Garrell, widow of Parker C. Garrell, late of Company K, Sixth Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of William F. Murray, late of Captain Fenwick's Company A, Fourth Regiment Missouri Militia Cavalry, and pay him a pension at the rate of $50 per month.

The name of Zalmon H. Golden, late of Captain Sayles Brown's Company C, First Battalion Missouri Provisional Enrolled Militia, and pay him a pension at the rate of $50 per month.

The name of Charlotte A. Thomas, widow of John A. Thomas, late of the Seventy-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William T. Powell, late of Company D, Sixty-third Regiment Enrolled Missouri Militia, and pay him a pension at the rate of $50 per month.

The name of Andrew J. Williams, late of Company A, Third Battalion, First Regiment Kentucky Capitol Guards, and pay him a pension at the rate of $50 per month.

The name of Mary McCook, widow of Edward M. McCook, late brigadier general, United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Helen Sherry, widow of Byron Sherry, late brigadier general Kansas Militia, and pay her a pension at the rate of $50 per month.

The name of Charlotte Woods, widow of John R. Woods, late of Company I, Tenth Illinois Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Manley, widow of Franklin C. Manley, late of Company D, Sixty-sixth Regiment United States Colored Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Carrie E. Croxford, widow of Horace Croxford, late of Company A, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Eliza M. Wells, widow of Lewis H. Wells, late of Company G, One hundred and forty-eighth Regiment Ohio National Guard Infantry, and Company C, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Davis, widow of Moss C. Davis, late of Company I, Forty-fifth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ella Francis Bostwick, widow of Harrison T. Bostwick, late of Company B, First Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Etta Fix, deformed and helpless daughter of Michael Fix, late of Company E, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Amelia A. Collins, widow of Ralph M. Collins, late pilot, United States Navy, Civil War, and pay her a pension at the rate of $30 per month.

The name of Marguerite Daugherty, widow of William Daugherty, late of Company I, First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $50 per month.

The name of Alice I. Simpson, widow of the late Capt. James F. Simpson, late of Company K, Second Regiment United States Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Sarah E. Hilty, widow of Joseph Hilty, late of Company F, Fifteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Mary A. Merrifield, widow of Moses B. Merrifield, late of Company F, Maine Coast Guards, and pay her a pension at the rate of $30 per month.

The name of Charles F. Doepel, late of Company I, Eighth Regiment United States Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Anna T. Eldred, widow of Holden R. Eldred, late second lieutenant Tyler's Rangers, Colorado Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Florence C. Clark, widow of Frank Clarke, late of Company I, Seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Douglas, widow of Granville A. Douglas, late of Company K, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of John R. Scott, dependent son of Jacob Scott, late of Company E, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary Lamb, helpless child of Thomas Lamb, late of Company I, Second Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Elizabeth Miller, widow of Anton Miller, late of Company E, Fifty-first Regiment Wisconsin Volunteer Infantry, and Company A, Sixty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Frank Robinson, imbecile son of William Robinson, late of Company D, Forty-eighth Regiment Indiana Infantry, and pay him a pension at the rate of $12 per month, supplemental to the pension now being paid to the widow of the soldier.

The name of Annie E. Ward, widow of William G. Ward, late of Company H, Eighty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sabra Cross, widow of Frank Cross, late of unassigned recruits, Fifth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Joseph D. Patton, late of Company F, Fifth Regiment, and Company D, Seventh Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Lucinda Stump, widow of John W. Stump, late of Company I, Fifteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna Longford, widow of Tilimon Longford, late of Company H, Nineteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Emma Williams Rhodes, widow of Marshall H. Williams, late of Captain J. H. Cochran's Dallas County company of Volunteer Missouri Militia, organized under the provisions of General Orders No. 3, series 1865, and pay her a pension at the rate of $30 per month.

The name of Emma Campbell, widow of Daniel Campbell, late of Company B, Eighteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Clara Holmes, widow of Amos H. Holmes, late of Companies F and C, Fourth Regiment West Virginia Volunteer Infantry, unassigned Sixty-third Ohio Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Cetoia Eidson, widow of Jacob Eidson, late of Company B, Tenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Jennie L. Kirk, widow of James F. Kirk, late of Company M, Third Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary E. Harper, widow of James A. Harper, late of Company K, Seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Mary E. Zimmerman, widow of Frederick Zimmerman, late of Company D, Sixth Regiment Minnesota Volunteer Infantry, and Company K, Twenty-third Regiment Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Celia Acker Kinyon, widow of Johnson Wilson Kinyon, late of Company I, One hundred and forty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Marie C. Fox, widow of Harrison W. Fox, late of Company B, Sixth Regiment Connecticut Volunteer Infantry and pay her a pension at the rate of $30 per month.

The name of Roxanna Herald Porter, widow of Charles J. Porter, late of Company I, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Joseph H. Ransom, late of the United States revenue cutter *Agassiz* during the War of the Rebellion, and pay him a pension at the rate of $50 per month.

The name of Mary Maxwell, widow of Philip Maxwell, late of Company K, One hundred and ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Thomas J. Goodman, late of Company B, Eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Hallie Wilt, widow of Andrew Wilt, late of Company I, Ninth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $50 per month.

The name of Florence E. Wilbur, widow of Orson E. Wilbur, late of Company C, One hundred and eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Frances Edna Morrow, helpless daughter of Alexander Morrow, late of Company B, Thirty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month, supplemental to widow's pension.

The name of Lucinda R. Franklin, widow of Caswell F. Franklin, late of Company F, Ninth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Laura A. W. Cumback, widow of Will Cumback, late major and additional paymaster, Seventh Regiment, and lieutenant colonel, Thirteenth Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Aurelia H. Gibson, widow of William C. Gibson, late admiral, United States Navy, Regular Establishment, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of William Gossett, invalid and defective son of Miles Gossett, late of Company D, Fourth West Virginia Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Anna C. White, widow of the late Dr. Thornton F. White, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Linda A. Baker, widow of John J. Baker, late of Company E, Fourteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Allie Paul, helpless and dependent daughter of Thomas H. B. Paul, late of Company B, Thirty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mollie Irwin, helpless and dependent daughter of Patrick Irwin, late of Company H, Fourteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of John Mundy, helpless and dependent son of Robert Mundy, late of Company F, Eighth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Minnie A. Parsons, widow of Bradley Ford Parsons, United States Navy, and pay her a pension at the rate of $30 per month.

The name of George Willis Churchill, dependent son of George Churchill, late of Company C, Fifty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Julia D. Darnell, widow of James C. Darnell, late of Company H, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Hattie Freeman, widow of Joseph S. Freeman, late of Company B, One hundred and eighth Regiment United States Colored Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary J. Smith, widow of Abraham Smith, late of Company G, Ninth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Alice H. Loucks, widow of John Loucks, late of Company E, Fifteenth Regiment New York Volunteer Engineers, and pay her a pension at the rate of $45 per month.

The name of Edna Louise Loomis, crippled and dependent child of Judson I. Loomis, late of United States Marine Corps, and pay her a pension at the rate of $20 per month.

The name of Millie Newman, widow of George W. Newman, late of Company E, First Regiment Oregon Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Mittlestedter, widow of John Mittlestedter, late of Company F, Sixth Regiment United States Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Ashmead, widow of Howland L. Ashmead, late of Company M, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Martha Spires, widow of the late William R. Spires, late of Company A, Ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Abby F. Dudley, widow of Samuel E. Dudley, late of Company C, Thirteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Victoria Gallego de Silva, widow of Jose Domingo Silva, late of Captain Jaramillo's company, First Regiment New Mexico Mounted Militia, and pay her a pension at the rate of $30 per month.

The name of Maud Mabel Wooley, helpless daughter of Samuel Wooley, late of First Battery, Minnesota Volunteer Light Artillery, and pay her a pension at the rate of $20 per month.

The name of Maggie J. Henry, deformed and dependent daughter of John W. Henry, late of Company H, Twelfth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Mary M. Parrish, widow of Fletcher C. Parrish, late of Company C, One hundred and eighteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $45 per month.

The name of Rebecca M. Augustine, widow of Charles C. Augustine, late of the United States Marine Corps, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Cordelia F. Taggard, widow of Kleber D. Taggard, late of Company K, Ninety-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Minnie L. Foster, widow of Reuben H. Foster, late of Company H, Twenty-eighth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah M. Taylor, widow of Edgar Taylor, late of Company K, Third Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Kate D. Talbot, helpless and dependent daughter of Frederick O. Talbot, late of Company K, First Regiment Maine Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month.

The name of Annie R. Bowers, widow of Henry W. Bowers, late of Company F, Sixtieth Massachusetts Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary J. Beecher, widow of the late John Beecher, late of Company E, Eighteenth Regiment United States Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Edith F. Morrill, widow of Asa P. Morrill, late of Sixth Battery, First Maine Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Harriet Ellen Orne, widow of Thomas Jefferson Orne, late of Company K, First Regiment New Hampshire Heavy Artillery, and pay her a pension at the rate of $50 per month.

The name of Eva Norton, widow of Theander G. Norton, late of Company L, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $35 per month.

The name of Katie A. Beardsley, widow of John F. Beardsley, late of Company I, Sixth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $45 per month.

The name of Patricia S. de Gallego, widow of Jose Leon Gallego, post interpreter, United States Army, Civil War, and pay her a pension at the rate of $30 per month.

The name of Delia N. Banziger, widow of Robert Banziger, late of Company K, Sixth New Hampshire Infantry, and pay her a pension at the rate of $45 per month.

The name of Nancy C. Pease, widow of William P. Pease, late of Company B, Ninety-ninth Regiment Illinois Volunteer Infantry, and pay her an additional pension at the rate of $12 per month on account of the helpless and dependent daughter Mabel Pease.

The name of Mary C. Spaun, widow of Samuel Spaun, late of Company E, Fifth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Daniel Burkhart, late of Company F, Forty-third Regiment Enrolled Missouri Militia, and pay him a pension at the rate of $50 per month.

The name of Ann J. Alexander, widow of Joseph H. Alexander, late of Company K, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Martha A. Williams, widow of Hiram G. Balcom, late of Company F, First Regiment Iowa Volunteer Cavalry and pay her a pension at the rate of $45 per month.

The name of Miriam Miller, dependent daughter of Richard K. Miller, late lieutenant colonel of the One hundred and twenty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Oscar Criswell, helpless son of William Criswell, late of Company K, Twentieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Bernard Mulhern, late of Company G, Third Battalion, Thirteenth Regiment United States Infantry, and pay him a pension at the rate of $20 per month.

The name of Barbara O. Woodward, widow of Henry D. Woodward, late of Company A, Fourteenth Regiment, and Company A, Forty-first Regiment, Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Granville E. Hawkins, helpless and dependent child of Granville Hawkins, late of Company F, Thirty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $25 per month.

The name of Rosy J. Barnes, helpless and dependent daughter of Calvin Barnes, late of Company I, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary W. Mott, widow of Oscar Mott, late of Company E, Fourteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Roxanna Mellander, widow of Joseph Mellander, late of Company F, One hundred and sixty-eighth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ninetta Payne, widow of the late Edward B. Payne, late of Company B, Fortieth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Adelia M. Porter, widow of Ambrose Porter, late of Company G, Twelfth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Gabriela Montoya de Perea, widow of Francisco Perea, late of Lieutenant Colonel Perea's Battalion New Mexico Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Frank Truman Perrigo, helpless and dependent son of James Perrigo, late of Company K, Eleventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Frieda Kyle Read, widow of Matthew H. Read, jr., late of Company A, First Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriett S. Dyer, widow of Charles O. Dyer, late of Battery C, First Regiment Rhode Island Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Frances M. Bryant, widow of Joseph S. Bryant, late of Company M, Fifteenth Regiment New York Volunteer Engineers, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Flora M. Gillett, widow of William S. Gillett, late of Company E, First Regiment Vermont Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month.

The name of Emma C. Derby, widow of James E. Derby, late of Company G, Fifth Regiment United States Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Katherine S. Fletcher, widow of Charles S. Fletcher, late of Company D, Sixteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Alice M. Jones, widow of William M. Jones, late of Company H, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Mary A. Paul, widow of Sergt. Andrew A. Paul, late of Company E, Sixth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $45 per month.

The name of Sarah A. James, widow of John L. James, late of Company C, Eleventh Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Martha L. Tedrick,, widow of Joseph K. Tedrick, late of Company C, Second Regiment Colorado Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Anna M. Knelbert, helpless and dependent daughter of Jacob H. Knelbert, late of Company K, Tenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Raymond Havey, late of the Nineteenth Unassigned Company, Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Mary A. Foster, former widow of Pierce S. Thompson, late of Third Battery Maine Volunteer Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary L. Murray, widow of Kendall G. Murray, late of Company G, Thirtieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice B. Elliott, widow of Jacob J. Elliott, late of Battery K, First Regiment New Hampshire Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Romula Pacheco, widow of Francisco Pacheco, late of Captain Graydon's Independent Company, New Mexico Mounted Volunteers, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Kate Gallup, widow of John R. Gallup, late of Company K, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Anna Mapel, widow of William Mapel, late of Company F, Third Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Mary E. Starr, widow of Elisha R. Starr, late of Company K, Fifth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $45 per month.

The name of Hannah Wiles, widow of George W. Wiles, late of Company D, Twelfth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Elizabeth K. Brown, widow of Amos Brown, late of the United States Navy, and pay her a pension at the rate of $30 per month.

The name of Elizabeth S. Reed, widow of Caleb R. Reed, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Mary Griffith, widow of Patrick Griffith, late of Company M, First Regiment Minnesota Volunteer Heavy Artillery, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Sallie Moseley, widow of James B. Moseley, late of Company A, Fifth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Carolyn P. Sherman, widow of Adelbert C. Sherman, late of Company G, Twenty-eighth United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Loella I. Parsons, widow of George W. Parsons, late of Company E, First Vermont Heavy Artillery, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Fannie L. Tower, widow of George R. Tower, late of Company H, Second United States Sharp Shooters, and pay her a pension at the rate of $30 per month.

The name of Mary J. Aldrich, widow of Henry N. Aldrich, late of Company F, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Nettie E. Wilmarth, widow of Gardner Wilmarth, late of Company C, First Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Jane Eliza Peck, widow of Eli N. Peck, late of Company F, Thirteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Annie Brennan, widow of James Brennan, late of Troop C, Sixth Regiment United States Cavalry, and pay her a pension at the rate of $30 per month.

The name of Semantha B. Humphrey, widow of Leonard V. Humphrey, late of Company I, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Refugo Salas de Baca, former widow of Felis Salas, late of Captain Dolores Gallegos's company, New Mexico Volunteers, and pay her a pension at the rate of $30 per month.

The name of Fannie January, widow of John C. January, late of Company E, Twelfth Regiment United States Colored Infantry, and pay her a pension at the rate of $30 per month.

The name of Adeline Ray Burroughs, widow of Albert H. Burroughs, late of Company D, Seventh Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Carrie Taylor, widow of Jasper Taylor, late of Company E, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ida L. Van Nattan, widow of Daniel Van Nattan, late of Company K, Second Regiment Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Ella L. Fox, widow of George H. Fox, late of Company F, Fifty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Elizabeth Matten, widow of Alfred Matten, late of Company B, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Affie M. Crockett, widow of James S. Crockett, late of Company H, Second Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Sallie E. Pyle, widow of Wade H. Pyle, late of Company D, Eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Augusta J. G. Hall, widow of H. Seymour Hall, lieutenant colonel Forty-third Regiment United States Colored Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Elizabeth Estes, widow of Hersey Estes, late of Company K, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Henrietta Buswell Brown, widow of Henry E. Brown, late of Company A, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving.

The name of Lillian Batdorf, widow of John W. Batdorf, late of Company E, Eleventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna Fry, widow of David Fry, late of Company A, Eighty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ella L. Gilluly, widow of William F. Gilluly, late of Company H, Sixth Regiment United States Colored Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Jennie Cooney, widow of Michael Cooney, late of Company C, Twenty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma Benston, widow of Ignatius G. Benston, late of Company K, Eleventh Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Rebecca Jetmore, widow of Nathan A. Jetmore, late of Company K, Seventeenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Artomisen A. Henry, widow of Walker A. Henry, late of Company D, Third Missouri State Militia Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. L. P. Campbell, widow of Daniel H. Campbell, late of Company H, Sixth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and still open to amendment.

Mr. BURSUM. Mr. President, I desire to present an amendment so that it may be on the desk for the Secretary to read when we again resume the consideration of the bill.

The PRESIDENT pro tempore. Without objection, the amendment will be received, and lie on the table.

Mr. DIAL. I send to the desk the amendment which I intend to offer to the bill. It has already been printed, so that I assume it will not be necessary to print it again. I ask that the amendment lie on the desk.

The PRESIDENT pro tempore. Without objection, the amendment will be received, and lie on the table.

HOUSE BILL REFERRED

The bill (H. R. 6070) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, on the island and county of Hawaii, Territory of Hawaii, was read twice by its title and referred to the Committee on Territories and Insular Possessions.

FACILITIES FOR DIPLOMATIC AND CONSULAR OFFICERS IN TOKYO, JAPAN (S. DOC. NO. 129)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State concerning the necessity of legislation by Congress which will provide for the reestablishment of living and office facilities for the diplomatic and consular officers of the United States in Tokyo, Japan, to which I invite the attentive and favorable consideration of the Congress. The need for such legislation and its importance in the public interest are fully and convincingly presented by the Secretary of State, whose representations have my full concurrence.

I therefore earnestly recommend and strongly urge that Congress authorize an appropriation of $1,150,000, as requested by the Secretary of State, for the purchase of land and the erection of buildings for the use of the embassy and the consulate general at Tokyo, of which, as explained by the Secretary of State, $200,000 should be immediately provided for the purchase of additional land adjacent to the present embassy compound, and a site for a building in which to house the consulate general, as well as for expenses incident to the preparation of plans and obtaining bids for the construction of buildings.

CALVIN COOLIDGE.

THE WHITE HOUSE, *June 3, 1924.*

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened; and (at 5 o'clock and 40 minutes p. m.) the Senate took a recess until to-morrow, Wednesday June 4, 1924, at 12 o'clock meridian.

CONVENTION WITH DENMARK TO PREVENT THE SMUGGLING OF INTOXICATING LIQUORS

In executive session this day the following convention was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

To the end that I may receive the advice and consent of the Senate to ratification, I transmit herewith a convention concluded between the United States and Denmark on May 29, 1924, to aid in the prevention of the smuggling of intoxicating liquors into the United States.

CALVIN COOLIDGE.

THE WHITE HOUSE,
May 31, 1924.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention between the United States and Denmark to aid in the prevention of the smuggling of intoxicating liquors into the United States, signed at Washington May 29, 1924.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, May 29, 1924.

The President of the United States of America and His Majesty the King of Denmark and Iceland, being desirous of avoiding any difficulties which might arise between the United States and Denmark in connection with the laws in force in the United States on the subject of alcoholic beverages, have decided to conclude a convention for that purpose, and have appointed as their plenipotentiaries—

The President of the United States of America, Mr. Charles Evans Hughes, Secretary of State of the United States; and

His Majesty the King of Denmark and Iceland, Mr. Kai Helmer-Petersen, His Majesty's chargé d'affaires at Washington,

Who, having communicated their full powers found in good and due form, have agreed as follows:

ARTICLE I

The high contracting parties respectively retain their rights and claims, without prejudice by reason of this agreement, with respect to the extent of their territorial jurisdiction.

ARTICLE II

(1) His Majesty the King of Denmark and Iceland agrees that he will raise no objection to the boarding of private vessels under the Danish flag outside the limits of territorial waters by the authorities of the United States, its Territories, or possessions in order that inquiries may be addressed to those on board and an examination be made of the ship's papers for the purpose of ascertaining whether the vessel or those on board are endeavoring to import or have imported alcoholic beverages into the United States, or Territories, or possessions in violation of the laws there in force. When such inquiries and examination show a reasonable ground for suspicion, a search of the vessel may be initiated.

(2) If there is reasonable cause for belief that the vessel has committed or is committing or attempting to commit an offense against the laws of the United States, its territories or possessions, prohibiting the importation of alcoholic beverages, the vessel may be seized and taken into a port of the United States, its territories or possessions, for adjudication in accordance with such laws.

(3) The rights conferred by this article shall not be exercised at a greater distance from the coast of the United States, its territories or possessions, than can be traversed in one hour by the vessel suspected of endeavoring to commit the offense. In cases, however, in which the liquor is intended to be conveyed to the United States, its territories or possessions, by a vessel other than the one boarded and searched, it shall be the speed of such other vessel and not the speed of the vessel boarded which shall determine the distance from the coast at which the right under this article can be exercised.

ARTICLE III

No penalty or forfeiture under the laws of the United States shall be applicable or attach to alcoholic liquors or to vessels or persons by reason of the carriage of such liquors when such liquors are listed as sea stores or cargo destined for a port foreign to the United States, its territories or possessions, on board Danish vessels voyaging to or from ports of the United States, or its territories or possessions, or passing through the territorial waters thereof, and such carriage shall be as now provided by law with respect to the transit of such liquors through the Panama Canal, provided that such liquors shall be kept under seal continuously while the vessel on which they are carried remains within said territorial waters, and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

ARTICLE IV

Any claim by a Danish vessel for compensation on the grounds that it has suffered loss or injury through the improper or unreasonable exercise of the rights conferred by Article II of this treaty or on the ground that it has not been given the benefit of Article III shall be referred for the joint consideration of two persons, one of whom shall be nominated by each of the high contracting parties.

Effect shall be given to the recommendations contained in any such joint report. If no joint report can be agreed upon, the claim shall be referred to the Permanent Court of Arbitration at The Hague, described in the Convention for the Pacific Settlement of International Disputes concluded at The Hague October 18, 1907. The arbitral tribunal shall be constituted in accordance with article 87 (Chapter IV) and with article 59 (Chapter III) of the said convention. The proceedings shall be regulated by so much of Chapter IV of the said convention and of Chapter III thereof (special regard being had for articles 70 and 74, but excepting articles 53 and 54) as the tribunal may consider to be applicable and to be consistent with the provisions of this agreement. All sums of money which may be awarded by the tribunal on account of any claim shall be paid within 18 months after the date of the final award without interest and without deduction, save as hereafter specified. Each Government shall bear its own expenses. The expenses of the tribunal shall be defrayed by a ratable deduction of the amount of the sums awarded by it, at a rate of 5 per cent on such sums, or at such lower rate as may be agreed upon between the two Governments; the deficiency, if any, shall be defrayed in equal moieties by the two Governments.

ARTICLE V

This treaty shall be subject to ratification and shall remain in force for a period of one year from the date of the exchange of ratifications.

Three months before the expiration of the said period of one year either of the high contracting parties may give notice of its desire to propose modifications in the terms of the treaty.

If such modifications have not been agreed upon before the expiration of the term of one year mentioned above, the treaty shall lapse.

If no notice is given on either side of the desire to propose modifications, the treaty shall remain in force for another year, and so on automatically, but subject always in respect of each such period of a year to the right on either side to propose as provided above three months before its expiration modifications in the treaty, and to the provision that if such modifications are not agreed upon before the close of the period of one year the treaty shall lapse.

ARTICLE VI

In the event that either of the high contracting parties shall be prevented either by judicial decision or legislative action from giving full effect to the provisions of the present treaty, the said treaty shall automatically lapse, and, on such lapse or whenever this treaty shall cease to be in force, each high contracting party shall enjoy all the rights which it would have possessed had this treaty not been concluded.

The present convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Denmark and Iceland; and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the present convention in duplicate in the English and Danish languages and have thereunto affixed their seals.

Done at the city of Washington this 29th day of May, 1924.

[SEAL] CHARLES EVANS HUGHES.
[SEAL] HELMER-PETERSEN.

NOMINATIONS

Executive nominations received by the Senate June 3, 1924

SECRETARY OF EMBASSY OR LEGATION, CLASS 1

John Van A. MacMurray, of the District of Columbia, now chief of the Division of Far Eastern Affairs, Department of State, to be a secretary of embassy or legation of class 1 of the United States of America (a reinstatement).

PROMOTION IN THE CONSULAR SERVICE

CONSUL GENERAL OF CLASS 2

Julius C. Lay, of the District of Columbia, to be a consul general of the United States of America of class 2 (reinstatement).

FROM CONSUL GENERAL OF CLASS 4 TO CONSUL GENERAL OF CLASS 3

Homer M. Byington, of Connecticut.
Tracy Lay, of Alabama.
Clarence E. Gauss, of Connecticut.

FROM CONSUL GENERAL AT LARGE TO CONSUL GENERAL OF CLASS 3

William Dawson, of Minnesota.
Nelson T. Johnson, of Oklahoma.
Roger Culver Tredwell, of Indiana.

FROM CONSUL GENERAL OF CLASS 5 TO CONSUL GENERAL OF CLASS 4

W. Stanley Hollis, of Massachusetts.

FROM CONSUL OF CLASS 3 TO CONSUL GENERAL OF CLASS 4

George S. Messersmith, of Delaware.
Addison E. Southard, of Kentucky.
Louis G. Dreyfus, jr., of California.
Clarence Carrigan, of California.
Theodore Jaeckel, of New York.
Edwin L. Neville, of Ohio.
Mahlon Fay Perkins, of California.
John A. Gamon, of Illinois.
Philip Holland, of Tennessee.
Thomas D. Bowman, of Missouri.
Henry P. Starrett, of Florida.
Wesley Frost, of Kentucky.
George E. Chamberlain, of New York.
Ezra M. Lawton, of Ohio.
Lewis W. Haskell, of South Carolina.
Arminius T. Haeberle, of Missouri.
Ely E. Palmer, of Rhode Island.
Charles S. Winans, of Michigan.
Arthur C. Frost, of Massachusetts.
Charles M. Hathaway, jr., of Pennsylvania.

FROM CONSUL OF CLASS 5 TO CONSUL OF CLASS 4

Carol H. Foster, of Maryland.
Thomas M. Wilson, of Tennessee.
Coert du Bois, of California.
Lowell C. Pinkerton, of Missouri.
S. Pinkney Tuck, of New York.
Charles R. Cameron, of New York.
George C. Hanson, of Connecticut.
David B. Macgowan, of Tennessee.
Frank Anderson Henry, of Delaware.
Elliott Verne Richardson, of New York.

FROM VICE CONSUL DE CARRIÈRE OF CLASS 1 TO CONSUL OF CLASS 7

Robert F. Kelley, of Massachusetts.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY

ADJUTANT GENERAL'S DEPARTMENT

Maj. Franklin Langley Whitley, Infantry, with rank from July 1, 1920.

FIELD ARTILLERY

Capt. Orva Earl Beezley, Finance Department, with rank as prescribed by the act of June 30, 1922.

Second Lieut. Charles Joseph Barrett, junior, Corps of Engineers, with rank from June 13, 1922.

POSTMASTERS

ALABAMA

Allie Wilson to be postmaster at Stevenson, Ala., in place of J. M. Graham. Incumbent's commission expires June 5, 1924.

Ira C. Chapman to be postmaster at Deatsville, Ala., in place of L. E. Blackwell. Office became third class October 1, 1923.

Oscar Sheffield to be postmaster at Pine Hill, Ala., in place of Oscar Sheffield. Incumbent's commission expires June 4, 1924.

Madison D. Majors to be postmaster at Georgiana, Ala., in place of S. D. Fulford. Incumbent's commission expired July 28, 1923.

James P. Aaron to be postmaster at Camp Hill, Ala., in place of Hortense Rowe. Incumbent's commission expires June 4, 1924.

ARKANSAS

Fletcher G. Kennedy to be postmaster at Cotton Plant, Ark., in place of I. V. Echols. Incumbent's commission expires June 4, 1924.

Legrand K. Charles to be postmaster at Eureka Springs, Ark., in place of Hamlet Goudelock. Incumbent's commission expires June 4, 1924.

CALIFORNIA

Harry E. Meyers to be postmaster at Yuba City, Calif., in place of H. E. Meyers. Incumbent's commission expires June 4, 1924.

Winifred M. Whitney to be postmaster at Oceanside, Calif., in place of W. M. Whitney. Incumbent's commission expired May 10, 1924.

Roland L. Curran to be postmaster at Bakersfield, Calif., in place of A. W. Mason, resigned.

Edward F. Halbert to be postmaster at Porterville, Calif., in place of G. C. Murphy. Incumbent's commission expired February 11, 1924.

COLORADO

Edna A. Gates to be postmaster at Sedgwick, Colo., in place of E. A. Gates. Incumbent's commission expires June 4, 1924.

CONNECTICUT

Anna C. Tucker to be postmaster at Sandy Hook, Conn., in place of H. H. Cutler, resigned.

IDAHO

James K. Hood to be postmaster at Fernwood, Idaho, in place of J. K. Hood. Office became third class October 1, 1923.

ILLINOIS

Jesse L. Jones to be postmaster at Rantoul, Ill., in place of R. E. Trickle. Incumbent's commission expired May 28, 1924.

James F. Armentrout to be postmaster at Dongola, Ill., in place of A. W. Hilboldt. Incumbent's commission expires June 5, 1924.

William Georger to be postmaster at New Baden, Ill., in place of H. J. Hemann. Incumbent's commission expires June 5, 1924.

INDIANA

Charles Nicholson to be postmaster at Wheatland, Ind., in place of W. F. Lytton. Incumbent's commission expired April 14, 1924.

IOWA

Marion H. Barnes to be postmaster at Wapello, Iowa, in place of J. A. Bigger, deceased.

Albert A. Emigh to be postmaster at Atlantic, Iowa, in place of J. W. Blake. Incumbent's commission expires June 5, 1924.

Joseph M. Jacobs to be postmaster at Delta, Iowa, in place of H. W. Dickson, resigned.

Cora B. Alberty to be postmaster at Thornton, Iowa, in place of C. B. Alberty. Incumbent's commission expired March 22, 1924.

Edward C. Reindl to be postmaster at Manly, Iowa, in place of E. C. Reindl. Incumbent's commission expires June 4, 1924.

Oscar W. Bryant to be postmaster at Lorimor, Iowa, in place of S. E. Magner. Incumbent's commission expires June 5, 1924.

Harvey S. Powers to be postmaster at Iowa Falls, Iowa, in place of S. I. Rutledge. Incumbent's commission expires June 4, 1924.

Mary E. Coy to be postmaster at Farragut, Iowa, in place of M. G. Hart. Incumbent's commission expires June 4, 1924.

Charles H. Thomas to be postmaster at Creston, Iowa, in place of O. S. Barber. Incumbent's commission expires June 5, 1924.

Harry Aitken to be postmaster at Clearfield, Iowa, in place of James Steele. Incumbent's commission expires June 5, 1924.

KANSAS

Arnold C. Heidebrecht to be postmaster at Burrton, Kans., in place of W. A. Morgon. Incumbent's commission expires June 4, 1924.

KENTUCKY

Robert Vanbever to be postmaster at Pineville, Ky., in place of L. C. Kackley. Incumbent's commission expired May 28, 1924.

Alice R. Bristow to be postmaster at Georgetown, Ky., in place of R. H. Anderson. Incumbent's commission expired August 20, 1923.

Oliver R. Carpenter to be postmaster at Lancaster, Ky., in place of E. P. Brown. Incumbent's commission expired August 20, 1923.

Mary F. Potts to be postmaster at Jeffersontown, Ky., in place of A. A. Bridwell. Incumbent's commission expires June 4, 1924.

James I. Harlan to be postmaster at Barlow, Ky., in place of M. E. Carter. Incumbent's commission expired August 20, 1923.

LOUISIANA

Milton E. Kidd to be postmaster at Choudrant, La., in place of M. E. Kidd. Incumbent's commission expired February 11, 1924.

MAINE

Francis L. Talbot to be postmaster at East Machias, Me., in place of F. L. Talbot. Incumbent's commission expires June 5, 1924.

MARYLAND

Daniel W. Babcock to be postmaster at Berlin, Md., in place of E. M. Layton, deceased.

MASSACHUSETTS

Everett W. Carpenter to be postmaster at Palmer, Mass., in place of J. P. O'Connor. Incumbent's commission expires June 4, 1924.

James J. Murtaugh to be postmaster at Hopkinton, Mass., in place of J. J. Murtaugh. Incumbent's commission expires June 4, 1924.

MICHIGAN

Howard L. Vaughan to be postmaster at Ovid, Mich., in place of W. G. White. Incumbent's commission expires June 4, 1924.

Howard L. Barber to be postmaster at Merrill, Mich., in place of R. W. Doyle. Incumbent's commission expires June 5, 1924.

James B. Haskins to be postmaster at Howard City, Mich., in place of Sidney Reynolds. Incumbent's commission expires June 5, 1924.

J. Gail Show to be postmaster at Elsie, Mich., in place of H. F. Brainard. Incumbent's commission expires June 4, 1924.

MINNESOTA

Raymond P. Erickson to be postmaster at Franklin, Minn., in place of J. L. Jacobs, resigned.

Norman L. Swanson to be postmaster at Moose Lake, Minn., in place of Fred Gay. Incumbent's commission expires June 5, 1924.

Arthur M. Enger to be postmaster at Lanesboro, Minn., in place of James Lynch. Incumbent's commission expires June 5, 1924.

Harold R. Portmann to be postmaster at Currie, Minn., in place of B. W. Cummiskey. Incumbent's commission expired February 18, 1924.

John O. Backman to be postmaster at Mabel, Minn., in place of J. O. Backman. Incumbent's commission expires June 5, 1924.

MONTANA

Ray R. Porter to be postmaster at Neihart, Mont., in place of F. E. Smith, resigned.

MISSOURI

John F. Burrell to be postmaster at Mountain View, Mo., in place of O. L. Garoutte, removed.

Delphia Johnson to be postmaster at Jerico Springs, Mo., in place of V. V. Sitton. Incumbent's commission expires June 5, 1924.

Stephen C. Accola to be postmaster at La Grange, Mo., in place of T. E. Heatherly. Incumbent's commission expires June 5, 1924.

NEBRASKA

Floyd M. Ritchie to be postmaster at Table Rock, Nebr., in place of A. R. Kovanda. Incumbent's commission expires June 4, 1924.

George W. Nicholas to be postmaster at De Witt, Nebr., in place of G. W. Nicholas. Incumbent's commission expires June 4, 1924.

Claris B. Morey to be postmaster at College View, Nebr., in place of A. W. Saville, resigned.

Carl P. Smiley to be postmaster at Beaver Crossing, Nebr., in place of O. N. Clark, resigned.

Carl Carlson to be postmaster at Valparaiso, Nebr., in place of Carl Carlson. Incumbent's commission expires June 4, 1924.

Charles O. Lewis to be postmaster at Marquette, Nebr., in place of C. R. Young. Incumbent's commission expired May 11, 1924.

J. Ned Allison to be postmaster at Gering, Nebr., in place of W. H. Lamm. Incumbent's commission expired April 9, 1924.

Louis H. Deaver to be postmaster at Cody, Nebr., in place of L. H. Deaver. Incumbent's commission expires June 4, 1924.

Lorena W. Doe to be postmaster at Arcadia, Nebr., in place of L. W. Doe. Incumbent's commission expired April 9, 1924.

NEW HAMPSHIRE

John H. Falvey to be postmaster at Henniker, N. H., in place of D. F. Noyes. Incumbent's commission expires June 5, 1924.

NEW YORK

Clinton H. Card to be postmaster at Fredonia, N. Y., in place of F. M. Evans. Incumbent's commission expired May 28, 1924.

Samuel E. G. Harris to be postmaster at Brushton, N. Y., in place of S. E. G. Harris. Incumbent's commission expired February 14, 1924.

NORTH CAROLINA

John N. Powell to be postmaster at Southern Pines, N. C., in place of A. S. Ruggles. Incumbent's commission expires June 5, 1924.

Martin J. McFadyen to be postmaster at Aberdeen, N. C., in place of A. A. McKeithen. Incumbent's commission expired May 6, 1924.

Frank Dudgeon to be postmaster at Pinehurst, N. C., in place of H. R. Vroom, resigned.

OHIO

Bertram Allen Bell to be postmaster at Genoa, Ohio, in place of J. A. Angus. Incumbent's commision expires June 4, 1924.

Charles E. Spiers to be postmaster at Atwater, Ohio, in place of F. N. Henry. Incumbent's commision expired September 19, 1922.

Harry S. McKean to be postmaster at Arlington, Ohio, in place of A. E. Kroske. Incumbent's commission expires June 4, 1924.

Ernest H. Ruffner to be postmaster at Williamsburg, Ohio, in place of T. M. Beacham. Incumbent's commission expires June 4, 1924.

Richard Gilson to be postmaster at Steubenville, Ohio, in place of H. H. McFadden. Incumbent's commission expires June 4, 1924.

William A. Ray to be postmaster at Mount Sterling, Ohio, in place of C. W. Hodges. Incumbent's commission expires June 4, 1924.

George H. Maxwell to be postmaster at Lexington, Ohio, in place of G. M. Galbraith. Incumbent's commission expires June 4, 1924.

OKLAHOMA

Leslie C. Mendenhall to be postmaster at Seiling, Okla., in place of Stanley Shepherd. Incumbent's commission expired January 28, 1924.

Wilmer C. Brown to be postmaster at Kingfisher, Okla., in place of D. G. Woodworth. Incumbent's commission expired May 18, 1924.

OREGON

William C. Foster to be postmaster at Tillamook, Oreg., in place of W. C. Foster. Incumbent's commission expired May 6, 1924.

PENNSYLVANIA

Charles M. Wilkins to be postmaster at Wayne, Pa., in place of M. J. Porter. Incumbent's commission expired August 5, 1923.

William Percy to be postmaster at Scottdale, Pa., in place of J. P. Owens. Incumbent's commission expires June 5, 1924.

Margaret V. Roush to be postmaster at Marysville, Pa., in place of E. B. Leihy. Incumbent's commission expires June 5, 1924.

Cornelia A. Read to be postmaster at Factoryville, Pa., in place of J. R. Thurston. Incumbent's commission expires June 5, 1924.

William H. Deppen to be postmaster at Sunbury, Pa., in place of H. L. Purdy. Incumbent's commission expires June 5, 1924.

George A. Frantz to be postmaster at Confluence, Pa., in place of A. T. Groff. Incumbent's commission expires June 5, 1924.

Calvin W. Saylor to be postmaster at Berlin, Pa., in place of C. W. Krissinger. Incumbent's commission expires June 5, 1924.

SOUTH CAROLINA

Rebecca Wimberly to be postmaster at St. Matthews, S. C., in place of L. B. Smoak. Incumbent's commission expired January 21, 1924.

SOUTH DAKOTA

Francis Smidt to be postmaster at Freeman, S. Dak., in place of Lydia Oldewurtel. Incumbent's commission expires June 4, 1924.

John W. Coverdale to be postmaster at Elk Point, S. Dak., in place of T. H. Ryan. Incumbent's commission expired January 23, 1924.

Leroy F. Lemert to be postmaster at Spencer, S. Dak., in place of L. F. Lemert. Incumbent's commission expires June 4, 1924.

TENNESSEE

William A. Dunlap to be postmaster at Maryville, Tenn., in place of J. M. Cates. Incumbent's commission expired June 3, 1924.

TEXAS

Bassett R. Miles to be postmaster at Luling, Tex., in place of P. L. Walker. Incumbent's commission expires June 4, 1924.

Herbert D. F. Nienstedt to be postmaster at Burton, Tex., in place of H. M. Bryan. Incumbent's commission expires June 4, 1924.

Maurice M. Boynton to be postmaster at Bronte, Tex., in place of W. L. Hayley. Incumbent's commission expires June 4, 1924.

UTAH

Mattie S. Larsen to be postmaster at Castle Dale, Utah, in place of W. L. Cash. Incumbent's commission expired April 9, 1924.

VERMONT

Lester K. Oakes to be postmaster at Stowe, Vt., in place of A. C. Oakes. Incumbent's commission expires June 5, 1924.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 3, 1924

ASSISTANT SECRETARY OF THE TREASURY

Charles S. Dewey to be Assistant Secretary.

CONSULAR SERVICE

To be consul general of class 3

Marion Letcher.

To be consul general of class 4

Samuel T. Lee.
John K. Caldwell.

To be consuls of class 3

Arthur C. Frost.
Dana G. Munro.
Leon Dominian.
Charles M. Hathaway, jr.

To be consuls of class 4

Leslie E. Reed.
John K. Davis.
O. Gaylord Marsh.
John W. Dye.
Hasell H. Dick.
Leland B. Morris.

To be consuls of class 5

Joseph F. McGurk.
William P. Blocker.
Jay C. Huston.
Charles J. Pisar.
John Randolph.
Parker W. Buhrman.
William R. Langdon.

To be consuls of class 6

Egmont C. von Tresckow.
Harry E. Carlson
Samuel R. Thompson.
Orsen N. Nielsen.
Damon C. Woods.
Robert B. Macatee.
Hugh S. Fullerton.
Richard F. Boyce.
Digby A. Willson.
Raleigh A. Gibson.
Ho C. Funk.

To be consuls, class 7

Harold Shantz.
Frederick L. Thomas.
Robert R. Patterson.
Harold S. Tewell.
Hiram A. Boucher.
E. Talbot Smith.
William I. Jackson.
Robert Y. Jarvis.
Maxwell M. Hamilton.
Augustin W. Ferrin.

COLLECTOR OF CUSTOMS

Carl E. Milliken to be collector of customs for customs collection district No. 1, with headquarters at Portland, Me.

PROMOTIONS IN THE ARMY

Godwin Ordway to be colonel, Coast Artillery Corps.
Robert Davis to be lieutenant colonel, Signal Corps.
Charles Wolcott Ryder to be major, Infantry.
Morris Handley Forbes to the captain, Infantry.
Dorsey Jay Rutherford to be captain, Coast Artillery Corps.
Joseph Alfred Cranston, jr., to be first lieutenant, Infantry.
Willard Leslie Isaacs to be first lieutenant, Infantry.
Walter Howard DeLange to be second lieutenant, Field Artillery.
Karl Hartman Gorman to be captain, Air Service.

POSTMASTERS

IOWA

Royal E. Hutton, Bancroft.
Howard H. Tedford, Mount Ayr.
Harry M. Harlan, Sigourney.
Ralph Hunte, Springville.

LOUISIANA

Phillip B. Allbritton, Clarks.
Emma Roussel, Patterson.

MARYLAND

Louis H. Wise, Mechanicsville.
John F. Mansfield, St. Michaels.

NORTH DAKOTA

James N. McGogy, Ashley.
Lenora M. Collins, Wing.

SOUTH CAROLINA

Thomas B. Madden, Columbia.

TENNESSEE

Samuel W. Ingersoll, Decherd.
John E. Robertson, Springfield.

HOUSE OF REPRESENTATIVES

TUESDAY, *June 3, 1924*

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Beneath Thy mighty hand, O Lord, we humble ourselves and say: "Holy, holy, holy." Thou art a Father to be trusted through all circumstances, through all lives, and through all deaths. With this blessed assurance help us to be unafraid in all situations. Lay Thy hand of blessing upon our country and may the power of the right, inspired by the precepts of the Master, prevail. O may we feel the directive power of the Lord of Hosts, and thus shall be preserved the sanctity of all righteous and the integrity of law institutions. Be unto us a sweet, courageous influence that lifts us beyond the clutch of weakness, and support us in a wise self-assertion. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

STOCK-RAISING HOMESTEADS

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to call up Concurrent Resolution No. 13.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 1898) reclassifying the salaries of postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, and for other purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. EDGE, Mr. MOSES, and Mr. MCKELLAR as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 588) for the relief of Daniel A. Spaight and others.

The message also announced that the Senate had passed joint resolution (S. J. Res. 137) in respect of salaries of original appointees to the Board of Tax Appeals, in which the concurrence of the House of Representatives was requested.

STOCK-RAISING HOMESTEADS

The SPEAKER. The gentleman from Oregon asks unanimous consent for the present consideration of the concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Concurrent Resolution 13

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed in the enrollment of the bill (S. 381) to amend section 2 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (39 Stat. L. p. 862), to strike out on page 2, in lines 21, 22, and 23 of the engrossed copy of the bill, the words "after application for designation under this act, the applicant establishes and maintains residence on the land," and insert in lieu thereof a semicolon and the word "and."

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

CLARK V. MOORE

Mr. NELSON of Wisconsin. Mr. Speaker, I call up a report from the Committee on Elections No. 2, the contested-election case of Clark *v.* Moore.

The SPEAKER. The gentleman from Wisconsin calls up a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 340

Resolved, That Don H. Clark was not elected a Member of the House of Representatives in the Sixty-eighth Congress from the first congressional district of the State of Georgia and is not entitled to a seat herein.

Resolved, That R. Lee Moore was duly elected a Member of the House of Representatives in the Sixty-eighth Congress for the first congressional district of Georgia, and is entitled to retain his seat herein.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

CONTEST OF E. W. COLE

Mr. NELSON of Wisconsin. Mr. Speaker, I call up a report from the Committee on Elections No. 2, in the case of E. W. Cole.

The SPEAKER. The gentleman from Wisconsin calls up a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 341

Resolved, That E. W. Cole is not entitled to a seat in this House as a Representative from the State of Texas in the Sixty-eighth Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

FRANK *v.* LAGUARDIA

The SPEAKER laid before the House a letter from the Clerk of the House transmitting testimony, papers, and documents in the contest for a seat in the House of Representatives for the twentieth district, State of New York, of Henry Frank *v.* Fiorello H. LaGuardia, which was read and referred to the Committee on Elections No. 2.

RECLASSIFYING THE POSTAL SALARIES

Mr. GRIEST. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1898) for reclassifying the salaries of postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, and for other purposes, insist upon the House amendments and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table S. 1898, insist on the House amendments and agree to the conference asked for by the Senate. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. Mr. Speaker, I have a privileged motion to offer at this time, before the conferees are appointed.

The SPEAKER. The gentleman from Tennessee offers a privileged motion, which the Clerk will report.

The Clerk read as follows:

Resolved, That the managers on the part of the House be instructed in conference to agree to that portion of Senate bill 1898 contained in sections 14 and 15 without amendment, said sections being as follows:

"SEC. 14. That all committees, local, State, or national, and all persons or parties having any part or share in the election or in the campaign for the election of Members of Congress and all officers or officials of the Government of the United States, shall publish at the end of each 10 days a financial report of the contributions received by, or for the account of, the committee, or person, or party, or candidate, directly or indirectly, with the name, residence, and official position, if any, of each contributor and amount of his contribution, directly or indirectly, and at the end of each campaign for the election of such Members of Congress, or officers, or officials of the Government of the United States, shall publish a complete and detailed financial statement, giving the name of each contributor and the amount of his contribution, together with the amount of any deficit incurred in the campaign; and such committee or party shall thereafter publish at the end of each month the amounts received by it from each contributor, directly or indirectly, to make up the deficit. Such reports and financial statements together with copies of circulars used in soliciting contributions and the names of all solicitors of campaign funds shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate and shall also be opened to inspection by the public.

"SEC. 15. Every person, including every member of the committee, offending against the foregoing section shall be deemed guilty of a misdemeanor and shall upon conviction thereof be imprisoned not more than one year or fined not to exceed $5,000, or by both such fine and imprisonment."

Mr. SANDERS of Indiana. Mr. Speaker, I make a point of order against the motion to instruct. As I recall the parliamentary status it is this: We brought up the Senate bill and the motion was made to strike out the Senate bill and insert the entire House bill. That was agreed to. It went to the Senate and the Senate disagreed to the amendment and asked for a conference, and this morning a conference was asked for and before the appointment of the conferees this motion to instruct was offered. That is what I understand to be the parliamentary status.

Of course we can instruct the conferees and insist upon the amendment which the House put on, but we have no right to instruct the conferees to agree to some part of an amendment, because the conferees have not that power as a matter of right to insist on any part of the Senate bill. The only way we can instruct the conferees is either to further insist or recede. This motion is a motion to agree to a portion of the Senate bill. We have no right to instruct our conferees to agree to some specific thing when the entire Senate bill has been stricken out. We can only instruct them to insist or to recede and concur.

Mr. DENISON. Mr. Speaker, it seems to me that the proposition of the gentleman from Tennessee is to agree, not to the Senate bill, but a part of the Senate bill.

Mr. CHINDBLOM. Mr. Speaker, I beg to suggest to the Chair that the very amendment that the motion seeks to instruct the conferees upon was rejected by the House when the House adopted the amendment which substituted a complete piece of legislation for that asked by the Senate.

Mr. SANDERS of Indiana. The House and Senate are not in agreement.

Mr. GARRETT of Tennessee. Mr. Speaker, I do not understand that there can be any question as to the right of the House to instruct the managers prior to their appointment.

Mr. SANDERS of Indiana. I am not making that point; my point is that the instructions are not proper under the rules of the House.

Mr. GARNER of Texas. We can determine whether they are proper. That is the judgment of the House.

The SPEAKER. Does the gentleman from Tennessee desire to be heard further?

Mr. GARRETT of Tennessee. I do not know what is in the Chair's mind concerning the matter. Unquestionably the House has the right to instruct the conferees, and unquestionably it has the right to instruct them affirmatively. As to whether the matter upon which it is proposed to instruct them is proper, that is a question for the House to determine by a vote. I confess I do not know what is in the mind of the Chair as to the parliamentary situation.

Mr. SANDERS of Indiana. The action of the House was to strike out the entire Senate bill and amend it by putting in the entire House bill. The gentleman is not proposing to deal with the situation but proposes to instruct the conferees to agree to a certain part of the Senate bill, when we struck out the whole thing.

Mr. GARNER of Texas. And we have a right to do that.

Mr. SANDERS of Indiana. We have no right to instruct the conferees to agree to a part.

Mr. GARNER of Texas. Why not? Why have not we a right to instruct the conferees to agree to something or not to agree to something? This is an affirmative instruction to agree to certain provisions in the Senate bill.

Mr. CRAMTON. Mr. Chairman, may I make a suggestion for the gentleman's consideration? There is a peculiarity in this situation in that he asks to have this particular amendment made to the House bill. The amendment is one that is clearly not germane to the House bill. If offered while the House bill was under consideration, it would have been subject to a point of order. It is not a matter germane to the House bill; it is a matter of campaign expenses which has nothing to do with the pay of postal employees. Of course, the gentleman will urge that the conferees will have jurisdiction of all matters that are in disagreement between the two bills, and in offering his motion at this time and in this way he is asking the House to instruct the conferees to agree to an amendment to the House bill that is not germane. I submit that that is straining the situation further than parliamentary law would permit.

Mr. GARRETT of Tennessee. Mr. Speaker, if the gentleman will permit, under the parliamentary situation which now exists the managers on the part of the Senate and on the part of the House will have complete jurisdiction of all the subject

matter contained in both Senate and House bills. They can bring in here an entirely new bill relating to the subject matter contained in both bills. That situation we had demonstrated a few days ago on the immigration bill. They not only brought in matter related, but they brought in matter that was outside of the other bill. What is proposed in this amendment is to instruct the managers on the part of the House to agree to a proposition which is in the Senate bill and which is offered in the exact words contained in the Senate bill.

Mr. SANDERS of Indiana. Mr. Speaker, the difficulty about the statement of the gentleman from Tennessee [Mr. GARRETT] is that we are not dealing now with the conference report after it has come back to the House. We are dealing with the question of original conference. We can only instruct the House conferees to do some concrete thing with reference to the House amendment, because that is the thing that created the disagreement. The Senate bill came over here. The House was dissatisfied with the Senate bill, and we struck it all out after the enacting clause. Then we put in the House bill. The gentleman from Tennessee is not proposing that the House insist upon its amendment with an amendment. The conferees can do only one of two things. The House can recede from its amendment and agree to the Senate bill and report it back; that is one thing that they can do. The conferees can amend the amendment which we put on, and that is the second thing that we can do and bring it back. This does not propose to do either of those things, and we can only instruct the conferees upon the threshold of a conference as to one of those two propositions.

The SPEAKER. The gentleman from Tennessee proposes that the managers on the part of the House be instructed to agree to that portion of the Senate bill which follows, etc.

The House conferees can not agree to that without in some way receding from the amendment which the House put on. The only way that that can come before the conferees is for the Senate to recede from their disagreement with an amendment putting this on, and the House conferees can not take the initiative and do that. The Senate conferees, it seems to the Chair, must recede from their disagreement and agree with an amendment in order to bring this up at all.

Mr. GARRETT of Tennessee. Mr. Speaker, will the Chair permit a suggestion?

The SPEAKER. Certainly.

Mr. GARRETT of Tennessee. It seems to me that the whole matter is in disagreement, the Senate bill and the House bill.

The SPEAKER. Certainly.

Mr. GARRETT of Tennessee. That being the case, and this being the proper time and the only time that instructions can be given, I can not quite see why it is not in order to instruct the conferees to accept a part of the Senate measure, all of it being in disagreement, expressed in the exact terms of the Senate proposition.

Mr. LONGWORTH. But we have no means of knowing that the conferees on the part of the Senate will favor the Senate bill. They might be in favor of receding themselves, and what then would be the situation?

Mr. GARNER of Texas. The logic of the rule is that we are in disagreement on this entire bill. The Senate might want to recede and accept the House amendment, but the House expressly instructs its conferees to accept a portion of the Senate bill. The entire Senate bill is in disagreement, and the House directs its managers to accept a part of it, although the Senate might not want to recede. It does seem to me that under the logic of the rule of direction the House ought to have the right to say that that part of the bill should be accepted.

Mr. BARKLEY. If this were a House bill and the Senate had put on this proposition as a Senate amendment, it would be competent for the House to instruct its conferees to agree to that amendment.

The SPEAKER. Unquestionably.

Mr. BARKLEY. Wherein does this situation, being a Senate bill and we having passed an amendment to it, differ in principle? Can we not instruct our conferees to agree to that part of the Senate bill which is not included in the House amendment?

The SPEAKER. The trouble the Chair finds is whether this is the proper way to do it. The House has stricken out the entire Senate bill and put in an entirely new bill. When the conferees go into conference, suppose the House conferees say, "We are instructed to accept that Senate amendment." They can not do it. We could not do it on the floor of the House; the House itself could not do it. The only way that can be done, it seems to the Chair, is for the Senate to say, "We recede from our disagreement with an amendment." If that situation should arise, then it would be proper for the House conferees to be instructed, but the Chair does not see how the House conferees could follow out these instructions except by the Senate taking a certain action. Suppose the Senate did not take that action?

Mr. GARNER of Texas. It would be a disagreement. May I ask the Chair a question?

The SPEAKER. Certainly.

Mr. GARNER of Texas. Suppose the House instructed the conferees on any bill to agree to any Senate amendment or any portion of a Senate amendment.

The SPEAKER. You can always do that.

Mr. GARNER of Texas. And the Senate did not want to agree to the House provisions.

The SPEAKER. But the gentleman is confused. This is not a Senate amendment.

Mr. GARNER of Texas. It is a Senate bill.

The SPEAKER. Certainly.

Mr. GARNER of Texas. And the entire business is in disagreement.

The SPEAKER. Yes; but the House managers are in this condition: Their bill is before the conferees. They can not move to accept any portion of the Senate bill.

Mr. GARNER of Texas. In the conference?

The SPEAKER. No. How can they?

Mr. GARNER of Texas. What can they do?

The SPEAKER. They must either recede or the Senate must recede. If the House conferees recede, then they accept the Senate bill.

Mr. GARNER of Texas. If the Senate conferees and the House conferees are in session, and the Chair is representing the House, the Chair offers to the Senate to recede, and the House will recede with an amendment carrying the Senate provision, as instructed by its conferees.

The SPEAKER. But the Senate must recede, not the House.

Mr. CRAMTON. The difficulty is that the gentleman from Tennessee brings up not a Senate amendment, but at best a minor portion of a Senate bill, and leaves the balance of it undisposed of, and then if the Senate bill were to be construed a Senate amendment, which it is not, he has only disposed of a part of it, and he has selected that part which is absolutely not germane to the House bill.

Mr. GARRETT of Tennessee. But the question of germaneness is not involved.

Mr. CRAMTON. If the language the gentleman proposes to accept were before us as a separate Senate amendment, then his motion would be in order, but inasmuch as he has picked out of the Senate bill a few lines, the House bill being a complete amendment for the whole bill, it is an entirely different situation.

The SPEAKER. The trouble the Chair sees is the way the gentleman from Tennessee has drawn his instructions.

Mr. GARNER of Texas. If the Chair will permit a suggestion, leaving aside the Borah amendment, there is a difference between the House and Senate with reference to salaries fixed in those two bills, and it would be certainly competent for the House to instruct the conferees to accept the figures of the Senate bill.

The SPEAKER. No; the Chair does not think that it could. It could be done in a proper way, but——

Mr. GARNER of Texas. In other words, the logic of the rules of the House of Representatives prevents the House of Representatives from instructing its conferees what it wants them to do. No such rule as that ought to exist, I do not care how you make it. The House ought never to get in a position where it can not instruct its conferees in reference to the will of the House.

Mr. SANDERS of Indiana. The trouble is the gentleman from Tennessee does not want to instruct the House conferees, but to give instruction to both the House conferees and the Senate conferees.

Mr. GARNER of Texas. The Senate can take care of itself.

Mr. SANDERS of Indiana. We have a right to instruct our own conferees what they shall do, and the difficulty is that this is at the initial stage of the disagreement before the appointment of the conferees. Ordinarily they have a full and free conference, and we do not ordinarily instruct at the beginning. It is proper under our rules to do so; but it is at the initial stage, and the gentleman from Tennessee proposes to offer instructions which are instructions to the managers on the part of the House and managers on the part of the Senate.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. GARRETT of Tennessee. Surely the gentleman does not mean all that these words carry. The Senate has already disagreed to the amendment adopted by the House.

Mr. SANDERS of Indiana. Certainly.

Mr. GARRETT of Tennessee. Thereby and so far as the Senate is concerned parliamentarily, it is standing upon the whole Senate bill.

Mr. SANDERS of Indiana. Not a fragment of it.

Mr. GARRETT of Tennessee. Including the language of the Borah amendment.

The SPEAKER. The only point in the Chair's mind is the way the gentleman has drawn his motion. Of course, the House has a right to instruct its conferees. The Chair does not know it is up to the Chair to make a suggestion, but it seems to the Chair the proper method would be for the House conferees to be instructed not to agree to the conference report unless it had in it such an amendment; or they could be instructed that if the Senate conferees disagreed and receded with an amendment they should agree to it. It is impossible for the House conferees, it seems to the Chair, in the first instance, to agree to that amendment. Why should not the gentleman make the motion that the House conferees, for instance, should agree to the conference report and make the motion that the House conferees, for instance, should not agree to the report that did not contain what was stricken out?

Mr. GARRETT of Tennessee. I am perfectly willing to put it in that form, of course.

Mr. BEGG. Will the Speaker permit one suggestion? I maintain, Mr. Speaker, that the House, as such, has no knowledge of the amendment offered by the gentleman from Tennessee by way of instructions to the conferees. Now, it is true that the Senate bill was on the calendar and was taken up and technically was passed; but it was never read, because the minutes show it was never read; but everything after the enacting clause was stricken out, and the only thing that this House has technical knowledge of was the House bill; it was never before the House, but the House bill. And if the amendment which the gentleman from Tennessee offers had been offered on the floor of the House, it would clearly have been out of order, because it would not have been germane. Now I submit to the Speaker that, so far as this House knows, there is no such thing as the Borah amendment.

Mr. CHINDBLOM. Mr. Speaker, I desire to call the attention of the Chair to the actual transaction here. I read on page 10174 of the RECORD where the gentleman from Pennsylvania [Mr. GRIEST] rose and said:

> Mr. Speaker, I move to suspend the rules and pass the bill (S. 1898) reclassifying the salaries of postmasters and employees of the Postal Service, and adjusting their salaries and compensation on an equitable basis, and for other purposes, as amended.

In other words, he had taken the Senate bill as a basis for his motion, had stricken out the whole language and inserted the House bill, and it was put on motion for passage under suspension of the rules. Therefore the House never considered the Senate bill at all, never considered the list of salaries fixed in the Senate bill, never considered the Borah amendment, but simply considered the motion to suspend the rules and pass the bill in a particular form, and it could not be passed in any other form. Now, if that motion had been subject to amendment and the Borah amendment had been offered, it would have been subject to a point of order under the rules of this House. The bill now being in the hands of the conferees, and the gentleman from Tennessee offering an amendment in the nature of the Borah amendment, which would have been subject to the point of order then, it seems to me that the amendment is subject to the point of order now as not being germane to the bill that passed the House yesterday.

The SPEAKER. The Chair does not think that follows. The Chair thinks the Senate bill, although it was not read, was before the House with the House amendment. And therefore the Chair does not think the question of germaneness applies. The only point the Chair has had in mind is the form of the motion of the gentleman from Tennessee. The Chair thinks that the gentleman from Tennessee has made a motion to instruct the conferees in a way that is impossible for the conferees to act, because the conferees could not agree to it unless it is before the conferees and until the Senate recedes.

Mr. GARRETT of Tennessee. Mr. Speaker, I will withdraw that and offer this instead.

Mr. CHINDBLOM. Mr. Speaker, I think while the matter is being perfected and in order that all the Members of the House may know what is going on, I shall make the point of order that there is no quorum. The Members do not all know that we met at 11 o'clock.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. LONGWORTH. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Harrison	Miller, Ill.	Rogers, N. H.
Bacharach	Howard, Okla.	Moore, Va.	Rosenbloom
Boies	Hull, Tenn.	Morin	Sabath
Byrnes, S. C.	Johnson, Tex.	Mudd	Snyder
Cable	Jost	Nolan	Sproul, Kans.
Clark, Fla.	Kahn	O'Brien	Stengle
Cole, Ohio	Kunz	O'Connor, La.	Sullivan
Collins	Langley	Park, Ga.	Taylor, Colo.
Curry	Lilly	Patterson	Upshaw
Drane	Little	Phillips	Ward, N. Y.
Edmonds	Logan	Porter	White, Me.
Geran	Lyon	Quayle	Wilson, Miss.
Gibson	Magee, Pa.	Rankin	Wingo
Graham, Ill.	Michaelson	Reed, W. Va.	

The SPEAKER. Three hundred and seventy-seven Members have answered to their names. A quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The doors were opened.

Mr. GARRETT of Tennessee. Mr. Speaker, I withdraw the motion offered a few moments ago and offer another motion.

The SPEAKER. The gentleman from Tennessee offers a motion, which the Clerk will report.

The Clerk read as follows:

Resolved, That the managers on the part of the House are instructed not to agree to any report which does not contain the following provisions:

"SEC. 14. That all committees, local, State or National, and all persons or parties having any part, or share, in the election or in the campaign for the election of Members of Congress and all officers or officials of the Government of the United States, shall publish at the end of each 10 days a financial report of the contributions received by, or for the account of, the committee, or person, or party, or candidate, directly or indirectly, with the name, residence, and official position, if any, of each contributor and amount of his contribution, directly or indirectly, and at the end of each campaign for the election of such Members of Congress, or officers or officials of the Government of the United States, shall publish a complete and detailed financial statement, giving the name of each contributor and the amount of his contribution, together with the amount of any deficit incurred in the campaign; and such committee, or party shall thereafter publish at the end of each month the amounts received by it from each contributor, directly or indirectly, to make up the deficit. Such reports and financial statements together with copies of circulars used in soliciting contributions and the names of all solicitors of campaign funds shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate and shall also be opened to inspection by the public.

"SEC. 15. Every person, including every member of the committee, offending against the foregoing section shall be deemed guilty of a misdemeanor and shall upon conviction thereof be imprisoned not more than one year or fined not to exceed $5,000, or by both such fine and imprisonment: *Provided, however*, That said managers may offer or agree to an amendment to said provisions which shall provide the method of publication of contributions which is therein required to be made each 10 days."

Mr. SANDERS of Indiana. I make the point of order, Mr. Speaker, that the proposed instruction is not in order at the present stage of the proceedings for the following reasons: First, at the initial stage it is against the practice of the House to instruct the conferees. Second, that when a Senate bill has been considered by the House and the entire bill stricken out and the House bill substituted therefor it is not in order for the House to instruct the House conferees to agree to a part of the bill which was stricken out by the House for the reason that that in effect amounts to a reconsideration of the matter, and that you can not do indirectly what you can not do directly. The third ground for the point of order is that the proposed instruction instructs the House conferees with reference to a matter that is only under the control of both the House and Senate conferees, and that the House has no power or authority under the rules of the House to give instructions, except instructions to the House conferees which they have the power to carry out.

I think this proposed instruction is very much worse than the other. Let us look at this situation: Here the House takes a Senate bill and strikes everything out and writes the House bill by way of amendment. It is sent over to the Senate, and

the Senate disagrees to the House amendment to the Senate bill and asks for a conference. It comes back here. We have the right to refuse the conference and we have the right to yield to the Senate and do away with our amendment. But we agree to the conference. Now, the moment we agree to the conference that means that we are still insisting upon the House amendment to the Senate bill. We can not then immediately thereafter by motion made on the floor of the House instruct the House conferees to do the very thing which we have impliedly said the House did not want done. By granting a conference we are still insisting upon the amendment.

Now, the proposal is not a definite proposal that we insist upon our amendment. That is not a definite proposal.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield there?

Mr. SANDERS of Indiana. In a moment.

It is not instructions which the House conferees have any power to carry out. It is only something that may be worked out in conference by way of amendment, agreed to by the Senate conferees. We have never heretofore since I have been here, in seven or eight years, undertaken to instruct the conferees to do away with something that the House has just done.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. SANDERS of Indiana. I will yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. The gentleman said my motion contains nothing about insisting. The House itself by unanimous consent has just agreed to insist.

Mr. SANDERS of Indiana. Certainly, and the House has agreed to insist upon its amendment, while the gentleman's motion proposes to go back on that and say that the House conferees shall agree to something else. The motion offered by the gentleman from Tennessee proposes to direct the House conferees to do something that the House conferees by themselves have not the power to do. You can not instruct the House conferees to do that. I have never seen instructions which instructed the House conferees to do something which required new action on the part of the Senate and House conferees. We have the right to recede from the position we have taken, and we have the right to instruct our conferees to recede from the position we have taken, but we have no right to direct our conferees to do some new thing which requires the joint action of those conferees and the Senate conferees.

This is not all that is in disagreement. The two bills——

Mr. GARRETT of Tennessee. I call the attention of the gentleman to the exact wording of the resolution, the resolving clause, that is, that they are instructed not to agree to any report which does not contain the proposed language.

Mr. SANDERS of Indiana. You instruct them not to agree and then you close up by instructing them to do something entirely new.

Mr. CRAMTON. Mr. Speaker, I simply want to take one minute to make this one further point. In so far as the amendment which has now been offered rests upon the presence of similar language in the Senate bill the argument of the gentleman from Indiana disposes of it. But it is presented now as a new amendment and provides something which the conferees are instructed to put into the bill not based at all upon its presence in the Senate bill. It is on the same basis as if it had been offered in the House when the House bill was pending, and being admittedly not germane to the House bill we can not give the conferees these instructions.

Mr. LONGWORTH. Mr. Speaker, may I make one suggestion? It seems to me the situation is simply this: The House a few minutes ago, by unanimous consent, rejected the entire Senate bill, every part of it, and agreed to the conference asked by the Senate. Now, after that is it possible for the House to destroy what it has just done by unanimous consent? And that is precisely the effect of this proposition.

Mr. GARNER of Texas. According to the gentleman's logic, then, at any time the House disagrees to a Senate amendment and asks for a conference by unanimous consent it can not instruct the conferees at all.

Mr. LONGWORTH. That is not the point.

Mr. GARNER of Texas. That is the point here and that is the logic of the gentleman's argument.

Mr. LONGWORTH. Not at all; it is a House amendment.

Mr. GARNER of Texas. It does not make any difference either way. According to the gentleman's argument, at any time the House disagrees to a Senate amendment the House is precluded, by unanimous consent, from instructing the conferees.

Mr. LONGWORTH. That would not follow at all from this situation.

The SPEAKER. The Chair is ready to rule. The first point made by the gentleman from Indiana [Mr. SANDERS], that it is very unusual to instruct before there has been any conference, is, of course, true. The House and the Senate generally allow their conferees liberty of action at the first conference. But the Chair is not aware, whatever the propriety may be, that it is not within the power of the House to instruct at the very outset, and the Chair can not sustain that point of order.

Then, secondly, as to the point that this House is doing something which is contradictory to what it has already done. The House has rejected the whole Senate bill, has substituted one of its own, and now instructs its conferees not to agree unless they put in a part of the Senate bill, which it has already stricken out, and that is, of course, contradictory. The action of the House in first striking it out and then instructing its conferees not to agree unless a part of it is put back is contradictory.

The point is also true, as made by the gentleman from Indiana, that the House having already decided to insist, this could not go in by the action of the House conferees alone. It requires action by the Senate conferees to put back this section. They must recede and concur with an amendment.

But the Chair does not see why—granting the extraordinary character of it—it is subject to a point of order. It seems to the Chair that if the House wants to do it, no matter how contradictory or how unusual or how improper it may be, the House has the right to say to its conferees, "You must not agree until a certain contingency has arisen," although when the House merely insists on its disagreement and sends the bill to conference it gives its conferees authority to depart from that insistence and to make an agreement.

So it seems to the Chair in the present instance, although very unusual and contradicting the previous action of the House, that if the House wishes to do it the House has the right to do so. As to the point of order made by the gentleman from Michigan [Mr. CRAMTON] that the instruction is not germane to the bill, the Chair thinks that as the matter was in the Senate bill in this exact form and the House struck it out and inserted different provisions, the whole matter in both bills is in conference and consequently germane.

The Chair overrules the point of order.

Mr. CABLE. Mr. Speaker, I offer the following substitute for the motion of the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Mr. Speaker, I move the previous question.

Mr. BEGG. It is too late.

The SPEAKER. The Chair thinks the gentleman is entitled to move the previous question if he wishes.

Mr. GARRETT of Tennessee. I am willing to withhold the previous question if the gentleman desires discussion.

Mr. SANDERS of Indiana. The gentleman can not qualify it in that way.

The SPEAKER. The gentleman from Pennsylvania [Mr. GRIEST], of course, is entitled to recognition, but the previous question is, of course, a preferential motion.

Mr. GARRETT of Tennessee. Then, Mr. Speaker, I move the previous question.

Mr. CABLE. Will the gentleman withhold that?

Mr. GARRETT of Tennessee. I am informed I can not withhold it for discussion. I thought I was entitled to take the floor for discussion and yield for discussion. Of course, I know I could not yield to the gentleman to offer an amendment, but I thought I was entitled to recognition for an hour.

The SPEAKER. The Chair thinks the gentleman from Pennsylvania is entitled to recognition.

Mr. GARRETT of Tennessee. Then, Mr. Speaker, I shall have to move the previous question.

The SPEAKER. That is, if the gentleman from Pennsylvania wants recognition.

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. I should like to understand, and I think the House would like to understand, whether it is the intention of the gentleman from Ohio [Mr. CABLE] to move as a substitute for the phraseology contained in the Senate bill known as the Borah amendment a bill which he himself introduced with relation to the matter.

Mr. CABLE. Mr. Speaker, that was my idea. The committee has considered this bill and reported it out unanimously some time ago.

Mr. LONGWORTH. If that is the case, I hope the previous question will be voted down so that the gentleman from Ohio may have that opportunity.

Mr. GARRETT of Tennessee. Mr. Speaker, I move the previous question.

Mr. CABLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CABLE. Mr. Speaker, if the previous question is voted down, would it then be in order for me to offer this as a substitute?

The SPEAKER. It would.

Mr. SCHAFER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. SCHAFER. Mr. Speaker, on the motion of the gentleman from Tennessee I ask for the yeas and nays.

Mr. GARRETT of Tennessee. The gentleman does not want it on the previous question?

Mr. SCHAFER. Yes; I do.

Mr. GARRETT of Tennessee. Wait until we see how we come out on it.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. Mr. Speaker, there has been no debate on this proposition. If the previous question were ordered, would there not be 20 minutes' debate on a side?

The SPEAKER. Certainly. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 133, noes 157.

So the motion for the previous question was rejected.

Mr. CABLE. Mr. Speaker, I offer the following as a substitute.

The SPEAKER. The gentleman from Ohio offers a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute offered by the gentleman from Ohio (Mr. CABLE): Strike out the remainder of the resolution after the word "provision" and insert in lieu thereof the following:

"That this act may be cited as the 'Federal corrupt practices act, 1924.'

"SEC. 2. When used in this act—

"(a) The term 'election' includes a general or special election, and, in the case of a Resident Commissioner from the Philippine Islands, an election by the Philippine Legislature, but does not include a primary election or convention of a political party;

"(b) The term 'candidate' means an individual whose name is presented at an election for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

"(c) The term 'political committee' includes any committee, association, or organization, which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence in two or more States the election of candidates or presidential and vice presidential electors.

"(d) The term 'contribution' includes a gift, subscription, loan, advance, or deposit, of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution;

"(e) The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure;

"(f) The term 'person' includes an individual, partnership, committee, association, corporation, and any other organization or group of persons;

"(g) The term 'Clerk' means the Clerk of the House of Representatives of the United States;

"(h) The term 'Secretary' means the Secretary of the Senate of the United States;

"(i) The term "State" includes Territory and possession of the United States.

"SEC. 3. (a) Every political committee shall have a chairman and a treasurer. No contribution shall be accepted, and no expenditure made, by or on behalf of a political committee for the purpose of influencing an election until such chairman and treasurer have been chosen.

"(b) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

"(1) All contributions made to or for such committee;

"(2) The name and address of every person making any such contribution, and the date thereof;

"(3) All expenditures made by or on behalf of such committee; and

"(4) The name and address of every person to whom any such expenditure is made, and the date thereof.

"(c) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure by or on behalf of a political committee exceeding $10 in amount. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items.

"SEC. 4. Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the name and address of the person making such contribution, and the date on which received.

"SEC. 5. (a) The treasurer of a political committee shall file with the clerk between the 1st and 10th days of March, June, and September, in each year, and also between the 10th and 15th days, and on the 5th day, next preceding the date on which a general election is to be held, at which candidates are to be elected in two or more States, and also on the 1st day of January, a statement containing, complete as of the day next preceding the date of filing—

"(1) The name and address of each person who has made a contribution to or for such committee in one or more items of the aggregate amount or value, within the calendar year, of $100 or more, together with the amount and date of such contribution;

"(2) The total sum of the contributions made to or for such committee during the calendar year and not stated under paragraph (1);

"(3) The total sum of all contributions made to or for such committee during the calendar year;

"(4) The name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of $10 or more has been made by or on behalf of such committee, and the amount, date, and purpose of such expenditure;

"(5) The total sum of all expenditures made by or on behalf of such committee during the calendar year and not stated under paragraph (4);

"(6) The total sum of expenditures made by or on behalf of such committee during the calendar year.

"(b) The statements required to be filed by subdivision (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

"(c) The statement filed on the 1st day of January shall cover the preceding calendar year.

"SEC. 6. Every person (other than a political committee) who makes an expenditure in one or more items, other than by contribution to a political committee, aggregating $50 or more within a calendar year for the purpose of influencing in two or more States the election of candidates, shall file with the Clerk an itemized detailed statement of such expenditure in the same manner as required of the treasurer of a political committee by section 5.

"SEC. 7. (a) Every candidate for Senator shall file with the Secretary, and every candidate for Representative, Delegate, or Resident Commissioner shall file with the Clerk, not less than 10 nor more than 15 days before, and also within 30 days after, the date on which an election is to be held, a statement containing, complete as of the day next preceding the date of filing—

"(1) A correct and itemized account of each contribution received by him or by any person for him with his knowledge or consent, from any source, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person who has made such contribution;

"(2) A correct and itemized account of each expenditure made by him or by any person for him with his knowledge or consent, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person to whom such expenditure was made; except that only the total sum of expenditures for items specified in subdivision (c) of section 9 need be stated;

"(3) A statement of every promise or pledge made by him or by any person for him with his consent, prior to the closing of the polls on the day of the election, relative to the appointment or recommendation for appointment of any person to any public or private position or employment for the purpose of procuring support in his candidacy, and the name, address, and occupation of every person to whom any such promise or pledge has been made, together with the description of any such position. If no such promise or pledge has been made, that fact shall be specifically stated.

"(b) The statements required to be filed by subdivision (a) shall be cumulative, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

"(c) Every candidate shall inclose with his first statement a report, based upon the records of the proper State official, stating the total number of votes cast for all candidates for the office which the candidate seeks at the general election next preceding the election at which he is a candidate.

"SEC. 8. A statement required by this act to be filed by a candidate or treasurer of a political committee or other person with the Clerk or Secretary, as the case may be—

"(a) Shall be verified by the oath or affirmation of the person filing such statement, taken before any officer authorized to administer oaths;

"(b) Shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk or Secretary at Washington, D. C., but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk or Secretary of its nonreceipt;

"(c) Shall be preserved by the Clerk or Secretary for a period of two years from the date of filing, shall constitute a part of the public records of his office, and shall be open to public inspection.

"SEC. 9. (a) A candidate, in his campaign for election, shall not make expenditures in excess of the amount which he may lawfully make under the laws of the State in which he is a candidate, nor in excess of the amount which he may lawfully make under the provisions of this act.

"(b) Unless the laws of his State prescribe a less amount as the maximum limit of campaign expenditures, a candidate may make expenditures up to—

"(1) The sum of $10,000 if a candidate for Senator, or the sum of $2,500 if a candidate for Representative, Delegate, or Resident Commissioner; or

"(2) An amount equal to the amount obtained by multiplying 3 cents by the total number of votes cast at the last general election for all candidates for the office which the candidate seeks, but in no event exceeding $25,000 if a candidate for Senator or $5,000 if a candidate for Representative, Delegate, or Resident Commissioner.

"(c) Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by paragraph (1) or (2) of subdivision (b) as the limit of campaign expenses of a candidate.

"SEC. 10. It is unlawful for any candidate to directly or indirectly promise or pledge the appointment, or the use of his influence or support for the appointment, of any person to any public or private position or employment for the purpose of procuring support in his candidacy.

"SEC. 11. It is unlawful for any person to make or offer to make an expenditure, or to cause an expenditure to be made or offered, to any person, either to vote or withhold his vote, or to vote for or against any candidate, and it is unlawful for any person to solicit, accept, or receive any such expenditure in consideration of his vote or the withholding of his vote.

"SEC. 12. Section 118 of the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909, is amended to read as follows: 'It is unlawful for any Senator or Representative in, or Delegate or Resident Commissioner to, Congress, or any candidate for, or individual elected as, Senator, Representative, Delegate, or Resident Commissioner, or any officer or employee of the United States, or any person receiving any salary or compensation for services from moneys derived from the Treasury of the United States, to directly or indirectly solicit, receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person.'

"SEC. 13. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution in connection with any election to any political office, or for any corporation whatever to make a contribution in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every corporation which makes any contribution in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation who consents to any contribution by the corporation in violation of this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"SEC. 14. (a) Any person who violates any of the foregoing provisions of this act, except those for which a specific penalty is imposed by sections 12 and 13, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(b) Any person who willfully violates any of the foregoing provisions of this act, except those for which a specific penalty is imposed by sections 12 and 13, shall be fined not more than $10,000 and imprisoned not more than two years.

"SEC. 15. This act shall not limit or affect the right of any person to make expenditures for proper legal expenses in contesting the results of an election.

"SEC. 16. This act shall not be construed to annul the laws of any State relating to the nomination or election of candidates, unless directly inconsistent with the provisions of this act, or to exempt any candidate from complying with such State laws.

"SEC. 17. If any provision of this act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

"SEC. 18. The following acts and parts of acts are hereby repealed: The act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected,' approved June 25, 1910 (ch. 392, 36 Stat. p. 822), and the acts amendatory thereof, approved August 19, 1911 (ch. 33, 37 Stat. p. 25), and August 23, 1912 (ch. 349, 37 Stat. p. 360); the act entitled 'An act to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress,' approved October 16, 1918 (ch. 187, 40 Stat. p. 1013); and section 83 of the Criminal Code of the United States, approved March 4, 1909 (ch. 321, 35 Stat. p. 1088).

"SEC. 19. This act shall take effect 30 days after its enactment."

Mr. CABLE. Mr. Speaker and Members of the House, this bill is offered as a substitute for the Senate amendment. This bill has been reported out by the committee by a unanimous vote after having been considered not only in this Congress but in the Sixty-seventh Congress. Hearings were had in the Sixty-seventh Congress on a bill that I introduced, a bill that the chairman introduced, and a bill that Mr. RUCKER, of Missouri introduced. This year hearings have been held, and after a full consideration it has been reported out for your consideration.

Mr. GARNER of Texas. Will the gentleman yield for a question?

Mr. CABLE. For a short question.

Mr. GARNER of Texas. Will the gentleman tell us why he has not got it up and had it considered before this?

Mr. CABLE. Because it was impossible, on account of the many bills ahead of it.

Mr. GARNER of Texas. Is that it? Did the gentleman ever consult the steering committee or the Rules Committee in an effort to bring it up?

Mr. CABLE. I never appeared before them, but I have asked Members for its consideration, but because of the many bills——

Mr. GARNER of Texas. And you did not get it?

Mr. CABLE. Because of the many bills that were out ahead of it, it was impossible.

Gentlemen, this bill has been considered in view of the Newberry decision. It has been considered in view of the fact that the present law is so old that it refers to the election of Senators by legislatures of the various States. The limitation upon the amount of expenditures by a candidate does not take into consideration the fact that the vote is now doubled, because of women voting as well as men. A leeway is given in this bill between Senators and Congressmen in small districts and in large. In other words, there is an elastic proposition as to votes. The bill is entitled to your favorable consideration and passage; and, Mr. Speaker, I move the previous question.

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman is unwilling to yield?

Mr. CABLE. Yes.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the substitute offered by the gentleman from Ohio.

The substitute was agreed to.

The SPEAKER. The question is on the motion instructing the conference not to consent until they have agreed to such an amendment.

The motion as amended was agreed to.

The SPEAKER appointed the following conferees: Mr. GRIEST, Mr. PAIGE, and Mr. BELL.

REORGANIZATION OF THE ADMINISTRATIVE BRANCH OF THE GOVERNMENT (S. DOC. NO. 128)

Mr. MAPES. Mr. Speaker, I submit the report including a bill of the joint committee of Congress on the reorganization of the administrative branch of the Government and a supplemental report signed by the minority of the committee. I ask that the bill be reported and referred to the proper calendar. Then I ask that the report, including some charts and outlines used by the committee, be printed as a House document.

The SPEAKER. Was the committee authorized to report by bill or otherwise?

Mr. MAPES. It was authorized to report by bill or otherwise.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 9629) to provide for the reorganization and more effective coordination of the executive branch of the Government, to create a department of education and relief, and for other purposes.

The bill was referred to the Committee of the Whole House on the state of the Union.

Mr. BLANTON. Mr. Speaker, is it in order to reserve points of order on the bill?

The SPEAKER. No.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the report of the committee, including some charts and outlines used by the committee and a copy of the bill, may be printed as a House document.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ADJUDICATION OF CLAIMS OF THE CHOCTAW AND CHICKASAW INDIANS

Mr. HASTINGS. Mr. Speaker, I call up the conference report on the bill H. R. 5325, conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

The SPEAKER. The gentleman from Oklahoma calls up the conference report on the bill H. R. 5325, which the Clerk will report.

The Clerk read the conference report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, and 6, and agree to the same.

That the Senate recede from its amendment numbered 7.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out the language proposed to be inserted by the Senate and in lieu thereof insert the following: "*Provided, however*, That the attorney or attorneys employed as herein provided may be assisted by the regular tribal attorney or attorneys employed under existing law under direction of the Secretary of the Interior, with such additional reasonable and necessary expenses for said tribal attorneys to be approved and paid from the funds of the respective tribes under the direction of the Secretary of the Interior, as may be required for the proper conduct of such litigation"; and the Senate agree to the same.

HOMER P. SNYDER,
FREDK. W. DALLINGER,
W. W. HASTINGS,
Managers on the part of the House.

J. W. HARRELD,
CHARLES CURTIS,
JOHN B. KENDRICK,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes, submit the following statement explaining the effect of the action agreed on:

On amendment No. 1, relating to the tribal attorneys: Strikes out the language which provides that the suit may be prosecuted by the regular tribal attorneys, and provides that the regular employed attorneys of the tribes may assist in the prosecuting of the suits.

On amendments Nos. 2, 3, 4, 5, and 6 are clerical changes made necessary by the adoption of amendment No. 1.

On amendment No. 7: The Senate recedes and accepts the language as passed by the House.

HOMER P. SNYDER,
FREDK. W. DALLINGER,
W. W. HASTINGS,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

COMPENSATION FOR EMPLOYEES OF THE UNITED STATES WHO ARE INJURED

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I call up the bill H. R. 7041, an act amending an act entitled "An act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, and move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from Pennsylvania calls up the bill H. R. 7041, of which the Clerk will read the title.

The Clerk read as follows:

An act (H. R. 7041) amending an act entitled "An act to provide compensation for the employees of the United States suffering injury while in the performance of their duties, and for other purposes"—

With a Senate amendment.

The Senate amendment was read.

Mr. GRAHAM of Pennsylvania. I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

EXTENSION OF FOURTEENTH STREET

Mr. ZIHLMAN. Mr. Speaker, I call up the conference report on the bill S. 114, authorizing the extension and widening of Fourteenth Street.

The Clerk read the conference report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 114, having met, after full and free conference, have been unable to agree.

F. N. ZIHLMAN,
FLORIAN LAMPERT,
THOMAS L. BLANTON,
Managers on the part of the House.

L. HEISLER BALL,
W. L. JONES,
Managers on the part of the Senate.

Mr. ZIHLMAN. Mr. Speaker, I move that the House recede from its amendments to the Senate bill.

Mr. BEGG. Will the gentleman yield

Mr. ZIHLMAN. Yes.

Mr. BEGG. Is this the Fourteenth Street extension bill?

Mr. ZIHLMAN. Yes. I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, I wish that every Member here knew just exactly what is involved in this question. You who have been driving in the northern part of the city out on the extension of Sixteenth Street and Alaska Avenue, and on the southern boundary of Maryland, have seen all of the new construction that has been going on out there in the way of new residences being built. This is an attempt on the part of the real-estate dealers, local newspapers, and city authorities to extend the Fourteenth Street care line for the purpose of developing the northern part of the city and the southern part of the State of Maryland, which, incidentally, would do away with part of the hospital grounds at the Walter Reed Hospital. There has been a delegation here of some commanders of American Legion Posts, situated in several localities, visiting us in the House Office Building, claiming to come from Walter Reed Hospital. If you ask them questions like I did, you find out that they were not from Walter Reed Hospital, but from the American Legion Posts of Silver Springs, Md., and various other American Legion posts out in that direction of the city. They are not the sick and disabled boys from Walter Reed Hospital—not the sick, crippled, and disabled boys stretched out upon beds of pain, needing quiet and absolute rest—but well men, some of whom have been in the hospital but are now out. I asked them why they did not go to the men themselves, the patients, and get the statement favoring this proposition for our consideration.

They said the boys were afraid to talk. They said these soldier boys were afraid of the officers at the Walter Reed. I told them I had never yet seen an ex-service man who was afraid to talk on any subject. The men who have come back from the trenches of France are not afraid of anything. They are willing to give us a fair statement expressing their real sentiments on any subject.

I can not agree on the facts with my friend from Maine [Mr. HERSEY], who lives out in that section of the city. He maintains one viewpoint and I another. He claims that it would not be detrimental to this hospital or its patients and that they want this street opened up, while I maintain just the opposite. He is sincere and I am equally so. There is just an honest difference of opinion. And I do not expect any of our Maryland colleagues to agree with me on this subject.

Colonel Sherrill came before the conferees on this bill, and I made him admit that within 100 feet on every side of every hospital in this city he has put up signs establishing a quiet zone. I asked him why he did that and he said that the hospitals needed quiet for the patients. Yet they would open up Fourteenth Street all through the grounds of this hospital, run a double car track through there and have a paved boulevard through there, where these Black and White taxicabs, which run 40 miles an hour through this city without let or hindrance, could run over men who are afflicted in a mental way recuperating in those hospital grounds.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SNELL. How many blocks are there through the hospital grounds?

Mr. BLANTON. It will be probably a distance of about six blocks.

Mr. SNELL. And they would have to go only about a block to the west to get around them altogether?

Mr. BLANTON. About the distance of two blocks and we have already provided in the bill for going west around these grounds. Then you will also remember that Fourteenth Street, where there will be a double car track, where the reckless taxies can run at will, where the numerous pleasure automobiles will be shooting through there at the rate of 30 or 40 miles an hour, is within one block of the main administration building. Thirteenth Street would run right through the center of that brick administration building, and it is Fourteenth Street that they are asking you to open up. In my judgment, it would practically ruin these hospital grounds.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I will in a moment if I have the time. I have but one interest in this matter, and that is the welfare of those sick and disabled ex-service men in Walter Reed Hospital. They must be protected; they should be allowed to safely walk at will in those grounds, those afflicted mentally and otherwise, without the fear of being run over by street cars, taxicabs, and automobiles. Oh, they say that certain Congressmen here, the gentleman from Illinois [Mr. MCKENZIE], the gentleman from Massachusetts [Mr. ROGERS], and the gentleman from Iowa [Mr. HULL] and myself have used the welfare of these sick boys for the purpose merely of objecting to this bill, but I am here to tell you that the big real estate interests of this city are attempting to use these sick boys for a purpose, and they are attempting to make you believe that it is to the interest of the patients lying on their backs in Walter Reed Hospital to have a double car track run through there within a block of the administration building in order to build up northern Washington and southern Maryland.

I hope this House will not agree to this motion. We fought this matter out the other day fairly and squarely on the floor of the House. This House by an overwhelming vote put this amendment into this bill, closing up these streets and alleys, and authorized the commissioners to have this car track to turn west at the grounds to Sixteenth, and then on north along the side of Sixteenth Street, if they desire to. They do not have to go into Sixteenth Street. There is plenty of wooded land there to run these car tracks along Sixteenth Street on up to Alaska Avenue and into Maryland. They will not have to go through the Walter Reed grounds, except to skirt them on the west. I now yield to the gentleman from New York.

Mr. LAGUARDIA. Mr. Speaker, the gentleman gives a great deal of study to these subjects concerning the District. Has the gentleman studied the franchise of this railroad? Is not this adding something more to this franchise than was originally provided in it?

Mr. BLANTON. Of course, and against the express provisions of its charter this very railroad to-day is charging 8 cents car fare for 70,000 little school children attending the Washington schools when their charters provide that they can only charge adults 5 cents apiece, and when the street cars in New York, going all over that metropolitan city, are still charging only 5 cents. This railroad charges 70,000 school children 8 cents for car fare, or six tokens for 40 cents, when lots of cities everywhere give reduced rates for school children, some of them half fare.

I say that this is a commercial proposition, and that it would be a crime to run this car line through this hospital grounds. I do not believe that this House is going to commercialize Walter Reed Hospital and these grounds in the interest of the real estate owners of the city, and I hope you will vote down the motion of the gentleman from Maryland [Mr. ZIHLMAN]. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. TYDINGS].

Mr. TYDINGS. Mr. Speaker and gentlemen of the House, the other day when this subject was under discussion before the House I took no part in the debates. At that time the only objection that was made to the extension of Fourteenth Street was upon the ground that it would hurt the ex-service men who were patients in Walter Reed Hospital. I happen to be an ex-service man, and with some immodesty say that I saw active service on the other side for quite some months. Surely I would be the last man in the world, under the cloak of friendship to the ex-service men, to advocate any proposition which would deteriorate, hurt, hinder, or in any way retard the convalescence of these ex-service men. What are the facts in this case? What do we care whether the street railway companies get 8 cents for fare or not? That has nothing to do with the merits of the extension of a city street. I can not give you all one of these maps which I have here, but here is a map dated February 1, 1924, of the Army medical center, their own map, of Walter Reed Hospital. By actual measurement on that map the closest ward to Fourteenth Street, if it is extended, is exactly 1,000 feet. That is as far as from the House Office Building to the Senate Office Building. Is there a man in this room who thinks that a street-car line 1,000 feet away from the closest ward is going to hurt any wounded ex-service man? On the contrary, the veterans of Walter Reed Post, the very men who have been patients in the hospital, want this improvement. On page 9639 of the CONGRESSIONAL RECORD will be found a resolution passed by the disabled veterans, Equality Walter Reed Post No. 284, asking Congress to extend to them these transportation facilities. There has not been a single protest, not one, from any ex-service man connected with the Walter Reed Hospital, in the way of a patient, to this Congress; but, on the contrary, every American Legion post in Washington, every post of the Veterans of Foreign Wars in Washington, the veterans who have been patients in Walter Reed Hospital themselves, have gone on record and asked us to extend Fourteenth Street and facilitate the transportation of these veterans. Fourteenth Street as it goes out from Washington cuts over diagonally, and really passes through the reservation on what would be Fifteenth Street, so that it is only one square from Sixteenth Street to Fourteenth Street when it is extended, and from Fourteenth Street extended to Walter Reed's closest ward is 1,000 feet. The only facility for travel the wounded veterans have at present is the Georgia Avenue car line, one that is badly crowded. They have no automobiles. They have only one way of getting to Washington and that is on the crowded Georgia Avenue car line. And all of the wards now located on the reservation are located on the Georgia Avenue car line, right alongside of it, placed there by the very men who come to this Congress now and say the extension of this street will interfere with wounded veterans.

Mr. CONNERY. The gentleman just said that all of the wards of the men are on the car line.

Mr. TYDINGS. Yes.

Mr. CONNERY. What is the idea in the change of plan of reorganization of putting all of the officers over in the quiet part of the grounds and the men on the car line?

Mr. TYDINGS. I thank the gentleman for giving me that. I want to say that Fourteenth Street, extended according to the map of February 24, passes through the administration end of the grounds, the museum, the library, the commanding officer's quarters, the tennis grounds, officers' quarters, while all the noncommissioned officers and patients are over on the Georgia Avenue side of this reservation.

Mr. BOWLING. Will the gentleman yield?

Mr. TYDINGS. I will.

Mr. BOWLING. For a short question. Suppose in the future there should be a desire to build other wards for the accommodation of other patients; in other words, to enlarge the hospital. Will the running of this line to be placed where

it is projected in any wise interfere with the proper development of the hospital buildings?

Mr. TYDINGS. Not a bit. With all the wards they have now and all the permanent wards to be built now or in the future they are not closer than within a thousand feet of the extension of Fourteenth Street. Why, gentlemen, there never was a fairer proposition to the veterans; and the idea of saying that an 8-cent car fare should be offered as an argument! The arguments against it are not the facts or the merits of the case. They are simply prejudicial arguments to incite Members, whereas the real facts in the case and the situation out there will show it is in the interest of the veterans. As I said before, I would be the last man in the world to do anything to make the lot of these poor disabled men harder than it is. But I want to help, and I would like every man to study and vote on this proposition on its merits. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ZIHLMAN. I yield the gentleman one more minute.

Mr. SCHAFER. I object; the gentleman would not yield to me.

Mr. ZIHLMAN. I yield the gentleman an additional minute.

Mr. TYDINGS. Now, the gentleman from Texas says that nobody is in favor of it. Why, the Secretary of War is in favor of it, the District of Columbia Commissioners, the papers of Washington are all for it, and all the veterans' organizations are in favor of it. There is only one man on the District Committee opposed to it, and that is the gentleman from Texas [Mr. BLANTON]. All the citizens' organizations are for it. Every organization in the city of Washington is for it and the veterans themselves at Walter Reed Hospital are for it. The closest ward, as I said, is within 1,000 feet of the car line, and I hope we will decide this matter on its merits and you will vote for it. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ZIHLMAN. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MCKENZIE]. [Applause.]

Mr. McKENZIE. Mr. Speaker and gentlemen of the House, the Congress some years ago established the Walter Reed Hospital grounds, appropriated the money to buy it, for two purposes: First, to establish a great medical center in the eastern part of the United States, and, second, to have a nice place for the sick and wounded soldiers of this Government to go for treatment. There has not been any change in the situation from that time until now, but the real-estate dealers and the men interested in real estate who want to get into the city from the northern boundary of this District have been petitioning Congress to permit them to cut a road through these hospital grounds. The Committee on Military Affairs of this House, which has the rightful jurisdiction of this legislation, has stood as adamant against the proposition. [Applause.] I explained this situation when we had the bill up a few days ago and got an amendment in that the gentleman now is trying to have you recede from. There is not one thing new except this: They have gone out and implored a few men who wore the uniform of the United States and who have been treated in the hospital and, gentlemen, they have had them sign petitions asking the Congress of the United States to permit these grounds to be cut in two, at the behest of railroad owners and real-estate exploiters, in order that they may have a direct——

Mr. TYDINGS. Will the gentleman yield?

Mr. McKENZIE. I have only two minutes. In order to have a direct way through, and that notwithstanding the fact that a few of the soldiers' comrades have turned their backs upon their wounded and sick comrades that are in the hospital now and who will be there hereafter in the years to come. For one, I will not even permit these gentlemen to use the soldier boys to drive this infamous outrage through this Congress. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield five minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Speaker and gentlemen, a short time ago when this matter was before the House many misstatements were made by the gentleman from Texas [Mr. BLANTON], principally that he did not oppose the Fourteenth Street car line because it would open up the country beyond there, that would accommodate a great many people who live there and be of great benefit to the city and accommodate the people of the District, but he spoke, he said, for the soldiers at Walter Reed Hospital, the boys there; he said, he was standing by them, that he was their spokesman. That was the argument put over to the House at that time, and received favor, even by the Legion men in the House, through a misunderstanding. We set aside the views of the Senate that the street should be extended and voted for a worthless street and car line that nobody wanted or could use. Now, the matter comes back from conference, and it is for the House to correct this mistake, and I want to say to you every statement made on the floor of this House then and made on the floor of the House to-day on the ground that this is an injury to the hospital and injures the patients and soldiers there to-day and for time to come is not true. I explained the bill fully when we had it up that this street was a part of the Walter Reed 75 acres that would not be used for anything else, would not come anywhere near the wards or hospital. Now, the matter, first, I want to call attention to is to read this from the Equality Walter Reed Post, No. 287, Veterans of Foreign Wars and Walter Reed.

They write to me, as follows:

EQUALITY WALTER REED POST, NO. 284,
VETERANS OF FOREIGN WARS,
Washington, D. C., May 23, 1924.

Hon. IRA G. HERSEY,
House Office Building, Washington, D. C.

DEAR MR. CONGRESSMAN: Since our membership, consisting of former patients of Walter Reed, is so entirely familiar with the conditions and needs of the hospital and our comrades, we earnestly request your attention to the inclosed resolution passed by our post. The matter was thoroughly discussed by the post, and there were no dissenting votes to the resolution.

Respectfully yours, H. C. FORNEY,
Senior Vice Commander, 1304½ Thirty-sixth Street NW.

Mr. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HERSEY. Yes.

Mr. ROGERS of Massachusetts. It says all the patients?

Mr. HERSEY. It says, "Consisting of former patients of Walter Reed."

I ask unanimous consent, Mr. Speaker, that the resolutions be printed in the RECORD without reading, unless the Members of the House want them read.

The SPEAKER. The gentleman from Maine asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Following are the resolutions referred to:

EQUALITY WALTER REED POST, NO. 284,
VETERANS OF FOREIGN WARS,
Washington, D. C., May 20, 1924.

Whereas we, the members of the Equality Walter Reed Post No. 284 of the Veterans of Foreign Wars, feel that we are entirely familiar with the conditions of Walter Reed Hospital and are so well able to judge what is for the benefit of the wounded World War veterans and enlisted men at the hospital because the majority of our members are wounded World War veterans who were treated at Walter Reed Hospital; and

Whereas during our entire association with Walter Reed we have always been greatly inconvenienced by the lack of adequate street-car service to the hospital, although the wards in which we were placed as patients or which we visited were placed by the officers of the Medical Corps immediately adjacent to the only available street-car line, the Georgia Avenue line; and

Whereas we further note that from the maps approved by the Medical Department for the permanent plan of Walter Reed Hospital that the wards are to be permanently placed closer to Georgia Avenue than to the present line of Fourteenth Street; and

Whereas we further note from the same maps that the enlisted men stationed on the reservation are to be quartered immediately alongside of the Georgia Avenue street-car line: Now be it

Resolved, That we are entirely at a loss to understand the statement made by Members of Congress when they were attempting to close Fourteenth Street through the Army medical officers' college that they were fighting for the best interests of the wounded veterans of the World War or the soldiers at Walter Reed Hospital, because we know that the officers' college end of the reservation will never be of any service or convenience to either the wounded veterans of the World War or the enlisted men of the reservation; be it further

Resolved, That we are opposed to the entire idea of using our wounded comrades and the enlisted soldiers as a cover for a fight to close the main north and south business street of Washington for the sole benefit of the campus of the officers' college; be it further

Resolved, That we are convinced that those of our wounded comrades of the World War who still occupy the hospital and the enlisted men of the reservation are entitled to and should have the benefit of the Fourteenth Street car line to give them better and quicker service

to Washington City, more particularly because they do not own automobiles, as do most of the medical officers stationed at the post; be it further

Resolved, That the post quartermaster be instructed to send a copy of these resolutions to the members of the Military Affairs Committee of Congress, to the members of the District of Columbia Committee of Congress, and to all the Members of Congress who took part in the debate after which it was voted to close Fourteenth Street through the officers' college.

H. C. FORNEY,
Acting Commander Equality Walter Reed Post.
A. C. PROBBY,
Adjutant Equality Walter Reed Post.

Mr. HERSEY. I also want to call attention to a letter and resolutions from the post nearest to Walter Reed Hospital, the Cissel-Saxon Post, which is less than a quarter of a mile away. They say:

CISSEL-SAXON POST, NO. 41, AMERICAN LEGION,
DEPARTMENT OF MARYLAND,
Headquarters, Silver Spring, Md., May 22, 1924.

Hon. IRA G. HERSEY,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN HERSEY: The members of this post respectfully request your consideration of the inclosed resolution, which was unanimously adopted at our last regular meeting.

After reading the debate in the House on Monday, May 12, with regard to closing Fourteenth Street, we feel that the speakers advocating the closing of the street spoke under misapprehension and that the House voted under misapprehension.

We are also inclosing a blue print of the approved plan of the medical authorities for the development of the Army medical center, verifying the statements contained in our resolution.

Respectfully yours,
CISSEL-SAXON POST, NO. 41, AMERICAN LEGION,
By B. STONE LEIZEAR, *Commander.*

The SPEAKER. The time of the gentleman from Maine has expired.

Mr. ZIHLMAN. Mr. Speaker, I yield to the gentleman two minutes more.

Mr. HERSEY. Mr. Speaker, I ask unanimous consent to introduce resolutions passed by Cissel Post, No. 41, American Legion.

The SPEAKER. The gentleman already has that right.

Following are the resolutions:

CISSEL-SAXON POST, NO. 41, AMERICAN LEGION,
DEPARTMENT OF MARYLAND,
Headquarters, Silver Springs, Md., May 14, 1924.

Whereas nearly all the Congressmen who opposed the extension of Fourteenth Street through the medical officers' college half of the Walter Reed reservation justified their position of stopping Fourteenth Street at the southern side of the reservation as being for the alleged best interests of the wounded World War veterans and the soldiers occupying the reservation; and

Whereas most of the same Congressmen admitted the need of the section of the District of Columbia and adjacent Maryland north of Walter Reed to further street extension and street railway service and only justified their position in repealing the permanent highway system of the District as established by an act of Congress in 1898, and in doing so opposing the recommendations of the Federal Highways Commission, consisting of the Secretary of War and the Chief of Engineers of the United States Army, the District City Commissioners, six citizens' associations of northwest Washington, the Washington Board of Trade, and the Washington Chamber of Commerce, the Evening Star and the Evening Times, as well as all the governmental representatives of adjacent Maryland, that Fourteenth Street be extended through the Army Medical College, almost entirely on account of the alleged best interests of the wounded of the World War and the soldiers at Walter Reed: Be it

Resolved, That the Cissel-Saxon Post, No. 41, of the American Legion, located at Silver Spring, Md., does most earnestly regret and resent this ill-advised action based upon the misleading position of attempting to aid our wounded comrades of the World War and the enlisted soldiers of the Walter Reed reservation—

First. Because Fourteenth Street extended through the Walter Reed reservation would not be within two city squares of any ward or building occupied by wounded veterans of the World War or other sick soldiers, as shown by the plans of the Army medical center of 1919 and of February 1, 1924, and because all of the enlisted soldiers of the Walter Reed Reservation have already been placed by the officers commanding the Medical Corps in permanent quarters on the Georgia Avenue side of the reservation and immediately adjacent to the existing Georgia Avenue street railway-system, and they have also more recently permanently located their hospital wards closer to the existing street-car line on Georgia Avenue than the wards would be to the proposed street-car line on Fourteenth Street; and

Second. Because the proposed extension of Fourteenth Street, as fixed by Congress in 1898, 10 years before the Walter Reed reservation was bought, will only be through the grounds of the medical officers' college section of the reservation, which section of the reservation, by the Surgeon General's blue prints of 1919 and of February 1, 1924, is entirely devoted to the commanding officers' quarters, officers' quarters, student officers' school building, museum and library, student officers' quarters, and tennis courts, and the Surgeon General's plan of February 1, 1924, clearly marks all wards now existing in that section of the reservation as temporary and to be removed;

We firmly believe that the Members of Congress who are attempting to serve the wounded veterans and enlisted men of the Walter Reed Reservation are, in fact, only creating and preserving an exclusive and sacred officers' hill, upon which no enlisted man or wounded veteran will be desired by the medical officers of the Army any more than these same medical officers now desire the traveling public to use the much-needed extension of Fourteenth Street.

Resolved, That the Maryland Representatitves of Congress be petitioned to continue their fight against this unfair and unwarranted attack upon the future of our section and the needs of the traveling public of Washington; and be it further

Resolved, That a copy of this resolution be sent to each Member of the House of Representatives, and first of all to those who spoke against the Fourteenth Street extension bill in the House of Representatives on Monday, May 12, 1924, with the respectful request that in view of the above authentic information, which they evidently did not possess, they withdraw from their misleading position of attempting to serve wounded war veterans and enlisted soldiers when, in reality, they are only serving the desire of the officers of the Army Medical Corps for the creation of a sacred and exclusive officers' college and area; and be it further

Resolved, That copies of this resolution be sent to the American Legion posts in the districts of the Members of Congress demanding the closing of Fourteenth Street, which closing we believe is only advocated by the Surgeon General of the United States Army and the other high-ranking medical officers of the Regular Army, who now oppose the extension of Washington's most important north and south street-car line through the grounds of their officers' medical college, although during and after the World War they located and built the great majority of the hospital wards for the treatment of wounded soldiers directly along Georgia Avenue, which is the only side of the hospital along which a street-car line extends.

B. STONE LEIZEAR,
Commander Cissel-Saxon Post.
DAVID MEARS,
Adjutant Cissel-Saxon Post.

[NOTE.—The above resolution was unanimously adopted at the regular monthly meeting of the Cissel-Saxon Post, attended by over half of the post membership of 50. The resolution represents the position already taken by every town government, citizens' association, and governmental agency of that portion of adjacent Maryland north of Washington.]

Mr. HERSEY. I ask unanimous consent to put in also the resolutions of Takoma Post, of Takoma Park, in favor of this project, and also a letter and resolution from the executive committee and post commanders of the District of Columbia Department of the American Legion.

The SPEAKER. The gentleman has that right.

Following are the letters and resolutions referred to:

TAKOMA POST 350, VETERANS OF FOREIGN WARS,
May 24, 1924.

Hon. IRA G. HERSEY,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN HERSEY: In asking your attention to the inclosed resolution passed by our post, we desire to emphasize the fact that we are the nearest post of the Veterans of Foreigns Wars to the Walter Reed Reservation, and are intimately acquainted with the conditions, needs, and personnel of the reservation.

We desire to call further attention to the fact that the House amendments to Senate bill 114 do not affect any of the streets running toward the Takoma section of the District of Columbia or Maryland.

Respectfully yours,
TAKOMA POST 350, VETERANS OF FOREIGN WARS,
By C. L. REDMAN, *Commander.*

TAKOMA POST, NO. 350, VETERANS OF FOREIGN WARS,
May 21, 1924.

Whereas the Takoma Post, No. 350, of the Veterans of Foreign Wars, is the post of the Veterans of Foreign Wars located nearest the

Walter Reed Hospital Reservation, and, as a matter of fact, the majority of our members live within a mile of the reservation, we feel that we are entirely familiar with the conditions and needs of both the patients and the hospital; and

Whereas we have always felt that one of the greatest helps that could be given to the patients at Walter Reed Hospital and to the enlisted personnel of the reservation would be the improvement of Fourteenth Street through the grounds of the Army officers' medical college, which is located between the Walter Reed Hospital proper and Sixteenth Street, which would give to the patients and enlisted personnel of the hospital a better and quicker street-car connection with the center of Washington city; and

Whereas we note from the daily papers and from the CONGRESSIONAL RECORD of May 12 that the House of Representatives amended Senate bill 114 so as to close Fourteenth Street within the campus of the Army medical officers' college and that nearly all of the Congressmen advocating the closing of Fourteenth Street stated in their speeches that they were acting for what they considered the best and vital interests of our wounded comrades who are patients in the hospital and of the soldiers of the reservation: Therefore be it

Resolved, That we, assembled here in a regular meeting of our post, go on record as advising Congress that from our intimate knowledge of the entire situation in the Walter Reed Reservation and our study of the Medical Department's maps for the future development of the medical college and the reservation, we are certain that improving Fourteenth Street with a roadway and street-railway line can in no way harm or inconvenience the patients and enlisted personnel at Walter Reed Hospital, because all of the permanent wards of the hospital have been located by the medical department over one and three-fourths squares from the line of Fourteenth Street and closer to the existing Georgia Avenue street-car line than to the proposed Fourteenth Street line, and that the enlisted soldiers of the reservation have already been permanently quartered immediately adjacent to the Georgia Avenue street-car line: Be it further

Resolved, That we feel that it is not proper that Members of Congress should give as their reason for closing the main north and south business street of Washington, through the campus of the medical college, the best interests of patients in an adjacent hospital who are not close enough to be hurt in any way but only to be benefited by better car service: Be it further

Resolved, That we desire to advise Congress that the statement of our friend and neighbor, Congressman HERSEY, of Maine, on page 8377 of the CONGRESSIONAL RECORD of May 12, 1924, "I want to say that, of my own knowledge, I know these hospital boys are for the extension of Fourteenth Street," is, to the best of our knowledge and belief, correct: Be it further

Resolved, That in our opinion it is only necessary to realize the lack of sufficient reason to close Fourteenth Street to notice that the Army medical authorities only contemplate the location of the commanding officers' house, the chapel, and the museum and library between Sixteenth and Fourteenth Streets, and that the only permanent improvements that they have located alongside of the section of Fourteenth Street which they desire to close are the tennis courts: Be it further

Resolved, That the post adjutant be instructed to immediately send copies of this resolution to members of the District of Columbia Affairs Committee of the Senate and the House, the Military Affairs Committee of the House and those Members of Congress who took part in the debate on Senate bill 114 in the House of Representatives on May 12, 1924.

C. L. REDMAN, *Commander.*
H. SILVERMAN, *Adjutant.*

DEPARTMENT OF DISTRICT OF COLUMBIA, AMERICAN LEGION,
OFFICE OF THE DEPARTMENT COMMANDER,
Washington, D. C., May 2, 1924.

Hon. IRA G. HERSEY,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN HERSEY: Since the action of the House of Representatives of May 12 closing Fourteenth Street through the campus of the Army officers' medical college appears, from the debate as printed in the CONGRESSIONAL RECORD, to have been taken under a misapprehension both as to the location of the permanent wards and the best interests of the patients, I am forwarding you the attached resolution unanimously passed by the executive committee and post commanders of this department, with 40 members present and voting.

Respectfully yours,

PAUL J. MCGAHAN,
Department Commander.

EXECUTIVE COMMITTEE AND POST COMMANDERS OF THE
DISTRICT OF COLUMBIA DEPARTMENT, AMERICAN LEGION,
Washington, D. C.

Whereas the attention of the executive committee and post commanders of the District of Columbia Department of the American Legion has been called to Senate bill 114 as amended in the House, which proposes to close Fourteenth Street at the southern boundary of the Army medical center on the Walter Reed Reservation; and

Whereas the executive committee and post commanders of the District of Columbia Department of the American Legion in this and in all matters appertaining to the disabled veteran feel it their duty to aid in every possible way the betterment of his condition and surroundings, after a careful study of the Army medical center, especially as shown on United States Quartermaster Corps map 6197–258a of its proposed development under date of February 1, 1924, feel that the interests of the disabled veterans and other patients would be best served by keeping Fourteenth Street open. At the present time there are no permanent structures west of Fourteenth Street, nor under the proposed plan are there any structures for the housing of patients, that section of the Army medical center lying between Fourteenth and Sixteenth Streets as proposed being reserved for campus, library building, commanding officer's quarters, and chapel of the medical college. Especial attention is directed to the fact that Fourteenth Street south of the Army medical center slants west to the line of Fifteenth Street and therefore runs through the Army medical center on what would normally be Fifteenth Street, and the distance between Fourteenth and Sixteenth Streets being but one city block, whereas the distance between Fourteenth and Thirteenth Streets is two city blocks within the reservation.

A further consideration of this map shows that a car line on Fourteenth Street is a block and three-fourths from any proposed permanent ward, which is a much greater distance than the wards are from the Georgia Avenue car line. Any possible objection that could be conceived to the running of a car line on Fourteenth Street would be more than overcome by bringing to the ambulant patients a direct service to the amusement centers.

Especial attention is directed to the indorsements for keeping Fourteenth Street open by the Secretary of War, the Chief of Engineers of the Army, and the District Commissioners, including the engineering commissioner, an officer of the Regular Army, who base their contentions that the best interests of the veterans at this center would be so served: Therefore be it

Resolved, That the executive committee and post commanders of the District of Columbia Department of the American Legion, in meeting assembled this 26th day of May, 1924, recommend to Congress the careful consideration of this matter and urge that no steps be taken for the closing of Fourteenth Street; be it further

Resolved, That we deeply regret that certain Members of Congress gave their reasons for closing Fourteenth Street as the best interests of the patients and enlisted personnel, when in reality the only interest involved was the desire of high-ranking officers of the Medical Corps to create a closed campus for the medical officers' college across the main north and south business street of Washington.

The above resolution was adopted by the executive committee and post commanders of the District of Columbia Department of the American Legion in regular meeting assembled May 26, 1924.

PAUL J. MCGAHAN,
Department Commander.

Mr. HERSEY. Mr. Speaker, I yield back the remainder of my time.

Mr. ZIHLMAN. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. BEGG]. How much time did the gentleman from Maine yield back?

The SPEAKER. The gentleman yielded back one minute. The gentleman from Ohio [Mr. BEGG] is recognized.

Mr. BEGG. Mr. Speaker and gentlemen of the House, there is not anything to this proposition at all other than to decide whether or not we want to begin to cut up our Government reservations.

Now we have this Government reservation for the specific purpose of the medical school and the hospital. If you want to run a street-car double track through it, that is the first step in the dissolution of the reservation in Washington of Walter Reed Park. If the Congress wants to do that for the purpose of an outlet three blocks shorter for real-estate interests, we ought to adopt this amendment. Otherwise we ought to vote it down. An outlet is not an absolute essential out there, because to go around the reservation is only three blocks one way and a block and a half the other way. If it was an absolute block to the passage to the other side, the proper way to go there, if the Government cares anything about that beauty spot, is to go through underground. But that is not the intent of this proposition to-day. It is to cut a street right down through the heart of it.

Now, all this talk and all these resolutions from the soldiers saying that this will be a convenience to the soldiers should be without effect. All you have to do for the soldiers is to stop and consider that any soldier who is able to walk will gladly walk the three blocks he has to walk or the one and a half blocks from the barracks over to the Georgia Avenue car line now; and if he is not able to walk, if the car line runs right

past the dormitory, it would not do him any good; so that there is not a bit of argument from the soldier's standpoint. On the other hand, if you destroy the acreage and cut it up into squares by street-car lines you will have destroyed the recreational value of the park. [Applause.] And you thereby kill the beauty spot of the city of Washington.

So far as I am concerned in real-estate development, there is not a park in the city of Washington which I think they would not cut through with streets if it enhanced the value of some property lying beyond. I am convinced, my colleagues, that we ought to go slow, and, having once made a reservation, we should not begin to cut it up for purely commercial reasons. [Applause.]

As I said a moment ago, resolutions from soldiers can easily be obtained. Anybody who goes out and asks for an indorsement and encouragement can get the officers to sign up; but in nine cases out of ten, although you get the officers, it does not mean anything, and at the same time it serves no useful purpose to the soldiers, because they now have adequate street-car facilities within the radius of a block. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. CONNERY].

The SPEAKER. The gentleman from Massachusetts is recognized for three minutes.

Mr. CONNERY. Mr. Speaker and gentlemen of the House, I regret exceedingly to be against my comrade and colleague from Maryland [Mr. TYDINGS], who is a member of the Veterans' Committee with me. [Applause.] I see men even in the gallery now—two men from my own regiment—who are in favor of putting Fourteenth Street through. But I am not in favor of it, and I agree with the gentleman from Texas [Mr. BLANTON] and the gentleman from Ohio [Mr. BEGG] on this subject. I think it is a real-estate proposition pure and simple, and I can not be a party to allowing them to put a two-track line through Walter Reed Hospital, a reservation set aside for another purpose, for the benefit of traffic, just to satisfy the real-estate dealers in the adjacent parts of Maryland and in the District of Columbia. I can not see any merit in it. I can not see any justice in cutting through there.

The other day we vacated streets, leaving Walter Reed Hospital free and clear for the soldiers. Over here, next to the Georgia Avenue car line, for the past five years we have had the disabled men, the wounded men, in wards over here [indicating].

Under this plan of reorganization the War Department intends to put officers over here [indicating on map] in the quiet part of the grounds and leave the disabled men over alongside of the Georgia Avenue car line. I am in favor—if it comes before our committee, the Veterans' Legislation Committee—of putting in a bill which will make the War Department change these men from the Georgia Avenue car line over here [indicating] and put them over in the quiet part of the grounds. [Applause.]

Mr. TYDINGS. Will the gentleman yield?

Mr. CONNERY. In just a minute.

Mr. TYDINGS. But the gentleman's time will expire.

Mr. CONNERY. I am not in favor of allowing Fourteenth Street to go through there [indicating], because if it goes through there, that double-track car line, you will have no quiet over in this part of the grounds. I will now yield to the gentleman from Maryland [Mr. TYDINGS].

Mr. TYDINGS. I would like to say that the map which the gentleman has was passed on by General Ireland and his staff of medical assistants out there, and no law which the gentleman can have passed at this session is going to stop them from taking the proposed action.

Mr. CONNERY. There is nothing to prevent the Congress in the next session from stopping that and overriding General Ireland or any other man if he is looking out for the interests of the officers alone in the particular change suggested. I am looking out for the interests of the privates as well as the interests of the officers, who want to be over on the Sixteenth Street end of the reservation in the quiet of the shade trees. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. ZIHLMAN. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. HILL]. [Applause.]

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Maryland asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HILL of Maryland. Mr. Speaker and gentlemen of the House, it is a very interesting thing to hear the more or less passionate orations which have just been delivered on this subject. It is very interesting to hear this question of the extension of Fourteenth Street denounced as a real-estate grab against the interests of the soldiers.

I should like to say a few words on the subject of this extension from the point of view of the inmates of the Walter Reed Hospital. I listened with a great deal of interest to the very impassioned argument of the distinguished acting chairman of the Military Affairs Committee—on which I serve—against this extension, and I want to say that when the matter first came up in the Military Affairs Committee I voted against the extension of this street, but the following month I went to the Walter Reed Hospital as a patient, and I spent one month in that hospital. I happened to have an automobile at my disposal when I wanted it, but the rank and file of the inmates of Walter Reed Hospital have to rely on the Georgia Avenue car line, and the Georgia Avenue car line is 2,400 feet, or over seven city blocks, away from Fourteenth Street.

This Fourteenth Street car line and street should be cut through the Walter Reed Hospital, not alone in the interest of the men who are patients there, but in the interest of their mothers, their sisters, and their friends, whom I saw there during that snowstorm of January, 1922, standing on the curbstone on Georgia Avenue or walking through the snow and the rain to the other portions of those grounds.

The proposed street goes through the administration portion, and it goes through below grade. The hospital wards are all over here. [Indicating on map.] There is not any hospital ward at the present time, or proposed, that is less than three blocks from Fourteenth Street.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. CHINDBLOM. I would like to ask the gentleman how he makes seven city blocks out of 2,400 feet?

Mr. HILL of Maryland. Three hundred feet to a city block. That is the standard city block in Washington.

Mr. CHINDBLOM. That makes 16 blocks to a mile. Is not that the standard block?

Mr. HILL of Maryland. It may be in the gentleman's city, but not in Washington.

Mr. CHINDBLOM. There are 5,280 feet in a mile, and the gentleman says 300 feet to a city block.

Mr. HILL of Maryland. The standard city block in Washington is 300 feet long.

Mr. WAINWRIGHT. Will the gentleman give way for a brief question?

Mr. HILL of Maryland. Yes.

Mr. WAINWRIGHT. Apart from the interest of the veterans, what is the use of mutilating a wonderful reservation like the Walter Reed Hospital Reservation for any such proposition? [Applause.]

Mr. HILL of Maryland. I would like to answer that question. I have listened to the gentleman from Ohio [Mr. BEGG] speak about the beautiful park there. I am not particularly interested in the preservation of quiet for officers playing lawn tennis on the court near Fourteenth Street, and yet that is the only thing which will be disturbed, the lawn tennis court on Fourteenth Street. [Applause.] I see on this map administration buildings and a lawn tennis court for the doctors, and that is the only thing which will be disturbed by the car line, which is needed by the mothers, fathers, sisters and brothers, and wives and children of the men who have to walk 2,400 feet to get over to the Georgia Avenue car line.

Mr. WAINWRIGHT. Would it not be a good idea to act upon the suggestion of the gentleman from Massachusetts and put the veterans and patients over in the most beautiful part of the reservation?

Mr. HILL of Maryland. I believe in utility for patients and not in preserving beautiful parks for those who have automobiles, when mothers and sisters have to walk to see their sick.

The SPEAKER pro tempore (Mr. CHINDBLOM). The time of the gentleman from Maryland has expired.

Mr. HILL of Maryland. Mr. Speaker, I file this resolution as a part of my remarks, a resolution by ex-service men for ex-service men.

The resolution referred to follows:

EXECUTIVE COMMITTEE AND POST COMMANDERS
OF THE DISTRICT OF COLUMBIA DEPARTMENT
OF THE AMERICAN LEGION,
Washington, D. C.

Whereas the attention of the executive committee and post commanders of the District of Columbia Department of the American Legion has been called to Senate bill 114 as amended in the House, which proposes to close Fourteenth Street at the southern boundary of the Army medican center on the Walter Reed Reservation; and

Whereas the executive committee and post commanders of the District of Columbia Department of the American Legion in this and in all matters appertaining to the disabled veteran feel their duty to aid in every possible way the betterment of his condition and surroundings, after a careful study of the Army medical center, especially as shown on United States Quartermaster Corps Map 6197-258a of its proposed development under date of February 1, 1924, feel that the interests of the disabled veterans and other patients would be best served by keeping Fourteenth Street open. At the present time there are no permanent structures west of Fourteenth Street, nor under the proposed plan are there any structures for the housing of patients, that section of the Army medical center lying between Fourteenth and Sixteenth Streets as proposed being reserved for campus, library building, commanding officer's quarters, and chapel of the medical college. Especial attention is directed to the fact that Fourteenth Street south of the Army medical center slants west to the line of Fifteenth Street and therefore runs through the Army medical center on what would normally be Fifteenth Street, and the distance between Fourteenth and Sixteenth Streets being but one city block, whereas the distance between Fourteenth and Thirteenth Streets is two city blocks within the reservation.

A further consideration of this map shows that a car line on Fourteenth Street is a block and three-fourths from any proposed permanent ward, which is a much greater distance than the wards are from the Georgia Avenue car line. Any possible objection that could be conceived to the running of a car line on Fourteenth Street would be more than overcome by bringing to the ambulant patients a direct service to the amusement centers.

Especial attention is directed to the indorsements for keeping Fourteenth Street open by the Secretary of War, the Chief of Engineers of the Army, and the District Commissioners, including the Engineering Commissioner, an officer of the Regular Army, who base their contentions that the best interests of the veterans at this center would be so served: Therefore be it

Resolved, That the executive committee and post commanders of the District of Columbia Department of the American Legion, in meeting assembled this 26th day of May, 1924, recommend to Congress the careful consideration of this matter and urge that no steps be taken for the closing of Fourteenth Street; be it further

Resolved, That we deeply regret that certain Members of Congress gave their reasons for closing Fourteenth Street as the best interests of the patients and enlisted personnel when, in reality, the only interest involved was the desire of the high ranking officers of the Medical Corps to create a closed campus for the Medical Officers' College across the main north and south business street of Washington.

The above resolution was adopted by the executive committee and post commanders of the District of Columbia Department of the American Legion in regular meeting assembled, May 26, 1924.

PAUL J. MCGAHAN,
Department Commander.

Mr. HILL of Maryland. I hope you will cut the street through. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker and gentlemen of the House, as some may remember on the last District Day I made a fight for the park bill and against mutilation of the city of Washington. We have been very careless in carrying out the plan of Major l'Enfant, whom George Washington employed to lay out and plan this city.

When this reservation was provided for the Walter Reed Hospital it was understood that Fourteenth Street at the proper time should be extended through it and the buildings were located with that in mind. The Secretary of War approves the extension, the Surgeon General approves it, the District Commissioners approve it, the District Committee of this House approves it, and every person who has made any study of the situation approves it. The soldiers need it and want it, and I do hope that we will not in any mistaken zeal or sentiment for the soldiers—whose interests will be best conserved by the extension of Fourteenth Street—do an unwise thing and stop the proper growth of this city. [Applause.] I have no interest in any real estate here; I do not care about any real-estate men here, but I do not want to abuse the citizens or to maliciously injure the city for the purpose of venting spite against real-estate men or anybody else. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause]. The Chair hears none.

Mr. MURPHY. Mr. Speaker and gentlemen of the House, we are certainly facing a peculiar psychology to-day, when we look about and find soldiers who are advocating the practical destruction of the one place inside the limits of the Capital City that offers a quiet asylum for those who are being coaxed back to health, and then when they become convalescent so that they might go out and enjoy some of the entertainment and some of the good things in Washington, they are wanting this particular place destroyed.

They do not stop to think, these young soldiers who are talking about wanting to give away part of this reservation. And so they are rushing in to give away something that wiser heads have prepared for their comfort and for their upbuilding. I am sure no one will charge me with being against the interests of the soldier, and that is why I am raising my voice now, to the end that wiser counsel will prevail to-day, to the end that this magnificent institution for the building up of broken men may be continued, to the end that if the city does build on beyond this reservation then the soldier will be closer than he now is to the activities that may furnish him entertainment in the days of his convalescence.

I do hope that the gentlemen here who are wiser by reason of the influence and experience of their years will step in and help to save the soldier from himself to-day and preserve there a resting place and a place where broken men may be nursed back to health again. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield one-half minute to the gentleman from Massachusetts [Mr. WINSLOW].

Mr. WINSLOW. I desire, Mr. Speaker and gentlemen of the House, to propound some questions which I would like to have somebody answer. In the first place, how much acreage will be taken away from the available ground of the hospital if this railway is laid out, and also a statement in reference to the interference, maybe, with the future development of the institution if this line is run in through the grounds rather than to have the street closed up and embodied in the grounds?

Mr. ZIHLMAN. Mr. Speaker, I yield myself one-half minute to answer the question of the gentleman.

I will say this does not take a foot of land out of the reservation. This street is now open. It was dedicated to the District by the people of the District for street uses. It is three-fourths physically open, and the House bill would not only close this street but five other streets in the reservation that were a part of the property of the people of the District of Columbia dedicated for street purposes.

Mr. LAZARO. Will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman from Maryland has expired.

Mr. ZIHLMAN. My time has expired.

Mr. LAZARO. It is not a question of space; it is a question of noise.

Mr. ZIHLMAN. Mr. Speaker, I yield one minute to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Speaker, in my judgment, the House to-day will decide whether it is going to maintain Walter Reed Hospital as a permanent institution or whether it is going to take action for the benefit of a small Maryland suburb. [Applause.]

Walter Reed Hospital is one of the great institutions of the United States. It is not running there to-day just for the service men that it now has as patients. It is running and ought to be continued as an institution for the next hundred years, and it should be neither divided nor subdivided. It ought not to have any street-car lines running through it. It is very easy to go out there and take some boy who perhaps might be easily influenced and get him to sign a petition to Congress to open this street up, but that boy would perhaps not have the judgment that the Members of this House ought to have as to what ought to be done for the future generations of soldiers that will need hospitalization and hospital facilities, and I hope this House to-day will vote down this extension and forever maintain in its entirety Walter Reed Hospital for all the soldiers of all the wars. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, how much time is there remaining?

The SPEAKER pro tempore. The gentleman has 12 minutes remaining of the 1 hour. [Cries of "Vote!" "Vote!"]

Mr. ZIHLMAN. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS of Massachusetts. Mr. Speaker, this bill was before the House on May 12 last. It received very full consideration. By a vote of 97 to 10 the House decided that it was not wise to open Fourteenth Street through Walter Reed Hospital. The next day the Washington Post, in commenting upon

the attitude taken by the House, said in substance that the action taken meant that the disabled patients at the Walter Reed Hospital would have to go downtown when they wanted to get run over.

This was said partly in jest, no doubt, but the fact remains, gentlemen, that there is a real element of good sense behind that suggestion of the Washington Post. These men ought not to have thrust right through the midst of their reservation a great boulevard which will be teeming with motor cars and street cars and which will be progressively more and more dangerous to the life and limb of every man there, as well as a menace to the sicker patients who are confined to their rooms and who will be adversely affected by the stench and noise of the motor cars and by the rumble and clanging of the trolleys.

Now it is suggested by the advocates of the Senate bill that the plan proposes a depressed street, a street which will go through on a lower level, so that the danger to life and limb will be removed. When this bill was up in the House before I called the attention of the House to the language of the bill. It provides merely that "the grade of the street through the hospital grounds shall be subject to the approval of the Secretary of War." There is not a line in this bill that requires that the grade shall be depressed below the general hospital level. I intimated to the chairman of the committee, Mr. ZIHLMAN, of Maryland, in the course of debate of last month that such a requirement in the law itself would in a degree obviate my objection. I intimated during the speech of the gentleman from Maryland [Mr. LINTHICUM] very much the same thing. Nevertheless the language of the bill was not changed. It has not been altered since. There is to-day no requirement in the law that the street shall be depressed. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. ZIHLMAN. Mr. Speaker, I yield one minute to the gentleman from Iowa [Mr. HULL].

Mr. HULL of Iowa. Mr. Speaker, I just want to answer the question of the gentleman from Massachusetts, who asked how much acreage this would take away from the Walter Reed Hospital. It will take away 30 acres from the Walter Reed Hospital, because it divides in two parts by running through it a street-car line. You are just getting through adding an amount at the north in order to extend the grounds, and now you are going to cut off 30 acres to the west, the very best part of Walter Reed Hospital. There is no amount of words or camouflage that will change that situation. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield two minutes to the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Speaker, I am opposed to cutting the Walter Reed Hospital grounds in two. [Applause.] These real-estate men—and this is a real-estate project—would go through the Smithsonian grounds, through the Capitol Grounds, through a graveyard, if it would put any money in their pockets. [Laughter and applause.] I believe they would want to put a road through Mount Calvary if somebody laid out an addition on the other side of the hill. The people of the District of Columbia have not contributed anything to this project; they have not contributed anything to the establishment of the Walter Reed grounds. That was money of the people of the United States. The Government bought that tract of land for the care, treatment, and quiet of soldiers who fought the battles of the Republic, and I am opposed to any change of the character embraced in this bill. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has six minutes.

Mr. ZIHLMAN. I yield two minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, I think if the gentlemen of this committee will glance at the map which I hold before you it will demonstrate to you that the opening of Fourteenth Street through Walter Reed Hospital grounds will not in any wise interfere with the comfort or pleasure of the patients of that wonderful institution. Bear in mind that Fourteenth Street is already open through the hospital grounds, with the exception of one block which this bill contemplates opening and thereby making Fourteenth Street a thoroughfare from north to south.

You will observe from this map that west of Fourteenth Street is located the museum and library, the chapel and officers' quarters. Observe that this map, which was prepared by the Quartermaster Corps of the War Department on February 1 of this year, lays down the entrances from Fourteenth Street to the museum and library and other portions of the grounds. East of Fourteenth Street you will observe the public buildings—officers' quarters, medical school, headquarters of the Army medical center—are located, and far to the east, some 500 feet, is located the administration building, and nearly 1,000 feet to the east are located the hospital wards.

Certainly no one would contend that traffic along Fourteenth Street would interfere with the administration affairs 500 feet away, or with the hospital inmates 1,000 feet away. Let me further call your attention to the fact that when the Government purchased this additional land for Walter Reed Hospital the Government did not desire such a large acreage, but the owners were unwilling to sell unless the Government agreed to take all the tract, which it did. The tract of land west of Fourteenth Street was not a part of the original property, but was subsequently purchased, and when the land was purchased it was distinctly understood that Fourteenth Street was to be opened through the property. You must observe also that Fifteenth Street and all other streets which now are dedicated to be opened through the hospital grounds are to be closed by this bill, so that the hospital will have all that splendid acreage east of Fourteenth Street without intersection by any street for hospital and administration purposes, and the tract of land on the west side of Fourteenth Street for recreation and library purposes.

I can not for the life of me understand how the opening of Fourteenth Street can possibly operate at a disadvantage. Perhaps the traffic might be so heavy in the morning and evening as to render it somewhat difficult to cross the street, but I am informed and assured that the street will be sufficiently depressed to permit of bridges for pedestrians passing from one portion of the ground to another.

I know of no set of men against this proposition, unless it be the Military Affairs Committee, who passed upon the proposition adversely when it was in its infancy and before the systematic plans for development had matured. Having passed upon it adversely, the acting chairman of that committee feels pledged to continue opposition, while on the other side the Secretary of War, the municipal officials, all the big business organizations, the public press, and nearly everyone who has given the matter diligent study and inspection are in favor of opening this street. The veterans themselves, many of whom have been patients of the hospital, have passed resolutions indorsing the opening of this street. Many of these resolutions have already been inserted in the CONGRESSIONAL RECORD, and under leave to extend I will insert the one passed by the Cissel-Saxon Post, No. 41, American Legion, with headquarters at Silver Spring, just beyond Walter Reed Hospital grounds.

Let me state just a few suggestions and positions taken by gentlemen who have opposed this bill.

Mr. BLANTON, of Texas, on page 8376 of the RECORD of May 12, 1924:

> I know it is important to the northern part of the District to develop it and grant new car service. I do not deny that at all. The Times editorial and this bill are highly important to the building up of the northern part of the District, and I know it is important to certain parts of Maryland in order to develop them. I do not deny that. The bill is important for those purposes, but the question is whether those purposes are of more importance than taking care of the poor sick and crippled men who are in the hospitals on their beds suffering. They are the ones I have in mind.

This was in spite of the fact that he is a member of the District Committee, which committee's unanimous favorable report of the bill which he was then opposing stated that the proposed extension of Fourteenth Street would be further from the wards of the hospital than the Army medical authorities had already located the same wards in relation to the existing Georgia Avenue street railway line, and that all of the enlisted soldiers at Walter Reed had already been quartered alongside of the Georgia Avenue street railway line.

On page 8376 of the same RECORD, in the same debate, Mr. BLANTON stated:

> You can go around these grounds if you want to with your double-track car line.

Yet again, on page 8381 of the same RECORD, in the same debate, Mr. BLANTON opposed an amendment offered by Mr. ZIHLMAN, of Maryland, authorizing a detour of Fourteenth Street along the southern boundary of the medical college section of the Walter Reed Reservation, then north along Sixteenth Street, then northeast along Alaska Avenue, and then north along Fourteenth Street, on the following grounds:

> There may come a time when we will no longer need the hospital grounds. Of course, I am talking about the future—in the course of years. Then, with the Zihlman amendment adopted, you would have a crooked Fourteenth Street with car lines running west to Sixteenth Street, and then north, when then it would be a good deal better to go straight ahead.

So Mr. BLANTON'S position is that the section north of Walter Reed is entitled to street and car line extension but must wait until Walter Reed Reservation is moved.

The position of Mr. ROGERS of Massachusetts is also interesting. When the debate first started, and before a vote had been taken showing his side in the majority, Mr. ROGERS, on page 8368 of the RECORD, asked Congressman ZIHLMAN, who was in charge of the bill as acting chairman of the District Committee, to accept an amendment definitely requiring Fourteenth Street to go through the Army Medical College at a depressed level. Mr. ZIHLMAN agreed to such an amendment if it would remove opposition to the bill, whereupon Mr. ROGERS dropped his suggestion.

On page 8374 of the RECORD Mr. ROGERS spoke as follows:

I do not want to impair or impede the development of the important section to the north. We want to have a prosperous and growing community in the State of Maryland just beyond the District line. But I ask any man, in all conscience, why in all conscience we must take this poor, narrow line, a few hundred yards wide, out of all the possible opportunities, and proceed to drive a great boulevard through at that point?

On page 8378, in the same debate, Mr. ROGERS spoke as follows:

I think there ought to be an outlet to the north somewhere between Sixteenth Street and Georgia Avenue. I think that northern region ought, for the general welfare of the District, to be opened up; there ought to be at least one more through artery to points north, northeast, and northwest.

A glance at any map will show that the Walter Reed Reservation occupies the entire space between Sixteenth Street and Georgia Avenue; and to extend Fourteenth Street at all, it is only possible to extend it as it now is located as a part of the permanent highways system, enacted by Congress in 1898, which extension would be through the Army Medical College section of the Walter Reed Reservation, or to detour it as stated in the proposed Zihlman amendment, or to tunnel it under the medical college.

On page 8378 of the RECORD, in the same debate, Mr. ROGERS stated:

It will perhaps involve an inquiry as to whether it is practicable to go north on Fourteenth Street extended to the south line of the Walter Reed Hospital, then turn west and then north and northeast along the hospital reservation. My own notion is that some plan like that is the best way out for the general welfare, including the welfare of the hospital patients. Or possibly a subway under the hospital grounds may be found feasible. To determine the best method will require engineering and investigation.

The detour above described by Mr. ROGERS would appear to be the exact plan of the Zihlman amendment, but Mr. ROGERS not only led the fight against the Zihlman amendment but produced an amendment of his own which carried.

So when Mr. ZIHLMAN proposed an amendment detouring Fourteenth Street west to Sixteenth Street, northeast on Alaska Avenue and then north again on the proper line of Fourteenth Street, Mr. ROGERS opposed the Zihlman amendment and produced an amendment of his own, only authorizing the District Commissioners to run an east and west street between the dead end of Fourteenth Street south of the medical college to Sixteenth Street.

With regard to the Rogers amendment, Mr. BEGG, of Ohio, stated on page 8382 of the RECORD:

I would rather have a dead end than an open end wrongly placed by a crowd of men in the Hall of Congress without any maps or any engineering report.

The following Congressmen who led the fight against the extension of Fourteenth Street all advocated detours before the vote was taken which stopped Fourteenth Street, but after the street was closed their forces defeated the Zihlman amendment offering a detour—Mr. DALLINGER of Massachusetts on page 8369 of the RECORD, Mr. GARRETT of Texas on page 8368 of the RECORD, Mr. MCKENZIE of Illinois on page 8371 of the RECORD, Mr. MILLER of Washington on page 8374 of the RECORD, Mr. BLANTON of Texas on page 8376 of the RECORD, and Mr. ROGERS of Massachusetts on page 8377 of the RECORD.

Mr. TILSON, of Connecticut, on page 8379, made the following constructive suggestion:

What serious objection is there to the plan suggested by the gentleman from Massachusetts [Mr. ROGERS] of making a covered passageway through these grounds? Now, to have to go around all those grounds for all time to come for all those people who live north, it is a long time to look forward to.

To which Mr. UNDERHILL, of Massachusetts, replied:

My friend from Connecticut need not be alarmed. They will go around for some time, but the growth of the city will require the removal of the hospital ultimately.

Nothing constructive, however, was allowed to develop from the remarks of Mr. TILSON or Mr. UNDERHILL or from the remarks of a number of other Members of Congress who expressed a desire to work the problem out.

Now, it will be seen from what these gentlemen have said that they themselves are not positive as to their position and that the opening of a street around the hospital grounds to the west is merely a makeshift proposition. Anyone who knows Sixteenth Street will realize that the diverting of more traffic to that street will render it so congested along that portion that it will be almost impossible to use it at certain times of the day. This makeshift street will not provide the car facilities which should be provided for the hospital. Hundreds of people desire to visit the patients who will be compelled to walk a very considerable distance or hang on the straps of the Georgia Avenue cars, which are already overburdened. The patients themselves should have better car facilities than at present, which this makeshift street will not render possible, because even if a car line should be constructed along this street it would be even more distant than the present car lines on Georgia Avenue.

In conclusion, I wish this committee would consider carefully what our colleague [Mr. HERSEY] has said about this proposition, as he is the one Member who has kept in close touch with Walter Reed Hospital affairs. I should like for you to consider what my colleague [Mr. HILL], who was a patient at Walter Reed Hospital, has said; in fact, gentlemen, if you will consider what has been said and advocated by those who have examined the proposition carefully, you will find that they all agree the proper and only solution is the opening of Fourteenth Street. At present Sixteenth Street and Georgia Avenue are the only north-and-south routes between the east side of Rock Creek Park and the west side of Soldiers' Home. Certainly, if you wish to develop Washington through that beautiful territory to the north, it is necessary to give additional outlets through the city. [Applause.]

CISSEL-SAXON POST, NO. 41, AMERICAN LEGION,
DEPARTMENT OF MARYLAND,
Headquarters, Silver Spring, Md., May 14, 1924.

Whereas nearly all the Congressmen who opposed the extension of Fourteenth Street through the medical officers' college half of the Walter Reed Reservation justified their position of stopping Fourteenth Street at the southern side of the reservation as being for the alleged best interests of the wounded World War veterans and the soldiers occupying the reservation; and

Whereas most of the same Congressmen admitted the need of the section of the District of Columbia and adjacent Maryland north of Walter Reed to further street extension and street railway service and only justified their position in repealing the permanent highway system of the District as established by an act of Congress in 1898, and in doing so opposing the recommendations of the Federal Highways Commission, consisting of the Secretary of War and the Chief of Engineers of the United States Army, the District City Commissioners, six citizens' associations of northwest Washington, the Washington Board of Trade and the Washington Chamber of Commerce, the Evening Star and the Evening Times, as well as all the governmental representatives of adjacent Maryland, that Fourteenth Street be extended through the Army Medical College, almost entirely on account of the alleged best interests of the wounded of the World War and the soldiers at Walter Reed: Be it

Resolved, That the Cissel-Saxon Post, No. 41, of the American Legion, located at Silver Spring, Md., does most earnestly regret and resent this ill-advised action based upon the misleading position of attempting to aid our wounded comrades of the World War and the enlisted soldiers of the Walter Reed Reservation.

First. Because Fourteenth Street extended through Walter Reed Reservation would not be within two city squares of any ward or building occupied by wounded veterans of the World War or other sick soldiers, as shown by the plans of the Army medical center of 1919 and of February 1, 1924, and because all of the enlisted soldiers of the Walter Reed Reservation have already been placed by the officers commanding the Medical Corps in permanent quarters on the Georgia Avenue side of the reservation and immediately adjacent to the existing Georgia Avenue street railway system, and they have also more recently permanently located their hospital wards closer to the existing street car line on Georgia Avenue than the wards would be to the proposed street car line on Fourteenth Street; and

Secondly. Because the proposed extension of Fourteenth Street, as fixed by Congress in 1898, 10 years before the Walter Reed Reservation was bought, will only be through the grounds of the medical officers'

college section of the reservation, which section of the reservation, by the Surgeon General's blue prints of 1919 and of February 1, 1924, is entirely devoted to the commanding officers' quarters, officers' quarters, student officers' school building, museum and library, student officers' quarters, and tennis courts, and the Surgeon General's plan of February 1, 1924, clearly marks all wards now existing in that section of the reservation as temporary and to be removed.

We firmly believe that the Members of Congress who are attempting to serve the wounded veterans and enlisted men of the Walter Reed Reservation are, in fact, only creating and preserving an exclusive and sacred officers' hill upon which no enlisted man or wounded veteran will be desired by the medical officers of the Army any more than these same medical officers now desire the traveling public to use the much-needed extension of Fourteenth Street.

Resolved, That the Maryland Representatives of Congress be petitioned to continue their fight against this unfair and unwarranted attack upon the future of our section and the needs of the traveling public of Washington; and be it further

Resolved, That a copy of this resolution be sent to each Member of the House of Representatives, and first of all to those who spoke against the Fourteenth Street extension bill in the House of Representatives on Monday, May 12, 1924, with the respectful request that in view of the above authentic information, which they evidently did not possess, they withdraw from their misleading position of attempting to serve wounded war veterans and enlisted soldiers when, in reality, they are only serving the desire of the officers of the Army Medical Corps for the creation of a sacred and exclusive officers' college and area; and be it further

Resolved, That copies of this resolution be sent to the American Legion posts in the districts of the Members of Congress demanding the closing of Fourteenth Street, which closing we believe is only advocated by the Surgeon General of the United States Army and the other high-ranking medical officers of the Regular Army, who now oppose the extension of Washington's most important north and south street-car line through the grounds of their officers' medical college, although during and after the World War they located and built the great majority of the hospital wards for the treatment of wounded soldiers directly along Georgia Avenue, which is the only side of the hospital along which a street-car line extends.

B. STONE LEIZEAR,
Commander, Cissel-Saxon Post.
DAVID MEARS,
Adjutant, Cissel-Saxon Post.

[NOTE.—The above resolution was unanimously adopted at the regular monthly meeting of the Cissel-Saxon Post, attended by over half of the post membership of 50. The resolution represents the position already taken by every town government, citizens' association, and governmental agency of that portion of adjacent Maryland north of Washington.]

The SPEAKER pro tempore. The time of the gentleman from Maryland has expired.

Mr. ZIHLMAN. Mr. Speaker, I will state to the gentlemen of the House that there is only four minutes remaining, and I hope you will bear with me for that short time. I will say that the opposition to this bill originated in the Committee on Military Affairs during the last session of Congress. Members who claim jurisdiction over the Walter Reed Reservation and all other military reservations have persistently opposed this bill. This bill has the indorsement of every competent authority in the District of Columbia except the Committee on Military Affairs. It has the indorsement of the Secretary of War; it has the indorsement of the Chief of Engineers of the Army; it has the indorsement of the Federal Highway Commission; the indorsement of the District Commissioners; and the only argument made against the bill is that it will disturb the rest and quiet of the patients at the Walter Reed Hospital.

Now, the same men who raise their voices in behalf of the sick and disabled veterans have never said a word for the past five years, when the same patients were located within 30 feet of the car line on Georgia Avenue. [Applause.] The very plan of the Surgeon General of the Army which he submits to Congress, after he had revised it so as to make difficult this needed extension and improvement, puts the patient or the ward within 600 feet of the car line on Georgia Avenue and fully 1,000 feet from the proposed cut through the grounds for the extension of Fourteenth Street. What did the House do? The House proposed that Fourteenth Street should run up to the southern boundary of the hospital grounds and then westward to Sixteenth Street and up Sixteenth Street to Alaska Avenue. Now, here it is proposed, according to the map prepared by the Surgeon General's office, and shown on this map as a temporary building only, to put patients suffering from nervous disorders on a corner flanked by two busy streets.

I contend that any officer who would put psychopathic patients on this location, within a few feet of two streets, is a subject for investigation himself.

The Senate bill proposes that Thirteenth Street, Fifteenth Street, Dahlia Street, Dogwood Street, and Elder Street should be vacated, but that Fourteenth Street should remain open, as shown on the plan of the Federal Highway Commission. The plan for keeping this street open to be subject to the approval of the Secretary of War.

This is in accordance with the pledge made by the District when the owners of the land dedicated it to the District, upon the assurance that this street would remain open to the District line and provide for the extension of this street to the District line and the development of that section of northwest Washington and adjacent Maryland territory.

It should be remembered that Fourteenth Street, Sixteenth Street, and Georgia Avenue are the only north and south streets of the permanent highways commission between Connecticut Avenue, extending to Chevy Chase, and Rhode Island Avenue, extending to Mount Rainier and Hyattsville, or a distance of nearly 8 miles east and west. At the present time Georgia Avenue is carrying nearly a peak load of trolley-car and automobile traffic, and Sixteenth Street is already crowded in rush hours and on holidays.

Originally the Government did not own the land on the present line of Fourteenth Street, which runs northward on the line of what should be Fifteenth Street, this being afterwards purchased for a part of the reservation, and it is now proposed to destroy this needed avenue for the making of an officers' campus and a tennis court.

It was originally contended by those opposing this bill that to run this street through at a distance of a thousand feet from the hospital wards was detrimental to the patients, but when we exploded this theory by showing that their own maps showed the wards to be within 600 feet of the existing car line on Georgia Avenue they now talk about preserving a beautiful reservation, a reservation on which, between Fourteenth Street and Sixteenth Street, will be reserved for the commissioned personnel only.

I therefore hope that the motion I have made, that the House recede from its amendments to the bill of the Senate, will be concurred in.

The SPEAKER pro tempore. The gentleman's time has expired. All time has expired.

Mr. ZIHLMAN. Mr. Speaker, I move the previous question on my motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Maryland, that the House recede from its amendment to Senate bill 114.

The question was taken; and there were on a division (demanded by Mr. ZIHLMAN)—ayes 37, noes 152.

Mr. ZIHLMAN. Mr. Speaker, I object to the vote on the ground that it discloses the absence of a quorum, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Maryland makes the point of order that there is no quorum present. The Chair will count.

Mr. ZIHLMAN. Mr. Speaker, the vote discloses the absence of a quorum.

Mr. BLANTON. Oh, there is a quorum present now. There are 250 men here.

The SPEAKER pro tempore (after counting). Two hundred and forty-nine Members present, a quorum.

Mr. ZIHLMAN. Mr. Speaker, I demand the yeas and nays on the vote.

The SPEAKER pro tempore. The gentleman from Maryland demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Twenty-five Members have risen, not a sufficient number, and the yeas and nays are refused.

So the motion to recede was rejected.

Mr. ZIHLMAN. Mr. Speaker, I move that the House further insist upon its amendment, and ask for a further conference from the Senate.

Mr. BLANTON. Mr. Speaker, the gentleman has lost the floor by being defeated on his motion, and I desire to offer a preferential motion.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Texas.

Mr. BLANTON. Mr. Speaker, I move that the House insist upon its amendment to the Senate bill and ask for a conference.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas that the House further insist upon

its amendment to the Senate bill and ask for a further conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. ZIHLMAN, Mr. LAMPERT, Mr. BLANTON.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed the following resolution:

Resolved, That the bill from the House of Representatives (H. R. 5478) entitled "An act to amend sections 1, 3, and 6 of an act entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment,'" do pass with the following amendments:

1. Page 2, line 4, after "employment for," insert "each of."
2. Page 2, line 4, strike out "year" and insert "years."
3. Page 2, line 4, after "1925," insert "and June 30, 1926."
4. Page 2, line 6, strike out "annually."
5. Page 2, line 14, strike out "year" and insert "years."
6. Page 2, lines 14 and 15, strike out "annually thereafter for a period of three years" and insert "1926."
7. Page 5, line 8, strike out "four" and insert "two."

The message also announced that the Senate had concurred in House Concurrent Resolution No. 27.

AMENDMENT TO VETERANS' BUREAU ACT

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2257) to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act as amended, and to vocational rehabilitation act as amended, with House amendments thereto, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to take from the Speaker's table the bill S. 2257, with House amendments thereto, and agree to the conference asked by the Senate. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. JOHNSON of South Dakota, Mr. SNYDER, and Mr. BULWINKLE.

M'NARY-HAUGEN BILL

The SPEAKER. The unfinished business is the McNary-Haugen bill, on which the previous question is ordered. The question is on agreeing to the amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, line 5, after the word "commodity," insert the following: "Whenever an emergency is declared upon flour or upon any food product of cattle, sheep, or swine the President is authorized to declare an emergency as to the commodity out of which such flour or other such food product is made."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken.

Mr. CANNON. Mr. Speaker, on that I demand a division.

The House divided; and there were—ayes 123, noes 7.

Mr. CANNON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. On the third reading?

Mr. CANNON. Yes.

The SPEAKER. The gentleman from Missouri demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Seven Members have risen, not a sufficient number, and the yeas and nays are refused.

Mr. CANNON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count. [After counting.] Clearly a quorum is present.

So the bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question now is on the passage of the bill.

Mr. JONES. Mr. Speaker, I offer the following motion to recommit.

The SPEAKER. Is the gentleman from Texas opposed to the bill?

Mr. JONES. In its present form.

Mr. ASWELL. Mr. Speaker, being the ranking minority member of the Committee on Agriculture and being opposed to the bill, am I not entitled to recognition?

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ASWELL. Certainly I am.

The SPEAKER. The Chair recognizes the gentleman from Louisiana, Mr. ASWELL.

Mr. ASWELL. Mr. Speaker, I believe a direct vote ought to be made on the bill, and if anybody makes a motion to recommit, I hope it will be voted down.

The SPEAKER. Does the gentleman wish to make a motion to recommit?

Mr. ASWELL. I make no motion to recommit.

The SPEAKER. Then the Chair will recognize some one else.

Mr. JONES. Mr. Speaker, I offer the following motion to recommit, which I send to the desk.

The SPEAKER. The gentleman from Texas offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. JONES moves to recommit the bill to the Committee on Agriculture with instructions to report the same back to the House forthwith with the following amendment:

"Page 2, line 22, after the word 'of,' strike out the remaining portion of line 22 and all of line 23 and insert in lieu thereof the following: 'wheat, flour, swine, or any food product of swine'; and on page 3, line 4, after the word 'corporation,' strike out the remaining part of line 3 and line 4 down to and including the word 'President,' and insert in lieu thereof the following: 'The President is authorized'; and on page 9, line 5, strike out the figures '$200,000,000' and insert in lieu thereof '$100,000,000'; and on page 2, line 18, strike out the words 'five years' and insert in lieu thereof 'two years.'"

Mr. JONES. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken.

Mr. JONES. Mr. Speaker, I demand a division. No; I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Twenty-four Members have risen, not a sufficient number, and the yeas and nays are refused. The question is on the passage of the bill.

Mr. RUBEY. Mr. Speaker, I demand the yeas and nays on the passage of the bill.

Mr. BURTNESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURTNESS. My recollection is that there was no division on the motion to recommit. The gentleman from Texas asked for a division pending the demand made for the yeas and nays. The yeas and nays were refused, but there was no division.

The SPEAKER. The Chair was not aware that there was any demand for a division.

Mr. BURTNESS. The gentleman from Texas made the demand.

Mr. BLANTON. It is too late; the yeas and nays are demanded.

SEVERAL MEMBERS. Regular order!

The SPEAKER. The Chair does not think it is too late. The Chair was not aware of a demand for a division.

Mr. ASWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ASWELL. What is the division on?

The SPEAKER. The division is on agreeing to the motion to recommit.

The question was taken, and there were—ayes 69, noes 131.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. RUBEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 155, nays 223, answered "present" 3, not voting 52, as follows:

YEAS—155

Abernethy	Barkley	Cannon	Cooper, Wis.
Allen	Beers	Carter	Cramton
Almon	Brand, Ohio	Christopherson	Croll
Anthony	Browne, Wis.	Clague	Cummings
Arnold	Burtness	Cole, Iowa	Davis, Minn.
Ayres	Cable	Colton	Denison
Barbour	Canfield	Cook	Dickinson, Iowa

Dickinson, Mo.	Hudspeth	Miller, Ill.	Sproul, Kans.
Dowell	Hull, Iowa	Miller, Wash.	Strong, Kans.
Elliott	Hull, William E.	Milligan	Summers, Wash.
Evans, Iowa	James	Moore, Ill.	Swank
Evans, Mont.	Johnson, Ky.	Moore, Ohio	Swing
Fairfield	Johnson, S. Dak.	Morehead	Taylor, Colo.
Faust	Johnson, Wash.	Morgan	Taylor, Tenn.
Favrot	Johnson, W. Va.	Morrow	Taylor, W. Va.
Foster	Jones	Murphy	Thomas, Ky.
Frear	Kearns	Nelson, Wis.	Thomas, Okla.
French	Keller	Purnell	Thompson
Fulbright	Kelly	Ragon	Tillman
Fuller	Ketcham	Raker	Timberlake
Funk	King	Ramseyer	Tincher
Garber	Knutson	Rathbone	Underwood
Gardner, Ind.	Kopp	Reece	Vestal
Glatfelter	Kurtz	Reed, Ark.	Vincent, Mich.
Green, Iowa	Kvale	Reid, Ill.	Vinson, Ky.
Greene, Mass.	Lampert	Richards	Watkins
Greenwood	Lankford	Roach	Wefald
Griest	Leatherwood	Robinson, Iowa	Wertz
Hadley	Leavitt	Robsion, Ky.	White, Kans.
Hardy	Lozier	Romjue	Williams, Ill.
Hastings	McClintic	Rubey	Williamson
Haugen	McKenzie	Schall	Wilson, Ind.
Hawley	McKeown	Sears, Nebr.	Winter
Hayden	McLaughlin, Mich.	Shallenberger	Wolff
Hickey	McLaughlin, Nebr.	Shreve	Wood
Hill, Wash.	McSweeney	Simmons	Woodruff
Hoch	Major, Mo.	Sinclair	Yates
Holaday	Manlove	Sinnott	Young
Howard, Nebr.	Michener	Smith	

NAYS—223

Ackerman	Dickstein	Lee, Ga.	Rogers, Mass.
Aldrich	Dominick	Lehlbach	Rouse
Andrew	Doughton	Lindsay	Sabath
Aswell	Doyle	Lineberger	Salmon
Bacharach	Drewry	Linthicum	Sanders, Ind.
Bacon	Driver	Longworth	Sanders, N. Y.
Bankhead	Dyer	Lowrey	Sanders, Tex.
Beck	Eagan	Luce	Sandlin
Beedy	Fairchild	McDuffie	Schafer
Begg	Fenn	McFadden	Schneider
Bell	Fish	McLeod	Scott
Berger	Fisher	McNulty	Sears, Fla.
Bixler	Fleetwood	McReynolds	Seger
Black, N. Y.	Fredericks	McSwain	Sherwood
Black, Tex.	Free	MacGregor	Smithwick
Bland	Freeman	MacLafferty	Snell
Blanton	Frothingham	Magee, N. Y.	Speaks
Bloom	Fulmer	Magee, Pa.	Spearing
Bowling	Gallivan	Mapes	Sproul, Ill.
Box	Garner, Tex.	Martin	Stalker
Boyce	Garrett, Tenn.	Mead	Steagall
Boylan	Garrett, Tex.	Merritt	Stedman
Brand, Ga.	Gasque	Michaelson	Stephens
Briggs	Geran	Mills	Stevenson
Britten	Gibson	Minahan	Strong, Pa.
Browne, N. J.	Gifford	Montague	Sumners, Tex.
Browning	Gilbert	Mooney	Sweet
Buchanan	Goldsborough	Moore, Ga.	Taber
Buckley	Graham, Pa.	Moore, Va.	Tague
Bulwinkle	Griffin	Moores, Ind.	Temple
Burdick	Hammer	Morris	Thatcher
Burton	Harrison	Mudd	Tilson
Busby	Hawes	Nelson, Me.	Tinkham
Butler	Hersey	Newton, Mo.	Treadway
Byrns, Tenn.	Hill, Ala.	O'Connell, N. Y.	Tucker
Campbell	Hill, Md.	O'Connell, R. I.	Tydings
Chindblom	Hooker	O'Connor, La.	Underhill
Clancy	Hudson	O'Sullivan	Vaile
Clarke, N. Y.	Hull, Morton D.	Oldfield	Vinson, Ga.
Cleary	Hull, Tenn.	Oliver, Ala.	Voigt
Collier	Humphreys	Oliver, N. Y.	Wainwright
Connally, Tex.	Jacobstein	Parker	Wason
Connery	Jeffers	Parks, Ark.	Watres
Connolly, Pa.	Johnson, Tex.	Peavey	Watson
Cooper, Ohio	Kendall	Peery	Weaver
Corning	Kent	Perkins	Welsh
Crisp	Kerr	Perlman	Williams, Mich.
Crosser	Kiess	Phillips	Williams, Tex.
Crowther	Kincheloe	Porter	Wilson, La.
Cullen	Kindred	Pou	Winslow
Dallinger	LaGuardia	Quin	Woodrum
Darrow	Lanham	Rainey	Wright
Davey	Larsen, Ga.	Rankin	Wurzbach
Davis, Tenn.	Larson, Minn.	Ransley	Wyant
Deal	Lazaro	Rayburn	Zihlman
Dempsey	Lea, Calif.	Reed, N. Y.	

ANSWERED "PRESENT"—3

Graham, Ill.	Major, Ill.	Newton, Minn.

NOT VOTING—52

Allgood	Edmonds	Mansfield	Sites
Anderson	Fitzgerald	Morin	Snyder
Boies	Howard, Okla.	Nolan	Stengle
Brumm	Huddleston	O'Brien	Sullivan
Byrnes, S. C.	Jost	O'Connor, N. Y.	Swoope
Carew	Kahn	Paige	Upshaw
Casey	Kunz	Park, Ga.	Vare
Celler	Langley	Patterson	Ward, N. Y.
Clark, Fla.	Lilly	Prall	Ward, N. C.
Cole, Ohio	Little	Quayle	Weller
Collins	Logan	Reed, W. Va.	White, Me.
Curry	Lyon	Rogers, N. H.	Wilson, Miss.
Drane	Madden	Rosenbloom	Wingo

So the bill was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. Graham of Illinois (for) with Mr. Patterson (against).
Mr. Boies (for) with Mr. Newton of Minnesota (against).
Mr. Little (for) with Mr. Curry (against).
Mr. Howard of Oklahoma (for) with Mr. Ward of New York (against).
Mr. Lilly (for) with Mr. Rogers of New Hampshire (against).
Mr. Major of Illinois (for) with Mr. Jost (against).
Mr. Stengle (for) with Mr. Logan (against).

General pairs:

Mr. Rosenbloom with Mr. Quayle.
Mr. Madden with Mr. Wingo.
Mr. Vare with Mr. Mansfield.
Mr. Kahn with Mr. Clark of Florida.
Mr. Brumm with Mr. Upshaw.
Mrs. Nolan with Mr. Wilson of Mississippi.
Mr. Swoope with Mr. Allgood.
Mr. Fitzgerald with Mr. Casey.
Mr. Morin with Mr. Kunz.
Mr. Paige with Mr. Collins.
Mr. White of Maine with Mr. Park of Georgia.
Mr. Cole of Ohio with Mr. Drane.
Mr. Anderson with Mr. Byrnes of South Carolina.
Mr. Snyder with Mr. Sites.
Mr. Reed of West Virginia with Mr. Huddleston.
Mr. Edmonds with Mr. O'Brien.

Mr. NEWTON of Minnesota. Mr. Speaker, I voted "no." I am paired with the gentleman from Iowa, Mr. BOIES. If he were present, he would vote "aye," and I desire to withdraw my vote and answer "present."

Mr. MAJOR of Illinois. Mr. Speaker, I am paired with the gentleman from Missouri, Mr. JOST. I voted "aye." If he were present, he would vote "no." I desire to withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

On motion of Mr. ASWELL a motion to reconsider the vote by which the bill was rejected was laid on the table.

CONFERENCE REPORT ON THE INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I desire to call up the conference report on the independent offices appropriation bill.

Mr. SCHAFER. Mr. Speaker, I reserve all points of order on the report.

The SPEAKER. The Chair understood he was to recognize the gentleman having charge of the District appropriation bill.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bill of the following title:

S. 3380. An act to grant the consent of Congress to the Cincinnati, New Orleans & Texas Pacific Railway Co. to construct, maintain, and operate a bridge across the Cumberland River, in the county of Pulaski, State of Kentucky, near the town of Burnside.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 19

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the enrolled bill (S. 2169) entitled "An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes," be rescinded, and that in the enrollment of the said bill the following amendment be made, namely: On page 2, line 12, strike out the words "for animals loaned to the National Guard."

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

A message in writing from the President of the United States, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On June 2:

H. R. 2713. An act to transfer certain lands of the United States from the Rocky Mountain National Park to the Colorado National Forest, Colo.;

H. R. 2879. An act to provide for the disposal of homestead allotments of deceased allottees within the Blackfeet Indian Reservation, Mont.;

H. R. 6857. An act to provide for the addition of the names of Chester Calf and Crooked Nose Woman to the final roll of the Cheyenne and Arapaho Indians, Seger jurisdiction, Oklahoma;

H. R. 6355. An act to authorize the Secretary of the Interior to issue certificates of citizenship to Indians; and

H. R. 6715. An act to reduce and equalize taxation, to provide revenue, and for other purposes.

On June 3:

H. R. 6482. An act authorizing the Postmaster General to contract for mail messenger service;

H. R. 656. An act to add certain lands to the Plumas and to the Lassen National Forests in California;

H. R. 4460. An act authorizing payment to certain Red Lake Indians, out of the tribal trust funds, for garden plats surrendered for school-farm use; and

H. R. 7109. An act to authorize acquisition of unreserved public lands in the Columbia or Moses Reservation, State of Washington, under acts of March 28, 1912, and March 3, 1877, and for other purposes.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. DAVIS of Minnesota. Mr. Speaker, I desire to call up the conference report on the District of Columbia bill.

The SPEAKER. The gentleman from Minnesota calls up the conference report on the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes.

The conference report was read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year 1925, and for other purposes, having met, after full and free conference have been unable to agree.

C. R. DAVIS,
FRANK H. FUNK,
W. A. AYRES,
Managers on the part of the House.

LAWRENCE C. PHIPPS,
W. L. JONES,
L. HEISLER BALL,
Managers on the part of the Senate.

Mr. DAVIS of Minnesota. Mr. Speaker, the managers on the part of the House of the District of Columbia appropriation bill have had two conferences with the Senate conferees on two different days and we failed to come to any agreement at all. The first section of the bill is one of the most material portions, in my judgment, of the bill, and in order that the Members may understand this matter I desire to take a few moments to explain it as briefly as possible. The District of Columbia appropriation bill as it passed the House a short time ago contains the first section thereof, which is as follows, and I read this for the benefit of Members of the House.

Be it enacted, etc., That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1925, $8,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, and all the remainder out of the combined revenues of the District of Columbia and such advances from the Federal Treasury as are authorized in the District of Columbia appropriation act for the fiscal year 1923.

I am only going to read this section, because that is the only part of the bill that we have held a conference upon. In my judgment, it is better to have the fiscal relations between the District of Columbia and the United States settled before we went into details upon the bill. This section, when the bill passed, was in controversy lasting several hours and resulted in this House passing, or rather the Committee of the Whole House, passing it almost unanimously. [Applause.] And there was much discussion on the subject, but when the Members understood this matter they voted, as I stated, almost unanimously, and I hope they will virtually do so again. The Senate conferees in conference amended this section as follows:

That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1925—

That is the same language I have read to you in the House bill. Then they struck out the $8,000,000 and inserted—

$14,000,000, or in lieu thereof 40 per cent of each of the following sums, except those herein directed to be paid otherwise.

In other words, they have raised the lump sum from $8,000,000 to $14,000,000. I have my idea as to why they raised it. I do not believe the conferees believe that that was the case, but I have sat in conference many times and I know that they never expected to get that amount. I hate to use the statement, but I believe they put it in for trading stock. But they raised the total appropriations in this bill about $6,000,000. Now, Mr. Speaker, that is the only amendment, and that is as far as your conferees have gotten at all, and I for one, and my conferees agree with me exactly, think that we had better settle the financial relation between the District of Columbia and the Government before we went into the numerous details. The Senate has added, I believe, 164 amendments besides this one.

There are many details in this bill, more details almost, I might say, than we would have if the city of Chicago or New York were involved, owing to the many complications in the District of Columbia, the commissions, the hospitals, the 2,700 or 2,800 school-teachers, the 1,000 or 1,200 policemen, the 500 or 600 miles of streets, and the large number of firemen, and everything of that kind involved, including 10 or 11 hospitals, and so forth. The details are very numerous. Hence I have thought and still think that we ought to settle the first section of the bill first.

Now, Mr. Speaker, I am going to do a little better; I am going to add a little more than the bill as it passed the House, this first section; and I send to the Clerk's desk an amendment which I desire to submit to the House for consideration.

The Clerk read as follows:

Amendment No. 1: Mr. DAVIS moves to recede and concur with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "and revenue now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, $8,000,000," so that as amended the paragraph will read:

"That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1925, any revenue now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, $8,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, and all the remainder out of the combined revenues of the District of Columbia and such advances from the Federal Treasury as are authorized in the District of Columbia appropriation act for the fiscal year 1923, namely:

Mr. DAVIS of Minnesota. Mr. Speaker, the object of this amendment is this: Aside from the Government appropriating $8,000,000 flat, as you might say, to pay its taxes upon its property here, there are many, many items in the former District of Columbia appropriation bills which provide that where the Government contributes to any proposition on the 60-40 basis—that is the law as it stands to-day—and there is any return from it, the return shall be credited back to the District of Columbia and the Government of the United States in the same proportion. For instance, with respect to the fines in the municipal court, the assessment and permit work, where work is done upon streets, we appropriate the money to begin on, and then the property owner has to refund a certain portion of it, and that refund coming back under the law as it operates, now gives 60 and 40 per cent. I might say briefly that the amount of the refunds during the last fiscal year that went back into the Treasury of the United States was about $1,000,000. So that, as a matter of fact, this appropriation of $8,000,000 flat really means $9,000,000. I think we have done remarkably well, and my object, and the object of the committee, I think, the House will soon find out. The object of this appropriation of a lump sum instead of the 60-40 basis is to simplify the proceeding here which takes months and months of the time of this Congress to worry out and ascertain how we stand. I have spent as high as three months at times in conference over matters of this kind, when there were not as many items as there are now in dispute, 164; when, if we voted a lump sum instead of the 60-40, the District of Columbia would not have so many and various items, and we would not have so much trouble to trace back the little refund items.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. BLANTON. From the way the gentleman's amendment reads it does not in any way do away with the substantive law as it now exists, which requires a contribution of 60-40.

Mr. DAVIS of Minnesota. Yes.

Mr. BLANTON. There ought to be some language in here in lieu of that fiscal relation, and unless you do it you will find the District auditors down here claiming that this $8,000,000 is in addition to the 60-40 now paid. We ought to have that understood.

Mr. DAVIS of Minnesota. No language can be put in here that is plainer than what I have used.

Mr. BLANTON. I have practiced law for 20 years——
Mr. DAVIS of Minnesota. I have practiced 40——
Mr. BLANTON. I have not practiced as long as the gentleman——
Mr. DAVIS of Minnesota. Nor as well. [Laughter.]
Mr. BLANTON. But I will stake my legal reputation on the proposition that this amendment does not do what the gentleman seeks to do. I have seen "jokers" in District of Columbia bills; in many of them that after the House and Senate passed bills the joker is found.
Mr. DAVIS of Minnesota. You never saw a joker in 20 years that I have stood for, and you never will.
Mr. BLANTON. I have seen them in other bills.
Mr. DAVIS of Minnesota. I wish to explain, if the Speaker will permit me a moment, and then I will yield to other gentlemen.
Mr. ZIHLMAN. Explain the last two lines, please.
Mr. DAVIS of Minnesota. Yes, sir. Perhaps I had better read this to explain the situation.
Mr. ZIHLMAN. I wish the gentleman would.
Mr. DAVIS of Minnesota. I read:

That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1925, any revenue now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, $8,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, and all the remainder out of the combined revenues of the District of Columbia and such advances from the Federal Treasury as are authorized in the District of Columbia appropriation act for the fiscal year 1923.

I will explain that very fully to the gentleman.
Mr. ZIHLMAN. All right.
Mr. DAVIS of Minnesota. One year ago, in the bill for 1923, we tried to remedy this thing, which ought to have been remedied 40 years ago. When the appropriation bill is passed, the Government and the District sharing in the appropriations—and for 40 years it has been so—the District of Columbia, when the 1st day of July came around, did not have a dollar to pay its expenses with; not one dollar. The Government of the United Statess advanced not only its part, but advanced to the District of Columbia all its part, and it did not come back into the Treasury until the following June, until about one year, because they collected their taxes only annually, and the Government advanced all the money, the District's share and all.

We are now proposing to do the best we can, and we will not have to advance so much, because we are putting $8,000,000 in here. But if they are entitled to anything under that, that is positive law, and we will make the advance. We have not charged a cent of interest for 48 years for all we have advanced, and I think I am being pretty fair with the District by simply saying that if they are shy for two or three months after the 1st of July we will advance it under this law of 1923 until they collect their taxes, and then that goes back into the Treasury of the United States.
Mr. ZIHLMAN. Are not the District officials, in accordance with the provision of the last appropriation act, creating a fund to take care of that?
Mr. DAVIS of Minnesota. They are trying to, and we passed another law in order that they might collect and so they will not have to borrow money from the Government of the United States. This will supersede that, but we will advance all that is necessary until they get their money. I think if the gentleman from Maryland will read this carefully he will see we have not done any injustice to the District of Columbia, and I do not believe Senator PHIPPS and the others will object to that part. The only thing they object to is the amount we appropriate, the difference between $8,000,000 and $14,000,000.
Mr. ZIHLMAN. As I understand the gentleman, that is a proposition favored by the House conferees and does not emanate from the conference of the two Houses.
Mr. DAVIS of Minnesota. It does not. We did not come to any agreement on anything, but they kept saying in their argument, "Why, we may need some money right off if you put this flat sum in and do not put this other amount in." The Cramton proposition did not provide for a refund of this money, so I have added that refund in here to go into the District treasury, and I have added this whole thing to advance money to them if they need it before they collect their taxes. It certainly is beneficial to the District of Columbia, and it will do away with all trouble and mixing up of affairs.
I now yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, I want to take just as little time as possible and will get through in five minutes if possible.
Under the 60–40 plan governing appropriations for District expenses, under which the Federal Government has paid 40 per cent of the cost of running the District government and the District 60 per cent, we have been spending out of the Treasury from $8,000,000 to $9,000,000, beginning with 1923. The expenditure from the Treasury of the United States and from municipal revenues under 50–50 and 60–40 plans the past 10 years have been:

Statements showing amounts paid by the United States for expenses at the District of Columbia, fiscal years 1914 to 1924; municipal revenues credited to the United States; net amounts paid by the United States; and amounts paid by the District of Columbia

Fiscal year	Paid by the United States			Paid by the District of Columbia
	Gross amount paid by United States	Municipal revenues credited to United States	Net amount paid by United States	
1914	$5,799,011.89	$232,886.95	$5,566,124.94	$5,924,740.11
1915	6,118,015.99	215,909.82	5,902,106.17	7,372,719.48
1916	6,332,691.79	275,440.02	6,057,251.77	6,497,267.78
1917	6,313,903.06	255,865.13	6,058,037.93	7,069,582.01
1918	7,032,403.17	211,771.33	6,820,631.84	7,186,911.98
1919	8,083,958.46	368,025.63	7,715,932.83	8,826,442.81
1920	9,953,255.74	304,332.93	9,558,922.81	10,382,496.30
1921	9,218,692.97	515,010.55	8,703,682.42	13,127,811.52
1922	9,187,792.98	412,404.89	8,775,328.09	13,718,199.43
1923	8,910,086.05	628,270.07	8,281,815.98	13,759,427.46
Total	76,949,212.10	3,509,977.32	73,439,234.78	93,835,598.88

For the fiscal year 1924 the gross amount paid by the United States is $9,323,973.60, subject to some increase by deficiency items. The 40 per cent of certain revenues that is paid to the United States is estimated this year to exceed $1,000,000, leaving the contribution from the Federal Treasury in 1924, as in 1921, 1922, and 1923, something above $8,000,000 net of any return.
That will be the net expenditure out of the Federal Treasury. When I say "net expenditure" I mean that we appropriated, for instance, in 1923, $8,910,000 from the Federal Treasury, but we have drawn back $628,000 as our share of fines, penalties, assessments, and so forth, which have come back to the Treasury. Under the present law we share those returns in the same proportion the expenditures are shared. For 1923 the 40 per cent of the returns was $628,000, so that our net expenditure was $8,281,000 for 1923. In the same way the net cost to the Federal Government during the current year will be approximately $8,000,000.
The bill that passed the House—the bill which is now under consideration—carried $24,000,000, of which a part was paid out of water revenues, a part out of the gas tax, and so forth, but the gross charge on the Federal Treasury in the bill that passed the House was $9,028,000.
The bill as it has passed the Senate, if it should become a law, with a 40 per cent contribution on the part of the Federal Government, would be a gross charge on the Federal Treasury of about $10,829,000.
There are now pending deficiencies, which will come before you to-day or to-morrow, by reason of the increase in pay of the police, the school-teachers, firemen, and so forth, as well as other smaller deficiencies, so that the bill as it passed the Senate, with the pending deficiencies added, would make our share under the 40 per cent $11,805,000. Added to that would be such deficiencies as are passed in the year to come, or quite certainly a gross change of at least $12,500,000.
Now, the drawback would be about $1,000,000, so that we would have at least $11,500,000 net expenditure from the Federal Treasury under the 60–40 plan. That is an increase of $3,500,000 in expenditure from the Federal Treasury for 1925 as compared with 1924. We are not justified in putting that extra burden on the taxpayers of the country under existing conditions.
The following shows the situation in detail:

The 1925 District of Columbia appropriation bill

Passed by House		$24,652,697.00
Payable wholly from water revenues	$1,152,860	
Payable wholly from District revenues	39,220	
Payable from gasoline-tax fund	890,000	
		2,082,080.00
Amount payable 60–40		22,570,617.00

Forty per cent		$9,028,246.80
Sixty per cent		13,542,370.20
		22,570,617.00
Passed by Senate		29,227,519.00
Net increase		4,574,822.00
Payable wholly from water revenues	$1,196,860	
Payable wholly from District revenues	144,270	
Payable wholly from gasoline-tax fund	813,000	
		2,154,130.00
Amount payable 60–40		27,073,389.00
Forty per cent		10,829,355.60
Sixty per cent		16,244,033.40
		27,073,389.00
H. R. 6721 (schools)		415,950.00
H. R. 5855:		
Police		447,660.00
Firemen		336,160.00
Total, exclusive of $240 bonus to be absorbed		1,199,770.00
$240 bonus		1,018,280.00
		2,218,050.00
Forty per cent		976,060.00
Sixty per cent		1,464,090.00
		2,440,150.00
Forty per cent Senate bill		10,829,355.60
Forty per cent deficiency bills		976,060.00
Total Federal contribution		11,805,415.60

And still practically all the items proposed are desirable and more or less urgently needed. This is a rapidly growing city, and development and growth in a city means increased total expenses. Note the continued increases in population of the District of Columbia as stated by the Census Bureau:

January, 1910	331,069
January, 1920	437,571
January, 1924	486,936

The post-war period has seen a surprising continuance in the development of Washington. The building permits show this:

1910: Number of permits, 10,937; valuation, $16,431,946.
1920: Number of permits, 8,196; valuation, $22,659,452.
1921: Number of permits, 8,561; valuation, $19,025,291.
1922: Number of permits, 10,997; valuation, $36,223,089.
1923: Number of permits, 13,296; valuation, $57,690,038.
[From records of building inspection division.]
(Does not include Federal Government buildings nor municipal schoolhouses or other municipal buildings.)

Real-estate valuations in the District were $345,000,000 in 1914, 10 years ago, and in 1923 they had mounted up to $723,000,000. The personal tangible property has increased from $48,000,000 in 1910 to $123,000,000 in 1923. The figures covering the total assessments and tax levies the past 10 years on real estate and tangible and intangible personal property as furnished me by the auditor of the District appear in my remarks on this subject in the House May 1, 1924, on pages 7639 and 7640 of the RECORD.

Such growth calls urgently for new sewers, street lighting, paving, schools and teachers, playgrounds, with additional police and fire protection, and so forth.

Changed conditions are bringing added expenses, too. Note the rapid increase in the number of automobiles, beginning with 1918, when the annual registration began:

1918	36,354
1919	46,412
1920	55,810
1921	63,610
1922	79,546
1923	101,543

Not only more streets to pave but three times the traffic upon them that there was in 1918, the war period.

All this development and change means increased expense in necessary District administration cost.

A year ago I reached certain conclusions:

1. That increased appropriations are urgently required to meet the needs of the District of Columbia.

2. The contribution of $8,000,0000, net, which we have of late been making, is fully commensurate with our property here and our needs.

3. That the present condition of the Federal Treasury and the heavy burdens on the taxpayers of the Nation do not permit any substantial increase in Federal contribution to District expenses.

4. That our property and interests here are nearly remaining stationary, while the private property and private interests are rapidly increasing, and the increased need for expenditures here is because of expansion of private interests.

5. That the tax rate in the District, at present $1.20 per hundred on real property, is so low as to make possible some increase in contribution by District taxpayers without hardship.

6. That if the relation between the increased appropriations for District purposes and the local tax rate is intimate, immediate, and direct, the local demand for such increases should receive very sympathetic consideration by Congress.

7. That a lump-sum contribution by the Federal Government, instead of any percentage ratio, will make it possible to meet the local demand for local improvements, by increase of local taxes so far as local sentiment demands, without adding to the Federal burdens; and that the constant berating of Congress on the part of citizen associations and Washington newspapers for niggardliness in appropriations for the District will cease under the lump-sum system.

Because of these views I introduced the following bill in the last Congress and again in this:

A bill (H. R. 473) to fix the amount to be contributed by the United States toward defraying expenses of the District of Columbia.

Be it enacted, etc., That on and after July 1, 1924, the Government of the United States shall not bear any fixed proportion of the expenses of the District of Columbia, but shall pay the sum of $8,000,000 annually toward defraying such expenses of the District as may be appropriated for by law.

SEC. 2. That on and after such date there shall be credited wholly to the District of Columbia any revenue now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived.

SEC. 3. That nothing contained in this act shall be construed to prevent, until July 1, 1927, the advancements permitted to be made for expenses of the District by the Treasury Department in accordance with the first paragraph of section 1 of the District of Columbia appropriation act, approved June 29, 1922.

It proposes that instead of the 40 per cent contribution which we now make to the District expenditures and which is indefinite, the amount contributed depending on what is the sum total of the bill, we shall appropriate a definite amount. The larger the bill for the District, under the present arrangement, the larger the Federal contribution, and I substitute for that a definite fixed lump-sum appropriation of $8,000,000, the balance being paid by the District, and the larger the appropriation bill the larger the District contribution, the Federal contribution remaining constant.

When the 1925 District appropriation bill was pending in the House, May 1, last, I offered an amendment providing for the lump-sum contribution of $8,000,000, as proposed in section 1 of that bill, instead of continuing the percentage contribution. The amendment was adopted by the Committee of the Whole and approved by the House, so generally that no roll call was demanded upon it in the House.

At that time I offered the substance of section 2 of my bill as a further amendment but on a point of order by the gentleman from Texas [Mr. BLANTON] it was ruled out.

The Senate in inserting in lieu of my lump-sum amendment a higher lump sum, viz, $14,000,000, with the alternative of continuing the 60–40 plan, have abandoned the claim that there is anything necessarily sacred and beyond change in the percentage plan, either 50–50 or 60–40. They have accepted the principle of my lump-sum proposition. They have said they are willing to accept the lump-sum plan if we will only make the sum big enough. The mere detail that their $14,000,000 proposal means to add $6,000,000 in burdens to the taxpayers of the Nation to care for the needs of a growing city whose inhabitants pay only $1.20 per hundred as their total tax rate—that is a mere trifle that has little weight in some quarters.

The proposition which the gentleman from Minnesota now offers is entirely in accord with my original proposition. It includes the provision set forth in section 2 of my bill, which went out here on the point of order. It is a workable proposition; and while it tends toward an agreement with the Senate, it is in accordance with our original desire. It is perfectly fair. It is not reducing what we have heretofore paid, but it is a refusal to continually increase.

Now, then, one minute more and I think I shall be through. There is a constant demand for more expenditures here, which

is natural, because of the great increase and growth of the city. There are two points of view among the people in the District. One of them is illustrated by an item in the Post this morning headed "Driscoll appeals for 60–40 division." The item says:

Making a vigorous appeal for retention of the 60–40 ratio in District appropriations, A. J. Driscoll, president of the Mid-City Citizens' Association, addressed the North Washington Citizens' Association last night at a meeting held in the lecture room of the United Brethren Church, North Capitol and R Streets.

Mr. Driscoll objected to doing away with the 60–40 plan, but then he went on——

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. May I have two minutes more?

Mr. DAVIS of Minnesota. I yield the gentleman two additional minutes.

The SPEAKER. The gentleman is recognized for two additional minutes.

Mr. CRAMTON. Then Mr. Driscoll, having laid the foundation for putting the burden on the Federal Treasury—

advocated free textbooks for high schools of the city and also urged that efforts be made to obtain a salary increase for District employees.

He is for these increases, but insists that a big part of them go on the Federal Treasury, notwithstanding the fact that they are paying a tax rate of only $1.20 here while in my district they are paying $3 and $4. He is strong for having us spend the Nation's money.

Last February, after I introduced the bill to which I have referred, Dr. George C. Havenner, president of the Anacostia Citizens' Association, wrote me a letter, in which he says:

ANACOSTIA CITIZENS' ASSOCIATION AND BOARD OF TRADE,
Anacostia, D. C., February 12, 1923.

Hon. L. C. CRAMTON,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have read with interest the bill (H. R. 14253) introduced by you in the House of Representatives on February 8, 1923, entitled "A bill to fix the amount to be contributed by the United States toward defraying expenses of the District of Columbia," and as a citizen of the District I wish to advise that I am heartily in favor of the plan of fixing a definite sum to be contributed annually by the Federal Government toward the support of the National Capital. Such a plan would cast into the discard our yearly bugaboo of 50–50, 60–40, or some other ratio, and would undoubtedly simplify the fixing of our tax rate.

I take it that you arrived at the $8,000,000 figure upon the basis of a $20,000,000 annual appropriation. In this connection I wish to say that in my opinion the District of Columbia has outgrown a $20,000,000 appropriation; in fact, if our city is to keep pace in the matter of school accommodations, street improvements, and other much-needed betterments, with its ever-increasing population and private enterprise, its annual appropriations should now be placed at $30,000,000 or $35,000,000 and continued at that figure for some years to come. Under these conditions the amount to be contributed annually by the Federal Government toward the expenses of the District of Columbia should be at least $10,000,000.

It may be of interest to you to learn that in the large territory of the District of Columbia lying south and east of the Anacostia River Congress in the 14-year period from 1910 to 1923 only appropriated $24,700 for paving streets—less than $1,800 a year—exclusive of some paving—macadam—on the main arteries leading into southern Maryland. Our streets are in a deplorable condition, practically all of them in construction antedating the motor vehicle. In the appropriation bill for next year no item is carried for the paving of any street in this territory except for the two main thoroughfares leading into southern Maryland—Nichols Avenue and Good Hope Road. This is not the fault of Congress, as no estimates for paving streets in this territory were submitted by the District officials, due probably to the fact that they were trying to hold the District estimates down to the $20,000,000 figure. I cite this fact merely to show the great need for larger appropriations if our streets are to be made usable and reasonably safe for present-day traffic.

Our people want to see the National Capital made the model city of the Nation and will cheerfully contribute their share of the expense, whatever it may be, toward this end.

Yours very truly,

GEO. C. HAVENNER, *President.*

He forcibly points out the needs they have over in Anacostia. But in order to get these needs taken care of they are willing to have somewhat of an increase in their tax rate. That letter, that exceptional attitude, was highly gratifying and reassuring to me, and I commend Anacostia to your friendly attention. They recognize that my proposition is not antagonistic to local development, but is a necessary basis for it.

Mr. BLANTON. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. BLANTON. I hope the gentleman will get a 100 per cent vote for this proposition.

Mr. CRAMTON. I think such a vote will greatly promote early disposal of this controversy.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting the letter in full and includinig other matters.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Minnesota.

The motion was agreed to.

Mr. BLANTON. Mr. Speaker, the gentleman from Minnesota agreed to yield me some time on this matter. I was trying to get his attention.

The SPEAKER. Is the gentleman against it?

Mr. BLANTON. I am against this proposition; yes.

Mr. DAVIS of Minnesota. Mr. Speaker, I have promised to yield 5 or 10 minutes, and I want to yield one minute to the gentleman from Maryland [Mr. ZIHLMAN].

The SPEAKER. Without objection, the vote will be vacated.

There was no objection.

Mr. DAVIS of Minnesota. Mr. Speaker I yield one minute to the gentleman from Maryland [Mr. ZIHLMAN.].

Mr. ZIHLMAN. Mr. Speaker, I would like to ask the gentleman from Minnesota whether if this amendment is adopted it is the purpose of the House conferees to agree to the various items which the Senate has put in the bill?

Mr. DAVIS of Minnesota. All of them?

Mr. ZIHLMAN. Oh, no; I mean the important matters for the District of Columbia.

Mr. DAVIS of Minnesota. You ought to know about that. I have always been very liberal, you know, with the schoolteachers, the policemen, and everything else, and you ought to know about that.

Mr. ZIHLMAN. I am not talking about those appropriations, because they are already fixed by law. I am speaking of the other items with reference to the streets and the parks.

Mr. DAVIS of Minnesota. You will have between two and three million dollars this year for streets, double what you ever had before.

Mr. ZIHLMAN. I understand that.

Mr. DAVIS of Minnesota. And it is in the bill. Your schoolteachers are all raised and everything else.

Mr. ZIHLMAN. May I ask the gentleman about the park item?

Mr. DAVIS of Minnesota. We have only pretty close to 600 parks in this city, and there is a project on foot for buying the Patterson tract out here and some other tracts. There is a disputed question involved. It has been before our committee for four or five years. They wanted $600,000 for it a few years ago and now they have got down to $300,000.

Mr. ZIHLMAN. No; the gentleman is mistaken. That is only for a part of it and the owners do not want to sell it.

Mr. DAVIS of Minnesota. I understand all about it because the matter has been before me, as I say, for 10 or 15 years. We are going to be liberal. I want to tell you this. If this District wants more money expended and they are willing to raise their tax rate a few mills on the dollar, I certainly would agree with them.

Mr. ZIHLMAN. Would they have to do that under this amendment?

Mr. DAVIS of Minnesota. Very little, if any. I do not think they would.

Mr. ZIHLMAN. They would have to raise it enough to meet the sums carried in the bill.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker and gentlemen of the House, you may not know it, but there is involved here several million dollars to be paid in taxes by your constituents. That ought to interest you.

In addition to all the buildings this Government has built with its own money here and all the parks it has purchased with its own money and all of the land that it has reclaimed with its own money for the benefit of this great city; in addition to all that, this Government—your people and mine—has already paid this city $215,000,000 to keep up its civic expenses, and the tax rate to-day in Washington is only $1.20 on the $100 with the assessment at about 50 per cent of the real value of the property. Your people at home are paying a tax

rate of all the way from $2.75 a hundred up to $6 and $7 on the $100, while the people in Washington are paying a tax rate of $1.20 on the $100, and having the Government to pay the balance of their expenses.

Mr. McKEOWN. Will the gentleman yield?

Mr. BLANTON. In a moment, I will gladly yield.

I have been making a fight ever since I have been here, not to do an injustice to the people of Washington, but to have them pay a reasonably fair tax rate, and thus do justice to their own Government. I have proposed to take the lowest tax rate paid by the people of any city in the United States, which is about $2.75 and then reduce that and simply have the people here pay $2.50 on the $100, which is the rate they used to pay. I have proposed only that, and because I have insisted that they pay a reasonable, just rate of taxation, which is not anything unjust but something that is just to the people here and just to the people of the United States, every newspaper in Washington has daily bemeaned me, daily criticized me, daily stuck knives under the belt in me. I have stood all their persecution patiently, because I am fighting for the whole people of the United States.

I picked up the Washington Post this morning and I read in large headlines:

BLANTON holds Capital back, DYER says.

The article states:

Mr. DYER declared that Representative BLANTON of Texas is blocking the progress of the Capital.

What does our friend, the gentleman from Missouri [Mr. DYER], know about it? Why, if Mr. DYER, our colored people's splendid Representative from Missouri, would work as much altogether in a whole year as I do for the people of the District in one week, he would be one of the hardest-worked Representatives here in Congress. [Laughter and applause.]

Mr. DYER spends so much of his time addressing meetings, both colored and white, that he does not have time to keep up with what is going on in the House. Here is the difference between my friend Mr. DYER and myself: When I work for anything I work for it with all the vim there is within my being. I am in dead earnest about what I do, but Mr. DYER in the last Congress introduced a bill, No. 13, in the interest of our colored friends that did not pass into law. He ought to have known that no colored people in the United States wanted to have anything to do with a bill numbered "t-h-i-r-t-e-e-n." In this Congress he introduced that bill as No. 1, got it reported and on the calendar January 19, and it has been sleeping on that calendar every day since January 19, and the gentleman from Missouri, Mr. DYER, has never made a motion to call it up. While its number has been changed from "13" to "No. 1," all the colored people know that it is still the same old bill "No. 13," and is a Jonah to them.

Mr. LaGUARDIA. Would the gentleman vote for it?

Mr. BLANTON. I most certainly would not. But the gentleman from Missouri [Mr. DYER] ought to be a better sport than to publicly criticize his colleague at a banquet. I did help to block his China trade act bill yesterday, but he should not have gotten mad at that. But he will learn better.

Mr. CRAMTON proposed here that instead of paying the old 60–40 fiscal rate that is letting the people pay $1.20 per $100 tax, that this Government shall pay a maximum limit of $8,000,000 on the expenses of this city. Even then it would only raise the tax up to about $1.35 on the $100, and now by its amendment the Senate is proposing to raise the Government's contribution to $14,000,000 annually and to take it out of the pockets of the taxpayers of the country. I am for the Cramton amendment. It will cause the Government to contribute twice what it should.

I do not think we ought to allow one dollar above it, but the gentleman from Michigan [Mr. CRAMTON] has capitulated and laid down to a certain extent, and the chairman is now proposing to raise the Cramton amendment $1,000,000, because he thinks that is the best we can do now in the closing hours of the Congress. Under the circumstances, while it is robbing the Government, I am going to vote for the motion of the gentleman from Minnesota, because it is the best we can get. I think we ought to give our conferees a 100 per cent vote on this proposition. Every man in the House ought to vote for the chairman's amendment and thereby tell the Senate at the other end of the Capitol that we are not going to stand for taking more than $9,000,000 out of the taxpayers of the country and that this is the last year that we are going to allow that much.

Mr. McKEOWN. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. McKEOWN. Will the gentleman tell us who has charge of the arranging the tourist camp in this city?

Mr. BLANTON. Colonel Sherrill. He has charge of everything—he and the rest of the War Department.

Mr. McKEOWN. Why is it that this great Capital to which we contribute so much of the taxpayers' money does not put up a decent tourist camp so that people can come here and visit the Capital?

Mr. BLANTON. Well, the gentleman is digressing and talking about 30 cents and I am talking about $8,000,000.

Mr. STEPHENS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. STEPHENS. As a matter of suggestion, does not the gentleman think it would be a good idea to set or fix an absolute tax rate for the city, say, 2 per cent or 2½ per cent, and let the Government pay all above it?

Mr. BLANTON. That is just exactly what I have been proposing for years, but these selfish Washingtonians will not agree to it. When Congress meets here next winter I promise you that you will have a chance to vote on the floor for that very proposition.

Mr. STEPHENS. And let the Government pay the balance.

Mr. BLANTON. Yes; let the Government pay the balance and we would stop all this fight every session, and then when a bill came up relating to the District of Columbia it would be passed, instead of having the enacting clause stricken out.

Mr. BOYLAN. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BOYLAN. Do I understand the gentleman to say that the gentleman from Michigan has backed out?

Mr. BLANTON. No; but he has agreed to pay a million dollars more than we did when the House passed this bill, in order to get the bill through this session.

Mr. CRAMTON. Will the gentleman allow me to say that this was my original proposition, but a part of it was cut out on a point of order and I am trying to get it back.

Mr. BLANTON. Yes; it was cut out on my point of order.

Mr. CRAMTON. I am trying to get it in now.

Mr. BLANTON. I think we ought to give a 100 per cent vote to the chairman of the committee and our other House conferees on this motion made by Chairman DAVIS. And we ought not then to permit him to deviate a dollar from the instructions we now give him to go over the $9,000,000.

Mr. RICHARDS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. RICHARDS. Is not the gentleman in error as to the assessed value of property here?

Mr. BLANTON. Not at all.

Mr. RICHARDS. The assessor tells me that it is a cash value.

Mr. BLANTON. I have a letter from E. Kirby Smith, owner of the Meridian Mansions, who says that the property is assessed at one-half, and he says in his letter that the improvements on that property could not be put there for $3,000,000, besides the land, showing that the property is worth double the assessment, and yet it is assessed for only $1,481,900; and he still pays $1.20 on a hundred, or a tax of only $17,783 on property worth over $3,000,000, and his annual rentals aggregate $281,532.20.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. SCHAFER. Reserving the right to object, I would like to ask the gentleman if he is going to put in the RECORD any newspaper advertisements.

Mr. BLANTON. It may be so.

Mr. SCHAFER. How long will the gentleman's extension be?

Mr. BLANTON. Oh, not very long.

Mr. SCHAFER. I want to save the people's money.

Mr. DAVIS of Minnesota. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Minnesota to recede and concur in amendment No. 1, with an amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 70 ayes and 10 noes.

Mr. BLANTON. Mr. Speaker, I object to the vote on the ground that no quorum is present.

The doors were closed, the Sergeant at Arms was requested to bring in the absentees, and the Clerk called the roll.

The question was taken; and there were—yeas 307, nays 16, not voting 110, as follows:

YEAS—307

Abernethy	Drewry	Laukford	Sandlin
Ackerman	Dyer	Larsen, Ga.	Schaffer
Allen	Eagan	Lazaro	Schall
Almon	Elliott	Lea, Calif.	Schneider
Andrew	Evans, Iowa	Leatherwood	Sears, Fla.
Anthony	Evans, Mont.	Leavitt	Sears, Nebr.
Arnold	Faust	Lee, Ga.	Seger
Aswell	Favrot	Lindsay	Shallenberger
Ayres	Fisher	Lowrey	Sherwood
Bacharach	Fleetwood	Lozier	Shreve
Bankhead	Foster	Luce	Simmons
Barbour	Frear	Lyon	Sinclair
Barkley	Freeman	McClintic	Sinnott
Beedy	French	McDuffie	Sites
Beers	Frothingham	McFadden	Smith
Begg	Fulbright	McKeown	Smithwick
Bell	Fuller	McLaughlin, Mich.	Snell
Berger	Fulmer	McLaughlin, Nebr.	Speaks
Bixler	Funk	McLeod	Sproul, Ill.
Black, N. Y.	Gallivan	McNulty	Sproul, Kans.
Bland	Gardner, Ind.	McReynolds	Stalker
Blanton	Garner, Tex.	McSwain	Steagall
Bloom	Garrett, Tenn.	McSweeney	Stedman
Bowling	Garrett, Tex.	MacGregor	Stephens
Box	Gasque	MacLafferty	Stevenson
Boyce	Gibson	Magee, Pa.	Strong, Kans.
Boylan	Gifford	Magee, N. Y.	Strong, Pa.
Brand, Ga.	Gilbert	Major, Ill.	Sumners, Tex.
Brand, Ohio	Glatfelter	Major, Mo.	Swank
Briggs	Goldsborough	Manlove	Sweet
Britten	Graham, Pa.	Mapes	Taber
Browne, Wis.	Green, Iowa	Mead	Tague
Browning	Greenwood	Michener	Taylor, Colo.
Brumm	Griest	Miller, Wash.	Taylor, Tenn.
Buchanan	Hadley	Moore, Ga.	Taylor, W. Va.
Buckley	Hammer	Moore, Ohio	Temple
Bulwinkle	Hardy	Moores, Ind.	Thatcher
Burdick	Hastings	Morehead	Thomas, Okla.
Burtness	Hawes	Morrow	Thompson
Burton	Hawley	Murphy	Tillman
Busby	Hayden	Nelson, Me.	Tilson
Butler	Hersey	Nolan	Timberlake
Byrns, Tenn.	Hickey	O'Connell, R. I.	Treadway
Cable	Hill, Ala.	O'Connor, La.	Underhill
Campbell	Hill, Md.	O'Connor, N. Y.	Underwood
Canfield	Hill, Wash.	O'Sullivan	Vaile
Cannon	Hoch	Oldfield	Vare
Carter	Holaday	Oliver, Ala.	Vestal
Celler	Howard, Nebr.	Oliver, N. Y.	Vincent, Mich.
Chindblom	Huddleston	Paige	Vinson, Ga.
Christopherson	Hudson	Parks, Ark.	Vinson, Ky.
Clancy	Hudspeth	Peery	Voigt
Cleary	Hull, Iowa	Perkins	Ward, N. C.
Cole, Iowa	Humphreys	Perlman	Wason
Collier	Jacobstein	Purnell	Watkins
Colton	James	Quin	Watres
Connally, Tex.	Jeffers	Ragon	Watson
Connery	Johnson, Ky.	Rainey	Weaver
Cook	Johnson, S. Dak.	Raker	Wefald
Cooper, Wis.	Johnson, Tex.	Ramseyer	Weller
Cramton	Johnson, W. Va.	Rankin	Welsh
Crisp	Jones	Ransley	Wertz
Croll	Kearns	Rathbone	White, Kans.
Crosser	Kendall	Rayburn	Williams, Ill.
Crowther	Kent	Reed, Ark.	Williams, Mich.
Cullen	Kerr	Reed, N. Y.	Williamson
Cummings	Ketcham	Reid, Ill.	Wilson, Ind.
Dallinger	Kiess	Richards	Wilson, La.
Darrow	Kincheloe	Roach	Winter
Davey	King	Robinson, Iowa	Wolff
Davis, Minn.	Knutson	Robsion, Ky.	Wood
Davis, Tenn.	Kopp	Rogers, Mass.	Woodruff
Dickinson, Iowa	Kurtz	Romjue	Woodrum
Dickinson, Mo.	Kvale	Rouse	Wright
Dickstein	LaGuardia	Rubey	Wurzbach
Doughton	Lampert	Sanders, N. Y.	Wyant
Dowell	Lanham	Sanders, Tex.	

NAYS—16

Aldrich	Harrison	Pou	Tinkham
Fitzgerald	Hooker	Reece	Tucker
Free	Merritt	Salmon	Yates
Griffin	Montague	Thomas, Ky.	Zihlman

NOT VOTING—110

Allgood	Dominick	Keller	Mooney
Anderson	Doyle	Kelly	Moore, Ill.
Bacon	Drane	Kindred	Moore, Va.
Beck	Driver	Kunz	Morgan
Black, Tex.	Edmonds	Langley	Morin
Boies	Fairchild	Larson, Minn.	Morris
Browne, N. J.	Fairfield	Lehlbach	Mudd
Byrnes, S. C.	Fenn	Lilly	Nelson, Wis.
Carew	Fish	Lineberger	Newton, Minn.
Casey	Fredericks	Linthicum	Newton, Mo.
Clague	Garber	Little	O'Brien
Clark, Fla.	Geran	Logan	O'Connell, N. Y.
Clarke, N. Y.	Graham, Ill.	Longworth	Park, Ga.
Cole, Ohio	Greene, Mass.	McKenzie	Parker
Collins	Haugen	Madden	Patterson
Connolly, Pa.	Howard, Okla.	Mansfield	Peavey
Cooper, Ohio	Hull, Morton D.	Martin	Phillips
Corning	Hull, William E.	Michaelson	Porter
Curry	Hull, Tenn.	Miller, Ill.	Prall
Deal	Johnson, Wash.	Milligan	Quayle
Dempsey	Jost	Mills	Reed, W. Va.
Denison	Kahn	Minahan	Rogers, N. H.
Rosenbloom	Stengle	Tydings	Wilson, Miss.
Sabath	Sullivan	Upshaw	Wingo
Sanders, Ind.	Summers, Wash.	Wainwright	Winslow
Scott	Swing	Ward, N. Y.	Young
Snyder	Swoope	White, Me.	
Spearing	Tincher	Williams, Tex.	

So the motion was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. Madden with Mr. Wingo.
Mr. Kahn with Mr. Clark of Florida.
Mr. Swoope with Mr. Allgood.
Mr. Morin with Mr. Kunz.
Mr. White of Maine with Mr. Park of Georgia.
Mr. Cole of Ohio with Mr. Drane.
Mr. Ward of New York with Mr. Howard of Oklahoma.
Mr. Mudd with Mr. Linthicum.
Mr. Fish with Mr. Milligan.
Mr. Denison with Mr. Tydings.
Mr. Boies with Mr. Black of Texas.
Mr. Scott with Mr. Moore of Virginia.
Mr. Winslow with Mr. Corning.
Mr. Wainwright with Mr. Dominick.
Mr. Bacon with Mr. Jost.
Mr. Lehlbach with Mr. Mansfield.
Mr. Connolly of Pennsylvania with Mr. O'Brien.
Mr. Longworth with Mr. Quayle.
Mr. Fenn with Mr. Spearing.
Mr. Michaelson with Mr. Williams of Texas.
Mr. Mills with Mr. Browne of New Jersey.
Mr. Newton of Missouri with Mr. Deal.
Mr. Patterson with Mr. Collins.
Mr. Porter with Mr. Byrnes of South Carolina.
Mr. William E. Hull with Mr. Doyle.
Mr. Greene of Massachusetts with Mr. Casey.
Mr. Porter with Mr. Driver.
Mr. Graham of Illinois with Mr. Mooney.
Mr. Fredericks with Mr. Geran.
Mr. Morgan with Mr. Prall.
Mr. Curry with Mr. Morris.
Mr. Clarke of New York with Mr. Rogers of New Hampshire.
Mr. Swing with Mr. Stengle.
Mr. Little with Mr. Sullivan.
Mr. Fairchild with Mr. Upshaw.
Mr. Newton of Minnesota with Mr. Minahan.
Mr. Phillips with Mr. Sabath.
Mr. Sanders of Indiana with Mr. O'Connell of New York.
Mr. Summers of Washington with Mr. Wilson of Mississippi.
Mr. Cooper of Ohio with Mr. Hull of Tennessee.
Mr. Dempsey with Mr. Kindred.
Mr. Morton D. Hull with Mr. Lilly.
Mr. Miller of Illinois with Mr. Martin.
Mr. Keller with Mr. Logan.

Mr. CHINDBLOM. Mr. Speaker, I voted "no" on the first roll call. If there were an opportunity to vote to retain the 60-40 proposal, I would prefer to vote for that. I change my vote from no to yea, therefore, in order to give the further appropriation to the District.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the conferees be instructed to further insist upon the disagreement of the House to the remaining Senate amendments and ask for a further conference.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Minnesota that the conferees be instructed to further insist upon the disagreement of the House to the remaining amendments and ask for a conference.

The motion was agreed to.

Without objection, the Speaker pro tempore appointed the following conferees: Mr. DAVIS of Minnesota, Mr. FUNK, and Mr. AYRES.

TEACHERS' SALARY BILL, WASHINGTON

Mr. HAMMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HAMMER. Mr. Speaker, this Congress has enacted H. R. 6721, a law most necessary for the District of Columbia. It is generally recognized that a properly developed and properly coordinated educational system is one of the most essential features in any democratic community. An equitably adjusted teachers' salary schedule is a vitally important part of any educational program. Since 1906 the Washington public-school teachers have had no permanent legislation. They have from time to time received slight increases in appropriation acts, but these increases, small though they were, were subject to a point of order when called up for consideration, and can be stricken out at any time. This lack of a permanent schedule has been exceedingly unfortunate, as it denied the teacher any assurance for the even meager salary.

The new law does not give the teachers a large salary. It would be difficult to pay a teacher what she is really worth. She, who must be trained by many years of schooling and who must later devote herself to a public work and completely forget her own interests in her desire to serve her community and to train American citizens, can never be paid her full

worth, but we have to make a step in the direction of the recognition of her services.

More than 250 cities in the United States during the last year granted increases to teachers. We have only done for the Nation's Capital what has been done in other cities of this Republic.

The new act grants an increase to the classroom teacher, an increase of slightly over $100 for next year. Let us remember that this legislation is, in fact, but a part of the general reorganization scheme which we have established for all Government employees, and this slight increase for the classroom teacher recognizes her due in the general reclassification scheme.

In any educational system the value of the teacher depends largely upon qualifications of a teacher to teach. The Washington school system has been exceedingly fortunate in obtaining highly trained professional men and women. It is becoming more and more difficult for the school authorities to secure competent, well-trained teachers here. There are at present 200 teachers in the Washington schools who are not on the permanent rolls. It was our duty to provide for the system a salary schedule attractive enough to secure and to hold such teachers as are fitted and qualified to teach future American citizens.

Under the law enacted by this Congress the grade teacher received $1,400 as an entrance salary, and after eight years of successful teaching may finally secure $2,200 a year. When we consider that the teacher receives her permanent appointment after completing four years of high-school training, two years of normal-school training, and has served one year on probation, and that after a teacher is appointed she must not only instruct in subject matter, but must be a real guide and real inspiration, friend and helper to 40 or 50 children every day during the school year, we must admit that the salary offered is not a very large one, and that she does, indeed, more than earn every cent of it.

Under the new schedule the high-school teacher is to receive an entrance salary of $1,800, and she can after 10 years of successful teaching finally receive $2,800. Her salary, you must admit, is not a large one when one considers that she is appointed after she has completed a four-year high-school course, a four-year college course, has received a degree, and completed one year as a probationary teacher before she received her permanent appointment. After she is permanently appointed she is expected not only to teach the technical subject matter she has been appointed to teach but in addition she will probably be asked to supervise some school activity, coach the debating team, chaperon parties, or conduct the employment department of the school. Consider the meager salary we are offering her for this highly technical work in comparison with salaries of men and women in the business world.

In addition to establishing a salary schedule the law enacted this session legally authorizes the activities and positions which have developed in the public schools since 1906. For example, Washington has established a junior high-school system. All progressive cities in the country have now recognized the need for special attention to the child between the ages of 12 and 14. Statistics show that the largest number of pupils drop out from school at that age. They are then neither very young children requiring the attention of the grade teacher nor the peculiar something called the adolescent child requiring the most careful supervision of the high-school teacher. They are peculiar individuals between the two, and so require special attention. This attention the junior high school affords them, and this junior high-school system is legally authorized for the first time by this new law.

This law also legalizes the establishment of the Americanization school. Surely no real citizen would depreciate the need for such work, and surely we would all be ready and anxious to do all in our power to further the work of Americanizing the foreigner, and, may we say, intensifying of American feelings and ideals of the native born. This work has been and is being conducted remarkably well in Washington, and is under this law for the first time given a thoroughly legal status. Heretofore these activities and others which have developed of comparatively recent date have been provided for by appropriation acts, and it is vitally necessary that they be permanently established to the end that the appropriation mentioned can not be denied on a point of order, and the work therefore would be discontinued.

The purpose of this law is generally recognized as most necessary in a democratic American community, namely, the maintaining of a properly coordinated, well adjusted, public-school system; the provisions of the legislation, it is generally felt, provide an equitable method for meeting its purposes, and will meet with the approval, I am quite sure, of all who are interested in maintaining a higher educational standard in the Capital City of this the greatest country on earth.

THE PHILIPPINE QUESTION

Mr. EVANS of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the question of the Philippine Islands.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. EVANS of Montana. Mr. Speaker, more and more the Philippine question becomes an issue for the American people. During the last week we have heard much about the strength, or perhaps the absence of strength, of the American Navy, and we have been told, perhaps in whispers, that a war with Japan is inevitable and that we needed a strong navy to protect the Philippine Islands. It is my personal conviction these people desire the freedom we promised them, but apparently that is not to be done, at least not in the near future.

Recently there came under my observation a brief article on this question from the pen of Miles Romney, a newspaper man of the State of Montana, and with the permission of this House I ask that same may be made a part of my remarks.

The article is as follows:

[By Miles Romney]

A situation of supreme importance confronts the American people today. It is the question of Filipino independence. It involves not only the right to freedom of a nation but the integrity of a promise of that freedom made and reiterated by American Chief Executives, recommended by the late President Wilson, and ratified by the Congress of the United States. The Filipinos wish and demand the independence promised them. They are convinced that they have fulfilled the stipulations incident to the promise extended them. We of the United States are now faced with the alternative of handing over the promised freedom, refusing at this time to ever grant it, or following the weary course of indecision and incompetence that has characterized all of our dealing with the island group since our seizing control there.

A BIT OF HISTORY

For years prior to the Spanish-American War of 1898 the inhabitants of both the Philippines and Cuba were in almost constant insurrection against their Spanish overlords. The alleged atrocities of the Governor General, Weyler, and his associates in Cuba, played up to the American public in the press, culminated in a lively sympathy for Cuban independence among the rank and file of American people. Thus, when in the harbor of Habana the United States battleship *Maine* was destroyed with great loss of American life, the United States was easily roused to take up arms against the dons.

At this point it should be perceived that the Philippines had absolutely nothing to do with the underlying causes for the international strife. The cause of the war has been ascribed to almost everything from the explosion in the *Maine* to the greed of the United States Sugar Trust, but never once had the Philippines entered into any controversy relating to the reason for two great nations springing at one another's throats.

As everyone knows, the war proceeded and ended happily for the United States. Neither on land nor on sea were the Spaniards equal to the occasion. With the termination of hostilities Spain relinquished all claim to Cuba, and ceded Porto Rico, Guam, and the Philippines to the United States. The Filipino insurgents cooperated with the American expeditionary forces in the islands in a like manner to which the Cubans participated in Cuba. The United States had made no claim to the islands; everybody supposed that they would receive the blessings of autonomous government exactly as the Cuban people did.

But when the treaty of Paris had been concluded it was discovered that the Philippines had not reverted to their natural owners, but to the United States. What motive inspired our Government's action in this respect is an undeterminable quantity. This is especially true in the light of subsequent events. When the people of the Philippines awoke to the realization that they had been flimflammed; that they had waged long, tedious war only to pass from the control of one country to that of another, they resorted to war again, but after a long, intensive rebellion against the United States they were at last forced to accept the imposition of government prescribed and administered by a foreign nation whose citizens spoke an unknown tongue, lived in a different manner in a different climate, who had in fact no thing in common with them.

At the juncture when the islanders had been subdued the then President of the United States, William McKinley, whether because he was possessed with a desire to hand them a sop or because he believed and wished it, declared officially that the United States had no policy which admitted its authority in the Philippines to be permanent; that the Stars and Stripes were implanted on the soil of the islands only until such time as with safety and success the islanders could handle the exigencies of governing.

THEIR GOVERNMENT TO-DAY

Since the Jones Act in 1916 local government in the Philippines has been practically in the hands of the native population, the government of cities and towns being administered in a manner which resembles the mayor and alderman plan in the United States. Under the Jones Act a senate of 24 members and a house of representatives of 91 members was established as the legislative branch of the Territorial government. A governor general appointed by the President of the United States is the chief executive, and a cabinet is provided to aid him. All of the cabinet members, with the exception of that of education, are Filipinos. All but two senators and nine representatives are elected by popular vote. Those 11 exceptions are from the mountain Province, Sulu, Mindanao, and the Province of Neuva Vizcaya. The 11 chartered Provinces and 2 cities are ruled by elective commissions of natives. The laws of the land are enforced chiefly by the native police and native courts. A Delegate to the Congress of the United States is also elected by the house of representatives. This delegate has a right to the floor of the Lower National House in America but no vote.

Naturally the prodigious works which our country has instituted in the islands have cost a tremendous sum of money. This money has and continues to come from nowhere else but the pockets of those American people who pay the taxes. It is unnecessary to point out that the people who are thus footing the bill for the fine accomplishments abroad receive nothing in return; not even the good will of the Filipino people, for the latter regard the American enterprise in their yard with a just suspicion, knowing that the American will find it hard to leave, as he has promised, when he must leave such fine monuments to his industry behind. The case is comparable to that of a spoiled boy who hates to leave a friendly home because the indigenous children will be afforded an opportunity to play with their own toys.

As this public work has cost so much money, the opposition to Philippine independence rant about who is going to pay it back. When the work came unsolicited to the Filipinos, from a people who were continually reassuring the natives of their disposition to get out in a hurry, one can not with justice expect the Filipino to be so foolhardy as to undertake payment. Even so, the feeling for independence is so universal among Filipinos that I imagine they would accept the burden for the price of liberty. It also might be well here to refute the charge that the United States Treasury is financing the administration of the Philippine government. This is not nor has not been true since 1907 or thereabouts.

WHY DON'T WE FREE THEM

Just what stands in the way of Filipino freedom? What is the phantom that so completely frightens us from our honored path of procedure? First the opponents, mostly American, of independence in the archipelago maintain that the Filipino is not capable of taking care of himself; that he is uneducated and frightfully susceptible to graft. They claim that a great variety of languages flourish in the islands and that the Filipino in one part of the islands can not understand the vernacular of he from some other remote section. This is unfounded, with a few trifling exceptions. The people inhabiting the islands are one racially, if we except a few scattered Negritos. There are a great variety of dialects in the islands, but all are progeny of a common stock, and one Filipino talks to another of a different section with equal impediment to his speech that may be found when a New Englander and Alabaman are conversing.

Education is being taken care of by the natives, and it can be imagined without stretching the vista too far that the education per capita in the Philippines is of a character that will compare favorably with that of any of the Southern States of the United States or any of the industrial cities therein. Because the Filipino is not altogether educated according to American standards does not signify that he is uneducated. Had the people of America been similarly situated they would doubtless be playing a homogeneous rôle in education. And when we take into consideration the graft and corruption in affairs public and private at home we should not adopt such a supercilious attitude toward the Filipino. There is an old axiom concerning the advisability of people residing in glass houses and obsessed with throwing stones.

THE REAL PLUM

The matter of natural resources is another subject. In 1919 the total crop value in the islands was $230,800,000, and in time this will be multiplied no doubt. Those who would maintain American sovereignty in the islands are aghast at losing this plum. And they should be, for they and their directors at home are the persons who find it beneficial. They say that should the United States step out of the islands some other power will step in, to which it might be suggested in good turn that such a state of affairs, though deplorable, would be of no concern to the United States, it being a peace-loving State.

We are told that if we should leave the Philippines the native population will rise and knife itself into extinction. A gruesome tale is furnished us gratis of the trials and tribulations that the Filipinos would unload upon their own shoulders. There would be internecine warfare carried on throughout the islands, we are told. In answer it might be suggested that it seems only a shade better to have the Filipinos fighting among themselves than to have them killing and lacerating Americans—as likely will follow if we do not retire from the islands.

WAR WITH JAPAN

Finally we are informed that in case of war, and the Californian's war with Japan is whispered, the islands would make an excellent base for our operations. This sort of talk is pure twaddle, however, for such a war would be decided in favor of whichever nation had the superior naval armament, and the Philippines in neither one case nor another would affect the outcome.

In recapitulation it must be admitted that the reasons ascribed for refusing the Filipinos independence are not only vague but bordering on the nonsensical. Our tenure in the islands has been one which the American Treasury has felt expensive. The Treasury has not nor will not be recompensed. Any emoluments issuing to Americans from the Philippines enlarged only the coffers of the selected few who are vested with monopolistic powers derived from a favored position in the Philippine trade. America's interest is proclaimed in the preamble of the Jones law:

> "It was never the intention of the people of the United States in the incipiency of the war with Spain to make it a war of conquest or for territorial aggrandizement; and it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein."

It all hinges then upon whether a stable government has been established. A stable government means only that. What more are we to ask the Filipinos? Now that they have administered their own affairs in a businesslike and comprehensible manner, are we to place additional stipulations on their right to independence? Is the American Nation, which in principle accepted the fourteen points with regard to the right of nationalities to determine their own government, to continue to act the hypocrite? Is the American Nation, which has been so solicitous concerning the right of independence of Republics in the Western Hemisphere, going to prove less interested in the right of the Filipino people which was violated by Americans?

If we are to continue to place more obstacles in the path of Philippine independence, we are to face the music of mobilization once more in the near future. We need not feel apprehensive about our ability to handle such a situation, but we most certainly do face the responsibility of feeling apprehensive concerning the blemish, the shame which is already tarnishing our national honor in this long-since disgusting imperialistic venture.

The Filipinos are a people who have been wronged, but time will heal that wound. We should look after ourselves from two standpoints. First, we are embracing a new phase of national life. Having conquered the natural resources at home, our restless capital is wandering; we have entered the society of imperialistic nations of the world. Hence onward we are either to keep in step with the martial progress of the exploiting sister nations or renounce the faith. It is agreed that we can not renounce the faith; that we are inexorably tossed pell-mell into the competition for foreign markets. But let it be foreign markets; let us not resort to the tawdry subterfuge of colonial enterprises. Let us not march out over the face of the earth to civilize and Christianize the heathen at the point of the gun.

Our national character is being put to the test. Time alone will tell how strong the toxin and how virile the antitoxin may be. It would be a healthy sign toward recovery if we, in giving the Philippines independence, long since promised upon stipulations which the Filipinos have redeemed, made a signal step that would call other nations of the world to the bar of their conscience.

Again, the cost, if we resort to selfish motiving, of the maintenance of the Philippines is altogether disproportionate to the benefits reaped.

Let America step out in a manly way, so that no one might say the Spanish War, like the Mexican War, was fought for naught but avarice; that America's word of honor is as empty, as hollow, as barren as a transient vision conjured by one under the influence of opiates.

But one monition need be sounded. In leaving the Philippine Islands, it should be firmly established in our own and in the native mind that our act of departing is signal for a policy vouching that we shall never retrace our steps.

VOCATIONAL REHABILITATION OF CERTAIN PERSONS

Mr. DALLINGER. Mr. Speaker, I call up from the Speaker's table the bill (H. R. 5478) to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational

rehabilitation of persons disabled in industry or otherwise and their return to civil employment," with Senate amendments thereto, and I move that the House disagree to all of the Senate amendments and ask for a conference.

The SPEAKER pro tempore. The gentleman from Massachusetts calls up a House bill, with Senate amendments thereto, and the question is on the motion of the gentleman that the House disagree to all of the Senate amendments and ask for a conference.

The motion was agreed to.

Without objection, the Speaker pro tempore appointed the following conferees: Mr. DALLINGER, Mr. REED of New York, and Mr. LOWREY.

BOARD OF TAX APPEALS

Mr. GREEN of Iowa. Mr. Speaker, I present a privileged unanimous report from the Committee on Ways and Means, which I send to the desk.

The Clerk read as follows:

H. J. Res. 278. In respect of salaries of original appointees to the Board of Tax Appeals.

Mr. GREEN of Iowa. Mr. Speaker, a similar resolution to the one which I have just reported has been passed by the Senate. I ask unanimous consent that the Senate joint resolution be taken from the Speaker's table and substituted for the House joint resolution which I have just reported, and that it be considered at this time.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the Senate joint resolution be substituted for the House joint resolution and that it be considered at this time. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 137) in respect of salaries of original appointees to the Board of Tax Appeals

Resolved, etc., That the provisions of section 1761 of the Revised Statutes shall not apply to any person appointed as an original member of the Board of Tax Appeals, established by section 900 of the revenue act of 1924, if such appointment is made prior to December 1, 1924.

Mr. GREEN of Iowa. Mr. Speaker, it appears that an old statute provides that no salary shall be paid to a presidential appointee who has been appointed while the Senate was in recess, if the vacancy to which he was appointed occurred while the Senate was in session. The House will remember that the revenue bill created the Board of Tax Appeals, and it is absolutely necessary that this board should be appointed, because an appeal can be taken from every assessment of taxation; and until they can be heard by the board, all these tax assessments will be held up. The Secretary of the Treasury advises me that it will be entirely impossible to get these appointments made and confirmed at this session, in view of the adjournment next Saturday, which has just been agreed upon.

In fact, he will have great difficulty in filling these appointments in any event for the reason they are made for only two years. Now, if this statute should apply to these recess appointments, it is obvious these men would get no salary whatever, and it would be absolutely impossible to get anyone to work during that time without any pay. We must adopt this resolution or the Bureau of Internal Revenue can not function.

Unless some gentleman wishes to ask a question, I move the previous question.

The previous question was ordered.

The question was taken, and the joint resolution was passed.

On motion of Mr. GREEN of Iowa, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

AMENDING NATIONAL BANK ACT

Mr. SNELL. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from New York submits a privileged report from the Committee on Rules on a bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 8887) entitled "A bill to amend an act entitled 'An act to provide for the consolidation of national banking associations,' approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes."

The SPEAKER. Referred to House Calendar and ordered to be printed.

EXECUTIVE OFFICE AND INDEPENDENT ESTABLISHMENTS' APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I call up the conference report on the bill H. R. 8233.

The SPEAKER. The gentleman from Indiana calls up the conference report on the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes.

The conference report was read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 12, 13, and 14, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"No part of the moneys appropriated or made available by this act for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall, unless the President shall otherwise direct, be used or expended for the repair or reconditioning of any vessel owned or controlled by the Government, if the expense of such repair or reconditioning is in excess of $100,000, until a reasonable opportunity has been given to the available Government navy yards to estimate upon the cost of such repair or reconditioning if performed by such navy yards within the limit of time within which the work is to be done: *Provided*, That this limitation shall only apply to vessels while in the harbors of the United States, and all expenditures in connection with such work are to be considered in estimating the cost."

And the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 4 and 10.

WILL R. WOOD,
JOHN W. SUMMERS,
Managers on the part of the House.

F. E. WARREN,
W. L. JONES,
LEE S. OVERMAN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year 1925, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On Nos. 1, 2, and 3, relating to the American Battle Monuments Commission: Strikes out the limitation of $20,000 proposed by the House for personal services, and provides, as proposed by the Senate, for the reimbursement of actual travel expenses of the members of the commission at not to exceed $8 per day, or per diem in lieu of subsistence at not to exceed $7 per day.

On Nos. 5 and 6, relating to the Employees' Compensation Commission: Appropriates $136,600, as proposed by the House, instead of $138,040, as proposed by the Senate, for salaries,

and $10,000, as proposed by the House, instead of $12,000, as proposed by the Senate, for contingent expenses.

On No. 7: Appropriates $300,000, as proposed by the House, instead of $390,000, as proposed by the Senate, for contingent expenses of the General Accounting Office.

On Nos. 8 and 9, relating to the Smithsonian Institution: Appropriates $49,550, as proposed by the Senate, instead of $40,000, as proposed by the House, for the system of international exchanges, and appropriates $2,000, as proposed by the Senate, instead of $1,500, as proposed by the House, for the purchase of books, pamphlets, and periodicals.

On Nos. 11, 12, 13, and 14, relating to the United States Shipping Board: Strikes out the language proposed by the Senate and inserts a substitute paragraph which provides that no part of the moneys appropriated for the use of the Shipping Board or the Fleet Corporation shall be expended for the repair or reconditioning of any ship where the cost of the repairs or reconditioning is in excess of $100,000 until the available Government navy yards have been given reasonable opportunity to estimate upon the cost of performing the work, and provides further that the limitation shall apply only to vessels while in the harbors of the United States; corrects a typographical error in the bill; inserts the language proposed by the Senate providing for the employment of officers or employees in excess of $11,000 at one at not to exceed $25,000, and six at not to exceed $18,000 each; and strikes out, as proposed by the Senate, the limitation upon the appropriation to permit the payment of judgments and awards in suits in admiralty.

On No. 15: Strikes out the language proposed by the Senate authorizing the sale of a guidebook in the Washington Monument.

The committee of conference have been unable to agree upon the following amendments of the Senate:

On No. 4, which provides for the detail of one part-time employee of the Civil Service Commission in the district office at New York City; and

On No. 10, which provides for the expenditure of certain unexpended balances of appropriations under the office of the Superintendent of the State, War, and Navy Department Buildings in the erection of a temporary boiler plant for the heating of the Navy and Munitions Buildings and other Government buildings in the vicinity thereof.

WILL R. WOOD,
JOHN W. SUMMERS,
Managers on the part of the House.

Mr. HULL of Iowa. Mr. Speaker, I make the point of order on amendment No. 11. The matter as written by the conferees is not the matter or similar as it is in either the amendment of the Senate or the House. The House wrote the provision contained in amendment No. 11 and the Senate changed it, but the meaning is the same. The wording is somewhat different, but there is no difference, however, in regard to the meaning of the two amendments. The amendment as the conferees propose is absolutely innocuous to bring about what was proposed by the House or the Senate amendments. They have changed it entirely so that it means nothing. Not only have they done that, but they have written in there $100,000, putting a limitation which is not contained in either the Senate or the House amendment. If they can write a limitation as to the amount they could make it $1,000,000, which would mean they have written nothing. I think the rule is perfectly plain. I find no rule where they can put in something that was not contained at all in either the House or the Senate amendment.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. HULL of Iowa. I will.

Mr. SANDERS of Indiana. If the gentleman's contention were true it would never be proper then to agree to a Senate amendment with an amendment. This is an amendment striking out a provision and inserting a Senate amendment. Now they agreed to the amendment with an amendment which is practically the same proposition as was up on March 15, 1922, Sixty-seventh Congress, second session, when the Speaker pro tempore [Mr. Walsh of Massachusetts] there held that although there was no amount at all in the amendment notwithstanding there was no amount involved they could strike out and insert the amount of $25,000. The point there made as the limit was between nothing and $5,000 and even they could go beyond that making it $25,000, and it seems to me the case is precisely the same and is in order.

Mr. HULL of Iowa. It has gone beyond that. They have written in language which was not in either amendment.

Mr. SANDERS of Indiana. Oh, certainly, but it is germane to the amendment.

Mr. HULL of Iowa. Then they can write in something that vitiates the whole thing and makes it innocuous, as they did in this case, but why write in anything——

Mr. SANDERS of Indiana. They can write anything that is germane to the amendment. It is the same case, Mr. Speaker, as where a whole bill has been stricken out and a new one put in its place. They are not limited to the original bill or the amended bill, but they may rewrite and amend and report an entirely new bill. And so when an amendment is stricken out and another amendment put in its place they can substitute——

Mr. BLACK of New York. If the gentleman will permit, the gentleman realizes, of course, the language inserted by the conferees is practically the language rejected by the House when the House refused to accept the French amendment.

Mr. HULL of Iowa. Certainly.

Mr. CARTER. I want to speak for a moment, but go ahead.

The SPEAKER. The Chair, of course, like the House, wishes to save as much time as possible. The Chair has been reading the decision cited by the gentleman from Indiana made by Mr. Walsh as Speaker pro tempore, and it seems to the Chair as if it was exactly like this case. The Chair would be very glad to hear the gentleman from Oklahoma if he desires to address the Chair.

Mr. CARTER. Mr. Speaker, this House put in this amendment:

> That no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase, acquirement, repair, or reconditioning of any ship or article that at the time of the proposed purchase, acquirement, repair, or reconditioning can be manufactured, repaired, or reconditioned, when time and facilities permit, in each or any of the navy yards or any Government factory of the United States at an actual expenditure of a sum less than it can be purchased, acquired, repaired, or reconditioned otherwise.

Then the Senate put in a somewhat similar amendment, except the Senate left out the words "purchase, acquirement, and manufacture." Now the conferees put in this amendment:

> That no part of the moneys appropriated or made available by this act for the United States Shipping Board—

The SPEAKER. The gentleman need not read it all.

Mr. CARTER. Well, the conference report provides that none of these funds shall be available—

> Until a reasonable opportunity has been given to the available Government navy yards to estimate upon the cost of such repair or reconditioning if performed by such navy yards within the limit of time within which the work is to be done.

The amendment passed by both the House and Senate prevents the expenditure of these funds when within a reasonable time that same work can be done in Government navy yards. The amendment proposed by the conferees does not in fact provide for any reconditioning or repair by the navy yards, but simply provides for the navy yards to make an estimate. It deals with an entirely different matter from that which was in the House bill or the Senate amendment. It seems to me that it is clearly a different matter dealt with. The word "estimate" is not used or provided for in either of the original amendments.

Mr. DALLINGER. Mr. Speaker, it seems to me that this matter inserted by the conferees is entirely new matter.

The SPEAKER. Of course it is new matter.

Mr. SANDERS of Indiana. That has been done every day.

Mr. BEGG. Both the Senate amendment and the House amendment contain various kinds of limitations on what can be done on repairs. In the report of the conferees all that they have done is to specify an additional limitation there. It is on the same subject entirely. There is no new matter. It is just a question whether or not the conferees have the right to put in a specific amount.

The SPEAKER. There was a precedent cited by the gentleman from Indiana [Mr. SANDERS], in the ruling made by Mr. Walsh, when they had a case of exactly this kind before it, and it seemed to the Chair that it was in order. The Chair overrules the point of order.

Mr. TAGUE rose.

The SPEAKER. The gentleman from Indiana is entitled to the floor.

Mr. TAGUE. Would the gentleman yield to me a moment?

Mr. WOOD. In just a moment. I desire to call attention to what the different provisions are with reference to this bill.

The independent offices appropriation bill for the fiscal year 1925, as it passed the House, carried appropriations totaling $398,766,690.16. As it passed the Senate, the total of the bill was $398,870,180.16, or an increase of $103,490. The bill, as finally agreed to by the conferees, carries appropriations amounting to $398,776,740.16.

Of a total of 15 amendments to the bill, the Senate receded on 4 and the House on 8, the majority of which were to cor-

rect changes in the language of the bill. Amendment numbered 11 is the only one in which the House receded with an amendment, and relates to the repair or reconditioning of vessels in Government navy yards. The House paragraph on this subject was stricken from the bill by the Senate and a perfecting or amending paragraph inserted in lieu thereof. The conferees on the bill finally agreed upon a provision similar to the one contained in the independent offices act for this year.

Amendments numbered 4 and 10 have been brought back to the House for action under clause 2 of Rule XXI. Amendment numbered 4 relates to the detail of a part-time employee for service of the Civil Service Commission in New York City, and amendment No. 11 provides that unexpended balances of appropriations not exceeding $125,000 may be used by the office in charge of the State, War, and Navy Department Buildings in the erection of a temporary boiler plant for the heating of the Navy and Munitions Buildings, and other Government buildings in the vicinity thereof, which sum shall include the expenses incident to the setting of boilers and the laying of steam lines, and so forth.

Mr. Speaker, I move the previous question on the conference report.

Mr. TAGUE. I would like to have five minutes.

Mr. WOOD. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Massachusetts is recognized for five minutes.

Mr. TAGUE. Mr. Speaker and gentlemen of the House, before this amendment submitted by the conferees is accepted by the House I think the House should realize the importance of the amendment placed on the bill by the House when the bill was under consideration.

I suppose there never has been in the history of this Congress a more flagrant violation of the rule of economy than has been practiced by the Shipping Board in letting out the repair contracts on ships under its control. Only yesterday, before the Select Committee of the House on Investigation of the Shipping Board, a condition was revealed that should be brought to the attention of the House. Admiral Plunkett, one of the leading officers of the Navy, and commandant of the New York Navy Yard, under oath testified that in one instance alone, on the repair of the steamship *President Buchanan*, which was brought to the attention of this House when the bill was under consideration, the Government lost over $460,000. It lost that amount on this ship because the work was not done in the navy yards of the United States.

Just think of it, gentlemen! The Shipping Board asked for bids on the repair of this ship. The Brooklyn Navy Yard bid $3,678,000. The Newport News Shipbuilding Co. bid $3,980,000. Yet the contract was given to the Newport News Shipbuilding Co. The specifications of the Brooklyn Navy Yard were such that the work was to be completed in 35 days less time than that of the Newport News Shipbuilding Co.

Further than that, $100,000 worth of scrap and salvage was taken from this ship and became the property of the Newport News Shipbuilding Co., making $462,000 in all, and 35 or more days were lost to the Shipping Board by the work being done outside.

Take the case of the *S. S. Leviathan*. You gentlemen who were here in the Sixty-sixth Congress remember that the bids for the repair of the *Leviathan* were about $9,000,000. I went to New York to get a copy of the Government specifications. They were refused to me, because these specifications were under the control of the British merchant marine. I came back to the House and called this condition to the attention of the House. We were seeking to have the navy yards given permission to do this work. The navy yard in Boston asked permission to figure on the specifications to put this ship in condition, and they were refused this permission until we had appealed to Admiral Benson, then chairman of the board, who permitted the Boston Navy Yard to bid against the private shipyards.

The Boston Navy Yard bid at that time was less than $6,000,000.

This was during war time when prices were higher than to-day. Two years ago we asked for the same privilege when the Shipping Board were asking for bids, but the then chairman of the Shipping Board, Mr. Lasker, refused to allow the navy yards to bid upon the work. The contract was awarded to a private shipbuilding company and cost the Government more than $9,000,000, a loss to the Government of over $3,000,000, which could have been saved to the Government if the navy yards had been allowed to figure on the work.

How long is Congress going to allow these conditions to prevail?

Mr. LAGUARDIA. Will the gentleman yield?

Mr. TAGUE. Yes.

Mr. LAGUARDIA. Will the gentleman recall to our colleagues the fact that the work was under the supervision of a marine architect borrowed from a company with which we were competing?

Mr. TAGUE. Yes. Mr. Gibbs, marine architect, of New York, has had absolute control of the *Leviathan* since the day she was docked after the war, and his firm, Gibbs Bros., are now the supervising architects of the Shipping Board and are paid by the Shipping Board to look after this work. The *Leviathan* was repaired by a private shipbuilding company, and before she was able to go to sea she had to be sent to the dry dock at the Boston Navy Yard and be painted and put into condition for sea. Since that time she has had to be repaired again at an additional expense to the Government, making the cost of repairs on that ship nearly $4,000,000 more than the work would have cost had it been done at the Boston Navy Yard. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. WOOD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. LAGUARDIA].

The SPEAKER. The gentleman from New York is recognized for three minutes.

Mr. LAGUARDIA. Mr. Speaker, I desire to call the attention of the House to the wording of the amendment as brought in by the conference report. As I read that amendment all the Shipping Board is required to do is to go through the motions of asking a navy yard for a bid and then give the work to any private yard they desire, at even greater cost.

My experience with the Shipping Board convinces me of the necessity to legislate very carefully and write into the law very plainly everything we expect them to do.

I had occasion to testify before the select committee, and I showed that the Shipping Board took Government property in New York City and leased it by the year to the Tidewater Terminal Co., and then leased back their own property by the day. In other words, they took Piers 3 and 4 of the former Army base, in Brooklyn, and leased them to a lessee for $75,000 a year and then put their own ships at those docks and pay 300 or 400 per cent more a day than they receive from their own lessee, or 200 or 300 per cent more a year. As long as the Shipping Board is going to be conducted in such an unbusinesslike, inefficient, and wasteful manner, I say we must be very careful as to what we write into law. I hope this House will reject this conference report and insist that the navy yards be given the preference, where they can do the work cheaper. [Applause.]

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HULL].

The SPEAKER. The gentleman from Iowa is recognized for five minutes.

Mr. HULL of Iowa. Mr. Speaker and gentlemen of the House, the adoption of either the amendment as it was adopted by the House or the adoption of the amendment as it was adopted by the Senate will prevent the Shipping Board from awarding contracts, as the gentleman from Massachusetts [Mr. TAGUE] has stated. The adoption of the conferees' report means nothing, because there is no limitation at all except that they must get estimates. Both the House and the Senate made it mandatory upon them to let contracts to the navy yards if the yards could do the work cheaper. It was provided that after they had secured estimates and found that the work could be done for less in the navy yards they must give the work to the navy yards.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. O'CONNOR of Louisiana. What would happen where there is no navy yard, as in the case of New Orleans, where the yard is closed to Shipping Board boats that are in the Mississippi River? Would they have to be sent to Charleston or points farther north?

Mr. HULL of Iowa. That is all arranged by the provision of time and facilities permitting. Now, the amendment provides for that; there is no question about it.

We have been trying for years to stop the Shipping Board from awarding these rich contracts to private contractors at exorbitant figures. We are not trying to put private contractors out of business but we simply want them to make fair prices to the Government for the work.

If the conference report is defeated, I am willing to move to recede and concur in the Senate amendment. It is just as good as it was written in the House. I am not objecting to that. What I do object to is the conferees writing something in there

which will permit the Shipping Board to award these rich contracts to private contractors at exorbitant figures. That is what they have been doing for the last few years and that is why the Shipping Board loses so much money. They are not trying to run the business on an economical basis.

I claim that when the Government has these great facilities, as it has, they ought to be used, even if they are used as price-fixing facilities. If the private yards can do the work cheaper, I am perfectly willing they should be given the work, but let us put a positive, mandatory limitation on this Shipping Board, and the only way we can do it is to reject this conference report and then move to recede and concur in the Senate amendment.

I hope that in the interest of economy this House will take that step. [Applause.]

Mr. WOOD. Mr. Speaker, I yield five minutes to "the navigator from Wisconsin," Mr. COOPER.

Mr. COOPER of Wisconsin. Mr. Speaker, I think it is the first duty of "the navigator from Wisconsin" to express his deep obligation to "the admiral from Indiana." [Laughter.] I now will read from a transcript of the testimony taken before the select committee which is investigating the Shipping Board. As a member of that committee I heard Admiral Plunkett testify all yesterday afternoon. The gentleman from Massachusetts [Mr. TAGUE] has just mentioned the testimony. I have here the verbatim shorthand reports of the testimony relating to the ship referred to by the gentleman:

Mr. DAVIS. And the bids of the Brooklyn Navy Yard on the reconditioning of the *Buchanan* was $3,628,000, the work to be completed in 300 days, was it not?

Admiral PLUNKETT—

I stop here, Mr. Speaker, to remind the House that Admiral Plunkett is one of the most accomplished officers in the United States Navy. He has been an honored member of the Navy for 45 years and is now the commandant, and for the last 4 years has been the commandant, of the Brooklyn Navy Yard, the greatest of our shipbuilding establishments—

Admiral PLUNKETT. Yes, sir. We made three bids on the ships, three conditions, 180 days, 240 days, and 300 days.

Mr. DAVIS. But the one to be completed in 300 days was what?

Admiral PLUNKETT. $3,628,000.

Mr. DAVIS. And the bid of the Newport News Shipbuilding & Dry Dock Co. was $3,990,000, to be completed in 335 days?

Admiral PLUNKETT. Yes, sir.

Mr. DAVIS. And the bid of the Tietjen & Lang Co. was $4,292,937, to be completed in nine months?

Admiral PLUNKETT. Two hundred and seventy days.

Mr. DAVIS. Well, that is the same thing.

Admiral PLUNKETT. The Bethlehem bid, too, was $4,347,650 and 95 days.

Mr. DAVIS. Now, that bid was awarded to the Newport News Shipbuilding & Dry Dock Co., whose bid was $362,000 more than the Brooklyn Navy Yard bid, and required 35 days longer within which to complete it. Is that correct?

Admiral PLUNKETT. That is correct. There was nearly $100,000 worth of scrap material in that ship, too, which became the property of the successful bidder.

Mr. DAVIS. Now, suppose that you had reconditioned her at the Brooklyn Navy Yard, what would have become of that salvaged material?

Admiral PLUNKETT. That would have been turned into the Treasury Department as miscellaneous receipts.

Mr. DAVIS. In other words, it would have gone into the Government Treasury?

Admiral PLUNKETT. It would have gone into the Treasury; yes.

Mr. DAVIS. And would have been that much saving to the Government?

Admiral PLUNKETT. Yes, sir.

Mr. DAVIS. You say the Newport News company got all of that themselves?

Admiral PLUNKETT. Yes; under the terms of the specifications that became their property.

Mr. DAVIS. Now, that would have made a difference, then, of $462,000?

Admiral PLUNKETT. Yes.

Mr. DAVIS. And 35 days longer within which to do it than your bid?

Admiral PLUNKETT. I think they were longer than that. I do not think they delivered the ship on time.

There is another ship, the *America*, in reconditioning which it was charged that the navy yard failed to complete the work within contract time, but the reason for that was it was a German ship and when the woodwork was removed they came upon a great crack in the steel hull that had not been perceptible. Nevertheless, the navy yard completed the work, Admiral Plunkett said, for $20,000 less than the original bid. [Applause.]

The SPEAKER pro tempore (Mr. LEHLBACH). The time of the gentleman from Wisconsin has expired.

Mr. WOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER. Mr. Speaker, this repair and reconditioning amendment which has just been discussed is not the only reason why this conference report should be rejected and it is not the only provision in this bill on which the House has already expressed itself in no unmistakable terms. There is another amendment No. 13 on page 27 which ought not to be adopted by the House and I wish to address myself to that for a few moments.

When this bill was reported to the House by the gentleman from Indiana [Mr. WOOD] this paragraph carried all the old high-salaried employees in the Shipping Board ranging from $11,000 to $25,000. To that item I proposed an amendment reducing these salaries so that not more than one could be employed at $20,000, four at not to exceed $15,000 each, and with a maximum of $10,000 on other salaries in the Shipping Board. After an intense and prolonged contest that amendment was adopted by such a decisive vote that the gentleman from Indiana [Mr. WOOD] did not even demand tellers. He did not even demand a roll call on this amendment when the bill was adopted by the House. When the bill got to the Senate this provision in the bill was changed so as to permit one salary of $25,000, six at $18,000 and as many as the board desired at $11,000. It now appears as soon as the conferees got together the majority managers on the part of the House abandoned the House position and accepted the Senate amendment which was practically the same as that which had been defeated by a decisive majority on the floor of the House.

And now, after holding up this conference report for almost a month, the bill is brought back to us here in the closing hours of a session of Congress with this Senate amendment practically reinstating the language which had been eliminated by the House, and we are confronted with the situation of having to vote down a conference report in order to maintain the position of the House. This procedure has deprived the House of any opportunity whatever to a separate vote on this amendment, which, when it was adopted, was adopted over the protest of the gentleman in charge of the bill.

Mr. HOWARD of Nebraska. Will the gentleman yield?

Mr. CARTER. I will.

Mr. HOWARD of Nebraska. Does not the gentleman think we might more nearly vote down the proposition if we had more Members in attendance?

Mr. CARTER. If the gentleman will only wait until I have concluded my remarks I shall be perfectly willing for him to pursue any course he desires.

Now, gentlemen of the House, just what does this provision mean? This conference report, if adopted, will allow seven officials of the Shipping Board to draw salaries from $18,000 to $25,000, with as many drawing $11,000 as it pleases the board to employ. This while the board itself only sees the necessity at this time for employing six men at such exorbitant salaries. According to their own statements before our committee they only had six men drawing more than $11,000. Now we propose to give them seven, one more than they have shown by their own acts and their own statements they need. I want to repeat what I said when this amendment was under consideration before, and it is that never were the public funds handled more recklessly, more improvidently, or with less accountability, so far as Congress is concerned, than this enormous fund which we place in the hands of the Shipping Board.

Mr. BLANTON. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. BLANTON. If we can vote down the conference report, we can remedy the situation.

Mr. CARTER. Certainly, that is the only way we can remedy it, and that is what I am trying to persuade the House to do. We authorized the expenditure in this bill of about $144,000,000 for the Shipping Board—$144,000,000 of the people's money—and there is not a man in this House, the gentleman from Indiana [Mr. WOOD], myself, nor anyone else who knows whether the money is being expended economically and judiciously or otherwise. I make no charge against the Shipping Board. My charge is against the loose manner in which Congress handles this appropriation. Now, you come and ask us to retain all these big salaries, when the gentleman from Indiana himself knows down in the Shipping Board there is more friction, cross currents, and trouble caused by these

large-salaried officials than by anything else. Seven of them. Why, gentlemen, they clutter up the office so that they get in each other's way and prevent the proper functioning of that institution. [Laughter and applause.]

You can vote this conference report up or you can vote it down, but if you vote to pass it then do not come back to us with any professions of economy in the future. When you vote to pass it remember that you are voting salaries of $11,000 to as many people as it pleases the whim of the Shipping Board to appoint. Remember you are voting salaries of $25,000 to one man, $18,000 to six others, when really, according to their own statement, there is no real necessity for seven such high-salaried men on the job. [Applause.]

Vote to pass this conference report if you will, but when you do, go back to your constituents, go back to your poorly paid county officials, go back to your bookkeepers, your bank clerks, your store clerks, and others working at salaries from $1,000 to $2,000 a year and explain to them that you have given their funds to support people in office at salaries of from $11,000 to $25,000, when, according to their own statements, that number was not needed. Go back to your county school superintendents, working for $1,500 to $2,500 per year; go back to your schoolteachers, working for from $800 to $1,500, and explain it to them. Go back to your farmers, eking out an existence at an average income of not to exceed $500 to $900 per annum, many of them in bankruptcy and losing their homes. Explain to them why you voted their money away to give salaries of from $11,000 to $25,000 a year to a board which did not undertake to justify it.

Mr. WEFALD. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. WEFALD. Can the gentleman tell me what this Congress has done for the farmer?

Mr. CARTER. Nix. [Laughter and applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOOD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. BLACK].

Mr. BLACK of New York. Mr. Speaker, in this bill both Houses thought there should be a mandatory provision requiring the Shipping Board to take their work to the navy yards. The conferees say no, they do not have to take it there—they can go to the navy yard and get some kind of figures and then the Shipping Board can do as it pleases. The Shipping Board as its Mr. Sheedy testified before our select committee is opposed to giving work to the navy yards, first because they do not like Admiral Plunkett, and second they do not like the red tape. So the board will not, as it has not, abided by the requirements of the low estimates of the navy yards. I think inasmuch as the House after full deliberation insisted that the provision be inserted in this bill requiring the work to be done at the navy yards when the lowest bidders, and inasmuch as the Shipping Board said that they did not want anything to do with the navy yards, it is time the House should back up its measure and force the Shipping Board to give the work to the navy yards where the yards can do the work more cheaply than the private interests. There is nothing in the conferees report except that they have taken the teeth out of the bill and put in a removable plate in the interest of the Shipping Board. [Laughter and applause.]

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, it would be absolutely impossible in five minutes to intelligently discuss this question. There are some points that have been made that I would like to answer with respect to the repairs on the *Buchanan*, but there is a far more important question to be considered in this House, and that is the question of fair play.

The gentleman from Iowa [Mr. HULL] says that he does not desire to put the private shipyards out of business, that he desires to give them an opportunity to bid upon this work. The statement is also made that one purpose of the opponents of the adoption of the conference report is to give the navy yards an opportunity to bid upon this work. I ask your consideration of the Senate amendment, which they say they intend to ask shall be adopted in lieu of the conference report. That Senate amendment provides as follows:

That no part of the moneys appropriated or made available for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall be used or expended for the repair or reconditioning of any ship that at the time of the proposed repair or reconditioning can be repaired or reconditioned, when time and facilities permit, in each or any of the navy yards of the United States at an actual estimated expenditure of a sum less than it can be purchased, repaired, or reconditioned otherwise.

Gentlemen, as plainly as the English language can state it, this amendment means one thing and one thing only. The House provision reads—

at an actual expenditure of a sum—

And so forth.

The Senate amendment provides—

at an actual estimated expenditure of a sum—

And so forth.

The result is that if the navy yards submit an estimate lower than the bid of the private yards, however false that estimate may be, however wrong it may be, however in error it may be, there is absolutely no power under this bill to consider a private yard. I ask if that is fair play? All that is considered is an estimate, and you know, any of you who has ever built a house or a barn or any other structure, that an estimate is frequently wrong, yet the Senate amendment permits an estimate, however erroneous, to control the delivery of this work.

Mr. FROTHINGHAM. How does the gentleman figure they are going to arrive at this estimate?

Mr. BLAND. Nothing in the world except an estimate is to be submitted, because the House used the language "actual expenditure," and the Senate uses the language "actual estimated expenditure." Important factors, such as interest upon capital investment, insurance, obsolescence, taxes, and similar items necessary in considering cost will probably form little, if any, part in the navy-yard estimate.

I want you to consider another thing, that under this amendment every time a ship came in with a $5,000 job of work to be done on a boiler, or even a job involving a smaller sum, it would be necessary to hold her up in order to get estimates from the navy yards before they could do the necessary repairs. Talk about building up a merchant marine under conditions such as that! Gentlemen, it would be absolutely absurd; it would be useless.

Mr. McDUFFIE. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. McDUFFIE. I call the gentleman's attention to the fact that the navy yard can always beat the private interests in estimating, because even if they happen to fall down on the contract the Public Treasury is behind them.

Mr. BLAND. Certainly it is, and this is nothing in the world but the bill that was before the Naval Affairs Committee, which was considered by the Naval Affairs Committee last year, and by a unanimous vote they refused to report it. That bill provided that all work for the Government should be done in the Government yards and arsenals. I want you to know what is ahead of you when you vote down this conference report. I want you to know that it means that you are going to vote this work away from the private yards that are contributing to the municipalities and to the support of the States, that are contributing their part of the taxes, in order to impose a burden on the taxpayers of this country.

I shall consider some points made in opposition to the conference report.

RECONDITIONING OF "LEVIATHAN"

Criticism is again made of the work which was done upon the *Leviathan*. On former occasions I have definitely shown that the work done on this ship after she left the yard of the Newport News Shipbuilding & Dry Dock Co. was not work covered by the contract with that yard but was work which was entirely outside of the contract. No just criticism will hold when the facts are considered.

RECONDITIONING OF "PRESIDENT BUCHANAN"

Criticism is made of the award of the *President Buchanan* to the Newport News Shipbuilding & Dry Dock Co. for reconditioning. The letter to President Harding explaining this award shows that this award was dictated by prudent business considerations. It is shown in the joint letter of Mr. Lasker and Admiral Benson that the award was made after weeks of consideration and upon the unanimous vote of the entire Shipping Board in conjunction with the recommendation of all of the officers of the Emergency Fleet Corporation, the sound and mature judgment of all who were officially connected with the Government's merchant marine being that the estimate was a forecast only, even if it be assumed that the estimate of the navy yard was based on the best possible forecast, and any increase would rest upon the taxpayers of the country.

Consideration was given to the fact that the *President Buchanan* was the second largest work of reconditioning undertaken by American yards, and that the work of reconditioning the *Leviathan* was then being concluded with a loss to the contractor of over a million dollars, which would have come out of the taxpayers if the work had gone to a navy yard.

It is shown that in the case of the *President Buchanan* there were several private bids, as well as the estimate from the Brooklyn Navy Yard; that the Newport News Shipbuilding & Dry Dock Co. was the lowest private bidder, with a bid 10 per cent higher than the navy yard's estimate; that the country was passing through a business expansion in building, with rising costs in that trade; that a large part of the work to be done was purely a building operation, and that the board felt that sound business judgment and prudence dictated that the risk of rising costs of labor and material should not be taken.

It is shown that before coming to its conclusion as to the award of the *President Buchanan* the board compared the detailed bids of each bidder item by item, and when items were not identical enough major items were taken to secure a fair measure; that there was such a wide range between the navy yard, the Todd Shipbuilding Corporation—which is also located in Brooklyn and which draws its labor from the same source as the navy yard—and the Newport News yard as to make the board feel that it was not safe to take a risk on any estimate, but that reliance should be had on a firm bid.

It is shown that the navy yard in its estimate made no provision for a trial trip, could not and did not make any guaranty on installation, and could not and did not insure the vessel, all of which items were essential, were included in the bid of the Newport News Co. and could not properly be ignored.

Without going into greater detail and without considering other important factors set out in that letter to the President, the considerations set out above certainly justify the action of the Shipping Board. It pursued the same course that any ordinarily prudent business man would have exercised in his own affairs. The animadversions and denunciations by Admiral Plunkett before the committee of special investigation constitute no answer to the cold facts.

NAVY YARDS VERSUS PRIVATE YARDS

In the hearings on the bill making appropriations for independent offices for the fiscal year ending June 30, 1925, at page 432, Chairman O'Connor, who is a well-recognized labor leader and who can not be considered to be out of sympathy with the proposal to do Government work whenever practicable in a Government yard, said that experience had convinced him that it would not work.

Chairman O'Connor said that the matter of sending their ships to or considering bids from Government yards should be left discretionary with the Shipping Board or the Emergency Fleet Corporation in all cases.

Chairman O'Connor cited as examples of work done in navy yards the case of the steamship *America*, where the estimate of the New York Navy Yard was accepted, the ship sent to that yard, and the necessary work done on her. She was delivered and made her scheduled sailing from New York, but there remained a considerable number of unfinished items which were not completed until her return from the first trip to Europe. In addition to this the cost exceeded the estimate by $116,000.

Chairman O'Connor cited also another instance where the New York Navy Yard was given the contract to recondition one of the Army transports. It was believed that ample time was given for this work, and upon assurances of the yard that the date set for completion would be met, freight was booked and a schedule made out, but unfortunately the ship was not delivered until the day after she was to have sailed from New York, and the original estimate of $390,000 was exceeded by over $100,000.

Chairman O'Connor cited work of repair on one of the trans-Pacific combination passenger and cargo steamers which was being done at the Mare Island yard, and said that the indications were that the work would be well done within the estimated amount and on time. Particular attention was drawn to this case, as previous to sending the ship to this yard it became quite evident that the repair yards in that vicinity had entered a combination to keep up the cost of repairs. This was mentioned in order to emphasize the fact that the work should be left to the discretion of the board.

Chairman O'Connor called attention to the fact that it could not be too strongly represented that in any case the navy yards could only make estimates, and whatever might happen the Government must in the end pay all the expenses incident to work done at a yard, while at a private yard the terms of a contract, which must be complied with, govern the amount to be paid.

When the question of reconditioning the *Leviathan* was under consideration I called attention to the necessity for a contract which would operate as a guaranty of the performance of the work at a price named and within a stipulated time, and especially in reconditioning work, where until the work was opened up it would not appear just how much extra work would be necessary. Comparing the estimate of a navy yard with the bid of a private contractor, I said then:

> If the estimate falls short the Government must provide the money. If, however, a private contractor, as in this case, fails to perform his work he must pay for it. His bond must make it good. If extra work develops he must perform it.

The wise course was pursued. This contract was awarded to a private contractor and the work was performed, but at a loss to the contractor. In other words, if the work had gone to a navy yard it is reasonably certain that the burden on the taxpayers would have exceeded the loss to the contractor. As it is, the taxpayers saved at least $1,500,000.

PURPOSE OF OPPOSITION TO HAVE ALL GOVERNMENT WORK DONE IN GOVERNMENT PLANTS

Gentlemen should understand this situation. The chief proponents of this amendment are pursuing an adroit policy with the obvious intent that ultimately all Government supplies and structures shall be manufactured and built in Government factories, arsenals, and yards.

There are now pending before the appropriate committees of the House and Senate bills—H. R. 2702 and S. 742—introduced by Representative HULL of Iowa and Senator BROOKHART, respectively. By these bills all vessels, machinery, equipment, and accouterments for such vessels, naval ordnance and ordnance materials for the Navy, ordnance and ordnance materials for the Army, and other military forces of the United States, and military equipment and supplies, including clothing, are required to be constructed, reconditioned, repaired, manufactured, or produced in the Government navy yards, arsenals, or other industrial establishments owned and operated by the United States, provided such Government establishments are equipped to do the work, with the declaration, however, in the bill that in the event any Government establishment has performed work similar to the work required, such Government establishment shall be presumed to do such work.

By section 2 any department, independent office, or agency acting on behalf of the United States having under its jurisdiction any navy yard, arsenal, or other industrial establishment equipped to perform the work defined in the preceding section is authorized and directed to submit estimates or bids upon any commercial or other work when so directed by the head of such department or the head of any other branch or agency of the Government, and in the event that such estimate or bid is lower than the bid or bids submitted by private firms or contractors, the work shall be awarded to the Government establishment submitting such lower bid or estimate.

Then follows an express direction to all heads of departments, independent offices, or agencies acting on behalf of the United States to give each and every other Government establishment an equal opportunity with private firms or contractors to estimate or bid upon the construction, reconditioning, repair, manufacture, or production of any vessels, machinery, equipment, material, or supplies required.

It is expressly provided that any estimate submitted to any Government establishment under authority of said act shall be regarded as a bid, and it is expressly declared to be the law that any Government establishment having performed work similar to the work mentioned and provided in said bill shall be considered as fully equipped to do the work mentioned and provided for in said act.

Sections 3 and 4 show that it is proposed to launch the Government into manufacturing and industrial work, for by section 3 each department, independent office, or agency acting on behalf of the Government which has industrial establishments within its jurisdiction is authorized and directed to retain as a revolving fund the moneys received or receivable in accordance with the estimated cost, but not expended in the performance of the work, and so long as any moneys remain in said revolving fund no department for which work is being performed shall be charged in excess of the estimated cost in cases where the actual cost exceeds the estimated cost, but any deficit incurred on the completion of work in accordance with the estimated cost shall be paid out of such fund.

By section 4 the Secretary of the Navy and the Secretary of War are required to establish in their respective departments a bureau with an adequate personnel whose duty it shall be to review, revise, and control the estimates for work for the department, with a view to having such work performed in the department's own industrial establishments, and to soliciting work for the industrial establishments in these respective departments from other departments, independent offices, and agencies acting on behalf of the United States.

Then follows a most remarkable declaration of principle for the guidance of Government establishments, the obvious intent of which is to guarantee that the Government's estimate shall always be lower than the bids of private parties when they compete. In section 5 it is provided that in submitting bids or estimates such Government establishments shall not include therein as overhead or otherwise any expense, including depreciation involved in the operation of such establishments, which is due to the carrying and maintaining of all facilities and equipments in such establishments held or established principally for the purpose of providing for the production of naval and military necessities in case of a national emergency as a measure of naval or military preparedness, for the pay of naval or military personnel, or for any other cost or expenses which do not result from or are incurred by reason of such work being performed at such establishments. The manifest purpose of this section is to guarantee that the Government estimate shall be the lowest by excluding from consideration in preparing estimates of the Government factors similar to those which a private bidder must include.

In section 6 all orders, agreements, or contracts for the performance of work defined in section 1 and section 2 of the act heretofore or hereafter made, authorized, or entered into by any department, independent office, or agency acting on behalf of the United States under authorization of law, with any Government owned or operated establishment are required to be considered as an obligation in the same manner as provided for similar orders placed with private firms or contractors, and it is provided that appropriations for such work or material shall remain available for payment therefor as in the case of contracts or orders placed with private firms or contractors.

An identically similar bill was before the Naval Affairs Committee of the House in the Sixty-seventh Congress, and full investigation was made by a subcommittee, which reported among other things:

To properly equip Government yards and arsenals to compete with private industry as contemplated in the Hull bill appropriations of from $200,000,000 to $500,000,000 might easily be necessary, and this increased equipment cost would, of course, not figure in the actual cost of material or supplies produced thereby.

The Hull bill, if carried out literally, would make the United States Government a most destructive competitor to private enterprise at the expense of the National Treasury.

The announced policy of the present national administration is "more business in government and less government in private enterprise." The desires and the effect of the Hull bill is directly opposite and, in the judgment of this committee, is opposed to public interest.

It is a wrong economic principle for the Government to go into the manufacturing business at the expense of the taxpayers; furthermore, the Government is not now and probably never will be organized for the manufacturing business, which requires expert knowledge in a thousand specific directions which is gained only through years of actual manufacturing experience.

By unfair competition and an arbitrary system of cost accounting which only partially includes the various items of expense entering into the production cost of an article, the Government would not only destroy private enterprise but would actually weaken the country's industrial efficiency for national defense in an emergency.

The bill provides that Government plants shall be presumed to be "fully equipped" if they have "performed work similar to the work required," so that it is practically mandatory upon the plant to make estimates on the Government's requirements, to greater disadvantage and costs, while these estimates and work will be promoted under an independent bureau head whose sole object and disposition must be the acquirement of contracts for Government plants in opposition to private enterprise.

The so-called bureau chief will act independently of even the Secretaries of War and the Navy.

The bill contemplates the creation of a revolving fund, out of which deficits may be paid, but no provision is made for the initial creation of the fund which may come out of profitable manufactures or through a direct appropriation of Congress.

In the event that keen competition and overzealous estimators deplete the revolving fund from time to time, it is but natural that Congress will be expected to appropriate again and again on the interest of keeping Government plants in operation, always at the expense of the taxpayer.

By amendments to appropriation bills the proponents of the bills discussed above are seeking to write into law the substantial provisions of measures which are identical copies of those on which full hearings have been held and which have been declared to be against the interest of the public.

WORK IN PRIVATE PLANTS MORE ECONOMICAL THAN IN GOVERNMENT PLANTS

Since such a determined drive is being made to have all Government work done in Government plants, it will be interesting to consider certain facts more in detail.

STEAMSHIP AMERICA

As shown in testimony of Chairman O'Connor, this ship was sent to the New York Navy Yard. Though delivered in time to make her scheduled sailing, she had unfinished items which were not completed until her return from Europe. The cost exceeded the estimate by $116,000.

ARMY TRANSPORT

This work was sent to the New York Navy Yard, and freight was booked upon assurances of prompt delivery according to schedule. The delivery was late, and in addition, the cost exceeded estimate by over $100,000. See testimony of Chairman O'Connor.

LEVIATHAN

This ship was sent to a private yard and the cost exceeded the bid, but the extra burden did not fall upon the taxpayers. If done in a Government yard there would have been at the least an additional burden on the taxpayers of $1,500,000.

"CONNECTICUT" AND "LOUISIANA"

The *Connecticut* was shown in the consideration of the Hull bill to have been constructed in a navy yard and her sister ship, the *Lousiana*, was shown to have been constructed in a private yard. The navy yard ship was completed and commissioned September 29, 1906, at a cost of $7,400,234.69.

The *Louisiana* was completed and commissioned nearly four months earlier at a cost of $6,065,531.19.

The excess of cost in the navy yard ship over the private yard was 22 per cent, or $1,334,703.50.

On these same two ships at the end of 15 years—that is, to June 30, 1921—the evidence at said hearing showed that repairs and alterations were as follows:

On navy yard ship	$2,403,344.33
Private yard ship	2,031,470.24
Repair cost of navy yard ship over private yard ship	371,874.09

"FLORIDA" AND "UTAH"

These were sister ships, the *Florida* being built in a Government navy yard, and the *Utah* being built by contract.

The total cost of the *Florida* was	$10,357,627.89
The total cost of the *Utah* was	8,954,076.66
Representing a saving by contract of	1,303,551.23

The above figures do not reflect all of the extra burden upon the taxpayers from construction in Government yards, for they must be materially increased by the indirect expenditures in the navy yards, such as payments on account of leave, holidays, and similar items.

In a letter from the Navy Department, dated February 13, 1913, sent to the chairman of the House Committee on Naval Affairs, an estimate was made of the comparative cost of constructing two battleships, eight destroyers, and three submarines, and, exclusive of armor and armaments, it was shown that the vessels could be built in private yards for $25,600,000, while in navy yards the cost would be $32,003,000.

The evidence is conclusive that the cost of construction in a navy yard exceeds that in a private yard.

General Peirce, acting Chief of Ordnance, testified on November 28, 1922, before the Subcommittee on Naval Affairs, when that committee had under consideration H. R. 10967, commonly known as the Hull bill, that for a period of time, from May 11, 1919, to October 31, 1922, in the cases in which the work was given to the arsenals because their bids were the lowest, the Government saved $27,200.07, but that this included no items such as salaries of Army officers, interest on capital invested, depreciation, and insurance, whereas he testified that in the same period of time the cases in which the arsenal estimates were not the lowest, so that the work went to private concerns, the arsenal estimates were $6,247,161.70 and private bids were $3,315,161.70, thus saving by work in private plants at least $2,931,373.03.

In all probability the costs of work in the arsenals would have been above the estimates, for General Peirce, page 2153, said:

We have already had, in the operation of the arsenal-orders branch, numerous cases where the cost of the work as finally performed exceeded the estimate, and the ordering department has had to make good. It is distinctly understood that the estimate is simply the best

estimate that can be made of the cost of this work and that the department ordering the work must pay the real cost as finally determined, whether it be less or greater than the estimate.

PURPOSE OF HULL BILL AND AMENDMENTS

The purpose of the so-called Hull bill and of the amendments which are placed or sought to be placed on the bills carrying appropriations for the Navy and for independent and executive offices, including Shipping Board activities, is to secure work for the men in the Government yards and arsenals. The intent is not to benefit the Government but to benefit Government employees. The plan is a plan of Government employees and for Government employees at the expense of the taxpayers of the country and to the detriment of men engaged in private industry who are not on the Government pay rolls and who are not drawing Government checks. In a letter sent to Members of Congress by Mr. N. P. Alifas, president of District No. 4, International Association of Machinists, discussing the conference report first submitted upon the pending bill, he said that the principle that as much of Government work as possible shall be done in the navy yards and arsenals established by the Government had been repeatedly indorsed by the American Federation of Labor and other individual labor organizations such as theirs.

When the so-called Hull bill was considered Captain Beyer, a witness introduced by Representative HULL, proponent of the bill, said that the proposal was chiefly advocated by the employees of the arsenals and navy yards; that no attempt had been made to conceal this fact or to conceal the fact that the passage of the law would be to their advantage.

I respectfully submit that the men in private industry are entitled to just as much consideration as the employees in Government plants who are paid out of public funds. The persons most concerned are the taxpayers, who should not be taxed to provide these Government institutions, taxed to provide employees in them, and then taxed to give these employees work to do. These Government yards and arsenals bear no part of the public burden, contribute no money to the support of municipality, State, or Nation, and they should not be used to destroy other interests which contribute as taxpayers to the maintenance of the Government and therefore to the maintenance of these very Government agencies with which they are brought in competition.

PRIVATE SHIPYARDS NECESSARY TO NATIONAL DEFENSE

Danger will never threaten America from the land. If it comes it must be from the sea. Whenever war has come her shipyards have been taxed beyond their capacity, and in the last war millions were spent to construct new yards that ships might be built.

During the war with Spain five merchant vessels built by the Newport News yard were purchased by the Navy Department, four of which were converted into auxiliary cruisers of which two are in service, and the fifth was converted into a hospital ship.

During the World War that yard was in effect a Government yard. All merchant ships building there were commandeered by the Government. The company repaired 1,000 vessels, or 2 per day, 144 being Shipping Board, 118 Navy, 141 War Department, 160 British Government, and 437 private owners.

The same yard completed and delivered the battleship *Mississippi*, 3 destroyers, 3 towing targets, and 10 merchant vessels, 6 being of an aggregate dead-weight tonnage of 62,920 tons and delivered to the Emergency Fleet Corporation.

The same yard has built 12 battleships, 4 armored cruisers, 1 protected cruiser, 3 colliers, 8 oil tankers, 22 destroyers, 1 monitor, 3 gunboats, 193 miscellaneous merchant vessels, and two 535-foot passenger vessels for Emergency Fleet Corporation.

These private yards should be maintained, for in time of war their entire facilities may be readily utilized for war purposes, not only in building ships but also in building war materials and for other purposes for which enormous expenditures would be otherwise necessary.

In the House hearings on the so-called Hull bill Commander Marquart, of the Navy, testified that the navy yards and plants are not organized and developed for the economical production of many things which the Navy uses and which at times in emergency it has produced in a small degree.

Commander Marquart further said that if all work were by law required to be done at naval establishments, regardless of the cost and time involved, every vestige of competition of the Government plants with commercial firms would be eliminated, and that this undoubtedly would tend to a lowered efficiency of the navy yards, because the controlling authorities would be helpless to place orders elsewhere. He said very truly that competition is the life of trade and without it no real efficiency can exist; that more and more competition between the yards themselves undoubtedly would lessen the evil results but could not under any circumstances entirely counterbalance the fact that all this work had to be done at the navy yards regardless of how much it cost or how long a time was necessary.

The private yards are potential navy yards for use in time of emergency, as our recent experience in the World War unmistakably demonstrates. The facts submitted above show that they have saved millions of dollars to the Government in the past. They cost the United States nothing for their maintenance or establishment. If the policy pursued by the advocates of Government work in Government yards is adopted, private yards may be driven out of business. These men are trying to have all Government work, merchant marine as well as naval, done in Government yards. Our merchant marine is fighting to secure and maintain its place upon the seas. This policy adds to its difficulties while crippling, if not destroying, the shipbuilding industry. All that the private yards ask is a square deal. This they are entitled to and should receive.

Mr. WOOD. Mr. Speaker, I yield two minutes to the gentleman from California [Mr. MACLAFFERTY].

Mr. MACLAFFERTY. Mr. Speaker, it seems to me that my colleague who has just spoken, the gentleman from Virginia [Mr. BLAND], has said about all that I could say upon this subject. I have in my district not a navy yard, but two or three shipbuilding plants, and during the war there were built there ships in number that rivaled the ships built upon the Clyde. I saw launched from one shipyard on Oakland estuary within one hour one day five freight ships. In addition to what has been said by my colleague, I want to add my protest when the attempt is made practically to shut out private shipyards. Because a man has a navy yard in his district, it seems he feels that he must show the fellows back home that he is doing everything that he can, and then they turn around and defeat him, as they did my friend from Iowa [Mr. HULL] yesterday, in the primaries. I protest against driving the private shipyards out of business. We need them, we must have them, and if we continue in this way to flout a thing like this conference report, pretty soon capital will grow discouraged and the private shipyards will be through, and we will be the sufferers. It is absolutely unfair to put a private shipyard in competition with a Government navy yard, because, as has been said, if there is a deficit in the navy yard, all they do is to charge it up to the people.

Mr. WOOD. Mr. Speaker, the appropriation bill now before you for consideration involves an appropriation for 27 different activities of the Government. It carries the largest appropriation of any of the appropriation bills. There are but two contending questions in this bill, and, strange to say, they are both in respect to the Shipping Board. The Shipping Board seems to be a little bit like Champ Clark's hound dog—when you have no chance to kick anything else, you just take a kick at the Shipping Board. I have no more interest in this matter than anyone else, but I have given to it my best thought and attention, together with my conferees upon this committee, and we have expressed this thought in this report.

Objection is raised because of the salaries that are paid to six of the officers connected with the Shipping Board. To my mind the difference between the amount adopted by the Senate and that suggested by the gentleman from Oklahoma [Mr. CARTER] is too small even to gibble about. As I have tried to demonstrate time and time again, this is a business within itself. It is a business that is not comparable with any other sort of Government business. It is the biggest business in the world. There is not a railroad in the United States that can compare in volume of business with the Shipping Board. Yet gentlemen who now oppose the salaries that are proposed voted vociferously time and time again to give $50,000 and $75,000 a year to men in charge of the railroads during the war which had no competition except in this country. These men, who are either to make or to lose the shipping interests of this country, have to compete with the best shipping minds of the world and their competitors are paid from $50,000 to $75,000 a year.

Now, I leave it to you. If you wish to take and absolutely hamstring the Shipping Board, if you wish to take and place in these places of such great competition men who have no ability to compete with those men who have been occupying those places for years, and their predecessors for centuries, then vote for the rejection of this conference report, and you will have accomplished your purpose in so far as crippling the efficiency of the Shipping Board is concerned. It is up to you. I have said all I care to say with reference to this thing. If there was one man here who had sense enough, and was big enough and comprehensive enough to be the manager of this business—

with which we have nothing to compare in this country—he would not hesitate to pay $10,000, $15,000, $25,000, or $50,000, but he would try to get a man who would make the business a success, and he would be a fool if he desired to make a success of the business not to employ the best man he could find. I expect there are gentlemen here now who have been upon this Shipping Board investigating committee who know something about the competition these men have to encounter and who realize there is some reason why we ought at least to give Admiral Palmer—in whom I think all men have confidence; I hope they have; he is trying his best—some discretion. He has been reducing salaries where they ought to be reduced—and he is asking you and he is asking me not to take and hamstring the principal places here where men of high standing in the profession in this competition have to be had.

Mr. THATCHER. Will the gentleman yield?

Mr. WOOD. I will.

Mr. THATCHER. How do these salaries compare with the salaries paid by private shipping interests?

Mr. WOOD. They do not compare at all. You take a man in England who is occupying the position of traffic manager with a shipping concern that does not have half the volume of business that our Shipping Board has and he is getting $50,000 a year——

Mr. CARTER. Will the gentleman yield?

Mr. WOOD. I will yield.

Mr. CARTER. Can the gentleman cite to the shipping interest in England or any other place that pays as many as seven men as big salaries as we pay here?

Mr. WOOD. I can cite the gentleman to every country of importance that has any shipping worth while, not comparable to ours, for no country has shipping comparable with ours—that are paying them more money than we are.

Mr. CARTER. Oh, one man; but not seven or eight men simply to get in each other's way.

Mr. LAGUARDIA. The United States Steamship Co.

Mr. WOOD. There are more than seven or eight men they are paying larger salaries than we are paying.

Mr. DALLINGER. Will the gentleman yield for a question?

Mr. WOOD. I will.

Mr. DALLINGER. I want to ask the gentleman if he honestly thinks that the words which the conferees have put into this bill in lieu of two amendments—whether the gentleman honestly thinks they carry out the purpose of the Senate and House amendments?

Mr. WOOD. What is that?

Mr. DALLINGER. Whether you think that the language inserted by the conferees in lieu of the House and Senate amendments carries out the purpose of the House and Senate in adopting those amendments?

Mr. WOOD. I think they do. Now, on that point, with reference to repairs and improvements, we have adopted the exact language in this bill which was in the bill two years ago and last year. Gentlemen, we might as well face a fact. We have got too many navy yards in this country. It is perfectly natural that every Representative here who has a navy yard in his district should come here and try to do the best he can for his navy yard. They are not to blame for that.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. WOOD. I want to say to you, however, that if we are ever to get into trouble again in this country—and God forbid that we should—our mainstay is in the maintenance of the independent shipyards of this country. [Applause.]

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. WOOD. I do.

Mr. BLANTON. I was remembering the splendid speech that the gentleman from Indiana made five years ago on this very subject, where he took the position very forcibly that this Government could not compete in salaries with private interests. Has the gentleman abandoned that manly stand?

Mr. WOOD. No; I have not. I still say we can not compete. If so, instead of $18,000 salaries contained in this bill we would be paying $50,000 and $75,000 if we are to compete with nations whose maritime and shipping interests are comparable with ours.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. LAGUARDIA. What the gentleman says about paying salaries is apt to be correct. Take the Cunard Steamship Co. They pay bigger salaries to a greater number of men; and I believe that the fault that this House is finding with the Shipping Board is not that we are paying salaries of $18,000 but that the men who receive those salaries are not $18,000 men and that they have not the experience and can not have it.

Mr. WOOD. That possibly may be true. But how are you going to get the men who must compete with those men with whom they must of necessity compete if we keep on beating down and beating down these salaries?

Mr. BLACK of New York. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLACK of New York. Is the gentleman in accord with the policy of the Shipping Board in the idea that this work should not go to the navy yards in any event?

Mr. WOOD. No. I am in accord with the proposition expressed in the last bill, and I think it worked admirably.

Mr. BLACK of New York. With that language in the pending law, we could not force the Shipping Board to send the *Buchanan* where it ought to go.

Mr. WOOD. No; and you ought not to force it. The Government of the United States ought not to be forced to do anything that is contrary to the best interests of the United States; and that is the trouble with your amendment.

Mr. BLACK of New York. That is the trouble with the law.

Mr. WOOD. No; it is not the trouble with the law. I want to say that I would not have this thing left entirely to the Shipping Board. I would have discretion lodged somewhere, and I would impose some limitation on them. But there is a discretion that must be lodged somewhere. Some of the navy yards in this country have done well in their competition. The trouble is that an estimate is submitted by a navy yard, and there is nothing whatever to bind them with reference to time, with reference to costs, or with reference to fulfillment.

Mr. TAGUE. Mr. Speaker, will the gentleman yield?

Mr. WOOD. No. Wait until I have completed this statement. I contend that on account of that thing the Government of the United States has paid millions and millions of dollars. It has paid out millions of dollars in consequence of that. I have the figures right before me. Some of them have resulted in advantage to the navy yards and to the Government in consequence; but there ought to be discretion lodged somewhere, and that discretion ought to be lodged with the responsible head of the concern that is vitally interested.

Mr. O'CONNOR of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. O'CONNOR of Louisiana. The effect of the rejection of the conference report and the restoration of the House amendment would be on the Gulf ports to send all the Shipping Board vessels northward instead of allowing the private yards to do the work, three of which are in New Orleans. In other words, it means that those who have the navy yards want, in addition to regular navy yard work, that additional work that goes naturally to the private shipyards in cities where there are not navy yards.

Mr. TAGUE. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. TAGUE. Was an estimate ever submitted by a navy yard, except where the Shipping Board had altered the specifications, in cases where the work has not been done within the estimates?

Mr. WOOD. Yes. I can give you an instance right here. It is the case of the *America*. The cost was $1,163,489. The estimate was $922,532. The gross cost over the estimate was $240,957, and they did not bid within the time. Whether or not it resulted in a loss is problematical.

Mr. TAGUE. Was the gentleman here when the evidence was read by the gentleman from Wisconsin [Mr. COOPER], wherein he proved that the work was done for $18,000 less than the bid of the lowest bidder, and the specifications were not revealed until they got the ship into the navy yard?

The SPEAKER pro tempore. The time of the gentleman has expired. All time has expired.

Mr. CONNALLY of Texas. Mr. Speaker, I ask unanimous consent that the gentleman have an additional minute.

The SPEAKER pro tempore. The gentleman's time has expired under the rule of the House.

Mr. CONNALLY of Texas. But, Mr. Speaker, I ask unanimous consent that his time be extended.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the gentleman from Indiana have one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. CONNALLY of Texas. I want to ask the gentleman about Senate amendment 15. That was stricken out in conference, was it not?

Mr. WOOD. What amendment is that?

Mr. CONNALLY of Texas. That refers to the publication of the guidebook at the Washington Monument. What was the

reason for striking that out? It was called to my attention by a gentleman on the outside.

Mr. WOOD. That was a Senate amendment, and the Senate receded.

Mr. CONNALLY of Texas. What was the opposition of the House conferees to that Senate amendment?

Mr. WOOD. I will state to the gentleman that the law established the fact that the control of this monument was under the Secretary of War, and all this trouble about this woman would fill a book.

The SPEAKER pro tempore. The time of the gentleman from Indiana has again expired.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LAGUARDIA. I understand the conference report is before the House for adoption?

The SPEAKER pro tempore. It is. The question is on agreeing to the conference report.

Mr. LAGUARDIA. In the event it is voted down will that leave the conference still open, and would that be an instruction to the conferees to insist upon the House bill?

The SPEAKER pro tempore. The conference report having been accepted by the Senate, the conferees of the Senate are dismissed, and there is no conference to which this bill could be returned.

Mr. LAGUARDIA. Then it would be necessary to move to ask the Senate for a conference?

The SPEAKER pro tempore. It would be; yes.

Mr. WOOD. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. LAGUARDIA and Mr. TAGUE) there were—ayes 80, noes 55.

Mr. CARTER. Mr. Speaker, I ask for tellers.

Mr. TAGUE. Mr. Speaker, I ask for the yeas and nays.

Mr. BUTLER. Mr. Speaker, I make the point of order that there is no quorum present so we may have a roll call.

The SPEAKER pro tempore. The gentleman from Pennsylvania makes the point of order that there is no quorum present and objects to the vote on that ground. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 163, nays 172, answered "present" 2, not voting 96, as follows:

YEAS—163

Ackerman	Fairchild	Lineberger	Shreve
Andrew	Fairfield	Longworth	Simmons
Bacharach	Faust	McDuffie	Sinnott
Bacon	Fenn	McFadden	Smith
Barbour	Fish	McKenzie	Smithwick
Barkley	Fitzgerald	McLaughlin, Mich.	Snell
Beedy	Fleetwood	McLaughlin, Nebr.	Spearing
Beers	Foster	McLeod	Sproul, Ill.
Begg	Free	MacGregor	Sproul, Kans.
Bixler	Freeman	MacLafferty	Stalker
Bland	French	Madden	Stephens
Briggs	Frothingham	Magee, N. Y.	Summers, Wash.
Britten	Fuller	Mapes	Swing
Buckley	Graham, Ill.	Mead	Taylor, Tenn.
Burtness	Graham, Pa.	Merritt	Temple
Burton	Green, Iowa	Michaelson	Thatcher
Butler	Greene, Mass.	Michener	Thompson
Cable	Hadley	Miller, Wash.	Tilson
Campbell	Hardy	Minahan	Timberlake
Carew	Harrison	Montague	Tincher
Celler	Hawley	Mooney	Tucker
Chindblom	Hersey	Moore, Ohio	Vaile
Christopherson	Hickey	Moore, Va.	Vincent, Mich.
Clague	Hill, Md.	Moores, Ind.	Wainwright
Cleary	Hoch	Murphy	Ward, N. C.
Cole, Iowa	Holaday	Nelson, Me.	Wason
Colton	Hooker	Newton, Minn.	Watres
Cooper, Ohio	Hudson	Newton, Mo.	Watson
Crowther	Hull, Morton D.	O'Connell, N. Y.	Weaver
Cullen	Johnson, Wash.	O'Connor, La.	Weller
Darrow	Kearns	Perkins	Wertz
Davis, Minn.	Kerr	Phillips	Williams, Mich.
Deal	Kurtz	Purnell	Williamson
Denison	Larson, Minn.	Reece	Winslow
Dickinson, Iowa	Lazaro	Reed, N. Y.	Wood
Dickstein	Lea, Calif.	Roach	Woodrum
Drewry	Leatherwood	Robsion, Ky.	Wurzbach
Dyer	Leavitt	Salmon	Wyant
Eagan	Lee, Ga.	Sanders, Ind.	Yates
Elliott	Lehlbach	Sanders, N. Y.	Young
Evans, Iowa	Lindsay	Seger	

NAYS—172

Abernethy	Beck	Box	Buchanan
Allen	Bell	Boyce	Bulwinkle
Allgood	Berger	Brand, Ga.	Busby
Almon	Black, N. Y.	Browne, Wis.	Byrns, Tenn.
Arnold	Black, Tex.	Browning	Canfield
Ayres	Blanton	Brumm	Cannon
Carter	Greenwood	McReynolds	Sandlin
Clancy	Griffin	McSwain	Schafer
Collier	Hammer	McSweeney	Schall
Connally, Tex.	Hastings	Major, Ill.	Schneider
Connery	Hawes	Major, Mo.	Sears, Fla.
Connolly, Pa.	Hayden	Martin	Sears, Nebr.
Cook	Hill, Ala.	Milligan	Shallenberger
Cooper, Wis.	Hill, Wash.	Moore, Ga.	Sherwood
Corning	Howard, Nebr.	Morehead	Sinclair
Cramton	Huddleston	Morris	Sites
Crisp	Hudspeth	Morrow	Speaks
Croll	Hull, Iowa	Nelson, Wis.	Steagall
Crosser	Humphreys	Nolan	Stedman
Cummings	Jacobstein	O'Connell, R. I.	Stevenson
Dallinger	James	O'Sullivan	Sumners, Tex.
Davey	Jeffers	Oldfield	Swank
Davis, Tenn.	Johnson, Tex.	Oliver, Ala.	Tague
Dickinson, Mo.	Johnson, W. Va.	Oliver, N. Y.	Taylor, W. Va.
Dominick	Jones	Peavey	Thomas, Ky.
Doughton	Keller	Perlman	Thomas, Okla.
Dowell	Kent	Quin	Tillman
Driver	Ketcham	Ragon	Tinkham
Evans, Mont.	Kiess	Rainey	Treadway
Favrot	Kincheloe	Raker	Underwood
Fisher	Kopp	Ramseyer	Vare
Frear	Kvale	Rankin	Vinson, Ky.
Fulbright	LaGuardia	Ransley	Voigt
Fulmer	Lampert	Rathbone	Watkins
Gallivan	Lanham	Rayburn	Wefald
Gardner, Ind.	Lankford	Reed, Ark.	Welsh
Garner, Tex.	Larsen, Ga.	Reid, Ill.	White, Kans.
Garrett, Tex.	Lowrey	Rogers, Mass.	Williams, Tex.
Gasque	Lozier	Romjue	Wilson, Ind.
Gibson	Luce	Rouse	Wilson, La.
Gilbert	McClintic	Rubey	Wolff
Glatfelter	McKeown	Sabath	Woodruff
Goldsborough	McNulty	Sanders, Tex.	Wright

ANSWERED "PRESENT"—2

Bankhead Garrett, Tenn.

NOT VOTING—96

Aldrich	Garber	Magee, Pa.	Rogers, N. H.
Anderson	Geran	Manlove	Rosenbloom
Anthony	Gifford	Mansfield	Scott
Aswell	Griest	Miller, Ill.	Snyder
Bloom	Haugen	Mills	Stengle
Boies	Howard, Okla.	Moore, Ill.	Strong, Kans.
Bowling	Hull, William E.	Morgan	Strong, Pa.
Boylan	Hull, Tenn.	Morin	Sullivan
Brand, Ohio	Johnson, Ky.	Mudd	Sweet
Browne, N. J.	Johnson, S. Dak.	O'Brien	Swoope
Burdick	Jost	O'Connor, N. Y.	Taber
Byrnes, S. C.	Kahn	Paige	Taylor, Colo.
Casey	Kelly	Park, Ga.	Tydings
Clark, Fla.	Kendall	Parker	Underhill
Clarke, N. Y.	Kindred	Parks, Ark.	Upshaw
Cole, Ohio	King	Patterson	Vestal
Collins	Knutson	Peery	Vinson, Ga.
Curry	Kunz	Porter	Ward, N. Y.
Dempsey	Langley	Pou	White, Me.
Doyle	Lilly	Prall	Williams, Ill.
Drane	Linthicum	Quayle	Wilson, Miss.
Edmonds	Little	Reed, W. Va.	Wingo
Fredericks	Logan	Richards	Winter
Funk	Lyon	Robinson, Iowa	Zihlman

So the conference report was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. Scott (for) with Mr. Garrett of Tennessee (against).
Mr. Moore of Illinois (for) with Mr. Bankhead (against).

Until further notice:

Mr. Vestal with Mr. Peery.
Mr. Kendall with Mr. Johnson of Kentucky.
Mr. Gifford with Mr. Richards.
Mr. Taber with Mr. Wilson of Mississippi.
Mr. Sweet with Mr. Aswell.
Mr. Aldrich with Mr. Boylan.
Mr. Strong of Pennsylvania with Mr. Tydings.
Mr. Manlove with Mr. Bloom.
Mr. Parker with Mr. Jost.
Mr. Griest with Mr. O'Brien.
Mr. Funk with Mr. Wingo.
Mr. Williams of Illinois with Mr. Taylor of Colorado.
Mr. Swoope with Mr. Upshaw.
Mr. Magee of Pennsylvania with Mr. Bowling.
Mr. Paige with Mr. Vinson of Georgia.
Mr. Winter with Mr. Casey.
Mr. Boies with Mr. Lyon.
Mr. Anthony with Mr. Cook.
Mr. Robinson of Iowa with Mr. Hull of Tennessee.
Mr. Zihlman with Mr. Lilly.
Mr. King with Mr. Parks of Arkansas.
Mr. Burdick with Mr. Stengle.
Mr. Kelly with Mr. Logan.
Mr. Brand of Ohio with Mr. Mansfield.
Mr. Garber with Mr. O'Connor of New York.
Mr. Haugen with Mr. Quayle.
Mr. Underhill with Mr. Pou.

The result of the vote was announced as above recorded.

Mr. BANKHEAD. Mr. Speaker, I voted and arranged this pair after I had voted. I want to withdraw my vote of "no" and vote "present."

Mr. GARRETT of Tennessee. Mr. Speaker, I voted "no." I have a pair with the gentleman from Michigan, Mr. SCOTT. I wish to withdraw my vote of "no" and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. WOOD. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendments and ask for a further conference.

The SPEAKER. The gentleman from Indiana moves that the House further insist on its disagreement with the Senate amendments and ask for a conference.

Mr. HULL of Iowa. Mr. Speaker, I offer a preferential motion to recede and concur in the Senate amendment No. 11.

The SPEAKER. The gentleman from Iowa moves that the House recede and concur in the Senate amendment No. 11.

The question was taken; and on a division (demanded by Mr. HULL of Iowa) there were—ayes 26, noes 117.

Mr. HULL of Iowa. Mr. Speaker, I did not hear the announcement.

The SPEAKER. The ayes are 26 and the noes 117.

Mr. HULL of Iowa. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] It is clear there is a quorum present.

So the motion to recede and concur was rejected.

The SPEAKER. The question is on the motion of the gentleman from Indiana that the House further insist on its disagreement and ask for a conference.

Mr. CARTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CARTER. Can the bill be sent back to conference by motion? Does it not require unanimous consent?

The SPEAKER. The Chair thinks not. The conference report has been agreed to.

Mr. CARTER. There are no conferees on the part of the Senate now, and this is a matter of going into conference. Do we not go into conference just as if we had never been in conference before?

The SPEAKER. The gentleman moved that the House insist on its disagreement and ask for a conference. The Senate does not have to be the first one to ask for the conference. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. WOOD, Mr. SUMMERS of Washington, and Mr. SANDLIN.

HOUR OF MEETING

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

M'NARY-HAUGEN BILL

Mr. SALMON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the McNary-Haugen bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. SALMON. Mr. Speaker, the question of properly treating agricultural pursuits is as old as the hills—the thirty-eighth chapter of Ecclesiasticus from the Apocrypha, written 290 B. C., says:

> How shall he become wise that holdeth the plow—
> That driveth oxen—
> And whose discourse is of the stock of bulls—
> He will set his heart upon turning his furrows:
> And his wakefulness is to give his heifers their fodder.
> All those put their trust in their hands.
> Without these shall not a city be inhabited,
> And men shall not sojourn nor walk up and down therein.
> But they shall not be sought for the council of the people
> And in the assembly they shall not mount high;
> They shall not sit in the seat of the judge,
> And they shall not understand the covenant of the judgment;
> Neither shall they declare instruction and judgment,
> And where parables are they shall not be found.
> But they will maintain the fabric of the world:
> And in the handiwork of their craft is their prayer.

Thus it will be seen that from ancient times down to the present those who have tilled the soil and supplied the necessities of life have been of secondary consideration in the affairs of national councils.

This group of the world's citizenship has never been compactly organized nor allied in the prosecution of any concerted or joint purpose, especially in procuring acts or conditions to better their national or economical status.

Efforts of organization and concerted action have failed to produce, train, and develop great teachers, advocates, or representatives to guard and protect their interests in legislative or governmental activities. Industrial groups have always called for large aggregations of capital, definite and fixed policies, and plans extending far into the future. It thus encourages efforts looking to its continued achievement and success, retaining its employees, servants, agents, and selects its best brains and talent, who through years of training and experience and adequate remuneration become able, expert, successful, and dominant in the shaping of legislative and governmental policies; hence it is apparent in the very nature of things agriculture groups in a representative government should to some extent be neglected and become the burden bearers of national financial involvements.

The farmer in the quiet retirement of the rural district tills the soil, harvests and garners his crops, breeds and raises his livestock, without knowing whence his market or what the price. He takes all of the risk of seasons, climate, the elements, and misfortune of insect or funga. His efforts are directed, first, to develop a supply for home use, and second, a surplus for a market, of which he has no assurance, but rests upon the generous consideration of the buying public, subject to combination, manipulation, as well as national economic conditions. If he gets a profit, all well and good; if he gets cost, he is thankful; if he sells at a loss, he has no other recourse but to take what is offered.

When he goes to his merchant or market to buy industrial products, he calls for his necessity; is told the price and pays it, always a profit; the prices on these products are fixed and stabilized by governmental protection, combination, understanding, or manipulation, and no other course is open to him; he acquiesces, pays the price, and returns to the pursuits of his rural home with the knowledge and feeling that his Government has not given him a square deal.

Industrial groups have now and have always had the best trained and most powerful representatives in legislative and governmental affairs, who are ever alert to protect and advance the interests of the groups they represent—this governmental and legislative advantage has always been the same weapon by which great industrial groups have maintained their supremacy among the States, nations, and governments.

Conditions in the United States now are fully illustrative of the foregoing principles and results. During the World War agricultural products, for a short period, maintained a price level above the ratio of industrial products, followed by industrial groups forcing forward and gaining control of the National Government and enacting legislation which elevated and stabilized the price of industrial products above the normal level, and this artificial price level has been maintained and continued and exists to-day with all of its legal and political ramifications defying interference or even discussion.

It is estimated that the consumers of the United States pay a tribute of more than $4,000,000,000 a year to maintain this artificial high price level of industrial products, and that not over $450,000,000 of this tribute levied upon the consumer gets into the United States Treasury, and the balance of this tribute, to wit, about three and one-half billion dollars passes into, and some of it through, the hands of the owners and operators of the industrial activities of this country. Thus through protective legislation the Government of the United States has permitted the industrial groups to boot strap themselves to artificial price heights and throw all of the weight or burden upon the other national foot which might be described as the agricultural group.

The McNary-Haugen bill is an effort to have the Government offer to boot strap the other national foot, which we call agriculture, and undertakes to raise its products to artificial price-level heights and to protect this artificial condition by a $200,000,000 governmental export corporation. If these two great national groups could boot strap both feet under governmental protection and hoist the great industrial and agricultural business into mid-air, with nothing but Government stilts to support it, how long would it be until the crash came, and when it came, disaster would be the inevitable result.

Artificial prices fixed and maintained by Government action and control can not endure—it is wrong in principle and impossible of ultimate beneficial results. One group may for a while by governmental protection prey upon the other, but when the two great groups under governmental protection begin to prey upon each other, ultimate destruction is as certain as the law of gravity.

I fully realize the acute distress existing in certain lines of agriculture, and, as a Member of the House, I have studied closely all measures for agricultural relief and have uniformly supported such of them as appeared to hold promise of the betterment of agriculture. I am as anxious as any other Member of the House to see the producers of agricultural products

get a better price, and willing to support any measure to that end if upon final analysis it appears that there is reasonable prospect of successful administration and ultimate relief. I am convinced that the McNary-Haugen bill is an unworkable measure, that it will not do what its sponsors claim for it, that it would heap a great calamity not only on the farmer but on all classes of American people.

There are three price factors, two of which, the 10 year—1905–1914—average of the agricultural commodity as to which the emergency is declared, and the average of all commodities for the same period, which is taken as 100. The third factor is the existing current index number published by the Department of Labor, which consists of the average price, published monthly, of some 400 principal commodities.

From earliest history the export of agricultural products from the United States has been the greatest single contribution to inward-bound wealth to this country. On December 31, 1922, the total national wealth was $320,000,000,000, as compared with $186,000,000,000 in 1912. This represents an apparent increase in wealth during this period of 72 per cent. This apparent increase is largely due to a change in prices and not to increase in property nor a gain in goods. Farm wealth constitutes approximately $75,000,000,000, or nearly one-fourth of the national wealth total. In 1920, according to the census, there were approximately 6,448,000 farms in the United States. The average farm family is about five persons per farm. So, roughly estimated, 25 per cent of our population live on the farm. Farming is the chief occupation and farm property the greatest single asset of the Nation.

Twenty-eight per cent of all the people of the United States above 10 years of age in 1919 who were engaged in gainful occupations were engaged in farming; however, only 17 per cent of the total national income went to this 28 per cent; 7.1 per cent engaged in transportation vocation, and they received 9.4 per cent of the total national income; farm land and buildings in 1919 constituted about 38 per cent of the value of all real estate of the United States. Farm machinery and work stock constitute about 40 per cent of the value of manufacturing machinery, tools, and equipment.

In 1919 the crops of the United States were valued at $14,775,000,000. The manufactured products for the same period were valued at $25,041,000,000; thus it will be seen that with proper allowances for livestock and livestock products, agriculture was fully two-thirds as great as the value of all manufactured products together. Agricultural products in 1919 were more than five times the value of all mineral products, including coal and iron. Capital employed in agriculture in 1919 was over 10 times that employed in producing mineral products and nearly double all invested in manufacturing industries.

The total tonnage of agricultural products in 1919 was 255,000,000 tons, valued at approximately $15,423,000,000. In 1921 the tonnage was the same, 255,000,000 tons, but the value had shrunk to $6,934,000,000, a loss in value on crops alone in two years of $8,489,000,000. There has been a very slight increase in value since 1921, not over $1,000,000,000, thus leaving the shrinkage at more than $7,000,000,000 in the 1923 crops of same tonnage as compared with the 1919 crops.

The average farm contains about 148 acres, the average value is about $8,500. The average mortgage is about $3,400 per farm; the average personal debt is about $800 per farm; the average annual interest is about $315 per farm, and the average tax about $105 per farm. The interest and taxes alone constitute a charge of $425 on the farmer's income. The average income in 1919 was $1,774, in 1920 it had decreased to $964.

The foregoing figures and estimates are taken from the census and agricultural reports and serve to show the great importance to the Nation of the agricultural investments and activities, and also show the low rate of income of the average farm family in the United States.

The farmers of the United States in 1923 received approximately $7,500,000,000 for the food products produced on their farm—that is, this is the amount they received for these products on sales directly from the farm. The consuming public paid for these same food products approximately $22,500,000,000; this shows that the producer or farmer received only one-third for the food products which the consuming public paid. The stretch between the price the farmers receive for the food products of his farm and the price the ultimate consumer pays therefor is entirely too great. Of course, due allowance has to be made for processing, crating, packing, preserving, manufacturing, transportation, allotting, display, retail marketing, and delivery to the ultimate consumer. This leaves a profit, after paying for three or four commissions, processing and transportation, in all, amounting to more than 75 per cent. In my opinion in this vast breach or stretch between the first and last prices is the point where the fault lies, which has been so detrimental to agricultural pursuits since 1919. The farmer should receive two-thirds of what the ultimate consumer pays for the food products, or at least should receive one-half of this ultimate cost to the consumer. If he receives two-thirds he would have received above $15,000,000,000 per year for the food products produced, if he received only one-half of this ultimate cost to the consumer he would receive above $11,000,000,000 per year for these products instead of receiving approximately $7,500,000,000 for all agricultural products, as has been the case the last two or three years.

The remedy for this situation is simple. First and most important is cooperative marketing, by which the food products of the farm are prepared and delivered to the ultimate consumer at a minimum expense, eliminating all unnecessary handling, unnecessary freight haul, and useless and unearned commissions and profits. This can and should be done, thus giving the ultimate consumer a reduction on the necessaries of life and at the same time greatly increasing the first market price the farmer shall receive for the products of his soil and his labor.

I am ready, willing, and anxious to support any sound measure that will remove the obstacle so clearly demonstrated from the foregoing statements and figures.

Mr. BECK. Mr. Speaker, there has not been a session of Congress since I can remember that there have not been bills presented for farm relief. The Esch-Cummins law which, together with the deflation policy of the Federal Reserve Board, has done more to bankrupt everybody except big business, was heralded as a great farm relief measure. As soon as the Esch-Cummins bill was presented to Congress, the farm bureau and other so-called farm organizations got behind it and the propaganda started, and that bill became a law. The emergency tariff bill was passed in order to save the farmer, and within a week after the bill was passed the price of farm products began to decline and has been declining ever since.

The packers and stockyards act was said to be a farm-relief measure, and yet the commission rates for selling livestock at the terminals remain at the same levels as they were when hogs were selling at 20 cents a pound, and the packers have not even been touched by that law. The Fordney-McCumber tariff law was proclaimed another farm-relief measure, and the chief benefit derived from that is an additional burden of $3,000,000,000 a year upon the American consumers. The agricultural credits bill was another farm-relief measure. This bill, like the packers and stockyards act, was presented to Congress through employees in the Department of Agriculture, and the only results from it have been to bury the farmer more deeply in debt, when he was already buried so deeply he could never hope to again see the light of day.

This is the mess that has been handed to us for the relief of the American farmer. Not one of these bills or laws originated with the farmer. Not a single bill originating with them has ever seen the light of day after it has once been referred to a committee. Such bills are invariably pigeonholed.

The McNary-Haugen bill originated with a man by the name of Peek—G. W. Peek. During the war Peek was vice president of Deere & Co., manufacturers of farm machinery. Between the years 1915 and 1918 he was one of the three chief conspirators in organizing the manufacturers of farm machinery to boost prices. As a result of the price boosting that followed the net income of the manufacturers of farm machinery increased 152 per cent and net profits increased 97 per cent from 1915 to 1918. (See report of the Federal Trade Commission on the causes of high prices of farm machinery, May 4, 1920; for the part Mr. Peek played in these price increases see pages 361 to 408 of the same report.) Now, this same Peek, who conspired to boost the prices of farm machinery, who conspired to put the farmers in their present plight, comes along with a relief bill, known as the McNary-Haugen bill, for the relief of the farmer he helped to ruin. From 1918 to 1921 the price of farm machinery went up another 50 per cent.

Let me give you some of this bill's chief supporters. The Farm Bureau, which supported the Esch-Cummins law, backed the ship subsidy, and is for giving away Muscle Shoals, is for this bill. Certain branches of the grange, which also supported the Esch-Cummins law and ship subsidy, are for this bill. Otto Kahn, the New York banker, who organized his "business men's committee" for the purpose of opposing the election of farmers to State legislatures or to Congress—he is one of the chief supporters of this bill, according to New York dispatches. The chamber of commerce, whose members made $38,000,000,000 in war profits, is for this bill.

According to the report of the committee, this bill is indorsed by the Wisconsin Society of Equity and the American Federa-

tion of Labor. I have a letter from the State president of the Wisconsin Society of Equity saying that the society has not indorsed this bill. I have another from the secretary of the American Federation of Labor saying that organization has not indorsed it. Both say they are for farm relief, but they have not indorsed this bill.

Several farm organizations in the State of Kansas were recently called together to indorse this bill. After thorough consideration of it they refused to do so. The governor of that State is opposed to it. The department of agriculture of that State is opposed to it. The college of agriculture of that State is opposed to it, claiming it is absolutely unworkable. Commissioner Nordman, of the Wisconsin Marketing Department, has written a strong letter to the Wisconsin delegation in Congress opposing this bill as an utter impossibility and the more it is understood the less support it will have, and the most active lobbyists for the bill around the Capitol are those having an eye on the $10,000 salaries provided for in the bill.

Let us now examine some of the provisions of the bill. This bill applies to "wheat, flour, rice, corn, wool, cattle, swine, or dressed beef, mutton, or pork" whenever there is a surplus of any of these for export. This bill can not apply to rice, wool, cattle, dressed beef, or mutton, even though they are mentioned in it, because we import more of them than we export, and have done so for a number of years. It will not apply to corn, because corn has never been an article of export. My colleague from Wisconsin [Mr. VOIGT] says it can not be made to apply to hogs, and he ought to know, because he has worked over and studied the bill for the last six months. That leaves only wheat and flour. But suppose it applies to hogs also; then what?

Every time a farmer takes a hog to market the buyer will stick a bill for an equalization fee under his nose. How much that equalization fee will amount to no one knows. The advocates of this bill claim it will not exceed 12 cents on every dollar the hog brings. But when my colleague from Wisconsin [Mr. VOIGT] wanted to place that limit in the bill its supporters showed their insincerity by objecting to any limit. This equalization fee goes to pay losses sustained by the Government when it buys wheat at $1.59 per bushel and exports it at $1.10 per bushel, and when it buys pork for $11 per 100 and exports it for $7, for instance. This equalization fee also goes to pay back the $200,000,000 the Government advances for the purpose of buying wheat and hogs. It also goes to pay the salaries and expenses of something like 50,000 employees it will take to administer this law. Some of the salaries are fixed at $10,000 each, and there are farmers that farm the farmers already on the ground to get those jobs. The salaries and expenses of the horde of Government sleuths, detectives, and secret-service men going around and prying into the books, papers, and accounts of 7,000,000 farmers to ascertain whether they have complied with the law will at least amount to $4,000 each, and every time a farmer is found violating the law he faces a $5,000 fine and a year's imprisonment.

Nor is this all. If the same thing happens under this bill that happened during the war, every time the price of wheat advances 50 cents a bushel the price of flour will advance $1.25 per sack, and 98 per cent of the people of my State buy flour. They are flour consumers and not flour producers. But they would not, and I do not, object to this increase in the price of flour if this bill would help the farmers as a whole.

Fifty-one per cent of all the income of the farmers in Wisconsin comes from butter, cheese, and milk. A larger per cent of the income of the farmers of the country comes from dairy products than any other. These do not come under the provisions of this bill, and it requires large quantities of bran and middlings to produce these dairy products. The price of bran and middlings will, no doubt, be increased at least 50 per cent. So this bill will increase the cost of production in the dairy industry without any possible show of an increase in the price of butter, cheese, and milk as a result of this bill.

Again, if this bill becomes a law, it will mean the death knell to farmers' cooperative societies, and that is what certain business interests in this country want. The advocates of the bill deny this. But let us see. Cooperative farmers' organizations are for the purpose of getting a better price for farm products. But if the Government fixes the price, the farmers can organize until the hot place freezes over, and what good will it do them? The price is fixed. Their societies go to smash. That is all. I recently received a letter from the president of a cooperative creameries association in my district supporting this bill. Yet, across the top of this association's letterhead, I find these words, "Cooperation, the hope of the world." This association whose motto is, "Cooperation, the hope of the world," would never have written me in support of this bill had it not been misled as to what this bill means.

I, as a farmer, am not willing to subject myself to any such bill. I am unwilling to pay $200,000,000 a year to a gang of sleuths racing around over the country prying into my affairs without doing me any good. I am unwilling to increase the cost of production of my dairy products without some hope of getting it back. I am unwilling for a hog buyer to stick a bill under my nose for an equalization fee every time I sell him a hog. I am unwilling to create a condition whereby, whenever I want to kick my dog, I will kick four or five Government detectives. I am unwilling to vote for a bill that will destroy "cooperation, the hope of the world." I am unwilling to vote to increase the cost of living in this country without that increase doing more good than it does harm. If I, as a farmer, am unwilling to subject myself to the provisions of this bill, I certainly will not vote to subject my neighbors to it. When we want to help the railroads we vote to give them the right to charge upon the basis of book value. Why not do the same with the farmers? Why pretend to do something for him and then throw a thousand and one obstacles in the way? In the transportation act of 1920 Congress said that the railroads shall charge enough to insure a return of 6 per cent upon the aggregate value of the railroad property, and then charged the Interstate Commerce Commisson with the duty of seeing that they get this return. In this bill we say, "The corporation shall publish * * * a price for such commodity, or any class or grade thereof, to be known as the 'ratio price' and to be determined as follows: (1) The ratio price of such basic agricultural commodity for such period shall bear the same relation to the pre-war basic price thereof as (2) the current all-commodity price in effect for such period bears to the pre-war all commodities price." In other words, "How old is Ann?"

Again, every time the price of an agricultural product advanced during the war the price of what the farmer bought increased sufficiently to more than take the farmer's increased price away from him. What is to hinder that same thing being done under this bill even if it does all its advocates claim for it? As I see it, the trouble with the farmer is that for every one and three-fourths farms in this country there is one food gambler dealing in farm products who makes nearly twice as much off the products of the farm as the farmer who produces the food. This bill does not discourage the food gambler in the least. In fact, it encourages them just as the inflated war prices encouraged them.

This morning I received a paper published in one of the counties of my district, one of the chief dairy counties in the United States and one of the wealthiest. It contained an advertisement, advertising 108,000 acres of land for sale to pay taxes. That is more than one-seventh of the acreage of the county, and I am not going to add to the burdens of the dairymen of that county by helping make this bill a law.

A few days ago I picked up a paper published in Minnesota. In that paper were quotations from a speech delivered by the administration's man Friday, James J. Davis, Secretary of Labor. I quote the following from the Minneapolis Journal of May 23, 1924:

> Because radical election promises to Middle West voters have resulted in not a single constructive move to aid the farmers and working men who elected them, Members of Congress in the "insurgent" group have no claim to support, James J. Davis, Secretary of Labor, said in the Twin Cities to-day. * * * "Don't worry about American labor," he said to-day. "Only the radicals make the noise, while the average working man sticks to his work and votes intelligently. The working man is the most independent voter in the United States. What have these radicals done who went to Washington because of their fine promises to voters? They have presented not a single bill to aid farmers and voters. The McNary-Haugen bill and the railroad labor bill both came from veterans of Congress."

Mr. Davis knows, or he ought to know, that the impression he tried to convey in his speech is false. Mr. Davis knows that Senator Kenyon's packer control bill, a real bill, was passed through the Senate, came over to the House, and at the last moment of a closing Congress was defeated by a parliamentary trick of the "veterans of Congress." Mr. Davis knows that the Norris farm credit bill was reported out of the Senate Committee on Agriculture, a real relief bill, and his "veterans of Congress" succeeded in substituting a worthless bill hatched by the Department of Agriculture for the Norris bill, and Mr. Davis's "veterans of Congress" put the worthless substitute over. Mr. Davis knows of the Norris-Sinclair farm relief bill, or he ought to know about it if he is going to deliver speeches upon this subject. He knows that his "veterans of Congress,"

backed by the Department of Agriculture, succeeded in sidetracking it with the McNary-Haugen bill. He knows that my filled milk bill which prevented the manufacture of filled milk that was destroying the dairy industry was redrawn and reintroduced by one of his "veterans of Congress," and had it referred to his own committee, where he thought he would be able to kill it. Mr. Davis knows of a bill I introduced to build up cooperative marketing societies to be protected by the Government against attacks of the food gamblers. He also knows, or he ought to know, that within two weeks after I had introduced this bill four of his "veterans of Congress" had redrawn that bill, taking out those parts dangerous to food gamblers and reintroduced these four bills. He knows the same thing happened to the La Follette-Huddleston railroad freight bill. Mr. Davis knows that there has not been a single bill for the relief of wage earners presented or supported by a single one of his "veterans of Congress" during the last three years. He knows that thing has happened to 25 or 30 other bills introduced by progressives in this Congress. He knows that thing happens to every bill the progressives introduce. That is the kind of noise Mr. Davis is talking about. These are the kind of tactics the producers of this country, both farmers and wage earners, are up against. I am through swallowing any such revamped, redrawn bills by Mr. Davis's "veterans." I swallowed the emergency tariff bill, the "veterans'" farm credit bill, and their packer control act, and that is all I can hold. I am not going to swallow the "veterans'" McNary-Haugen bill. But I will continue to make a noise. I will continue to do my best for the relief of the wealth producers, for common folks, so long as I am here.

Mr. ACKERMAN. Mr. Speaker, under the general permission to offer observations in connection with the proposed relief for the conditions that prevail in the farming States, I am presenting herewith facts and figures and suggest a form of resolution that, if adopted, might help to solve the difficulties that are said to confront agriculture at the present time:

Whereas the condition of many branches of agriculture has been in an unsatisfactory condition during the past three years; and

Whereas this condition is due in a large measure, as has been repeatedly pointed out by congressional and other investigations, to faulty or inadequate methods of distribution and lack of sufficient foreign markets to absorb the surplus; and

Whereas the present Congress has devoted much effort and careful study to the problem of establishing agriculture on a basis of economic equality with other industries; and

Whereas this effort should be continued, especially with the object of finding some permanent solution: Therefore be it jointly

Resolved, 1. That the sum of $1,000,000 be appropriated for the use of the President of the United States for the purpose of continuing the study of the economic problems connected with the marketing of agricultural products both in the United States and abroad, and reporting to Congress on such legislation as may be necessary to bring about an improvement in the condition of agriculture, and also to offer such encouragement as may be found desirable to assist immediately the more orderly marketing and better distribution of agricultural products in both the domestic and foreign trade.

2. It is further resolved that the President, at his discretion, may appoint advisory commissions to assist in this work, and that money appropriated by this resolution shall be available to such Government departments and independent offices and in such manner and amounts as the President of the United States may direct.

In supporting this resolution it was suggested to me that the following line of thought might be developed:

First, that during the past three years continuous study of the economic problems of the farmer have been given by Congress, as well as farm organizations and the various Government departments. The exhaustive study and report made by SYDNEY ANDERSON'S committee, which was reported in four volumes, developed the fact that there were two main permanent problems of agriculture that needed solution. The first was a much better credit system, and this problem has been very largely solved by numerous acts of Congress during the past three years. The second important problem developed was one of better and more economical distribution of farm products which would tend to eliminate many of the wastes in distribution, reduce to some extent the spread between what the farmer receives and the consumer pays, and provide aid for the better organization of agriculture. In fact, it has come to be clearly recognized in the last three years that what agriculture lacks most in its economic problems is adequate organization for distribution.

In addition to these problems looking to the permanent solution of agriculture's problems, there has also been need for emergency assistance.

Up to the present time Congress has solved, to a large extent, the credit problems, but has not been able to agree either on a solution of emergency problems or provide the needed assistance for further organization and orderly marketing of farm products as a permanent solution.

However, much momentum has been gained in this direction and a vast amount of information has been analyzed and a much clearer understanding arrived at, both by the farmer and the general public. This momentum should not be lost. Effort should be continued to provide not only some immediate relief measures for practical suggestions through the development of foreign markets and aid in distribution in domestic markets, but sustained effort should be made in cooperation with farmers' organizations to find a permanent solution. No let up should be considered until the main problems are solved. There are many Government agencies as well as organizations among farmers that should continue their efforts.

It is for this purpose that the resolution is offered which will place in the hands of the President a considerable sum of money in order that he may not only appoint advisory committees to suggest both temporary and permanent assistance but also have means to give such temporary assistance as can be suggested and also formulate a better plan which may enable Congress at the next session to take early action.

It has been suggested by governmental authorities that there are two fundamental generalizations which underlie any approach to a proper consideration of our marketing system in agricultural products:

First, a better regulation of production to demand; second, that the increase in return to the agricultural producer and the lowering of cost to consumer can only be accomplished through the elimination of waste between the producer and the consumer.

ADJUSTMENT OF VOLUME OF AGRICULTURAL PRODUCTION TO CONSUMPTION

The agricultural crisis which came upon the country three years ago is slowly solving itself through a process of adjustment in practically the same way that such crises have been solved in the past. This process is carried on partly by the farmer himself in slowly decreasing the acreage of the least profitable crops and increasing his energies along more profitable lines, and partly by economic pressure which hard-boiled economists might call starving out the marginal producer.

Historical study of agriculture will show that at several times in the past such crises have arisen, and the adjustment has come by the same hard process. What is needed is to provide some new method by which agricultural adjustment can come with less grief and more service to the farmer.

What is the fundamental difference between agriculture and industry in making adjustments to great economic changes? As a matter of fact, agriculture and industry were faced with similar situations in 1920. In both cases there had been a great stimulation of production during the war period, and they were both faced with a great deflation to new levels of prices. There was, however, this striking difference: Most of the industries were able to make the adjustment in from a year to 18 months, which consisted primarily in marking down inventories, cutting down production to meet demand where there was an oversupply, and expanding in directions where new demands were developing. Agriculture has been going through the same adjustment. From the nature of things, while manufacturers have a three months' turnover and can thus adjust quickly, the farmer has a 12 months' turnover and must take longer, but, instead of taking a year or two years at most, it has taken four years to accomplish as much change as industry was able to accomplish in a few months. Another year or so will probably see agricultural production finally adjusted to demand.

The above statement helps to explain why, when both industry and agriculture are faced with the same kind of an economic situation, agriculture usually goes through a long period of agony due to its inability to make rapid adjustment. The fundamental difference is that the industries are informed and follow the information in their possession, which enables them to make rapid adjustments, while agriculture, which is largely directed by the operations of 6,000,000 individual farmers who collectively work in the right direction under slow pressures, adjusts itself so slowly that there is great distress during the process. What is needed is some organization of agriculture by which needed adjustment, which at present and in the past has taken many years, could be made in one or two years. It is conceivable that if all agricultural production were organized completely into great cooperative units, it would be possible to bring about economic adjustments in one to two years in the same way that industry is able to do it.

The Department of Commerce is the authority for the annexed tables on food production, exports, and consumption:

Food Production, exports, and consumption

(Thousands of short tons; i. e., 000 omitted)

	Food crops			Animal products		
	Production [1]	Exports [2]	Per cent of production exported	Production [3]	Exports [4]	Per cent of production exported
1910	216,579	4,039	1.86	40,201	527	1.31
1911	188,845	6,367	3.37	41,530	848	2.04
1912	235,569	3,924	1.67	41,342	691	1.67
1913	202,815	7,090	3.50	41,895	678	1.62
1914	225,415	9,091	4.00	41,938	610	1.45
1915	258,134	12,982	5.03	42,854	1,171	2.73
1916	231,149	11,284	4.87	43,810	1,753	4.00
1917	247,502	9,665	3.91	43,374	1,645	3.75
1918	234,511	10,871	4.64	45,309	2,646	5.84
1919	251,412	12,113	4.82	45,159	2,899	6.42
1920	279,936	12,742	4.55	45,182	1,624	3.59
1921	252,710	16,645	6.59	45,886	1,393	3.04
1922	275,155	14,612	5.31	45,868	1,185	2.58
1923	272,190	8,980	3.29			

[1] Food and feed-crop production includes the following products for each year as estimated by the U. S. Department of Agriculture and based on the decennial census figures: Corn, wheat, oats, barley, rye, buckwheat, flaxseed, rice, potatoes, sweet potatoes, hay, cottonseed, apples, peaches, pears, and oranges.

[2] Exports of food and food crops include the products listed above except peaches, pears, and sweet potatoes for which no data are available. Export figures include flour and meal as equivalent grain.

[3] The production of animal-food products include total pork, beef, mutton, poultry, eggs, and milk. On meats, including lard, the figures published by Robert's, U. S. Department of Agriculture, circular 241, were used for the years 1910 to 1921. Year 1922 estimated from inspected slaughter. Poultry and eggs prorated on straight line for intercensal years.

[4] Exports of animal-food products include equivalent milk in butter, cheese, and condensed milk; pork, beef, and mutton products, and eggs. No figures are available for poultry. One pound of butter taken as equivalent to 24.4 pounds of raw milk; 1 pound of cheese equal to 10 pounds of milk, and 1 pound of condensed and evaporated milk equal to 2 pounds of raw milk.

Tobacco

Year	Production	Exports of unmanufactured	Per cent of crop exported
	1,000 pounds	*1,000 pounds*	
1910	1,103,415	355,327	32.20
1911	905,109	379,845	41.96
1912	962,855	418,797	43.49
1913	953,734	449,750	47.15
1914	1,034,679	348,346	33.66
1915	1,062,237	443,293	41.73
1916	1,153,278	411,690	35.68
1917	1,249,276	289,171	23.14
1918	1,439,071	406,827	28.27
1919	1,465,481	776,678	52.90
1920	1,582,225	479,900	30.33
1921	1,117,682	522,756	46.77
1922	1,071,836	441,277	41.17
1923	1,278,998	497,347	38.88

Cotton production and exports

	Production	Exports	Proportion of domestic products exported
	1,000 bales		
1911	16,250	11,084	68.2
1912	14,313	9,199	64.3
1913	14,795	9,256	62.6
1914	16,992	8,931	52.6
1915	12,123	6,406	52.8
1916	12,781	5,964	46.7
1917	12,428	4,587	36.9
1918	12,970	5,664	43.7
1919	12,029	6,761	56.2
1920	13,880	6,026	43.4
1921	8,351	6,476	77.5
1922	9,761	6,114	73.2
1923	10,170	5,279	51.9

Per cent agricultural domestic exports are of total domestic exports (value)

Fiscal years:	Per cent
1906–7	56.55
1907–8	55.14
1908–9	54.80
1909–10	50.59
1910–11	50.77
1911–12	48.05
1912–13	45.88
1913–14	47.44
1914–15	53.93
Calendar years:	
1915	45.89
1916	32.99
1917	33.11
1918	45.20
1919	52.20
1920	42.30
1921	48.12
1922	49.77
1923	44.24

The value of the exports from the different States for the first three months of 1924 is as follows:

State from which shipped:	Value of exports
New York	$183,846,364
Texas	147,255,543
Pennsylvania	74,747,650
Illinois	57,655,071
New Jersey	57,277,768
California	53,196,442
Louisiana	52,875,782
Michigan	46,585,997
Virginia	44,321,813
Washington	38,160,991
Ohio	35,115,572
Massachusetts	27,999,686
Oregon	20,273,030
North Carolina	19,312,109
Georgia	17,577,807
Wisconsin	16,770,668
Indiana	15,699,391
Maryland	14,082,192
Missouri	13,597,165
Arkansas	13,593,724
Mississippi	12,473,997
Tennessee	12,276,296
Iowa	10,767,830
West Virginia	9,375,298
Minnesota	9,257,387
Kentucky	9,032,810
Oklahoma	8,783,966
Alabama	8,760,658
Connecticut	8,546,388
Kansas	8,234,654
South Carolina	6,466,831
Florida	5,965,587
Nebraska	4,850,085
Rhode Island	3,141,043
Porto Rico	2,804,898
Arizona	2,539,987
South Dakota	1,813,917
Delaware	1,414,733
New Hampshire	1,355,099
Montana	1,189,972
Maine	1,053,812
Wyoming	890,600
Idaho	832,507
Colorado	789,584
North Dakota	535,897
Vermont	494,453
Hawaii	353,700
Alaska	252,000
Washington, D. C.	193,858
New Mexico	144,766
Utah	141,024
Nevada	61,379
Total	1,084,739,781

I append herewith a statement showing per capita wealth of States. Figures taken from statements issued by the Census Bureau for the year 1922:

	Per capita wealth
Nevada	$6,998
Wyoming	4,663
South Dakota	4,482
Iowa	4,274
Oregon	4,182
California	4,007
Nebraska	4,004
District of Columbia	3,878
North Dakota	3,692
Montana	3,691
Connecticut	3,610
Washington	3,600
New Jersey	3,524
Arizona	3,511
Kansas	3,492
Minnesota	3,443
New York	3,431
Idaho	3,301
Illinois	3,295
Colorado	3,285
Utah	3,247
Massachusetts	3,243
Pennsylvania	3,187
Rhode Island	3,086
New Hampshire	3,074
Ohio	3,045
West Virginia	3,040
Indiana	2,942
Missouri	2,903
Wisconsin	2,887
Michigan	2,883
Delaware	2,728
Maryland	2,665
Maine	2,586
Vermont	2,384
Florida	2,341
New Mexico	2,209
Virginia	2,059

	Per capita wealth
Texas	$2,010
Oklahoma	1,864
Louisiana	1,855
Tennessee	1,773
North Carolina	1,703
Kentucky	1,459
Arkansas	1,439
South Carolina	1,385
Georgia	1,306
Alabama	1,244
Mississippi	1,210
Average all States	2,918

Per capita wealth of inhabitants of certain States, as compared with those of all other States. Figures taken from statements issued by the Census Bureau for year 1922

Nevada	$6,998
Wyoming	4,663
South Dakota	4,482
Iowa	4,274
Nebraska	4,004
North Dakota	3,692
Montana	3,691
Arizona	3,511
Kansas	3,492
Minnesota	3,443
Idaho	3,301
Colorado	3,285
Utah	3,247
Missouri	2,903
New Mexico	2,299
Oklahoma	1,864
Approximate average (16 States)	3,697
Approximate average (32 States and District of Columbia)	2,638
Approximate average (all States)	2,918
Averages (approximate):	
West	3,897
Middle Atlantic	3,297
Middle West	3,232
East	2,997
South	1,907

Per capita wealth of inhabitants of States. Figures taken from statement issued by the Census Bureau for year 1922

Eastern States:	
Maine	$2,586
New Hampshire	3,074
Vermont	2,384
Massachusetts	3,243
Rhode Island	3,086
Connecticut	3,610
Approximate average	2,997
Middle West States:	
Indiana	2,942
Illinois	3,295
Missouri	2,903
Iowa	4,274
Minnesota	3,443
Wisconsin	2,887
Michigan	2,888
Approximate average	3,232
Western States:	
North Dakota	3,692
South Dakota	4,482
Nebraska	4,004
Kansas	3,492
Montana	3,691
Wyoming	4,663
Utah	3,247
Colorado	3,285
Arizona	$3,511
New Mexico	2,299
Idaho	3,301
Washington	3,600
Oregon	4,182
Nevada	6,998
California	4,007
Approximate average	3,897
Middle Atlantic States:	
New York	3,431
Pennsylvania	3,187
New Jersey	3,524
Ohio	3,045
Approximate average	3,297
Southern States:	
Delaware	2,728
Maryland	2,665
West Virginia	3,040
Virginia	2,050
Kentucky	1,459
Tennessee	1,773
North Carolina	1,703
South Carolina	1,385
Georgia	1,306
Alabama	1,244
Florida	2,341
Mississippi	1,210
Louisiana	1,855
Arkansas	1,439
Oklahoma	1,864
Texas	2,010
District of Columbia	3,878
Approximate average	1,907

Statement showing per cent of increase of per capita wealth from 1913 to 1922. Figures taken from statements issued by the Census Bureau

Arizona	190.8
Wyoming	177.2
North Carolina	175.7
Idaho	168.5
Florida	162.9
Tennessee	129.2
Connecticut	125.1
South Dakota	122.5
Michigan	116.7
New Hampshire	111.4
Delaware	107.0
Virginia	106.9
Massachusetts	106.7
Ohio	105.0
Maine	100.1
Montana	98.2
New Jersey	98.0
Rhode Island	97.8
Utah	95.2
South Carolina	94.6
West Virginia	94.6
Georgia	84.0
Wisconsin	83.9
Maryland	80.8
Mississippi	80.8
Pennsylvania	80.1
California	78.0
Missouri	77.1
Louisiana	74.6
New Mexico	74.4
Vermont	68.6
Oregon	68.3
Indiana	66.6
Washington	62.8
Kentucky	60.3
Minnesota	58.9
Texas	56.4
Arkansas	53.4
Alabama	51.8
New York	47.8
District of Columbia	45.9
Illinois	45.4
Nebraska	44.2
Colorado	40.9
Kansas	37.8
Iowa	37.2
Oklahoma	29.5
Nevada	20.0
North Dakota	17.5

CHILD LABOR AMENDMENT

Mr. DEAL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the child labor resolution.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DEAL. Mr. Speaker, for the benefit of those who may be interested in the subject of child labor, and who may not have seen the text of the resolution before us, I herewith submit the same, to wit:

SECTION 1. The Congress shall have power to limit, prohibit, and regulate the labor of persons under 18 years of age.

SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

Clothed in the white robe of humanity, sponsored by the sacred name of "mother," appealing in behalf of innocent and helpless childhood, the tenderest emotions of men and women are approached for aid in fastening irrevocably the fangs of the wolf into the innermost recesses of the home. To substitute for the tender affection of father and mother the inefficient hand of the bureaucrat, to create discord and sorrow and fear, to destroy the peace and happiness of society, and finally creating a hatred and disloyalty to our Government through an unending warfare between the parent and the Government is the purpose of the communist as a preliminary to its final overthrow. This proposal is one among four of the most important questions ever presented to the Congress and to the American people. It passed the House with only 69 dissenting votes. What the State legislatures will do depends entirely upon the interest which may be aroused among the people by those opposed to this surrender of power.

The same insidious, well-financed minority that is now stampeding Congress with propaganda and threats will undoubtedly besiege the members of the general assemblies of the States with like results, unless an educational campaign can be made to offset the minority effort. If the people can be awakened to the vicious and painful results that would follow the passage of this resolution, and later its ratification by the State assemblies, the outcome would not be in doubt, but who will arrange this campaign of education? The masses are not organized, there is no fund with which to defray its cost, none who can afford to give his or her time to the effort. We need

an organization, we need money, we need intelligent men and women to give of their time from now until the assemblies of 13 States shall have refused to ratify this unwarranted attack upon the home, and even then eternal vigilance will be necessary to meet the recurring efforts of those determined to take from parents the control of their children.

THE EFFECT

Let us consider the effect of ratifying the proposed amendment. Every State in the Union has enacted laws limiting child labor in industry. These laws are written to meet the needs of the State, or rather they have been written and enacted by general assemblies at the behest of so-called welfare workers. The people have not demanded such laws. All parents worthy the name—and the exceptions are infinitesimal—are the natural guardians of their children. None will admit himself or herself incapable of training their offspring. There are none relatively who do not resent the interference. Even so, it matters little so long as the State retains the power now enjoyed. If we desire to repeal, modify, or extend our laws we can do so. If we are content with them, no harm will have been done. When our children shall have taken our places they can repeal such laws if they wish. The Supreme Court has said that two statutes heretofore enacted by Congress regulating the labor of persons under mature age were and are unconstitutional, and so it is proposed to change the Constitution and have the people surrender their right irrevocably and forever, and the right of our children and our children's children irrevocably and forever, that Congress may say when, where, or if at all, our children may labor. That Congress should even consider this astounding and vicious proposal is incomprehensible. Congress to-day is ridiculed, hated, despised, and held in contempt because it has forgotten its duty to the general public and yields to the domination of insignificant minorities. Because of the continual assumption of authority and violation of its contract—the Constitution—with the people. Because of its enactment of a multiplicity of unjust, silly, vicious, regulatory laws. Madison, who more than any other wrote our Constitution and aided in the molding of our Government, said prior to the year 1809:

> The legislative power is of such a nature that it can scarcely be restrained, either by the Constitution or by itself, and if the Federal Government shall lose its proper equilibrium within itself, I am persuaded that the effect will proceed from the encroachments of the legislative department.

The vision of James Madison, afterwards President of the United States, is now being realized. Congress is in a jam between the Constitution and its duty to the American people and the demands by minority blocs, with the balance seemingly on the side of the blocs. If it were possible to eliminate the paid lobbyist, with his organized committees, their incessant prodding, and implied threats, Congress would function as intended that it should, the reserved powers of the State would not be assumed, and constitutional amendments would not be sought. If the proposed amendment should be ratified, 1,000,000 children and youths between the ages of 10 and 15 years would be denied the right to labor for gain, 647,000 of whom are employed in agriculture. We have not available the number thus engaged between the ages of 15 and 18, but if the ratio should be the same, then there would be eliminated from agriculture 863,078 persons. Add to these the number working without gain upon their parents' farms and homes and the number would be greatly increased.

Section 2 of the amendment is a gratuitous insult to the States when it says "The power of the States is unimpaired by this article," and so forth, when in fact it would enable Congress to invalidate the child labor laws of every State in the Union. Its refusal to submit this resolution to conventions of the people is proof positive that it knows the people would not ratify, that it proposes to override their will and ram down their throats this obnoxious measure.

The question then arises as to the effect upon agricultural production. Could we house our cotton, tobacco, vegetables, berries, and fruits? There are many who believe the result would be disastrous. My own opinion is that it would for many years result in a financial loss in the value of production of from three and a half to four billion dollars annually in agriculture alone, but this loss, stupendous though it be, is as nothing compared to the surrender of our liberty, the granting to a centralized power, unreachable by the masses, of the police power, with all of its opportunities for persecution, graft, and corruption. It may be assumed that permits might be granted by Government agencies for youths to labor under certain conditions. Miss Abbott points to the fact that—

we have examples of the actual selling of work permits for sums of money, regular places where children under the legal age could buy work permits.

Imagine a Federal Secret Service agent prying into the home to ascertain if the parent permits or requires an able-bodied boy of 17 years and 10 months of age to assist in the ordinary chores on the farm, or if a girl of the same age assists her mother in the household. Deny to the farmer the assistance of his children and he must give up the farm; he can not operate it; he could not house his tobacco, his cotton, his peanuts, his berries, his fruit, his vegetables. We would drive him from his home, to a hatred of his Government, and to become a socialist.

The person who lives to the age of 18 years without training for work may never work. He or she will be unable to enjoy the fruits and blessings of labor, and so we will raise our children—or, rather, the Children's Bureau at Washington will raise them—to be soreheads, idlers, communists; and that in part is the purpose of this drive for a constitutional amendment to enact a law that can not be undone, to give to a minority the power to control the American people. There can be no doubt in the minds of thinking persons or those who are at all informed that this is a communistic drive to reach the small farmer, force him to sell his lands, to concentrate such lands in the hands of the State or capital to be confiscated later on. Already socialism has Congress by the throat; the love of office is to it a supreme consideration. Will it ever react? Has it the moral courage to resist? Power surrendered by the State to Congress is a power surrendered indirectly to blocs, socialistic and otherwise. Unless the people can be aroused to the dangers of this communistic drive to break down the State as a political entity, toward which the last four amendments to the Constitution have so largely contributed, our American Government may pass into the hands of the proletariat and American liberty will be a thing of the past.

No person under 18 years of age will be permitted to do any kind of labor. Youths could not work their way through college. Boys could not sell newspapers. A girl could not prepare a meal in their parents' home; young men could not milk a cow, hook a team, or drive a wagon, or perform any manner of labor if Miss Abbott and her cohorts prevail in this matter.

IS IT NECESSARY

I submit there is not the slightest necessity for the National Government to invade this field, which the fathers reserved, not to the States, but to the parents and for which the unwritten law of nature provides. Even in the lower orders of animal life we find the parent providing for and protecting its young. Admitting that our higher order of civilization demands a most careful consideration for health and education and moral development, there is relatively little evidence that these or other needed attentions are neglected by the parent. Such exceptions as may be cited result, of course, from extreme poverty, for which this amendment does not provide nor offer a remedy.

For many years a persistent demand for legislation prohibiting child labor has been agitated, and as a result every State in the Union has enacted legislation designed to protect children from service in industrial plants, except for limited hours and exposure, according to the degree of need as determined by State assemblies.

Quoting from the testimony of Miss Grace Abbott, Chief of the Children's Bureau, United States Department of Labor, before the House Judiciary Committee:

> A minimum age for work in the factories has been established in all except three States at 14 or over. Thirty-five States recognize the principle of the eight-hour day. Night work is generally prohibited for children in factories and stores.

I have not verified the accuracy of this table, but I submit herewith a statement inserted in the RECORD by Senators BAYARD and OVERMAN which I believe has not been contradicted.

The table referred to is as follows:

STATE LAWS RELATIVE TO EMPLOYMENT OF CHILDREN IN FACTORIES

Alabama, prohibited under 14.

Arizona, prohibited under 14. (Exception, boy 10 to 14 may, upon license, outside school hours work at labor not harmful.)

Arkansas, prohibited under 14.

California, prohibited under 15. (Exception, child 12 during school vacation.)

Colorado, prohibited under 14. (Exception, child 12 during summer vacation.)

Connecticut, prohibited under 14.

Delaware, prohibited under 14. (Exception, child 12 outside school term on special permit.)
Florida, prohibited under 14.
Georgia, prohibited under 14. (Exception, child 12 on permit if orphan or has widowed dependent mother.)
Idaho, prohibited under 14.
Illinois, prohibited under 14.
Indiana, prohibited under 14.
Iowa, prohibited under 14.
Kansas, prohibited under 14.
Kentucky, prohibited under 14.
Louisiana, prohibited under 14.
Maine, prohibited under 15.
Maryland, prohibited under 14.
Massachusetts, prohibited under 14.
Michigan, prohibited under 15.
Minnesota, prohibited under 14.
Mississippi, girl prohibited under 14, boy 12.
Missouri, prohibited under 14.
Montana, prohibited under 16.
Nebraska, prohibited under 14.
Nevada, prohibited under 14.
New Hampshire, prohibited under 14.
New Jersey, prohibited under 14.
New Mexico, prohibited under 14.
New York, prohibited under 14.
North Carolina, prohibited under 14. (Exception, boy 12 on special permit outside school hours. Only 66 so employed during 1923.)
North Dakota, prohibited under 14.
Ohio, prohibited under 16. (Exception, child 14 outside school term.)
Oklahoma, prohibited under 14.
Oregon, prohibited under 14. (Exception, child 12 outside of school term.)
Pennsylvania, prohibited under 14.
Rhode Island, prohibited under 14.
South Carolina, prohibited under 14.
South Dakota, prohibited under 15.
Tennessee, prohibited under 14.
Texas, prohibited under 15.
Utah, prohibited under 14.
Vermont, prohibited under 14.
Virginia, prohibited under 14.
Washington, prohibited under 14. (Exception, child 12 on permit of superior court judge in case of poverty.)
West Virginia, prohibited under 14.
Wisconsin, prohibited under 14. (Exception, child 12 during school vacation.)
Wyoming, prohibited under 14.

In 1920 there were 12,502,582 children and youths in the United States between the ages of 10 and 15 years, while only 1,061,000 were employed for wages, and of these, 61 per cent were engaged in agriculture and 49 per cent in all other pursuits. The actual situation can be better presented by a table submitted by Miss Abbott in her testimony before the House Judiciary Committee.

Number of children engaged in each principal occupation group, by geographical divisions and States, 1920

[Fourteenth Census of the United States, population, 1920. Occupations of children]

Divisions and States	Children 10 to 15 years of age, inclusive, engaged in specified occupation group								
	Total	Agricultural pursuits	Manufacturing and mechanical industries	Domestic and personal service	Clerical occupations	Trade	Transportation	Extraction of minerals	Other occupations
United States	1,060,858	647,309	185,337	54,006	63,363	18,912	80,140	7,191	4,595
New England	59,239	3,053	39,708	2,946	5,110	1,086	6,973	30	333
Maine	2,585	823	844	454	239	86	113	2	24
New Hampshire	1,526	215	852	165	166	29	87	1	11
Vermont	1,277	510	276	219	163	31	47	18	13
Massachusetts	33,723	831	23,753	1,226	2,749	655	4,317	7	185
Rhode Island	8,569	119	6,979	185	420	98	737	2	31
Connecticut	11,559	555	7,004	697	1,373	189	1,672	----------	69
Middle Atlantic	131,541	8,922	61,293	8,511	13,817	3,737	30,924	3,427	910
New York	49,846	2,401	17,842	2,404	5,854	1,783	19,064	20	478
New Jersey	26,024	998	15,630	1,226	2,185	687	5,137	15	146
Pennsylvania	55,671	5,523	27,821	4,881	5,778	1,267	6,723	3,392	286
East North Central	100,801	23,425	30,152	8,583	16,593	3,052	17,260	905	831
Ohio	18,119	3,721	4,874	1,776	4,231	628	2,352	347	190
Indiana	16,911	4,844	4,744	1,638	3,045	631	1,643	226	140
Illinois	36,933	5,801	11,714	2,587	4,868	1,007	10,433	251	272
Michigan	13,154	3,588	3,305	1,315	2,771	498	1,437	74	166
Wisconsin	15,684	5,471	5,515	1,267	1,678	288	1,395	7	63
West North Central	57,906	29,722	7,938	5,029	6,623	1,914	5,884	324	472
Minnesota	8,271	4,698	665	869	1,035	215	712	15	62
Iowa	9,121	4,184	1,099	1,052	1,538	369	714	56	109
Missouri	22,587	9,622	4,816	1,591	2,124	694	3,443	141	156
North Dakota	2,816	2,364	48	199	97	43	47	5	13
South Dakota	2,555	1,928	120	205	161	55	64	2	19
Nebraska	5,286	3,171	469	446	569	200	370	3	58
Kansas	7,270	3,755	721	667	1,099	337	534	102	55
South Atlantic	273,981	214,906	26,304	12,380	7,150	3,383	8,318	817	723
Delaware	1,406	393	405	168	125	68	249	----------	8
Maryland	12,300	3,168	3,794	1,321	1,241	383	2,096	27	70
District of Columbia	1,871	5	198	413	416	127	680	----------	32
Virginia	25,493	15,501	3,506	2,885	1,367	654	1,157	188	145
West Virginia	7,431	4,112	1,096	746	460	269	230	472	46
North Carolina	62,162	50,582	7,697	1,637	808	528	790	30	90
South Carolina	63,520	56,920	3,839	1,308	562	338	475	11	77
Georgia	88,934	77,105	4,384	2,855	1,534	764	2,058	53	181
Florida	10,864	7,120	1,305	847	657	262	583	36	74
East South Central	221,342	196,620	8,503	6,821	3,577	1,780	2,672	1,045	324
Kentucky	26,754	21,036	1,657	1,336	905	390	828	493	109
Tennessee	39,837	32,326	2,854	1,929	1,116	527	767	243	75
Alabama	84,397	77,395	2,422	2,089	983	467	666	299	76
Mississippi	70,354	65,863	1,570	1,467	573	396	411	10	64
West South Central	184,267	158,187	6,817	6,772	4,559	2,537	4,433	467	495
Arkansas	48,140	45,686	857	647	364	258	254	26	48
Louisiana	32,274	27,718	2,502	2,501	1,196	514	1,703	52	88
Oklahoma	22,981	19,752	694	722	774	367	268	203	83
Texas	80,872	69,031	2,764	2,902	2,225	1,378	2,110	186	276

Number of children engaged in each principal occupation group, by geographical divisions and States, 1920—Continued

Divisions and States	Children 10 to 15 years of age, inclusive, engaged in specified occupation group								
	Total	Agricultural pursuits	Manufacturing and mechanical industries	Domestic and personal service	Clerical occupations	Trade	Transportation	Extraction of minerals	Other occupations
Mountain	15,612	8,950	1,512	1,358	1,619	657	1,201	151	164
Montana	1,402	678	91	109	231	68	131	15	19
Idaho	1,608	1,092	106	123	133	66	64	4	20
Wyoming	608	307	58	57	67	52	40	23	4
Colorado	4,558	1,955	589	445	649	206	612	51	51
New Mexico	2,195	1,418	241	243	93	91	55	33	21
Arizona	2,711	1,981	205	150	176	93	70	13	17
Utah	2,361	1,477	306	140	240	63	201	7	27
Nevada	169	42	16	31	30	18	22	5	5
Pacific	16,169	3,524	3,110	1,606	4,326	766	2,475	25	343
Washington	4,650	1,024	1,044	463	1,225	264	540	6	84
Oregon	2,402	668	341	249	785	77	208	1	33
California	9,057	1,832	1,725	894	2,310	425	1,627	16	226

From these tables it will be seen that each State has been fully aroused to meet the demands of welfare workers, and while the laws have not been uniform among the States, they have undoubtedly been written to meet the demands of the proponents, due regard being had for the especial conditions existing in the respective States, and that is as it should be. Reference to the tables will show that 185,237 children, 10 to 15 years of age, inclusive, were employed in manufacturing and mechanical industry, or 1.4 per cent of the whole; in transportation, 80,140, or four-tenths of 1 per cent. It should be borne in mind that while the minimum age limit in no State is less than 14 years provision is made by some States for permits to be granted by designated officials for limited labor under certain conditions. The above table submitted by Miss Abbott designated the occupation of those in nonagricultural pursuits.

That work which will not overtax the strength and endurance of the child is conducive to the development of better men and women has been, and I believe now is, the thought of a vast majority of our people. Idleness is unquestionably the "devil's workshop." The mind as well as the body should be engaged usefully, and this is just what all of the States have sought to bring about. Senator BAYARD very aptly suggested that Christ was a carpenter at the age of 12. Public schools have been provided, compulsory educational laws have been enacted, excessive labor has been prohibited, health is being looked after, transportation in rural communities to and from schools is supplied at public expense, and the parents are expected to do their part. Paternalism among the States is being tried in the balance. It has swept forward at great speed and the end is not yet. Just as rapidly as the capacity to endure taxes will permit the States are absorbing the functions of the parent. City councils, county supervisors, and general assemblies in daily touch and in cooperation with the people are doing all that is necessary, the cost of which is more than one and a quarter billion of dollars annually. Then why surrender these powers reserved to the States or the people, to a bureau at Washington, duplicating expense and bringing into the home the nauseating meddling of politicians with the certainty of impairing the efficiency already developed. Again, I submit that the need is not apparent and the people do not want the Federal Government meddling in the home.

FROM WHOM DOES THE DEMAND COME

Let us consider, if you please, the source of the demand for this additional surrender by the people to the Federal Government of the power to limit, prohibit, and regulate the free exercise of effort by persons under 18 years of age to earn a living when necessity requires. Certainly not the States or the people. In so doing we must analyze those appearing at the hearings by the House Judiciary Committee.

My judgment is that we should eliminate the seven Congressmen who appeared before the committee, five of whom came from the State of Massachusetts, one from California, and one from Wisconsin. Representing infinitesimal numbers of one's constituents Congressmen not infrequently appear before committees to present their point of view, when otherwise they might not think of so doing, and indeed if not prompted and urged might oppose the cause. Seven of the 29 witnesses appeared for and 22 against the resolution.

The most important proponent was Miss Grace Abbott, Chief of the Children's Bureau, Department of Labor, Washington, D. C., neither a mother nor the head of a family. Then we have a coworker of Miss Abbott, Miss Mary Stewart, chairman of Woman's Committee for Child Labor Amendment, Washington, D. C., speaking for the above-named committee, which represents 16 national woman's organizations, namely:

American Association of University Women; American Federation of Teachers; American Home Economics Association; General Federation of Women's Clubs; Girls' Friendly Society of America; National Congress of Mothers and Parent-Teacher Association; National Consumers' League; National Council of Jewish Women; National Council of Women; National Education Association; National Federation of Business and Professional Women's Clubs; National League of Women Voters; National Woman's Christian Temperance Union; National Women's Trade Union League; National Board of Young Women's Christian Association; and Service Star Legion.

We take it that Miss Stewart has never known the tender emotion of a mother for her child.

Mrs. Harriet Upton, vice president national executive committee of the Republican Party, Washington, D. C., now a candidate for Congress. No doubt she had in mind its effect upon her political future.

Miss Agnes G. Regan, of Washington, D. C., ex-secretary National Council of Catholic Women.

Mr. E. O. Watson, secretary of the Federal Council of Churches of Christ in America, of Washington, D. C., claiming to "express the voice of the united churches of this country," namely, the Methodist Episcopal, Congregational, Northern Baptist Convention, Presbyterian, Disciples, and the Reformed Church in the United States.

Mr. Owen R. Lovejoy, general secretary National Child Labor Committee, New York City.

Mr. Edgar Wallace, American Federation of Labor.

THOSE OPPOSED

Mr. G. L. Cooley, of Ohio, sympathizes with child labor laws but desires to omit child labor on the farm.

Dr. W. H. Walker, California, representing the American Farm Bureau Federation, favors the purpose but is apprehensive of a constitutional amendment.

Mr. A. G. Fox, of New York, representing the Moderation League, of the board of which he is chairman, calls attention to the fact that there are 74 proposed amendments to the Constitution before Congress. He favors Senator WADSWORTH'S amendment to require all amendments to be ratified by conventions called for the purpose in each State, the delegates to which shall be selected especially for the purpose. Mr. Fox said:

But, Mr. Chairman, granting power is not the best way to prevent its exercise, and the question is always to be considered when it comes to granting it in the fundamental law, not what Congress may do or can do, which is a guess, if you will pardon me for using so speculative a word, but what it will do.

Mr. Ira Jewell Williams, lawyer, of Philadelphia, Pa., speaking for himself only, compares the proposed amendment to the eighteenth amendment—

which was the first exception introduced into the Constitution in the way of a matter primarily of local concern which took away from the localities the power of local self-government.

Mr. Willis R. Jones, attorney, Baltimore, Md., was invited to address the committee on this amendment by the Woman's

Constitutional League of Maryland, comprising about 200 women.

Mrs. Reuben Ross Holloway, Baltimore, Md., representing the Woman's Constitutional League of Maryland, opposed any further grants of power to the Federal Government.

Mr. Simon Miller, textile manufacturer, of Philadelphia, Pa.

Mr. David Clark, editor of the Southern Textile Bulletin, Charlotte, N. C.

Mr. John H. Adrians, attorney, Washington, D. C.

Mr. Henry W. Moore, of Philadelphia, Pa., representing the Pennsylvania Manufacturers' Association.

Dr. Charles O'Donovan, Baltimore, Md.

Dr. Charles T. Rawls, Baltimore, Md.

Mr. Thomas F. Cadwalader, attorney, Baltimore, Md.

Mrs. Rufus M. Gibbs, legislative chairman Federation of Democratic Women and secretary Woman's Constitutional League, Baltimore, Md., representing about 500 women.

Miss Mary G. Kilbreth, president Woman Patriot Publishing Co.

Mr. Ed. F. Dickinson, Massachusetts.

Mr. E. F. Carter, executive secretary Child Welfare Commission of North Carolina.

Mr. James A. Emery, general counsel National Association of Manufacturers of the United States

Mr. Louis A. Coolidge, Boston, Mass., chairman of the Sentinels of the Republic, with members in every State of the Union.

Mrs. Kate B. Johnson, Raleigh, N. C., chairman State Welfare Commission of North Carolina.

Mr. Gray Silver, Washington representative of the American Farm Bureau Federation.

Mr. Charles J. Webb, executive head of the Salvation Army, Philadelphia, Pa.

The 22 witnesses represent the thought of the mass of American people; they stand for the integrity of our basic law and the principles that have developed the strongest and richest Nation on earth, a land of opportunity that has been and is the El Dorado of the hopes and aspirations of peoples in all parts of the world. Only the lack of money and organization prevented a still greater preponderance of opposition. That which we have need to consider are those demanding the submission of this resolution granting to Congress an insidious, unnecessary, and dangerous power. Miss Abbott, Chief of the Children's Bureau, was the most prominent witness and spokesman. We should, therefore, have a better acquaintance with her, those with whom she associates in her welfare theories, the ramifications of this association, and the doctrines to which they hold, to wit:

Miss Grace Abbott, Miss Julia Lathrop, Dr. Anna Louise Strong, Mrs. Florence Kelley, Miss Jane Addams, etc., have all been connected with Hull House, Chicago, and with the so-called Woman's International League for Peace and Freedom.

MISS JANE ADDAMS

Miss Addams is international president of the Woman's International League and has presided at all four of its international congresses—The Hague, 1915; Zurich, 1919; Vienna, 1921; Washington, 1924. Miss Addams's name appeared with those of Nicolai Lenin and Eugene V. Debs as a leading shareholder in the Russian-American Industrial Corporation. (See World To-morrow advertisement, November, 1923, p. 352.) Miss Abbott served as "consultative member" of its executive board at the recent Woman's International League, Fourth International Congress at Washington, D. C., and also took part in its first International Frauen Congress at The Hague in 1915, as did Miss Kelley and Miss Addams. The Woman's International League has led the campaign in this country for recognition of Soviet Russia (see Woman's International League Bulletin No. 6, June, 1923), and urged women to take slacker oaths against all service to their country in time of war. (See official Woman's International League report Second International Congress of Women, Zurich, 1919, pp. 156, 160, 161, 262, and official report Woman's International League Third International Congress of Women, Vienna, 1921, pp. 101, 261.) For further proof of the communist nature of the "peace program of the Woman's International League, attention is called to the "cahier" adopted by the Woman's International League at Washington, May 7, 1924. This "cahier," which may be obtained from the Woman's International League, provides for the establishment of a new international order based on the soviet system of representation and for the establishment of international communism, although elaborate care is taken in the "cahier" to describe the soviet system and communism without using those terms.

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The vice president of the Woman's International League, Frau Lida Gustava Heyman, Germany, was a member of Kurt Eisner's communist-socialist cabinet during the soviet régime in Bavaria in 1918. (See Daily Worker, Communist, April 29, 1924.)

A member of the executive committee of the Galician section of the Woman's International League was hung recently in Poland. She was indicted as a soviet spy and hung while in prison. (See Daily Worker, Communist, April 29, 1924, or The Nation, May 14, 1924.)

MISS GRACE ABBOTT

Miss Abbott, Chief of the Children's Bureau and "consultative member" of the executive board of the Women's International League, was a delegate to the original "Internationaler Frauenkongress" called at The Hague in April, 1915, at which the organization now known as the Woman's International League held its first international congress. This congress was called by Frau Rosika Schwimmer, of Hungary, but in reality a German agent (see the Lusk Report, vol. 1, p. 971), who came to the United States immediately after the first defeat of the Germans on the Marne in September, 1914, to secure the intervention of President Wilson and to organize women's peace leagues all over the United States.

Miss Grace Abbott, at the "Internationaler Frauenkongress," as it was called, moved that the fortifications of the Panama Canal be dismantled and that all international waterways be made a property of all the nations. She said, in part, "The United States women have been especially fortunate in having with them during the last months Madame Schwimmer, who told us in the same way as she told you what our duty was."

Frau Schwimmer, in reality a German agent, says the Lusk report (vol. 1, p. 971), who came to the United States and told American women "what our duty was," as Miss Abbott declared, also organized the Ford peace ship and various other schemes. After the war she became Hungarian Bolshevik ambassador to Switzerland, but was recalled and for several years past has been making her headquarters at Hull House, Chicago. Frau Schwimmer was an active leader and speaker at the recent Fourth International Congress of the Woman's International League at Washington, D. C.

MRS. FLORENCE KELLEY

Mrs. Kelley's leadership in the establishment of the Children's Bureau is attested in the Woman's Journal, official feminist organ at that time, now the Woman Citizen, of April, 1912. Mrs. Kelley, socialist, was also head of the maternity act drive of 1921 as a chairman of the maternity act subcommittee of the woman's joint congressional committee and also chief draftsman of this amendment. Mrs. Kelley was the chief draftsman of the McCormick-Foster child-labor amendment and was consulted as to proposed changes. She declared that her instructions included participation in the selection of a Senator who should be asked to introduce the bill, and that she should make the adoption of that particular amendment her chief occupation with Congress until the amendment should be adopted.

FURTHER EVIDENCE

Senator WALSH of Montana. Mrs. Kelley, evidently you had something to do with the drafting of this resolution. Will you tell us what idea was intended to be covered by the concluding words of the resolution—what it means? (Senate Report, p. 91.)

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Senator WALSH of Montana. Mrs. Kelley, you would be helpful to us if you take the draft now proposed by Professor Lewis and tell us what you feel ought to be added to it. (Senate Report, p. 92.)

The socialistic origin and control of the text of this improperly termed child-labor amendment is, therefore, indisputable. (See CONGRESSIONAL RECORD, May 31, 1924, p. 10263.)

That a socialist translator of Karl Marx and friend of Frederick Engels should have her proposed amendments accepted by a Senate committee which rejected the proposals of Senator Lodge, Senator Johnson, etc., and her proposed amendment prevail in the House while all proposals, even to allow the people to vote on the amendment through conventions or changing it, were rejected is a clear demonstration of socialistic power and leadership over the great political parties when socialism is cleverly disguised as an emotional humanitarism.

Mrs. Kelley says we have more interlocking directorates than business has. We are now organized with a thousand ramifications. Interlocking connections between the Children's Bureau, the Women's International League, Hull House, the National Child Labor Committee are a small fraction of the great network of interlocking radical, pacifist, and bureaucratic organizations and activities.

In 1897 and 1898 Mrs. Kelley was the editor of the Archive fur Sozialegesetzgebung, at Berlin. She married a Russian or Pole named Wischnetwezky, from whom she was later divorced. In addition to other translations of Marx and Engels, Mrs. Kelley translated Engels's "Condition of the Working Class in England"—the inspiration of much socialistic legislation in the last 50 years—and in 1910 edited Edmund Kelley's Twentieth Century Socialism. Mrs. Kelley was also president of the Intercollegiate Socialist League—the organization chiefly responsible for socialist agitation in schools and colleges—which changed its name two years ago to the League for Industrial Democracy, but continues its socialistic propaganda.

That Mrs. Kelley has headed nearly all the drives for German socialist welfare legislation, such as compulsory health insurance, the creation of the Federal Children's Bureau, the maternity act, etc., and is still a recognized leader of the socialist cause to-day, is attested by the appearance of her name at the head of a list of socialist and communist men and women who signed themselves "Comrades" in sending a birthday gift last year to Warren K. Billings, a California convict sent to the penitentiary in connection with the preparedness day bomb outrages. (See New York Call, socialist organ, July 4, 1923.)

DR. ANNA LOUISE STRONG

Doctor Strong, who conducted a number of child welfare exhibits throughout the country in 1911 during the agitation for a children's bureau and became exhibit expert of the Federal Children's Bureau and author of the Children's Bureau Publication No. 14, Child Welfare Exhibits, has become the chief American press agent and eulogist of the soviet system as attested by Leon Trotski himself; by Miss Strong's employment as Moscow correspondent for The Worker (official American communist organ). Three years ago Miss Strong went to Russia as publicity representative for the Friends Service Committee.

She has just issued a book glorying Soviet Russia under the title "The First Time in History." Leon Trotski has written the introduction in which he pays her a glowing tribute.

In The Forum, April, 1924, Miss Strong has an eulogy of Nicolai Lenin entitled, "The Greatest Man of Our Time." She says:

No public man of our time has made such a gift to human progress as Lenin. No man has been so increasingly loved by so many millions of people. No man has attained such triumphant success, whether measured by actual achievement at the time of his death or by promise of growing results for the future.

A Federated Press bulletin, December 15, 1923, announced:

Anna Louise Strong, for several years Moscow correspondent of the Federated Press, expects to fill American lecture engagements this winter. She can be reached at Hull House, 800 South Halstead Street, Chicago.

VICTOR BERGER, the only avowedly Socialist Member of the United States Congress, says of the proposed amendment:

It is a Socialist amendment, and that is why I am for it.

Mr. Owen R. Lovejoy, general secretary National Child Labor Committee, appearing before the House Judiciary Committee, who, upon the conviction of Eugene V. Debs, his personal friend, under the espionage act, upheld by the United States Supreme Court, wrote Comrade Debs that "his conviction was an outrage, cloaked in legal technicalities, proving the bankruptcy of the present social order," thus indicating his association with the so-called socialistic order in America.

The above quotations were taken from a petition submitted by the Woman's Patriot Publishing Co. and printed in the CONGRESSIONAL RECORD of May 31, 1924.

Miss Grace Abbott declared at the House hearing (p. 264) that—

When you undertake to get rid of child labor then you must make some other provision for the care of those children.

And Miss Alice Paul, leader of the National Woman's Party, says:

We intend to insist also that the State assume entire responsibility for the maintenance and education of children until they become of age. When the women of the world have junked the battleships and other impedimenta of war enough money will be released to take care of these reforms. (Washington Herald, October 25, 1920, p. 7.)

Miss Harriett Stanton Blatch, another leader of the National Woman's Party, says:

Every woman, whether the wife of a millionaire or a day laborer, will, in the world built by women, be made to feel that society honors motherhood sufficiently to raise it above all sordid conditions. (Washington Times.)

Miss Helen Todd, former chief campaign speaker for the New York Suffrage Association and later chairman of New York's greatest birth-control meeting, had this to say:

Place the mothers on the Government pay roll and pay them the money which would otherwise be spent in preparing for war. Every mother, rich or poor, should receive Government endowment.

MISS JULIA LATHROP

Miss Lathrop, Chief of the Children's Bureau under the Wilson administration, requested Professor Harris, connected with the Bureau of Labor, Washington, D. C., to submit a synopsis of the European wage legislation, "in the hope that the information might prove useful to the people of one of the few great countries which as yet has no system for State or national assistance in maternity." In this synopsis Professor Harris has to say:

The most comprehensive study on maternity benefits and workmen's insurance which has yet appeared in any language is the volume by Mme. A. Kollontay.

Mme. Kollontay was a German paid Russian traitor, exposed as such by American newspapers and Government documents nearly a year before the Children's Bureau book was published in May, 1919. She was Soviet Russia's first commissar of public welfare, a position she took at the time of the Bolshevik revolution, November 7, 1917. Mme. Kollontay is now Soviet minister to Norway, after a hectic career, which included eight husbands, two positions as people's commissar, first commissar of public welfare, and then commissar of propaganda, two visits to the United States in 1915–16 as a German socialist agitator, after having been deported from three European countries in 1914 as a dangerous revolutionist. (Woman's Patriot Publishing Co., CONGRESSIONAL RECORD, May 31, 1924.)

Miss Julia Lathrop indorsed Mme. Kollontay's work, suggested by Mr. Harris as "the most comprehensive," in her letter of transmittal to the Secretary of Labor.

As Chief of the Children's Bureau she called a series of conferences for May and June, 1919, the first of which was held in Washington; and at that conference we find a number of noted socialists from foreign countries, among whom were, according to Miss Lathrop's report, Mrs. Eleanor Barton, of the Woman's Cooperative Guild of England, an organization of the wives of British wage earners; Dr. Clothilde Murlon, War Department, France, who did special work in the supervision of industrial Creches during the war; Dr. Reni Sand, professor of social and industrial medicine at the University of Brussels, and adviser of medical inspection of the Ministry of Labor; Mr. Isador Maus, director of the division of child protection, Ministry of Justice, Belgium; Mr. Takayuki Namaye, Department of the Interior, Japan, in charge of reformatory and relief work and the protection of children; Dr. Radmila Milochevitch Lazarevitch, from Serbia, a physician and leader in social service activities.

I have it upon the authority of a friend who attended this convention on May 5, 1919, that Madame Katarina Breshkovsky, grandmother of the Russian revolution, formerly a nihilist of the most vicious type, banished from Russia under the régime of the Czar, pardoned by Kerensky, returned to Russia and requited his kindness by plotting with Lenin and Trotski for his overthrow, was present and occupied a seat of honor upon the stage. I do not find in the report of this conference the name of Madame Breshkovsky.

Under the Russian system an attempt was made to nationalize the children. The official journal of the commissariat of public education No. 4 contained the following statement by the Bolshevik Commissar Lelina:

We must nationalize the children. We must remove the children from the pernicious influence of the family. We must register the children, or, let us speak plainly, we must nationalize them; thus they will from the very start be under the beneficial influence of communist schools. Here they will grow up to be real communists. To compel the mother to surrender her child to us, to the Soviet State, that is the practical task before us. (Speech of Senator REED of Missouri, CONGRESSIONAL RECORD, 1921.)

This was undertaken in Russia, and Miss Emma Goldman, deported from the United States for sedition against our Government, returned to Russia expecting to enjoy under the Bolshevik government a realization of her dream of a perfect social state. She found that the Bolsheviks of Russia did not accord to her a seat at the right hand of the supreme power, but, rather, held her on the waiting list before according to her full confidence as a comrade in the Bolshevik State. She, however, sought to visit these Russian schools in which the children had been taken from parents to be trained and educated by the State. To gain access a permit from the department was required. The permit, however, admitted her to one school only. There she found the children well fed, well clothed, in apartments that were clean and healthful. In every way the situation was gratifying. Incidentally the principal spoke of certain children being in confinement. Inquiring as to the cause, she was told that they had been guilty of theft. This, of course, shocked the sensibilities of Miss Goldman, who holds to the theory that property should be held in common and that there could be no such thing as theft. Learning later that there were other schools that were not so well kept, she solicited a permit to visit them. This privilege was denied. She found a way,

however, to gain admission, only to find the children emaciated, half-starved, clothed in rags, reeking with filth and vermin, and limited to a diet of soup from potato peelings; that parents from whom the children had been taken had at times sent food and clothing for their children, only to have them stolen by employees of the school. Thus she developed the fact that the Bolsheviki had one or two model schools, while the rest demonstrated the absolute failure of their undertaking. It may be asked why I have dwelt at length upon the biographies of these social workers and communists.

My purpose is to show that the theories out of which has grown the resolution under consideration had their origin among Communists, have been experimented with in Russia, and that there is a close alliance between the Russian proletariat and the social workers to whom I have referred in this country. Indeed, it would seem that this amendment is only a part of the program which it is proposed with the aid of Russian money to perfect in our own country. The maternity bill has already been passed. The national educational bill has been introduced in three Congresses and is now in the hands of the Committee on Education of the House of Representatives. Should the proposed amendment be ratified by the States there is scarcely a doubt but that Congress will exercise the limit of its power and enact laws that will absolutely prohibit work of any kind by persons under 18 years of age. Naturally the question will then arise as to how the parents are to support their children in idleness. This, of course, is to be done by enacting additional laws or constitutional amendments, if necessary, to provide mothers' pensions and support for the children.

Mr. Hughes, the Secretary of State, recently gave as a reason for not recognizing the Soviet Government that it was sending money and agents to our country to work for and compass the overthrow of our Government. It would seem that they have already made great headway in this direction. At the head of the Children's Bureau, Miss Julia Lathrop, whose associations and trend of thought is socialistic, who is associated with the communistic workers not only of America but also of Europe, who indorsed the Russian maternity system and had it enacted into law by this country, was placed at the head of the Children's Bureau, a department of our Government, and as its chief used the taxpayers' money, the Government Printing Office, and the mails to prepare and spread her socialistic teachings among the American people. When Mr. Harding came into office he substituted Miss Grace Abbott for Miss Lathrop. Miss Abbott, like Miss Lathrop, was associated with "Hull House," is a social worker, has the same associations and affiliations, the same lines of thought, and has continued the work of the Children's Bureau along the lines laid down by Miss Lathrop. She has had to spend during the past year something like one and a half million dollars of public money, which she has used in part to extend and broadcast her socialistic theories. Mr. Hughes was undoubtedly right in suggesting that Russia had been seeking the overthrow of our Government. Its highest officials make no denial of their effort. Evidence before the Immigration Committee of the House of Representatives indicated that Russian gold has been shipped into America to be used for this purpose. The Department of Justice, as stated by Mr. Hughes, has convincing and sufficient evidence that these efforts are being made. Indeed, I have photostatic copies of an immense amount of literature captured in the raids upon communistic quarters by our Secret Service department, and I have seen literature circulated from one, at least, of our women's organizations that bears so close a resemblance to these photostatic copies that there can be no doubt of their origin. The communistic associations and affiliations of Miss Abbott have been set forth in a petition by the Woman's Patriot Publishing Co. printed (in part reproduced herein) in the CONGRESSIONAL RECORD.

So far as I know, these statements have not been refuted or even denied; therefore we have a right to assume them true. Certainly it is within the power of the President of the United States to have the Department of Justice verify the truth or untruth of these statements. If they be true, then we have the anomalous situation of the Secretary of State complaining of the Soviet Government financing and encouraging efforts for the overthrow of our Government, while the administration, with full power to appoint or discharge, retains at the head of one of our important departments of the Government one whose affiliations and associations are communistic, and is placing at her disposal large sums of money and the use of our printing presses with which to print and transmit through our mails literature encouraging the advancement of socialistic theories. Indeed, the press has credited the President with favoring the child labor amendment to our Constitution. Of course, there are many Americans who conscientiously support this amendment in the belief that there have been great abuses of children by parents in requiring them to labor beyond their physical ability, and out of the goodness of their hearts are seeking to advance humanitarian projects, which in reality are aids to the work of those who seek to overthrow our Government and to substitute therefor the horrors of communism. Even though this were not true, government is for the protection of all. It is absurd that millions should be restricted by unnecessary regulations in order that an abuse in an infinitesimally small number of cases might be corrected. I say "might" because I believe the theory unsound and will lead to continual discord and confusion. It is better that a few should suffer, if need be, than many, and that great and sound principles be discarded and destroyed in order to experiment with theories that have failed where tried and are entertained relatively by few.

By the creation of a Children's Bureau, with a chief at its head, the foundation was laid upon which to build and extend this socialistic scheme and incidentally make the American people pay the bill.

Mrs. Kelley says:

> We have more interlocking directorates than business has, and they have a thousand ramifications.

Perhaps these interlocking directorates and ramifications will take in the 16 organizations which Miss Stewart claimed to represent before the House Judiciary Committee. There can be no question that the purpose of these organizations' "interlocking directorates and ramifications" are to give the impression that there are millions of persons behind the movement. It is estimated, however, that there are not more than a million communists in America, but these are enough if they can gain control of our Government. It is stated that at the time of the Lenin revolution in Russia that there were only 600,000 of the communists, and yet these have dominated and controlled with the unrelenting hand of a tyrant 150,000,000 of people. They practically annihilated by confiscation the industry of Russia, which they did not have the brains to operate; admittedly permitted their Cheka to murder in cold blood 1,750,000 people, to drive millions of their best citizens into banishment, and created a condition whereby millions are said to have starved to death. In view of this example, it is passing understanding that the American people, the American Congress, and the administration should countenance for an instant any theory, any suggestion, or any advice that may be offered by those whose associations indicate that they hold to the extreme view of the Russian proletariat.

If Mr. E. C. Watson is a bona fide representative of the churches, as stated before the House Judiciary Committee, and authorized to speak for those churches, then we have an official public declaration of these churches that they have entered the field of political endeavor. How far this might be interpreted to mean that these churches would discard the idea of separation of Church and State and seek control of temporal government remains to be seen. Certainly there is an abundance of evidence indicating that some of our churches are devoting much of their time and attention to regulating the morals of individuals by law, and thus we have the anomalous situation of the churches of Christ and socialism joining hands to destroy our dual system of government and take from the States the power and authority to regulate and control child labor. Communism is opposed to the church; its teachings are the antithesis of those of the Lord Jesus Christ, and yet we find apparently this combination arrayed against the principles of self-government and American liberty.

The third and perhaps the most powerful organization that we find urging the submission of the child labor amendment is the American Federation of Labor, represented by Mr. Edgar Wallace. It may be that this organization is not united in support of this amendment. Indeed I have not so found it. The motive of its leaders, however, may be suggested in the thought that it will eliminate a large element of competition on the labor market. The reduction of the working day from 10 to 8 hours on the railroads and in many of our industrial plants was equivalent to the removal of one-fifth of the labor so affected, creating a shortage in industrial help which resulted in an enormous increase in the wage scale. Protected industry has been in a position to meet this increase of wage and as a result has drawn very largely from agriculture to supply its needs, thus creating a shortage of help in the agricultural field and an increase of wage, while agricultural commodities have sunken to pre-war levels, and this largely accounts for the distressed financial condition of the farmers throughout the entire Union. A shortage of help is always followed by inefficiency, thus accentuating the labor question. The prohibition of any work by persons under 18 years of age would still fur-

ther accentuate the situation and inevitably create a demand for pulling down the bars in order to admit immigration to fill this void. Otherwise production will be stifled, higher prices must follow, consumption must be reduced, and unemployment might result. All of which plays into the hands of the communist. He loses no opportunity to encourage any situation leading to discontent, to array class against class, to destroy confidence in government. Already the income tax laws, based upon unequal, unjust, unfair, inquisitorial, impertinent, and arbitrary assessment of incomes not realized, forcing 6,000,000 of persons into unnecessary and extraordinary expense in connection with the making of returns and payment of taxes, have inspired among many a dislike for and antagonism to the Government.

The unreasonable, harsh, and vicious prohibition laws, breaking down constitutional guaranties, prying into the homes of individuals, the regulating and bedeviling of the lives of American citizens have stirred the wrath of 40 per cent of our population, and to a large extent created a hatred of law and disloyalty to the Government. Ratify the twentieth amendment and we will have given to the Federal Government another weapon with which to prod the masses into anger and disloyalty. How many similar amendments to the Federal Constitution granting police powers to the Federal Government with which to destroy the peace and happiness in the ordinary processes of human life may be sought and secured, none can predict. But enough has already been done and proposed to be done to rekindle in the soul of the Anglo-Saxon race a desire for revolution, and thus afford an opportunity to carry out the Russian desire for the overthrow of our Government. This is not a prophecy; it may never be. The American people may react, and I trust that they will; I have faith to believe that they will, but we know that the proletariat of both the underground and parlor variety are at work. We know that they have funds with which to spread tons of literature. We know that it is the avowed purpose of Russia to capture America and establish the proletariat. We know that Government control of maternalism and of children, their training, education, and mothers' pensions had their origin among the communist. We know that the Russian experiment has been a monumental failure; that it is atheistic; that it has persecuted and endeavored to destroy the church; that where practiced industrial life has been destroyed. We know that in Russia famine and disease have prevailed in large areas, perhaps generally. We know that the cheka admits to the murder of nearly 2,000,000 of people. We have seen that the most enthusiastic proponents of the child labor amendment are advocating Russian theories. Then, why should we assist them? Why should we adopt their policies? Why encourage them? We believe that the American people are already disgusted with Congress for temporizing with blocs, advocating socialistic measures, assuming powers reserved to the States, thus duplicating the burden of taxes. Are we not pulling down the pillars of the temple upon our own heads?

MEMORIAL DAY ADDRESSES

Mr. JACOBSTEIN. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from New York [Mr. CELLER], may be permitted to extend his remarks in the RECORD by inserting an address which he delivered on Memorial Day.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. O'CONNELL of New York. Mr. Speaker, I make the same request for my colleague, the gentleman from New York [Mr. PRALL].

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CELLER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

> "I look for the time when every man who now puts his counsel against united service of mankind under the League of Nations will be just as ashamed of it as he who regretted the uniting of the States."

MEMORIAL DAY ADDRESS BY EMANUEL CELLER, MAY 30, 1924, TENTH DISTRICT OF NEW YORK

Under the auspices of the Far Rockaway Post, American Legion, Department of New York, we are assembled to-day to do homage to our soldier dead. We bow our heads in sorrow for those who have gone on their great adventure. We mourn the loss of those who, seeking the "bubble reputation at the cannon's mouth," have gone through the valley of the shadow of death.

The men of Long Island and of this peninsula earned enviable praise and esteem for gallantry under fire and for bravery under trying conditions. But such bravery and such courage is bought with a terrible toll. The price is dear. When rank upon rank stand their ground with unblanched faces against a withering fire, then jealous death spreads its encompassing wings around many a lad.

We do well to honor these men who have laid their lives upon the altars of liberty and patriotism.

Flanders Field, Belleau Wood, Argonne, St. Mihiel, Appomattox, Chancellorsville, Bull Run, San Juan Hill, Manila Bay, are names writ well upon the hearts of all Americans. Yet the signs and evidence of battle at those historic places may have gone. The trenches and breastworks that gave our men protection may now be leveled by plow or tractor. The little streams that were dyed from soldiers' hearts may now slake the thirst of lowing kine. Wheat fields or barley may cover the earth which battle bathed in blood. The sciences of war have given way now to the arts of peace. Where was carnage and destruction and ghastly death is now happily replaced by peaceful industry and quiet husbandry.

Though the battle wounds be healed, the scars can not be obliterated. The memories that are aroused this day of what "our boys" did in the War of the Rebellion and on foreign soil impinges our very souls. They fought a haughty foe and wiped out their foul footsteps' pollution. As Lincoln said at Gettysburg, "The world will little note nor long remember what we say here, but it can never forget what they did" there.

All righteous men deprecate war. Yet war induces in countless men the highest and most ennobling trait in human nature—that of self-sacrifice, self-abnegation. This noble quality shines brightest on scenes of carnage and fields of blood. There is developed often in soldiers and statesmen alike the most exalted manifestations of moral grandeur. Witness the divine spark that impelled Colonel Whittlesey and the "lost battalion." As Sir Philip Sidney put aside the cup of water that was offered to his parched lips and said, "Let it quench the thirst of yonder dying soldier; he needs it more than I."

During the Civil War Sidney Johnston sent the surgeon from his side to attend his stricken foes, and thus his own life's blood ebbed away unstanched.

Abraham Lincoln wrote to Meade near Gettysburg: "I direct you to attack the enemy; if you win, destroy this order and let the glory all be yours; if you fail, I take the blame on me."

These incidents are but typical of the history of our soldiers in all our wars.

I would speak, too, of those blessed but nameless soldiers who are now in death's embrace but who are without even an inscription over their heads. They fill the unknown graves. Life to them was just as dear as to those who lie beneath honored inscriptions. Home to them was just as sweet; hunger and thirst and cold were just as hard to endure; fever was as burning, wounds were as painful—death was as sublime.

Beside these unknown graves no mother's sigh breathes its tribute of affection; no orphan's tears bedew the fragrant flowers; no widow's sorrows even seek sweet solace there.

I can not refrain at this time from repeating what Wilson said in France in 1918:

> "But it would be no profit to us to eulogize these illustrious dead if we did not take to heart the lesson which they have taught us. * * * They have done their utmost to show their devotion to a great cause, and they have left us to see to it that that cause shall not be betrayed, whether in war or peace. * * * They came to defeat forever the things for which the Central Powers stood. * * * It is for us * * * to use our proper weapons of counsel and agreement to see to it that there never is such a war again. The nation that should now fling out of this common concord of counsel would betray the human race.
>
> "So it is our duty to take and maintain the safeguards which will see to it that the mothers of America and the mothers of France and England and Italy and Belgium and all other suffering nations should never be called upon for this sacrifice again. * * * The things that these men left us, though they did not in their counsels conceive it, is the great instrument which we have just erected in the League of Nations. * * * I like to think that the dust of those sons of America who were privileged to be buried in their mother country will mingle with the dust of the men who fought for the preservation of the Union, and that, as those men gave their lives in order that America might be united, these men have given their lives in order that the world might be united. * * * I look for the time when every man who now puts his counsel against the united service of mankind under the League of Nations will be just as ashamed of it as he who regretted the union of the States."

It is quite the custom these days to scoff and ridicule the League of Nations; but let me tell the scoffers they may yet live to rue the day they aligned themselves with the "die hards" and "irreconcilables." Wilson, whose fame will increasingly grow richer and deeper, sacrificed himself for the league. His was not failure. Nay, more, indeed! He has sown seed that will germinate and fructify the war-weary

world with the blessings of peace. I call Wilson great. I do so having in mind what Lowell said soon after Lincoln's death. Of him Lowell said, in 1864:

"We will not call him a great man, for overhasty praise is too apt to sour at last into satire, and greatness may be trusted safely to history and the future."

Nevertheless, I shall call Wilson great, knowing full well that history will carve for him a niche on the highest levels of greatness. He lived in advance of his time. But there is one thing all armies and navies of all time can never stop, and that is—I am indebted to my colleague, Mr. BLACK, of Texas, for the use of this phrase—an idea when its hour has come. The idea of the league has not yet come. It soon will come, and when it does no armada, no army, no fleet—nothing will abate it.

The engagements of the American Expeditionary Forces in the land of Joan of Arc are but reverberations of the battles of the Revolution, the Mexican, the Civil, and Spanish Wars. Saving the war with Mexico, never have we fought for selfish motive. Always have we shunned war. Only when to refuse the challenge were it dishonor have we issued the call to arms. Only in a cause that was worthy have we sacrificed the flower of our manhood—to save the Union, to rescue Cuba from iniquity and degradation, to protect the world against the rising tide of militarism.

In France and in Cuba there was no North or South. The blue and gray were melded into khaki of firmest hue. After battle, when the chill morning dawned, the dead from all regions of the United States—North, South, West, East—lay cold and stark together. The dew from heaven fell on their union in one common grave. Nay, more—lest we forget—our army in France held together in common American brotherhood the youth of all climes and lands. There was no dividing line for any purpose between Nordic and non-Nordic. All were equal in the sacrifice. At the listening post it mattered not if one's parents were Italian. In "no man's land" the Czechoslovak and the Irishman performed alike deeds of sublime heroism.

Many were the aliens who received the distinguished-service cross—whites and blacks, Gentiles and Jews, toiled and suffered with unabated zeal. But that was seven years ago. That is the rub. Recently a law was passed by men entirely oblivious of all that—forgetful that all these boys in France fought in a common cause, actuated by the same patriotism which animated Sir Walter Scott when he wrote:

"Lives there a man with soul so dead,
Who never to himself hath said,
This is mine own—my native land."

But what avails it all—of what use is all the sacrifice unless a lesson be learned therefrom. How futile the havoc of war unless there comes the will to peace—as futile were it as the lamentations of a prophet in a desert, as useless as the whisperings into an ear of a corpse.

We may not be ready for the League of Nations, but are we not ready for the Permanent Court for International Justice? That court now flourishes. It is firmly and permanently established. Nearly all nations are a living part of it. Only Russia and the United States are remaining aloof. Our attitude is that of the dog in the manger. Wilson, Harding, and Coolidge advocated our espousal of the court. But there are some in high places who do not want the World Court. They offer a different court. They sulk like Achilles and say ours or nothing at all. Their proposal, however, is a makeshift. We want gold. They give us dross. We want a genuine court. They give us an imitation.

But the hour of the idea of the World Court has struck—nothing will stop it. The World Court is a tribunal of peace. It must prevail, else the World War had better be fought all over again. We have always believed in arbitration. We have 57 arbitration treaties. We believe in settling disputes by the arbitrament, not of force of arms, but of calm discussion and force of right and peace. With the World Court we can probably say with Isaiah:

"The spears shall be turned into pruning hooks and the swords into plowshares. They shall not hurt nor destroy in all my holy mountain, for the earth shall be full of the knowledge of God as the waters cover the sea."

There is another note I desire to strike before I conclude. A splendid editorial in a current issue of The Nation states:

"Memorial Day is still the most solemn and impressive of our holidays, no richer in tradition than Thanksgiving Day or July 4, but without the paraphernalia of firecrackers and roast turkey that have obscured the meaning of those days of joy. But it is a pity that we should confine our respect on May 30 to death in war. Last year a group of Cincinnati citizens united in enlarging the significance of the day by scattering flowers on the graves of some of the unsung martyrs of peace. One of the speakers recalled William James's plea for a moral equivalent for war. Another read Horace Traubel's words: 'We worship the destroyer. We despise or at least ignore the builder. * * * You look with awe upon a battle field. Do you not look with as much awe upon a tunnel? Here is an honest battle. A battle with the rocks. * * * Here is a battle in which no brother takes up arms against a brother. Yet this battle, too, has its victims.' Should we not enlarge our Memorial Day so that instead of commemorating only the heroes of our wars it should include also the miners suffocated while digging our coal, the workers caught in our machinery, the everyday victims, no less truly conscripted, of peace?"

In conclusion let me repeat McCrae's stirring lines:

IN FLANDERS FIELD

In Flanders Field the poppies blow
Between the crosses, row on row,
That mark our place; and in the sky
The larks, still bravely singing, fly,
Scarce heard amid the guns below.

We are the dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie
In Flanders Field.

Take up our quarrel with the foe;
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die,
We shall not sleep, though poppies grow
In Flanders Field.

In answer, I say America shall keep the faith of its fathers and walk the way of peace. America shall wage a deathless battle for the blessings of peace, a sleepless striving for the right and righteous. Then, when the sands of life have run, we, too, can go through the valley of the shadow, safe in the knowledge that we have done our duty to these divine soldier dead and have kept the faith.

Mr. O'CONNELL of New York. Mr. Speaker, the following speech was delivered by ANNING S. PRALL, of New York, at the Memorial Day exercises held under the auspices of the Combined American Legion Post, of Richmond County, N. Y., at Park Staten Island, N. Y., Memorial Day, May 30, 1924:

SPEECH DELIVERED BY HON. ANNING S. PRALL, OF NEW YORK, AT THE MEMORIAL DAY EXERCISES HELD UNDER THE AUSPICES OF THE COMBINED AMERICAN LEGION POSTS OF RICHMOND COUNTY, N. Y., AT HERO PARK, STATEN ISLAND, N. Y., ON MEMORIAL DAY, MAY 30, 1924

This is Memorial Day. This is the day set apart that we may pay our respects to the memory of our patriot dead.

To-day we gather here to pay tribute to the heroes of 1861, who held our Nation together; to those who gave up their lives for us in the Spanish-American War of 1898 in defense of our honor, and to those who went to the front in 1917 and saved the world for democracy.

In the National Cemetery in Arlington, just outside of the city of Washington, is the sacred spot designated for the principal scene of the national ovation to the dead.

But everywhere throughout the Nation our citizens are to-day voicing their tributes of respect and affection in fond memory of those who in the discharge of their duty paid the supreme sacrifice. These citizens who have gathered here to-day would, were it possible, broadcast throughout the land their deep feeling of honor and respect which is due every American who dies for his country. But we are here to-day to pay our tributes to our own, to voice our appreciation and devotion to those Staten Island boys who went forth in 1861, 1898, and 1917.

Some are here to-day who remember the call to arms in 1861; and many of us recall the mustering in of the troops in 1898. But we all remember the call that came flashing over the land in 1917, declaring that a state of war existed between the Imperial Government of Germany and the Government and the people of the United States.

Our hearts swelled with pride at the prompt response of our own Staten Island boys. And among those Staten Islanders were boys of every nationality. In the ranks of the Army and on the ships of the Navy were sons, brothers, husbands, and fathers. And of the millions who entered the service none had stouter hearts; none were more fearless; none were more loyal; none had a deeper love of country; and none were more beloved than the boys of Richmond. Cheerfully and willingly they entered the combat against the common foe; manfully and unflinchingly did they endure the hardships and rigors of war.

I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I, therefore, believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and

to defend it against all enemies. That was the creed in their hearts, and on their lips, when they bravely marched forth, heads erect, with the courage of the warrior, following the flag, and chanting that old refrain:

"In the beauty of the lilies
Christ was born across the sea,
With a glory in his bosom
That transfigures you and me.
As he died to make men holy
Let us die to make men free,
While God goes marching on."

These men not only lived for our Nation, they died for it. They were our brothers, our friends, our neighbors when peace reigned. But when the hour of national peril came, these quiet, peace-loving citizens were transformed into heroes. From the sphere of the citizen they arose to the plane of the patriot.

We can not add to the glory or honor or renown of those whose death saved for us our country. We can not make sacred the grounds wherever they lie.

"Who seemed to die in such a cause
We can not call him dead."

We may adorn with loving tributes the resting places of our beloved dead; the flowers that are strewn over the graves may symbolize the living fragrance of their memory. But we shall honor them most by having their example teach us to love our country more, to prize its manifold blessing more, and to advance its glory and greatness more. These brave men stand in history and in the hearts of a grateful people where you and I may never stand.

It was to save the flag from dishonor, the world and the Nation they loved from destruction, that they gave their lives. And of the millions that engaged in the great conflict some lived to see the victory won for which they perilled so much and returned in health and strength to receive honor and praise from a grateful people. Many, too, returned maimed and sick, but living, to see the land they loved redeemed, to realize the Nation's gratitude, and to be welcomed once more to the bosom of loving friends.

But those we mourn to-day passed away before the hour of triumph in the darkness of the night before the bright rays of the morning came. Some sleep at home beneath the canopy of heaven in their own beloved land, while others lie in scattered graves in foreign fields, each resting from his fierce toil. It is to them we scatter wreaths and flowers, and upon them we shed our tears.

Our deepest sympathy goes out to-day to the mothers throughout the land whose aching hearts feel the keen pang of the thought of lost sons, to those whose thoughts are of lost brothers, husbands, or fathers who went forth in the defense of our honor and did not return.

Let us then appreciate our destiny, and above all let us never forget that to these brave defenders in the hour of the Nation's deadly peril under a Divine Providence we owe the blessings which we enjoy to-day. And you who reap the benefit of these sacrifices, whether you shared them or not, never forget to hold in grateful remembrance the deeds of those who fought and bled in our country's cause.

Because of the courage of these brave men our honor is unimpeached and our flag still floats in undisputed supremacy, respected in every land, and peace, prosperity, and happiness surround us on every side. And if we are to show our true appreciation of the great sacrifice they made for us, we must with renewed effort uphold these traditions that have made ours a great Christian Nation. We must remain true and steadfast in upholding the Constitution of our country and the honor of the flag we love so well.

And what lessons we may read in that beautiful flag. Its white teaches us purity of purpose; its red typifies the blood which has so often been shed in its defense; and its blue, with its constellation, reminds us of the starry canopy of heaven, behind which is the eternal camping ground, where the pure and the good, when discharged from service here, are mustered into the mighty army of saints who guard the throne of the Most High God.

And thus, as we bare and bow our heads in the heroes' honor on this commemorative day, may we appreciate more thoroughly those priceless privileges for which they sacrificed all they had—home, happiness, and life.

This is the day when political lines are forgotten; this is the day when community interests are welded together as one; this is the day when ancestry fades away, revealing none but Americans; this is the day when rich and poor alike bow in meek humility; this is the day when religious differences cease to exist as we pay our tribute to those of all bloods and all creeds, who, mindful of the supreme sacrifice on Calvary, proved true to His divine idea of patriotism when He proclaimed:

"Greater love hath no man than this, that He lay down his life for his friends."

IRRIGATION AND RECLAMATION

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may have until to-morrow to file minority views on the bill H. R. 9611, pertaining to irrigation and reclamation.

The SPEAKER. The gentleman from California asks unanimous consent that he may have until to-morrow to file minority views. Is there objection?

There was no objection.

EXTENSION OF REMARKS

The following Members asked for and received permission to extend their remarks in the RECORD: Mr. AYRES, Mr. HAWES, Mr. LEAVITT, Mr. DYER, Mr. CRAMTON, Mr. MCCLINTIC.

WORLD COURT

Mr. AYRES. Mr. Speaker, in view of the many offers of a peace plan I am taking the liberty of offering one myself. It is a plan worked out by H. L. Woods, of Wellington, Kans., the editor of the Wellington Daily News. Mr. Woods is entitled to all the credit for this plan. In my opinion it is far superior to either of the plans offered a few days ago by two members of the Foreign Relations Committee of the Senate. Each of those plans endeavor to create an international or world's court, independent of the present League of Nations. It is so apparent that this is an attempt to get away from the provisions of the covenant of the League of Nations, creating the world's court, that it would be amusing if it were not pathetic or tragic.

It begins to look as though the question of a world peace is again to be made a campaign issue; that is, a political "football," After defeating the League of Nations it was realized something had to be done to satisfy a large element of voters in this country or else Mr. Harding would be defeated in the campaign of 1920, so such great leaders as the present Secretary of State, Mr. Hughes; former President, now Chief Justice Taft; Mr. Root; and Mr. Hoover, and scores of others, including the great Committee of Forty, gave the voters to understand if Mr. Harding should be elected we would have an association of nations or something. He was elected on a platform advocating international peace, through the means of an international court. He came out, with a few others, asking for this court just one year ago this month, but so far there has been no move made to enter.

Now, I see the present President is again mentioning the fact something should be done, although practically four years have elapsed and nothing has been done, nor even an attempt made to do anything along this line. I am wondering if the dear people are prepared again to accept empty promises. Are they again willing to rely on the same promise as made in the last campaign? If it is merely a peace plan the party in power wants, one that can be carried out without much machinery and, in my opinion, would prove effective much more than those offered a few days ago, why not let the committee having jurisdiction over such legislation take the Wood's plan and work it out and present it to the body having charge of such matters, and not go into this campaign with another promise, as was done in 1920?

The plan offered by Mr. Woods is, as follows:

THE PLAN

A proclamation by the President and the Senate of the United States, prepared by direction of the Senate, to include a declared policy as follows:

First. A resolution, declaration, or pledge by the United States that it is resolved to take its stand against war as a means of settling international disagreements or misunderstandings; that in pursuance of such resolve the United States makes its pledge to the world that it never will attack any other nation with arms until it first has been attacked; that in all controversies which may arise with other nations the United States will resort only to peaceful methods for settlement, using arms in its defense only as an answer to force already used against it.

Second. The United States declares that it will look with disfavor upon wars between other nations, and in case of such wars will assume the right, if it chooses to exercise it, not as an act of war but in the interest of world peace, to discover, through its own governmental agencies the claims and justification of the contending nations, and to take such action therein as it believes to be in the interest of the orderly government of the world.

Third. That after the issuance of such proclamation the Government of the United States shall seek to have similar proclamations issued by all other nations.

TO INCLUDE AN ARTICLE TO RESTORE THE REPUBLIC

Mr. DYER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article by Edward A. Alexander, of the New York bar:

RESTORE THE REPUBLIC

(By Edward A. Alexander, of the New York bar)

The United States is no longer a republic. In a republic a majority of the people rule in all matters relating to the fundamentals of life. One of the fundamentals of life is personal liberty. Personal liberty

includes the right to eat, drink, smoke, or wear what one wants, so long as he does not interfere with the rights of his neighbor or disturb the public peace. The essence of a republic is local self-government, which means that personal liberty is regulated by the local community, in this country known as the State and local subdivisions of the State. The speed at which an automobile may be operated on the public highway or in the public streets is not regulated by an act of Congress or by a rule laid down by any other central and distant organization. It is regulated by the State and by the various cities, towns, and villages through which the automobile passes. The same rule applies to all other matters concerning the personal habits of the people in any local community. When the personal habits of the people of any local community may be regulated by the people of a far-distant State or by a minority of the people of other States we have no longer a republican form of government.

The American colonists protested in the Declaration of Independence against the right of a king living across the seas to regulate all of their personal habits. They insisted upon local self-government as one of the essential foundations of justice.

Personal liberty includes the right of freedom of religious worship, of freedom of the press, and of certain other fundamental and inalienable rights enumerated, protected, and guaranteed by the first 17 amendments of the United States Constitution. The United States Constitution is intended to be a landmark of personal liberty. It was established by the people, as its preamble expressly recites—

> "to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

Section 4 of Article IV of the United States Constitution expressly provides that—

> "The United States shall guarantee to every State in this Union a republican form of government and shall protect each of them against invasion, and on the application of the legislature or the executive (when the legislature can not be convened) against domestic violence."

Local self-government is one of the fundamental characteristics and attributes of a republic. In volume 8 of the Cyclopædia of Law, at page 79, it is said—

> "and the right of local self-government, being secured to the people by the several English bills of rights, the customs and general policy of English and American institutions, and antedating the adoption of the constitutions themselves, is necessarily inherent in the people, and without their consent, expressed in constitutional provisions that they have framed and adopted, can not be taken away by legislative authority."

Should any other power in the United States but the people themselves have the authority to destroy the right of local self-government or any of the other fundamental rights of liberty enumerated in the first 17 amendments of the Federal Constitution? How can there be but one answer to such a question! Emphatically, no. Yet the United States Supreme Court, in the case of Rhode Island *v.* Palmer (253 U. S. 350) has held that under Article V of the United States Constitution the power to change, alter, destroy, or amend the Constitution is given to the legislatures of three-quarters of the States, and that the people themselves have no authority or power to directly propose or to directly make changes in their own Constitution. In other words, certain specified representatives of the people constituting a majority of the legislatures of three-quarters of the States have greater power and authority than the people themselves.

Article V of the United States Constitution, under which the Supreme Court has held that the legislatures of three-quarters of the States have this supreme power, reads as follows:

> "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

A careful reading of the article will show that the people of the United States are not expressly authorized to propose amendments to the Constitution. Article V is the only provision of the United States Constitution expressly authorizing amendments to be made to it. These amendments may be initiated or proposed in only two ways: (1) Providing two-thirds of both Houses of Congress deem it necessary, or (2) on the application of the legislatures of two-thirds of the several States. There is nothing in Article V expressly authorizing a majority of people of the United States or a majority of the States themselves, upon approval by a vote of a majority of their respective electorate, to propose amendments to the Constitution. The people of the United States are conceded by all legal authority and by all statesmanship and historical authority likewise to be the source of all power. It is the people who created and adopted the United States Constitution. Yet there is no express provision in the Constitution itself authorizing the people as such to propose amendments to it or to start the machinery in motion for the proposal of such amendments.

The question therefore naturally arises whether this power to initiate amendments to the United States Constitution was not expressly reserved to the people by the ninth and tenth amendments, known as Articles IX and X of the United States Constitution.

Article IX expressly provides that the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people, and Article X that the powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people.

Therefore it would seem to be clear and obvious that since, according to the very language of the Constitution as expressed in its preamble, which states that the people themselves ordained and established this Constitution for the United States of America, the creators of the Constitution reserved to themselves full power and authority to change, alter, or amend it in any way which they may see fit.

In delegating to two-thirds of both Houses of Congress or to the legislatures of two-thirds of the States the authority to propose amendments the people did not give away their own power to alter, change, or even to abolish the Constitution. Does that part of the power of the people of the United States which they expressly delegated to two-thirds of both Houses of Congress or to the legislatures of two-thirds of the States to propose amendments to the Constitution give to these Representatives the authority to propose amendments to abolish and destroy the Constitution or to abolish and destroy any one of the fundamental and inalienable rights which constitute a part of the essence of a republican government?

It is a fundamental rule of construction that a power delegated by a sovereign people to any of its legislative agents must be strictly construed in favor of the principal and against the agents in case of any doubt concerning the extent of the authority conferred; and when it is claimed by the agents that this authority gives them the power to destroy one of the essential and fundamental parts of the structure and foundation of government, which was created by the principal, the language of the written instrument must be still more strictly construed in favor of the principal and against the donees of the power.

Had the sovereign people of the United States desired to give to two-thirds of both Houses of Congress or to the legislatures of two-thirds of the States the authority to abolish and destroy the Constitution of the United States or any of its vital parts, they very easily could have said so in so many words and undoubtedly would have inserted in the amending clause of the Constitution a provision to the effect that two-thirds of both Houses of Congress or the legislatures of two-thirds of the several States should have the power to change, alter, modify, abolish, and destroy the Constitution of the United States by amendment, provided three-fourths of the State legislatures ratified such a proposed amendment.

The people of the United States, however, used entirely different language. They first state in the preamble of the Constitution that they, the people, ordained and established it to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity. They then state in Articles IX and X that they only give to the United States Government certain rights enumerated in the Constitution, and the mere fact that they enumerate certain rights shall not be construed to deny or disparage others retained by them, the people, and so as not to make the meaning of this misunderstood but to make its meaning clear beyond preadventure they take the precaution to state in Article X that the powers not delegated to the United States Government by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

Bearing these matters in mind, we ask what is the meaning of Article V when it says two-thirds of both Houses of Congress or the legislatures of two-thirds of the several States may propose "amendments to this Constitution"? Does this mean that these representatives of the people shall have full power and authority to offer amendments destroying the Constitution or completely changing it and destroying the inalienable and fundamental rights of life, liberty, and property defined therein? If the representatives of the people have this power, then it must follow that the people themselves did not intend to reserve to themselves the right, power, or authority to amend, alter, or destroy their Constitution as they saw fit, because if the people themselves alone have the right to amend the Constitution in such a manner as to destroy it or abolish it or abolish the fundamental rights of life, liberty, and property therein defined then why would they give these

rights to two-thirds of both Houses of Congress or to the legislatures of two-thirds of the States provided their decision was ratified by the legislatures of three-fourths of the States!

In other words, if I, as principal and owner, own a large and prosperous manufacturing business, which is being managed and conducted by a corporation which I have organized and of which I own all the capital stock, and I elect directors of the corporation to manage its affairs, strictly limiting their power by by-laws of which I approve, and I delegate to these directors the power to make amendments to these by-laws, do I thereby give to these directors the right, power, and authority to offer as an amendment to these by-laws a resolution that the entire property be destroyed by fire and rendered valueless, and the business be eliminated?

Of course, if under Article V of the United States Constitution, which authorizes two-thirds of the Houses of Congress or the legislatures of two-thirds of the States to propose amendments, and which authorizes these proposed amendments to become a part of the Constitution when ratified by the legislatures of three-fourths of the States, it was intended that the people should never thereafter have any power themselves to propose and ratify amendments to the Constitution; if in other words Article V means that the people of the United States forever irrevocably parted with their power to amend and conveyed it away to a comparatively small number of representatives and these representatives alone have the full power to offer any amendment to the United States Constitution, even though such amendment completely destroys it or any of its vital parts, then it is conceded that the representatives specified in Article V have the power to destroy and abolish the Constitution and any of its vital parts, as well as to protect and enforce them.

We contend that the history and traditions of the American colonies and a careful study of the proceedings immediately following the Revolutionary War, which resulted in the creation and adoption of the United States Constitution, show beyond question that it never was the intent of the people of the United States to give to a comparatively small handful of their representatives the power to destroy a constitution which was built only after years of thought and hardship and at the sacrifice of the blood of our fathers, nor is there anything in the Constitution under which such a construction is justified. On the contrary, the provisions heretofore referred to show that the other construction should be placed upon the amending clause of the Constitution, and that it should be construed strictly in favor of the people of the United States and against the delegates of the power.

As throwing further light on the manner in which this amending article of the Constitution must be construed, reference should be made to the authority which the delegates to the Constitutional Convention had at the time the Constitution was adopted from the sovereign States which sent them to this convention, and this authority should be determined by the common law as it was in force in the States at that time in so far as it applied to the authority which was given to these delegates. The only authority given to the delegates to the Constitutional Convention was an authority to amend the Articles of Confederation. This is a matter of common historical knowledge. These delegates did not have even the power to create a new constitution for this country. They exceeded their powers in proposing a new constitution, and the people themselves ratified this Constitution. This clearly indicates that these delegates did not have the power to bind the people by anything they saw fit; but the people—the source of all power—alone had the right to determine what kind of a constitution they wanted. Is it reasonable, then, to suppose that in determining what kind of a constitution they wanted they would give away forever the power to other delegates to at any time destroy what they had taken so long in creating! The proposition does not seem to be a reasonable one.

Under the United States Constitution as it now stands a minority of the people of the United States may rule the majority of the people in all the fundamentals of life by making amendments to the United States Constitution. Under Article V of the Federal Constitution, as interpreted by the United States Supreme Court, the legislatures of three-quarters of the States have full and autocratic power to amend the Constitution in any way they may see fit. There are 48 States in the Union. Three-quarters of these 48 States constitute 36 States. The population of the United States is estimated, according to the World Almanac, to be at present approximately 112,000,000.

The combined population of 12 of the larger States is, according to the same authority, approximately sixty million odd. Yet these sixty million odd people may be ruled in all matters relating to their personal liberty by the votes of a majority of the State legislative representatives of the 52,000,000 population in the 36 smaller States. It may be that a large percentage of the people themselves in the 36 smaller States would have the same wishes that a majority of the people of the 12 larger States would have in reference to any matter touching the fundamentals of life, and yet the small minority of the entire people of the country have the autocratic power to force their will upon a majority of the population of the United States.

Furthermore, after an amendment has once been made to the United States Constitution, unless the legislatures of 13 of the smaller States, which have a combined population of about 5,500,000, consent, the United States Constitution may not be amended, because in order to have the United States Constitution amended the approval of the legislatures of three-quarters of the States is required under the interpretation placed upon the United States Constitution by the Supreme Court, and without the approval of the legislatures of these 13 smaller States, which together constitute more than one-quarter of the States of the Union, no amendment now a part of the United States Constitution may be repealed, even though all of the other States in the Union and a vast majority of the people of the country wish such a repeal and demand it.

Under these conditions, is the United States a Republic? There is only one answer to this question, and that is, the United States is no longer a Republic.

At a time when former President Wilson was urging the people of all other nations to make the world safe for democracy, the United States itself was surrendering the rule of the people into the hands of a minority.

Whether one is in favor of the "drys" or the "wets" is a matter which sinks into insignificance in comparison to the loss of constitutional liberty. The power to determine this question, as well as all other questions involving the regulation of personal habits of the people, should be entrusted to the various States of the Union, who alone should have the power to decide all of such questions for their own people in their own local communities. The power to amend the United States Constitution should be given to the people themselves, and the Republic of the United States restored.

HOUSE JOINT RESOLUTION 133

On January 10, 1924, Representative JOHN J. BOYLAN, of the fifteenth New York congressional district, introduced a joint resolution (H. J. Res. 133) providing, in effect, that the people themselves shall have the power to amend their own Constitution. That resolution should be supported by every patriotic citizen regardless of party affiliation. Its adoption will restore the Republic.

THE NEED OF A GREATER NATIONAL EMPLOYMENT SERVICE

Mr. LEAVITT. Mr. Speaker and gentlemen of the House, on the 30th of April I introduced a resolution, which reads as follows:

Resolved, That the Speaker appoint a select committee of three Members of the House, and that such committee shall be instructed to inquire into the need and form of a nation-wide system for the distribution of labor and the dissemination of information in relation thereto, through an expansion of the United States Employment Service or otherwise, said committee to report its findings and recommendations to the House of Representatives after the regular convening of Congress in December of 1924, and prior to February 1, 1925, and to cover therein, together with such other matters as they deem pertinent, the value of such a system in meeting any problems growing out of the restriction of immigration, such as a possible labor shortage. Expenses of such inquiry, not to exceed $1,500, shall be paid out of the contingent fund of the House upon vouchers approved by the chairman of said committee, to be immediately available.

It is my purpose to discuss this measure briefly, although the value of securing data for the expansion of the United States Employment Service is entirely apparent to anyone who has studied or been experienced in labor matters.

During the war I was chosen to organize and direct the war emergency employment service in my State, and in so doing I helped in the building up of 14 coordinated employment offices under a State headquarters. I was also made a special representative of the Secretary of Labor in important investigative work. All over the United States, in the idealism and urge of national defense, the nation-wide employment service was quickly organized. It functioned coordinately with all other war activities, did its work in the winning of the war—but with reconstruction it became only a skeleton of itself. It retains to-day only the shadow of its former usefulness, because lack of funds has starved it practically out. It does some things well, but can not do now the most vital and necessary things which its brief, full life during the war demonstrated that it was the one agency capable of doing. As it is, it stops just short of its greatest value.

Those of us who studied the employment system with both heart and conscience as well as by statistics, found it accomplishing more than merely placing men and women in employment. We found that it was making changes in the mental attitude of many men who for the first time found, through the agency of a national employment office, their government operating definitely in their interest and behalf. They had seen the Government operating to protect the business man in his property and in his rights. They had seen the protection of law thrown about industry, but to many of them law had never come except in the form of an officer giving

them so many hours to move on to another place. But here, in the midst of the war, came an agency which helped to solve their problem, which was that of a job, and which did it under conditions guaranteeing them a square deal instead of exploitation.

I talked with men after I began to study these matters, and learned that this operation of the Government in their behalf was changing and improving their attitude of mind toward their Government. Therein lies one of the greatest possibilities and promises of a Federal employment system, a good which does not come so fully from State or municipal offices, because these are not in the same sense the Government at work. The Government employment office often answered the question, "What has the Government ever done for me?" And it answered it in the most direct, valuable, and satisfactory way.

The first need of an expanded and adequate employment service lies then in solving the problem of the social unrest. The employment system can utilize and link up State and city offices, but it must be recognized as a Federal system to accomplish this first essential value.

In the second place a national system of employment offices, each in touch with all others, can meet any possible labor shortage by an adequate system of intelligent distribution. It can take up the burden of proper distribution of immigrant labor as well, to relieve to some extent the congestion of cities. Especially will this be true under our new selective plan of immigration, because such an employment system will both develop the location of certain needs and the supply to meet them. Thus it will be in another way one of the chief agencies in the Americanization movement. Still again, such an organization will help materially in placing rehabilitated men, of whom 5,000 have just completed training.

In short, the national values of such a system were proven during the war to be so numerous that it was almost a national calamity when it was suddenly practically disbanded in 1919. Since I have been here in Congress I can understand how such things happen. The slogan then was to disband all war organizations, and this one went out with the rest. But the time has come, with the passage of the restricted immigration bill, to think constructively about it again. My resolution is to bring that about.

The Secretary of Labor tells me that he will carry out a study this summer. It is my intention to stay here long enough after Congress adjourns to get in fuller touch with these plans, because I believe that those of us who wish honestly to do something for labor and our country, and at the same time do as much for those who employ, can herein find a constructive outlet for our energy and our thought.

My interest in matters of the employer and the employee is too sincere to make me believe that controversies or contests for power should turn us aside from doing things of this kind.

It is unfortunately true that legislation which has to do in any way with labor and employment runs into difficulties here in Congress, because the extremes of the question get the floor. Intolerance on the one side meets intolerance on the other, and it is a fortunate thing for our common country that the bulk of our membership is at neither extreme. Otherwise we would legislate in the heat of passion and class feeling much more than we do. There is value in having here the extremists of both, capital and labor, the uncompromising ones, because each sets forth a contrary attitude of mind and leaves those of us who represent the whole people, including without singling out every class, to come to clearer decisions with a broader knowledge of all the points involved. A Congress, however, made up of either extreme would wreck our institutions. A free government can not rest upon intolerance. The inevitable result would be a tyranny of either one extreme or the other; and the tyranny of intolerance is the death of freedom.

I have taken two actions in this House this session which together illustrate my own attitude, and will convince you that I am proposing this measure in a spirit of constructive fairness.

I was opposed to the move to force the Barkley railroad labor board bill through this Congress without an opportunity for its full and fair consideration, but it was not because I fail to recognize that the present Labor Board is not the entire success that it should be, nor because I claim that it should not be remedied. I was opposed because I felt that the plan through which it was forced out upon the floor of the House, after being introduced too late in the session to have any just claim to a right of way over hundreds of other bills which had been introduced long before it was unfair. These other bills are just as important to those who have introduced them. The move was purely political. In fact, it was handled in the House from the angle of democratic politics, and not in behalf of labor.

Last December the President came in to this Chamber, and during his message to the Congress said:

> The settlement of railroad labor disputes is a matter of grave public concern. The Labor Board was established to protect the public in the enjoyment of continuous service by attempting to insure justice between the companies and their employees. It has been a great help, but it is not altogether satisfactory to the public, the employees, or the companies. If a substantial agreement can be reached among the groups interested, there should be no hesitation in enacting such agreement into law. If it is not reached, the Labor Board may very well be left for the present to protect the public welfare.

That is a fair statement, and I agree with it. It recognizes the rights of the public, the employees, and the carriers.

I would be properly expected to oppose a demand of the railroads to force through any bill which had not been considered by the employees, but two representatives of the brotherhoods told me in my office and in the presence of witnesses that the Barkley bill had been advanced without any reference to the carriers. I felt, therefore, and very sincerely, that the need of passing such legislation now is not so great that we can afford to sacrifice the principle of independent, careful legislation by the Congress of the United States, free from threats of political consequences, class feelings, or self-determined issues laid down by either proponents or opponents of any bill. It is well that the gentleman from Kentucky [Mr. BARKLEY] has now refrained from pressing his measure at this session. It is too important, too far-reaching to the public, the employees, and to the carriers, to be considered under his refusal to allow more than three hours of general debate, or with such class issues as were raised, while personal attacks on Members by biased papers are being made, and in the feeling engendered by intolerance on both sides. It will be better to take it up again next fall, when there has been time to reason and think. Perhaps then even the chairman of the Interstate Commerce Committee, the gentleman from Massachusetts [Mr. WINSLOW], from whom the bill was taken by petition, will have come to an attitude of greater tolerance. Let us hope so, for there has been too much intolerance and stubbornness mixed up in this matter all around, so that the merits and demerits of the bill itself have had no consideration.

Personally, I shall refuse to be coerced by either side of any controversy while I am in Congress, and if anyone or any organization wishes to oppose me because they can not rule me that is their privilege. But my record here is clear, that I have treated all sides alike in matters of legislation.

I am a member of the Public Lands Committee, and the record shows that I voted to investigate and hold up the land grants of the Northern Pacific Railway. I did this both in the committee and on the floor of the House. I was on the committee which held the hearings and reported out the resolution. My determination and my vote are thus fully of record, that the railway company shall have no more than it is entitled to. I have given it no favors. No one, then, except he be determined for political reasons to be unfair, can question my record of impartiality in this regard. I shall be fair to the railways and to the employees, but I will bow down to neither.

Further than this I know that in my State of Montana neither side will expect me to give up my independence. A paper published here in the fog and muck of politics, and determined to rule or ruin, may attack me because I have not voted as it dictated in advance. A reactionary journal may attack me because I voted to investigate the land grants of a powerful railroad contrary to its desires, but neither the railway men nor the railroad, out there in Montana where the air is clear and the people can see for a hundred miles, will be thereby fooled or befuddled. They will give me credit for thinking for myself, and having in mind, first and last, all of Montana, all of America, and the integrity of the Government as well as their own true interests.

So it is in this spirit of seeing both sides that I wish you to approach this resolution of mine for the upbuilding of the employment service. I would say to the ultraconservative, and there are some here, 'Do not be prejudiced against it because it has to do with the employment of labor"; and to the somewhat radical—and there are some here also—"Do not be prejudiced against it because such a system as I propose safeguards the employers as well." I would say to them both, and most of all to the great number who think, not in the terms of any class but rather in terms of all the people of all the United States: "This is a measure which is sound and constructive; which points to one solution for the dangerous social unrest; which will aid materially in the Americanization move-

ment; which will work to lessen both unemployment and any shortage of labor, as the need may be."

It will meet in great measure many definite needs. Just one illustration to make it plain. The United Mine Workers' Journal says that the number of mines and of miners needed will be reduced greatly in the next few years. Even now there are more miners than are needed in the bituminous coal fields to supply the demand, while there is a demand for labor in other industries. I was at the Labor Department the other day, and on the desk of the director of the employment service were requests from 500 coal miners in Illinois alone asking for places in other industries. The employment service, reduced as it is, can furnish some information, but it has few actual placement offices which can definitely solve such a problem. But there were also applications there from Pennsylvania, from Indiana, West Virginia, Kentucky, Ohio, Tennessee, from Kansas, Iowa, Missouri, Arkansas, and Oklahoma; an urgent call from men 30 per cent of whom have no means to provide for idleness, but need and desire steady employment.

Put over against that the need of men in other industries and you will see that the benefit of an employment service with placement offices more adequately coordinated and actually in the field has an almost unlimited opportunity for the benefiting of the workers, saving and establishing homes, strengthening industries, and building Americanism.

The field is too wide for a detailed survey in so short a time. There is a practical, valuable work to do. There is a turnover of 3,000,000 to take care of, so that the Nation as a whole will be benefited. There is a great opportunity here for helpful, constructive work; and I ask you, my colleagues in Congress, to take an interest in it and support the purposes of this resolution which I have introduced.

GROUP AND BUREAU GOVERNMENT

Mr. HAWES. Mr. Speaker, the growth of group government now demands the exercise of individual decision, so I deem it not improper to insert some of my own observations upon this and related subjects.

Having always urged citizens to take an active interest in politics, especially young men, I must now confess some pessimism, because painful experience has shown that a Representative may please ninety-nine out of one hundred times, but if he displeases in only one case the 99 approved votes are forgotten and a specialized group, forgetting all else, denounces and attacks him.

If carried far, this theory will drive from public life all self-respecting men and will fill their places with spineless Representatives who will vote for the strong arm that wields the whip of group domination.

In every man's public career there comes a time when he must decide between convictions and votes. The temptation to yield to votes is almost irresistible, but he must decide. On one side lies a clear conscience and self-respect, upon the other an easy opportunity for reelection and temporary applause.

I may have been selfish in deciding to stand by my convictions, which are the result of study and reflection. This has secured for me at least that satisfaction which comes from an effort to do the right thing.

Let me say to my friends and constituents: I desire your approbation. If I have it, I shall need your assistance. From others I am prepared to receive blows and give my best in return. I will not run away. God can not admire, and decent men hate, a coward.

I always try to think of the backbone of America, the men and women in the middle place in prosperity, who pay the bulk of taxation in the increased cost of rent, coal, clothes, food, and transportation. I want to fight for them because their special needs are neglected.

As a Protestant it is my duty to protect the civil and religious rights of the Catholic. I shall demand equal rights for the Jew. I shall oppose oppression of the Negro and discrimination against our naturalized citizen.

I am opposed to the lawlessness, secrecy, methods, bigotry, and intolerance of the Ku-Klux Klan. In this matter the Constitution is my guide and I will follow its inspiration and abide the consequences.

In Congress I have tried to keep in mind the necessity for a reduction in the cost of living, which will put back the 100 per cent purchasing power of our present 60-cent dollar, and in that way increase the wealth and happiness of my constituents.

There should be no partisanship in the matter of tax reduction. High taxes mean high cost of living, because those who pay taxes charge them to expense and add this expense to the things they sell to the many millions who must buy. It is like water falling on a mountain peak; it runs down both sides and finally finds it way upon the level plain.

So it is with taxes. The heavy taxpayer passes it down to others or he invests in nontaxable securities and avoids all taxes.

The high cost of living can not be reduced until taxes are lowered. The landlord adds his taxes to our rent, the doctor and lawyer to their fees, the shoemaker to our shoes, the butcher to our meat, the baker to our bread, and the tailor to our clothes.

This continued pyramiding of taxes gives an unnatural and artificial cost to all the necessities of life, and we must all contribute to this increased cost. This is where we lose the 40 cents in our dollar.

I oppose the creation of new bureaus in Washington, new regulations and clerk-made laws, and the tendency to destroy home government, and the control of the intimate things of life by some official in Washington.

I am opposed to national control of marriage, national control of children, national control of dress, national control of church, national control of divorce, national control of education, to be regulated and directed by some meddlesome bureau in Washington.

I am opposed to duplicating the machinery of the States, in this way creating two sets of officeholders to do the same thing, unfortunately, without decreasing the number of State agents or State expense. I am opposed to paying two bills for two sets of men to do one job.

I am opposed to new bureaus each of which is given the power to write regulations, which in effect become laws, so that a great many laws which worry business and confuse the public are what might be termed "clerk-made laws."

We have too many meddlesome people so intent upon regulating somebody else they do not have the time to regulate themselves.

The first government unit is the family; it is the home; and this first unit must be preserved from impertinent interference or direction by the National Government.

I have voted my convictions and not voted for votes. This is an experiment which will not receive the approval of small specialized group interests. It remains to be seen whether it is approved by the large body of voters.

It is not the business of a Congressman to vote for special interests or special blocs. He must consider the interests of his people as a whole. The majority interest is greater than any special minority interest.

I will not vote for a bad bill because of either cajolery or threats, nor against a bill simply because a Republican proposed it, nor for a bill solely because a Democrat proposed it. I will be guided by its beneficial effect upon my constituents, no matter what its origin.

I will not answer questionnaires and commit myself in advance to support or oppose controverted laws prior to hearing both sides and an examination before a committee.

The country needs a long legislative rest. There is too much tinkering with the Constitution.

Wherever I have the opportunity, I will vote to wipe out all evidences of the late war; try to give all Government employees a living wage, but put out of office all useless public servants; bring down the cost of living by reducing the tax rate, and thus increase the purchasing power of the dollar.

Reviewing the positions I have taken in Congress, I find I have not floated with the tide; I have bucked it. It may smash me on the rocks, but I will not be buried in mud.

I have alluded to the group known as the Ku-Klux Klan, which is ably discussed by Mr. John F. Hager, of Ashland, Ky., president of the Kentucky Bar Association.

Mr. Hager is of American Revolutionary War stock.

He is 70 years old, stands 6 feet 1 inch in height, and weighs 230 pounds.

He is a Protestant, Mason, and Democrat.

He is strong, morally, intellectually, and physically; loved by all who know him; a fine neighbor; an upright citizen; a leader of the Kentucky bar, where men are noted for courage and clear thinking.

The following is part of his address:

LAWLESS LIBERTY AUTOMATICALLY BECOMES TYRANNY

[Delivered before the Kentucky Bar Association, at Covington, Ky., December 15, 1923]

RACIAL AND RELIGIOUS INTOLERANCE

We are only a short time removed from the stirring incidents of a great war, in which there fought to uphold our own and the liberties of the world, Jew, Gentile, Catholic, and Protestant—white and colored—a noble Army, in which, shoulder to shoulder, elbows touch-

ing, they followed the flag of our country on alien soil and under foreign skies, no one stopping to inquire as to the race, or political or religious belief of his comrade.

Malign influences have since raised their ugly front. Conspicuous among them is the organization of the Ku-Klux Klan. This organization offers a double thrust into the fair breast of the Nation. One is racial, directed against Negroes and Jews, the other religious intolerance toward Catholic and Jew, combined in effort to arouse passions against Negro, Jew, and Catholic. Claiming to be 100 per cent American, the first and fundamental tenet of the organization is to proscribe worthy people living quietly and peaceably together after honorable service in war.

Nations seem to have their fits of insanity even as men. Once established, the avowed principles of the klan would crush to earth every principle of toleration, racial and religious. The proudest boast of this Nation is that it has been built on the broadest foundation of justice on which alone liberty is based and may be maintained. Departure therefrom is to sap the very foundation upon which in toil and sacrifice we and our fathers have builded.

The existence of an organization under such name in and of itself is a palpable, unmistakable and conspicuous avowal of racial prejudice.

The declared aims and purposes of the organization completely meet every apt definition of the word "prejudice," which in comprehensive sense means to pronounce judgment before a judicial sentence.

Not to revive unhappy memories or invite controversy concerning certain political questions arising after the close of the Civil War, I may at least say that any possible justification for the organization of the old Ku-Klux Klan in the South is supplied by conditions then existing. The purpose and intent of that early movement, the times considered, had a degree of justification in the fact that the newly freed black man was led by unprincipled carpetbaggers from the North. As in all like movements, the organization of that day attracted and finally passed to the control of lawless and irresponsible men making use of the disguise of the Klan for the purpose of private oppression and vengefulness.

Before full exertion of Federal power in crushing out the existence of this organization, Kentucky enacted laws, thenceforward and now in effect, making it a felony for two or more persons to confederate or band together for the purpose of intimidating, alarming, disturbing, or injuring any person or persons; to go forth armed or disguised for any such purpose; or to send, circulate, or put up threatening notice or letter signed anonymously. The public laws of our free and magnanimous Commonwealth have thus condemned and declared the public peace as most grievously affected by the things done and threatened to be done through means employed by the Klan in execution of the avowed principles and purposes of the order.

Why was the name Ku-Klux resurrected 50 years after the events attending the beginning and ending of the old Klan? Thomas Dixon, author of the "Birth of a Nation," apologist for and defender of the old organization, has publicly condemned the use of the name and present-day revival of such an organization.

The name and purpose of the old Ku-Klux Klan found no favor in Northern, Eastern, or Western States; indeed were under special and most vituperative condemnation by the people of these States, their congressional representatives and public press. The only proper conclusion of the matter is that the name was selected because especially alarming and terrorizing to negroes, the present-day members of which race have inherited stories of persecutions of their people without having an understanding of the conditions under which these were wrought.

The selection of the name is so obviously intended to excite fear on the part of the colored man, to prejudice the whites against his race and lies so directly in our way that we can not avoid coming upon it and seeing it in all its hateful significance.

In the providence of God, it seems that free America has been cursed with movements, temporary in nature, hindering the onward march of Nation and people. Less than 100 years ago a political party placed a presidential candidate upon a platform having no other ruling principle than an appeal to a supposed prejudice against free masonry. After the date of my birth, and masquerading as the American Party a strong political organization made appeal to the people in one or more presidential campaigns based upon religious intolerance and prejudice against those of foreign birth. This was known as the "Know-Nothing Party" of that day.

It is a singular coincidence that the old Know-Nothing Party met as the present Ku-Klux Klan meets—in secret conclave. Outside their lodge the old party knew nothing. The new party would not be known and so goes forth disguising from public view the features given by nature and nature's God.

The principles of such an organization are at war with our most cherished beliefs and are subversive of our institutions. To suffer lawless Ku-Klux Klan bands to veil their identity, enact their own system of laws, and without trial punish the victims of their wrath, in enmity or suspicion, is to abandon the citizens of our Republic to oppression in its most hideous form.

To acknowledge that men without official sanction of power can erect themselves into tribunals for the trial and punishment of citizens of a free Republic, and do this in communities where courts are open and where civil authorities elected by the free choice of the people themselves are in full exercise of their functions, is to invite anarchy as a result.

Good motives, pious invocations, and vociferous professions of patriotism can not single or all together change the character or conceal the inherently vicious nature of an organization attempting to wrest from lawfully constituted authority the enforcement of the laws made by the body of the people and their representatives, to be enforced by officials of their own selection.

There can be no denial of the right of the klan to form and function as a social or fraternal organization. Secret fraternities, such as the Masonic, Odd Fellows, Elks, Knights of Pythias, Red Men, Knights of Columbus, and others, have never been under just suspicion of menacing public peace or order. Their members are known, not invisible. They have never asserted right to resort to punishing others not accepting their tenets, or of conspiring to deny to any the equal protection of our laws.

If there is right in this country in any body of men to deal out punishment, why should it be confined to a particular klan? No law has given the right to them more than to others. If men are to be punished without legal trial, which the Constitution guarantees, why not let all have like privilege of power? We can scarcely allow that the Ku-Klux are better qualified to decide questions of fact or law than other classes of people. On the contrary, they are least of all fitted to perform the duties that apply to a judge, because they have prejudged the case of the negro, the Jew, and the Catholic.

It taxes credulity itself to find in our free America an assertion of right by any to adjudge crime at pleasure and punish at discretion. That a roving commission to try all offenses with plenary discretion to punish is a most convenient license we must agree, since thereunder protection could be allowed to friends by discriminating between culprits and crushing selected enemies. So understand, the klan is revealed in true colors as an avowed element of force disguised for the express purpose of acting upon and against civil institutions.

I have greater confidence in the essential soundness of the views so far expressed when recalling the language employed by our greatly esteemed ex-Chief Justice, John D. Carroll, who, in the course of an address delivered at annual meeting of our State bar association (1922), said:

> "The right of citizens, however well-meaning their intention may be, to take the law into their own hands and administer it according to their own notion, has no place in our form of government, and it is well for the safety of life and the security of property that it has not. It would be a deplorable as well as intolerable condition of affairs if any man or set of men should be permitted to usurp the functions of the law and undertake according to their own lawless pleasure and will to inflict punishment, or by threat or intimidation drive people away from their homes or places of business, or by violence or force control or regulate their pursuits."

This position is reinforced by the authority of Hon. Elihu Root, who has said:

> "We can not maintain our Constitution without insisting upon its being followed. We can not maintain it by being tolerant and liberal and indifferent toward those who attack it. We must stand for it when it is challenged."

If needing further justification as lawyer speaking to lawyers, I additionally cite report of a committee made at the 1923 meeting of the American Bar Association characterizing this movement as that of "an oath-bound secret society that cloaks a deadly hatred of free principles under the guise of patriotism"; that the movement is an attack upon our form of government—a government by the people under a written Constitution; and that it "is a most disheartening symptom that it arouses so little interest and so little public condemnation."

Now, as was said by a distinguished Kentuckian respecting the old Know-Nothing Party, it seems to me a duty of citizenship to strangle all such movements at their inception, because the pernicious effect of their continuation grows beyond the control of the unthoughtful, though perhaps well-intending persons, who launch them.

KLAN OBJECTIVE AN ATTACK UPON FUNDAMENTAL PRINCIPLES OF AMERICAN LIBERTY

If it be true, as I have affirmed, that the objects and purposes of this organization involve an attack upon fundamental principles of American liberty, it may be said that defense of these principles should be made upon grounds effectually repelling the assaults made upon them.

In undertaking such defense I may only have recourse to old weapons employed in contests between privileged class and the rights of freemen from the days of the battle-ax, crossbow, and long bow to our present-day history as inheritors of privileges so won, all which enter into the woof and warp of our constitutional fabric. I wish to

think that our people had come to almost universal acceptance of those plain principles of right and wrong, justice and injustice, upon which fair-minded men have always been in substantial agreement. The defense I now undertake involves recourse to familiar topics of history and to the rudiments of constitutional law.

Specific accusation followed by trial for an alleged offense before the infliction of punishment is a right of the accused recognized even under pagan law.

Paul challenged Jews and the Romans in saying that it was not lawful to scourge a man, a Roman, and uncondemned. Festus commanded his accusers to say before him face to face what they had against Paul, asking them to accuse Paul if there be any wickedness in him. Reporting Paul's case to King Agrippa, Festus said that he had answered the Jews "that it is not the manner of the Romans to deliver any man to die, before that he which is accused have the accusers face to face, and have license to answer for himself concerning the crime laid against him," and further declared "that it seems to be unreasonable to send a prisoner and not withal to signify the crime laid against him."

Nero, the tyrant of history, violated the laws of pagan Rome and of humanity when he accused Peter and Paul as preachers of a doctrine of superstition, which they called the gospel, and condemned them to death upon the cross. Later he accused, tried, and convicted the whole Christian Church of setting fire to the city, knowing not only that they were innocent but that he himself committed the crime.

Pontius Pilate was persuaded that he might hear and adjudicate rights in a mere contest of religious disputation. After deciding that he could not find fault as magistrate, he gave over to the bigotry of the Jews and sent the Savior to the cross.

We know in later history of the star-chamber proceedings in England; of lettres de cachet in France, under which men were secretly condemned and confined in dungeons; of the imperial ukase in Russia, under which the peasant, aroused from peaceful sleep in family hut, by daybreak was on his way to the mines of Siberia between two dragoons; and of the mere verbal order of the Sultan as sufficient to cause a man to be tied up in a sack and thrown into the Bosphorus.

The great charter of English liberties, held in cherished regard by the freemen of America, is merely confirmatory of the rights of British freemen under prescription and previous grants. It is therein declared:

> "Nor will we pass upon him or condemn him but by lawful judgment of his peers or the law of the land."

The words "by the law of the land," contained in Magna Charta 700 years thereafter, are repeated in the substantially equivalent words of the fourteenth amendment, reading:

> "Nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the law."

The petition and Bill of Rights followed Magna Charta and, with the common law of England, entered into the fabric of our laws.

Receiving these main muniments of the title under which the freemen of Britain claimed their liberties, we accepted them in the light of the history of these people, and in particular the emphasis placed on these rights in the trials of the seven bishops, of John Hampden, and others scarcely less notable, shown in the opinions of great judges and not less in arguments of distinguished liberty-loving lawyers. Erskine had said in his speech in Hardy's trial for treason, in substance, that justice must ever demand a reason for barbarous invasion of constitutional right; that the goddess is and must ever be regarded in double aspect—as the executioner of guilt, as also the strong-armed saviour of innocence—and that no man could claim that his life, liberty, his reputation, his property, or any one blessing or liberty secured to him for a moment where accusation and sentence follow as thunder follows the lightning's flash.

The sentiments of this speech are reflected in a later statement of Lord Brougham, approvingly quoted by the United States Supreme Court in Milligan's case, that:

> "When the laws can not act every other mode of punishing a supposed crime is of itself an enormous crime."

The Declaration of Independence, the speeches of James Otis, John Adams, and Patrick Henry, the writings and speeches of Doctor Franklin, all, while British subjects, serve to tell us how perfectly their rights as such were understood and valued. With independence achieved the task of the statesman of that day (and none greater ever appeared at a given period of world history) was to form for the people a more perfect union, establish justice, insure domestic tranquillity, promote the general welfare, and secure the blessings of liberty to the people of that day and their posterity. They wrote a Constitution deserving the high encomium of Gladstone as the greatest work ever struck off by the brain or purpose of man. This instrument is signed by the sacred name of George Washington and by 39 other representatives of all States then organized. Every State since coming into the Union has acknowledged and is bound by the Federal Constitution as a standard by which the rights of States and citizens thereof are to be measured and safeguarded.

Twenty million inhabitants of States carved from the Northwest Territory owe primary allegiance and a special obligation to uphold the inhibitions contained in the Ordinance of 1787.

This celebrated ordinance was enacted prior to the promulgation of the Federal Constitution. It was recognized by the statesmen of that day that something more than exemption from physical restraint was necessary to assure full stature of free citizenship to the inhabitants of that favored portion of our national domain, hence they added the further prohibitive words (contained in art. 1) that—

> "No person shall ever be molested on account of his mode of worship or religious sentiments."

The prohibition against slavery, since given national scope by the thirteenth amendment, has been respected and enforced for 136 years. Its inseparable concomitant hitherto has been recognized as of like binding force for the same period in the several States. The rights so assured thus have the double title of grant and prescription.

All lawyers of Kentucky and all officials since the adoption of the Federal Constitution have taken solemn oath to support and defend it. As submitted, the Constitution did not contain express declarations assuring freedom of religion, freedom of the press, freedom of the person under the protection of the writ of habeas corpus, and trial by juries impartially selected. Violence of opposition to its ratification was overcome by Hamilton, Madison, Marshall, Jay, and others giving assurances that necessary declaration of rights should later be made by amendments requisite to perfect the original instrument. They all accepted the Constitution as a good canvass on which some strokes wanted retouching.

As our ambassador to France, Jefferson sincerely wished the success of the French Revolution in remedy of what he declared was the worst governed country on earth. He returned to America after the fall of the Bastile, the fall whereof being the forerunner of the tempest of revolution, and became an ardent advocate of the amendments embodied in articles 1 to 11, inclusive. For the purposes of this address they may be summarized as:

Prohibiting laws respecting establishment of religion or the free exercise thereof;

Providing that no person should be held to answer for a crime without presentment of a grand jury, nor for the same offense be twice put in jeopardy of life or limb; compelled to be a witness against himself in a criminal case, or be deprived of life or liberty without due process of law;

Vesting judicial power of the United States in one supreme court, and in such inferior courts as the Congress might establish; and

That in criminal prosecutions the accused should have public trial by an impartial jury, be informed of the nature and cause of the accusation, confronted with the witnesses against him, have compulsory process in obtaining witnesses in his favor and assistance of counsel for his defense, and the important declaration that the enumeration of these rights should not disparage others as retained by the people.

The fourteenth amendment provides that no State shall abridge the privileges of citizens of the United States nor deprive any person of life, liberty, or property without due process of law; nor deny any person within its jurisdiction the equal protection of the laws, thus extending provisions of Article V, which limited the power of the Federal Government under the "due process" clause.

There was no subject upon which all the inhabitants of the country were more perfectly unanimous than they were in the determination to maintain the rights declared in these amendments.

Making brief consideration of them, one must note how carefully everything connected with the administration of punitive justice has been guarded, and, in particular, that the accused should be informed of the accusation in the form of a legal indictment. He need not answer in a case of felony until the grand jury has said they believe the accusation to be true in point of fact. The trial in all cases must be before a court of competent jurisdiction in the district in which the alleged crime was committed. His guilt or innocence must be determined by an impartial jury, fairly selected, and called into the box. The accused may purge the panel of dishonesty, prejudice, or personal enmity by a given number of peremptory challenges and have as many more challenges as he can sustain by showing bias of jurors, actual or implied.

The trial is public; the witnesses testifying face to face; he is assisted by counsel in his defense; the jury must unanimously agree in finding a verdict of guilty, and whether acquitted or condemned he can not again be tried for the same cause.

Substantially the same provisions are to be found in the constitutions of the several States. They are to be accepted as essential principles of liberty and free government.

There are natural rights of the citizen inherent and inalienable. Among these is the right of enjoyment of life and liberty, the right of worshiping Almighty God according to the dictates of his conscience, the right of seeking and pursuing his safety and happiness. In protection of these rights is a declaration that absolute and arbitrary

power over the lives, liberty, and property of freemen exists nowhere in a republic, not even in the largest majority. They prohibit preference ever to be given by law to any religious cult, sect, or denomination, or to any particular system or mode of worship and expressly provide that the civil rights and privileges of no person shall be taken away, diminished, or enlarged on account of his belief or disbelief of any tenet, dogma, or teaching; all to the end that "no human authority shall in any case whatever control or interfere with the rights of conscience." The assertion of rights, declared inalienable, appear in State constitutions, as in the Kentucky constitution, that the right of worshiping Almighty God according to the dictates of their consciences is the "certain, inherent, and inalienable" right of all men.

Thomas Jefferson, an illustrious disciple of liberty, said:

> "The right of conscience has never been surrendered to or possessed by government; for the exercise of such rights we are answerable to Almighty God and no lesser power, and that the operations of the mind in belief or nonbelief of cult or dogma can not be an offense in human law."

Every man, therefore, who values and claims the right of conscience should resist the invasion of like right of others, since by change of circumstance a majority of one day may become the minority of another, and what was denied a minority may later be enforced against a former majority. Concerning the rights of conscience and other rights so declared, Mr. Jefferson said:

> "The wisdom of our sages and blood of our heroes have been devoted to their attainment."

In his first inaugural Mr. Jefferson, in stating the principles of our Government, named those of first importance to be—

> "equal and exact justice to all men of whatever state or persuasion, religious or political; freedom of religion; freedom of the person under the writ of habeas corpus; and trial by juries impartially selected."

Again he said:

> "Should we wander from them in moments of error or alarm, let us hasten to retrace our steps and regain the road which alone leads to peace, liberty, and safety."

In the farewell address of General Washington he said respecting changes in the Constitution:

> "Let there be no change by usurpation; for though this in one instance may be good, it is the customary weapon by which free governments are destroyed. The precedent must always overbalance in permanent evil any partial or transient benefit which the use can at any time yield."

Again saying:

> "All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency."

Alexander Hamilton, trusted friend and adviser of General Washington, had previously written in the Federalist that arbitrary power of conviction and punishment had been the great engine of despotism in all ages and all countries.

Not to be understood as an advocate of the extreme doctrine set forth in the Kentucky-Virginia resolutions of 1798–99 of the right of one or more of the States of the Union to nullify an act of Congress, the main grounds of protest therein voiced were acknowledged to be sound.

The protest against the enactment of the alien and sedition laws carry words peculiarly apposite at this time. The protest was that the laws in question deprived foreigners of every privilege without accusation, without jury, without confrontation of the witnesses, and without defense by counsel all upon the mere suspicions of the President. The main ground of protest was that the imprisonment of a person under the protection of the laws of this Commonwealth for his failure to obey a simple order of the President to depart from the United States is contrary to the Constitution, specifically naming the several provisions prohibiting deprivation of liberty without due process of law; denial of right to a public trial by an impartial jury and the right to be informed of the nature and cause of the accusation against him.

Again, that these laws attempted to delegate power to a President as person who may be accuser, counsel, and jury, whose suspicions may be evidence; his order the sentence, his officer the executioner, and his breast the sole record of the transaction resulting in a prescribed mode of punishment. This was characterized as a startling departure from assurances of personal liberty guaranteed by the Constitution. With what vehemence of language would the patriots of that day have denounced present-day pretensions and usurpations as more autocratic in denying these rights to citizens, as well as foreigners, without the safeguard of the responsibilities attaching to the high office of President and the publicity necessarily given to proceedings designed to inflict punishment by a President.

These laws gave power to the President to deport aliens whose presence might by the President be determined as inimical to public peace an order. They at least afforded investigation of a public nature with some form of notice to the party affected by the power lodged in the President and Attorney General. Alexander Hamilton and John Marshall, the great Federalists, refused to support President Adams in defending the constitutionality of such laws, and the universal protest against the laws and against exercise of the powers so conferred resulted in the complete overthrow of the old Federal Party, a repeal of the laws and an abandonment of assertion of similar power by any department of government ever thereafter.

At the time of the Kentucky constitutional convention in 1849 the native American or "Know-Nothing Party" had arisen. General Preston therein replied to a speech of Garrett Davis upon the question of the proposed disfranchisement of foreigners. He said that if the rights of the foreigners and freedom of religious opinion were denied, this would bring about religious intolerance and the destruction of equal political privileges of all the people. In giving the origin of the movement called "Americanism," he said, in substance, that the principle was not born in the closet of a philanthropist, in the study of a philosopher or library of a statesman, and then said the question should be met at the threshold; that the serpent should be strangled when young or becoming old would strangle us. In but a few years a continued agitation of the question resulted in the riots at Louisville on a date characterized as "bloody Monday," the memory of which remains as a blotch upon the fair escutcheon of the State.

The provisions of the Constitution we are now considering were subjected to the greatest possible stress and strain during the period of our Civil War. Samuel North and others were placed on trial before a military tribunal at Washington. The accusation was that of an attempt to cast votes of absent soldiers in fraud of the rights of true electors of New York, at a dark and perilous hour of the Civil War. Public opinion was violently aroused and conviction of the accused demanded by the public and press of that day. The commission, wholly composed of Army officers, held it did not have jurisdiction, the accused were acquitted, and the principle of the sacred right of personal liberty and of trial by jury was thereby newly confirmed and upheld.

The opinion of the United States Supreme Court, in connection with the argument of Judge Jeremiah S. Black in the case of Ex parte Milligan (4 Wall 2), deals with fundamental principles of the Constitution therein involved. Milligan and others were members of an organization known as "American Knights" or "Knights of the Golden Circle," more popularly known as "Copper Heads." The purposes of the organization were to give aid and comfort to the rebellion then in progress, and constituted a grave offense against the law. A military tribunal sitting in Indiana convicted the accused who were citizens of Indiana and sentenced them to be punished by death. The legal questions involved arose upon application for, and return upon a writ of habeas corpus sued out by the condemned persons.

The question certified to the Supreme Court was, whether the military tribunal had jurisdiction to hear and determine the cause, or whether the defendants possessed constitutional right of civil trial by jury. James A. Garfield, a distinguished general in that war, and later President, appeared as associate counsel with Judge Black. The opinion of the court was written by Judge David Davis, friend and appointee of the immortal Lincoln. It is memorable among the greatest of the utterances of that exalted tribunal. I commend the reading of the cases I have just mentioned as vindicating the rights of American freemen when courts are open and their processes unimpeded to include the right of trial by jury.

Without quotation and largely by paraphrase of the arguments and opinions in these cases I have mainly based this part of the text of my address. To merely read them is sufficient to

> "Wake in our breasts the living fires,
> The holy faith that warmed our sires."

It is to be noted that the accused were given a public trial of accusations laid against them; were represented by counsel, confronted by witnesses, and availed themselves of the writ of habeas corpus to test whether any tribunal, whatever the form and nature of its proceedings, can punish any freeman of America whose guilt is un etermined by the verdict of a jury impartially selected.

The platforms of Democratic and Republican Parties in the campaign just closed, the Grand Lodge of Kentucky Masonry, and other public organizations in our State have disapproved and denounced this organization as a pernicious and baneful influence having no lot or place in a free Commonwealth.

Hear General Pershing in saying:

> "It is time for the American people to demand that no organization, or society, hooded or otherwise, shall presume to take the law into its own hands and that inefficient and cowardly officials who fail to afford every protection to law-abiding citizens in their homes or in the exercise of their rights shall be removed."

Theodore Roosevelt has warned that—

> "Of all men, distrust most the man who tries to incite one set of Americans against another set of Americans."

ONE HUNDRED PER CENT AMERICANISM

An organization making such lofty professions of true Americanism has chosen a nomenclature singularly at war with our conception of officials as servants of the will of the people. "Imperial Wizard," "Kleagles," "Kamelias," and other like fantastic titles, parade in miles of majesty upon the official roster of the order, styling itself an invisible Empire and which would employ the methods of the autocrats of history at a time when ancient tyrants and tyrannical forms have been curbed by the onward marches of freedom, leaving few, if any, daring to punish except in known public accusation, trial, and condemnation.

In the late war our sons were aptly called "Soldiers of Liberty." They were Protestant, Catholic, and Jew. Following the example of Paul, the great Apostle, I speak first of the Jews and then of the Gentiles. In conformity with our laws they have been given welcome and complete political rights of citizenship. It is their present-day glory to have realized an age-long ambition of their race that Palestine, which knew the glory of their patriarchs, from Dan unto Beersheba, has been wrested from the control of the unspeakable Turk and that a reign of law and justice, founded upon the precepts of their great lawgiver, has been established in Palestine by ourselves and allies for this patient and long-suffering race. How greatly were we inspired by stories of victory at places of revered and hallowed memory.

Nazareth the despised, Jerusalem the golden, and Bethlehem of Juden, which first heard the angel song of "Peace and good will," and so was realized the dream of centuries of both Jew and gentile. What crusading Christians of near 1,000 years ago attempted was achieved in 1918. Christians of our generation have conquered and now possess those holy fields walked over by the blessed feet of Christ, which were nailed to the cross for our redemption.

What of the great admiral who was born in Italy and was first to set up the cross on the shores of the continent he discovered? His supreme reward is that the sons of a continent discovered by him, side by side with the people of his native Italy, and with the free-born of the earth, fought and made the people of the world free, even as are the people of the continent discovered by him.

One of the great agencies contributing to the comfort and sustaining the morale of our sons while "over there" was the Knights of Columbus, followers of the faith of the great admiral and of the Catholic queen who inspired and promoted his voyage of discovery. What of the gallant comrades in arms of our sons; those of Belgium, France, and Italy, mainly of Catholic faith? What of the soldiers of England, Ireland, Canada, and of our country of like faith? What of the Jews, in number of soldiers exceeding the due proportion of their population in this country and contributions of money and charitable agencies? What of Cardinal Mercier, of Belgium, Cardinal Gibbons, and other great leaders of the Catholic Church in this country? There was neither uncertainty nor delay in sounding a clear call to their flocks of these religions to rally in defense of the flag of our country.

Recounting the contributions of Catholic, Jew, and negro to the great victory achieved for the peace of nations and of people everywhere, it is sordid and unjust to say that the glory and benefits of a victory so achieved are to be claimed as the exclusive right and peculiar boast of a particular class which would deny to all others the right to share in a common glory they most insolently claim for themselves.

The adoption of a fiery cross to symbolize alarm and terror to any of God's children is an act of sacrilege. A pillar of fire by night and cloud by day was employed by the great Jehovah for the guidance of an oppressed people from a state of bondage to the joys of freedom in Canaan's land of pure delight. If sign of hate, the cross is not the "promised joy of Israel," and we may no longer sing—

"In the cross of Christ we glory,
Towering o'er the wrecks of time,
All the light of sacred story
Gathers round its head sublime."

Nor that in its shadow—

"Peace is there that knows no measure
Joys that through all time abide."

THE KLAN WOULD USURP JURISDICTION CONFIDED ALONE TO OUR COURTS

Trial and punishment of an offender against the law is the exercise of judicial authority by law exclusively vested in certain named courts. The men who founded our Republic put the life, liberty, and property of every person under the protection of the judiciary, whose sole business it is to distribute justice among the people.

The unbridled license claimed by the Ku-Klux Klan is a denial of fair, open, and speedy public trial by an impartial jury. The Klan concedes only that such are rights of persons against whom no special grudge is felt by the Klan. The Klan would disobey the law, because they themselves may accomplish an end they think desirable. The law denounces their means to be unlawful and wrong. To say that their acts are made justifiably lawful, because without them their object could not be accomplished, is to affirm that the end justifies the means. This, as a rule of conduct, is denounced by human and divine law as pernicious in policy and false in morals. The Klan concludes that persons can not be adequately punished in court; hence it is necessary, and being necessary it is right and proper to try and adjudge them without proof, the accusers trying, condemning, and indicting penalities. This boldly usurps a jurisdiction which the law not only does not give them but expressly forbids any other than established courts to exercise.

Having regard to the origin of the right of trial by jury, acknowledging its defects to be such as inhere in all merely human institutions, I would sound the warning note that with the right of trial by jury gone, all other rights go with it. That being denied by the klan, the claim must be that a man may be arrested without accusation, detained during the pleasure of his captors, his papers searched without warrant, his property confiscated behind his back, and he subjected to cruel and inhuman punishment, without earthly means of redress. He may not complain, for the right of free speech goes with the rest of his rights.

To enthrone this as a new power our whole system of legal government will tumble into ruin if we are not robbed, kidnapped, mangled, drawn, and quartered, we will owe our escape, not to constitutions and laws but to the mercy or policy of those persons who may happen to control the organized physical force of the communities in which they may please to engage their activities.

It is the glory and boast of our institutions that no human being in this country can exercise any kind of public authority which is not conferred by law. The field that lies outside the Constitution and laws has no boundary. So these hooded marauders have no limit of region and no legal name by which they are known amongst the children of men. No law applies to them, and they would exercise power for the paradoxical reason that none belongs to them rightfully.

They must assert right, without judge or jury, to capture and severely punish any person to whom any of the klan may choose to impute an offense. This in very essence is despotic and lawless, and denies the restraint of all law.

The principal difference between master and slave is that the master holds a lash, which he may use at discretion and without restraint, while the naked back of the slave must take whatever is laid on it. The existence of such a power is utterly incompatible with freedom.

I have given instances of different ways of using arbitrary power to punish. Everywhere is it the operation of the principle by which despotism wreaks its vengeance upon those who offend it. The thirst for vengeance, like the thirst for blood, is an appetite growing by what it feeds upon. Robespierre resigned a country judgeship because he was too tender-hearted to pronounce sentence of death upon a convicted criminal.

Between an organization which claims and would exercise a power like that of the Klan and the people who are liable to become its victims there can be no relation except that of master and slave; for the man who can take your life, restrain your liberty, or punish or despoil you of your property at his discretion, either with his own hands, or by means of another acting for him, owns you and you must be answerable to his whims of prejudice, suspicions, and castigations, however void of offense toward God or man.

If the provisions of our Constitution and laws exist in full force, then there are no bondsmen whose backs may be bared under the lash; then every citizen may safely pursue his lawful calling in open day and at night may lie down in security and seek the sound sleep of a free man.

Our Government has been repeatedly called to the rightful exercise of its powers in protesting to foreign Governments against persecution of inhabitants of foreign countries because of religious opinion or belief. Persecution of Jews by Russians and of Armenian Christians by the Turks are cited as typical cases. What hypocrisy is involved in a movement supported by a considerable number of our own people, denying at their doors to our own citizens the rights which cause persecution of noncitizens in foreign lands.

THE KLAN EQUALLY OFFENDS AGAINST DIVINE LAW

"You see the cause which overbroods
A world of pain and loss.
Let's hear our Lord's beatitudes
And prayer upon the cross."

Hitherto my endeavor has been to present arguments based upon a consideration of the principles of the organization known as the Ku-Klux Klan and a contention that these principles are opposed to the genius and spirit of our Constitution and laws. The principles of the Klan are yet more definitely opposed to the authority of the divine law. "Peace on earth, good will toward men," was proclaimed by a chorus of angels announcing the coming of Him whose well-deserved title is the "Prince of Peace." In their proclamation it was said that the tidings were to all people, good will toward and among men, which is the distinctive broadening spirit of Christianity.

In this spirit the missionary movement of our churches has been employed in carrying the Gospel to every living creature—the black man, the yellow man, the men of all nations of the earth, of all sorts

and conditions. The first commandment and a second like unto it enjoin the duty of love to God and to love our neighbor as ourselves. "On these two commandments hang all the law and the prophets."

Paul enjoins that we be kindly affectioned one to another, with a brotherly love; furthermore saying:

> "Let us not therefore judge one another any more; but judge this, rather, that no man put a stumblingblock or an occasion to fall in his brother's way."

Again he said:

> "Whether one member suffer, all members suffer with it."

In the late war our "Soldiers of Liberty" won a victory electrifying the entire world in the belief that thenceforth the world should be a safe place in which to live, every man under his own vine and fig tree with none to molest or make afraid, and that racial, sectional, and religious prejudice had been forever banished from the hearts of men by the events of the war they won.

Men and brethren! An imperative obligation rests upon the citizenry of this country to frown down and put to rout every movement calculated to hinder or impede the progress and onward development of all and to remove the thorn and plant the rose in the onward path of all the sons of men, of whatever faith, race, or condition, toward better conditions of life.

The question of all questions is, Shall triumphs accomplished at such sacrifice of life, suffering, and of material wealth be reckoned as of no avail? Shall the world we had fondly imagined as redeemed and regenerated by the victories achieved by and in the name of the common brotherhood of man be made, in fact, a world characterized, not by peace and good will among men but by hatred of man toward man, and given over to the dominance of hate and bigotry?

It should be the earnest prayer and the abiding hope of all true Americans that the present wave of fanatical prejudice shall break, as other like waves have broken, against the bedrock foundations of our beloved Union.

We have but to examine the foundations of our civil and religious liberty, Magna Charta, the Petition and Bill of Rights, the Declaration of Independence, and our Constitutions, Federal and State, to find cause for renewed confidence that the deep foundations of our institutions, laid by our fathers and built upon by generations of their worthy descendents, have time upon time proven, and must always prove, impervious to every assault as impotent to accomplish the overthrow or unsettle the loyalty and faith of the great body of our people in the orderly processes of the laws of their own Government. It is the Christian's belief and the patriot's hope that—

> "Since God is God, and right is right,
> Right in the end shall win;
> To doubt this would be disloyalty,
> To falter would be sin."

To reassure the wavering faith of any, we need most and only the voice of faithful men and women, supported by a free and dauntless public press, pulpit, and platform; for—

> "A time like this demands strong minds, great hearts, true faith, and ready hands, men whom the lust of office does not kill; men whom the spoils of office can not buy; men who possess opinions and a will; men who have honor; men who have wills; men who can stand before a demagogue and damn his treacherous flatteries without winking; men who live above the fog in public duty and in private thinking."

THE M'NARY-HAUGEN BILL

Mr. AYRES. Mr. Speaker, I approached the consideration of this legislation with an open mind. Owing to the fact I have been so busy on the subcommittee of the Appropriations Committee, it was impossible to give the so-called McNary-Haugen bill the thought I should. I thought I could get information from those in my own State, who have made a study of measures intended for farm relief, and those in charge of this measure who have been working all winter, or ever since Congress convened last December, to bring forth something to relieve the fearful condition of agriculture at this time. A Member of this body who is on a busy committee is unable to make a thorough study of the many important measures coming before Congress for consideration. It is a physical impossibility. Therefore he is bound to rely largely on the presentation of those who have given it thought.

That has been my position on this matter. First, I tried to get ideas and reliable information from those in my own State who should be able to impart it. I found myself in this condition. One of the heads of the agricultural college of my State is very enthusiastic for the McNary-Haugen bill, telling all it would accomplish which seemed to me to be fairly good reasoning. Almost immediately I find another equally important head of the same college telling why it would be unworkable and socialistic.

Then the public officials of my State—that is, the governor and others—are against this measure, giving many reasons why it should not be passed, with the livestock commissioner and others of the State telling what wonders it would accomplish.

I then turned to the heads and officers of the various farm organizations of my State and found some very enthusiastic for it while others denounced it.

I then endeavored to inform myself by reading the hearings and the statements made by those for and against the measure, trusting and hoping for a ray of light. At last I concluded, in my desperation of seeking knowledge, I would try and be present and listen to the debates on the consideration of the measure, which I have done with an open mind, and which I must admit is still open. I am not at all satisfied with the conclusion, if it can be called such, I am compelled to reach. I am not at all satisfied with the measure and vote for it with much apprehension, but I feel that something must be done, and further, I feel so long as no one opposed to the measure has offered anything better those of us in doubt might consider, there is but one thing to do under such circumstances, and that is, give the benefit of the doubt to the measure, and especially to those the measure is intended to benefit, hoping when it gets into conference something will come out which will be fair to all, and there will be no question about its being workable and beneficial.

One thing, however, I can not understand, and that is why it was necessary for those in charge of this legislation to wait until Congress was about ready to adjourn. As important as is this legislation it seems to me it should have been up for consideration long ago and disposed of in some manner long before this. I do not know whether or not this means if this particular measure, the so-called McNary-Haugen bill, is not passed there will be an adjournment of Congress without any farm relief legislation being passed. I want to say for one I shall do all I can to prevent an adjournment on the 7th of June, or any other date, until this or some other farm relief legislation is passed. I hope there will be enough Members of the same mind to prevent an adjournment until this is accomplished.

I remember last December when President Coolidge appeared before us and delivered his message, he said:

> Industry and commerce are thriving, for the most part agriculture is successful.

I thought then the President had evidenty been misinformed; at least it was not the condition of agriculture in my section of the country. I felt then something would have to be done and that soon to give agriculture a fair chance, which it did not have during the period of reconstruction after the war. We all know the appeal made to the farmer to increase the food supply not only to feed the civilian population at home, but the fighting forces on the field of battle, and when the war suddenly came to an end and there was no further demand for a surplus of such food products, the farmer had to rely on the world's markets; and ever since then the price of the farmers' products such as wheat, pork, beef, and several others that could be mentioned, has been determined, not on the basis of cost of production, but on the basis of competitive values of such commodities in foreign markets, with those produced by farmers of those countries in which the high costs of production did not enter as in this country.

It is a well-known fact that both industry and labor have held the advantage gained during the war; that is to say, industry and labor are maintaining war prices which must be borne by the farmer in his production, while he is selling his products at pre-war prices. Therefore it is only a question of time until both labor and industry will have to come down to a level with the producer as to prices, or something will have to be done to bring the producer up to the level of industry and labor or the producer will have to quit and "give up the ghost," as many have already done.

The destructve plan, of course, would be to try to bring industry and labor back to the level of the producer, and the constructive policy is to bring the producer of farm products up to the level, in price, to that of other industry and labor, and, as I understand it, this measure is intended to do this, and if it passes, I hope it will succeed.

Statistics show all commodities, except agricultural commodities, have advanced about 65 per cent on the average, while agricultural products, including livestock, have advanced about 17 to 18 per cent. This is covering a period from 1914 to 1923. For instance, clothing has advanced in that period over 100 per cent. Metal products, such as go into farm machinery, have advanced over 40 per cent. Building materials have advanced over 80 per cent. House furnishings over 75 per cent. Labor, on an average, over 100 per cent. The railroads have done fairly well in most instances, and only a few days ago two big western railroads reported earnings of 16 per cent

or better for the year 1923 on their common stock. It shows one of them made a net income for the year of over $42,000,000, which was the best in its history.

I might go on and call attention to many more roads, which would be intensely interesting in view of the fact high freight rates have also increased by leaps and bounds because of the provisions of the present transportation act, all of which go into the expense of production and marketing of the agricultural and livestock products. And notwithstanding the fact the Bureau of Railway Economics in April last reported to the Interstate Commerce Commission for the month of February that 27 great railroad systems, including three big western class 1 railroads, in 1923 had over a billion dollars in earnings, they sent spellbinders all over the country to appear before traffic clubs, civic clubs, chambers of commerce, and so forth, convincing the dear people they should write or wire their Congressmen and Senators not to disturb this wonderful sacred white ox, the transportation act, and they wrote us good and plenty.

At the time this act was passed I said the freight rates would be such as to ruin the farmer and livestock men, and I have not changed my mind about it, and am happy when I can say I was one who did not vote for the present transportation act, but the fact I did vote against it does not help the condition of the farmer at this time. I see but little chance of correcting in the immediate future the mistake then made.

There seems to be a tireless effort being made on the part of some to blame this whole condition of the farmer on labor. For the past 10 or 15 years a certain class of politicians have succeeded in one way or another in arraying the farmer against labor and labor against the farmer, playing one against the other, and some of them are still at it, although I am inclined to believe labor has concluded that when the farmer is not prosperous and can not purchase the products of labor, it will be only a question of time until the factories and workshops employing labor will have to close because of lack of buyers, and labor will be out of employment; on the other hand, labor being the greatest consumer of the products of the farmer, he must have living wages or cease to buy farm products, at least only sufficient to meet the absolute and bare necessities of life. Therefore each has come to look on the other as a benefactor and not a menace. In my opinion the time has come when it will be hard for the demagogue to play on the prejudices of either.

Mr. Speaker, I am going to quote what some of the heads of many labor organizations, appearing before the Agriculture Committee, had to say regarding legislation to help the farmer. Edgar Wallace, representing the American Federation of Labor, said:

> The workers of the country recognize that if this bill or a similar bill to aid the farmer should be enacted into law that the workers, along with the other citizens of the country, will be called upon to pay an increased cost of living; recognizing this, still we are willing and anxious that drastic action be taken by this Congress calculated to help the farmers of the country and calculated to stimulate the buying power, if you will, of the farmers. With the farmers of the country ruined financially, we can not continue to prosper long. For this reason we have come here to speak in favor of this bill or any bill that will bring relief to the farmers of the country. Unprecedented action is necessary to meet an unprecedented condition to help the farmers of the country.

Mr. Robert Fechner, representing the International Association of Machinists, said:

> Our general executive board is in session here in Washington, which is the headquarters of our organization at the present time, and President William H. Johnston called the attention of the board members to the reports which have been recently received on the subject, and the board felt that we were sufficiently concerned in the matter to take official recognition of the situation. We did so, and after giving due consideration to the entire matter, we have officially recorded ourselves as supporting, in principle at least, the provisions of this pending legislation.
>
> * * * * * * *
>
> We feel that the farmer is entitled to a sufficient price to justify him in continuing the operation of his farm, just as well as transportation or any other industry is entitled to a fair return on their investment or the activity of those who are engaged in these other lines, and we are convinced that if anything can be done by the Congress to help bring about that condition, it will be reflected in all other lines.
>
> * * * * * * *
>
> No; I certainly hope Congress will not stand still. That is what I am here for, to urge that something be done, and I am sure that the committee can formulate some plan.
>
> * * * * * * *
>
> We believe that if we can get some relief for the farmers and get things started on the farms, it is going to be reflected along all lines, and that the mechanics will benefit just as well as the farmers. We are very anxious that at least an effort be made to afford that relief.
>
> * * * * * * *
>
> We do believe that the workers must have a living wage, and that the farmers must also get a price for their product that will enable them to live and to continue to operate their farms, and it is that principle that we want to see preserved.

Mr. Arthur J. Lovell, vice president and legislative representative of the Brotherhood of Locomotive Firemen and Enginemen, said:

> Mr. Chairman and gentlemen of the committee, I have the honor to represent the Brotherhood of Locomotive Firemen and Enginemen, one of the railroad transportation organizations, in support of this measure, which is the preferred measure of the farmers, for marketing their crops. During the last Congress I appeared before your committee in support of a bill similar to the one introduced at this session.
>
> Our organization is on record in favor of such legislation on behalf of the farmer, because I perhaps think it is fair to assume one-half of the railroad men are boys that were born and raised on the farm, who left the farm perhaps because they could not make a living there, and who came to the railroad with a hope of doing better. Personally, I was born and raised on a farm and lived there until I was 13 years old. My dad was a farmer all of his life and my granddad before him, so that, personally, I can speak with some knowledge of the farmers' situation.

Mr. Clark, vice president of the Order of Railway Conductors and Brotherhood of Railroad Trainmen, said:

> I am vice president and national legislative representative of the Order of Railway Conductors, and also represent the Brotherhood of Railroad Trainmen. A year ago our organization and other organizations went on record as favoring a bill that would benefit the farmer and a bill with which the farmers were in accord. As far as we are concerned, we are not wedded to any particular bill or language if it benefits the farmer, because that is what we are trying to do.

I could quote many more but will not at this time. I wish to say I think it very commendable on the part of the heads of these railway brotherhoods and officers of the American Federation of Labor to bend their energies in behalf of legislation for the agriculturist and ought, at least, to have a sobering effect on the individual who either for political effect or otherwise constantly howls against labor when talking to the farmer and howls against the farmer when talking to labor.

As I said at the beginning, I am not enthusiastic for this measure; that is, I am satisfied it will not do what is claimed for it. I realize full well the responsibility of this or some legislation for agricultural relief rests with the party in power and the one criticism I have to offer, which I feel is justified, is the procrastination on the part of the leaders of the party in power and those having charge of such legislation. Here we are almost ready to adjourn and this bill just being considered. But as a Representative in Congress, I have a higher duty, however, to perform than criticise either a political party or individuals of a party, and that is to endeavor, at least, to represent my constituents regardless of party. My politics or anyone else's politics is the least of my worries. I have never been guilty of playing politics in Congress. If I wanted to play politics I might say I will leave this question of farm relief go and lay the blame on the party in power for not doing something, but that is a "dog in the manger" position which I do not believe in taking. Therefore, though doubtful of this measure, I do not intend to do one thing to prevent its passage. In fact I shall assist by my vote in its passage. It will not be the first time I have voted against my judgment in trying to represent the people of my district.

I voted for the emergency tariff in the Sixty-sixth Congress, although I did not at the time think it would do the farmer, and especially the wheat farmer, any good, and said so. I am of the opinion now that it did not do any good. I am ready, however, to lay aside my personal opinions and judgment and take that of my constituents in legislation of this character.

Owing to the fact we are exporters of farm products such as wheat, especially, I can not reach a conclusion that a tariff on wheat is of any benefit to the wheat raiser. The wheat producer has to sell his surplus on a world's market which, in this case, is Europe. Therefore, the buyers of his surplus farm produce must be accorded the privilege of trading his surplus merchandise or factory products to us or cease buying our farm products. That certainly is not a difficult problem to

solve. That arrangement creates and carries out the law of supply and demand. Here in this country we have a supply of surplus farm products. There is a great demand in Europe for those products. They have a surplus of all kinds of manufactured products in Europe and there is a great demand in this country for such products. Europe can not take our surplus wheat because of lack of gold. They are precluded from bringing their surplus manufactured products over here and selling them and taking the money received for them and buying our surplus wheat because of the Chinese wall of a high protective tariff, such as was never known in the history of this or any other nation. I was not here when the present so-called Fordney-McCumber tariff law was passed. If I had been I certainly would not have voted for it. It has done its share in increasing the price of all the farmer has to buy and decreasing the price of what he has to sell, because it has destroyed his market. It was passed at the behest of the special interests. It enables them to sell their manufactured products cheaper in Europe than they sell here at home. Farm machinery is sold by these people to European farmers cheaper than to farmers here in this country. I am wondering how some of my colleagues from my State and other agricultural States, who voted for this Fordney-McCumber tariff, are feeling to-day or during the consideration of this agricultural bill.

When the Congressmen from the New England States are speaking against this bill and stating they intend voting against it because the increase of farm products means an increase in the cost of living in their respective districts, apparently they have forgotten that the passage of this Fordney-McCumber tariff was for the benefit of their textile factories, shoe factories, steel mills, and so forth, so they could keep out all foreign competition and charge for their wares all the traffic would bear. In my opinion they will defeat this measure.

It has been fully explained that the farmer has never been able to collect the tariff on his products as has the manufacturer. He is not in a position to concentrate his selling. He can not do like the manufacturer—curtail his output when he is about to lose on his exports. He has no assurance that he will have a full crop or a half crop or an entire failure, and it is the sheerest folly to advocate the farmer should curtail the production of any particular crop and thus control the market. Therefore a tariff on wheat or other surplus farm products is about as effective, so far as controlling the market price is concerned, as it would be for some one county in my congressional district to quit producing wheat.

The farmer of my State is not asking for a high protective tariff. He has been fed on that kind of sophistry long enough. He has at last awakened to the realization that a high protective tariff such as was passed by the last Congress is causing him to buy everything he has to purchase on a protected market, while everything he has to sell is on a free-trade market.

The Department of Agriculture states that 90 per cent of all the farmer produces is sold on a free-trade market and 10 per cent on a protected market, or on which he gets the 10 per cent benefit of the tariff. That 10 per cent benefit from the tariff is on such products as sugar, wool, a little hard spring wheat, and a little special grade of tobacco raised in Connecticut. The farmer who produces the cane and beets for sugar gets but little or no return from the tariff on sugar. It goes into the coffers of the refiners and sugar factories, as the tax is placed on refined and not the raw product. It is estimated the sugar growers in the United States get a total of about $19,000,000 out of the tariff, which costs the consumers of sugar about $216,000,000.

The wool tariff costs the American people $300,000,000, about $37,000,000 of which goes to the woolgrowers. It is estimated that three-fifths of the wool produced is not produced by the farmers. Most of the great herds in the Western States, which are the big wool-producing States, are owned by men who never saw a farm. They are bankers and brokers who keep these herds on Government lands for a very nominal grazing cost, and of the $37,000,000 received by the wool producers, about $20,000,000 is received by these herd owners and about $17,000,000 by actual farmers.

For illustration, it is said in two big sheep-producing counties in Montana there are 2,450 people and 75,000 sheep; only 115 people of those 2,450 are sheep owners, and 8 out of the 115 own two-thirds of the 75,000 sheep and get two-thirds of the tariff which is realized from the above sheep.

The tariff costs the people of Kansas at least $65,000,000 annually, and owing to the fact we produce but little, if any, hard spring wheat—no tobacco—all we get is a very small amount of tariff on a little sugar and a small amount on the wool we produce. I could go on and show how absurd it is to advocate a high-protective tariff, as we have at this time, and claim it is for the benefit of the agriculturist.

This is, however, no time to make a tariff speech. As I have already said, the farmer is not asking for a high-protective tariff, for the things he has to buy are already too high; nor is he asking for credit, for he is in debt already more than he can pay off under present conditions. What he is asking for is a market for his surplus products and thus reestablish the law of supply and demand. He is not asking for charity, or the best of it; but only that he be put on the level with others and there are only two ways in which to do this, as I have already stated. One is to get back to normal by bringing about a reduction of wages and a depression of business; the other, by legislation or otherwise, creating a market for him where he may receive a fair return on his investments and labor. That is all.

I know it is useless to try to enact tariff legislation with the present Congress. It would be a waste of time. I think I have introduced the only tariff measure which has been introduced in this Congress. That was to save the consumer of sugar millions of dollars which are now going into the sugar profiteers' pockets. That is as far, however, as I can get with this measure in this Congress. There will be no reduction of the high tariff in this Congress.

Much criticism is being made against this and other farm measures because they are called price-fixing measures. These criticisms have come from a source or group who were not complaining about price fixing of the farmer's wheat during the war; in fact, strange as it may seem, they thought it a correct policy at that time. Had the price of wheat been permitted to rise in the same way and at the same rate as all other commodities during the war or while under control of the Government, it would probably be a different story to-day; or had other commodities been placed under the same control as to prices as was wheat, no doubt we would not now be asked to come to the relief of the wheat producer.

I introduced a price-fixing measure in Congress to fix the prices of other commodities after the price of wheat had been fixed, and spoke in the House on my measure on April 18, 1918, which will be found in the CONGRESSIONAL RECORD of that date, on pages 5277 to 5281, inclusive. I called attention at that time to the unfair treatment of the wheat farmer. I said:

I have heard considerable about the question of the loyalty of the farmer; that is to say, his lack of enthusiasm over this war. It may be, sir, that he has grumbled somewhat at the regulation of the price of wheat fixed by the Food Commission. I have reference to the wheat producer. But, notwithstanding this fact, he is just as patriotic as any American citizen, and is just as ready to make his sacrifice as any other American citizen, but he does feel, and rightfully so, that he should not as a wheat producer be the only producer of the necessaries called upon by the Government to make a sacrifice and others permitted to go on and on profiteering, not alone at his expense but at the expense of the great consuming class of which he is a large part.

Later on in that speech, after I had been interrupted several times, I again called attention to how the wheat producer felt about this treatment, in which I said:

The farmer has patiently waited since early last fall for others to feel the heavy hand of authority already provided for in the bill of August 10, which I am seeking to amend, and which provides ample power and authority to regulate and control other necessities in the line of food and feeds. He, as a wheat producer, has not only patiently waited but has patriotically waited for this equalization of the burdens, and has seen others grow rich by profiteering on the product of his labor, instead of the great consuming class reaping the benefits of his sacrifice. He has had to buy the very product of his own wheat to feed his family, at but a small reduction in price compared with what the price of wheat was reduced. He has purchased the by-products of that wheat to feed his stock at an abnormal price, comparatively speaking, because it was not regulated but permitted to soar high, endeavoring to catch up with other food and feedstuffs which were not regulated.

This, Mr. Chairman and gentlemen, is like irritating an old sore and expecting no complaint. I want to say there has been but little complaint from the wheat producer of this country—I will say in my section of the country—about the price of wheat being fixed. Although they did not relish the idea of having their profits reduced over one-fourth, yet they have complained and are complaining about being singled out while all others go to the limit.

They say, and justly so, regulate the commodities we have to purchase which enter into the production of our wheat, so all can be treated on an equality, and we will be satisfied. Is there anything unreasonable about that? He has been promised this, and, I repeat, he has been patiently waiting, and as one of the representatives of a wheat-producing country, I feel it my duty, as best I can in justice

to his claim, to insist on this equalization. I am for the power by this act of August 10 conferred and for further power and regulations, and insist that it be used or else abandon the whole proposition of regulating prices.

I would like to quote the whole speech, but as it is several pages it would not be permissible; enought to say I never got anywhere with my amendment to the food control act, although it was admitted by many it was but just and equitable. Let me say at this time many of the people who fought its consideration are the same who are fighting this present farm legislation. That is why I remembered my bill and speech on it.

Many letters have been received by those in opposition to farm legislation to this effect: All the farmer wants is to be let alone and he will work out his own salvation. That no doubt would have been true had he been let alone in the first instance, or had he not been discriminated against to the benefit of others by legislation both during the war and since the war. It is true probably he can get along some way if let alone, as advised by some, but in what manner and how long—that is the question. One way is by passing up all luxuries and many necessities. He can and will have to continue to use his old machinery and not try to buy new and up-to-date machinery. By using the old diver just as long as she is able to rattle and bonk. They can make it some way if they keep the kiddies out of school in the busy season to help, because they can not afford to hire help, even if they could get it, and many other things he can and will have to do to get along, as is advised. The question is, How long is he going to do it? There is a limit to human endurance. This we have often heard. And the farmer is mighty liable to reach that limit any time. Statistics show in thousands of instances they have, and instead of being producers they have moved to the cities and towns and joined the already too large hordes of consumers. Some who are so free with advice to let the farmer alone and let him work out his own salvation seem to overlook the seriousness of this condition. Some day they may awaken to the fact he has been let alone too long.

There have been many, many plans for relief offered, none of which, in my opinion, will work wonders. I fully realize if any man can devise a plan which will bring about the desired relief and condition he would be the greatest benefactor—yes; the greatest genius—the world has ever produced.

As I said at the beginning of this speech, I have not the confidence in this measure as some of the others proposed. It is all that is offered, and, furthermore, I have nothing to offer that is better for immediate relief, so why should I play the dog-in-the-manger act and, because I can not reduce the tariff in this Congress and thus provide a world's market for the farmers' products, not vote for any other measure? If I should take such a position, it would be unreasonable, unfair, and unrepresentative on my part, which position, Mr. Speaker, I refuse to take.

DRINKING THEIR WAY TO THE POORHOUSE—FAILURE OF GOVERNMENT CONTROL IN QUEBEC AND BRITISH COLUMBIA

Mr. CRAMTON. Mr. Speaker, the opponents of prohibition in the United States in these days very generally urge the return of beer and "light" wine with Government control of the sale. The 2.75 per cent beer bill introduced simultaneously by 58 Members of the House proposes that such beer "may be manufactured, sold, or transported for sale in original packages for consumption in homes and places other than the place of sale." Through such measures bootleggers are to be eliminated, violation of the law is to cease, and all are to be happy. Experience everywhere always proves that no form of license secures respect for law by King Alcohol.

Quebec has never tried complete prohibition of the liquor traffic, but has felt obliged to resort to government control of the business. Failure of their experiment has been declared from many sources, but perhaps most emphatically by Cardinal Begin, head of the Roman Catholic Church in the Province, who recently issued a letter to his people warning them of the growing evil of drink. Therein he said:

> But, alas, there is now spreading everywhere the intolerable abuse which we denounce, and, in particular, the surreptitious fabrication of an alcohol more harmful than any other to the health of body and soul a mortal poison which attacks the living forces of the individual, of the family, and of society, and which, if we do not strongly react, will soon accomplish irretrievable ruin. Therefore we have desired to react and by virtue of our pastoral authority we have prohibited under pain of a grave disobedience the fabrication, the sale, and the clandestine importation of intoxicating liquors such as are already forbidden by the civil law.

British Columbia had a provincial prohibitory law of a very porous nature. Its laxity, the holes there were in it, did not avail for successful enforcement and the opponents of prohibition there were able, through a program similar to that now being followed in this country by the wets, to bring about Government control. As in Quebec, their experience with "liberalized" treatment of the liquor problem is proving anew the economic waste and the social destruction that is inherent in any form of alcoholic liquor traffic and the lawlessness that characterizes the traffic always. Experience is a dear teacher, but there are many who will not listen to any other. The wise profit by the experience of others, and while we press forward with our great experiment in America for the complete extermination of the traffic we may well watch and take warning from the temporizing alternatives whose fallacy is being proven by our Canadian neighbors.

Mr. A. B. Macdonald, whom I know personally and regard highly as an investigator and journalist, has written an analysis of the experience of British Columbia which appears in the Ladies' Home Journal for June and which should challenge the consideration of every American.

My own investigation has convinced me of the failure of the British Columbia system to eliminate bootlegging, reduce crime, or secure governmental economy. A few weeks ago I received the following letter in response to my inquiries addressed to the attorney general of the Province:

> DEPARTMENT OF THE ATTORNEY GENERAL,
> PROVINCE OF BRITISH COLUMBIA,
> *Victoria, February 14, 1924.*
>
> LOUIS C. CRAMTON, *Esq.*,
> *House of Representatives, Washington, D. C.*
>
> DEAR SIR: Your letter of the 4th instant asking for an expression from this department as to whether bootlegging and illegal sale of liquor continues in this Province under Government control and sale came duly to hand.
>
> In reply I beg to say that there are naturally infractions of our Government liquor act, and bootlegging and illegal sale are prevalent to some extent. The experience gained, however, in enforcement of the act is being used to amend the statute from time to time.
>
> A copy of the last annual report of the liquor control board is forwarded herewith. It will give you considerable information as to the operation of the act during the past year.
>
> Yours very truly, L. A. MENENDEZ.

> DEPARTMENT OF THE ATTORNEY GENERAL,
> *Victoria, March 7, 1924.*
>
> LOUIS C. CRAMTON, Esq.,
> *The Capitol, Washington, D. C.*
>
> SIR: I beg to acknowledge receipt of your letter of March 1 requesting the number of prisoners confined in provincial gaols of British Columbia from July 1, 1917, to July 1, 1918, and each year thereafter, together with the cost of the provincial police.
>
> Our reports from the gaols cover periods from November 1 of one year to October 31 of the next year. The number of prisoners confined therein since 1917 is as follows:

Year ending Oct. 31—	
1917	996
1918	845
1919	682
1920	1,003
1921	1,670
1922	1,690

> The cost of the provincial police service was as follows:

Apr. 1, 1917–Mar. 31, 1918	$166,057.83
Apr. 1, 1918–Mar. 31, 1919	217,576.61
Apr. 1, 1919–Mar. 31, 1920	328,495.58
Apr. 1, 1920–Mar. 31, 1921	434,971.06
Apr. 1, 1921–Mar. 31, 1922	379,426.04
Apr. 1, 1922–Mar. 31, 1923	393,622.58

> I have the honor to be, sir, your obedient servant,
> W. B. COLVIN, *Chief Clerk.*

Increased provincial jail population and increased provincial police cost. Further, I have the second annual report of the liquor control board of the Province of British Columbia for the year ending March 31, 1923, wherein it says, on page B7:

> In the stores conducted by three or more employees arrangements were made for keeping such stores open throughout the week, it being felt that service to this extent was necessary to offset the activities of the bootlegger.

And again, in the same report, "the bootlegger—now a recognized international pest on the American continent—has proved his ability to provide increasing embarrassment to all classes of officials directly or indirectly concerned with the administration of liquor laws. Whether it occurs in a 'wet' or

'dry' territory, the illicit sale of liquor is a continuous source of trouble."

The Macdonald analysis is a complete demonstration of the failure of the governmental control system, and I present it herewith as part of my remarks:

DRINKING THEIR WAY TO THE POORHOUSE—GOVERNMENT CONTROL IN BRITISH COLUMBIA ENRICHES ONLY RUM INTERESTS—MORE BOOTLEGGING THAN EVER

(By A. B. Macdonald)

By this time nearly everyone in the United States must have heard of the "ideal" liquor law of British Columbia. For three years the brewers and other liquor interests, through their highly organized propaganda, have been telling us about it. Harping day in and day out upon the text, "Prohibition can not be enforced," they have been citing to us the Canadian plan as the best way out. I have heard and read, thousands of times, this statement of the wets: "In British Columbia they tried prohibition; it failed, and now, under Government control of beer and liquor, there is no bootlegging nor drunkenness, and the profit from liquor sales is paying off the public debt, reducing taxes, building roads, and supporting hospitals and schools."

I went to British Columbia last December to see if that was true; and one Saturday night, in the bootlegging clubs and joints of Vancouver, I saw more men drunk than I had seen in all the United States in the four years since national prohibition began; and I was in fewer than 20 of the 255 bootlegging dives of that city.

British Columbia had a form of prohibition for three years; but the administration of it, especially in the cities, was largely in the hands of politicians who were not in sympathy with it, and it was never enforced as the voters were led to believe it would be. British Columbia never had a chance to see what prohibition might have done.

One weakness of prohibition in British Columbia was that under the Canadian laws liquors might be imported in any quantity for export again, and under those laws bootleggers imported large stocks of booze, ostensibly for exportation, but much of it leaked out to be bootlegged in British Columbia. Another weakness was that brewers were allowed to make beer and distillers were allowed to make liquors for export, and their product was bootlegged everywhere in the Province.

Throughout the three years of the prohibitory law bootlegging brewers and liquor men were banded together in a "moderation league," the aim of which was to poison the minds of the people against prohibition, just as the brewers and liquor interests in the United States are doing. To fan the feeling of discontent with prohibition they kept up a vigorous campaign in the newspapers, and they issued a magazine—the Moderationist—which they spread widely through the Province.

Breaking the law themselves, they flooded the country with their propaganda, deploring the fact that prohibition was "breeding disrespect and contempt for law." Themselves the greatest bootleggers of all, they grieved that there was so much bootlegging and cited that as proof that prohibition could not be enforced.

THE SCHEME

The prohibitory law allowed wide latitude to doctors and druggists in the writing and filling of prescriptions for whisky, and that privilege was abused. A doctor in Vancouver wrote 4,100 prescriptions for whisky in one month, and in the same period four other doctors wrote a thousand whisky prescriptions apiece. That helped to create sentiment against the law.

The Province was in debt, business was slack, times were hard, taxes were high, and the moderationist brewers and liquor men assured the people that if they would repeal the prohibitory law and have the Government go into the liquor business there would be no more bootlegging, no more drunkenness, no more disrespect for law. Crime would decrease. The people would buy all their liquor and beer from the Government in sealed packages and drink it in peace and happiness and sobriety in their homes; there would be a big profit in it for the Government, which would return that profit to the people. This would reduce taxes and put plenty of money in circulation; thus all business would boom; there would be more money with which to buy more liquor and beer; the profits of the Government would increase accordingly, with more money to be returned to the people, who would then have a still greater surplus to spend for liquor, with still greater profits to be returned, and so on and on in an endless round of increasing profits to the Government and increasing dividends to the people.

It sounded like the scheme of the Yankee who was promoting a cat-fur business. He would raise rats and feed them to the cats. As the cats multiplied he would sell their fur and feed their carcasses to the rats; and so the cats would eat the rats, the rats would eat the cats, and his fur would be all clear profit.

The incredible thing is that the people of British Columbia actually believed that if they owned the places in which they spent their own money for drink the profits returned to them would lower taxes, pay debts, and bring them a measure of prosperity. They lost sight of the fact that no matter how much money they might get back, it would in no sense be a profit but only a trifling amount salvaged from a great waste of money, and so they voted for "Government control and sale in sealed packages of spirituous and malt liquors"; and three years ago the Government appointed a liquor-control board and opened stores for the sale of liquors in sealed packages, and British Columbia started out to drink itself sober and rich under Government control. But the Government does not control liquor in British Columbia; liquor controls the Government and defies it. The people thought they were getting Government control; but it has turned out that the Government is simply the saloon keeper, the bartender, and collecting agent for brewers, distillers, and liquor dealers, and the bulk of the profits goes to them.

One of the promises of the Moderationist in its campaign for Government control was: "The Moderation League pledges its organization to the support of the officers of the Crown in the enforcement of the liquor control law." But to-day the Government itself and its newspaper organs admit that the Government sells only 50 per cent of the beer and booze consumed in the Province. The other 50 per cent is sold by the same old bootleggers who sold it under prohibition, brewers, and liquor exporters, and they are beyond control of the Government because of their political power. The Vancouver World, organ of the Government, declared in an editorial "British Columbia is the bootlegger's paradise"; and A. M. Manson, attorney general of the Province and official administrator of the Government liquor control act, said, in a recent speech, "The greatest bootleggers of all are brewers and export liquor dealers."

It is good business for the beer and liquor men. They are getting rich at it. Official reports disclose that the Government, through its 69 stores, is selling for them annually $12,000,000 worth of beer and booze, and newspapers friendly to both the Government and the liquor interests assert that brewers and liquor men are selling $12,000,000 worth more through bootlegging clubs and "blind pigs," a total drink bill of $24,000,000 a year in a Province with a population of only 542,582. The city of Los Angeles has a hundred thousand more people than all of British Columbia, and the whole Province has only a hundred thousand more people than the city of Buffalo, but what a cry would go up if either of those cities or any other city of only a half million population was wasting $24,000,000 a year for booze! And it is estimated by Government officials who handle the liquor business that about $16,000,000 of that $24,000,000 goes out of British Columbia, never to return. It is no wonder that business men and civic bodies are beginning to protest against this waste.

PROFIT—SHOW A PROFIT

The Moderationist brewers and liquor men promised that Government control would lessen drinking and drunkenness, but Government liquor stores have increased from 54 the first year to 69 last year, and the liquor sales in them have increased from $9,000,000 worth the first year to $12,000,000 worth last year. How the sales in Government stores increase from month to month is shown by the following statement, taken from the official reports: In April, last year, the sales were $783,575; in June, $984,936; in July, $969,587; in August, $1,076,538.

I asked a business man in Vancouver to explain this steady increase in liquor sales. "Why," he said, "that's easy. Our Government is in the liquor business for profit. It wants to make a big showing of profit so as to hypnotize the people and make them satisfied with the Government. So the Government pushes its liquor stores into every community where it thinks it can make a profit, regardless of whether that community wants a liquor store or not. They have put several in against the protests of the people. They are forcing sales by every possible means; they are creating the opportunity to drink, and creating an appetite. It is an axiom that drinking always increases in proportion to the increase of opportunity to drink; and as the opportunity to drink decreases, so drinking will decrease in like proportion."

In a public address last September Dr. Ernest Hall, a police commissioner of Vancouver, said:

> "The Government has set out upon a policy of alcoholizing our people for profit; a policy of saturation rather than of control. The encouragement of liquor drinking means the lowering of stamina, the pauperizing of the public, and the encouragement of lawlessness and crime; but never in the history of British Columbia has liquor been so extensively advertised as it has been in the last three years under Government control; never has there been such a persistent attempt to debauch the public, to entice people to drink, to create an appetite for alcohol."

WHERE THE BOOTLEGGER IS LICENSED

The newspapers of British Columbia carry display advertisements of beer and whisky. In one issue of a leading paper I found six different liquor and beer advertisements; billboards were covered with them; and at night the virtues of beer and booze were blisoned by huge electric signs above the highest building tops. "Try a nip to-night," urged one advertisement. "You'll say there's none better after taking a drink of Grant's Best Procurable Scotch Whisky. On sale by all Government vendors."

"How to keep well," advised another advertisement. "The Government stores have a large selection of whiskies to choose from. Physicians recommend these in cases of colds, influenza, catarrhal affections, hay fever, flatulence, heart trouble, and insomnia."

"One of the curses of the business is this persistent advertising of booze as a cure-all and a necessary stimulant," said W. W. Peck, a leader of the British Columbia Prohibition Association. "If prohibition did nothing more in the United States than to take the booze and beer advertisements off the billboards and electric signs and out of newspapers and periodicals, it is worth keeping just for that."

I have never known so much bootlegging anywhere as there is in British Columbia under Government control. I never imagined there could be so much disrespect and contempt and defiance of law as exists there.

The Hon. H. H. Stevens, member of parliament, after a tour of the Province, stated that, "Never in the history of this Province was bootlegging comparable in magnitude and murderous results to what it is to-day. You can trace violent crimes all over the Province connected with bootlegging."

Bootlegging in British Columbia is a vast organized business with an estimated output of $12,000,000 worth of beer and whisky annually, a volume of sales equal to that in all the 69 Government liquor stores in the Province. In Vancouver the city authorities collect a revenue from bootlegging, and all over the Province the Government stores sell direct to bootleggers, knowing they are bootleggers and that the liquor they buy is to be sold illicitly by the glass in bootlegging clubs after the Government stores have closed for the night. But the bulk of all bootlegged beer and liquor is supplied by brewers, distillers, and export liquor houses.

The greater part of the bootlegging in British Columbia is done through clubs. Under Canadian laws a group of persons may organize a club, with headquarters in which to gather for fraternal or social purposes. So the bootlegger organizes a few drinking men into a club, gets a charter, rents a room, and is ready for business. Under the Government liquor control act any person may go to a Government liquor store and pay $2 for a permit, good for one year, which entitles him to buy beer or liquor in any quantity, each bottle wrapped and sealed, but he can not drink it there. He must carry it away to be drunk elsewhere. He may take it to his club and go there whenever he chooses to drink it. A club member, having a permit, may delegate the club manager to buy the liquor for him on his permit. This opens the door to the bootlegger. Ostensibly he buys liquors only from a Government store, using the names and permits of his club members, but if he did that he would be paying the high retail prices charged in Government stores. He evades that and gets lower prices by ordering, say, one barrel of beer and a bottle or two of liquor from the Government store on a permit. The store turns the order over to brewery and liquor men; they deliver to the club all the booze the manager wants, and he puts in a bar and sells by the glass.

The city of Vancouver takes the position that as long as these clubs are going to run anyway there might as well be a revenue from them, so the bootlegger pays the city $300 a year, gets a city license, and operates under police protection. There are 105 of those licensed bootlegging clubs in Vancouver, and 150 more that do not pay license but operate under a system of periodical arrests and fines.

In British Columbia the drys furnished me with statistics to prove that drunkenness had vastly increased since the Government went into the booze business, and the wets gave me statistics to show that drunkenness had decreased in the same period. But I have become shy of statistics about drunkenness, especially from a Province and from cities where the Government and the city councils and police are encouraging the drinking of booze, as they are doing in British Columbia and some of its municipalities.

WHEN STATISTICS FAIL

Statistics of drunkenness means simply that so many persons, mostly habitual drunkards anyway, became so boisterously or helplessly drunk that the police had to pick them up. You can not begin to measure the extent or the evils of drinking by statistics of drunkenness, because those who become so drunk that they have to be arrested and so get into the statistics are like a drop in a bucket compared with the great number who never get into the statistics.

I decline to accept made-to-order statistics of arrests for drunkenness as proof that booze is more or less of an evil under Government control. I would rather base my judgment upon what I saw in the Government liquor store on Hastings Street in Vancouver, in the heart of a district populated mostly by workingmen and their families. It was a large room, probably 75 feet each way, with counters all around and shelves to the ceiling filled with liquors. I counted 58 different kinds of booze, including vodka from Russia and whisky from China and Japan. In that store one afternoon I watched the customers come and go in a steady stream, keeping six salesmen busy.

A raw wind blew from the north that December day and a cold rain was falling, but I saw dozens of men come without overcoats or overshoes, their feet wet, their clothing dripping, and they paid from $3 to $5 apiece for bottles of whisky. Men came with rents in their shoes and paid enough for booze to have bought a new pair. There were men old and bent and thinly clad, who shivered as they waited at the counter for their liquor. There were men I knew were habitual drunkards, for their noses were red, their eyes bleary, their faces bloated, and their hands shook as they grabbed their packages and hurried out. Then there were well-dressed men who came in jauntily, and young men and boys, and young women, too; and I saw boys and girls buying whisky there that day who were so young and small they had to stand on tiptoe to reach the top of the bar.

To me it was most pitiful to see the women who came. Some came without coats and stood with their cold hands up their sleeves while the clerk wrapped their bottles. Half a dozen mothers came in with children. One had a baby in arms, and she paid $4 for a quart bottle of Scotch whisky; and that baby needed clothing, and so did the mother. Women drove up in motor cars and came in and bought beer or liquor. Some came with baskets of groceries and tucked a bottle of liquor or a few bottles of beer down amongst them. I had been in many a saloon in the old days in the United States, but I never knew women and girls and children to come in as men did and stand at the bar and buy openly as those did in that Government store in Vancouver. There was not an intoxicated man or woman amongst the buyers that day, and so none could have been listed in the statistics of drunkenness, but there was evidence a plenty of the misery and want and suffering caused by drink to men, women, and children.

ECONOMIC WASTE AND MISERY

That store had 11,000 customers. Permits to buy liquors were issued last year by that one store to that many different persons, and their names were in a book on the clerk's desk. The manager, Mr. Dixon, told me that often, especially on Saturdays, when workingmen were laying in their stocks of booze to drink over Sunday, the crowd of buyers was so large that it formed a queue out the door and down the sidewalk, and the police had to keep them in line. That one store sold $900,000 worth of booze last year. There are 7 Government liquor stores in Vancouver and 69 in the Province. The seven in Vancouver sell an average of $350,000 worth of liquor a month. When that much booze is sold in one month in a city of less than 120,000 population, I need no statistics of arrests for drunkenness to convince me that drink is causing a great economic waste and a lot of misery in that city.

Instead of statistics of drunkenness furnished by a Government and a police force friendly to the liquor interests, I would rather take the evidence I saw the Saturday night I made the rounds of the bootlegging clubs in Vancouver; the thousands of men, mostly young men, I saw that night, crowding to the bars, treating, spending their wages, money going over the bar that ought to have gone for rent or to pay the grocer's bill or to buy a dress for the wife or baby.

I saw many men in various stages of drunkenness that night, and I saw hundreds who had a "drop too much." Undoubtedly thousands of men were drunk that Saturday night in Vancouver, but not one dozen got into the statistics by being arrested.

Rather than take statistics to prove the extent of drunkenness, I would take the testimony of Charles E. Tisdall, mayor of Vancouver, who said in an address to the city council:

> "We must do something at once. Conditions are deplorable. In every mail I get letters from wives complaining that their husbands are coming home drunk after they have spent their wages at the clubs."

Or the testimony of Andrew Blygh, justice of the peace, who said in a public address:

> "Vancouver to-day is more wide open than ever before, and any night may be seen cabarets in which no liquor is said to be sold but in which 50 per cent of the people show signs of intoxication. Dance halls are a public scandal, with young girls slipping from the dance hall to the back alley to take a drink from the hip flasks of their escorts."

Or this passage from a speech by Attorney General Manson, who administers the liquor act for the Government:

> "I find some of our most respected citizens patronizing bootleggers, and yet they sit in the front pews of our churches. These illegitimate clubs are really nothing but low-down dives selling beer and whisky."

In the propaganda of the wets in the United States one of the strongest arguments is that under prohibition so many are killed by poisonous moonshine liquors. The Association Opposed to Prohibition is worrying because in 1923 nearly 3,000 persons died in the United States from drinking bootleg booze, and they promise that if they are allowed to make and sell beer and wine again that will put an end to unwholesome liquor. In the last five years of the open saloon in the United States an average of 60,000 persons died annually from alcoholism, but the moderationists shed no tears because of that.

The moderationists of British Columbia made the same sort of arguments when they were asking the voters to chuck the prohibitory law on the scrap heap. They were greatly concerned because such bad

liquor and beer were being sold by bootleggers, and they promised that under Government control the purity of all spirituous and malt liquors would be guaranteed.

Major R. J. Burke, member of the provincial parliament, in an address before that legislature, said:

> "The brewers of British Columbia are poisoning the people. I have been drinking their beer myself, and it put me in the hospital. I had their beer analyzed, the same beer sold by the Government in its stores, and I found I had been drinking ether and arsenic and rosin in my beer. And this arsenic had accumulated in my system and nearly killed me. Now, the brewer that will poison me is no friend of mine."

The big profits promised by the brewers and liquor men have never materialized except to themselves.

Government reports show that from June, 1921, when the new law went into effect, to March 31, 1923, the Government liquor stores took in $16,122,918.20, and of that amount only $1,727,227.77 went back to the people in profits. These profits are returned pro rata to the municipalities from whence they were taken. Thus, the city of Vancouver spent $3,710,113 in the Government stores for booze in the year ending March 31, 1923, and received back as its share of the profits $273,000, leaving the city worse off by $3,437,113. Vancouver's population in the census of 1921 was 117,217, so the average amount spent for booze last year in that city, in Government stores alone, was over $31 for every man, woman, and child in the city, and it got back in profits a trifle over $2 a head.

THE PEOPLE'S LOSSES

There was no way of knowing, exactly, how much was spent for bootleg liquor in Vancouver in that time, but it would seem probable that 255 clubs would sell fully as much as would be sold in seven Government liquor stores. It is not to be wondered at that the grocers' section of the Retail Merchants' Association of Vancouver adopted resolutions stating that "the business of the retail grocers of Vancouver is suffering very heavily from the diversion of money into liquor channels," and that they petitioned the Government to submit to a vote of the people a proposition for "bone-dry" prohibition.

The city of Kamloops, with a population of only 6,000, spent $223,976 in the Government liquor stores last year and received back in profits $10,508, a net loss to the people of $213,468. In Prince Rupert, with a population of 6,000, the people paid the Government stores $282,418 for booze and received back $14,925, leaving the city worse off by $267,493; and yet, John Oliver, premier of the Province, said in a speech last summer that British Columbia was growing rich from Government sales of liquor, to which the Vancouver Sun replied:

> "No one ever knew an individual to drink himself rich, nor a community to drink itself rich. Increased sales of liquor simply mean that the people will have less money with which to pay taxes."

One newspaper spoke of this stream of money draining out of the Province as the "emigration of money," and gave that as an explanation for the alarming "emigration of people" out of the Province. "People are leaving British Columbia because of the financial conditions here, which are materially weakened by our daily drain for liquor," said this newspaper. Another newspaper called attention to the fact that while British Columbia was spending $12,000,000 a year for drink in the Government stores alone, that was almost twice as much as was being spent in the Province for schools. British Columbia produced a trifle more than $4,000,000 worth of creamery products in a year, and spent twelve millions for booze in Government stores alone. The total agricultural products of the Province were worth $37,151,000, only a little more than three times the amount spent for drink in Government stores.

The promise of the moderationists was that the profits from liquor would soon pay off the public debt, but that debt has more than doubled in the three years of Government control. In 1920 the public debt was $30,636,561. In 1921 it was $54,271,261. In 1922 it had grown to $64,277,303; and in 1923 it had swollen up to $68,161,000.

Another promise was that taxes would be reduced when the Government went into the liquor business. In the provincial parliament last November J. W. Jones stated that high taxation was strangling the agricultural industry, and the member of parliament from Okanagan gave as examples of how taxes had increased since the Government went to work for the brewers the case of a farmer with 8 acres whose taxes had gone up from $132 in 1921 to $352 in 1923, and of another farmer with 10 acres whose taxes had increased from $65 in 1920 to $264 in 1923, and of another with 16 acres in fruit and 32 in hay and grain who was taxed $1,251 last year.

About the same time Dawson local, of the United Farmers Association, adopted resolutions asking the Government to remove its liquor store from that community because falling prices and poor markets, together with the money wasted in the liquor store, had brought about the most serious condition in the history of the Peace River district, and the great majority of farmers were unable to meet their obligations and buy the bare necessities of life or pay their taxes.

A BEER-BY-THE-GLASS PARTY

City taxes have gone up, too. A typical example: The taxes on a house and lot in Vancouver increased from $62.99 in 1919 to $106.90 in 1923, and there were more sales of property for nonpayment of taxes in Vancouver last year than ever before.

One of the motives that persuaded British Columbia to turn to prohibition for relief seven years ago was the activity of the brewers and liquor interests in politics. Later, when the brewers were campaigning against prohibition, they promised that if Government control was voted in they would keep out of politics and would never ask for a return of the bar or for the sale of beer by the glass. They assured the voters that the bar had been abolished forever, just as the brewers in the United States in their campaign against prohibition are declaring that the bar has gone, never to return, and that all they are after is the privilege of making alcoholic beer again; they keep discreetly quiet on the question of how and where their beer is to be sold and drunk.

Now, the brewers in British Columbia are in politics again, stronger and more actively than ever. They have petitioned the Government executive council for permission to sell beer by the glass. They have organized a beer-by-the-glass political party. They have a strong lobby in parliament. They have subsidized some of the most influential men in the Province to talk and write for beer by the glass. They have contributed to the campaign funds of both political parties and are threatening defeat to any politician who opposes them.

Last December I went to see A. M. Manson, attorney general of British Columbia and administrator of the liquor control act. He speaks of his office as the "department of grief." He said to me:

> "I am a prohibitionist. I believe in prohibition as the ultimate best, but now it is impossible here. The people had prohibition and voted it out. They wanted the profits that might come from Government sale of liquor. The irresistible argument of more dollars talked louder to them than the argument for better morals. So, while I believe prohibition would be best, the people put me in here to administer this law, and I must do that."

I asked him if the Government control act had proved a failure.

"It has failed to function as it should so far," he answered. "But that is not the fault of the law. It is largely because the people have not stood behind it. A substantial part of the public declines to exercise itself with regard to breaches of the act. This attitude is heartbreaking to the provincial authorities, who are trying to enforce it. Especially bad is the attitude of the municipalities toward bootlegging clubs."

A BREAKER OF ONE LAW WILL BREAK TWO

Then he told me how he had brought the brewers into his office recently, had placed them in a row of chairs and read the riot act to them. They promised to do better. They agreed to the establishment of a common selling agency which would handle all their product and that would give the Government a chance to watch their output and see that none went to bootleggers. And Attorney General Manson agreed to ask Parliament to submit to a vote of the people the question of the sale of beer by the glass.

"So we will probably have a vote on it in 1924," Mr. Manson said. "If the people want beer by the glass, let's legalize it and have at least one liquor law that we can enforce."

"If you can't enforce your present law, why do you think you can enforce that?"

"The brewers will stand behind it."

I went to see Archie Johnson, chairman of the liquor control board and one of the leading lawyers in the Province.

"Talk of trusting the word of a brewer who has broken every promise he ever made to the people," he said. "I would as lief trust a fox in a henroost as to trust a brewer to sell beer within any regulations. They promised to be content with the present law, but we have had it only three years and they are already lobbying for beer by the glass. The brewers have not played fair by us at all. They have been selling their beer at all hours to the bootlegging clubs. They can't play fair. They are not built that way. A man who will break one law will break two."

I told Mr. Johnson that over in the United States the brewers and liquor interests were working to have beer and wine brought back again under Government control, and I asked him what he thought of that.

"If you ever set those breweries and wineries going again and allow them to make alcoholic beverages of any strength, they will soon be in control of politics; they'll be in the saddle, and they will ride roughshod over any laws that you can make regulating the sale of their product," he answered. "Don't ever give them that edge on you. Give the brewers a bung and they'll soon want a whole barrel. Open but a crack of the door to them and they'll push in and take possession of your whole house, as they are doing in British Columbia. You have them closed in the United States; keep them closed. What!

You pretend that you can control a thousand breweries and a half million beer sellers! Say, man, you might as well try to control a powder magazine in hell."

ADDITIONAL CLERKS FOR ENROLLING ROOM

Mr. MacGREGOR. Mr. Speaker, I present a privileged report from the Committee on Accounts.

The Clerk read as follows (H. Res. 344):

Resolved, That there shall be paid out of the contingent fund of the House during the remainder of the present session not exceeding $100 for additional clerical services in the Enrolling Room.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the so-called District surplus.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

SECOND DEFICIENCY BILL

Mr. MADDEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes, and pending that I ask unanimous consent that general debate be limited to 1 hour and 20 minutes, 40 minutes to be controlled by the gentleman from Tennessee [Mr. BYRNS] and 40 minutes by myself.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9559, and pending that asks unanimous consent that general debate be limited to 1 hour and 20 minutes, one half to be controlled by himself and half by the gentleman from Tennessee [Mr. BYRNS]. Is there objection to the request?

There was no objection.

The motion of Mr. MADDEN was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GRAHAM of Illinois in the chair.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MADDEN. Mr. Chairman and gentlemen, this bill carries $158,196,417.89, of which $131,943,138 is on account of the bonus or adjusted compensation for the men who fought in the World War. That amount is made up as follows: One hundred million dollars sinking fund, out of which all death losses occurring during the year for which the appropriation is made will be paid and the remainder invested. The $100,000,000 will be invested in Government securities, and it is expected that the income from those securities will be invested from time to time during the period of 20 years which is covered by the bonus act.

The $100,000,000 for the first year will not be quite sufficient for the sinking-fund requirement. It should be $119,000,000; but the law limits the first year's appropriation for that purpose to $100,000,000. During the period covered by the act the annual sinking-fund cost will get down as low as $97,000,000. If the Secretary of the Treasury during the period should succeed in investing the money appropriated and the income also received from the investment successfully, that would probaly help to reduce the final cost. But, of course, in investing money there is always a chance for losses, either by the purchase of paper at a higher rate to-day than it could be purchased to-morrow, or selling the paper at a lower rate to-morrow than it could be sold at to-day when you need the money. All these contingencies enter into the final cost of the so-called adjusted compensation for the World War veterans.

There is provided in this bill $8,178,000 to pay the cash payment of $50 or less provided for in the act. It has been estimated that the cash payments would average $24 each and would amount in all to about $8,178,000. The amount required to pay the dependents of those who died during the war and since the war will aggregate a little over $92,000,000.

The first two quarterly payments of the total of $92,000,000 are incorporated in this bill, and amount to about $18,000,000. Then for the administration of the act the General Accounting Office must employ 3 lawyers and about 48 additional clerks, at a cost of $75,000 during the coming year. The Navy Department must employ 446 clerks and incur other expenses, totaling $450,000 during the coming year. The Army, through The Adjutant General's office, must employ 2,500 additional people and incur other administrative expenses during the coming year on account of this act, at a cost of $3,600,000. The Veterans' Bureau will be required to expend $1,188,500 in the administration of the act during the coming year, and will be required to take on an average of about 450 additional clerks.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for one question?

Mr. MADDEN. I do not want to yield very much, as I have very little time.

Mr. BLANTON. The distinguished chairman of the Committee on Appropriations said when he was in charge of another bill a short time ago that we had 30,000 surplus employees on the pay rolls.

Mr. MADDEN. I did.

Mr. BLANTON. Why does not the gentleman have those surplus employees transferred?

Mr. MADDEN. They are not on the pay rolls now.

Mr. BLANTON. And used; and then send the balance home.

Mr. MADDEN. I do not want to yield any further. I referred in that statement to the surplus employees on the rolls in the period just following the war. We have reduced the number here by 26,000 since July 31, 1920. I did everything in the world that I could in the consideration of this bill to induce everybody who has to administer it to hold down to a minimum the additional employees to do the work. The members of the committee were a unit in the opinion that we ought to exercise every possible economy in the administration of this act.

We have no means of ascertaining whether or not the number of people asked for is the exact number that is needed. If we said they could not have all the money and they were unable to supply the data necessary to administer the act promptly and expeditiously and gave every veteran the consideration to which he is entitled, we would be accused of holding up the work because we did not believe in the act. We prefer to have a few extra dollars expended than to have any failure in a proper administration of the law.

Practically $132,000,000 of the $158,000,000 is on account of the adjusted compensation. The bill carries about $8,230,000 for the personnel and operating expenses for the Coast Guard fleet of additional boats—including 20 torpedo-boat destroyers—that were authorized some time ago to combat rum running. We have in this bill $6,216,000 for the Post Office Department, $4,250,000 of which is for the transportation of mail, caused partly by increased rates allowed by the Interstate Commerce Commission and partly by increased volume of mail carried.

I wish to say here for the information of those who are present and those who may care to read the RECORD later, that out of the $158,000,000 recommended in this bill, all but about $17,000,000 is due to laws enacted during this session of Congress, and that less than $2,000,000 out of the total of $158,000,000 may be fairly termed a "deficiency"—a smaller deficiency than has ever been reported in any deficiency act since the war. It should be borne in mind that all of the proposed appropriations in the bill except about $17,000,000 are due to laws that you have passed this session creating new obligations against the Treasury of the United States. Gentlemen should remember when they pass bills here from day to day and say to the House that the bills are not carrying appropriations, that nevertheless an appropriation almost inevitably is certain to follow, because very few bills pass that do not carry some sort of obligation, and the gentleman who is especially responsible for the act that is passed and all of his friends are usually very busy to inquire from the Committee on Appropriations why it is that we are not providing money to carry out the provisions of the particular act.

There are other things that are not in this bill, quite a large sum, but we are going to offer amendments as we pass along. The items to which I refer came from the Director of the Budget since the bill was reported to the House. They are legitimate items. We have heard the testimony in connection with the recommendation of the Bureau of the Budget, and I think that I may say safely that every dollar, or substantially every dollar, that we are going to propose in the form of amendments to this appropriation bill is the result of legislation enacted within the last few weeks. We vote for new Government activities which do not seem to carry any expense with them,

but finally wake up to learn that all these things that have been done—some of them in the name of reform and efficiency and economy—result in material increase in the cost of Government and finally land on the back of the taxpayer, who must pay the bills.

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I have only 20 minutes, and I am very sorry to say that I can not yield. Therefore, gentlemen, do not blame us if the bill carries more than it ought to carry.

To one interesting feature of the bill I direct your especial attention. Congress provided in 1913 for a physical valuation of the railroads to be used as a basis for the fixing of freight and passenger rates. The transportation act of 1920 contained a recapture clause.

The act provides that the railroad companies may be allowed to make 5½ per cent, which they can retain. Even if under the valuations we provide for a presumptive earning of 5½ per cent, it does not follow that any railroad in the territory will earn it. If they do not earn more than 1 per cent, they can not collect it; if they earn nothing, they collect nothing; if they earn 2 per cent, they get 2 per cent; and if they earn 5½ per cent, they are allowed to retain that. If they earn more than 6 per cent, the law provides that they shall divide all over 6 per cent between themselves and the Interstate Commerce Commission. That which is retained by the railroad is required to be placed in a reserve fund until the reserve fund reaches 5 per cent of the total value of the road. In the meantime when it is being accumulated, if a lean year comes, the railroad company may draw on this reserve fund to pay its dividends. After it reaches 5 per cent, all above 5 per cent in the reserve may be used by the railroad company for any lawful purpose it pleases, but all the money above 6 per cent must be divided equally between this reserve fund of the railroad company and the Interstate Commerce Commission.

The Interstate Commerce Commission is authorized by the act to use whatever is paid into its treasury to loan to the railroads running through lean territory where the traffic is light and opportunity for earning is poor, and the Interstate Commerce Commission is also authorized to build equipment and to lease it to roads which are not able to buy and build train equipment, so that the people who live in sparsely settled countries, where tonnage is light and the prospects are poor, may have equal facilities for the transportation of their commodities. Now, the United States Supreme Court has recently decided that the recapture clause of the act is constitutional, and as a result of that decision the Interstate Commerce Commission began to act with a view of compelling the railroad companies to pay over all the excess earnings to which the Interstate Commerce Commission was entitled.

Mr. HOWARD of Nebraska. Will the gentleman yield?

Mr. MADDEN. I would like very much do to so, but I want to explain this and I can not do it in the time which I am allotted. I am sorry. If I have a little time later I will be glad to yield later.

Now, the Interstate Commerce Commission made demands. Four million dollars were paid in by the railroads under protest to this fund. That can not be used until the protest question is settled by the court. There are $69,000,000 of earnings which the Interstate Commerce Commission is trying to collect from the railroads, but they have got to prove the value of the property used for transportation purposes by any given railroad up to the last minute before they can prove the case. They came to us for $350,000 to enable them to get the information up to date on these valuations.

The CHAIRMAN. The gentleman has used 20 minutes.

Mr. MADDEN. Mr. BYRNS, the gentleman from Tennessee, promised me——

Mr. BYRNS of Tennessee. I yield the gentleman five minutes.

Mr. HOWARD of Nebraska. Mr. Chairman, I make the point of order of no quorum present.

Mr. MADDEN. I do not think the gentleman ought to do that because I could not yield to him.

Mr. HOWARD of Nebraska. The gentleman will understand it is not personal.

Mr. MADDEN. I think it is not fair. I hope the gentleman will not do it.

Mr. HOWARD of Nebraska. I will be the judge of my conduct whether it is fair or unfair.

Mr. MADDEN. I do not think it is fair when we are working day and night to try——

Mr. HOWARD of Nebraska. Send out and get your quorum. You killed all good legislation.

Mr. MADDEN. I do not think the gentleman has a right to make that statement. I do not yield for that, and it is not going in the RECORD. I am trying to do my duty as a Representative of the House.

Mr. HOWARD of Nebraska. The point of order is withdrawn for a few moments.

Mr. MADDEN. I wish to say further in connection with the Interstate Commerce Commission that the $350,000 which we are proposing to appropriate here will enable that commission to obtain some of the information which they are required to possess before they can make a case against the railroads for the recapture of these excess earnings. I believe that they are alive to the situation and the needs and that they are doing their full duty in an effort to collect the money which the railroad companies have earned in excess of what the law permits them to earn. If gentlemen wish to ascertain what roads it is proposed to attempt to collect from, they will find a list of them in the hearings which are to be had either on the floor here or in the room of the Committee on Appropriations.

We have done the very best we could to maintain a high standard of economy. We do not conceive it to be our duty to say that when the House and the Senate unanimously pass legislation that calls for an expenditure it is our business to stop that expenditure. We believe we are the representatives of the Congress and that as such we are subject to the mandates of the Congress, and when you create an obligation and it is submitted to us through official channels for an appropriation to meet the obligations we will, with such restrictions as we think proper considering the condition of the Treasury, report the appropriation to meet the need.

I think I have said all that ought properly to be said in connection with this report. Of course, I could go on and talk and give more information if we had more time. I want to give to the House every particle of information that it ought to have. There is not a thing in connection with this work that we want to cover up. The information belongs to you. We come here to report to you as your servants and not in any arrogant sense, as I assume my distinguished friend from Nebraska thought when he refused to let me go on because I could not within the time limit I had at my disposal yield to questions. I hope the gentleman will take that in the right spirit.

Mr. HOWARD of Nebraska. I would have my friend understand I had no dream of personality and the gentleman should have no dream of my fairness or unfairness.

Mr. MADDEN. I want the gentleman to understand I have no purpose in refusing anybody any opportunity to ask me any question. I would prefer for them to ask them than to deny them the right to ask them. I see my time is up. [Applause.]

Mr. HOWARD of Nebraska. In view of the questioning of my attitude by the gentleman, I think I ought to have permission to explain——

The CHAIRMAN. The time is in the control of the gentleman from Illinois and the gentleman from Tennessee.

Mr. HOWARD of Nebraska. I do not want any time any more than to reply to the personal allusion——

Mr. MADDEN. I apologize to the gentleman.

Mr. HOWARD of Nebraska. The gentleman does not owe me any apology.

Mr. BYRNS of Tennessee. Will the gentleman from Illinois permit me to yield to the gentleman from Virginia [Mr. MOORE] before I yield to the gentleman from Alabama?

Mr. MADDEN. Certainly.

Mr. MOORE of Virginia. Mr Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOORE of Virginia. Mr. Chairman, the President's approval of the revenue bill disposes of the controversy which has occupied much of the time of the present session. I now wish to venture some remarks which will involve a comparison of the law just enacted with the law now in effect, which it will supersede; a comparison of the new law with the so-called Mellon plan, and reference to certain provisions now adopted not contained in the former law and not suggested by the Secretary of the Treasury.

Soon after the advent of the Harding administration, there was enacted an elaborate revenue statute, approved November 23, 1921. Mr. Mellon was then Secretary of the Treasury. On November 10, 1923, he addressed a lengthy letter to Representative GREEN, Chairman of the House Ways and Means Committee, which was forthwith published, containing what came to be known at once as the Mellon plan. It suggested vital changes in the existing law, and it had the sanction of President Coolidge. This plan, which the letter described as "a

comprehensive program," from the time it was announced was most insistently and, as can not be doubted with great expense, for the propaganda was without precedent or parallel, pressed upon the attention of the country. So far as known, it had not been submitted for consideration to the majority leaders in Congress, which was soon to meet, but it had the vigorous and untiring support of all individuals of great wealth, following the lead of the Secretary of the Treasury. They were unanimous for it; they employed every effort to make the country unanimous for it, and every effort to procure its acceptance by Congress. None of the men whose swollen fortunes are largely due to the use which they have been able to make of the incalculably valuable natural resources of the country, would have failed to largely profit if they had succeeded in putting it over.

It did not win the unqualified approval of the Chairman of the Ways and Means Committee, to whom the letter was addressed, or many of the Senators and Representatives who belong to the dominant party. Its most objectionable features, however, would have probably been enacted into law but for the intelligent and aggressive opposition of the minority under the leadership of Representative GARNER in the House and Senator SIMMONS in the Senate, and such Republican opposition as developed.

The possession of wealth, where its accumulation has violated no law, is not to be decried, and it is far from my purpose to try to excite feeling even against those who have been able to build up such fortunes as were not dreamed of in the earlier days of the country, and can not now be regarded as desirable. But it is not improper to suggest the view that an official of such vast wealth as Mr. Mellon, is almost necessarily unable to appreciate the conditions which should be taken into account in the location and distribution of the burdens of taxation. It is not in that direction, but in the opposite direction, that he inevitably looks. It is nearly always the case that a man's—

* * * nature is subdued
To what it works in like the dyer's hand.

Hamilton himself would hardly have contested the inexpediency of Mr. Mellon's appointment and Jefferson would surely have stood with resolute courage against placing the Treasury Department, with all of its power and influence, in charge of a man of such environment and affiliations.

There are axiomatic principles which no nation can safely forget but which we seem in danger of forgetting. Many years ago Thomas F. Bayard, of Delaware, one of the most conservative statesmen of his day, in an address at Harvard University put in a few words an inescapable truth when he said, "Republican institutions have no worse foe than plutocracy." While the ability or personal integrity of the Secretary of the Treasury are not in issue, no one can question that he represents more completely the plutocratic group than any other man who has filled a Cabinet position. And no observer of events in Washington during the administration which came into power on March 4, 1921, can have failed to notice how the spirit of greed has sought and gained control, breeding at every step demoralization, inefficiency, and corruption in the conduct of the affairs of the Government. The situation, except that it is worse and more dangerous, resembles that which existed in 1876, when the Democratic Party, under the leadership of Samuel J. Tilden, fought for a return not to some imagined "normalcy" but to the standards of public purity and decency, which had been abandoned in that time by the same party which has abandoned them in our time.

Some of his admirers have lauded Mr. Mellon as the greatest official who has held the office he occupies. They are entitled to hold that opinion, but without disparagement it may be asked, What is the ground for it? It is not justified by many of the conditions and transactions of the department. There are delinquencies which can not be overlooked; for example, the gross inefficiency and partisanship of the Prohibition Unit, which is a Treasury Department agency; the highly unsatisfactory functioning of the Internal Revenue Bureau, which is an agency of the Treasury Department; and the sudden, unexplained, and indefensible removal by the Executive, without cause in March, 1922, of some 30 officials and employees of the Bureau of Engraving and Printing, which is an agency of the Treasury Department. The last-named action, which shocked the friends of the civil-service system, along with all who believe in common justice, was not, so far as the public knows, rebuked by the Secretary, who continued to hold office, though he was obviously unable to defend what had been done. It is proper to say that recently during the Presidency of Mr. Coolidge the Secretary has restored to their positions most of these who were removed. The opinion as to his greatness is certainly not justified by the autocratic promulgation and advocacy of a plan of taxation which no longer lingers in any mind as "a comprehensive program," unless in the mind of the Secretary himself and the President.

Avoiding detailed discussion, I shall attempt to furnish an outline, in proof that the Mellon plan could not have been adopted without undue advantage to a few and disadvantage to the general public, and that the new law, for which the Democratic Party in Congress is primarily entitled to the credit, is far more in the interest of the mass of the Federal taxpayers.

Whatever qualities of greatness the head of the Treasury Department may have, it is undeniable that the Treasury forecasts have been woefully inaccurate. It was predicted, for instance, that there would be a deficit at the end of the fiscal year 1924, and on the contrary there is a surplus. It was predicted by the Secretary in his letter to Mr. GREEN that "a soldier bonus would postpone tax reduction not for one but for many years to come." As one who always voted against a bonus, I mention that prediction for the purpose of calling attention to the fact that it utterly lacks verification, since we are now informed that at the end of the fiscal year 1925 there will be a surplus of some $130,000,000.

Let me refer first to taxes on incomes.

PERSONAL EXEMPTIONS

In advance of the basis on which an income tax is assessed there is to be considered the exemptions that may be allowed by the law that applies. Under the law of 1921 there was allowed a personal exemption of $2,500 where the net income was $5,000 or less, and of $2,000 where the net income was in excess of $5,000. As to that, the Mellon plan proposed no change. But under the new law married persons and heads of families are allowed a straight exemption of $2,500, without regard to the amount of the net income, which is a benefit to the large majority.

THE NORMAL TAX

The Mellon plan advocated a reduction of the normal income tax fixed by the law of 1921, from 4 per cent on the first $4,000 to 3 per cent, and from 8 per cent on the net income in excess of the first $4,000 to 6 per cent. This change in the normal tax rates would have given the taxpayers with the smaller incomes a 25 per cent reduction. The new law, doing more for them, carries the following normal tax rates: Two per cent on the first $4,000, 4 per cent on the next $4,000, and 6 per cent on the remainder, which will mean a general reduction of 50 per cent.

EARNED INCOME

In addition to a reduction of the normal tax rates as above stated, the Mellon plan proposed to allow a further reduction of 25 per cent on that part of the income received from wages and salaries and professional fees. The new law enlarges this proposal and provides that it shall include farmers and small business men whose income is the result of both personal services and capital invested. In addition, it provides that the first $5,000 of income is to be considered as earned income and limits the earned income reduction to the first $10,000 of the net income. Under the Mellon plan those having large incomes were given a greater benefit than others. Under the new law, limiting the earned-income reduction to the first $10,000, the net income upon which no surtax is levied, the smaller taxpayer is given the same reduction as that accorded the taxpayer who has a large income.

COMPREHENSIVE INCOME-TAX COMPARISON

The following table, which designates the act of 1921 as "the present law," shows the large number of taxpayers who benefit more greatly under the new law than under the Mellon plan, and at the same time that all incomes will pay less than under the act of 1921. It shows further that the reductions are not as great on incomes of over $64,000, which are paid by the very wealthy, as advocated by the Secretary of the Treasury. It affords a true picture of what has been accomplished in the way of universal reduction and in the way of more substantial benefits to taxpayers whose incomes do not reach $65,000 than the Secretary of the Treasury proposed. It will be seen that (a) the total reduction effected in providing exceptions, cutting the normal rates, and grading the surtax rates exceeds that proposed by the Mellon plan; (b) the reduction on incomes of less than $65,000 is in excess of that proposed in the Mellon plan; and (c) the proponents of the Mellon plan are aggrieved simply because the comparatively few incomes over $65,000 are not favored by a greater reduction than the new bill carries.

The act of 1921 reduced the maximum surtax from 65 per cent to 50 per cent. The new law fixes the maximum at 40 per cent. The Mellon plan proposed to limit the maximum to 25 per cent.

Comparison of the Mellon and Democratic (Simmons) tax plans with the present law (married person without dependents), the first $5,000 of all income to be deemed to be earned; balance unearned

Number of persons making returns in each class of 1921	Income	Amount of normal tax under—			Amount of surtax under—			Amount of surtax reduction under—	
		Present 1921	Mellon	Simmons Act, 1924	Present	Mellon	Simmons Act, 1924	Mellon	Simmons
401,840 under	$1,000.00								
	2,000.00								
	3,000.00	$30.00	$11.25	$7.50					
	4,000.00	60.00	33.75	22.50					
	5,000.00	100.00	56.25	37.50					
6,087,968	6,000.00	160.00	97.50	67.50					
	7,000.00	240.00	157.50	87.50	$10.00			$10.00	$10.00
	8,000.00	320.00	217.50	127.50	20.00			20.00	20.00
	9,000.00	400.00	277.50	167.50	30.00			30.00	30.00
	10,000.00	480.00	337.50	207.50	40.00			40.00	40.00
	11,000.00	560.00	397.50	257.50	60.00	$10.00	$10.00	50.00	50.00
	12,000.00	640.00	457.50	317.50	80.00	20.00	20.00	60.00	60.00
	13,000.00	720.00	517.00	377.50	110.00	40.00	30.00	70.00	80.00
	14,000.00	800.00	577.50	437.50	140.00	60.00	40.00	80.00	100.00
114,244	15,000.00	880.00	637.50	497.50	180.00	90.00	60.00	90.00	120.00
	16,000.00	960.00	697.50	557.50	220.00	120.00	80.00	100.00	140.00
	17,000.00	1,040.00	757.50	617.50	270.00	160.00	110.00	110.00	160.00
	18,000.00	1,120.00	817.50	677.50	320.00	200.00	140.00	120.00	180.00
	19,000.00	1,200.00	877.50	737.50	380.00	250.00	180.00	130.00	200.00
	20,000.00	1,280.00	937.50	797.50	440.00	300.00	220.00	140.00	220.00
	21,000.00	1,360.00	997.50	857.50	520.00	360.00	270.00	160.00	250.00
	22,000.00	1,440.00	1,057.50	917.50	600.00	420.00	320.00	180.00	280.00
	23,000.00	1,520.00	1,117.50	977.50	690.00	490.00	380.00	200.00	310.00
	24,000.00	1,600.00	1,177.50	1,037.50	780.00	560.00	440.00	220.00	340.00
28,948	25,000.00	1,680.00	1,237.50	1,097.50	880.00	640.00	510.00	240.00	370.00
	26,000.00	1,760.00	1,297.50	1,157.50	980.00	720.00	580.00	260.00	400.00
	27,000.00	1,840.00	1,357.50	1,217.50	1,090.00	810.00	660.00	280.00	430.00
	28,000.00	1,920.00	1,417.50	1,277.50	1,200.00	900.00	740.00	300.00	460.00
	29,000.00	2,000.00	1,477.50	1,337.50	1,320.00	1,000.00	830.00	320.00	490.00
	30,000.00	2,080.00	1,537.50	1,397.50	1,440.00	1,100.00	920.00	340.00	520.00
	31,000.00	2,160.00	1,597.50	1,457.50	1,570.00	1,210.00	1,020.00	360.00	550.00
	32,000.00	2,240.00	1,657.50	1,517.50	1,700.00	1,320.00	1,120.00	380.00	580.00
	33,000.00	2,320.00	1,717.50	1,577.50	1,850.00	1,440.00	1,220.00	410.00	630.00
	34,000.00	2,400.00	1,777.50	1,637.50	2,000.00	1,560.00	1,320.00	440.00	680.00
12,047	35,000.00	2,480.00	1,837.50	1,697.50	2,150.00	1,690.00	1,430.00	460.00	720.00
	36,000.00	2,560.00	1,897.50	1,757.50	2,300.00	1,820.00	1,540.00	480.00	760.00
	37,000.00	2,640.00	1,957.50	1,817.50	2,460.00	1,960.00	1,660.00	500.00	800.00
	38,000.00	2,720.00	2,017.50	1,877.50	2,620.00	2,100.00	1,780.00	520.00	840.00
	39,000.00	2,800.00	2,077.50	1,937.50	2,790.00	2,240.00	1,910.00	540.00	880.00
	40,000.00	2,880.00	2,137.50	1,997.50	2,960.00	2,380.00	2,040.00	580.00	920.00
	41,000.00	2,960.00	2,197.50	2,057.50	3,140.00	2,530.00	2,170.00	610.00	970.00
	42,000.00	3,040.00	2,257.50	2,117.50	3,320.00	2,680.00	2,300.00	640.00	1,020.00
	43,000.00	3,120.00	2,317.50	2,177.50	3,510.00	2,830.00	2,440.00	680.00	1,070.00
	44,000.00	3,200.00	2,377.50	2,237.50	3,700.00	2,980.00	2,580.00	720.00	1,120.00
6,051	45,000.00	3,280.00	2,437.50	2,297.50	3,900.00	3,130.00	2,730.00	770.00	1,170.00
	46,000.00	3,360.00	2,497.50	2,357.50	4,100.00	3,280.00	2,880.00	830.00	1,220.00
	47,000.00	3,440.00	2,557.50	2,417.50	4,310.00	3,440.00	3,040.00	870.00	1,270.00
	48,000.00	3,520.00	2,617.50	2,477.50	4,520.00	3,600.00	3,200.00	920.00	1,320.00
	49,000.00	3,600.00	2,677.50	2,537.50	4,740.00	3,760.00	3,370.00	980.00	1,370.00
	50,000.00	3,680.00	2,737.50	2,597.50	4,960.00	3,920.00	3,540.00	1,040.00	1,420.00
	51,000.00	3,760.00	2,797.50	2,657.50	5,190.00	4,080.00	3,720.00	1,110.00	1,470.00
	52,000.00	3,840.00	2,857.50	2,717.50	5,420.00	4,240.00	3,900.00	1,180.00	1,520.00
	53,000.00	3,920.00	2,917.50	2,777.50	5,660.00	4,410.00	4,090.00	1,250.00	1,570.00
	54,000.00	4,000.00	2,977.50	2,837.50	5,900.00	4,580.00	4,280.00	1,320.00	1,620.00
3,431	55,000.00	4,080.00	3,037.50	2,897.50	6,150.00	4,750.00	4,470.00	1,400.00	1,680.00
	56,000.00	4,160.00	3,097.50	2,957.50	6,400.00	4,920.00	4,660.00	1,480.00	1,740.00
	57,000.00	4,240.00	3,157.50	3,017.50	6,660.00	5,090.00	4,860.00	1,570.00	1,800.00
	58,000.00	4,320.00	3,217.50	3,077.50	6,920.00	5,260.00	5,060.00	1,660.00	1,860.00
	59,000.00	4,400.00	3,277.50	3,137.50	7,190.00	5,440.00	5,270.00	1,750.00	1,920.00
	60,000.00	4,480.00	3,337.50	3,197.50	7,460.00	5,620.00	5,480.00	1,840.00	1,980.00
	61,000.00	4,560.00	3,397.50	3,257.50	7,740.00	5,800.00	5,690.00	1,940.00	2,050.00
	62,000.00	4,640.00	3,457.50	3,317.50	8,020.00	5,980.00	5,900.00	2,040.00	2,120.00
	63,000.00	4,720.00	3,517.50	3,377.50	8,310.00	6,160.00	6,120.00	2,150.00	2,190.00
2,240	64,000.00	4,800.00	3,577.50	3,437.50	8,600.00	6,340.00	6,340.00	2,260.00	2,260.00
	65,000.00	4,880.00	3,637.50	3,497.50	8,900.00	6,530.00	6,570.00	2,370.00	2,330.00
	66,000.00	4,960.00	3,697.50	3,557.50	9,200.00	6,720.00	6,800.00	2,480.00	2,400.00
	67,000.00	5,040.00	3,757.50	3,617.50	9,510.00	6,910.00	7,040.00	2,600.00	2,470.00
	68,000.00	5,120.00	3,817.50	3,677.50	9,820.00	7,100.00	7,280.00	2,720.00	2,540.00
	69,000.00	5,200.00	3,877.50	3,737.50	10,140.00	7,290.00	7,530.00	2,850.00	2,610.00
	70,000.00	5,280.00	3,937.50	3,797.50	10,460.00	7,480.00	7,780.00	2,980.00	2,680.00
	71,000.00	5,360.00	3,997.50	3,857.50	10,790.00	7,680.00	8,040.00	3,110.00	2,750.00
	72,000.00	5,440.00	4,057.50	3,917.50	11,120.00	7,880.00	8,300.00	3,240.00	2,820.00
	73,000.00	5,520.00	4,117.50	3,977.50	11,460.00	8,080.00	8,560.00	3,380.00	2,900.00
	74,000.00	5,600.00	4,177.50	4,037.50	11,800.00	8,280.00	8,820.00	3,520.00	2,980.00
1,423	75,000.00	5,680.00	4,237.50	4,097.50	12,150.00	8,480.00	9,090.00	3,670.00	3,060.00
	76,000.00	5,760.00	4,297.50	4,157.50	12,500.00	8,680.00	9,360.00	3,820.00	3,140.00
	77,000.00	5,840.00	4,357.50	4,217.50	12,860.00	8,890.00	9,640.00	3,970.00	3,220.00
	78,000.00	5,920.00	4,417.50	4,277.50	13,220.00	9,100.00	9,920.00	4,120.00	3,300.00
	79,000.00	6,000.00	4,477.50	4,337.50	13,590.00	9,310.00	10,200.00	4,280.00	3,390.00
	80,000.00	6,080.00	4,537.50	4,397.50	13,960.00	9,520.00	10,480.00	4,440.00	3,480.00
	81,000.00	6,160.00	4,597.50	4,457.50	14,340.00	9,730.00	10,770.00	4,610.00	3,570.00
	82,000.00	6,240.00	4,657.50	4,517.50	14,720.00	9,940.00	11,060.00	4,780.00	3,660.00
	83,000.00	6,320.00	4,717.50	4,577.50	15,110.00	10,160.00	11,360.00	4,950.00	3,750.00
	84,000.00	6,400.00	4,777.50	4,637.50	15,500.00	10,380.00	11,660.00	5,120.00	3,840.00
957	85,000.00	6,480.00	4,837.50	4,697.50	15,900.00	10,600.00	11,970.00	5,300.00	3,930.00
	86,000.00	6,560.00	4,897.50	4,757.50	16,300.00	10,820.00	12,280.00	5,480.00	4,020.00
	87,000.00	6,640.00	4,957.50	4,817.50	16,710.00	11,040.00	12,590.00	5,670.00	4,120.00
	88,000.00	6,720.00	5,017.50	4,877.50	17,130.00	11,260.00	12,900.00	5,860.00	4,220.00
	89,000.00	6,800.00	5,077.50	4,937.50	17,540.00	11,490.00	13,220.00	6,050.00	4,320.00
	90,000.00	6,880.00	5,137.50	4,997.50	17,960.00	11,720.00	13,540.00	6,240.00	4,420.00
	91,000.00	6,960.00	5,197.50	5,057.50	18,390.00	11,950.00	13,870.00	6,440.00	4,520.00
	92,000.00	7,040.00	5,257.50	5,117.50	18,820.00	12,180.00	14,200.00	6,640.00	4,620.00
	93,000.00	7,120.00	5,317.50	5,177.50	19,260.00	12,410.00	14,540.00	6,850.00	4,720.00
	94,000.00	7,200.00	5,377.50	5,237.50	19,700.00	12,640.00	14,880.00	7,060.00	4,820.00
668	95,000.00	7,280.00	5,437.50	5,297.50	20,150.00	12,880.00	15,230.00	7,270.00	4,920.00
	96,000.00	7,360.00	5,497.50	5,357.50	20,600.00	13,120.00	15,580.00	7,480.00	5,020.00
	97,000.00	7,440.00	5,557.50	5,417.50	21,060.00	13,360.00	15,940.00	7,700.00	5,120.00
	98,000.00	7,520.00	5,617.50	5,477.50	21,520.00	13,600.00	16,300.00	7,920.00	5,220.00
	99,000.00	7,600.00	5,677.50	5,537.50	21,990.00	13,840.00	16,660.00	8,150.00	5,330.00
	100,000.00	7,680.00	5,737.50	5,597.50	22,460.00	14,080.00	17,020.00	8,380.00	5,440.00
1,817	150,000.00	11,680.00	8,737.50	8,597.50	46,460.00	26,580.00	35,520.00	19,880.00	10,940.00
	200,000.00	15,680.00	11,737.50	11,597.50	70,960.00	39,080.00	54,020.00	31,880.00	16,940.00

Comparison of the Mellon and Democratic (Simmons) tax plans with the present law (married person without dependents), the first $5,000 of all income to be deemed to be earned; balance unearned—Continued

Number of persons making returns in each class of 1921	Income	Amount of normal tax under—			Amount of surtax under—			Amount of surtax reduction under—	
		Present 1921	Mellon	Simmons Act, 1924	Present	Mellon	Simmons Act, 1924	Mellon	Simmons
451	$250,000.00	$19,680.00	$14,737.50	$14,597.50	$95,960.00	$51,580.00	$73,020.00	$44,380.00	$22,940.00
	300,000.00	23,680.00	17,737.50	17,597.50	120,960.00	64,080.00	92,020.00	56,880.00	28,940.00
63	500,000.00	39,680.00	29,737.50	29,597.50	220,960.00	114,080.00	170,020.00	106,880.00	50,940.00
	1,000,000.00	79,680.00	59,737.50	59,597.50	470,960.00	239,080.00	370,020.00	231,880.00	100,940.00
	2,000,000.00	159,680.00	119,737.50	119,597.50	970,960.00	489,080.00	770,020.00	481,880.00	200,940.00
21	3,000,000.00	239,680.00	179,737.50	179,597.50	1,470,960.00	739,080.00	1,170,020.00	731,880.00	300,940.00
	4,000,000.00	319,680.00	239,737.50	239,597.50	1,970,960.00	989,080.00	1,570,020.00	981,880.00	400,940.00
	5,000,000.00	399,680.00	299,737.50	299,597.50	2,470,960.00	1,239,080.00	1,970,020.00	1,231,880.00	500,940.00

Number of persons making returns in each class for 1921	Amount of greater reduction of surtax under—		Amount of total tax under—			Amount of reduction of total tax under—		Amount of greater reduction of total tax under—		Percentage of reduction of total tax under—	
	Mellon	Simmons Act, 1924	Present	Mellon	Simmons Act, 1924	Mellon	Simmons Act, 1924	Mellon	Simmons Act, 1924	Mellon	Simmons Act, 1924
401,849 under											
			$20.00	$11.25	$7.50	$8.75	$12.50		$3.75	43.75	62.50
			60.00	33.75	22.50	26.25	37.50		11.25	43.75	62.50
			100.00	55.25	37.50	43.75	62.50		18.75	43.75	62.50
6,087,968			160.00	97.50	57.50	62.50	102.50		40.00	39.06	64.06
			250.00	157.50	87.50	92.50	162.50		70.00	37.00	65.00
			340.00	217.50	127.50	122.50	212.50		90.00	36.03	62.50
			430.00	277.50	167.50	152.50	262.50		110.00	35.47	61.05
			520.00	337.50	207.50	182.50	312.50		130.00	35.10	60.10
			620.00	407.50	267.50	212.50	352.50		140.00	34.27	56.85
			720.00	477.50	337.50	242.50	382.50		140.00	33.68	53.13
		$10.00	830.00	557.50	407.50	272.50	422.50		150.00	32.83	50.90
		20.00	940.00	637.50	477.50	302.50	462.50		160.00	32.18	49.20
114,244		30.00	1,060.00	727.50	557.50	332.50	502.50		170.00	31.35	47.41
		40.00	1,180.00	817.50	637.50	362.50	542.50		180.00	30.72	45.97
		50.00	1,310.00	917.50	727.50	392.50	582.50		190.00	29.96	44.47
		60.00	1,440.00	1,017.50	817.50	422.50	622.50		200.00	29.34	43.22
		70.00	1,580.00	1,127.50	917.50	452.50	662.50		210.00	28.64	41.93
		80.00	1,720.00	1,237.50	1,017.50	482.50	702.50		220.00	28.05	40.84
		90.00	1,880.00	1,357.50	1,127.50	522.50	752.50		230.00	27.79	40.00
		100.00	2,040.00	1,477.50	1,237.50	562.50	802.50		240.00	27.57	39.34
		110.00	2,210.00	1,607.50	1,357.50	602.50	852.50		250.00	27.26	38.57
		120.00	2,380.00	1,737.50	1,477.50	642.50	902.50		260.00	27.00	37.92
28,948		130.00	2,560.00	1,877.50	1,607.50	682.50	952.50		270.00	26.66	37.21
		140.00	2,740.00	2,017.50	1,737.50	722.50	1,002.50		280.00	26.37	36.59
		150.00	2,930.00	2,167.50	1,877.50	762.50	1,052.50		290.00	26.02	35.92
		160.00	3,120.00	2,317.50	2,017.50	802.50	1,102.50		300.00	25.72	35.34
		170.00	3,320.00	2,477.50	2,167.50	842.50	1,152.50		310.00	25.38	34.71
		180.00	3,520.00	2,637.50	2,317.50	882.50	1,202.50		320.00	25.07	34.16
		190.00	3,703.00	2,807.50	2,477.50	922.50	1,252.50		330.00	24.73	33.58
		200.00	3,940.00	2,977.50	2,637.50	962.50	1,302.50		340.00	24.43	33.06
		220.00	4,170.00	3,157.50	2,797.50	1,012.50	1,372.50		360.00	24.28	32.91
		240.00	4,400.00	3,337.50	2,957.50	1,062.50	1,442.50		380.00	24.15	32.79
12,047		260.00	4,630.00	3,527.50	3,127.50	1,102.50	1,502.50		400.00	23.81	32.45
		280.00	4,860.00	3,717.50	3,297.50	1,142.50	1,562.50		420.00	23.51	32.15
		300.00	5,100.00	3,917.50	3,477.50	1,182.50	1,622.50		440.00	23.19	31.81
		320.00	5,340.00	4,117.50	3,657.50	1,222.50	1,682.50		460.00	22.89	31.51
		330.00	5,590.00	4,317.50	3,847.50	1,272.50	1,742.50		470.00	22.76	31.17
		340.00	5,840.00	4,517.50	4,037.50	1,322.50	1,802.50		480.00	22.65	30.86
		360.00	6,100.00	4,727.50	4,227.50	1,372.50	1,872.50		500.00	22.50	30.70
		380.00	6,360.00	4,937.50	4,417.50	1,422.50	1,942.50		520.00	22.37	30.54
		390.00	6,630.00	5,147.50	4,617.50	1,482.50	2,012.50		530.00	22.36	30.35
		400.00	6,900.00	5,357.50	4,817.50	1,542.50	2,082.50		540.00	22.36	30.18
6,051		400.00	7,180.00	5,567.50	5,027.50	1,612.50	2,152.50		540.00	22.46	29.98
		400.00	7,460.00	5,777.50	5,237.50	1,682.50	2,222.50		540.00	22.55	29.79
		400.00	7,750.00	5,997.50	5,457.50	1,752.50	2,292.50		540.00	22.61	29.58
		400.00	8,040.00	6,217.50	5,667.50	1,822.50	2,362.50		540.00	22.67	29.38
		390.00	8,340.00	6,437.50	5,907.50	1,902.50	2,432.50		530.00	22.81	29.13
		380.00	8,640.00	6,657.50	6,137.50	1,982.50	2,502.50		520.00	22.95	28.97
		360.00	8,950.00	6,877.50	6,377.50	2,072.50	2,572.50		500.00	23.16	28.74
		340.00	9,260.00	7,097.50	6,617.50	2,162.50	2,642.50		480.00	23.34	28.54
		320.00	9,580.00	7,327.50	6,867.50	2,252.50	2,712.50		460.00	23.51	28.31
		300.00	9,900.00	7,557.50	7,117.50	2,342.50	2,782.50		440.00	23.66	28.11
3,431		280.00	10,230.00	7,787.50	7,367.50	2,442.50	2,862.50		420.00	23.88	27.98
		260.00	10,560.00	8,017.50	7,617.50	2,542.50	2,942.50		400.00	24.08	27.85
		230.00	10,900.00	8,247.50	7,877.50	2,652.50	3,022.50		370.00	24.33	27.73
		200.00	11,240.00	8,477.50	8,137.50	2,762.50	3,102.50		340.00	24.58	27.60
		170.00	11,590.00	8,717.50	8,407.50	2,872.50	3,182.50		310.00	24.78	27.46
		140.00	11,940.00	8,957.50	8,677.50	2,982.50	3,262.50		280.00	24.97	27.32
		110.00	12,300.00	9,197.50	8,947.50	3,102.50	3,352.50		250.00	25.22	27.26
		80.00	12,660.00	9,437.50	9,217.50	3,222.50	3,442.50		220.00	25.45	27.19
		40.00	13,030.00	9,677.50	9,497.50	3,352.50	3,532.50		180.00	25.73	27.11
			13,400.00	9,917.50	9,777.50	3,482.50	3,622.50		140.00	25.91	27.04
2,240	$40.00		13,780.00	10,167.50	10,067.50	3,612.50	3,712.50		100.00	26.22	26.94
	80.00		14,160.00	10,417.50	10,357.50	3,742.50	3,802.50		60.00	26.43	26.85
	130.00		14,550.00	10,667.50	10,657.50	3,882.50	3,892.50		10.00	26.68	26.75
	180.00		14,940.00	10,917.50	10,957.50	4,022.50	3,982.50	$40.00		26.92	26.66
	240.00		15,340.00	11,167.50	11,267.50	4,172.50	4,072.50	100.00		27.20	26.55
	300.00		15,740.00	11,417.50	11,577.50	4,322.50	4,162.50	160.00		27.46	26.44
	360.00		16,150.00	11,677.50	11,897.50	4,472.50	4,252.50	220.00		27.69	26.33
	420.00		16,560.00	11,937.50	12,217.50	4,622.50	4,342.50	280.00		27.91	26.22
	480.00		16,980.00	12,197.50	12,537.50	4,782.50	4,442.50	340.00		28.16	26.16
	540.00		17,400.00	12,457.50	12,857.50	4,942.50	4,542.50	400.00		28.41	26.11
1,423	610.00		17,830.00	12,717.50	13,187.50	5,112.50	4,642.50	470.00		28.73	26.04
	680.00		18,260.00	12,977.50	13,517.50	5,282.50	4,742.50	540.00		28.93	25.97
	750.00		18,700.00	13,247.50	13,857.50	5,452.50	4,842.50	610.00		29.15	25.92
	820.00		19,140.00	13,517.50	14,197.50	5,622.50	4,942.50	680.00		29.37	25.82
	890.00		19,590.00	13,787.50	14,537.50	5,802.50	5,052.50	750.00		29.62	25.79
	960.00		20,040.00	14,057.50	14,877.50	5,982.50	5,162.50	820.00		29.85	25.76

Comparison of the Mellon and Democratic (Simmons) tax plans with the present law (married person without dependents), the first $5,000 of all income to be deemed to be earned; balance unearned—Continued

Number of persons making returns in each class for 1921	Amount of greater reduction of surtax under—		Amount of total tax under—			Amount of reduction of total tax under—		Amount of greater reduction of total tax under—		Percentage of reduction of total tax under—	
	Mellon	Simmons Act, 1924	Present	Mellon	Simmons Act, 1924	Mellon	Simmons Act, 1924	Mellon	Simmons Act, 1924	Mellon	Simmons Act, 1924
	$ 1,040.00		$20,500.00	$14,327.50	$15,227.50	$6,172.50	$5,272.50	$900.00		30.10	25.78
	1,120.00		20,960.00	14,597.50	15,577.50	6,362.50	5,382.50	980.00		30.36	25.62
	1,200.00		21,430.00	14,877.50	15,937.50	6,552.50	5,492.50	1,060.00		30.58	25.63
	1,280.00		21,900.00	15,157.50	16,297.50	6,742.50	5,602.50	1,140.00		30.79	25.58
	1,370.00		22,380.00	15,437.50	16,667.50	6,942.50	5,712.50	1,230.00		31.02	25.53
957	1,460.00		22,860.00	15,717.50	17,037.50	7,142.50	5,822.50	1,320.00		31.24	25.47
	1,550.00		23,350.00	15,997.50	17,407.50	7,352.50	5,942.50	1,410.00		31.48	25.45
	1,640.00		23,840.00	16,277.50	17,777.50	7,562.50	6,062.50	1,500.00		31.72	25.43
	1,730.00		24,340.00	16,557.50	18,157.50	7,782.50	6,182.50	1,590.00		31.93	25.40
	1,820.00		24,840.00	16,857.50	18,537.50	7,982.50	6,302.50	1,680.00		32.14	25.37
	1,920.00		25,350.00	17,147.50	18,927.50	8,202.50	6,422.50	1,780.00		32.36	25.34
	2,020.00		25,860.00	17,437.50	19,317.50	8,422.50	6,542.50	1,880.00		32.57	25.30
	2,130.00		26,380.00	17,727.50	19,717.50	8,652.50	6,662.50	1,990.00		32.79	25.26
	2,240.00		26,900.00	18,017.50	20,117.50	8,882.50	6,782.50	2,100.00		33.02	25.21
666	2,350.00		27,430.00	18,317.50	20,527.50	9,112.50	6,902.50	2,210.00		33.23	25.16
	2,460.00		27,960.00	18,617.50	20,937.50	9,342.50	7,022.50	2,320.00		33.41	25.12
	2,580.00		28,500.00	18,917.50	21,357.50	9,582.50	7,142.50	2,440.00		33.62	25.06
	2,700.00		29,040.00	19,217.50	21,777.50	9,822.50	7,262.50	2,560.00		33.83	25.01
	2,820.00		29,590.00	19,517.50	22,197.50	10,072.50	7,392.50	2,680.00		34.04	24.98
	2,940.00		30,140.00	19,817.50	22,617.50	10,322.50	7,522.50	2,800.00		34.25	24.96
1,817	8,940.00		58,140.00	35,317.50	44,117.50	22,822.50	14,022.50	8,800.00		39.25	24.12
	15,940.00		86,640.00	50,817.50	65,617.50	35,822.50	21,022.50	14,800.00		41.35	24.26
451	21,440.00		115,640.00	66,317.50	87,617.50	49,322.50	28,022.50	21,300.00		42.65	24.23
	27,940.00		144,640.00	81,817.50	109,617.50	62,822.50	35,022.50	27,300.00		43.50	24.21
63	34,940.00		260,640.00	143,817.50	199,617.50	116,822.50	61,022.50	55,800.00		44.82	23.41
	130,940.00		550,640.00	298,817.50	429,617.50	251,822.50	121,022.50	130,800.00		45.73	21.98
	280,940.00		1,130,640.00	608,817.50	889,617.50	521,822.50	241,022.50	280,800.00		46.15	21.32
21	430,940.00		1,710,640.00	918,817.50	1,349,617.50	791,822.50	361,022.50	430,800.00		46.29	21.11
	580,940.00		2,290,640.00	1,228,817.50	1,808,617.50	1,061,822.50	481,022.50	580,800.00		46.35	21.09
	730,940.00		2,870,640.00	1,538,817.50	2,269,617.50	1,331,822.50	601,022.50	730,800.00		46.39	20.94

ANOTHER COMPARISON

In the following table the income-tax returns for 1921 are used, later returns not being available. It is interesting to note that of the 6,662,176 income-tax payers, 6,656,067 receive greater benefits under the new law than they would have received under the Mellon plan, while at the same time only 6,109, who do obtain a reduction under the new law, would have obtained a greater reduction under the Mellon plan than they receive under the new law. It is not possible to understand how the Mellon plan can fascinate any considerable number of voters who pay income taxes, whether they reside in wealthy States like New York and Massachusetts or in States having less wealth. The story that is told by the figures is the same with respect to all of the States.

Comparative table showing beneficiaries of the Democratic (Simmons) tax-reduction plan and of the Mellon plan by States

State	Total number making income-tax returns, 1921	Number benefited more by Mellon plan	Number benefited more by Democratic (Simmons) plan
Alabama	43,009	25	42,984
Arizona	18,477	1	18,476
Arkansas	33,830	8	33,822
California	386,082	237	385,845
Colorado	69,676	25	69,651
Connecticut	123,360	96	123,173
Delaware	15,889	12	15,877
District of Columbia	89,966	68	89,898
Florida	42,249	14	42,235
Georgia	67,719	24	67,695
Hawaii	11,481	22	11,459
Idaho	22,976	1	22,975
Illinois	617,558	537	611,021
Indiana	150,300	42	150,249
Iowa	111,483	24	111,459
Kansas	88,785	9	88,776
Kentucky	66,496	25	66,471
Louisiana	67,960	34	67,926
Maine	44,397	25	44,372
Maryland	172,963	109	172,854
Massachusetts	388,442	505	387,937
Michigan	250,147	174	249,970
Minnesota	124,501	81	124,423
Mississippi	25,614	5	25,609
Missouri	172,519	106	172,413
Montana	36,907	4	36,903
Nebraska	71,853	14	71,839
Nevada	9,719	1	9,718
New Hampshire	33,410	17	33,393
New Jersey	269,096	274	268,822
New Mexico	11,780	1	11,779
New York	1,066,637	2,050	1,064,587
North Carolina	44,161	38	44,123

Comparative table showing beneficiaries of the Democratic (Simmons) tax-reduction plan and of the Mellon plan by States—Continued

State	Total number making income-tax returns, 1921	Number benefited more by Mellon plan	Number benefited more by Democratic (Simmons) plan
North Dakota	18,440	1	18,439
Ohio	267,096	270	266,826
Oklahoma	69,381	15	69,366
Oregon	62,904	18	62,886
Pennsylvania	621,103	833	620,270
Rhode Island	48,057	103	47,954
South Carolina	26,160	6	26,154
South Dakota	21,681	0	21,681
Tennessee	66,949	19	66,930
Texas	266,188	66	266,122
Utah	26,128	1	26,127
Vermont	17,746	8	17,738
Virginia	76,257	21	76,236
Washington, including Alaska	115,688	21	115,667
West Virginia	76,277	38	76,239
Wisconsin	148,457	67	148,390
Wyoming	22,413	4	22,409
Total	6,662,176	6,109	6,656,067

MISCELLANEOUS TAXES

The Mellon plan proposed, and the new law provides for, a repeal of taxes on telephone and telegraph messages.

The Treasury suggested the repeal of the tax on admission to amusement places. The new law partially repeals this tax by exempting admissions that are under 50 cents, and it also reduces the amount of tax on admissions that are over 50 cents.

The new law exempts from taxation automobile trucks selling for $1,000 and under and automobile truck and wagon bodies selling for $200 and under, and it provides for a 50 per cent reduction of the tax on spare parts, tires, and accessories.

The repeal of many taxes that have come to be called "nuisance taxes" is brought about by the new law, namely, taxes on candy, hunting knives, hunting and shooting garments, motor boats, carpets and rugs, trunks, valises, traveling bags, purses, pocketbooks, portable lighting fixtures, smoking stands, and fans, and so forth.

The new law, in the absence of any proposal contained in the Mellon plan, repeals the stamp tax on notes.

ESTATE AND GIFT TAXES

The Mellon plan proposed no change in the rates of taxation on the net estates of decedents as carried in the act of 1921. The new law increases the graded rates materially on large

estates, and it carries a gift tax with corresponding rates, in order to guard against evasion of the tax on estates. The maximum which applies to estates of $10,000,000 or over is 40 per cent as against the present maximum of 25 per cent. But there is to be no estate tax where the value of the property that passes is less than $50,000, and no increase over the present law where the value is between $50,000 and $100,000. The new law credits on the estate taxes which it imposes a proportion, not exceeding 25 per cent, of the amount of any estate, inheritance, legacy, or succession taxes actually paid to any State, Territory, or the District of Columbia in respect of any property included in the gross estate, this provision being designed to protect against any unfair duplication of estate taxes by the Federal and local Governments. Both as to estate and gift taxes, there are very liberal exemptions relative to donations for charitable and other similar purposes.

Taxes of this character are advocated not only as fairly furnishing additional revenue but as complying with the basic principle of taxation, in that they create a burden where it can be most easily borne. It was pointed out in the debate that leading financiers, statesmen, and economists have urged that taxes on estates should be used to prevent the concentration and maintenance of large fortunes in the hands of those who contribute nothing or very little to the accumulation of those fortunes. Andrew Carnegie was among the financiers referred to, who was quoted as having declared that—

> The growing disposition to tax more and more heavily large estates left at death is a cheering indication of a growth of a salutary change in public opinion; of all forms of taxation this seems the wisest.

President Roosevelt was quoted as having said in a message to Congress:

> A heavy progressive tax upon a very large fortune is in no way such a tax on thrift and industry as a like tax would be on a small fortune. No advantage comes either to the country as a whole or to the individuals inheriting the money by permitting the transmission in their entirety of the enormous fortunes that would be affected by such a tax. Our aim is to recognize what Lincoln pointed out—to insist that there should be an equal right before the law and at least an approximate equality in conditions under which each man obtains the chance to show the stuff that is in him when compared to his fellows.

It is not disputed that European governments have resorted, and are freely resorting, to this source of revenue, and that the taxes which will accrue under the new law fall short of the limit which has been reached in England and other foreign countries. The following table is an illustrative comparison of estate taxes carried in the new law with those provided by the present law:

Tax payable upon specific estates under the provisions of the revenue acts of 1921 and 1924

Net estate after deduction of $50,000 exemption, etc.	1921	1924
$50,000	$500	$500
$100,000	1,500	1,500
$150,000	2,500	3,000
$250,000	5,500	7,000
$450,000	13,500	19,000
$750,000	31,500	46,000
$1,000,000	51,500	76,000
$1,500,000	101,500	151,000
$2,000,000	161,500	241,000
$3,000,000	301,500	451,000
$4,000,000	461,500	691,000
$5,000,000	641,500	961,000
$8,000,000	1,241,500	1,861,000
$10,000,000	1,681,500	2,561,000
$25,000,000	5,431,500	8,561,000
$50,000,000	11,681,500	18,561,000

PUBLICITY

When it was proposed to amend the Constitution so as to tax securities that are now exempt, it was stated by Mr. Mellon and those who are in agreement with him that the wealthy people of the country are investing their means in such securities and withdrawing them from active business, but the evidence was lacking. The reply was that this could not be known since the returns were veiled in secrecy and no opportunity for examination given. This matter was the subject of a great deal of discussion and as a result a provision was made for a proper degree of publicity. The new law provides, as does the old, for an inspection of the returns of corporations by States which impose income taxes and by stockholders of the corporations. It also provides, as does the old law, that the Commissioner of Internal Revenue shall annually make available to public inspection in each district the names and post office addresses of all individuals making returns in such districts. The new law goes further than the old law in providing that the commissioner shall add to the names and post office addresses the amount of tax paid by individuals, but without any of the details of the returns. Another change made by the new law, which is the only thing that will permit an examination of the returns and clear up controversy and doubt, authorizes the Ways and Means Committee of the House and the Finance Committee of the Senate and any special committee of the Senate or House to examine all returns filed in the Treasury Department.

It is necessary for Congress to obtain the facts by conferring authority on its committees. It will injure no one who pays an income tax to have the naked amount of the tax given publicity, just as it injures no owner of real estate or tangible or intangible personal property to have publicity afforded, as is the case everywhere, of the amount of the tax which he pays. Secretary Mellon and many others have constantly admitted the reluctance of those who have large incomes to make proper returns. They have constantly contended that the avenues of escape from making proper returns should be guarded and barred as far as possible. The most effective method of doing this is the method of publicity, and particularly the authority vested in committees of Congress as embodied in the law just enacted.

The new law carries a provision for publicity in litigation before the board of appeals, which it establishes, where the amount of the tax in controversy is over $10,000. It is difficult to conceive how there can be any fair distinction between publicity in such cases, which involve the rights of the entire public, as well as individuals, and publicity in ordinary litigation which only involves the right of two or more individuals.

THE REDUCTION FOR 1923

The Mellon plan, which frightened the country with the apprehension of a Treasury deficit, proposed no reduction of income taxes for 1923, which are payable during the current year, but the new law provides for a reduction of 25 per cent, which will be enjoyed by all.

The President and his Secretary complain that the Mellon plan has been discarded, and they do not apparently find satisfaction in the real reduction which accrues to the mass of the taxpayers. They complain that the higher surtaxes where incomes exceed $64,000 were not more materially decreased; they complain of the taxes on estates and gifts; they complain of the publicity features of the new law. It is clearly announced that what they have not succeeded in doing they will again attempt. Let this be understood by the voters when they are considering how they will cast their ballots, for this purpose seems to be more in the heart of the administration than any other. Let them consider whether they are willing to respond to the clamor of a comparatively few multimillionaires who are ceaseless in their efforts to secure legislation for their own advantage and profit.

No general revenue measure heretofore framed had the quality of permanence or was either ideal or scientific, and none of that character will be hereafter framed, notwithstanding the loose talk so often heard about that being practicable. All that can ever be done is to enact the best legislation that is possible under the conditions and circumstances that prevail at the time, and this claim is made for the new law, which is presented to the country as the result of the earnest and energetic exertions of the minority Members of the Senate and House in connection with those who were willing to cooperate with them to reduce taxation and to effect this reduction in such manner as to promote equal opportunity and deny special privilege.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. McDUFFIE].

The CHAIRMAN. The gentleman from Alabama is recognized for 15 minutes.

Mr. McDUFFIE. Mr. Chairman and gentlemen of the committee, I regret to take your time in these closing hours of the Congress, but in the light of recent developments, with which the Committee on Rivers and Harbors are all familiar, I feel impelled to impose upon your patience to-day to speak to you about the situation with reference to the status of the legislative program for further development of Rivers and Harbors, as well as the impending necessity for action by the Congress during this session.

While I do not doubt that it is a very good thing for this Republican Congress to adjourn, so far as the general good of the country is concerned, I could not agree that we should adjourn the Congress without adopting some program for the

rivers and harbors of the country. I think the membership of the Congress appreciates the necessity for this great governmental activity, and realizing its benefits to the transportation of our commerce, we could pass through this House the bill submitted by the Committee on Rivers and Harbors with very few dissenting votes if the responsible leadership of the House would only give us an opportunity to consider the legislation. [Applause.] The country ought to know where the responsibility rests for the failure of this Congress to consider legislation for rivers and harbors.

The Committee on Rivers and Harbors is one of the major committees of the House. It has always been nonpartisan in its activities, and I am glad to say has always retained the respect of the House. That committee would not at this late day betray the confidence of the House by presenting a bill without merit.

Though very late in beginning our hearings because of the absence of the chairman, who spent several weeks in Florida for his health, we did have extensive hearings, and submitted to this House on April 26 a bill containing some 29 projects, involving the expenditure of $30,700,000, for new projects in all sections of the country. Of course, the bill is an authorization bill and not one appropriating that amount of money. The amount proposed to be expended would be expended throughout a term of years at the rate of five or six million dollars per annum. In this respect, therefore, it would in no wise embarrass the administration in its effort to practice economy. If the committee had begun its hearings at the proper time and not waited for the return of the chairman our bill would have been on the calendar, and we would have at least had an opportunity to consider it under the regular call. This, however, is water already passed under the mill, and the limited time will not permit further comment along that line.

Soon after reporting the bill to the House, it was quite apparent that our only chance for action would be through a special rule from the Rules Committee making the river and harbor bill in order. Advocates of river and harbor legislation busied themselves in behalf of such a rule. The steering committee was approached, while appeals were made to the Rules Committee many times. Conflicting reports and rumors were afloat as to the attitude of the administration on river and harbor legislation. When the committee hearings were closed two very large projects—one in Los Angeles, Calif., and the other on the Hudson River in New York State—were being considered by the engineers, but their investigation and report had not been completed. These reports were presented to the committee on yesterday, however, hearings have been held, the projects have been agreed upon, and the committee has adopted them and agreed that they may be presented as amendments to the bill on the floor. Prior to their adoption, however, information had come from the Rules Committee that the leadership in Congress would not permit the passage of the bill if any attempt was made on the floor to add additional projects and thereby increase the amount reported in the bill.

We are further lead to believe that if the committee agreed to pass the bill as it was written, without adding other projects, the Rules Committee would favorably consider giving us a rule making the bill in order. An effort was then made in the committee to have an agreement that no amendments would be offered. An overwhelming majority of the committee willingly agreed, but the chairman of the committee and the gentleman representing the Los Angeles district refused to enter into such an agreement. Then on approaching the Rules Committee we were informed by its chairman, the gentleman from New York, that before his committee would consider a rule making our bill in order the Rivers and Harbors Committee would have to unanimously agree and that we must come as a unit in asking for the rule for the bill as presented. Of course, we were not unanimous, because of the two Republican Members of the committee above mentioned. Information then came, however, that the chairman of the Rules Committee would not consider a rule unless these two large projects were added to the bill. These projects have been agreed upon, the committee is of one mind and unanimous in its indorsement of the bill with the two projects to be added, and to-day, after all this flirtation, the chairman of the Rules Committee politely informed us that favorable consideration will be given to no bill which authorizes an expenditure of as much as $50,000,000. The request that our committee come to the Rules Committee with a unanimous agreement was rather a strange procedure, and though we began to marvel we set about to reach a unanimous agreement. To-day, after we come with one accord, we find we are as far from consideration of our bill by the House as we were in the beginning. Nothing we could do or have done has met with the approval of "the powers that be," and with us it seems we were "damned if he did and damned if we didn't."

So we must conclude, gentlemen, that it has never been the intention of that leadership to let any rivers and harbors legislation pass at this session of the Congress. Whether the bill contains a thirty-million authorization or a fifty-million authorization, your leadership objects to it for reasons best known to themselves.

It is certain now the bill will not be considered during this session, and as I view the situation any new legislation for rivers and harbors, if we do not pass this bill during this session, may not be passed for two years or more. This is the danger confronting us, if you please, and let those who are responsible assume the burden of this negligence. We will come back here next December for the short session with a calendar crowded with unfinished business.

You will have the famous Howell-Barkley bill; you will have farm-relief legislation, and you will, more than likely, have other matters over which there will continue to be controversy. If the Howell-Barkley bill and farm-relief legislation entail as much of our time during the short session as they recently have had devoted to these measures there will be little time left for considering other legislation after the general appropriation bills, having the right of way, shall have passed.

This Congress has had ample time since we reported the rivers and harbors bill to the House to fully consider it. If we could only get the bill through the House I think we would have gone a long way in assuring its final passage before the term of this Congress expires. As it is, the bill is suspended in the air, and we find amongst the Republican leadership "no eye to pity and no hand to save."

Mr. ROACH. Will the gentleman yield?

Mr. McDUFFIE. Certainly.

Mr. ROACH. Will the gentleman permit me to make an observation? I think what the gentleman said about the importance of this bill is true. I want to state to the gentleman that I voted against the adjournment because I realized the public importance of the river and harbor bill at this session of Congress. It comes to me upon reliable information that a large majority of the membership of this House favors this legislation, and it is disappointing, under those circumstances—the committee having worked on the splendid bill which the gentleman says it has worked out, and which I know is true—that we can not get consideration of it at this session.

Mr. McDUFFIE. Of course the gentleman is correct, and I believe this House would vote practically unanimously in favor of the passage, either of the bill carrying an authorization for $30,000,000 or one authorizing $50,000,000, because the legislation is much needed to facilitate the commerce of the Nation. The whole country is interested in it. It does not affect a few localities here and there, but the country at large. The membership of this Congress is interested in the bill, and would pass it if we could only get an opportunity, even at this late hour, to bring it up and consider it. Every project in the bill is worthy.

I would like for some Member of the House to assign a good reason why we should not have some rivers and harbors legislation during this session. You gentlemen talk a great deal about economy, and yet you have brought in rules here for legislation and the expenditure of many times the amount carried in this bill. You get rules for other things of less merit, expending greater sums of money, and in some instances I have voted for your rule because I thought you were right; but when it comes to this matter of great development advocated by the entire country you refuse to consider it, and no one is able to assign a reason—not even a sound political reason—why those in authority in this Congress have taken their absolutely arbitrary stand of refusing a rule for the consideration of this bill. There is no excuse. None can be given, and something is radically wrong with this Congress. [Applause.] The leadership here should not select certain pet measures in these declining hours of the session and bring them on the floor for consideration while they refuse action and turn down this legislation of nation-wide importance. [Applause.]

The administration need not fear the accusation that this is "pork barrel" legislation. There may have been a time when such a charge might have been made, but it was many, many

years ago. Under our system of lump-sum appropriations, which I admit I did not like in the beginning, whereby the Chief of Engineers allots and expends such money as he can wisely and profitably use upon each project during a given year—and incidentally let me remind you the engineers have recommended the discontinuance of many unworthy projects throughout the country—we have absolutely destroyed the last vestige of ground on which anyone can stand and successfully raise the cry that legislation for river and harbor improvement is "pork barrel" legislation.

Gentlemen, this Government spends approximately 50 cents per capita per annum which includes maintenance and work on new projects in developing and maintaining all the rivers and harbors of the country. This is less than is expended by any great nation in the world regardless of the fact that our possibilities, our wealth, and our resources outdistance those of any other peoples on the earth. Last year the water-borne commerce of the United States was approximately 350,000,000 tons, of the value of approximately $20,000,000,000, and this great volume of tonnage with its immense value was carried on our inland waterways and in and out of the harbors of the country, the upkeep and provision for which cost the Federal Government only 50 cents per capita. Think of it! Where this Nation spends 50 cents even Canada spends $5 on its river and harbor development. And yet some men see fit to call this "pork barrel" legislation when the Congress moves to improve our facilities for commerce. The cry of "pork barrel" is only the result of a lack of information or deliberate misrepresentation, usually with some selfish purpose in view.

The possibilities of our inland waterways have never been fully appreciated and have never been fully developed by the Congress. Last year there were 144,384,864 tons, without eliminating duplications, of the value of more than $3,000,000,000, carried on the inland waterways. It is no wonder then that the railroads are hostile, as a general rule to water transportation. The mayor of Mobile once said, "It is as natural for the railroads to fight water competition as it is for a dog to fight a cat." For this reason we have not yet arrived at the point where we have full coordination between the water and the rail in the movement of tonnage on these waterways. This, however, involves a very large problem, the question of a fair division of rates on joint water and rail hauls, which doubtless the Congress will have to settle by affirmative legislation in the near future. I have not the time now to discuss as I would like, the necessity for action looking to the proper functioning of the water and the rail jointly. As you know the Government is now carrying on an experiment to determine the feasibility of water transportation by its operation of the Mississippi-Warrior Barge Line. To give you an idea of the possibilities of water transportation, last year one tow on the Mississippi River carried 50,000 tons, enough to load five large ocean-going vessels, or 125 trains of 20 cars each carrying 40,000 pounds to the car. On the Warrior I noticed there was one tow arriving at Mobile from the Birmingham district recently which carried down 7,000 tons. The rate on this tonnage is 80 per cent of the all-rail haul. Surely the day has come with the increase of tonnage in our commerce to justify using both the water and the rail to the great benefit in the matter of saving time and freight rates to the shippers of the country.

The great trouble is we have failed to finish the channel on many of our waterways which are really great highways of commerce. Under the negligent treatment we have accorded this improvement and under the piecemeal development as it has been done, it is estimated that at the rate of our expenditures in the recent past on some of the larger tributaries of the Mississippi River, it will take nearly a century to complete projects already adopted. This bill carries a provision—and a very wise one—sponsored by Congressman NEWTON of Missouri, authorizing the completion of the projects on our inland waterways within five years. The engineers estimate that the projects on these streams and all projects heretofore adopted by the Congress can be completed at a cost of approximately $225,000,000. They also estimate that to complete them within five years would save the taxpayers approximately $50,000,000.

There are other very important provisions in this bill. One item provides for construction of Dam No. 1 on the Tennessee River before Muscle Shoals, or Wilson Dam. This is a navigation dam exclusively and has nothing to do with the power to be developed at Muscle Shoals. It is estimated that by immediately beginning work on this project $1,600,000 may be saved to the taxpayers of the country, whereas long delay in beginning this work means that much loss. You will see therefore, gentlemen, that this bill means economy in the end, instead of additional burden upon the Federal Treasury.

Let me call your attention to another provision in the bill which deals with the question of making surveys on all the navigable streams of the country where water-power possibilities appear to exist to ascertain definitely and certainly the potential water power of the United States. The multiplied uses of electricity in recent years have made the development of hydroelectric power the biggest field of development now confronting the American people. The time is not far distant when electricity will be used in nearly every farmhouse in the country. In the little town of Jasper, Ala., I am informed, 59 families are cooking with electricity. It is almost impossible to contemplate all the uses to which electric energy will be put by the inventive genius and the industry of our people.

The policy of the Government in dealing with the development of water power on our navigable streams has been exceedingly wasteful. We have permitted the construction of dams for navigation purposes without any view of water-power development. On the other hand, we have permitted water-power sites to be granted and power dams constructed without due regard to navigation. For instance, in order to illustrate, I call your attention to the fact that between Burnside and Nashville on the Cumberland River the Congress has adopted a project for the construction of nine navigation dams at a cost of approximately $10,000,000. I have on my desk to-day a letter written to the engineering department of the Government containing an offer to build three power dams along this stretch of the river free of cost to the Government, giving us deep water for navigation without charge, and saving $10,000,000 to the taxpayers of the country on this one section of the Cumberland River alone. This company further agrees to pay a substantial rate of interest of 4 per cent on the amount invested in these three power navigation dams in the event they are constructed by the Government.

Another provision is contained in the bill for the completion of the survey on the Tennessee River. In 1922 Congress provided for this survey, but appropriated only $200,000. This bill authorizes an expenditure of $315,000 to complete the survey. The work already done on the Tennessee River and the results obtained in determining its power possibilities were absolutely astounding to the members of our committee. No one had ever estimated that there was more than 1,900,000 horsepower on the Tennessee, and yet with the job half finished 3,000,000 horsepower has been found.

Many applications are on file to-day for permits to construct power sites on the Tennessee River. The engineers very properly, in my judgment, do not wish to grant permits until the survey of the Tennessee is completed. The Federal Water Power Commission, speaking through its chief clerk or secretary, has stated that they disagree with the engineers and favor the issuance of these permits without delay.

This is in keeping with some of the policies of the Federal Water Power Commission in the past. This commission is run almost exclusively by its secretary. The members of the commission are Cabinet members, and I am sure they do not have time to devote such study as is necessary to the functions of the commission. While many believe that the act creating the Federal Water Power Commission was a wonderful piece of legislation, I want to say to you that it says more and means less than any act of Congress I have ever read. I believe any good lawyer in the country will agree that the so-called 50-year recapture clause is meaningless and absolutely without effect. The Federal Water Power Commission can not make a proper survey of our streams. It is bound to rely upon data furnished from various sources. Furthermore, it has not the engineering force with which to do the work. But, above all, gentlemen, the Federal Power Commission is without constitutional authority to perform most of the important functions it is now performing. The only right the Federal Government has under the Constitution, which it can exercise over our streams, is to improve them and keep them open for commerce and navigation. This is its only constitutional function, and beyond question Congress should vest in the War Department alone and in its engineers exclusively the jurisdiction and the function now assumed by the Federal Water Power Commission.

Regardless of what we may individually think of that proposition, there can be no question that it is high time this Congress was committing our Government to a definite policy that will conserve the great power-development possibilities on all our navigable streams. [Applause.]

Mr. MANSFIELD. Will the gentleman yield?

Mr. McDUFFIE. Certainly.

Mr. MANSFIELD. Referring to the Tennessee River survey, the completion of which the gentleman realizes is a matter of emergency, is it not a fact that the establishment of additional power plants on the upper Tennessee will increase the power at Muscle Shoals from 10 to 15 per cent?

Mr. McDUFFIE. Yes, sir; it was developed in the hearings that by the construction of reservoirs and dams on the upper reaches of the Tennessee the power at Muscle Shoals would be increased, provided, of course, the power development of the stream as a whole above Muscle Shoals is carefully and properly planned.

In dealing with the power development throughout the Nation on all our navigable streams and tributaries we are dealing with the question that looms larger and larger as the years go by, and one that will vitally affect our children and grandchildren. The people of America are entitled to know what their assets are in the way of power possibilities on their watercourses, and posterity will hold us accountable if we do not provide the ways and means to carefully survey our streams and take an inventory, so to speak, of their hydroelectric possibilities. If we know the fullest amount of power possible to be developed wherever it exists on every stream and definitely determine the most feasible location for power plants by competent expert engineers, we can then best conserve and best use the millions and millions of horsepower that will be so much needed in factories, fields, and foundries, in all the arts and sciences involved in the progressive development of industry, all for the prosperity and happiness of coming generations. [Applause.]

Despite the foundations for a general policy with reference to conservation and power development sought to be laid by the terms of this bill, despite the economy that will result from its provisions, despite the emergency it proposes to care for, we find the leadership of the House unwilling to favor its consideration during the present session.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VESTAL. Will the gentleman yield?

Mr. McDUFFIE. I will if I can get some more time.

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. VESTAL. Does not the gentleman think he is a little too pessimistic about this legislation?

Mr. McDUFFIE. No; not at all. If the gentleman was familiar with the activities of the Rivers and Harbors Committee and their unfortunate experiences with the leadership of this Congress in an effort to have this bill considered during the last 30 days, I am sure he would be inclined, even though he is the whip of the Republican Party, to agree with me.

Mr. VESTAL. Does not the gentleman think there will be no question about river and harbor legislation at the next session of Congress?

Mr. McDUFFIE. I am glad the gentleman feels a little hopeful along that line.

Mr. VESTAL. I live way out in the Middle West, but I assure the gentleman I am absolutely in favor of river and harbor legislation.

Mr. McDUFFIE. The gentleman has always exhibited elements of statesmanship since I have known him, and I am glad to have his views.

Mr. BLANTON. Will the gentleman yield?

Mr. McDUFFIE. Yes.

Mr. BLANTON. The Government has not been parsimonious in the last year. It spent $2,500,000 on the Trinity River down at Dallas, Tex.

Mr. McDUFFIE. Oh, the gentleman knows the Trinity River was abandoned by the engineers, and that is the very reason I say that under the policy established to-day we are conserving the interests of the country and helping the transportation facilities of the country, and under the new régime and under the new method of spending this money there can be no cry of wasteful expenditure. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. MADDEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. FREAR]. [Applause.]

Mr. FREAR. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, I thank the chairman of the committee for his kindness in permitting me to have a few minutes in which to discuss a resolution introduced by me early in the session asking for an investigation of the actions of Governor General Wood, of the Philippine Islands, and other matters in connection therewith. I wish also to speak briefly of the rights of the Filipinos to immediate independence.

On yesterday, June 2, John W. Weeks, Secretary of War, after three years of heavy thinking issued a ponderous statement on the subject of Philippine independence, in which he is quoted as saying:

> The conclusion is unavoidable that the present demand for immediate, complete, and absolute independence is not the informed desire of the Filipino people.

This is what the Secretary of War says, and he fixes the minimum limit of 25 years for independence, not as a promise but rather as a prohibition

Mr. SCHAFER. Do I understand the gentleman to say that Secretary Weeks approved of the Fairfield bill?

Mr. FREAR. No; the Johnson bill is before the Senate and provides for Philippine independence in 25 years, according to the statement.

Mr. Chairman, the Filipinos have waited for 25 years during American's Christianizing tutelage for the fulfillment of a promise. The philosophy of Weeks reflected in the reasoning of Wood at Manila is to the effect that 25 years or 50 years longer delay seems about right to them if not to the Filipinos.

Both Wood and Weeks say they are friends of the Filipinos. They say it through the press when the closing days of Congress prevents any action on the Philippine pledge. Five days of the session now remain, so their statement will do neither good nor harm.

Wood, at Manila, was quoted several days ago by the press as being deeply in love with his Filipino brother and hopefully believes the Filipino loves him. Wood objects to early independence for the Filipinos. Weeks, who has $33,000,000 of Filipino funds loaned out to favored banks in Boston, New York, Washington, and Chicago, also may think these funds should be held for at least 25 years longer.

Their expressions of friendship uttered as the curtain falls on the closing days of the session will be given their true value.

Mr. Chairman, differences between coordinate branches of our government throughout the session may in every case be chargeable to Cabinet interference. If Congress could have reached the calendar and expressed its will, a resolution for immediate Philippine independence would probably have been passed. The Sixty-ninth Congress, however, with more time for consideration of such measures, I believe, will reflect the growing sentiment throughout the country by granting the long-delayed pledge given the Filipinos.

I rise, therefore, to urge briefly an early definite declaration by Congress on the independence of the Philippines. A committee report favoring independence in the future now awaits action by the House. It will be smothered in the legislative jam; whether purposely or not, I do not assume to say.

AMERICAN PLEDGES OF INDEPENDENCE

Over a quarter of a century ago the islands were taken from Spain and held as a hostage of war. Since that day American Presidents, both Republican and Democratic, have repeatedly urged Philippine independence. McKinley, Roosevelt, Taft, Wilson, all gave assurances which, added to the Jones law, unqualifiedly promised Philippine independence at an early day whenever a stable government existed.

On my return from the Philippines I addressed the House during the Sixty-seventh Congress, stating compelling reasons, in my judgment, why independence should be given the Islands as repeatedly promised by officials of our Government and giving ample statistics to prove that a stable government has existed for many years in the islands. For over 25 years we have held these islands. Situated at the far side of the Pacific, 7,000 miles distant from our own country, almost half way around the world from the American seat of government, an alien people of another race, over 11,500,000 in number, with a civilization and living conditions entirely different from our own, why do we continue to hold them?

Why has President Coolidge turned a deaf ear to the Filipinos' plea for early independence as conveyed in his letter to Speaker Rojas? Why has Congress failed to act on the Insular Committee report granting such independence? Why is an Army man opposed to the Philippine legislative branch of government still kept in command of a peaceful people, ruling

with a despotic hand, and repeating his disturbing record made in Cuba. And why have not America's pledges to the Filipinos of early independence been kept?

The reason is not hard to find and reflects no credit on our standards of right and wrong when the world weighs in the balance the rights of highly intelligent people of unusual capacity, of peaceful pursuits, and close friendly relations on the one hand and on the other the commercial, selfish, and unwarranted control of the Philippines by American business interests here and in the islands that have subordinated human rights to exploitation and dollar control.

Mr. Chairman, for many weeks the Filipino people have been maintaining in this country a Philippine independence commission. The Filipinos are in dead earnest, for when Wood vetoed and prevented the legislature from voluntarily taxing themselves to support the commission, then their hats went around and pennies, pesos, and dollars were subscribed by the people of the land of Rizal, the great patriot—not to push forward athletics or war propaganda or commercial greed but to press their claims for peaceful independence.

INDEPENDENCE COMMISSION

Chairman Quezon, president of the senate, Osmenia, Rojas, De Veyra, Gabledon, Guevera, are among household names familiar throughout the islands, all of whom have been in Washington pressing upon the President, on committees, and on Congress these claims. Senator Osmenia was for 16 years speaker of the Philippine Assembly, longer than any other officer of any other governmental body in the world during recent history. A modest, wise, and high-minded man, he ranks well with any statesman of our own country. President of the Senate Quezon, the famous orator and earnest advocate for nearly a score of years, has been a central figure in their independence movement. He has been popularly known throughout that period to his colleagues in the American Congress as a man of unusual ability. Rojas, the brilliant speaker of the Philippine Legislature—these men and others now here have offered unanswerable arguments why our American Government should keep its pledge of freedom for the Philippines.

Several years ago I met these gentlemen when visiting the islands, and their standing and popularity in the Philippines is justified by governmental conditions, over which they exercise great influence. There also I met Kalaw, Chief Justice Mappa, and Aguinaldo, all men of exceptional ability. Admiral Dewey said of the Filipinos in August, 1898, or 26 years ago, that—

In my opinion the Filipinos are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races.

Judge Blount, an able writer, six years in the Philippines, two years as an officer during the insurgent rebellion and four as a civil judge, says of Aguinaldo and his insurgent government at that time:

The more you know of the educated, patriotic Filipino the more certain you become that the (Aguinaldo) government we destroyed in 1898 would have worked quite as well as most any of the republics now in operation between the Rio Grande and Patagonia.

About that same period John Barrett said before the Shanghai Chamber of Commerce on January 12, 1899:

Aguinaldo has organized a government which has practically been administering the affairs of the great island at Luzon (about the population and area of Ireland) since the American occupation of Manila, which is certainly better than the former administration; he has a properly constituted cabinet and congress, the members of which compare favorably with Japanese statesmen.

That estimate, offered 25 years ago to the most influential business organization of the Orient by an acknowledged authority, with other corroborating statements, gives a fair understanding of the capacity of the Filipinos for self-government before any aid was given them by the United States.

Wood, a brass-buttoned autocrat, now Governor General, says of these people that after 26 years of uplift and progress they are not ready for self-government. Whom shall we trust? Dewey who served in Cuba and the Philippines with honor and distinction or Wood who has reigned in both Cuba and the Philippines with confusion and discontent? In this connection we may well recall that, according to undisputed reports, President Wilson refused to permit Wood to join the expeditionary forces in Europe on Pershing's advice, for fear his presence would seriously affect the discipline of the American Army and the conduct of the war. Thereafter he was sent 10,000 miles away to rule the Philippines.

WHERE 90 PER CENT ARE CHRISTIANS

Mr. Chairman, a few words of reminder may not be improper at this time. From 1903 to 1918 the population of the Philippines increased 35 per cent in 15 years. At the same rate the population has increased during the past six years 14 per cent. In 1918 the population of the islands reached 10,350,730, of whom 9,463,731 were classed as Christians, and 886,999 as non-Christians; and of the latter less than one-half, or not 5 per cent of the total population, are Moros. Based on the same proportionate increase, the present population of the Philippines now is about 11,750,000, of whom over 10,750,000 are Christians. It should be presumed that the Christianizing influence on the Filipinos of Wood and of the sugar, tobacco, coconut, rubber, and American dollar missionaries generally has maintained a growth of Christianity equal to their gain under Spanish rule. Their status, if so, is unquestionably high, for after the defeat of Spain 26 years ago Dewey said the Filipinos were then more fitted for self-government than the Cubans. If Wood and other missionaries of civilization have not injured the efficiency of the Filipino since Dewey's time, their qualifications for self-government are certain.

Of the 1,955,276 Philippine farms only 26,612, or less than 1½ per cent, are mortgaged, whereas farm mortgages in this country covered about 40 per cent of our farms in North Central States in 1910, which is a further occasion for anxiety and unrest at home.

Ninety per cent of the Filipinos own their own homes in the cities, or an average of over 95 per cent in country and city, because only a small fraction, less than 5 per cent, live in the cities.

As a self-reliant, home-owning people, the Filipinos are "stabilized." Other industries in the Philippines, according to a recent census, include 8,354 manufacturing establishments, with a capital investment of $111,236,000 and an annual production of $178,047,000. Foreign trade reaching $250,000,000 annually, 600 miles of railways (Government owned), and 7,000 miles of good highways indicate convenience of intercourse when it is remembered that a large part of the commerce and business must be carried on among the different islands by thousands of boats.

Practically the entire government of the islands is now in the hands of the Filipinos, duly elected by Filipinos. President Wilson, in his message to Congress December 7, 1920, declared a stable government now exists, when he said:

Allow me to call your attention to the fact that the people of the Philippine Islands have succeeded in maintaining a stable government since the last action of the Congress in their behalf, and have thus fulfilled the condition set by the Congress as precedent to a consideration of granting independence to the islands. I respectfully submit that this condition precedent having been fulfilled, it is now our liberty and our duty to keep our promise to the people of those islands by granting them the independence which they so honorably covet.

The exact number of American residents now in the islands is not definitely known, but from latest statistics there are about 7,000, or little more than the number there a score of years ago. In other words, after a quarter of a century of business dealings their numbers now equal far less than one-half the population of the little city of Alexandria, Va., across the river, with which compare a Filipino population of more than 11,500,000, or more than the total number of people living in New York State. Under present conditions the insignificant number of Americans, reaching less than one in a thousand, are engaged in protesting against Philippine independence.

ANTI-INDEPENDENCE PROPAGANDA

Constant cablegrams give to us the doings and opinions of the little Manila American Chamber of Commerce. From this same source is inspired most of the propaganda against Philippine independence. News of terrible Moro insurrections stirred up and suppressed by General Wood occur wherein scores of Moros are reported to be wiped out for every Filipino constabulary soldier killed. The Manila Chamber of Commerce works the cable overtime with anti-independence propaganda. Rattling around like marbles in a barrel this agency constantly depicts the dangers of allowing the Filipino people to govern themselves just as Tories of old once loudly protested against independence for the American colonists, among whom the Tories then lived. English investments and English residents, of course, were interested in keeping the colonies as dependencies of the mother country, even as Americans in the Philippines are now tying financial strings to the islands.

Special writers in Manila have constantly flooded our country with anti-Philippine propaganda. Worcester and Fairchild,

sugar men, rabidly anti-Filipino; Heath, a hemp man; Haussermann, Cotterman, and other men interested in everything from Philippine cigarettes to gas and coconut oil. Lumber magnates like Hon. J. Sloat Fassett, whose picture in a pamphlet is sent Members, with the highly important statement that in 1891, or 33 years ago, he was a Republican candidate for Governor of New York, but only an "also ran" after election. In 1924 he sends us an oration that with typhoonic power swept the Philippines when he declared in his own words:

God and nature designed the Philippine Islands to be among the fairest dwelling places for man * * * and nothing can prevent—except the perverseness of man—the destructive cussedness of greedy and selfishly stupid politicians, brown and white, etc.

J. Sloat, an unconscious humorist, is a type of "greedy, selfish" exploiters of the islands when he sings the chorus of a familiar song that runs throughout his wailing—

No unconditional provision of independence has ever been made, even in the preamble to the Jones bill."

That was the burden of argument among Americans when I was in the islands. Not whether Congress is right in its promise to keep our national pledge and manifestly right dealings, but whether we are legally bound to make good the promise contained in the preamble.

According to J. Sloat, although Congress promised Philippine independence whenever a stable government is once established, Congress was just fooling the Filipinos and handing them a gold brick, as J. Sloat and other exploiters of the Philippines do in their pamphlets on the Philippine problem written from the exploiter's standpoint.

New York business interests, like Orth of the Binding Twine Trust and sugar interests and tobacco interests and coconut-oil interests, are, curiously enough, all opposing Filipino independence and they have large influence in this country over news publicity columns that are used for the same ends.

WOOD CHARGES PROVE A BOOMERANG

Mr. Chairman, the most brazen anti-Philippine propaganda occurred last year when Junius Wood and Robb, two news writers, sent cablegrams from Manila that were published in 23 American newspapers stating that United States Senators and Members of Congress were receiving money from the Philippine Independence Commission for their support of Philippine independence. This gross libel was published for the purpose of frightening Congress into silence on the Philippines but worked unexpectedly the other way through demands made for an immediate investigation by Congress to ascertain the facts in the case. These men, one of whom is an employee of the Manila Chamber of Commerce, said the information was received from General Wood, but the corner soon got too hot for Wood and he disclaimed any such knowledge, so Junius Wood and Robb, the reporters, were left to father a repeatedly uttered, widely published false libel.

I asked for an investigation early in the session, but General Wood was in the Philippines denying responsibility for the libel and Junius Wood was then in China settling a Chinese revolution and young Wood was in Europe carrying around $800,000 in a satchel made in a "stock flyer," so none of the ubiquitous Woods were within reach of a subpœna. However, General Wood as governor used this propaganda as an excuse for throttling Filipino independence by shutting off funds appropriated by the legislature.

I am now informed that Junius Wood, the Manila news writer, is in Washington in the employ of interests opposed to Philippine independence. His next effusions on Senators and Representatives who receive pay from the Philippine Commission are awaited with interest. He slandered by wholesale when 7,000 miles away in Manila. If he has facts which General Wood denies, then Congress is entitled to them. If not, he ought to say who was responsible for the brazen falsehood he sent broadcast throughout the country. General Wood is no worse nor different from many other anti-Philippine independence opponents who stick to the land of milk and honey, where Wood lives like a king at Filipino expense. In fact, all of these propagandists have been extracting luxurious profits from the Filipinos, and yet they fill columns of reputable papers and magazines with palpable falsehoods in order to hold the Philippines for American business interests permanently to exploit.

The Filipinos may well ask why do not the Manila Americans get out of the Philippines if dissatisfied? On the same principle of forced control, we should take over China, or Chile, or even Cuba near our doors, or Japan, or Mexico, or Patagonia just because a handful of exploiters are temporarily living in these countries by squatter rights.

General Wood voices an American business view, quoted in the Washington Star as late as May 30, less than a week ago, when he says:

Unless we wish to withdraw from the markets of the Orient, these islands would embroil us in a war if they proved incapable of protecting themselves.

"MARKETS" v. MORALS

This utterance naturally governs the mind of a military man for whom big business raised $1,775,000 in a losing political campaign four years ago. Compare this with the broad, humanitarian declaration of America's progressive leader in 1915, Theodore Roosevelt, who said:

If we act so that the natives understand us to have made a definite promise, then we should live up to that promise. The Philippines from a military standpoint are a source of weakness to us. The present administration has promised explicitly to let them go and by its action has rendered it difficult to hold them against any serious foreign foe. These being the circumstances, the islands should at an early moment be given their independence, without any guaranty whatever by us and without our retaining any foothold in them.

Theodore Roosevelt, a certain President in 1921 had he lived, a military and naval authority, and a foremost American, expressed his conviction that the islands should be given their independence at "an early moment." Had he lived no doubt exists that he would have carried into effect "at an early moment" his convictions expressed in 1915. Nine years have passed and Wood, once his follower, now declares in substance we must never withdraw from oriental trade in hemp, coconut oil, sugar, tobacco, lumber, and other Philippine products but must hold the islands. So said the tea merchants of England when their boxes were dumped into Boston Harbor. It is a cry as old as the hills and Wood speaks for the same kind of interests that once ruled the American Colonies. Which will we follow the voices of—Weeks and Wood or the voice of Roosevelt?

A resolution of investigation of Wood's administration of the Philippine situation was introduced this session, as stated, but was permitted to rest in the House after it was also introduced over in the Senate, where better facilities exist for investigations. The Teapot Dome, Mr. Daugherty, and other matters in the Senate, together with absence of Wood witnesses distributed through the Philippines, China, and Europe, as stated, prevented reaching the probe. Better results, I trust, will be had at one end or the other of the Capitol when Congress next meets, unless General Wood is recalled in the interim, as has been recently intimated may occur.

PHILIPPINE ADVANCEMENT

Mr. Chairman, educational progress, religious advancement, business prosperity, and legislative capacity have placed the Philippines far above the standards of many other nations, including a majority of the governments in Asia, in South America, and in Central America, while the Filipinos are superior and possess a more stable government, stronger and better organized, than is found in many countries of Europe. Official statistics and ordinary methods of comparison prove this to be true. They are a law-abiding, well-behaved, industrious people as a class, and are rapidly moving forward and upward in the world's civilization; but whether they have met expectations or have fallen short of the mark, I ask what have we to offer to justify the present imperialistic policy?

The Filipinos have not adopted the dollar mark as a part of their national flag, but they have unitedly asked for independence, respectfully, firmly, and confidently. After a quarter of a century of constant pleas for recognition what valid objection can be offered to their plea? If we have respect for our own national honor, for the pledges given by the American Congress and by several Executives of this country we will, I submit, recognize without quibbling the independence which they ask.

If England could free Ireland at her doors, a white people of like civilization and ambitions, then how can we defend our attitude before the world when refusing to keep a solemn pledge to the Filipinos, 7,000 miles away, a pledge made by Congress many years ago?

The Japanese scare over the Philippines is answered by the fact that less than 7,000 Japanese live in the Philippines after a half century of an open door, or not one Japanese to every 1,500 people on the average, whereas the Japanese far outnumber all others of every nationality combined in the Hawaiian Islands close by our doors, yet as to our own territory we lose no sleep. The Japanese danger will be lessened by granting to the Philippine Islands their independence.

Wood as a military man demands the retention of the Philippines if we expect to retain commercial trade in the Orient. Roosevelt declared the Philippines are a military liability and ought to be released by America at the earliest possible moment. Again I ask which will the average American prefer—the judgment of Roosevelt, unprejudiced and typically American, or the judgment of Wood, who reflects the wishes of a small bunch of expatriated Americans in the Manila Chamber of Commerce as well as the desires of the average officer in the Army and Navy, who looks forward expectantly to war as a means of promotion?

War with Japan, if provoked, will be through the irritating influence of such agencies, while our continued possession of the Philippines against the will of the Filipinos will ever prove an aggravation and a source of weakness to both countries.

LET US LIVE UP TO OUR PROMISES

We have the gratitude and good will of the Filipinos. They have shown their loyalty to our ideals in government. They appreciate the great aid America had given to advancement of their people. They hope and repeatedly have expressed the sentiment that the islands and our people will ever be mutually helpful in all the years to come; but they are for early and complete independence more unanimously than were the American colonists in 1776. For years they have constantly and forcibly made their plea to Congress. They believe the Fairfield 20 year put off independence bill is a delusion and a snare, and they ask us to make good our solemn pledges of the past. Will we do it; and if not, why not; and if ultimately, then why not now?

Mr. Chairman, in conclusion, let me say that in this Hall this same afternoon former Delegate Quezon, chairman of the Philippine Commission, said to me that I could voice the unanimous sentiments of all the members of the commission and of the Filipino people in favor of independence "at an early moment," to use the words of Roosevelt. Further, that they are not in sympathy with the propositions of either General Wood or Secretary Weeks nor with the postponement of independence contained in the Fairfield bill.

In other words, they believe we intend to keep a national pledge in the spirit in which given, and until that promise is kept the Philippines, in the words of Roosevelt, "will ever be a source of weakness to us."

Let us follow his advice and "live up to our promise."

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from Alabama [Mr. McDUFFIE] may have leave to extend his remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, this second deficiency bill, known as the general deficiency bill, carries a total of $158,196,417.89. Of that sum, $148,135,362.96 is for the fiscal year 1925. In other words, as the gentleman from Illinois [Mr. MADDEN] said, only something like $10,000,000 carried in this bill is for deficiencies for the years 1924 and preceding years. Of this sum of $148,000,0000, $141,517,247.96 is made necessary by new laws passed by Congress at this session.

I may say that the new laws making authorizations and requiring appropriations for the ensuing years which have been passed by the House at this session, and in all probability will be passed by the Senate, will amount to more than three times the amount carried in this bill. Before this bill is completed the chairman of the committee will offer amendments providing for something like two and one-half million dollars additional, in accordance with hearings held by the committee this morning, to carry out the will of Congress in certain authorizations and requirements for new appropriations.

I was struck with a statement I saw in the paper the other day, written by a correspondent whose articles we frequently read, and who writes interestingly but always in a partisan manner in behalf of the administration, that one of the chief issues upon which the administration and the Republican Party are going to the country in November is the question of economy and its record at this session of Congress. Now, it may be that the regular annual appropriations for 1925 will be somewhat less than the regular annual appropriations for 1924, but when the country comes to understand that this Republican Congress has passed laws increasing the burdens of the taxpayers amounting to three or four or five hundred million dollars over and above their present heavy burdens and obligations, I do not think that it will be possible for the administration to claim much credit for economy.

It is true the President vetoed the Bursum bill and that he vetoed the bonus bill, which was passed over his veto by Congress, but he has given his approval to these many other acts that require appropriations.

I want to say right here as a matter of justice that these increased appropriations are not due to your Appropriations Committee and to its great chairman, the gentleman from Illinois [Mr. MADDEN], because if this Congress particularly—if you gentlemen on the Republican side of the Chamber—had listened to the gentleman from Illinois [Mr. MADDEN], we would not be confronted by some of the heavy commitments with which the Public Treasury is now confronted. But the administration and the Republican majority of this Congress will not be able to make the campaign this fall on the record of the gentleman from Illinois. You must stand or fall on the record made by your party. The record of the gentleman has been a consistent one. He has not displayed partisanship in the consideration of appropriations in the committee. He is a good party man, but in considering appropriations of the money of the people he has done so not from the standpoint of party advantage but from the standpoint of the taxpayers and the interest of the whole country.

The people will hold this Congress and this administration, in what should have been an economy year, responsible—I was about to say for some of the greatest extravagances I have known on the part of Congress since I have been a Member. You have only to stop and think of some of the bills passed by the House. I am not saying this for the purpose of lecturing the House; far from it. I do not do that. Every gentleman stands on his own responsibility and acts on his own responsibility; but I am saying that in this Congress, which has been represented to the country as an economy Congress, I dare say, when the record is made and the figures are presented, it will show that the Congress during this session has committed the Treasury to greater appropriations and expenditures than any other Congress in many years.

Mr. SCHAFER. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. I can not yield.

Mr. WINSLOW. Mr. Chairman, will the gentleman yield to get some information?

Mr. BYRNS of Tennessee. Yes; if the gentleman will make it brief.

Mr. WINSLOW. I just want to know if the gentleman happens to know—and I am not criticizing him if he does not—what the progressive increase of cost is in running the Government, due to the development of people in national affairs?

Mr. BYRNS of Tennessee. It is very great, but I have not the figures. Of course of the $141,000,000 made necessary by new laws $131,943,138 is due to the first payment on the bonus, and that was not a party question, because it was put through by Members on both sides of the Chamber. Of that amount something like $5,000,000 will be used by way of administration, and it will require between 3,400 and 3,500 clerks. One hundred million dollars goes into the sinking fund under the terms of the law, and that $100,000,000 is not sufficient to meet the terms of the sinking fund for the first year of the bonus law, because, according to the estimates, there will be required for that purpose $119,561,775. If this Congress were to make the appropriation required by the terms of the bonus law in order to meet requirements of the sinking fund, this bill would carry $151,459,913 for that purpose rather than $131,943,138. It is perfectly apparent that later on cash appropriations will have to be carried to make up that $19,000,000. It was stated by Mr. Brown that the total face value of all the certificates would be $3,139,395,200. The cash payments carried in this bill are over $8,178,124. The payments to dependents are $18,451,274 in this bill, but they are payable in 10 quarterly payments and will amount in the aggregate to $92,256,362, making a total of $3,239,829,686. According to Mr. Brown, the actuary of the Veterans' Bureau, the face value at the end of 20 years, when all these certificates become due, it is expected, will be reduced to $2,518,132,072, and that is due to the fact that it is expected that during the 20 years there will be paid out the difference between that sum and the total face value of the certificates on death claims, and of course those claims will have to be taken up as the years go by and as the claims become due on account of the death of those holding certificates.

It is true, Mr. Brown states, that if the Secretary of the Treasury makes investments upon the day this money is paid into his hands, and if he reinvests the interest promptly, and the securities in which this money is invested terminate at the time of the termination of these certificates, the charge on the Treasury will be considerably reduced. I have sometimes thought, however, that when we really come to figure the real cost of the bonus that we have overlooked one item which, of

course, can not be calculated, because we are going to collect from the people $100,000,000 to meet this first year of the sinking fund. It should be over $119,000,000, and that money is going to be taken from the taxpayers. If we were to figure the actual cost to the people and not alone to the Treasury, we would consider, of course, the question of interest to those taxpayers who are paying that money in and taking it out of their business, and the amount it might earn in the hands of those who otherwise would retain it for their private affairs, and the same is true of the $114,000,000 which it is said will be the average amounts that will have to be appropriated each year during the next 20 years.

This bill further carries $2,500,000 for the Navy Department for the scrapping of ships under the armament conference. Already there has been appropriated $26,000,000 in round numbers. This will make a total of $28,450,000. The total which had been expended upon these ships prior to the action of the armament conference on construction was $153,814,000. That, plus the $28,000,000, makes a total of $182,264,600 that was scrapped and lost in dollars and cents. The total cost of the ships if they had been carried on to completion would have been $436,800,000.

In other words, it would have cost the Treasury $254,536,000 to complete the program, and its completion would have given the United States the biggest Navy in the world. We have scrapped seven battleships and four battle cruisers. Only the other day the House passed a bill authorizing $150,000,000 to build light cruisers in order to bring the complement of our Navy up to that of Great Britain. I voted for it because I believe the country should have as large a Navy as any in the world, but it is rather anomalous that we should have thus come out of a scrapping process called to reduce the naval armament of the world and which cost our Government over $182,000,000 and should then be required to spend $150,000,000 upon these lighter cruisers in order to meet the views and the requirements of the Armament Conference. It looks to me as if as a result of that conference the United States got the worst of it, and that the representatives of Japan or Great Britain knew just exactly what they were doing when they brought about a situation, in which the representatives of the United States concurred, whereby we were to scrap our battleships and cease to have the biggest Navy in the world, and then find ourselves in the predicament of having to spend $150,000,000 in order to equal the Navy of Great Britain.

I intended to make some remarks upon the question of classification, but I shall reserve that for future discussion and reserve the remainder of my time.

Mr. SCHAFER. Will the gentleman yield for a short question?

Mr. BYRNS of Tennessee. I will.

Mr. SCHAFER. The gentleman does not mean to convey the impression to the House that the Democrats were not party to the expenditures which prohibited this party seeking an economical administration, does he?

Mr. BYRNS of Tennessee. I think probably the RECORD will show that a great many times many Democrats voted for some of these bills.

Mr. SCHAFER. A great many.

Mr. BYRNS of Tennessee. I was speaking of the Congress more particularly; but I will say this to the gentleman, since he has raised the question, that the Republican Party is in a majority in the Senate and in the House, and the people will hold the majority party responsible. You have the machinery of the House, you have the committees of the House, and undoubtedly must be held responsible; and it will not do for the members of the majority party to go before the country and say that the responsibility for any extravagances that may have occurred or any failure to legislate or in the legislation put upon the statute books which may prove unsatisfactory is due to the minority party.

Mr. SCHAFER. Does the gentleman believe, when the people of this country get the roll calls on the legislation before the House and Senate and they find the division is so close, and when they find dozens and dozens of Democratic votes voting away millions and millions of the people's money, such as the additional appropriation for these naval cruisers—over $100,000,000—does not the gentleman think they will hold them responsible fully as much as the Republicans?

Mr. BYRNS of Tennessee. I think every Member will be held responsible for his vote as it appears upon record, and I was simply answering the statement made in the paper the other day to the effect that the Republican administration and the Republican majority in Congress were going before this country upon an economy issue, and that would be one of its main issues before the country and upon which they expect to be continued in power, and I do not think the record sustains it.

Mr. WEFALD. Will not the gentleman admit that whenever there was an effort to put over these expenditures the Democratic leader was very willing to lend the Republicans a helping hand?

Mr. BYRNS of Tennessee. No; I think, on the contrary, since the gentleman has made that statement, it will be found that the record shows that the Democratic leader on this side of the House, as were some few gentlemen upon that side of the House, in favor of the strictest economy.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I yield 12 minutes to the gentleman from Minnesota [Mr. LARSON].

Mr. LARSON of Minnesota. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LARSON of Minnesota. Mr. Chairman and gentlemen of the committee, on May 27 the gentleman from Minnesota [Mr. SCHALL] made a speech in this Chamber in which he gave utterance to the following language——

Mr. WEFALD. Will the gentleman yield? Does not the gentleman think it would be proper to have Mr. SCHALL here?

Mr. LARSON of Minnesota. Just a moment; I can not yield now, because I shall require all my time. He said:

> Gentlemen, the environment of Congress strangely changes some men, and Mr. LARSON, having reached the topmost round of fame and material gain in the last four years in Congress, spurns the base degrees by which he arose, allowed himself to become the cat's-paw of the money-plunder gang of my State, who see fast slipping their control and power in that State to men who carry the people's banner.

His final thrust from his oratorical dagger was—

> Just for a handful of silver he left us;
> Just for a riband to pin on his coat.

Preceding these remarks in the same speech he had said he had made seven or eight speeches in my district advocating my election, because he thought I was an honest man.

Mr. Chairman, the inference is obvious: Before I came here I was an honest man, or at least thought to be one by my colleague; my congressional environment has contaminated me; I have prostituted my service here for material gain. Could a more cruel and malicious charge be made against a Member of this House?

Great as is my provocation, I will not descend to recrimination. That would be entirely foreign to my nature and an offense to the dignity of this House. As I hold my own reputation dear, I have always scrupulously avoided tarnishing the reputation of others. Our good name is about all some of us have, but it is just as precious to a rich man as it is to a poor man. Prince or pauper, life is not worth much without it. I am not oversensitive, but you can imagine my feeling to have such an accusation permanently inscribed in the CONGRESSIONAL RECORD.

I am without redress. My accuser can not be questioned in any other place for his speech delivered in this House. His constitutional immunity shields him. True, the slander may be expunged from the RECORD. I hope it will be. But, after all, that will only mitigate the injury; it will not cure it. It will be like pulling out a railroad spike recklessly driven into mahogany furniture—the spike is out, but the hole is still there and the furniture is ruined. The simile is hardly apt, for the mahogany has no feeling; the human heart has.

The charge was not made on the impulse of the moment, in the heat of hot debate. That would have been some palliation. It was designed with deliberation. It was made, as we say in the law, with malice aforethought.

You wonder what could have provoked so cruel a charge. My colleague made a few brief remarks on the McNary-Haugen bill. Later he extended his remarks under leave to revise and extend. In his extended remarks he accused Mr. Julius H. Barnes, former president of the Food Administration Grain Corporation, of having had his own son in its employ at a yearly salary of $30,000. When read in connection with its context, containing other aspersions, it was a plain imputation of grafting while administering a great public trust.

Mr. Barnes's attention having been called to the charge, he sent me a telegram denying it. He stated therein that his only son was at the time in question 14 years of age and was then attending school. From personal knowledge I knew that Mr. SCHALL's accusation was not true. I inserted the telegram into the RECORD and supplemented it with a few temperate

observations criticizing my colleague for his flagrant and reckless abuse of his congressional immunity.

> The very head and front of my offending
> Hath this extent, no more.

I was warned before I read Mr. Barnes's telegram to the House that sooner or later I would become the victim of my colleague's poisoned shafts and that he would become my unrelenting Nemesis. I could not believe it, but my friends evidently know my colleague better than I.

I have no keenness for martyrdom. I value my good name. I do not want it tarnished. It is about all I have. But under the circumstances, had I remained silent and allowed my colleague's accusation against my constituent and fellow townsman to go unanswered, I would be unworthy of membership in this House. I did that which any decent man would do, and my reward is—calumny.

In his speech Mr. SCHALL tries to make it appear that I was actuated by ulterior and sinister motives in defending the good name of my constituent. The statement is not only untrue but ridiculous. I am no ax grinder for any senatorial candidate. I am no catspaw for any money-plunder gang. My colleagues in this House, at least those who know me well, will bear witness when I say that no man or group of men has hamstrung my efforts here. [Applause.] I have been and will continue to be my own boss. And unless one can truthfuly say,

> I am the master of my fate,
> I am the captain of my soul,

membership in this House is an empty honor and the source of grief, rather than joy.

Whatever may be my opinion of the fitness or unfitness of my colleague to serve the State of Minnesota in the United States Senate, I have kept aloof from the senatorial contest. I have done this in deference to what I understand to be a congressional courtesy. Besides, to be perfectly frank, I hardly knew that Mr. SCHALL was running.

But if he wants to sit in what was once called "the greatest legislative body in the world" may I suggest to him that the traducing of his colleagues will not open the Senate doors for him. Such tactics may be incense to the nostrils of the groundlings, but, thank God, they are in the hopeless minority. [Applause.] The overwhelming majority of American voters demand fair play and decency even in politics.

Besides accusing me of a betrayal of my trust, Mr. SCHALL tries to make it appear that I am an ingrate. He likens me unto the epileptic and spent Cæsar floundering in the troubled Tiber and frantically crying to his friend, "Help me, Cassius, or I sink."

It is true that four years ago we had a hard contest. We Republicans were hard put trying to redeem the district from the opposition. Mr. SCHALL came. We hoped that he might use his great oratorical powers in the interests of the party, but instead he shamefully vilified General Pershing, lambasted the Republicans indiscriminately, even damned Harding with faint praise, but spoke exceedingly well of himself. My recollection is that he even forgot to mention the name of the Republican congressional candidate.

No, Mr. Chairman, I had no ulterior or sinister motive. It was my sense of justice and fair play that prompted me to do what I did. Had I remained inert as an Egyptian mummy my constituents, and especially the people of Mr. Barnes's home town, Duluth, would have repudiated me for my cowardice. They love Mr. Barnes, not because he is rich but for his splendid Christian manhood. They first knew him as a poor but ambitious boy, when he delivered newspapers from door to door to pay his way through the high school.

They next saw him enter the grain business and watched him climb step by step until he became the greatest exporter of grain in the country. They were proud when President Wilson called him to take charge of the Grain Corporation, the stupendous and difficult operations of which he so successfully handled for the Government that when his job was finished the President expressed to him the gratitude and thanks of the American people, and more than 1,000 American business men from all parts of the country went to New York to pay him their tribute of respect and esteem.

Mr. Chairman, when such a man is virtually accused by a Representative in the American Congress of grafting in the public trust that he administered with such signal ability, I deem it a duty to defend his honor and his good name.

Mr. SCHALL has admitted the untruth of his original accusation, namely, that Mr. Barnes as president of the Grain Corporation had in the employ his son at a yearly salary of $30,000. He has made no apology, however, but instead has added other charges based chiefly on the contents of an anonymous telegram, addressed to him and which he has seen fit to insert into the CONGRESSIONAL RECORD.

In view of Mr. SCHALL'S further accusations I shall insert into the RECORD a letter I have received from Mr. Julius H. Barnes for the information of this House. There is not a line of rancor or recrimination in it. It is a plain, frank, truthful recital of the facts—just the kind of a letter one would expect from a man of Mr. Barnes's breeding and caliber.

The information contained in the letter was available for Mr. SCHALL. He did not need to resort to the gossip contained in an anonymous telegram.

The letter reads as follows:

NEW YORK, N. Y., *May 28, 1924.*

Hon. O. J. LARSON,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I notice by press dispatch to-day that my friend SCHALL renewed his attack and is quoted as stating that it is my brother-in-law, Frank L. Carey, this time, who received $50,000 a year, although starting as a dollar-a-year man. I think Mr. SCHALL is in so wrong that he does not need an answer further, and I would ignore him, but in order that you may know the facts in case of need, please note when the Grain Corporation was set up, it was organized with 13 regional offices, each with a vice president, with executive authority in his region. With the general officers of the company, this required a personnel from the active grain trade of 17.

Not because the law required it, but as an ideal of disinterested authority these men divested themselves of their personal grain interests—some of 30 years' standing—served two years without compensation. The war ended during that two years, and these men, sacrificing not only income but business connections, should have been released to reconstruct their severed business connections, the war having ended. At this point, in the spring of 1919, the President cabled asking me to continue a year longer and to carry this organization with me, in making effective the holdover wheat price guaranty. I could no longer ask these men to make further sacrifices in peace time, and with the war motive removed I had to construct a business organization on business motives. Congress was alarmed enough about the wheat guaranty, and determined enough to make it effective, to have appropriated an additional $1,000,000,000, creating thus a trust which required the greatest experience and ability to administer. I therefore employed these men at a uniform salary of $25,000 per year each—less than they could have made in private business.

My brother-in-law, Frank L. Carey, was one of the 17 who had served two years as a volunteer. So ably and fairly had he discharged the responsibilities that the grain trade of the Northwest, learning of the necessity to extend the Grain Corporation into peace times, met and presented a special request that I continue Mr. Carey in charge, at Minneapolis. I inclose you copy of the special resolutions, and you will note the appreciation of his fairness and ability based on two years' control in that section, following 30 years of active experience in active grain business which equipped him for this war service.

When you keep in mind that Mr. Carey, happening to be a brother-in-law, sacrificed his business, performed a war service for two years without compensation was part of the experienced machine the President of the United States especially requested me to carry into peace time guarantee administration, that he was one of the 17 men to be treated uniformly, then you get again a new picture of the small-mindedness again shown on the part of Congressman SCHALL.

After all, the main point rests on the fact that, with a turnover business exceeding $6,000,000,000, aimed to be conducted without national loss, and if possible without actual profit, extending across all of America, and overseas, the final result was as nearly self-support, and no more, as has ever happened in history.

One thing more, the Grain Corporation was successful because it conducted itself on the usual principles of business, executing voluntary contracts with some thirty thousand trade facilities. Those contracts were accepted under a war motive by these facilites, and would not be accepted in peace time. A similar operation could not be made effective by force alone; and in peace time, lacking the war motive, it would break down completely. That is what Mr. SCHALL and similar type of mind can hardly understand.

Very truly yours,

JULIUS H. BARNES.

That there are some disgruntled grain operators and millers who dislike Mr. Barnes is to be expected. There is a reason. You remember how some of the greedy, avaricious, and unpatriotic grain and flour speculators and gamblers during the war entered upon a saturnalia of gouging the people by profiteering in grain and especially flour. To protect the people from those human vultures, Congress organized the United States Grain Corporation. To operate that war agency successfully, presented a stupendous and difficult task. Its directing head should be a man of transcending business ability, of unswerving courage, and of unquestionable integrity. He

should know the grain trade thoroughly in all its phases and ramifications. He should know not only the grain conditions in America but throughout the world. With unanimity the country pointed to Julius H. Barnes as the man for the job. Hoover recommended him. President Wilson appointed him. Not because the law required it, but to avoid any possible ethical embarrassment, Mr. Barnes gave up his profitable grain business which was world-wide in its extent, and answered his country's call. He neither received nor expected compensation.

The test of a successful executive is the ability to surround himself with efficient and trustworthy assistants. Mr. Barnes chose to assist him, in performing his great public trust, the ablest men available in the grain trade, men in whose judgment and integrity he had implicit confidence from intimate knowledge. They, too, severed their respective business connections at a great loss to themselves and started to work for the Government under the leadership of Mr. Barnes. No finer or more competent body of men ever worked together in a common enterprise.

Mr. Barnes's traducers complain that among those who were selected to assist him were some of his friends. What an awful crime! Had Mr. Barnes instead selected strangers, men of whose ability he had no intimate and first-hand knowledge, who can tell what would have been the record of the operations of the United States Grain Corporation? Secretary Hoover once characterized the work of that war agency as "the most stupendous and successful operation that the world had ever seen." Transactions aggregating billions of dollars were handled. The price of wheat and flour was stabilized. Gambling and profiteering in the primary necessity of the people were stopped. Hundreds of thousands, perhaps millions of people, in Europe were saved from starvation. Bread riots and perhaps bloodshed were prevented in our industrial centers. And when the job was finished the Government had not lost a cent. Every dollar was returned into the people's Treasury with interest. That is the matchless record of the United States Grain Corporation, directed and controlled by Julius H. Barnes. That is his contribution to his country and to humanity. In this Chamber a Member may bespatter his good name; but, Mr. Chairman, in the hearts of his countrymen his great service is acknowledged and will ever be remembered with appreciation and gratitude. [Applause.]

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes, namely:

Mr. MADDEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks that I made on the general deficiency bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PRESIDENT'S MESSAGE—DIPLOMATIC AND CONSULAR OFFICES AT TOKYO, JAPAN (S. DOC. NO. 129)

The SPEAKER laid before the House the following message from the President, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State concerning the necessity of legislation by Congress which will provide for the reestablishment of living and office facilities for the diplomatic and consular officers of the United States in Tokyo, Japan, to which I invite the attentive and favorable consideration of the Congress. The need for such legislation and its importance in the public interest are fully and convincingly presented by the Secretary of State, whose representations have my full concurrence.

I therefore earnestly recommend and strongly urge that Congress authorize an appropriation of $1,150,000, as requested by the Secretary of State, for the purchase of land and the erection of buildings for the use of the embassy and the consulate general at Tokyo, of which, as explained by the Secretary of State, $200,000 should be immediately provided for the purchase of additional land adjacent to the present embassy compound, and a site for a building in which to house the consulate general, as well as for expenses incident to the preparation of plans and obtaining bids for the construction of buildings.

CALVIN COOLIDGE.

THE WHITE HOUSE, *June 3, 1924.*

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. J. Res. 184. Joint resolution proposing an amendment to the Constitution of the United States;

H. J. Res. 237. Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes;

S. 112. An act providing for a comprehensive development of the park and playground system of the National Capital;

S. 709. An act for the relief of the Commercial Pacific Cable Co.; and

S. 799. An act for the relief of F. A. Maron.

CONTESTED-ELECTION CASE OF GORMAN *v.* BUCKLEY

Mr. ELLIOTT. Mr. Speaker, I call up the contested-election case of John J. Gorman against James R. Buckley, from the sixth congressional district of Illinois, and in that connection I submit the following resolution and move its adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 346

Resolved, That John J. Gorman was not elected a Member of the House of Representatives in the Sixty-eighth Congress from the sixth congressional district of the State of Illinois and is not entitled to a seat herein.

Resolved, That James R. Buckley was duly elected a Member of the House of Representatives in the Sixty-eighth Congress from the sixth congressional district of the State of Illinois and is entitled to retain his seat herein.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. CHINDBLOM. Mr. Speaker, may I ask the gentleman from Indiana, is this a unanimous report from the committee?

Mr. ELLIOTT. It is.

Mr. CHINDBLOM. The Republican and Democratic Members all agree to it?

Mr. ELLIOTT. Yes.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

INDIAN IRRIGATION PROJECTS

The SPEAKER. Without objection, the bill H. R. 8581 will be laid on the table, a similar bill having already passed.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, Mr. ROGERS of New Hampshire was granted leave of absence, for an indefinite period, on account of death in his family.

CONGRESS SHOULD LEGISLATE FOR FARMERS BEFORE ADJOURNMENT

Mr. RATHBONE. Mr. Speaker, I take this opportunity of stating most emphatically that I am opposed to any adjournment of Congress at the present time.

I realize fully that the position which I have taken on this question will not be a popular one with many of my colleagues. You are naturally anxious to adjourn. I understand and share in this feeling. We want to go to our homes, which many of us have not seen for months. Our business and personal affairs demand our attention. Some of us have been separated from our families and friends. Our political fortunes may be at stake, as the national election looms, and we want to marshal our supporters and gird ourselves for the battle. We are thinking, too, perhaps of the grind during the scorching months of summer in the Nation's Capital.

But, gentlemen, we have a duty to perform, one which we can not shirk. Our time belongs to the Nation and no in-

terest or comfort of our own should be considered. We should stay with our work until we have finished our work. We, the chosen representatives of the people of the United States, have no right to consider ourselves in this matter. We have no right to take a vacation until we have earned a vacation, until we have done at least something toward solving the greatest problem of the day—the distress of agriculture.

I do not intend to be one of those who are always protesting that they want to help the farmer, but who are never willing to do anything to help the farmer. I believe in the statesmanship which goes forward, which says "We will find a way or make one."

I do not want to be a do-nothing Congressman. I do not want to be forever deploring the patient's malady, but never doing anything to relieve his condition.

I want to preserve our basic industry—agriculture. I want the man who tills the soil, who toils from early morning until late at night to feed the world, who has never failed this country in time of need, the upholder of our Constitution, the supporter of our Government, the balance wheel of the Nation, the true patriot, the American farmer, to have his fair share in the prosperity enjoyed by the rest of our people, to receive the just reward of his industry and thrift, and to derive the fullest possible benefit from the advance of civilization.

We must not play politics with these great problems. If one bill for the relief of the farmer is voted down, let us not quit in a sulk, let us not peevishly refuse to consider any other measure. A number of Congressmen have told us that they have bills to present for our consideration. They say that, if enacted, they believe such measures would have a good effect upon agriculture. If any of our colleagues believe that they have found a solution of this problem in any bill offered, which they believe will bring relief from agricultural distress, then let us take those bills up now and keep on trying to find some remedy for the farmer's ills. We ought to be big and broad enough to give our earnest attention to any such proposed measure, no matter from what source it may come, no matter of what shade of political belief its sponsor may be.

We are facing a crisis. This momentous problem rises above politics. It is not a party question. It is a question of humanity of our fellow citizens of the Nation that is calling upon us to-day to do our duty.

I am in favor of passing the best agricultural bill that is offered whether the author is a Republican or a Democrat or whoever he may be. The bane of our politics is narrowness. So many of us seem always to be thinking and speaking and voting for our own particular districts. If we come from the city we can not see the interests of the farmers. We seem to think that the welfare of the city is one thing and the welfare of the country is another thing.

Gentlemen, that is the greatest possible mistake. The interests of the city and country are bound up together; they are one and inseparable. You can not have permanent prosperity for the city without permanent prosperity for the country. Burn down your great cities and they will rise again as Chicago, as San Francisco, as others have done, greater than ever before; destroy the country upon which your great cities rest, as on a secure foundation, wipe out the farms and homsteads of America and your metropolis will dwindle and fade away and finally perish from the face of the earth. Rome learned that bitter lesson through the decay of agriculture. Britain faced the fate of death by starvation in the Great War, because she had favored her factories above her farms. Long ago her poet saw not only the pathos of "The Deserted Village" but the menace to the nation in her abandoned fields when he penned the lines:

> Ill fares the land, to hastening ills a prey,
> Where wealth accumulates, and men decay.
> Princes and lords may flourish and may fade.
> A breath can make them, as a breath has made;
> But a bold peasantry, their country's pride,
> When once destroy'd, can never be supplied.

The farmers of the Nation demand, and they have a right to demand, that we shall hear and heed their plea. Every abandoned home, every foreclosed mortgage, every bankrupt owner of land, every tiller of the soil, who works the year round for a compensation that labor would scorn as wholly inadequate, demands a hearing.

The best interests of the Nation, the welfare of humanity, the stability of our institutions, and the prosperity of our people demand justice to agriculture.

The hopes of the farmers are centered upon us. One-third of the population of the United States is looking to us for help, for constructive statesmanship, for earnest and devoted attention to this momentous problem, for action worthy of the greatest legislative body in the world—the Congress of the United States.

Shall we blast these hopes? Shall we fail these people now? Shall we prove unworthy of their trust? Shall we leave Washington, turn our backs upon our duties here, and let their distress continue to increase until it involves the entire Nation in disaster? I for one say, "No."

No matter what inconvenience or loss it may involve, I am ready to stick by my post and do everything that I possibly can to lift the American farmer out of the slough of despond and place him once more on the firm ground of prosperity. I am ready to say in the words of Ulysses S. Grant—

> I propose to fight it out on this line if it takes all summer.

THE CRIMINAL INACTION OF CONGRESS TOWARD FARM RELIEF

Mr. SCHNEIDER. Mr. Speaker, no problem was deserving of more earnest and prompt consideration than the present plight of the farmers, particularly the wheat growers and farmers in the Northwestern States. Yet it seems that the conspiracy of Wall Street against the interests of the common people will again triumph.

For the last four years the condition of the farmer has been going from bad to worse. It is hardly necessary to speak of the terrible condition in which the farmer finds himself to-day. We all accept it as a fact that the farmer is in a bad fix. But the trouble is that only a few that have the interest of the farmer and Nation at heart are moved by this situation and are anxious to get farm-relief legislation passed, and have already been doing everything they could to bring a real relief measure up for the consideration of this body. Outnumbered, the progressives alone can not pass such needed legislation. We need your cooperation. But while most of you gentlemen are ready to concede that the farmer is bad off, you are slow or unwilling to come to his assistance. This apathy and inaction on your part in the face of the serious situation of the farmers is an unpardonable crime, not only against them but the Nation itself, because the welfare and happiness of the people of this great country largely depend upon the prosperity of our farming class, the tillers of our soil.

You seem to take very lightly the fact that more than 8½ per cent of the owner farmers in 15 corn and wheat producing States lost their farms with or without legal process between 1920 and the spring of 1923, according to the report of the United States Department of Agriculture. In addition to this more than 15 per cent of the owners were in fact temporarily insolvent but held on through the leniency of creditors. It is estimated that out of a total of 2,289,000 owner and tenant farmers more than 108,000 lost their farms or other property through foreclosure or bankruptcy, over 122,000 lost their property without legal proceedings, and nearly 373,000 retained their property through the leniency of their creditors.

Further evidence of this terrible condition in agriculture is the fact that there has been a decided slump in the manufacture of farm implements. The Manufacturers' Record reports that, for example, in 1914 there were 1,335,104 plows manufactured; in 1922 the number had fallen to 431,409. In 1914 there were 277,521 mowers manufactured, in 1922 the number had fallen to 80,484. Binders and headers had fallen from 215,386 in 1914 to 41,458 in 1922. The manufacture of other machinery used on the farm had fallen in number in like proportions.

Perhaps the most glaring and convincing illustration of the seriousness of all this is the panicky condition in which the banks in these stricken areas find themselves. In Montana during the period of 1922 and 1923, 119 banks had failed, 96 State banks had failed in North Dakota during the same years, 44 in Minnesota, and 60 in South Dakota. In addition 16 national banks had failed in Montana, 14 in North Dakota, 8 in South Dakota, and 3 in Minnesota during the same period.

The deplorable agricultural situation in the Middle and Northwestern States is of stupendous importance and should be of deep concern to us all. Its interdependence with the industrial pursuits of millions can not be ignored. Normalcy in agriculture insures stability, happiness, and prosperity of the entire Nation.

Can we then fail to act in this hour of need?

Nor is this distressed condition of the American farmers due to any fault of their own. They are the victims of circumstances largely resulting from our superficial and chaotic economic system, where in the unorganized and unprotected farming class becomes the prey of speculators, money sharks, land gaugers, profiteers, and the victims of vicious and discrimina-

tory legislation like the Esch-Cummins law, the Fordney tariff bill, and all other kinds of political intrigue and trickery.

These farmers now look to us to help them in this, their hour of need, to save them perhaps from utter ruin now staring them in the face.

Mr. Speaker, if our political institution, the Congress of these United States, can help them—and I am sure it can if it will—then those who will continue to obstruct the consideration and passage of a genuine farm-relief measure, such as the Norris-Sinclair bill, and the administration in whose hands now lies the control of the political machinery of our Nation, will have to bear the responsibility for the failure to pass remedial legislation for the present sufferings of the farmer. I repeat, Mr. Speaker, if the administration only desired to actually bring relief to these people it can and has the power to do so.

But while for political reasons its leaders and the President himself were ever ready to make promises to the farmer, yet the interests of Wall Street have always been nearest to their hearts.

Already every effort to bring up the Norris-Sinclair bill, considered the best farm relief measure introduced in Congress, has been frustrated. Such real measures for the relief of the farmers, offered by their friends in Congress, the progressives of this House, were either brushed aside or smothered in committees.

Now and then we have seen a pretense of helping the farmer, and so to-day we have another gesture in this direction. The cunning leaders of the administration, it appears, have happened upon another unique idea to make political capital, and more too. They trot out the McNary-Haugen so-called farm relief bill. Mindful of their obligations and allegiance to the Wall Street crowd, the packers, millers and speculators in wheat, and all other individual and organized parasites that have always been framing the farmer and gouging the general public now seize this opportunity to do them a good turn for the many favors they have received in the form of campaign contributions, and so forth, and this is not the first time either.

But at whose expense?

Here, to be sure, is an excellent opportunity to capitalize a situation and put another steal across under guise of farm legislation. The Esch-Cummins law and Fordney tariff bill were also urged as farm relief measures when first introduced in Congress, and since they have been in operation they have indeed done much to help relieve the farmer of what little he had and place him in his present predicament. And this time, more than ever, the steal will be direct from the consuming public and the already poverty-stricken and debt-burdened farmers themselves. The steal will be accomplished if this so-called farm relief measure known as the McNary-Haugen bill should be enacted into law.

Here let me say that I have implicit faith in the honesty and good intentions of my colleagues, particularly from these stricken areas, who are supporting this measure. I know they mean to do good, but they fail to understand the true nature of this bill and its evil design. I can not blame them in this, for propagandists have already very effectively injected their poison amongst the distressed farmers and have led many of them to believe that this bill will actually bring them relief.

But time, and I am confident only a short time, will make these people now ignorantly clamoring for the passage of this bill understand, and they will not only vehemently oppose its passage but will rise with added indignation and disgust with those who, under the guise of helping them, were about to plunge them into deeper misery and ultimate ruin.

The McNary-Haugen bill in the first place does not originate with the farmers; it is merely the product of those who have always been exploiting them in the past. One of their spokesmen, a Mr. G. W. Peek, long associated with the manufacturing interests, drew up the bill. But not only did it have its birth in Wall Street, but its chief support comes from these same interests. Of the hundreds of letters I received in opposition to this bill none were from the packing industry. On the other hand, many more letters came from chambers of commerce and banking interests supporting this measure.

Strange, is it not, that these interests should suddenly become the spokesmen of the helpless farmers? One would naturally guess that there must be something in it for them or they would not crow for it so loud. They know very well that they will be the main beneficiaries under this bill.

The bill creates a $200,000,000 Government corporation with a capacity for an indebtedness of $1,000,000,000. Its chief purpose is to buy the surplus farm products at a price to be fixed by the Government whenever an emergency as to that article is declared by the President of the United States, and to market it wherever it can and at whatever price it can get when selling in foreign markets. It is supposed to give the producers increased prices for wheat, flour, rice, corn, wool, cattle, sheep, swine, or any food product of cattle, sheep, or swine. That statement on its face sounds like a good thing, but let us see what the "nigger in the woodpile" is; let us see what the bill will actually do toward helping the farmer.

The price of the farm commodity that this corporation will be obliged to pay to the producers is called the ratio price. It will determine the ratio price of the commodity by comparing the average price of some 400 articles over the pre-war period of 10 years from 1905 to 1914. The ratio price of wheat, for example, would be $1.59. But how much of that the farmer will actually be allowed to keep is a different question. Do not forget that all the expenses connected with the buying and marketing of the farm products by the organization, the cost of its administration, the salaries of its officers provided in the bill—some of which amount to as high as $10,000 a year—and the salary and expenses of at least 50,000 additional agents estimated that would be necessary to do the work of the corporation, the losses that will be sustained in the export of wheat and other farm products which would be bought at the ratio price and then will have to be sold in foreign markets for world-market prices, the indebtedness of the corporation, to say nothing of the possible additional loss through graft, fraud, and mismanagement, not so impossible in this age of Dohenys and Sinclairs—all this will have to be shouldered by the farmer when made a party to this so-called farm relief corporation created by the McNary-Haugen bill.

A great help to the farmer, is it not?

At this time let me say a word about the consumer and the effect of the McNary-Haugen bill upon him. It is quite certain and almost natural that as soon as this bill becomes a law the prices of these farm products will be increased automatically; this without any appreciable benefit to the farmer. Under the McNary-Haugen bill it is estimated the retail price of a pound loaf of bread, for example, will be generally increased 2 cents a loaf. On two loaves of bread a day the Haugen bill means an increased cost for bread alone of $14.60 a year for a family, out of which the wheat grower may get $4.60, and may get only $2.

You will not say, I am sure, that the consumer is paying too little for his farm products. You know that here in Washington, for example, when you want to buy a pound of pork chops you have to pay 35 and 40 cents per pound; eggs sell from 35 to 40 cents per dozen at this time of year, and for butter you are obliged to pay from 47 to 52 cents a pound, and so on, while the farmer is only getting, on an average, a little better than 7 cents for his hogs at Chicago, 24 to 26 cents for eggs, and from 28 to 32 cents for butter.

In 1922, for instance, consumers paid for farm products about		$22,500,000,000
Producers received about	$7,500,000,000	
Freight charges on farm products were some	1,450,000,000	
Wages for processing the farm products equaled	2,622,000,000	
The total received by the producers plus the freight charges and the expense of processing the farm products amounts to		11,572,000,000

Subtracting this from the amount paid out by the consuming public for farm products leaves profits and fixed charges of nearly $11,000,000,000, which goes to the middleman.

Another way to put it, showing how the farmer and consumer are being fleeced, is shown by the fact that the wheat growers get only 1.47 cents for the wheat in a loaf of bread for which the consumer pays a minimum of 6 cents to a maximum of 11 cents per loaf.

But with a decent marketing system and control of elevator men, millers, brokers, bakers, and dealers in bread, such as the Norris-Sinclair bill contemplates, wheat growers could receive at least 3 cents for the wheat in a loaf of bread and it still could be sold at a maximum of 7 or 8 cents.

All this goes to show that one of the chief reasons for the present farm situation is that the farmer is getting too little of the price actually paid by the consumer, and altogether too much goes to the middleman; and there are altogether too many middlemen living off of the farmer and consuming public.

But while the McNary-Haugen bill does not remedy this evil, nor does it attempt to remedy it, and while it may not prove to be of any assistance to the farmer and perhaps likely to result in grave dangers to him, you would give the packers a bonus of $200,000,000 and untold millions to the millers and speculators at the expense of the farmers and consuming public if this bill is put into operation. Why, immediately, as soon as the bill goes into effect, the miller, with his grain elevators bulging with $1 wheat, will unload it upon the corporation

at the ratio price and thus make huge profits, or by the automatic increase in price he will now be able to realize at least the ratio price by extorting it from the consuming public, he himself having wrung the wheat from the farmer at $1 or less per bushel.

The packers the same way. Everyone knows that the packing interests now have on hand hundreds of millions of dollars' worth of foodstuffs in their refrigerators and storage houses. The inevitable increase in price on these farm products as a result of this bill will mean millions to the packing interests at the expense of the consuming public. Here again, where does the farmer benefit?

But the McNary-Haugen bill will have even more subtle results and will in fact be the death knell of the only hope for permanent farm relief. It will virtually destroy the farmers cooperatives and all progress made in that direction. Set farm prices by law and you take away the only common purpose for economic farm cooperative organization.

The wheat surplus, of course, and the surplus of some of the other farm products is indeed one of the factors causing the present deplorable condition of the farmer. This could have been greatly remedied had it not been for the miserable bungling of our foreign policy. If to-day Germany were in a position to buy food for its starving and famished millions, the American farmer would not have to be contending with the problem now confronting him. Had the United States taken a firm and honorable position with reference to the French policy in the Ruhr, German children would be eating American farmers' bread and the American farmer would not have to be in want and beggary to-day in a land boasted to be the richest and most prosperous Nation in the world.

It is a fact, gentlemen, due to France's militaristic policy, supported by America's charitable attitude of not collecting the interest on her debt, to say nothing about the principal itself due from France, that the purchasing power of the average consumer of France and Germany in wheat alone is now 3 bushels less per person per year than in normal times. You can readily see that if the French and the German people were consuming the normal amount of wheat that they should be consuming there would be no surplus.

Now, it seems that every so-called good measure must have teeth in it; and this bill sure has. The club with which to hit the farmer and hit him hard is provided by the equalization clause. I tell you it will do that in fine shape if you let this bill pass.

This equalization clause and its enforcement provisions are the most high-handed method ever attempted by a legislative body to relieve the farmers and turn it over to the packers, millers, and speculators. The farmers are to stand the entire cost of the administration of this bill; they are to support all the leeches and "lame duck" officials who are to be the administrators of the proposed corporations; they are also to feed Europe with their surplus wheat below cost and stand the difference themselves. This may eventually drive them to complete bankruptcy and ruin and cause them to become the slaves of their so-called redeemers, their creditors—the bankers, the beneficiaries of the farmers' miseries.

The trouble with many of our lawmakers is that they do not understand or perhaps do not care to deal with the fundamentals which are underlying the present deplorable farm situation.

The proponents of the McNary-Haugen bill contend that they propose this as temporary farm legislation. I would differ from them as to that. I think this bill spells permanent disaster for the farmer, or, perhaps, to be less exaggerating but with equal assurance gained from a careful study of this bill, it is my opinion that it will mean severe hardships to him for many years.

Yet if this be temporary farm-relief legislation, that in itself is a vital defect of this bill. No eminent physician would prescribe a temporary and uncertain remedy in the hope of abating the ravages of a disease. To do this would be worse than no medicine at all and perhaps even prove fatal to the patient. If we are going to prescribe a cure for the farmer's ills, it must be as nearly permanent and lasting as can be prescribed by any legislative body. It must have that as its purpose at the outset. It must go deep and take into consideration all the factors responsible for his present condition. Then it must and should fearlessly and courageously perform all the major and minor operations necessary, even if it must tear from the statute books the Esch-Cummins law and radically modify the tariff law and other useless and burdensome statutes that are working to the detriment of the people. Let us perform this necessary task at once and thus help the farmers out of their terrible plight which is now strangling American agriculture.

CHILD LABOR LEGISLATION

Mr. HAMMER. Mr. Speaker, the people of this country want Congress to enact and enforce laws to regulate the employment of children. This is shown, first, by the number of organizations enumerated on page 17 of the majority report of the House Judiciary Committee as giving support to this resolution for amendment to the Constitution. As every Member of this House knows, this list might be greatly extended. It is shown in a still stronger way by the declarations appearing in the platforms of both the National Democratic and Republican Parties for the year of 1920. The declaration of the National Democratic platform is as follows:

> We urge cooperation with the States for the protection of child life through infancy and maternity care and in the prohibition of child labor.

It must be remembered that at the time when this declaration was made by the National Democratic Party, the second Federal child labor act was in full force and operation. The decision of the Supreme Court had not yet been handed down. It therefore follows that the Democratic Party by this expression was giving full and complete approval to both the enactment and enforcement of Federal legislation regulating the employment of children. As a Democrat I am in accord with this declaration of my party.

Above all, that the people of the United States want Congress to regulate the employment of children is shown conclusively by the fact that two times Congress has enacted such acts and two times the President, in both cases Woodrow Wilson, has approved such acts. It would be grossly unfair to think that either the Congress or the President were attempting in the least to force public opinion. On the contrary, it is evident that both the President and Congress were doing exactly what the people of the country wished and were demanding. There can be no reasonable doubt upon the question as to whether or not the people of the United States want Congress to move in this matter.

By two decisions of the Supreme Court it has been made clear that Congress does not now have the power to act under the Constitution unless it is amended. Some of us, many of us, and especially when the first Federal act was passed, thought that Congress did have the power, just as the President of the United States and Congress thought that it had the power. But we were mistaken. Congress does not have the power, and now having learned that it does not have the power to enact laws for the regulation of the employment of children, the people of the United States seek an opportunity to amend the Constitution by writing into it this power.

As a matter of fact, it is perhaps well that we have learned through decisions of the Supreme Court that Congress does not have this power. In both of the two Federal acts designed to regulate the employment of children, the approach was by an indirect route; the first under the interstate commerce clause, the second under the taxing power. In matters of this sort, in matters in which the lives of many citizens are intimately involved, and in which the future welfare not only of children but of the whole social life is involved, the approach ought always, if possible, to be direct. If Congress is to regulate the employment of children it ought to act directly and not in any roundabout way.

This is a matter of public policy. The people of the country have the right to say whether or not the matter of giving protection to the children should be left exclusively to the States, turned over exclusively to the National Government, or left to both acting concurrently for the welfare of the children and for the public good. With all the facts before me I conceive it to be my duty to support this resolution of amendment and thereby to do all that I can in securing its adoption so that it may be referred to the States for final ratification or rejection. If I were opposed to the principle of allowing the Federal Government concurrently with the States to take a hand in guaranteeing reasonable protection to children, I would support this resolution.

This is a matter in which the people have a right to say what they want. Believing, as every Member of this House must believe, that the people have this right, the right to make their Government what they want it to be, I can not well understand how any Member of Congress could refuse to give them an opportunity to speak in a formal way upon it. I, at least, am unwilling to deny them this high privilege and right.

The Constitution of the United States provides that it may be amended by the people by submitting amendments to the various States for ratification or rejection. I believe in the people having a say about such matters, and for that reason vote to submit the question to the States. This is not a statute. It is a resolution submitting the question to the States, whether Congress shall have the power to legislate with reference to child labor.

In arriving at a decision upon the principle involved in this resolution, one has to ask and answer two simple questions: First. Will this amendment, if adopted and ratified open up a way by which additional protection may be given to the boys and girls of this country? Unless one has lost all faith in the National Government and believes that in this Chamber and in the Senate there will sit in the future Members utterly senseless to all sentiments of love as well as all desire for social well-being, he must answer, yes. If this resolution is adopted and ratified, and if under the power thereby granted Congress enacts any law at all, the children of the country will certainly be given some additional protection unless through the action of Congress the power of the several States is thereby weakened to the detriment of the children or unless the standards fixed by Congress are lower than those of any State.

This matter should be determined solely upon the question as to what is for the best interest of the children and of society. If there is any clash between opening up a way by which additional assurance of care may be provided for children, on the one hand, and preserving certain hazy rights of the State on the other, the State must yield. Civilization must move on, and that it may move on the child must be given first consideration. It is clear that if this resolution is adopted and ratified the children of the country, or at least a part of them, will be assured of more care than is now being given unless the power of the States is correspondingly weakened.

The National Government will never be able to do all that should be done for boys and girls; no State government even can do it. The bulk of child care and of promoting the welfare of children must be carried on by counties, by towns, by townships, and even by local communities. If I had the least idea that by granting this power to the National Government the right of the States to enact and enforce laws for children would be interfered with, I should oppose it, and in doing so would find myself in complete agreement with all Members of this House. I can not believe there is any Member of this House or in the Capitol who would be willing to fetter the States in this respect. We expect something, very much indeed of social inspiration from Washington, but more, infinitely more, from the different States.

Second. Would the power of the States to enact and enforce laws for the protection of children be interfered with by the adoption and ratification of this amendment? Section 2 of the amendment answers that question completely:

> The power of the several States is unimpaired by this article, except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by Congress.

Boiled down, this means that if this amendment is adopted and ratified, it will simply open up the way for giving to children, in addition to what is now being given or may hereafter be given by the States in which they live, the protection and care of such laws as Congress may enact. In other words, Congress will have the power to bring aid to the children of the different States, but this fact will in no wise prevent or tend to prevent the States from doing all that they may see fit to do for the welfare of their own children. As a matter of fact, many of the States will go much further than the National Government. This seems to be highly desirable. Since it is a part of the business of government to carry forward in an orderly way the development of its boys and girls into efficient citizens, it will be well to place the National Government in legal position to cooperate with the different State governments in guaranteeing to every American child that he shall not be exploited in employment to his hurt.

The opposition to this child labor amendment falls conveniently into a few groups; first, there are those who oppose any amendment to the Constitution, no matter what the nature of it may be. Their reverence for our great plan and instrument of government must be respected, but having paid that respect we leave them to stand and gaze and dream. The world moves. The founders of the Republic knew that it would move and so wisely provided a way by which the Constitution could from time to time be adapted to changes in the social as well as economical and political life.

The Constitution as originally drafted was submitted to the various States for ratification. They declined to accept it until the amendments were adopted which are known as the Bill of Rights. The people had their say then and restored to themselves many of the rights which the early fathers had given to the central government. There is now a demand for giving the Federal Government concurrent power with the States to legislate in the protection of children. The resolution submitted leaves it to the States to say by a three-fourths majority thereof whether this power shall be given to Congress.

Second, there are those who can not forget the eighteenth and nineteenth amendments. We can not censure them for their memory, but it is not quite fair for anyone to take his grudge out against the children of the country, because he can not buy a drink of liquor at a barroom or because his wife can vote.

Third, there are those who oppose this amendment because they fear that under the power that will be granted if the amendment is adopted and ratified Congress will pass laws that will raise the bars against the employment of children in some States. This is putting it rather bluntly, but we had just as well get the plain truth. A part, a very large part, of the opposition to this amendment springs from the fear that Congress will by law limit the rights of some employers of children more than the are now limited by the law of the States in which they live. In essence this is a plea for employers. No one either before the committee or in the debates on this floor has suggested that children will be injured by this additional protection if granted. The plea of this group, therefore, may well be dismissed from further consideration. The country owes a higher duty to its boys and girls than it does to employers because of their tender years and inability to protect themselves. The rights of children rise above the rights of those who may desire to work them.

Fourth, there are those who oppose this amendment because it means a fundamental change in the relations between the National Government and the States. This is a matter that ought to be given serious consideration. The people, at least most of them, have, I think, always thought that the National Government had the power to protect children. They could hardly think otherwise, for this is fundamental in government and the reading of the preamble to the Constitution, about all of the Constitution that the average man ever reads, tends to establish one in the belief that the National Government has the power to take steps to promote the welfare of children. Lawyers, at least, now know that the adoption of this resolution, followed by its ratification, and the enactment of laws under it, does mean a change.

But it will not be a new power in government. Every State now has this power and more. Neither will it be a transfer of power from the States to the National Government. The working of section 2 makes it clear that the power of the States to legislate upon this subject will be unimpaired, the arm of the State to protect children will not be shortened in the least. Since this is true, we are confronted with the question of whether or not we are willing to make this change in the Government in order that Congress may be empowered to aid and cooperate with the States in doing what they are now doing, some well, some not so well. It is not a change as the functions of the National Government are understood. It is a change as lawyers now understand it, and a change that ought to be made. The Government of the United States ought to have the power to guarantee to every child, in whatever State he may live, that regardless of however much his own State may neglect his welfare and permit him to be employed to his own hurt and to the hurt of society, he should have a fair and fighting chance in life. That the National Government, the overgovernment, the government of all governments, should have this power is fundamental.

So far as we have heard there are two other objections, one being directed to the use of the word "eighteen," section 1, and the other being directed to the fact that the amendment, if adopted and ratified, will empower Congress to pass laws regulating the employment of children in agriculture if it should ever find it necessary to do so.

The policy of the National Government in the future should be that all should provide certain minimum standards for the care of children. Congress should not, and, as I believe, will not, undertake to go nearly as far as the States should and will go. As a matter of fact, one of the most helpful results of the adoption and ratification of this amendment will be the enactment by Congress of laws creating standards which will serve as a minimum by which the States may measure themselves. Believing thoroughly in this minimum idea, I should be not only willing but glad to change the word eighteen to sixteen. On the other hand, there are good reasons urged why it should be kept eighteen. There are occupations at which no

child under 18 years of age should be employed. There are other occupations at which certainly some children under 18 years of age, particularly girls, should not be employed at night. The examination of the facts submitted to the House Judiciary Committee and published in the report of its hearings show that there are States which so far have failed to enact laws upon this phase of the subject. The failure of the States to pass a law does not in the least minimize the dangers involved in the employment; and if the States continue to fail to pass such laws Congress ought to be authorized to pass them.

The suggestion that if this amendment is adopted and ratified every boy and girl under 18 years of age will be forbidden from doing any sort of work does not merit consideration. Every sensible man knows that it will not be done by Congress any more than it has been done by State legislators who now have the power to do so. It is to be presumed that in the future Members of Congress will be, on an average, about as wise as they have been and about as wise as State legislators. This Congress would not give a moment's consideration to any law of this kind, and no Congress in the future would do it.

Neither will any Congress in the future undertake to regulate the employment of boys and girls in their own home or on their own farm or anywhere in the fields unless it should be made to appear that by reason of changes in agriculture children are in need of it. I can not conceive how such a need will ever occur; but if it ever is made to appear that they are in need of it, then Congress should act.

Agriculture certainly could ask no exemption in the matter of authorizing Congress to give care to boys and girls if conditions should ever arise requiring legislation; although under present conditions it is impossible to conceive the necessity either in the near or remote future, notwithstanding the fact that no one can tell what a day will bring forth owing to the constant change of conditions brought about by modern inventions and ingenuity.

Amendments to the Constitution should be general, so that there will be no need for a change in case of unforeseen exigencies which might arise under conditions which can not now be foreseen. In the years to come when coal will be succeeded by harnessing not only our great water powers but the sun's rays and the ocean's waves, with the coming of radio and the pressing of a button a flood of sunshine lights cities, States, and empires, and the marts of industry buzz with the rattle-thrattle of ever-busy industry, and from the air is manufactured fertilizer, improved machinery will revolutonize not only all industrial activities but agriculture as well. The time has arrived when the machinery of our factories is such that children can no longer be profitably employed, for the work to be done requires maturer minds and bodies, carefully trained and equipped to operate the modern machinery in use in all enterprises profitably operated.

While I have supported and voted for amendments offered in harmony with my views of the limitations which should control Congress in submitting the amendment to the States, but I am convinced that it will be conceded that Congress instead of exceeding the limitations is more careful to confine itself within the limitations than are the legislatures of the States, and as heretofore stated the States now have the power and have not exceeded or gone to the limit of their power in any case as to regulating child labor, and pray tell me why the reason for Congress doing so, as it has never "gone the limit" except in exercising the war power guaranteed to it and to the President in time of war. It would, therefore, probably be unwise to make exceptions, although I voted to do so in this very resolution, for has not the Congress at different times exempted farmers and the agricultural classes from the operations of the antitrust and other laws?

Congress will no more attempt to invade the home than the States which have unquestionably the power to do so. If such invasions should, perchance, be made the people would replace the membership at the next election with other and wiser representatives.

Dire disaster is predicted if this proposed amendment to the Constitution is adopted. This prediction has been made about all the other amendments to the Constitution. Unusual and terrible things will happen, we are told. In this as in other predictions of disaster, the prophets of evil appear to lose sight of that highly important factor of common sense.

In order that girls may not be employed as messengers at night in cities or employed in extra hazardous positions and that boys may not be employed in coal and other mines or in dangerous and unusual conditions, the age limit has been placed higher than in my judgment it should have been, in order that the limit could be made high enough to regulate or prohibit employment of boys and girls in certain occupations involving unusual moral or physical hazards. There is not the remotest probability that any amendment to the Constitution will be construed otherwise than with a reasonable degree of common sense.

Does any sane person believe that Congress would do so foolish a thing as to legislate boys off the farms or prevent children of proper age from working at employment not injurious to their health? Can not Congress be depended on from engaging in a foolish course of abusing a power granted, from necessity, in general terms. The organic law can not be specific in its prohibitions and commands as has been so well said and clearly demonstrated so often. The fundamental law must in the very nature of the case be expressed in generalities. It would be entirely too voluminous if we were to undertake to make it foolproof, and it would not be a constitution, but a medley of prohibitions and commands. There need be no fear as to the boys and girls on the farms and no danger need be feared except to the crowded, ill-ventilated mills and sweat shops where the seed corn of our race is being ground up. No fear need be felt in the clean, ventilated factories with cheerful, sanitary surroundings where childhood is protected and conserved.

Mr. John T. Adams, chairman of the National Republican executive committee, said in a recent article published in the National Republican that:

> Practically all Federal legislation for the benefit of women and children has been enacted when the Republicans were in control of Congress.

It is difficult to conceive why one so well informed as Mr. Adams should make such a misstatement. The facts are exactly to the contrary. The Democratic Party sponsored the only child labor laws which have ever been enacted and placed upon the Federal statutes. On January 7, 1916, Representative Edward Keating (Democrat) from Colorado, introduced the first Federal child labor bill to become a law. It was passed by the House of Representatives on February 2, 1916, and by the Senate on August 8, 1916.

The passage of the child labor law was haled as one of the most important accomplishments of Woodrow Wilson's first administration. Seeing that there existed a tendency in the Senate to postpone it, the President went to the Capitol and easily convinced the Senate and House committees by his personal appeal that the measure should be promptly passed.

The act was approved September 1, 1916, the administration of the law being logically placed under the Children's Bureau of the United States Department of Labor.

When President Wilson signed this bill, he said:

> I want to say that with real emotion I sign this bill because I know how long the struggle has been to secure legislation of this sort and what it is going to mean to the health and to the vigor of this country, and also to the happiness of those whom it affects. It is with genuine pride that I play my part in completing this legislation. I congratulate the country and felicitate myself.

The law had been in operation only about nine months when it was declared unconstitutional by the United States Supreme Court in a 5-to-4 decision, on the ground that it was not a legitimate exercise of the power of Congress to regulate interstate commerce, and was therefore unconstitutional.

The Dagenhart children, through attorneys, enjoined me as United States attorney from enforcing the law in a suit to test the constitutionality of the first child labor law. I appeared both as defendant and attorney in that case and also appeared in the first case brought to test the constitutionality of the second child labor law. This suit as to the second child labor law, was brought in another form by the same attorneys. This time the Johnson children, through their prochein ami, were the complainants, and at the request of the Attorney General I prepared a brief and appeared as amicus curiæ (friend of the court), making an argument supporting the constitutionality of the act. This case did not go to the Supreme Court, but a later case brought in the eastern district of North Carolina against Collector Bailey. Naturally, I became interested in the question.

The first child labor law passed the House by a vote 343 to 46, and the Senate by a vote of 51 to 12, while the second child labor act passed the Senate by a vote of 52 to 12 and the House by a vote of 370 to 11. The second act was a Senate rider to the revenue bill and not a separate bill as was the case in the first act. In the House the vote in an effort to strike out the child labor rider resulted in a vote of 176 in favor of the rider amendment and only 15 against it.

The two child labor laws were both enacted by Democratic Congresses during the administration of a Democratic President, Woodrow Wilson.

In the light of this record there can certainly be no censure of any Democrat in supporting the resolution which provides

the submission of the question to the States as to whether the Constitution should be amended to give to Congress the power which President Wilson and the two Democratic Congresses that enacted the two child labor laws thought Congress then had under the Constitution.

In my judgment, it would be a breach of trust and confidence the people reposed in me as their representative should I fail to carry out the principles and policies not only as practiced by President Wilson and his administration but the declaration of the Democratic Party in its national platform should be regarded as a command to be kept sacred and inviolate, and I therefore vote to submit this resolution to the various States, so that the people may themselves ratify or reject the amendment, as provided they may do in the Constitution.

The chairman of the National Democratic Committee has made it unmistakably clear that the Democratic Party is committed to the limitation and regulation of child labor.

Supporting the effort made at this session of Congress to amend the Constitution so that child labor could be properly regulated, Mrs. Emily Newell Blair, vice chairman of the Democratic National Committee, made the following statement February 16, 1924, before the Subcommittee on the Judiciary of the House of Representatives, then conducting hearings on the proposed legislation:

The Democratic Party stands unequivocally for the prohibition of child labor. It holds that the life, health, and strength of the children of the Nation are its greatest assets and that the conservation of these constituted one of its most sacred duties. It believes that if labor in immature years is permitted by one generation it is practicing unfairness to the next generation. Democratic platforms and pronouncements have contained definite and precise statements upholding this belief, and its convincing record in child-labor legislation constitutes Democracy's response to the demands of modern social justice. Its record is written in its deeds.

RECORD OF THE TWO POLITICAL PARTIES—DEMOCRATIC ACHIEVEMENTS AND REPUBLICAN DECEPTION AND MISRULE

Mr. HAMMER. Mr. Speaker, the aims and purposes of the two great political parties in this country are almost diametrically opposed to each other. The one stands for the rights and prosperity of the masses, while the other stands for privilege and prosperity of the few. One represents the Jeffersonian idea of government; the other is based on the teachings of Alexander Hamilton. A review of the laws passed or advocated by the Democratic and Republican Parties, respectively, as they in turn controlled the country, will show conclusively that this statement is unquestionably true.

The Democratic Party had full control of the lawmaking power for only two years between 1861 and 1913. That was from 1893 to 1895, when Democrats controlled both Houses of Congress and Grover Cleveland sat in the White House. It found conditions so extremely bad after 30 years of Republican misrule that no amount of statesmanship could rectify conditions in so short a time.

FEDERAL RESERVE BANKS

In 1913, when the Democrats assumed control of the lawmaking powers, they passed the present Federal reserve banking law, which is probably the greatest law ever enacted by any legislative body in the history of the world.

This law took the control of the money out of the hands of private individuals and banks, where it had been since the Civil War, and placed it in the hands of the Government. It had been the custom of Wall Street to produce panics every few years and business depressions more frequently so that the moneyed element might absorb the Nation's wealth without the necessity of producing it. When the present law is operated in behalf of the people it is not possible for individuals or banks to corner the money, depress values, and crush business. This can only be done now by the operations of the Government. Every Republican Senator but two voted against this measure.

Under this law we fought the World War and to a large extent financed the nations of Europe and not a bank failed due to the manipulation of the currency. There were fewer bank failures from all causes during these days of stress under this new Democratic law when properly administered than under the old laws in times when there was prosperity. No sooner did the Republicans get control of the Government than they blocked the normal operation of the Federal reserve banks established by the Democrats under the Wilson administration for the purpose of contracting the currency and brought on the business depression of 1921. In fact farm products as well as manufactured products began to fall like the stars almost before the result of the election was heard in 1920.

In the Democratic year of 1917 there were seven national bank failures. In the Democratic year of 1918 there were two national bank failures, and in the Democratic year of 1919 there was only one. Within the little more than three years of Republican rule there have been 1,357 bank failures, 265 of them being during the first three months of this year, with total liabilities of more than one hundred million dollars.

THE TARIFF AND TRADE COMMISSION

After the sweeping victory by the Democrats in 1912, the tariff law of 1913, after the Democrats got in power, was enacted substantially reducing the tariff. It did not result in a great influx of foreign goods as our friends, the enemy, said it would, and in fact while our imports had been increasing about 8 per cent per annum from year to year, due to our increasing wealth and population, the increase the first year under the Democratic tariff law was only half that amount. After war broke out in Europe imports decreased still more due to war causes. We continued prosperous with no decrease in wages and the dollar had more purchasing power than ever before.

The Federal Trade Commission was established also by the Democrats during the Wilson administration and provides "that unfair methods of competition are hereby declared unlawful." This law protects the small man against the unfair methods that were in use for putting him out of business and gives the small man an opportunity to enter the business world.

ANTITRUST LAW

There was likewise enacted the great antitrust law which is in effect a new bill of rights for the small business man and the laborers. Mr. Speaker, it is not possible in the limited time at my command to explain in detail the accomplishments of the wise and beneficial legislation enacted in behalf of the people by the Democrats during the Wilson administration, for no party in all history has ever, in this or any other country, done so much by helpful legislation in the interest of all the people, and especially the plain people, the common folk, if you please, who never before had equal opportunity with the favored few. These laws have brought greater blessings to our people when properly administered than will ever be fully appreciated. Laws can not operate by themselves and when administered by their enemies they are seldom efficient. During Democratic control this is what the antitrust law meant:

It is a safety first law.

It is intended to stop wrongdoing.

It is designed to protect the laborer who has nothing from the blight of the injunction except in case of wrongdoing.

It makes it lawful for men to assemble and talk.

It deprives the petty judge from the right to say that it is unlawful for men to assemble and talk.

It prevents the crushing or absorbing of competition.

It protects the small industrial stockholders against the graft of the directors and officials higher up.

It protects the small manufacturer against being eaten up by the large manufacturer.

It protects the farmer against combinations which hold the price of farm implements unreasonably high.

It protects the smaller dealer from being compelled against his will to deal only with certain trusts.

It permits the dealer to fix his own prices on the goods he has for sale.

It gives to every man the right to go into court and demand damages when he has been wronged and injured by combinations in restraint of trade.

It prevents that most subtle and dastardly of all combinations known as the interlocking directorate.

It prevents the banking interests of Wall Street from making slaves of the banking interests of smaller towns.

It prevents the banking interests of Wall Street from legally forming combinations whose stock in trade is panic and prosperity alternately.

It does not harm anyone who is engaged in honest business and using honest and honorable methods.

It protects the honest man from the vicious acts of a dishonest one.

It prevents the man from dodging from behind the corporation name to escape punishment.

It makes every unlawful act of the corporation to be the unlawful act of the men who are responsible for it.

It puts a premium on justice and punishes injustice.

It is fair to every fair man and it is just to every man.

The people of this country had been calling for this law for 40 years, and the Republican Party absolutely refused to pass any law that would be effective in breaking up the trusts or punishing trust criminals.

Under Wilson a Democratic Congress passed the Federal farm loan act enabling farmers to borrow money on long-time mortgages at a low rate of interest. The income tax law com-

pelling the rich man to contribute to the support of the Government in proportion to his wealth was also another important law which the Wilson administration has to its credit.

We fought the great World War and helped to bring proud Germany and her cohorts to their knees, and we closed that war by forming a League of Nations that is doing a great and noble work. While there are those who claim to be able to count a dozen wars since the close of the World War, there have been no wars between members of the league.

Through the skillful manipulation and under the lead of Senator LODGE, of the Senate Foreign Relations Committee, this country was forced to withdraw its all-powerful influence in world affairs just at the time it was needed the most. The United States fought that war at a cost of blood and treasure that is almost beyond calculation, but when the most difficult part of the task came, that of making peace, then shirked our duty to humanity, and as a result more lives have since been lost in Europe through famine and disease than in all the battles of that war, and the end has not yet come. Had we played our part as honorable men and nations should have done, Europe would have soon been at peace, prosperity would have come, and to-day America would find a market for the product of her mills and farms instead of our farmers going into bankruptcy, our mills idle, our workers in want, while the people of Europe are dying because they can not buy our products. LODGE played much the same part here that Ludendorf did in Germany. Between them these two have placed the civilized world in a most deplorable condition.

REPUBLICAN DECEPTION

Our Republican friends have nominated Coolidge and Dawes as their standard bearers, and it is not my purpose to say one word that would personally reflect on either of them, as Democrats do not need to resort to personalities, especially when there are more live issues than could be handled in a 10-hour speech.

The thing that seems humorous is the fact that while Members of Congress are unsparing in sounding the praises of our President, Congress flatly turned down nearly every important measure he advocated and passed over his veto the things he opposed. If the President was right, the Republican Congress was wrong, and if the Congress was right the President was wrong. Both can not be right. It was the worst exhibition of party teamwork the world has ever known.

The President advocated the Mellon bill, which reduced the surtaxes on big incomes from 50 per cent down to 25 per cent, while it left the tax on the man of small means almost the same. Congress rejected it. The President was opposed to the Japanese exclusion bill, but Congress passed it almost unanimously. He vetoed the bill granting an increase in pensions to Union soldiers of the Civil War and Spanish-American War veterans, and it lacked just one vote in the Senate of the two-thirds majority to override his veto. His own party voted strongly against him, but he was saved by enough Democratic votes from the South. He vetoed the bill which gave a small increase in the salaries of post-office clerks and carriers, rural carriers, and railway mail clerks, and the only reason it was not passed over his veto was that the jam in the closing hours of Congress prevented its consideration. If the President was right in these vetoes, then the Republican Congress was wrong.

President Coolidge may be a very wise statesman, but some of the propositions he has advanced were worthy of the humor of Mark Twain. We all realize that there is a great depression in agriculture at this time, owing largely to the fact that our old customer, Europe, stands on the verge of bankruptcy and can not buy the things we have to sell. The greatest depression prevails throughout the country; agriculture is dying; the farmer was never at any time in such bad condition as at present.

In a Lincoln Day speech in New York the President submitted a plan for helping the farmer that had a childish simplicity about it that was really refreshing. He said, in substance, that the income tax was not paid by the capitalist but was added to the price of the goods he made or handled and this was paid by the consumer. We should reduce this tax, he contended, on the millionaire to one-half what the revenue law provided, and then this amount would be deducted from the price of goods, thus aiding the farmer! A more absurd or untrue proposition it would be difficult to find in the public utterances of any man in public life at any time in the history of this or any other country.

If such a suggestion was made in an essay by a 10-year-old boy, it might make a smile on the face of a political economist, but coming from the President of the United States it made the most uproarious laughter wherever reported. He did not tell why the capitalists were so anxious to save the consumers this expense that they paid for the greatest propaganda to have the tax reduced ever known in the modern world.

Our President did another thing that shows what a wonderfully logical man he is. The Underwood law placed wheat on the free list. During the World War the price averaged about $2.25 a bushel. By the spring of 1921 the price had fallen to about $1.40 to $1.50 a bushel. An "emergency tariff bill" was passed by the Sixty-seventh Republican Congress placing an import duty of 35 cents a bushel on wheat, and in a few weeks the price went down about 25 cents a bushel. There is now a provision in our tariff law, the Fordney-McCumber law, which authorizes the President to increase or decrease the tariff not exceeding 50 per cent. In order to show how friendly he was to the farmer the President last spring added 12 cents a bushel to the import duty on wheat and within two weeks the price decreased 10 cents a bushel.

On an average the United States produces 300,000,000 bushels of wheat a year more than is consumed in this country, so that the domestic price is regulated by the price abroad, as is the case with all our products when more is produced in this country than we can consume. The Liverpool price less the cost of transportation is always the Chicago price, so if there were $10 a bushel duty on wheat it could not increase the price one cent. Do you not think the President knew that? He did; but the Republican Party has been fooling the farmer so long on the tariff issue he felt he could put this one over, but every intelligent farmer in this country saw through that shallow trick and realizes to-day that the President practiced a deliberate deception upon the farmer, and he is fighting mad about it.

We produce a surplus of nearly everything raised on American farms and the surplus is shipped largely to Europe. The price there regulates the price here of all products of which this country has a surplus to sell elsewhere, so the farmer is constantly selling in a free-trade market and buying in the most highly protected market in the world. Is it difficult to figure out why he is being ground down lower and lower every year while the highly protected manufacturer is growing richer every year? The question naturally being asked is, How long will the American farmer continue to support a policy that is directly against his own interest and in favor of the capitalist?

THE WORLD WAR

Our people are naturally peace lovers, and when the great struggle began in Europe in 1914 we all hoped the United States would be able to keep out of it, and we did stay out for more than two and a half years, but when Germany sent us notice that we could send but one ship a week to England patience ceased to be a virtue and we plunged into the combat. Never before were the industries of peace changed into productions fit for war as quickly as here. Four and a half million men were drilled into skillful soldiers, and more than 2,000,000 were transported across the submarine-infested sea without loss of life. Within four months from the time our brave boys struck the first blow the German lines were broken, her armies were retreating on a 200-mile line, the Kaiser was an exile in a foreign land, and the German people were on their knees praying for peace. Such is the power of a great people when fighting in a righteous cause.

During this great struggle the Republican Members of Congress voted for the war appropriations and then delivered speeches in the House and Senate denouncing the conduct of the war. These speeches were printed by the German newspapers and read broadcast throughout the country and by soldiers in the fighting forces. It brought strength and courage to every enemy of our country and cost us the lives of thousands of our brave boys who were fighting for our country on the bloody fields of France. These demagogues, who could see no further than the next election, were willing to sacrifice any number of victims if it enhanced their chances for reelection.

The making of the peace treaty was one of the most difficult tasks of the modern world. Instead of doing everything possible to help on the noble work and establish peace and good will among men Republican politicians watched for each suggestion that leaked out of the conference rooms and no matter what it was they proceeded to bitterly denounce it. It would have been laughable if it was not tragic. It forms one of the most disgraceful chapters in American history. If we could have bound and gagged every Republican demagogue for three months, the history of the world would have been different and millions of lives would have been saved.

When the history of these days comes to be written and time shall have dispelled all misconceptions and the years shall have rendered an impartial verdict one name shall shine in golden splendor on the page that is blackened with the tale of the Great War, one name will represent the triumph of American principles over the hosts of darkness and of death.

It will be the name of the scholar statesman who kept his country true to its faith in a time that tried men's souls; the name of the statesman who championed the cause of American freedom wherever he found it oppressed; the name of the patriot who implanted his country's flag on the highest peak to which humanity has yet aspired; and that is the name of our late beloved President, Woodrow Wilson, the captain general of our forces.

HISTORY OF PANICS SINCE THE CIVIL WAR

The Republican Party in this campaign presents one of the most laughable and ridiculous positions ever known in the history of our country. It is attempting to win popular approval on the plea that it is a "prosperity party." It might be profitable for us to consider for a few moments the record of this party and see how the claims agree with the facts in the case.

BLACK FRIDAY

The first crash after the Civil War took place in 1869. It was caused by Jay Gould and Jim Fisk trying to corner the gold of the country. They succeeded in buying up a good share of it and put the price up to $1.60 in paper currency. On "Black Friday" the crash came and brought ruin to thousands of people, closed banks and industries of every kind, and for a year or more brought hard times and misery all over the country. Yet the Republican Party controlled every branch of the Government. The very name of "Black Friday" still brings a shudder to every man who was old enough to feel its effects.

This was the beginning of a series of panics which took place every few years while that party was in power.

PANIC OF 1873

In 1872 the campaign was conducted largely on the prosperity issue. The Republican speakers declared everywhere that if the voters desired continued prosperity, all they had to do was to have the Republican Party continued in power. The result was one of the most overwhelming victories that any party had ever known in our history. Within a few months after the reinauguration of President Grant in 1873 a panic swept over the country that laid our industries prostrate and closed a large share of the banks. Every branch of the Government, Congress, President, and the Supreme Court were entirely controlled by Republicans. Instead of the voters being rewarded with prosperity as they had been promised, they were given five long years of the hardest times ever known in this country. Business of every description was paralyzed, soup houses were established in all the large cities, and dire distress was the order of the day. The older men present can remember, with a feeling of horror, the awful conditions which surrounded them. This continued, with but little let-up, until 1878. These were the days of my early boyhood. These were the days of poverty and famine.

The campaign of 1876 was fought on the hard-times issue, the Democrats claiming the Republicans were responsible for all the misery it had caused, while the Republicans claimed that there were causes beyond the control of any party which had brought on the panic. The Democratic candidate had a plurality of 260,000 in that election, but a partisan returning board threw out the votes for Tilden in South Carolina, Florida, and Louisiana and seated Hayes as President. There had been no change in the tariff rates, which were as high as during the Civil War, yet the crash was one of the worst ever known. When we listen to some shallow orators to-day we would be tempted to believe that panics were always caused by lowering the import duties. The fact is that we have had six panics since the Civil War and in no case had the tariff been changed prior to their beginning, showing how silly these claims are.

PANIC OF 1883

In 1883 another panic swept over the land. There was terror in Wall Street and consternation in every city between the oceans. Thousands of banks and industrial institutions were closed, and in many sections of the country this panic was more disastrous than any of the others. It is generally spoken of as a severe depression, but starvation among the working people was very great. Hard times was one of the issues on which Grover Cleveland was elected the following year, 1884. And all this time the Republican Party was continuously in power.

PANIC OF 1893

In 1892 there was a panic all over the world. It was first felt in Australia and the Argentine Republic. Some English banking houses were heavily interested in securities in those countries and it brought about many failures, among them being the banking house of Barring Bros., of London. This caused a collapse all over Europe, and as Europeans held some $5,000,000,000 of American securities they at once unloaded a great quantity of them for whatever they would bring, and a vast amount of gold left this country for Europe. The stringency was felt here severely in the fall of 1892, and many predictions of a panic were made before the election. During January and February, 1893, while Benjamin Harrison still sat in the White House and a Republican Congress was in session, banks and business houses of all kinds commenced to fail, and before the new President and his Congress had time to change a single word in any law the panic spread throughout the land. If it is possible to prevent a panic by legislation it is necessary to have control of the law-making power before it commences. This the Democratic Party did not have. Is there any honest man in this House or anywhere else who will say, in all candor and honesty, that the party which just came into power, while every law on the statute books had been either enacted or approved by the Republican Party, could be responsible for the panic which had swept over the land? Beyond all question, if either party could be held responsible the one under whose laws the country was governed would be the responsible party.

This panic was on in full force in May and June, 1893, while the tariff law was not changed in any way until September, 1894. The first effects of it were felt nearly two years before the tariff law was changed, while its worst stage was reached 16 months before it was enacted. Long afterwards, when the people were supposed to have forgotten all about the dates of the commencing of the panic and the enactment of the new tariff law, the Republican papers and orators spread the report that it was a flood of imports caused by the low tariff that brought on the crash; but why there should have been a flood of imports a year and a half before the rates on imports were lowered can never be explained.

As a matter of fact, there was no flood of imports after the passage of this tariff law. The Government reports show that during the two years following the passage of the tariff law in 1894 there was a decrease of $308,000,000 from the imports of the two years preceding its passage. In other words, there was a great decrease in imports instead of an increase, as has so often been proclaimed by the Republican press. Even after this fraud has been exposed countless times in the last 20 years we still find editors and speakers so ignorant or so untruthful they still make the same statement, perhaps with the hope that a falsehood well stuck to is as good as the truth.

PANIC OF 1907

Now, let us pass to the next severe panic where there can be no doubt about who was responsible. In 1907, with the Republican Party in power for the last 10 years, and controlling every branch of the Government; with crops the largest ever known, and no panic abroad, a crash came to our country which the Comptroller of the Currency, Ridgely, said was the most severe panic in a century. Millions of persons were thrown out of work and a large share of them were out for two or three years.

We all remember how soup houses were established in all our large cities, and the working people suffered untold misery. If the Democratic Party had been in power what a great howl would have gone up. Instead, the large newspapers refused to publish even the facts in the case and boasted afterwards that they prevented a far worse panic by suppressing the facts. If they had pursued this course in 1893 business would have run along almost in its natural course. This shows how they placed partisanship above patriotism, as they often do and as many of them are doing now.

PANIC OF 1921

After the close of the World War the wheels of industry in America turned faster than was ever known in all our history. The wages of the workingmen were the highest ever known, and the entire land teemed in prosperity and happiness. Our exports for 1920 were over $8,000,000,000 worth of American goods, while last year, after two years of Republican rule, it was a little over $3,000,000,000. The capitalists of the country were anxious to crush the labor unions and lower wages, but while a friendly administration was in power they did not dare make the attempt.

During the summer of 1920 our mills were running night and day, but unfortunately for our workingmen the party that was in power when five panics were started again was successful in the election. As if by a prearranged signal the factories from the Atlantic to the Pacific commenced to close. Two days after the election there was more space in the news columns devoted to the closing business than there was of election news. One week after the election of a Republican President about 40 per cent of the manufacturing establishments were closed and more than 5,000,000 persons, who had been profitably employed dur-

ing all the years of Democratic rule, were vainly searching for work. The money power had this arranged before the election. They "wanted the laborers to feel the pinch of hunger" for a few months and force them to accept lower wages. The labor unions were strong enough to prevent a cutting of wages, so the money interests did not accomplish what they set out to do when they deliberately brought on the hard times. This was the sixth time that exactly this condition prevailed during Republican rule.

Now, in the face of these six deadly panics that have cost this country more money than the World War, all of them either under Republican rule or laws, while the Democratic Party has never been in a position to avert any of them, no matter what it did, does it not seem ridiculous for the Republican Party to claim to be a "prosperity party"?

At the present time in all parts of this country many factories have closed or are working on part time and millions of men and women are walking the streets in idleness. They are typical Republican times. That party would be scared if good times continued for more than a few years, as it would be a condition that so far never existed in its history. It has the worst record in this respect of any political organization in the world. Seven severe panics and many business depressions in 50 years is its record.

ADJOURNMENT

Mr. MADDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p. m.), the House adjourned, pursuant to the order previously made, until to-morrow, Wednesday, June 4, 1924, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

544. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Justice for the fiscal year ending June 30, 1924, to remain available until June 30, 1925, for repairs to the Government-owned bridge across the Missouri River at Fort Leavenworth, Kans., $49,115 (H. Doc. No. 346); to the Committee on Appropriations and ordered to be printed.

545. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture for the fiscal year ending June 30, 1924, for fighting and preventing forest fires, $125,000 (H. Doc. No. 347); to the Committee on Appropriations and ordered to be printed.

546. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment of the United States for amount required in connection with the completion of the frieze in the Rotunda of the Capitol, for the fiscal years, 1924 and 1925, in the sum of $5,000 (H. Doc. No. 348); to the Committee on Appropriations and ordered to be printed.

547. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Los Angeles and Long Beach Harbors, Calif. (H. Doc. No. 349); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

548. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Hudson River, N. Y., from Hudson to the dam at Troy, with a view to securing a depth of 27 feet, with suitable width (H. Doc. No. 350); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

549. A communication from the President of the United States, transmitting a report of the Secretary of State concerning the necessity of legislation by Congress which will provide for the reestablishment of living and office facilities for the diplomatic and consular officers of the United States in Tokyo, Japan; to the Committee on Foreign Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MAPES: Joint Committee on Reorganization. H. R. 9629. A bill to provide for the reorganization and more effective coordination of the executive branch of the Government, to create the Department of Education and Relief, and for other purposes; without amendment (Rept. No. 937). Referred to the Committee of the Whole House on the state of the Union.

Mr. MADDEN: Committee on Appropriations. H. R. 9561. A bill making additional appropriations for the fiscal year ending June 30, 1925, to enable the heads of the several departments and independent establishments to adjust the rates of compensation of civilian employees in certain of the field services; with amendments (Rept. No. 938). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNELL: Committee on Rules. H. Res. 343. A resolution to provide for the consideration of H. R. 8887, a bill to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes; without amendment (Rept. No. 940). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. H. J. Res. 264. A joint resolution authorizing the restoration of the Lee Mansion in the Arlington National Cemetery, Va.; without amendment (Rept. No. 941). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH: Committee on Irrigation and Reclamation. H. R. 9611. A bill to provide safeguards for future Federal irrigation development, and an equitable adjustment of existing accounts on Federal irrigation projects, and for other purposes; without amendment (Rept. No. 942). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 9380. A bill granting the consent of Congress to Board of County Commissioners of Aitkin County, Minn., to construct a bridge across the Mississippi River; without amendment (Rept. No. 943). Referred to the House Calendar.

Mr. GRAHAM of Pennsylvania: Committee on the Judiciary. H. J. Res. 68. A joint resolution proposing an amendment to the Constitution of the United States; with amendment (Rept. No. 944). Referred to the House Calendar.

Mr. REED of New York: Committee on Industrial Arts and Expositions. H. J. Res. 281. A joint resolution providing for the United States Government to have representation at the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida; without amendment (Rept. No. 945). Referred to the House Calendar.

Mr. PERKINS: Committee on Patents. S. 3324. An act to amend section 5 of the trade-mark act of 1905, as amended, relative to the unauthorized use of portraits; with amendment (Rept. No. 946). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SIMMONS: Committee on Irrigation and Reclamation. H. R. 5170. A bill providing for an exchange of lands between Anton Hiersche and the United States in connection with the North Platte Federal irrigation project; without amendment (Rept. No. 947). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on War Claims. S. 1508. An act for the relief of certain officers in the United States Army; without amendment (Rept. No. 948). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 926) granting a pension to John B. Lang, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MAPES: A bill (H. R. 9629) to provide for the reorganization and more effective coordination of the executive branch of the Government, to create the department of education and relief, and for other purposes; committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. WATKINS: A bill (H. R. 9630) authorizing the Secretary of the Treasury to acquire a tract of land in the city of Portland, Oreg., erect a 12-story building thereon to house Federal offices, and to donate the site now occupied by the Federal courthouse to the city of Portland for park purposes; to the Committee on Public Buildings and Grounds.

By Mr. MUDD: A bill (H. R. 9631) to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. GREENE of Massachusetts: A bill (H. R. 9632) for the protection of the northern Pacific halibut fishery; to the Committee on the Merchant Marine and Fisheries.

By Mr. BRITTEN: A bill (H. R. 9633) to increase the efficiency of the United States Navy, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 9634) to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve; to the Committee on Naval Affairs.

By Mr. CRAMTON: A bill (H. R. 9635) to amend sections 4 and 8 of an act entitled "An act to incorporate the Howard University, in the District of Columbia," approved March 2, 1867; to the Committee on Education.

By Mr. BLOOM: A bill (H. R. 9636) to provide for the construction of a new building for the Patent Office, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. NEWTON of Minnesota: A bill (H. R. 9637) to amend subdivisions 11 and 12 of section 20 of the interstate commerce act as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. SINCLAIR: A bill (H. R. 9638) authorizing the use of $3,000 of the tribal trust funds of the Arickarees, Gros Ventres, and Mandan Indians of the Fort Berthold Reservation, N. Dak.; to the Committee on Indian Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 9639) to change the title of Commissioner General of Immigration to Third Assistant Secretary of Labor, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. BERGER: Joint resolution (H. J. Res. 279) providing for the immediate return of all property seized by the United States under authority of the act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. KERR: Joint resolution (H. J. Res. 280) authorizing the Clerk of the House of Representatives to pay Charles H. England compensation from July 1, 1923, to November 30, 1924; to the Committee on Appropriations.

By Mr. CARTER: Concurrent resolution (H. Con. Res. 28) to authorize the printing of proceedings of Congress, together with the proceedings of the unveiling in Statuary Hall, upon the acceptance of the statue of Sequoyah; to the Committee on Printing.

By Mr. SMITH: Resolution (H. Res. 342) providing for the consideration of H. R. 9611; to the Committee on Rules.

By Mr. SNELL: Resolution (H. Res. 343) to provide for the consideration of H. R. 8887, a bill to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONNOLLY of Pennsylvania: A bill (H. R. 9640) granting a pension to Frances McAnnany; to the Committee on Invalid Pensions.

By Mr. CROLL: A bill (H. R. 9641) granting a pension to Nancy Stanton; to the Committee on Invalid Pensions.

By Mr. DAVEY: A bill (H. R. 9642) granting a pension to Julia Miller; to the Committee on Pensions.

By Mr. DRANE: A bill (H. R. 9643) for the relief of W. T. Rice; to the Committee on Claims.

By Mr. DYER: A bill (H. R. 9644) granting an increase of pension to Louisa Fitzsimmons; to the Committee on Invalid Pensions.

By Mr. EVANS of Iowa: A bill (H. R. 9645) granting an increase of pensions to Mary A. Fuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9646) granting an increase of pension to Mary D. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9647) granting a pension to Mary J. Zinnerman; to the Committee on Invalid Pensions.

By Mr. FULBRIGHT: A bill (H. R. 9648) granting a pension to Bettie M. Swafford; to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 9649) granting a pension to Josephine Cannefax; to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 9650) granting an increase of pension to Margaret L. Cray; to the Committee on Invalid Pensions.

By Mr. GLATFELTER: A bill (H. R. 9651) granting an increase of pension to Jennie Hombach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9652) granting an increase of pension to Martha J. Foust; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9653) granting an increase of pension to Julia Ann Carver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9654) granting an increase of pension to Amanda Toot; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 9655) granting an increase of pension to Cora E. Shomo; to the Committee on Invalid Pensions.

By Mr. HOCH: A bill (H. R. 9656) granting an increase of pension to Melvina A. Horner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9657) granting an increase of pension to Margaret J. Johnson; to the Committee on Invalid Pensions.

By Mr. JOST: A bill (H. R. 9658) granting an increase of pension to Editha F. Berry; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 9659) granting an increase of pension to Mary L. Thompson; to the Committee on Invalid Pensions.

By Mr. LINEBERGER: A bill (H. R. 9660) granting a pension to Carrie S. Baxter; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 9661) granting an increase of pension to Sarah F. Spencer; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 9662) granting an increase of pension to Edith Quick; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 9663) granting an increase of pension to Mary E. McJunkins; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 9664) granting an increase of pension to S. Celestia Hunt; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 9665) granting an increase of pension to Louisa Will; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9666) for the relief of Herbert Broadhurst; to the Committee on Claims.

By Mr. THOMAS of Kentucky: A bill (H. R. 9667) granting an increase of pension to Sarah B. Davenport; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 9668) to pay $5,000 to Perry Lee, C. A. Boen, and C. A. Monroe Meadows, of Newton County, Ark.; to the Committee on Claims.

By Mr. CABLE: Resolution (H. Res. 345) providing for an additional clerk to the Committee on Alcoholic Liquor Traffic; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2907. By Mr. BARBOUR: Petition of Roosevelt Camp, United Spanish War Veterans, Los Angeles, Calif., urging immediate passage of pension legislation; to the Committee on Invalid Pensions.

2908. Also, petition of California Bar Association, disapproving legislation, as embodied in Senate bill 624, which would restrict the power of Federal judges in reference to instructing juries; to the Committee on the Judiciary.

2909. By Mr. KING: Petition of Henry County Bankers' Association, in favor of the McNary-Haugen bill; to the Committee on Agriculture.

SENATE

WEDNESDAY, *June 4, 1924*

(Legislative day of Tuesday, June 3, 1924)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF FIRST SETTLEMENT IN KENTUCKY

The PRESIDENT pro tempore laid before the Senate the following communication from the junior Senator from Kentucky [Mr. ERNST], which was read and ordered to lie on the table:

UNITED STATES SENATE,
COMMITTEE ON PATENTS,
May 31, 1924.

Hon. ALBERT B. CUMMINS,
President United States Senate, Washington, D. C.

MY DEAR SENATOR: I have been requested by Mr. James L. Isenberg, director of the Kentucky Pioneer Memorial Association, to extend to you, and through you to the Members of the United States Senate, an invitation to be with the citizens of Kentucky in celebrating on June 16 the one hundred and fiftieth anniversary of the founding of Kentucky's first settlement, the first permanent Anglo-Saxon settlement west of the Alleghenies.

I would appreciate your action in having this invitation laid before the Senate.

Yours very truly,

RICHARD P. ERNST.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes, requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD, Mr. SUMMERS of Washington, and Mr. SANDLIN were appointed managers on the part of the House at the conference.

The message also announced that the House receded from its disagreement to the amendment of the Senate No. 1 to the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes, and concurred therein with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its disagreement to the amendments of the Senate Nos. 2 to 167, inclusive, requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DAVIS of Minnesota, Mr. FUNK, and Mr. AYRES were appointed managers on the part of the House at the conference.

The message further announced that the Speaker of the House had signed enrolled bills and a joint resolution of the following titles, and they were thereupon signed by the President pro tempore:

S. 112. An act providing for a comprehensive development of the park and playground system of the National Capital;

S. 709. An act for the relief of the Commercial Pacific Cable Co.;

S. 799. An act for the relief of F. A. Maron;

H. R. 7041. An act to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916; and

H. J. Res. 237. Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes.

The message also announced that the House had concurred in the following concurrent resolution (S. Con. Res. 19) of the Senate:

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the enrolled bill (S. 2169) entitled "An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes," be rescinded, and that in the enrollment of the said bill the following amendment be made, viz: On page 2, line 12, strike out the words "for animals loaned to the National Guard."

PETITION

Mr. REED of Pennsylvania presented a petition of sundry citizens of Philadelphia and vicinity, in the State of Pennsylvania, and of Riverton, N. J., praying an amendment to the Constitution granting equal rights to men and women, which was referred to the Committee on the Judiciary.

DISCRIMINATORY TONNAGE AND CUSTOM DUTIES

Mr. JONES of Washington presented a copy of a survey of treaty stipulations limiting the right of the United States to levy discriminatory tonnage and custom duties in favor of United States vessels, prepared by Prof. Charles C. Thach, of the Johns Hopkins University, under the supervision of the Council of American Shipbuilders (Inc.), which was ordered to be printed as a Senate document.

REPORTS OF COMMITTEES

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (H. R. 3748) for the relief of the Lebanon National Bank (Rept. No. 724); and

A bill (H. R. 4280) for the relief of the Chamber of Commerce of the city of Northampton, Mass. (Rept. No. 725).

Mr. GOODING, from the Committee on Irrigation and Reclamation, submitted a report (No 726) to accompany the bill (S. 3372) to provide safeguards for future Federal irrigation development, and an equitable adjustment of existing accounts on Federal irrigation projects, and for other purposes, as amended May 31, 1924, heretofore reported from that committee.

Mr. BAYARD, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 6328) for the relief of Charles F. Peirce, Frank T. Mann, and Mollie V. Gaither (Rept. No. 727); and

A bill (H. R. 7194) for the relief of Bertram Gardner, former collector of internal revenue for the first district of New York (Rept. No. 728).

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 1078) for the relief of the Fred E. Jones Dredging Co. (Rept. No. 729);

A bill (H. R. 2335) for the relief of J. Jessop & Sons (Rept. No. 730);

A bill (H. R. 2373) for the relief of the Standard Oil Co. at Savannah, Ga. (Rept. No. 731);

A bill (H. R. 5448) for the relief of Clifford W. Seibel and Frank A. Vestal (Rept. No. 732);

A bill (H. R. 5774) for the relief of Beatrice J. Kettlewell (Rept. No. 733); and

A bill (H. R. 6498) for the relief of May Adelaide Sharp (Rept. No. 734).

Mr. BRUCE, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2033) for the relief of Philip T. Post (Rept. No. 735); and

A bill (H. R. 2656) to permit the correction of the general account of Robert G. Hilton, former Assistant Treasurer of the United States (Rept. No. 736).

Mr. HARRELD, from the Committee on Claims, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 52) for the relief of Alice M. Durkee (Rept. No. 737); and

A bill (S. 54) for the relief of Yvonne Therrien (Rept. No. 738).

Mr. MAYFIELD, from the Committee on Claims, to which was referred the bill (S. 594) for the relief of Wynona A. Dixon, reported it without amendment and submitted a report (No. 739) thereon.

Mr. SMITH, from the Committee on Interstate Commerce, to which was referred the bill (H. R. 8578) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended, reported it without amendment and submitted a report (No. 740) thereon.

Mr. PEPPER, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 135) granting permission to the Roosevelt Memorial Association to procure

plans and designs for a memorial to Theodore Roosevelt, reported it without amendment.

Mr. BRANDEGEE, from the Committee on the Judiciary, to which was referred the bill (H. R. 2860) for the establishment of a United States industrial reformatory, reported it without amendment.

Mr. LADD, from the Committee on Commerce, to which was referred the bill (S. 3409) granting the consent of Congress to the Delaware State Highway Department to construct a bridge across the canal near Rehoboth, Del., reported it with amendments and submitted a report (No. 741) thereon.

Mr. REED of Pennsylvania, from the Committee on Military Affairs, to which was referred the bill (H. R. 5661) granting permission to Col. Harry F. Rethers, Quartermaster Corps, United States Army, to accept the gift of a Sevres statuette entitled "Le Courage Militaire," tendered by the President of the French Republic, reported it without amendment and submitted a report (No. 745) thereon.

Mr. ERNST, from the Committee on Patents, to which was referred the bill (H. R. 21) to amend the patent and trademark laws, and for other purposes, reported it without amendment and submitted a report (No. 746) thereon.

REVISION OF THE LAWS

Mr. ERNST. I ask unanimous consent to have printed in the RECORD in full Senate Report No. 722, submitted by me on yesterday from the Select Committee on Revision of the Laws, to which was referred the bill (H. R. 12) to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923, together with the accompanying joint resolution (S. J. Res. 141) providing for the appointment of a commission, and so forth. The report and joint resolution were noted in the usual way in the RECORD on yesterday.

There being no objection, the joint resolution and report were ordered to be printed in the RECORD, as follows:

Joint resolution (S. J. Res. 141) providing for the appointment of a commission to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923

Whereas the President of the United States in his annual message to the Congress dated December 6, 1923, recommended that a commission or committee be created to undertake a revision of the statute law of the United States: Therefore be it

Resolved, etc. First. That a commission of three persons, experts in the statute law of the United States, and of whom at least two shall be members of the bar, be appointed by the President of the United States to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923, and to report to the President within one year from the date of appointment.

Second. That the commission shall be at liberty to adopt the matter contained in H. R. 12, passed by the House of Representatives January 15, 1924, as the basis of such bill as it may recommend for enactment.

Third. That in making and submitting a draft of such bill the commission shall—

(a) Deal with all legislation in the body of the bill without resort to the use of an appendix or supplement.

(b) Include in the bill a system of convenient cross references and an adequate index.

Fourth. That each of the commissioners shall receive the sum of $7,500 as compensation for his services.

Fifth. That the commission shall have authority to employ, in its discretion, clerical and stenographic assistants.

Sixth. That the officers of the various departments of the Government be, and they hereby are, requested actively to cooperate with said commission in perfecting the laws relating to their respective departments.

Seventh. That there is hereby appropriated for the payment of the compensation of the commissioners and for the expenses of the commission, out of any moneys in the Treasury not otherwise appropriated, the sum of $30,000, or so much thereof as may be necessary.

[Senate Report No. 722, Sixty-eighth Congress, first session]

CODIFICATION OF LAWS

Mr. ERNST, from the Select Committee on Revision of the Laws, submitted the following report, to accompany Senate Joint Resolution 141:

The Select Committee on Revision of the Laws, to whom was referred the bill (H. R. 12) to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923, herewith submit the following report:

H. R. 12 represents an enormous amount of painstaking work on the part of the House Committee on the Revision of the Laws under the leadership of Congressman LITTLE.

The effect of the bill, if it were to become law, would be to enact the 60 titles embraced in it and the supplements thereto as a substitute for all the general and permanent congressional legislation since 1878.

The purpose of the law is to set forth in one volume this great body of statute law, so that reference to and examination of the statutes and the Statutes at Large may not be necessary.

The first 10,740 sections of the act are intended to embody the laws enacted down to and including March 4, 1919. A supplementary extension of these sections is appended, designed to embody the legislation down to and including December 3, 1923. The repeal clauses operate upon all acts of Congress passed prior to that date of which any portion is embraced in any section of the proposed act. This repeal is subject to a proviso (sec. 10742) to the effect that the incorporation of any general and permanent provision from an act not itself general or permanent shall not repeal or in any way affect any of the matter in the act in question not included in the codification.

From the foregoing statement it will be evident that this bill ought not to become law until every possible precaution has been taken to insure the accuracy of the work.

Such examination as the committee has been able to make has satisfied us that the bill in the form in which it passed the House should be subjected to searching and critical revision by a committee of experts with instructions to report to the President within a year. Under no circumstances could the committee approve the revision unless the sections now contained in the supplement were properly distributed throughout the code. Unless this distribution is made the usefulness of the volume is seriously impaired. As the bill is drawn at present, important legislative matter in the body of the act is repealed or superseded by the provisions of the supplement. If the bill were to be enacted in its present form the Congress would, for example, reenact the Underwood tariff law, and, simultaneously, the tariff act of 1922, relying upon the repeal clauses of the latter to operate upon the provisions of the former. It is as much of a task to relate the supplement to the earlier portion of the act and to determine its legal effect upon the preceding matter as it would be to compare the whole act with any extraneous body of legislation and decide what was the relation between the two bodies of law. In other words, the reader who refers to the act is left to do for himself an important part of the work which the revisers ought to do for him.

The report submitted in the House of Representatives to accompany H. R. 12 contains the following paragraph:

"The colossal task of codifying into one volume the contents scattered through 56 great volumes of Federal law has been completed after years of painstaking effort and with the help of the most careful experts in codification. H. R. 12 presents the law as it is with all of its incongruities, contradictions, repetitions, ambiguities, and perplexities. For the codifier to attempt to change in any particular the law as it has been made by Congress would lead so quickly to discussion and differences of opinion and interpretation that it would be impossible to secure, under the rules of Congress, any success in the codification of our laws."

The committee calls attention to the fact that many of the "incongruities, contradictions, repetitions, ambiguities, and perplexities" referred to in the above extract are believed by the committee to be the result of errors in codification, as distinguished from mistakes in existing law. There is, in the opinion of the committee, need of expert work upon this bill before it can be determined with accuracy which of these unfortunate conditions are attributable to the imperfect work of the Congress and which of them to the imperfect work of the revisers. One great difficulty with the present situation is that it is a very considerable task to determine which of the multitude of conceded errors are due to mistakes in codification and which to defects in the laws which have been codified. That this is true will appear if reference is made to the CONGRESSIONAL RECORD of March 2, 1923, which contains a speech on this subject by Senator ERNST, together with a number of supporting documents. This speech was made in reference to H. R. 12, which was passed by the House at the last session of Congress, but Mr. LITTLE in a speech appearing in the CONGRESSIONAL RECORD of Monday, January 7, 1924, stated that the present bill, also known as H. R. 12, is practically the same as the old bill. Some of the errors pointed out by Senator ERNST were corrected but many were not.

It can not be the proper work of a committee of the Senate or the House to accept responsibility for the discharge of such a highly specialized function as to make the discrimination in question. If Senators or Representatives serving on a Committee on the Revision of the Laws were to do this work themselves it would be necessary for them to devote their whole time to it, to the exclusion of the other equally important duties which they are bound to discharge.

In addition to the matter contained in the record above referred to, the committee refers to the following:

1. A series of corrections of H. R. 12, prepared by the legislative reference service and contained in the appendix to this report. An examination of these corrections will disclose two things:

First, that while some of the specified errors may be errors in the existing law, yet the greater number of them are errors in codification, and, second, that the determination of the question to which of these categories a given error belongs is a determination which can be made only after an exhaustive and highly specialized study.

That this is true sufficiently appears from the fact that all of the specifications of error noted in the appendix have been brought to the attention of the House committee but have not been deemed by the committee to be of sufficient seriousness to prevent the enactment of H. R. 12 exactly as it stands and without any reference to what the Senate committee believes to be preventable error.

2. The committee also refers to letters from various heads of executive departments and other Government officials and from other persons calling attention to particulars in which H. R. 12 is defective. These letters and the inclosures referred to therein are likewise included in the appendix.

It has not been possible for the committee to check the accuracy of the criticisms and comments made by the officials whose letters were submitted. The committee deems it its duty merely to call the attention of the Senate to these communications as indicating the necessity for some such process of further revision and correction as that hereinafter recommended.

The committee is sensible of the impatient desire of many that H. R. 12 should be enacted forthwith. It is not easy to resist the pressure for immediate enactment exerted by persons of standing and influence who are, however, imperfectly informed and therefore disqualified from expressing really weighty opinions. Over against their urgency the committee sets the facts above summarized and the specifications contained in the appendix.

If H. R. 12 were enacted in its present form it could be nothing more than another book on the shelf—a starting point from which the user would have to make his own independent examination of the original statutes in order to determine the actual significance of the matter contained in the revision.

In view of all these considerations the committee is compelled to recommend that H. R. 12 be not enacted into law, but that in lieu thereof the resolution herewith submitted be adopted.

RICHARD P. ERNST,
GEORGE WHARTON PEPPER,
N. B. DIAL,
Committee.

JUNE 2, 1924.

APPENDIX

PART I

MEMORANDUM CONCERNING SECTIONS 1–10740 OF H. R. 12, SIXTY-EIGHTH CONGRESS

Section 52: The messenger at the card door is in the office of the Sergeant at Arms and not in the post office.

Section 239: The last part of this section was amended by 20 Stat. 183.

Section 292: The last clause is superseded by the repeal of R. S. 4589, in 29 Stat. 691, s. 16.

Section 324: Largely superseded by 33 Stat. 262 and 34 Stat. 1158.

Section 325: The word "now" (line 3) should be "prior to July 27, 1892." The words "Record and Pension division" (lines 5–6) should be "Adjutant General's office."

Section 328: The word "now" (line 3) should be "prior to April 28, 1904." The words "Record and Pension office" (line 5) should be "Adjutant General's office."

Section 350: The word "hereunder" (proviso) should be "under the preceding section."

Section 413: The words "now required by law" (last line) should be "required by law prior to July 31, 1894."

Section 416: The word "fourteen" (line 6) should be "thirteen."

Section 423: The word "fourteen" (second paragraph, line 5) should be "thirteen."

Section 453: Superseded by the second paragraph of section 5543.

Section 456: The word "fifty-three" (line 5) should be "forty"; the word "ninety-four" (line 6) should be "eighty-one." The section is largely, if not altogether, superseded by 20 Stat. 650, s. 3.

Section 467: The word "sixty-five" (line 3) should be "sixty-four."

Section 489: Largely, if not altogether, superseded by 34 Stat. 459.

Sections 508, 554: The Solicitor for the Post Office Department is either in the Department of Justice or in the Post Office Department, not both.

Section 512: Superseded by section 3462.

Section 586: The last line should be "exigencies of the service or by law."

Section 600: The word "now" (second column, line 5) should be "prior to April 27, 1904"; the word "now" (second column, line 10) should be "prior to June 29, 1906."

Section 638: The word "now" (line 2) should be "in the Bureau of Yards and Docks July 1, 1918."

Section 671: The words "in the Indian service" should be inserted after "automobiles" (line 2).

Section 730: Largely superseded by section 5893.

Section 752: Largely superseded by section 5903.

Section 764. The words "already established" (line 12) should be "established prior to March 3, 1915."

Section 830: The words "this appropriation" (line 4) should be "the appropriation for rent of buildings."

Section 836: The word "now" (line 1) should be "prior to October 1, 1890."

Section 845: The last three lines are amended or superseded by section 787.

Section 852: The words "to be called the Bureau of Statistics" (second column; lines 11–12) are superseded by 37 Stat. 407.

Section 865: The word "Congressional" (line 2) should be "Public."

Section 870: The words "to be called the Bureau of Manufactures" (lines 2–3) are superseded by 37 Stat. 407. The words "consuls, and commercial agents" (second column, line 7) should be "and consuls." (See 34 Stat. 100.)

Section 871: The words "The purpose of the Bureau of Statistics" (line 2) should be "A purpose of the Bureau of Foreign and Domestic Commerce."

Section 883: The word "now" (last sentence, line 2) should be "prior to July 5, 1884."

Section 890: The word "now" (line 2) should be "prior to June 17, 1910." The word "hereby" (p. 66, line 2) should be "subsequently."

Section 937: The proviso is probably obsolete; if not, the words "Treasury Department" should be "Department of Labor."

Section 941: The word "sixty" (line 7) should be "fifty-nine."

Section 949: This provision is not as it stands law in force; the function in question has been transferred to the Census Bureau.

Section 963: This tabulation does not correspond either to the original permanent provision nor to those of appropriation acts subsequent to 1917 (e. g., 40 Stat. 1263).

Section 988: The words "page 632" should be inserted after "large" (last paragraph, line 1), as there are eight chapters 57 in volume 4. The words "page 223" should be inserted after "Large" (line 3). The word "nor" (line 3) should be "or."

Section 1032: The words "at present" (line 5) should be "on December 21, 1911."

Section 1199: The words "the time provided by law after" should be "six months from the date of."

Section 1236: The words "or vice-consul" (six times) should be "vice-consul, or commercial agent."

Section 1265: The words "and shall not * * * damages" (lines 3–6) and "of the captors and" (line 8) should be omitted.

Section 1296: The words "this chapter" (lines 2–3) should be "sections 1174, 1276, 1287, and 1328."

Section 1306: The second paragraph on page 115 is superseded by section 1330.

Section 1312: Largely superseded by sections 1332 and 1335.

Section 1313: Largely superseded by sections 1308 and 1332.

Section 1314: The words "marshals, or clerks" (line 3) should be omitted.

Sections 1317, 1318: Largely if not altogether superseded by sections 1308–1310.

Section 1341: The word "to" should be inserted after "twenty-nine" (line 8) and "thirty-seven" (line 9).

Section 1345: The words "be the same as those now fixed by law" (next to last line) should be "apply in all respects to and be construed as fixing the annual salaries of the assistants in the office of the United States attorney."

Section 1399: The words "vice consul, or other consular officer" (line 3) should be "or vice-consul."

Section 1414: This provision does not appear in 28 Stat. 612, and I have been unable to locate it elsewhere in the statutes; cf. section 5872.

Sections 1430–1434: If these provisions are not altogether obsolete they should refer to section 988, instead of to the act of 1887.

Section 1497: The words "or circuit" (second paragraph, line 2) should be omitted.

Section 1520: Superseded by section 1546.

Section 1610: The status of this provision is not entirely clear (cf. 150 U. S. 398, 199 U. S. 399, 203 U. S. 573, and 79 Fed. 755). The word "four" (line 2) has no statutory basis, as the sections originally referred to were R. S. 763–765, which are not included in H. R. 12. The amendment in 27 Stat. 751 should be included and not merely cited.

Section 1664: The word "now" (line 9) should be "prior to February 14, 1903."

Section 1692: The word "hereinbefore" (line 2) is inaccurate, because meaningless here; its use makes the entire section meaningless. The section should probably be omitted as temporary.

Section 1773: The word "Const" should be inserted before "Artillery" (last line).

Section 1804: The words "are now" (line 3) should be "were on March 17, 1916." The entire provision is probably obsolete.

Sections 1813, 1814: These provisions are inconsistent, in so far as section 1814 relates to minors.

Section 1831: The proviso is probably obsolete; the word "now" should be "on October 1, 1890"; "existing laws and regulations" should be "laws and regulations existing prior to that date."

Section 1840: The word "now" (second paragraph, line 10) should be "on February 2, 1901."

Section 1864: The words "who may hereafter be appointed" (line 2) should be "appointed since August 24, 1912."

Section 1865: The word "now" (line 5) should be "on February 27, 1890." The entire provision is probably obsolete.

Section 1875: The word "act" (proviso, line 2) should be "section."

Section 1881: The word "hereunder" (last line) should be "under section 1878."

Section 1900: The words "or the Naval Militia" (line 13) should be omitted.

Section 1904: The words "or subsistence" should be inserted after "quartermaster's" (line 2).

Section 1909: The words "commissary of subsistence" (line 3) is inaccurate, as there are no such officers.

Section 1910: The words "commissary's of subsistence" (lines 2–3) should be "officers of the Quartermaster Corps."

Section 1967: The words "or the preceding" (last sentence, line 1) should be omitted.

Section 1984: The words "military prison" (line 5) should be "disciplinary barracks." The words "and the prison" (line 7) should be omitted. The last part of the section is largely superseded by section 1986.

Section 1989: The word "now" (lines 2, 9) should be "on March 3, 1911" or be omitted.

Section 1993: The word "now" (lines 2, 9) should be "on March 3, 1909" or be omitted.

Section 2020: The word "heretofore" (line 2) should be "prior to March 3, 1875." The word "act" (third from last line) should be "section." The entire provision is probably obsolete.

Section 2029: The proviso should be omitted.

Section 2033: The words "have been" (line 2) should be "were prior to February 16, 1891." The words "being section 2079 hereof" (line 5) is incorrect. The entire section should probably be omitted.

Section 2034: The words "instead of four hundred, as now fixed by law" (lines 2–3) should be omitted, or "now" changed to "prior to February 16, 1891." The words "have been" (lines 3–4) should be "were prior to February 16, 1891."

Section 2038: The words "except as otherwise provided" should be inserted after "duty" (line 5).

Section 2040: The words "except of the Medical Reserve Corps" (line 4) should be omitted. The word "ninety-eight" (line 13) should be "forty-eight."

Section 2043: Superseded by section 2045.

Section 2046: The amendment in 38 Stat. 831 should be included and not merely cited. The section is further amended by section 2049.

Section 2058: The words "hereafter rendered" (last line) should be "rendered after April 23, 1904."

Section 2070: Same as section 1631.4. The word "by" (line 3) should be omitted.

Section 2156: The last three lines (after the word "prices") are repealed by 35 Stat. 367.

Section 2159: The words "commissaries of subsistence" (lines 4, 9) should be "officers of the Quartermaster Corps."

Section 2219: Superseded by section 5965.

Section 2249: The words "Engineer Corps of the Navy" (proviso, line 3) is obsolete. (See 30 Stat. 1004, 1005.)

Section 2254: The words "now authorized to be detailed under the existing provisions of said section" (line 8) should be "therein authorized to be detailed."

Section 2282: Largely superseded by section 2284.

Section 2284: The word "act" (last line) should be "section."

Section 2414: Meaningless or inaccurate.

Section 2444: Superseded by sections 2788–2793.

Section 2450: The word "heretofore" (lines 5, 7) should be "prior to August 29, 1916."

Section 2460: Repealed by R. S. 5596.

Section 2463: Repealed by section 2464.

Section 2465: The first clause is superseded by section 2472. All of sections 2465–2471 are probably obsolete.

Section 2469: The words "except the appointment of acting dental surgeons" (lines 5–6) have no relation to section 2465.

Section 2477: Superseded in part by sections 2478 and 2479. The words "hereafter" (line 3) and "hospital stewards" (line 6) should undoubtedly be omitted.

Section 2481: The words "said corps" (line 4) should be "the Hospital Corps."

Section 2485: The words "of quarters" should be inserted after "commutation" (line 3).

Section 2486: The words "are increased by" (line 3) are inaccurate. The entire section is probably superseded by section 2441.

Section 2500: The words "chief engineers in the service" (line 2) should be "officers of the Navy performing engineering duty."

Section 2525: The words "subject to the provisions of section 2793" should be added at the end.

Section 2549: The word "three" (line 5) should be "four."

Section 2555 (and probably 2556 also): Superseded by section 2554.

Section 2560: Superseded by section 2561.

Section 2563: The words "or as provided in section 2561" should be added at the end.

Section 2564: This is clearly obsolete at present (1865 + 55=1920).

Section 2583: Undoubtedly obsolete at present, as the officers would need to have been retired prior to July 16, 1862.

Section 2586: The word "sixty-two" (line 3) should be "sixty-four." The words "except as otherwise provided" should be inserted after "shall" (line 3).

Section 2587: Superseded in part by section 2788.

Section 2588: The words "2596 and 2599" should be inserted after "ninety-three" (line 6).

Section 2589: The words "except as provided in sections 2596, 2597, and 2601" should be inserted at the beginning.

Section 2590: Largely if not altogether superseded by section 2599.

Section 2618: Largely if not altogether superseded by section 2619.

Section 2659: The word "midshipmen" (twice) should be "ensigns," or the entire section should be omitted. (See 22 Stat. 472, and 23 Stat. 60.)

Section 2676: The words "except as otherwise provided" should be added at the end.

Section 2683: Superseded by section 2589. (See 18 Op. A. G. 96.)

Section 2714: The words "*Provided*, That the total amount paid shall not exceed $175,000 annually" should be inserted at the end of the first sentence.

Section 2729: The words—"Engineer Corps of the Navy" (line 6) are incorrect.

Section 2749: Superseded by section 2750.

Section 2758: The second sentence is superseded by the first.

Section 2764: Largely if not altogether superseded by section 2809.

Sections 2767–2769: Partly superseded by section 2441.

Section 2772: Largely if not altogether superseded by sections 2501 and 2504.

Section 2775: The words "2763 or" should be inserted after "section" (line 3).

Section 2806: The words "prior to March 3, 1909," should be inserted after "law" (second column, line 6).

Section 2830: Partly if not altogether superseded by sections 2829 and 2831.

Sections 2844, 2845: Superseded by sections 2846–2850.

Section 2846: The second sentence is largely if not altogether superseded by sections 2282 ff, 2850.

Section 2885: The words "except as otherwise provided" should be inserted after "shall" (line 3). The word "act" (line 7) should be "section."

Section 2899: Superseded by section 2901.

Section 2900: Partly superseded by section 2901.

Section 2941: The last word in line 4 should be omitted.

Section 2952: The last sentence is largely if not altogether superseded by section 2951.

Section 2953: The last sentence should be omitted.

Section 2958: The words "except as provided in the following section" should be added at the end.

Section 2965: The words "each other" (line 3) should be "the members, other than officers, of each."

Section 2987: The last sentence is largely if not altogether superseded by section 2954.

Section 2991: The words "of the Fleet Naval Reserve" (lines 3–4) should be omitted.

Section 3063: The words "except as provided in section 3116" should be added at the beginning.

Section 3066: Superseded by section 3106.

Sections 3230–3232: The word "legation" (line 2) should be "embassy."

Section 3267: The word "now" (line 10) should be "prior to January 27, 1870."

Section 3311: The words "heretofore incurred" (lines 3–4) should be "incurred prior to June 6, 1898."

Section 3330: This was originally a temporary provision. The words "heretofore rendered" (lines 4–5) should be "rendered prior to May 10, 1916." The word "this" (line 7) should be "the preceding."

Section 3331: The words "the preceding section" (lines 3–4) should be "section 3329."

Section 3332: The word "thirty" (line 5) should be "twenty-nine."

Section 3335: The words "section 3333 of the Code of the Laws of the United States" (lines 4–5) are inaccurate. The act in question was section 3333 of H. R. 9389 (66th Cong.), but is not included in H. R. 12. This entire section should be omitted or the original provision included.

Section 3352: The words "this act" (line 6) should be "the act of March 1, 1889, including all days of service which the National Guard, or any portion thereof, may be ordered to perform by the commanding general."

Section 3363: The words "commissioners of the circuit courts" (line 7) should be "United States Commissioners."

Section 3365: The words "prior to" (next to last line) should be "after."

Section 3388: The word "act" (last paragraph, line 7) should be "chapter."

Section 3389: The word "act" (line 12) should be "chapter."

Section 3395: The words "Civil Service Commission" (lines 8, 16) should be "Bureau of Efficiency."

Section 3396: The words "Civil Service Commission" (line 2) should be "Bureau of Efficiency."

Section 3399: The word "Division" (line 1) should be "Bureau." The word "hereunder" (last clause) is inaccurate.

Section 3410: The word "title" (last line) should be "chapter."

Section 3411: The words "by the President" (lines 3–4) are superseded by section 3462.

Section 3433: The words "this or" and "other" (line 2) should be omitted.

Section 3448: The second sentence should take account of the amendments in sections 3450–3453, 3459, and 3460. The third proviso should take account of the amendment in Thirty-third Statutes 10. The word "wherein" (first line of proviso) should be "where in."

Section 3451: The words "joint control of the Commissioners of the District of Columbia and" (lines 15–16) should be "control of."

Section 3452: The word "section" (end of first proviso) should be "paragraph."

Section 3456: The word "now" (line 2) should be "prior to May 27, 1908."

Section 3466: Superseded by section 6866.

Section 3478: The word "now" (second column, lines 1, 3) should be "on July 16, 1914."

Section 3481: The fourth sentence is superseded by the second paragraph. The word "resolution" (three times) should be "section."

Section 3500: The word "twenty-four" (line 9) should be "thirty-four."

Section 3530: The word "section" (last clause, twice) should be "paragraph."

Section 3537: The word "to" should be inserted after "twenty-three" (line 5).

Section 3542: Largely superseded by Judicial Code, or meaningless because other provisions of original act held unconstitutional.

Section 3544: Superseded by Judicial Code.

Section 3550: The words "preceding section" (line 3) should be "three preceding sections."

Section 3551: Lines 8–9 are inaccurate since the enactment of the Criminal Code.

Section 3556: The first clause is superseded by sections 1308, 1330, and 1332.

Section 3558: Lines 3–4 are inaccurate since the enactment of the Criminal Code.

Section 3560: The words "the Territory of" (line 3, 5) should be omitted.

Section 3561: Probably obsolete; if not, the words "the Territory of" (line 2) should be omitted.

Section 3569: The words "for the maintenance of the University" should be inserted after "appropriation" (line 3).

Section 3579: The words "chapters one and two" (next to last line) should be "chapter two."

Section 3614: The word "provision" (line 12) should be "provisions."

Section 3656: The words "the collector of customs of the port in the district in the United States at which the person named therein shall arrive" (last sentence) should be "such officer under the control of the Commissioner General of Immigration as the Secretary of Labor may designate therefor."

Section 3659: Largely temporary; the reference to the Philippine Commission (three times) is inaccurate, as this commission was long ago abolished.

Section 3662: The last 11 words do not appear in the original; the words "this act" are clearly inaccurate.

Section 3693: The word "hereafter" (line 8) should be "after June 29, 1906."

Section 3702: The words "this appropriation" (line 3) are inaccurate and make the first part of the section practically meaningless.

Section 3704: The first proviso in the last column is superseded by the provision cited in section 3702.

Section 3767: The words "The first election" (line 1) should be "Elections."

Section 3791: The words "ten days after the third Tuesday of October" (line 8) are superseded by section 3795.

Section 3802: The words "hitherto made" (third paragraph, line 12) should be "made prior to June 6, 1900."

Section 3824: The words "Isthmian Canal Commission" (last part of first paragraph) are inaccurate, as this commission was long ago abolished.

Section 3869: The words "the Treasury" (lines 2–3) should be "Commerce."

Section 3871: The words "said sections" (line 9) should be "section 3860."

Section 3877: The words "April 30, 1900" should be inserted after "Islands" (line 5).

Section 3878: The section numbers listed are not entirely accurate; 4002, 3771, and 3878 should be omitted, and 4007, 4009, and 4010 added.

Section 3911: The words "The first regular session" (line 1) should be "Regular sessions."

Chapter IV (secs. 3957–4038): Largely superseded by Chapters II and III of same title.

Section 4008: Amended by 37 Stat. 33.

Section 4144: The words "Philippine Commission" (line 9) are inaccurate, as this commission was long ago abolished.

Section 4166: The words "United States Philippine Commission or its successors" (lines 1–2) should be "successors of the United States Philippine Commission."

Section 4179: The words "Philippine Commisson or its successors" (last sentence) should be "successors of the Philippine Commission."

Section 4192: The words "United States Philippine Commission, or its successors" (line 5) should be "successors of the United States Philippine Commission."

Section 4250: Largely superseded by section 4251, 27 Stat. 614 and 28 Stat. 288.

Section 4255: This section does not adequately express the provision of 28 Stat. 288.

Section 4302: The first seven lines are apparently temporary; if permanent, the words "Indian goods and supplies" (line 2) should be "goods, provisions, and other articles for the various tribes of Indians." The proviso should be "Indian goods and supplies shall be transported by contract, the contracts if involving an expenditure of more than $2,000 being advertised and let to the lowest responsible bidder, or in open market by common carriers, as the Secretary of the Interior in his discretion shall determine."

Section 4316: Probably temporary; if not, the word "said" (line 3) should be omitted.

Section 4370: The words "otherwise dispose of the dead timber" (line 23) should be "dispose of the dead timber otherwise than by sale." The first part of the section should also be revised to take account of Thirty-second Statutes 404, section 4.

Section 4384: The third sentence (which related only to Indian Territory) is obsolete. The first part of the fourth sentence has been held unconstitutional (197 U. S. 503, 509.)

Section 4443: Amended by Thirty-first Statutes 1085, section 9.

Section 4451: The words "the said Indian Territory" (lines 4–5) should be "Oklahoma."

Section 4512: This provision, so far as it relates to Louisiana, is largely obsolete.

Section 4513: The words "duly certified by him" (line 3) are obsolete, as there is no longer a surveyor general for Louisiana.

Section 4526: The words "except as provided in section 4572" should be added at the end.

Section 4536: This provision was originally a proviso attached to section 4535. The omission of the words "*Provided further*, That" at the beginning appears to change the meaning.

Section 4572: Largely superseded by sections 4573, 4574, and 4576.

Section 4579: The words "forest reserve" last proviso, line 2) should be "national forest"; "heretofore created" (next line) should be "created prior to August 24, 1912."

Section 4588: The word "eleven" (last proviso, line 5) should be "forty-one."

Section 4610: This section (and sec. 4609) are probably obsolete; if not, the words "preemption, timber culture" (lines 4–5) should be omitted.

Section 4619: This section should be: "Except as otherwise provided, no person shall be permitted to acquire title to more than one quarter section under the provisions of this chapter."

Section 4620: The exceptions noted are not a complete list; e. g., sections 4649, 4650.

Section 4631: The words "or of sections 4634–4638" should be inserted after "sections" (line 4).

Section 4632: The words "and sections 4630, 4636, and 4637" should be inserted after "inclusive" (line 3).

Section 4638: The words "as provided by section 4624 or section 4634" should be inserted at the end of the first proviso.

Section 4687: The words "the passage of said act" (last paragraph, lines 5–6) should be "said date."

Section 4793: The word "hereafter" (line 5) should be "thereafter."

Section 4815: Superseded by section 4816.

Section 4847: The word "heretofore" (line 2) should be "prior to June 27, 1906."

Section 4860: The word "heretofore" (line 2) should be "prior to August 17, 1916."

Section 4863: The word "heretofore" (lines 3, 8) should be "prior to February 13, 1911," or be omitted.

Section 4871: The words "public sale * * * the preceding section" (lines 4–7) should be "said sale."

Section 4876: Superseded by sections 4719 and 4877.

Section 4906: The words "This section and" (line 1) should be omitted.

Section 4907: The reference to section 4865 (line 5) should be to section 4884.

Section 4950: The word "this" (line 3) should be "the preceding."

Section 4976: The words "last past" (last line) should be "prior to December 13, 1894."

Section 5023: The first sentence should be: "Suits by the United States to vacate and annul patents erroneously issued under a railroad or wagon-road grant shall only be brought within six years after the date of the issuance of such patents."

Section 5043: The words "heretofore passed" (last line) should be "prior to March 3, 1875," or be omitted.

Section 5044: The word "heretofore" (line 3) should be "prior to February 25, 1909"; "has now" (lines 6–7) should be "had on that date"; "now" (p. 493, line 2) should be "then."

Section 5045: The word "already" (line 8) should be "prior to August 8, 1894." The word "section" (second paragraph, line 7) should be "paragraph."

Section 5048: The words "by the act of August 30, 1890" should be inserted at the end of line 3.

Sections 5058–5860: The words "forest reservation(s)" should be "national forest(s)." Section 5058 and part of section 5060 are probably superseded by section 5063.

Section 5061: The words "forest reserves" (line 5) and "reserve" (last line) should be "national forests."

Section 5062: The word "heretofore" (second paragraph, line 2) should be "prior to March 4, 1911." The word "hereafter" (next to last line) should be "thereafter."

Section 5082: The word "sections" (first proviso, line 2) should be "section."

Section 5120: The word "three" (line 4) should be "four."

Section 5123: The words "are now" (p. 502, line 12) should be "were then."

Section 5135: The words "other lands within the former Territory of Oklahoma now occupied" (lines 3–4) should be "lands within the former Territory of Oklahoma, other than those specified in the first three paragraphs of section 18 of the act of May 2, 1890, occupied on that date." The words "or Indian Territory with any land right to any land in either of said Territories" (last sentence) should be "with any land or right to any land in said State."

Sections 5136, 5138, 5139, 5142: The words "Oklahoma Territory" (several times) should be "Oklahoma" or "the former Oklahoma Territory."

Sections 5143–5151: Probably temporary, and partly superseded by section 5152.

Section 5153: If this provision is in force, the words "the Territory of" (p. 506, line 1) should be omitted.

Section 5158: The second proviso on page 507 is superseded by section 5159.

Section 5168: The words "and the provisions of sections 10407 and 10408 shall apply to such affidavits" should be inserted at the end of line 1, page 509.

Section 5184: Superseded by section 5188.

Section 5188: The words "the three preceding sections" (line 3) should be "this chapter." The word "n" (line 4) should be "in."

Section 5209: Probably superseded by section 5218. If not, 26 Stat. 1100 s. 12 should be included.

Section 5210: The reference to section 12 of 26 Stat. 1100 (end of second sentence) should be omitted, unless that section is to be incorporated somewhere in the bill. The entire section is very likely superseded by sections 5218 and 5222.

Section 5214: The word "heretofore" (second paragraph, line 3) should be "prior to May 14, 1898."

Section 5221: Probably superseded by section 5222. The words "said section" (line 4) are meaningless as they stand.

Section 5247: Largely superseded by section 5274.

Section 5257: The word "Cole" (line 8) should be "Code."

Section 5265: The words "such forest reservations" (line 2) should be "national forests"; "forest reservation" (line 5) should be "national forest."

Section 5266: The words "forest reserves" (line 5) should be "national forests."

Section 5282: Partly superseded by sections 5284–5286.

Section 5284: The words "forest reserve" and "reserve" (lines 4, 7, 10, 11, 13) should be "national forest."

Section 5285: The words "may from time to time be divided" should be inserted after "States" (line 5).

Section 5288: The first part is clearly temporary and obsolete.

Section 5290: The word "reserves" (line 3) should be "forests."

Section 5297: The words "forest reserves" (line 3) should be "national forests"; "have already" (line 4) should be "had on that date"; "are" (line 5) should be "were."

Section 5299: The words "Forest Reserves" (line 4) should be "National Forest."

Section 5313: The word "paragraph" (next to last line of first paragraph) should be "paragraphs of this section." The paragraph "Leases of lands" is largely if not altogether superseded by the following paragraph. The word "ten" (Leases and mortgages, line 2) should be "twenty" (34 Stat. 1219).

Section 5318: The last paragraph should refer to sections 5316 and 5317, instead of 5315 and 5316.

Section 5322: The words "The two tribes" (line 2) are meaningless as they stand. The first part of the sentence should probably be omitted, and the remaining portion revised.

Section 5336: The words "twelve thousand eight hundred" (line 5) are superseded by 35 Stat. 1051.

Section 5347: The words "in lieu of the foregoing" (last paragraph, line 4) should be omitted.

Section 5364: The last three sentences are modified by section 5354 and do not as they stand express law in force.

Section 5371: The word "of" should be inserted after "silver" (proviso, line 3).

Section 6393: The word "act" (last sentence) should be "section."

Section 5396: The word "now" (line 5) should be "on June 13, 1898."

Section 5398: The proviso is superseded by section 5403.

Section 5400: The last clause is superseded by section 5403.

Sections 5411, 5412, 5414, 5418–5422: The words "melter and refiner" and "coiner" (frequently) are obsolete.

Section 5431: The words "in the presence of the superintendent and assayer" should be "by the superintendent in the presence of the assayer."

Section 5432: The word "coiner" (line 3) is obsolete.

Section 5463: Superseded by section 5464.

Section 5536: The words "commissary general" (third line from end) should be "Quartermaster General."

Section 5544: The words "except as authorized in this section, and in section 5751" should be inserted after "whatever" and "And" (p. 567, line 1).

Section 5549: This section does not adequately state the provision of 22 Stat. 312.

Section 5573: The last clause of the first proviso is superseded by 40 Stat. 1312.

Section 5576: The last two paragraphs are largely if not altogether superseded by section 5584.

Section 5578: The first part of this section is largely obsolete. The words "July ninth, nineteen hundred and eighteen" (end of second paragraph) should be "September 24, 1917."

Sections 5579–5582: Partly obsolete.

Section 5585: Line 37 should be "seventeen, as amended, shall be converted into other bonds of." A revision of the laws should not appropriate seven billion dollars (last sentence).

Section 5586: Largely obsolete.

Section 5587: Superseded by section 5585.

Section 5593: The last sentence of the first paragraph is superseded by section 5594. Both provisions and a large part of the remainder of section 5593 are undoubtedly temporary.

Section 5655: The words "shall not be applicable in such cases" shall be added at the end.

Section 5724: The two paragraphs are somewhat inconsistent. Account should be taken of Thirty-third Statutes, page 268.

Section 5771: Superseded by section 5770.

Section 5773: The words "the next regular session of Congress" (second column, lines 2–3) should be "the second session of the Sixty-sixth Congress."

Section 5798: The words "Record and Pension Division" (second column, line 6) are obsolete. (See 33 Stat. 262.)

Section 5814: The words "Secretary of the Interior" (last line) should be "Director of the Census" (See 34 Stat. 219.)

Section 5862: The word "commission" (last line) should be "bureau."

Section 5869: The words "Department of Commerce and Labor" (last part of p. 601) are inaccurate.

Section 5870: The words "sale by him" (line 4) are inaccurate, as the sale of all public documents is conducted by the Superintendent of Documents.

Section 5871: The words "Department of Commerce and Labor" (middle of section) are inaccurate.

Section 5887: The words "the eight executive departments" and "Department of Labor" (eleventh paragraph) are inaccurate.

Section 5891: The words "Department of Commerce and Labor" (last paragraph) are inaccurate.

Section 5895: The word "Division" (line 4) should be "Bureau."

Section 5900: Largely, if not altogether, superseded by sections 5903 and 5906.

Section 5902: Probably superseded by section 5903. If not, the word "now" (line 5) should be "prior to March 2, 1901."

Section 5903: The words "existing law" (last line) should be "law existing May 16, 1902."

Section 5914: Superseded by section 5834.

Section 5935: The words "are distributed under existing law" (bottom of p. 607) should be "were distributed under law existing prior to March 3, 1887."

Section 5947: The word "sections" (line 2) should be "section."

Section 5965: The words "the eight executive departments" (line 3) are inaccurate.

Section 5967: The word "This" (line 1) should be "The preceding section."

Section 5969: Superseded by first paragraph of section 6614.

Section 6031: The words "Fish Commission" (twice) should be "Bureau of Fisheries."

Section 6053: The words "of the Navy" should be inserted after "men" (line 4).

Section 6061: The words "Provisions and Clothing" (line 2) should be "Supplies and Accounts." The words "to be designated as the 'small stores fund'" (lines 3–4) are superseded by section 6062.

Section 6084: The words "the Treasury" (line 2) should be "Commerce."

Section 6193: The word "being" (line 10) should be "arising under."

Section 6195: The reference in lines 3–5 should be to the act of February 20, 1905, not to that of March 3, 1881.

Section 6292: The word "include" (line 2) should be "includes."

Section 6293: The words "or commercial" should be inserted after "consular" (line 4).

Sections 6297, 6300, 6305, 6307, 6311, 6312, 6317: The word "Egypt" (frequently) is obsolete.

Sections 6330–6333: Largely, if not altogether, obsolete.

Section 6351: The words "Bureau of the American Republics" (last two lines) should be "Pan American Union."

Section 6366: The word "now" (line 3) should be "prior to March 2, 1909."

Section 6382: The word "vancancy" (third paragraph, line 4) should be "vacancy."

Section 6518: The words "not exceeding 11 pounds in weight" (line 4) are obsolete.

Section 6523: This is an unsatisfactory attempt to combine several distinct provisions. The words "not exceeding 11 pounds in weight" (lines 2–3) are obsolete. The words "or which is not declared nonmailable" either are meaningless or nullify the rest of the section.

Section 6533: The words "route agents" (line 3) should be "railway postal clerks."

Section 6575: The word "twenty-four" (line 4) should be "twenty-three."

Section 6618: If 35 Stat. 412 is permanent, the words "not exceeding in the aggregate $1,388,759" should be inserted after "contracts" (line 2); otherwise, the word "ten" (line 3) should be "four." The section should take account of 34 Stat. 1211.

Section 6659: The words "route agent" (line 1) should be "railway postal clerk."

Section 6686: The third sentence under "Construction and maintenance" (p. 681) is superseded by the following sentence.

Section 6690: The words "if such post-office car is used in a train in which a majority of the cars are of steel or of steel underframe construction" (proviso, lines 4–6) are superseded by 39 Stat. 427 (p. 681, third paragraph, of H. R. 12).

Section 6694: The words "heretofore authorized" (line 4) should be "authorized prior to February 29, 1888."

Section 6728: Both provisions from which this section is taken contained a limitation on the amount to be expended.

Section 6747: Largely superseded by section 5773.

Section 6802: The word "now" (p. 694, line 11) is inaccurate, and should probably be omitted. The words "The excess over his salary from the Coast and Geodetic Survey paid their man shall come from the funds of this commission" (third from last sentence) should be "The excess of the compensation of the member appointed from the Coast and Geodetic Survey over and above the compensation he receives from the Coast and Geodetic Survey shall be paid from the funds of this commission."

Section 6865: Superseded by sections 6870 and 6872.

Section 6892: Probably superseded by 36 Stat. 666. If not, account should be taken of the amendments in 34 Stat. 1108 and 35 Stat. 613.

Section 6920: The words "herein or hereafter" (line 2) should be "by the act of July 25, 1912, or thereafter."

Section 6939: The word "thirty-nine" (line 6) should be "thirty-eight."

Section 6940: The word "thirty-nine" (line 4, also p. 717, lines 7, 17) should be "thirty-eight"; "forty" (p. 717, line 18) should be "thirty-nine."

Section 6491: The reference in the first two paragraphs should be to sections 6938–6940; in "Fifth," to 6938 instead of 6939 (twice).

Section 6960: Undoubtedly obsolete.

Section 6996: The words "provided for by the preceding section" (lines 6–7) are not accurate.

Section 7000: Superseded in part by section 7001.

Section 7001: The words "pages two hundred and sixty-two" (line 5) should be "page 262" or "pages 261–262." The word "accoradnce" (line 8) should be "accordance." The entire sentence is meaningless, having no main verb.

Section 7020: The words "7014 to 7020, inclusive" (lines 6–7) should be "7008–7010 and 7013" or be omitted.

Section 7034: The words "or of section 7066" should be inserted after "section" (last sentence).

Section 7058: The word "7077" should be inserted after "7060" (line 9).

Section 7059: The word "fifty-seven" (lines 3–4) should be "seventy-seven."

Section 7060: The word "otherwise" should be inserted after "jurisdiction" (last column, line 6).

Section 7067: The words "or before said Commerce Court" (twice) are clearly obsolete.

Section 7070: The word "heretofore" (lines 4, 11) should be "prior to said date"; "now" (line 6) should be "then"; "hereafter" (lines 8–9) should be "thereafter."

Section 7078: The words "hereinafter provided for" (line 6) should be "provided for in section 7035."

Section 7135: The words "and in" (second column, line 2) are inaccurate.

Section 7142: The words "said sections" (last line) should be "sections 7141–7152."

Section 7187: The words "said act" (5, lines 12, 16; (9), line 11; (19), 3 times) should be "this section."

Section 7198: The word "section" (line 15) should be "sections."

Section 7199: The word "section" (p. 771, line 2) should be "sections."

Section 7223: The word "seventy-six" (p. 774, line 3) should be "seventy-eight."

Section 7257: The word "one" (line 2) should be "the."

Section 7260: The word "an" (line 6) should be "and."

Section 7279: The words "and in" (p. 781, line 7) are inaccurate.

Section 7280: The words "and in" (line 2) are inaccurate. The word "root" (last line) should be "roots."

Section 7401: The word "of" (line 3) should be omitted.

Section 7407: The words "seventy-four hundred and sixteen" (line 5) should be omitted.

Section 7409: The word "and" (after "thirty-one," line 3 and second paragraph, line 6) should be omitted.

Section 7421: This section, or some other, should include section 4 of the original act. (See sec. 7407 of H. R. 9389, 66th Cong.)

Section 7429: The words "the Territories of New Mexico and Arizona" (lines 3, 4) should be omitted.

Section 7430: The word "of" (line 4) should be omitted.

Section 7435: The word "to" should be inserted after "twelve" (third line from end).

Section 7481: The word "sixty-seven" (next to last line) should be "sixty-eight."

Section 7595: The words "and in all waters connected therewith navigable by seagoing vessels" (lines 3–4) should be omitted.

Section 7694: This section should take account of and not merely cite section 1 of 28 Stat. 672.

Section 7810: Amended by section 7811.

Section 7812: The word "to" (line 4) should be "and."

Section 7814: Amended by section 7811.

Section 7899: The word "chapters" (line 6) should be "chapter."

Section 7989: The word "following" (p. 863, line 10) should be "preceding."

Section 7992: Modified by section 7996.

Section 8010: Largely superseded by section 7918.

Section 8141: The words "before sailing, as herein provided" should be inserted after "provided" (line 13).

Section 8147: The word "or" should be inserted after "consul" (sixth line from end).

Section 8172: The words "as well as of the captors" (end of next to last sentence) should be omitted (sec. 30, Stat. 1007).

Section 8175: The words "and shall not * * * damages" (lines 3–6) and "of the captors and" (line 8) should be omitted.

Section 8176: The words "of the captors and" (line 6) should be omitted.

Section 8179: The words "and captors" (line 2 of second column) should be omitted.

Section 8180: The word "adjudiciation" (line 6) should be "adjudication." The last sentence should be omitted.

Section 8182: The words "where * * * proofs, or" (lines 3–7) and "and captors" (line 12) should be omitted.

Section 8213: The word "inspector" (line 2) should be "superintendent." (See 40 Stat. 608.)

Sections 8223, 8225, 8226, 8231, 8233, 8237, 8241: The words "Lighthouse Bureau" (frequently) should be "Commissioner of Lighthouses."

Section 8256: The second paragraph is in part superseded by section 8257.

Section 8290: The word "Service" (line 4) should be omitted.

Section 8292: The words "this section" (line 2) are inaccurate.

Sections 8297, 8300: The words "Life-Saving Service" (line 2) should be "Coast Guard."

Section 8303: The word "Service" (second column, line 3) should be omitted.

Section 8318: The word "Thirty-fifth" (second paragraph, line 2) should be "Thirty-second."

Section 8321: The words "and next after" (first proviso, four times) are superseded by section 8273. The word "Service" (last line) should be omitted.

Section 8323: The words "at present" (line 3) should be "prior to June 23, 1906."

Section 8325: The word "of" (last proviso, line 3) should be "which shall be," or the sentence should be recast so as to bring out more clearly the substantive provision of 32 Stat. 869 and probably of 19 Stat. 107 also.

Section 8435: The word "to" (last sentence, line 4) and "each" (line 6) should be omitted.

Section 8441: The words "National Board of Health" are clearly obsolete. (See 27 Stat. 452.)

Section 8457: The word "Five" (line 1) is inconsistent with section 8454 (second paragraph).

Section 8469: The words "what is designated by law as" (lines 2–3) should be omitted. The words "and except as provided in section 8471" should be inserted at the end of the first sentence.

Sections 8477–8479: There is some inconsistency here with respect to the submission of the statement of expenses.

Section 8492: The words "the Commissary General" (line 2) should be omitted.

Section 8494: The words "Military Prison" (line 3) should be "Disciplinary Barracks." The words "the Commissary General" (lines 5–6) should be omitted.

Section 8509: Superseded by 39 Stat. 1123 and the eighteenth amendment.

Section 8513: The words "or other proper institutions for the relief and maintenance of sick or disabled seamen" (lines 4–6) should be omitted. The fourth, fifth, and sixth sentences are inaccurate and should be omitted, the correct provision being given in section 8528. This section should take account of the amendment of R. S. 4813, in 30 Stat. 1027.

Section 8554: The word "Elizabeth" (line 3) should be "Elizabeths." The words "Hospital for the Insane" (p. 931, line 7) should be "Saint Elizabeths Hospital."

Section 8566: The words "Government Hospital for the Insane" (line 3) should be "Saint Elizabeths Hospital."

Section 8568: The words "and Marine Hospital" (lines 8–9) should be omitted.

Section 8607: The word "in" (line 6) should be omitted.

Section 8608: The first word of line 5 should be "to" instead of "and."

Sections 8620, 8621: Expired by time limitation June 30, 1915.

Section 8632: This section should either be given in its original form, as amended by 34 Stat. 1390, or omitted altogether; the amendment in 35 Stat. 557 expired by time limitation June 30, 1915.

Section 8665: Expired by time limitation June 30, 1915.

Section 8666: The word "necessary" (line 4) did not appear in the original, which instead gave a specific authorization.

Section 8671: The word "circuit" (last sentence, line 3) should be omitted.

Section 8691: The first paragraph is partly superseded by section 5576 (first paragraph). The second paragraph probably expired by time limitation June 30, 1915; if not, the amendment in 38 Stat. 582 should be included and not merely cited.

Section 8700: The words "burned in the manner prescribed in sections 5462 and 8651" (last clause) should be "burned in the manner prescribed in section 8651 or macerated as prescribed in section 5462."

Section 8738: The word "twenty-two" (fifth paragraph, line 3) should be "twenty-three."

Section 8775: The word "act" (last line) should be "title."

Section 8808: Subdivision (b) is superseded by the last paragraph and section 1098.

Section 8858: Amended by Fortieth Statutes, 345.

Section 8868: The word "extensive" (second proviso, line 2) should be "extension."

Section 8883: The words "and of acts supplementary thereto, and the United States Department of Agriculture" (bottom of p. 993) belong in the quotation marks after "sixty-two."

Section 8890: The words "justices of the peace" (lines 2–3) are obsolete. (See 35 Stat. 623.)

Section 8904: The word "trust" should be inserted before "fund" (line 4).

Section 8908: The words "reform school" (third paragraph, line 1) should be "National Training School for Boys."

Section 8924: The words "Fish Commission" (twice) should be "Bureau of Fisheries."

Section 8929: The word "Interior" (second paragraph, line 3) should be "Geodetic"; "Fish Commission" (bottom of p. 1000) should be "Bureau of Fisheries."

Section 8937: The word "title" (line 2) should be "chapter."

Section 9002: The word "supervisor" (line 5) is superseded by Nineteenth Statutes, 152.

Section 9070: The last seven words are superseded by section 9071.

Section 9123: The words "Proof spirits" (line 1) should be "Proof-spirit."

Section 9131: The words "heretofore produced" (second paragraph, line 1) should be "produced prior to February 24, 1919."

Section 9168: Superseded by section 9100.

Section 9294: The word "sections" (line 16) should be "section."

Sections 9678, 9691: Repealed in part by Thirty-eighth Statutes, 1193.

Section 9682: The word "whensoever" (last line) should be "whencesoever."

Section 9708: The word "title" (line 2) should be "chapter."

Section 9713: The word "hereafter" (last line of first sentence) should be "after August 1, 1914," or be omitted.

Section 9770: The words "not exceeding 53 in number" (line 2) are superseded by section 9771.

Section 9780: The words "Revenue Marine Service" (lines 3–4) should be "Coast Guard."

Section 9784: The words "in his office" (last line) should be "as he may direct."

Sections 10042, 10045, 10047: The requirement of an oath has been repealed. (See 26 Stat. 141; 38 Stat. 201.)

Section 10067: The first three clauses (lines 1–8) are superseded by section 9725.

Section 10172: The words "this section" (second paragraph, line 7) should be "the preceding paragraph."

Section 10173: The words "this chapter" (4 times) should be "the preceding section."

Section 10186: The words "except as provided in the preceding section" should be inserted before "and" (line 5).

Section 10209: The two paragraphs are to some extent inconsistent with each other and with the second paragraph of section 10208.

Section 10314: The word "in" (line 8) should be omitted.

Section 10365: The second sentence should take account of the seventeenth amendment.

Section 10515: The words "or the preceding section" should be inserted after "ten" (line 7).

Section 10571: The word "required" (line 4) should be "acquired."

Section 10686: The words "at the Leavenworth Penitentiary" should be inserted at the end of line 1.

Section 10693: The word "hereunder" (line 4) should be "under sections 10688–10695."

(NOTE: No account has been taken in the above memorandum of provisions repealed or superseded subsequent to March 4, 1919, nor of amendments made subsequent to that date.)

W. H. MCCLENON.

MARCH 18, 1924.

MEMORANDUM CONCERNING "SUPPLEMENTARY EXTENSION" OF H. R. 12

Section 64.1: The word "chairman" (line 2) should be "chairmen."

Section 279.2: The words "chapter 4, page 3, Forty-second Statute at Large" (lines 4–5), should be "section 279.1." The last line should be "tions of those bodies. 42 S. 3."

Section 323.2: The words "the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each" should be inserted at the end.

Section 355.1: The words "Government of the" should be inserted before "United States" (line 2); the word "them" (line 2) should be "it."

Section 388.7: The words "the alternative Budget" (p. 1268, line 5) should be omitted.

Section 502.1: If the Secretary has already reduced the number of persons employed, the last four lines are no longer law in force.

Section 590.1: The words "formerly" (line 2) and "now" (line 10) should be "prior to July 1, 1921."

Section 651.1: This does not adequately express the provisions of Forty-second Statute at Large, 389-390, especially the last three paragraphs.

Section 750.1: The words "Under appropriations" (line 2) do not appear in the original act, and are meaningless here; the words "herein made" (last sentence) are also meaningless here.

Section 823.1: If the Secretary has made use of his authority under Forty-first Statutes at Large, 1333, this section is no longer law in force.

Section 965.1: If the appointments mentioned in the first paragraph have been made, the paragraph is no longer law in force. The word "heretofore" (last line of third paragraph) should be "prior to September 14, 1922."

Section 1308.1: The word "heretofore" (line 7) should be "prior to February 26, 1919." The word "now" (line 16) should be "on February 26, 1919." The word "heretofore" (second paragraph, line 8) should be "prior to April 26, 1922." The word "hereafter" (second proviso, line 2) should be "after April 26, 1922," or be omitted entirely.

Section 1330.1: The words "the foregoing section" (last sentence, line 3) should be "the foregoing paragraph" or "this section."

Section 1331.1: The words "except as provided in Thirty-third Statute at Large, page 1207, and" (second column, lines 7-8) should be omitted.

Section 1631.4: Probably obsolete altogether; if not, the words "existing October 6, 1917," should be inserted after "bureau" (line 2).

Section 1632.1: The first sentence should read: "Band leaders shall hereafter be warrant officers." The words "base pay of $1,320 a year and" (third sentence) should be omitted.

Sections 1638.1, 1641.1, 1648.1, 1651.1: These sections have been amended by Forty-second Statutes, 721, 840, 1384, and do not as they stand represent law in force.

Section 1656.1: The sentence beginning "Those now on the retired list shall hereafter receive" should be "Those on the retired list June 4, 1920, shall thereafter receive * * *."

Sections 1667.1, 1671.1, 1673.1, 1678.1, 1680.1, 1693.1, 1721.1, 1733.1, 1746.1, 1747.1: Some and probably all of these have been amended by 42 Stat. 721, 840, 1384, and do not as they stand represent law in force.

Section 1754.1: The second sentence has been amended by 42 Stat. 721, 840, 1384, and is not as it stands law in force. The first proviso of 41 Stat. 769, should be added. The words "has heretofore" (second proviso, line 4) should be "had prior to June 4, 1920."

Section 1918.1: The words "now in Europe" (line 5) should be "in Europe July 11, 1919."

Section 2081.1: The proviso is largely, if not altogether, supseded by section 2437.23.

Section 2171.1: The words "Quartermaster General" (line 5) should be "Chief of Finance."

Section 2404.1: The words "Quartermaster Department" (line 17) should probably be "Quartermaster Corps and Finance Department"; the words "Auditor for the War Department" (second column, line 8) should be "General Accounting Office."

Section 2427.1: The words "or escaped military prisoners" should be added at the end.

Section 2437.28: The figures "2437.18, 2437.19, and 2437.24" (last line) should be "2437.19, 2437.20, and 2437.25."

Section 2437.31: The word "heretofore" (second column, line 3) should be "prior to June 10, 1922."

Section 2437.37: This should take account of the amendment in 41 Stat. 761 (sec. 4b).

Section 2437.38: The words "enacted prior to June 10, 1922," should be inserted after "laws" (line 2).

Section 2687.2: The words "enacted prior to July 11, 1919," should be inserted at the end of line 2.

Section 3211: The words "this or the last preceding section" (lines 3-4) should be "sections 3208.1 and 3209.1."

Section 3240.1: The words "whenever hereafter appointed" (line 2) should be "at consulates, whenever appointed after January 3, 1923."

Section 3335.1: The words "advice and" should be inserted before "consent" (line 9).

Section 3401.6: The word "employees" (p. 1333, line 6) should be "employee."

Section 3401.23: The word "section" (line 11) should be "chapter."

Section 3401.25: The words "section 3401.19" (p. 1340, line 1) should be "this section." The word "chapter" (last paragraph, lines 4, 5) should be "section."

Section 3401.26: The words "This chapter" (lines 1-2) should be "The preceding section." The words "this section" (end of first paragraph) should be "this and the preceding section."

Section 3401.28: The words "the second paragraph of section 3401.26" (next to last line) should be "section 3401.24."

Section 3401.36: The words "Secretary of the Treasury" (line 2) should be "Bureau of the Budget."

Section 3401.38: The words "enacted prior to May 22, 1920, and" should be inserted after "laws" (line 2).

Section 3452.1: This provision has been amended by 42 Statutes 1366, and does not as it stands express law in force.

Section 3467.6: There are three chapters numbered 70 in volume 41; reference should be made to the one for the third session, pages 1107-1144.

Section 3601.1: The words "existing law" (lines 3-4) should be "law existing May 10, 1920."

Section 3601.3: The words "are by law now excluded" (line 2) should be "were by law excluded May 10, 1920."

Section 3845.1: The word "forty-five" (line 10) should be "fifty."

Section 3942.1: The last two sentences of the first section so numbered are inconsistent with the second section of the same number, and do not as they stand express law in force.

Section 3945.1: The word "five" (line 10) should be "three" (see 42 Stat. 615).

Section 3956.4: The words "enacted prior to July 9, 1921," should be inserted after "Hawaii" (line 3).

Section 4248.1: The provisions incorporated herein are no more permanent than is the inconsistent provision of 42 Statutes 1185.

Section 4329.1: Everything following the word "Congress" (line 3) should be omitted.

Section 4491.1: The word "all" should be inserted before "Indian" (line 2).

Section 4491.2: The word "heretofore" (second paragraph, line 3) should be "prior to June 30, 1919."

Section 4752.2: The word "heretofore" (first proviso, line 2) should be "prior to February 25, 1920."

Section 4752.8: The word "section" (last sentence, line 1) should be "paragraph."

Section 4752.11: This provision is no more permanent than the amendment in 42 Statutes 844.

Section 4772.2: The word "upappropriated" (line 8) should be "unappropriated."

Section 5557.1: The words "accounting officers of the Treasury" (twice) should be "General Accounting Office."

Section 5618.1: The first sentence is no more permanent than the omitted portion of the act of February 9, 1922, as amended (42 Stat. 1326, sec. 2).

Section 5651.5: The words "by the Secretary of War" should be inserted after "made" (line 4).

Sections 5698.1, 5698.2, 5698.3, 5698.4, 5768.1: The words "fifty-six hundred and ninety-eight" should be "5698 and 5699."

Section 6064.2: This section or some other should include the establishment of the naval supply account fund.

Section 6099.1: The words "or any other law, prohibiting the expenditure of public money for telephone services installed in private residences" should be inserted after "section" (line 3).

Section 6230.1: The words "this section or by section sixty-two hundred and seventeen of the Code of the Laws of the United States" (lines 11-13) should be "this chapter."

Section 6337.1: The words "Section sixty-three hundred and thirty-seven" (line 1) should be "Whenever."

Section 6337.2: The word "6337.2" (line 2) should be "6337.1."

Section 6366.1: The words "on June 4, 1920" should be inserted after "exercised" (line 9).

Section 6378.11: The word "of" should be inserted after "and" (next to last line).

Sections 6395.1, 6414: The words "Auditor for the Post Office Department" should be "Bureau of Accounts" (or possibly "General Accounting Office").

Section 6427.1: The words "two thousand dollars" (six times in third and fourth paragraphs) should be "two thousand one hundred dollars" (see 42 Stat. 144, sec. 4).

Section 6679.1: This section cites but does not include the provisions of 42 Stat. 219, sec. 25.

Section 6823.1: The word "heretofore" (line 2) should be "prior to July 25, 1921."

Section 6847.1: The words "6842, 6844-6847" should be inserted after "forty-one" (third line from end).

Section 6849.20: The word "heretofore" (lines 3, 5) and "already" (line 13) should be "prior to June 10, 1920."

Section 6849.22: The word "heretofore" (proviso, line 2) should be "prior to June 10, 1920."

Section 7038.1: The words "section seven thousand and thirty-five" (line 6) should be "sections 7035 and 7036."

Section 7039.1: The word "7036.1" should be inserted at the end of line 5, fourth paragraph.

Section 7129.1: The words "this section" (second paragraph, line 1) should be "sections 7122–7137."

Section 7177.1: The words "thirty-six hundred and thirty-six hundred and one" (e) should be "3601 and 3602."

Section 7245.1: The word "heretofore" (lines 1–2) should be "prior to May 31, 1920."

Section 7245.2: The words "existing May 31, 1920" should be inserted after "law" (line 2).

Section 7271.9: The words "paragraphs (a) to (f)" should be inserted before "this section" (g, h)

Section 7351.23: The word "heretofore" (line 4) should be "prior to March 3, 1923."

Section 8061.15: The words "or by the acts specified in section 2 of the act of June 5, 1920" should be inserted after "chapter" (line 4). The word "law" (third line from end) should be "the acts or parts of acts repealed by section 2 of the act of June 5, 1920."

Section 8061.16: The words "have heretofore been contracted for or are" (lines 7–8) should be "had been contracted for prior to June 5, 1920, or were on that date."

Section 8061.21: The words "after June 5, 1920" should be inserted after "made" (line 5).

Section 8061.24: The figures "7899.1" (line 11) should be "7839.1."

Section 8061.31: The words "heretofore given" (last sentence, line 1) should be "given prior to March 9, 1920."

Section 8247.2: The words "subsequent to June 5, 1920" should be inserted after "occasioned" (line 6).

Section 8455.1 (second): Superseded by section 8469.1.

Section 8534.3: The words "The Congress may from time to time make appropriation for the purpose of" (lines 1–2) do not appear in the original.

Section 8569.2: The words "The accounting officers of the Treasury" (line 1–2) should be "The General Accounting Office."

Section 8584.9: The figures "8584.5" (line 5) should be "8584.6."

Section 8649.1: The word "promisory" (line 6) should be "promissory."

Section 8728.1: This section should include the proviso found in the duplicate included in section 480.1.

Section 8741.10: The words "prior to March 4, 1923" should be inserted before or after "provided for by law" (three times, in second paragraph).

Section 8741.17: The word "title" (b, line 2) should be "chapter."

Section 8754.1: The word "chapter" (second paragraph, lines 10, 18) should be "title."

Section 8764.1 (first). The word "chapter" (second paragraph, line 2, and second column, line 1) should be "title."

Section 8764.2: The word "chapter" (line 5) should be "title." The word "or" (1 and (3), five times) should be "and/or."

Section 8764.11: The word "chapter" (d, lines 1, 17) should be "title."

Section 9115.1: The words "ninety-five hundred and twelve" (b, lines 5–6) should be "9562.1."

Section 9116.1: The words "existing November 23, 1921," should be inserted after "law" (next to last line on p. 1495).

Section 9512.2: The word "chapter" (end of first paragraph) should be "title." The words "this chapter" (p. 1501, line 2) should be "section 9507.1."

Section 9526.1: The words "this title" (last line of first column) should be sections 9524.1 to 9531.2, inclusive.

Section 9529.1: The words "sections ninety-five hundred and twenty-four to ninety-five hundred and thirty-one" (lines 3–4) should be "9524.1 to 9531.2."

Section 9530.1: The word "chapter" (b, c, first line) should be "title."

Section 9547.1: The word "chapter" (b, line 7) should be "title."

Section 9554.1: The word "chapter" (d, line 4) should be "title."

Section 9557.1: The word "chapter" (last sentence, twice) should be "title."

Section 9567.1: The words "the preceding section" (c, three times) should be "section 335 of the revenue act of 1921."

Section 9573.1: The word "chapter" (d, line 7; also last line of section) should be "title."

Section 9575.1: The word "chapter" (line 2) should be "title."

Section 9606.1: The words "under this title or any prior act of Congress" should be inserted after "tax" (second proviso, line 2).

Section 9655.1: The words "and one-tenth" should be inserted after 9031, 9115, 9119, 9322, and 9365. The words "9131.1" should be inserted after line 6.

Section 9656.2: The words "and one-tenth" should be inserted after 9125, 9131, 9321, 9337, 9365, 9499, 9504, and 9524; "and two-tenths" after 9531. The words "9115.1–9117.1, 9119.1" should be inserted after "sections" (line 2). The words "ninety-five hundred and nineteen" should be changed to "9512.2."

Section 9660.1: The words "and one-tenth" should be inserted after 9125, 9131, 9321, and 9504. The word "9322.1" should be inserted in line 3; the word "9501.1" in line 3 of second column. The word "nineteen" (second column, line 5) should be "twelve and two-tenths." The principal part of (a) has been omitted.

Section 9663.1: The words "ninety-five hundred and four to ninety-five hundred and twelve" (lines 4–5) should be "9504.1–9512.2."

Section 9664.1: The words "and one-tenth" should be inserted after 9125, 9131, 9365, and 9507; "and two-tenths" after 9512.

Section 9671.7: The words "are repealed by this title" (twice) should be "were repealed by the revenue act of 1921."

Section 9672.1: The words "this title" (lines 2, 3) are broader than "this act" and "the act," used in the original.

Section 9673.1: The words "and one-tenth" should be inserted after 9920 (paragraphs 27, 28, four times). The words "this title" (paragraph 602, line 1) should be "schedules 1–14 of this section." The words "schedules 1–14 of" should be inserted before "this section" (p. 1549, line 1). The words "this title" (paragraph 1120, line 1, also paragraph 1212, line 7) should be "schedules 1–14 of this section." The words "said section" (paragraph 1417, last line) should be "sections 9434–9449." The word "section" (paragraph 1430, lines 16, 30) should be "title." The second word in paragraph 1514 should be "the."

Section 9696.1: The words "section ninety-six hundred and seventy-three" (four times) should be "schedules 1–14 of section 9673.1."

Sections 9810–9832, 9835–9858: Section 9844 and the second paragraph of section 9845 were not repealed by the tariff act of 1922.

Section 10071.1: Section 10099 was not repealed by the tariff act of 1922.

Section 10178.2: The words "and one-tenth" should be inserted after "eighty-five" (last paragraph, line 3).

Section 10249.1: The words "and one-tenth" should be inserted after "eighty-five" (line 4).

Section 10252.1: The word "herinafter" (line 3) should be "hereinafter."

Section 10252.2: The words "except sections 10254.16–10254.21" should be inserted after "chapter" (line 4).

Section 10252.3: The first paragraph changes existing law by transferring to the United States Veterans' Bureau functions now performed by the Federal Board for Vocational Education.

Section 10252.4: The first sentence is superseded by section 10252.2.

Section 10252.6: The words "are or have been" (line 5) should be "were on August 9, 1921, or had been."

Section 10252.15: The words "on August 9, 1921," should be inserted after "appliances" (line 2).

Section 10253.3: The words "Bureau of War Risk Insurance" (lines 1–2) should be "United States Veterans' Bureau."

Section 10253.9: The words "If death results from injury" should be inserted at the beginning.

Section 10253.10: This section should take account of the amendment in 41 Stat. 373.

Section 10253.12: Repealed by 40 Stat. 620, section 10.

Section 10253.22: The words "this chapter" (line 2) should be "section 10253.19 or section 10253.20."

Section 10253.25: This section should take account of the amendment in 40 Stat. 615. The last sentence of the first paragraph is superseded by section 10253.30.

Section 10253.28: Repealed by 40 Stat. 556, section 2.

Section 10253.31: The words "has heretofore" (third proviso) should be "prior to August 9, 1921."

Section 10254.3: The words "and one-tenth" should be inserted after "fifty-four" (line 4).

Section 10254.4: The words "this chapter" (line 2) should be "sections 10254.1 to 10254.15."

Section 10254.5: the words "except under sections 10254.16–10254.21" should be inserted after "chapter" (line 2). The words "ten thousand two hundred and forty-three" (p. 1614) should be 10254.1."

Sections 10254.8 and 10254.11: These relate to the Army, not to the Veterans' Bureau. The word "Director" (sec. 10254.11, line 4) should be "Secretary of War."

Sections 10254.16–10254.21: These provisions have nothing to do with the Veterans' Bureau. The word "bureau" (10254.18–10254.21, five times) should be "Federal Board for Vocational Education."

Section 10254.18: The word "10254.15" (line 2) should be "10254.16."

Section 10517.1: The words "this chapter" (last sentence) should be "sections 10516.1 to 10520.1."

Sections 10740.1, 10740.2, 10740.4, 10740.6, 10740.17, 10740.21, 10740.22, 10740.28, 10740.36, 10740.40, 10740.43: The words "this

chapter" (frequently) should be "this (and) (or) the following chapter."

Section 10740.5: The last sentence of section 10740.4 should be duplicated at the end of section 10740.5.

Section 10740.51: The words "or the preceding" should be inserted before "chapter" (last line).

Section 10740.52: The words "prior to October 28, 1919," should be inserted after "established" (line 2).

Section 10740.53: The words "or the preceding" should be inserted before "chapter" (line 6).

Section 10740.54: The word "seven" (line 6) should be "eight."

Section 10740.61: The words "existing October 28, 1919," should be inserted after "law" (line 2).

W. H. McCLENON.

FEBRUARY 27, 1924.

[Legislation not included in H. R. 12 (Sixty-eighth Congress)]

R. S. 18, 19, 506, 701, 856, 4229–4231, 4246.

18 Stat. 375 (part of ninth paragraph), 449 (part of sec. 5).

22 Stat. 57 (sec. 6; cf. sec. 8286 of H. R. 12), 121 (part of second paragraph), 309 (seventh paragraph).

23 Stat. 237 (part of first paragraph).

24 Stat. 246 (part of first paragraph), 463 (eleventh paragraph).

25 Stat. 955 (part of paragraph "Vaults for storage of silver").

27 Stat. 708 (second paragraph).

31 Stat. 1154 (line 2).

33 Stat. 882 (last proviso), 1049 (last proviso).

34 Stat. 839 (part of No. 51), 1309 (first complete paragraph).

35 Stat. 413 (third complete paragraph), 1166 (No. 15, first proviso).

36 Stat. 117 (part of sec. 39), 508 (middle of page), 532 (sec. 6), 1214 (third complete paragraph).

38 Stat. 219–221 (two paragraphs), 233 (first proviso), 267 (sixth paragraph), 653 (last paragraph).

39 Stat. 555 (sec. 26), 581 (first paragraph), 601 (first proviso), 646 (first proviso).

40 Stat. 35 (part of second paragraph), 345 (seventh paragraph), 385–389, 411–426 (except temporary sections), 460 (long paragraph), 615 (sec. 21), 646 (first complete paragraph), 671 (second proviso), 893 (c. XX, first part), 966 (sec. 5).

41 Stat. 372 (sec. 9, last clause), 373 (sec. 11; cf. sec. 10253.10), 421 (third proviso; cf. sec. 4425.2), 464 (sec. 208, partly temporary), 499 (sec. 502), 506 (proviso), 554 (c. 150), 883 (ninth paragraph).

42 Stat. 108–115 (Titles I, II), 187 (sec. 3), 190 (sec. 9), 219 (sec. 25; cited but not included in sec. 6679.1), 364 (c. 50), 615 (last paragraph), 646 (last proviso), 724 (seventh paragraph), 800 (third proviso), 1007–1011 (sec. 4–10, 12–23), 1221–1222 (c. 56), 1281 (c. 101, last paragraph), 1511–1516 (c. 285).

W. H. McCLENON.

FEBRUARY 29, 1924.

PART II

TREASURY DEPARTMENT,
UNITED STATES COAST GUARD,
Washington, March 26, 1924.

Memorandum for Senator RICHARD P. ERNST.

Subject: H. R. 12, Sixty-eighth Congress, entitled "An act to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923."

It is recommended that the provisions of H. R. 12, in so far as they relate to the Coast Guard, be changed as indicated, in order that they may agree with existing law.

Section 352: Detail for duty at department: Strike out the words "One officer from the Coast Guard and," in the fourth line, as these words are annulled in effect by section 8274 (39 S. 601), which provides that any commissioned or warrant officer, petty officer, or other enlisted man in the Coast Guard may be assigned to any duty which may be necessary for the proper conduct of the Coast Guard.

Section 2836 and section 2838, now under "The Navy," should be under "Coast Guard," as the duties enumerated in these sections have been chiefly performed by the Coast Guard since the enactment of R. S. 1536 and 33 S. 1164.

Section 3852: Penalties and enforcement: Strike out the word "revenue," in line 19, and substitute therefor the words "Coast Guard." Under the provisions of section 8262, the Revenue Cutter Service was merged into the Coast Guard, and since that time revenue cutters have been known as Coast Guard cutters, so that at the present time we have Coast Guard cutters, and not revenue cutters. It seems desirable to have vessels of the Coast Guard referred to in the statutes in all instances as Coast Guard cutters, and not as Coast Guard cutters in one place and revenue cutters in another.

Section 3943: Revenues from wharves: Strike out the word "revenue," the last word in the tenth line, and substitute therefor the words "Coast Guard."

Section 7728: Reports by collectors of customs: Strike out the words "Secretary of Commerce," in the third and fifth lines, and substitute therefor the words "Secretary of the Treasury." The work of compiling statistics of disasters to vessels has in the past been performed, and at present is performed, by the Coast Guard under existing law, and there is no good reason why it should be transferred to the Department of Commerce. Section 7728, as written in H. R. 12, contains a change from existing law.

Section 8265: Promotions: Strike out the word "life-saving," in the second line, and substitute therefor the words "a Coast Guard." Since the creation of the Coast Guard, all the former life-saving stations have, in accordance with the purpose of the act as contained in sections 8262 et seq. of H. R. 12, been designated and referred to as Coast Guard stations, and not life-saving stations, and all statutes which formerly referred to life-saving stations should be changed so as to refer to Coast Guard stations instead.

Section 8275: Instruction in aviation at Army and Navy schools: Change the eighth word in the fourth line from "and" to "or." The purpose of the act was to authorize the instruction of Coast Guard personnel at any aviation school maintained by either the Army or the Navy. There are no aviation schools maintained jointly by the Army and the Navy, hence this recommendation.

Amend the title of Chapter IV, page 903, by changing the same from "The Life-Saving Coast Guard" to "Coast Guard stations." There is only one United States Coast Guard and no Life-Saving Coast Guard authorized by law, hence the title of Chapter IV is incorrect and misleading. Its provisions refer, for the most part, to Coast Guard stations, which should be the title of the chapter.

Section 8278: Coast Guard stations at lighthouses: Change the last word in the second line from "life-saving" to "Coast Guard." The subject matter of the section should agree with the caption, which is "Coast Guard stations."

Section 8280: Supervision of erection of Coast Guard stations: Change the first word in the second line from "life-saving" to "Coast Guard."

Section 8282: Sites for stations: Substitute for the words "life-saving or lifeboat," after the word "for," in the fourth line, the words "Coast Guard."

Section 8283: Discontinuance of stations: Substitute for the words "life-saving or lifeboat," after the word "any," in the second line, the words "Coast Guard."

Section 8285: Thirteenth Coast Guard district to include coast of Alaska: Strike out the word "life-saving," in the second line, and substitute therefor the words "Coast Guard."

Section 8286: Length of time stations are open: Strike out this section, as its provisions were repealed by 38 S. 601, which is now incorporated in section 8274 of H. R. 12.

Section 8288: Appointments made only for fitness: Strike out the word "life-saving," in the third line, and substitute therefor the words "Coast Guard."

Section 8293: Compensation of district superintendents: Strike out this section and substitute therefor the following: "May eighteenth, nineteen hundred and twenty, the senior district superintendent, the three district superintendents next in order of seniority, the four district superintendents next below these three in order of seniority, and the junior five district superintendents shall have the rank, pay, and allowances of captain, first lieutenant, second lieutenant, and third lieutenant in the Coast Guard, respectively." (41 S. 603.) The provisions of section 8293 as contained in H. R. 12 were repealed by the provisions of 41 S. 603 and are no longer in force.

Section 8294: Disbursing officers: Strike out the word "life-saving," in the second line, and substitute therefor the words "Coast Guard."

Section 8296: Compensation of keepers: Strike out this section. The provisions of 35 S. 46 were repealed by the provisions of 41 S. 603 and 42 S. 630. (See sec. 2437.24, H. R. 12.)

Section 8297: Rations: Strike out this section. The provisions of 35 S. 46 and 40 S. 640 were repealed by the provisions of 42 S. 630. (See sec. 2437.25, H. R. 12.)

Section 8298: Powers of keepers: Strike out the words "life-saving and life-boat," in the first and second lines, and the word "life-saving," in the tenth line, and substitute therefor in each case the words "Coast Guard."

Section 8299: Compensation of crews: Strike out this section. The provisions of 27 S. 257 were repealed by the provisions of 42 S. 630. (See sec. 2437.24, H. R. 12.)

Section 8300: Computation of pay of surfmen: Strike out this section. The provisions of 35 S. 321 and 38 S. 800 were repealed by the provisions of 42 S. 630. (See sec. 2437.24, H. R. 12.)

Section 8301: Pay of No. 1 surfmen: Strike out this section. The provisions of 35 S. 46 were repealed by the provisions of 42 S. 630. (See sec. 2437.24, H. R. 12.)

Section 8303: Compensation during disability: Strike out this section. The provisions of 22 S. 57 and 38 S. 800 were repealed by the provisions of 38 S. 801. (See sec. 8264, H. R. 12.)

Section 8304: Pensions for widows: Strike out this section. The provisions of 22 S. 57, 35 S. 46, and 38 S. 800, relative to pensions to widows, were repealed by the provisions of 41 S. 824. (See sec. 2655.1, H. R.12.)

Section 8304: Allowance on death: "The provisions of the act of June fourth, nineteen hundred and twenty, Forty-first Statutes, page eight hundred and twenty-four, relative to the payment of allowance on death, shall apply to the officers and enlisted men of the Coast Guard." (41 S. 825.)

Section 8309: Transfer of library books: Strike out the word "lifesaving" at the end of the third line and substitute therefor the words "Coast Guard."

Amend section 8310 by adding thereto the following paragraph:

"The President of the United States is empowered to prepare a suitable medal of honor to be awarded to any officer of the Navy, Marine Corps, or Coast Guard who shall have distinguished himself in battle or displayed extraordinary heroism in the line of his profession." (38 S. 931.)

Section 8313: When and on whom medals bestowed: Strike out the word "life-saving" in the eighth and tenth lines and substitute therefor in each case the words "Coast Guard."

Chapter V, page 905: Strike out the words "The" and "Service" and change the word "Cutter" to "Cutters" in the title, making the title read "Coast Guard Cutters."

Section 8321: Rank of officers; cooperation with Navy: Amend this section so that it will read as follows: "Rank of officers; operating with Navy: The commissioned officers of the Coast Guard shall rank as follows: Captains with majors in the Army and lieutenant commanders in the Navy; first lieutenants with captains in the Army and lieutenants in the Navy; second lieutenants with first lieutenants in the Army and lieutenants (junior grade) in the Navy; third lieutenants with second lieutenants in the Army and ensigns in the Navy: *Provided*, That wherever the personnel of the Coast Guard, or any part thereof, is operating with the personnel of the Navy in accordance with law, precedence between commissioned officers of corresponding grades in the two services shall be determined by the date of commission in those grades: *Provided further*, That no provision of this chapter shall be construed as giving any officer of the Coast Guard military or other control at any time over any vessel, officer, or man of the naval service, nor shall any naval officer exercise such military or other control over any vessel, officer, or man of the Coast Guard, except by direction of the President." (32 S. 100; 38 S. 800; 39 S. 649.) That part of section 8321 as printed in H. R. 12, following the word "Navy" in the eighth line and including the word "Navy" in the sixteenth line, was repealed by the provisions of 39 S. 600 and is now incorporated in section 8273 of H. R. 12. By incorporating it in section 8321, where it properly belongs, section 8273 should be stricken from H. R. 12.

Section 8327: Pay and allowances of commissioned officers: Strike out all under this section, including the caption, and substitute therefor the following: "Pay and allowances of the personnel of the Coast Guard: The commissioned officers, warrant officers, petty officers, and other enlisted men of the Coast Guard shall receive the same pay, allowances, and increases as now are, herein are, or hereafter may be prescribed for corresponding grades or ratings and length of service in the Navy; and the grades and ratings of warrant officers, chief petty officers, petty officers, and other enlisted persons in the Coast Guard shall be the same as in the Navy, in so far as the duties of the Coast Guard may require, with the continuance in the Coast Guard of the grade of surfman: *Provided*, That hereafter longevity pay for officers in the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey shall be based on the total of all service in any or all of said services." (41 S. 603 and 41 S. 604.) The provisions of section 8327, as contained in H. R. 12, are no longer applicable, as they were repealed by the provisions of 41 S. 603, 41 S. 604, and Chapter XXII, as contained in pages 1316 to 1323 of the supplement to H. R. 12.

Section 8331: Wages of petty officers and crews: Strike out this section. The provisions of R. S. 2754 and 38 S. 800 relative to wages of petty officers and seamen of the Coast Guard were repealed by the provisions of 41 S. 603, 41 S. 604, and Chapter XXII, as contained in pages 1316 to 1323 of the supplement to H. R. 12.

Section 8342: Enlisted men; clothing allowance: Strike out this section, as its provisions were repealed by 41 S. 603, which gave the enlisted men of the Coast Guard the same allowances as are now received or may hereafter be received by enlisted men of the Navy.

Section 8344: Rations; officers on duty: Strike out this section. The provisions of R. S. 2755 and 38 S. 800, relative to the receipt of rations by each officer of the Coast Guard, were repealed by the provisions of section 2437.19, page 1317, of the supplement to H. R. 12 (42 S. 628.)

Section 8345: Contracts for rations: Strike out the words "officers and" and "revenue," in the third line, and substitute for the word "revenue" the words "Coast Guard." Officers of the Coast Guard do not receive rations and therefore no contracts are made for rations for them by the Secretary of the Treasury.

Section 8348: Cooperation with the Navy: Strike out the provisions of this section, as they were repealed by the provisions of section 8262. (38 S. 800.)

Section 8353: Aid to crews of fishing vessels: Strike out the word "revenue," in the seventh line, and substitute therefor the words "Coast Guard."

Section 8354: Tug to cooperate with Coast Guard station: Strike out the word "life-saving" in the eighth line, and substitute therefor the words "Coast Guard."

Section 8356: Powers and duties of officers of cutters: Strike out the word "cutters," in the caption, and substitute therefor the words "Coast Guard." Strike out the word "cutters," in the second line, and substitute therefor the words "Coast Guard." Delete the words "if bound for the United States," in the fifth and sixth lines from the top of page 908, H. R. 12, as the provisions of R. S. 2760 were amended by section 581 of the tariff act of September, 1922. (42 S. 979.)

Section 8358: Further duties of officers: Strike out the word "cutters," the first word in the second line.

Section 8365: Administration of oaths: Strike out the word "Service," in the second line.

Section 8367: Desertion: Strike out the word "Service," in the fourth line.

Section 9813: Penalty for departing without report or entry: Strike out the word "revenue," in the ninth line, and substitute therefor the words "Coast Guard."

Section 10068: Who may make searches: Strike out the word "revenue," in the third line, and substitute therefor the words "Coast Guard."

Section 10076: Authority to board vessels: Strike out the word "revenue," in the third line, and substitute therefor the words "Coast Guard." Strike out the words "if bound to the United States," in the fifth line, as those words were repealed by section 581 of the tariff act of September, 1922. (42 S. 979.)

Section 10206: Revenue-Cutter personnel: Strike out the provisions of this section, as they were repealed by the references quoted in section 10207.

Section 10207: Personnel of Coast Guard: Strike out the provisions of this section, as they are contained in section 8264. (38 S. 801.)

Renumber sections 8263.1, 8263.2, 8263.3, 8263.4, 8263.5, and 8263.6, respectively.

Insert the following as section 8263.1: "Titles of commissioned personnel of the Coast Guard: Titles of commissioned officers of the Coast Guard are hereby changed as follows: Senior captain to commander, captain to lieutenant commander, first lieutenant to lieutenant, second lieutenant to lieutenant junior grade, third lieutenant to ensign, captain of engineers to lieutenant commander (engineering), first lieutenant of engineers to lieutenant (engineering), second lieutenat of engineers to lieutenant junior grade (engineering), and third lieutenant of engineers to ensign (engineering): *Provided*, That all laws applicable to the titles hereby abolished in the Coast Guard shall apply to the titles hereby established." (41 S. 879.) The provisions of 41 S. 879 should be incorporated in The Code of The Laws of The United States, to show when the titles of certain of the commissioned officers of the Coast Guard were changed.

Section 8272.1: Reimbursement for losses of personnel property: That the provisions of sections 2652 and 2653, Title 17, of The Code of The Laws of The United States, shall apply to the personnel of the Coast Guard in like manner as to the personnel of the Navy, whether the Coast Guard is operating under the Treasury Department or operating as a part of the Navy, and all of the duties, which, under said sections, devolve upon the Major General Commandant of the Marine Corps with reference to the personnel of that corps, shall devolve upon the Captain Commandant of the Coast Guard, and in cases involving persons in the Coast Guard reimbursement in money shall be made by a disbursing officer of the Coast Guard from the appropriation "Coast Guard" and reimbursement in kind shall be made by the Captain Commandant from the appropriation "Coast Guard." (40 S. 389.)

(This section is now section 2654 under "The Navy." As it would appear desirable to have all laws relating to the Coast Guard in the chapters of The Code of The Laws of The United States devoted to the Coast Guard, in so far as possible, it is thought that this change should be made.)

Section 8274.1: Detail to District of Columbia: Strike out this section and rewrite as follows: "Not more than 10 enlisted men of the Coast Guard at one time may be detailed for duty in the District of Columbia." (41 S. 879.) The provisions of 41 S. 650, which appear in section 8274.1 in H. R. 12, were in effect repealed by the later legislation contained in 41 S. 879.

Section 8274.2: Leave of absence for employment by Venezuela: Strike out the provisions of this section, as the provisions of 41 S. 452 relate to a particular occasion and are no longer applicable or desirable, and substitute therefor the following: "8274.2. Assignment to duty and promotion of retired officers during war: During the ex-

istence of war or of a national emergency declared by the President to exist, any commissioned or warrant officer of the Coast Guard of the United States on the retired list may, in the discretion of the Secretary of the Navy, be ordered to active duty at sea or on shore; and any retired officer performing such active duty in time of war or national emergency, declared as aforesaid, shall be entitled to promotion on the retired list to the grade or rank, not above that of lieutenant commander in the Coast Guard, and shall thereafter receive the pay and allowances thereof, which his total active service as an officer both prior and subsequent to retirement, in the manner rendered by him, would have enabled him to attain in due course of promotion had such service been rendered continuously on the active list during the period of time last past." (40 S. 717 and 41 S. 879.) The provisions of 40 S. 717 above quoted should appear under Coast Guard, as part of reference is now under section 8266 and section 8267.

Section 8328.1: Appointment of constructor: That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the Senate, one constructor in and for the Coast Guard, who shall have the relative rank and pay of a lieutenant in said service. (39 S. 604.)

Section 8328.2: Appointment of constructor, engineering: A lieutenant (engineering) of the Coast Guard, to be selected for his special ability in naval construction from the present list of lieutenants (engineering) by the Secretary of the Treasury, may be commissioned a constructor for engineering duty in the Coast Guard, with the rank, pay, and emoluments now provided by law for a lieutenant (engineering): *Provided*, That the vacancy created in the list of lieutenants (engineering) by such transfer shall not be filled by promotion or otherwise, but the number of lieutenants (engineering) now authorized by law shall be reduced by one, and that no additional expense shall be incurred by reason of commissioning such lieutenant (engineering) a constructor. (34 S. 453; 38 S. 800; 41 S. 879.)

Section 8354.1: Duty on Mississippi and Ohio Rivers: The Secretary of the Treasury is authorized and directed to purchase or construct and equip three light draft river steamboats, including lifeboats and such other life-saving appliances and equipment as may be necessary, to be used in rescuing lives and property and in distributing food and clothing to marooned people during flood times on the Mississippi and Ohio Rivers and their tributaries, in patrolling said waters in the enforcement of the navigation and motor boat laws, and in rendering aid to vessels in distress. (39 S. 600.)

Page IV, title 48, chapter 4: Strike out the words "Life-Saving Coast Guard" and substitute therefor the words "Coast Guard stations."

Page IV, title 48, chapter 5: Strike out the words "Cutter Service" and substitute therefor the word "Cutters."

The name of the service under the law is "United States Coast Guard." The titles "Life-Saving Coast Guard" and "Coast Guard Cutter Service" are not warranted by law, by the customary usage of the department, nor by popular usage. There are many references in the codification to "Coast Guard Service." This is an error, as the name of the service under the law is "Coast Guard."

F. C. BILLARD,
Rear Admiral, United States Coast Guard, Commandant.

OFFICE COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, March 10, 1924.

Senator RICHARD P. ERNST:
Chairman Select Committee on Revision of the Laws,
United States Senate.

MY DEAR SENATOR: Replying to your letter of February 23 concerning H. R. 12, your attention is respectfully called to the following defects in the subject matter under titles 16 and 17, covering the Army and the Navy:

TITLE 16—ARMY

Section 1761: This section relates to "mileage of officers traveling on aviation duty." Section 20 of the act of June 10, 1922 (42 Stat. 632) relates to the same matter, and is found under section 2437.34 in the supplement, at page 1320 of the revised bill, without any reference to the former section.

Section 1831: This section was superseded by the so-called promotion statute (41 Stat. 771), and is referred to in the supplement under section 1856.2. What should be done would be to consolidate into one section all the permanent law on this subject, omitting all obsolete provisions.

Sections 1817 and 2132: These sections relate to the same subject matter and should at least be cross referenced.

Sections 2075 and 2077: These sections were repealed by section 15 of the act of June 10, 1922 (42 Stat. 629). Why carry them into the revised bill?

Section 2078: See provisions of section 1, act June 10, 1922, as to longevity for officers and persons assimilated for such purpose, changing to 5 per cent for 3 years of service up to 30 years, etc. Neither the section nor supplement refer to the current law on the subject, which has been in effect since July 1, 1922.

Section 2083: This section was superseded by section 9 of the act of June 10, 1922, and no reference thereto made in either the section or supplement.

Section 2089: This section should be consolidated with section 2091, as they relate to the same subject matter. (32 Stat. 932 and 40 Stat. 48.)

Section 2090: See Forty-second Statutes, page 722, relating to discharge of certain officers with one year's pay, but omitting allowances. No reference to this later statute in section 2090 or in supplement.

Sections 2094 and 2138: These sections should either be consolidated into one section or cross referenced.

Section 2109: That part of this section relating to commutation of quarters was abolished by section 6 of the act of June 10, 1922, and substituting a rental provision. This section should embody the permanent law and eliminate the obsolete parts.

Section 2117: This section relates to the traveling expenses of Army officers in Alaska and is covered by section 12 of the act of June 10, 1922, and the subject matter of these sections should either be consolidated into one section and the obsolete matter omitted or cross referenced.

Section 2123: That part of this section relating to commutation of quarters was repealed by section 15 of the act of June 10, 1922, and the mileage and transportation features of the section are repealed and reenacted by the provisions of section 12 of the said act. What has been said in reference to omitting obsolete provisions and consolidating permanent law in reference to the preceding sections applies here.

Section 2145: This section was repealed by section 15 of the act of June 10, 1922, and no reference made thereto either in section or in the supplement.

Section 2251: As to compensation, see contra section 33, act of June 4, 1920, 41 Stat. 777. No reference thereto in either the section or the supplement.

TITLE 17—NAVY

Section 2454: The temporary advancement of all officers of the permanent Navy or Marine Corps in grade or rank in accordance with the provisions of the act of May 22, 1917, 40 Stat. 86, ceased December 31, 1921. This section is obsolete.

Sections 2532 and 2541: It would appear these sections should be either combined, or at least cross-referenced, as both refer to the authorized enlisted strength of the Navy.

Section 2547: Repealed as to four months' honorable discharge gratuity pay by section 10, act of June 10, 1922. No reference thereto in either section or supplement.

Sections 2590, 2599, and 2600: These sections should be consolidated into one section containing the permanent law on the subject to which they relate, eliminating the obsolete parts.

Section 2603: The provisions of this section as to pay and allowances of rear admirals are covered in sections 5, 6, and 8 of the act of June 10, 1922, and no reference is made to the same either in section 2603 or in the supplement. Same objections apply here as to other sections similarly affected.

Sections 2627, 2628, and 2629: The subject matter of these sections is covered in section 12 of the act of June 10, 1922, in relation to travel within and without the United States, without reference thereto in either the sections or the supplement.

Section 2647: Repealed as to honorable discharge gratuity pay and continuous-service pay by section 10, act of June 10, 1922, and no reference is made thereto either in this section or in the supplement.

Sections 2722 and 2907: As section 21 of the act of June 10, 1922, relates to the same subject matter covered by these sections, there should either be a consolidation of the permanent law into one section or cross references.

Section 3111: This section provides that the Secretary of the Navy may set aside the proceedings or remit or mitigate sentence imposed by a Navy court-martial, which is section 9 of the act of February 16, 1909, 35 Stat. 621. See kindred statutes at 35 Stat. 623; 39 id. 586.

Under the heading "Railways, telegraphs, and Government aid," title 40, section 6997, attention is invited to the fact that of the roads enumerated the Kansas Pacific (operated by the Missouri Pacific for 100 miles between Atchison and Waterville, Kans.) is the only road to which the section now applies.

Under the heading "Domestic and foreign commerce," title 41, sections 7032 and 7032.1, instead of being consolidated into one statute and eliminating the obsolete matter, carry into the code obsolete provisions, thus confusing rather than simplifying the law.

As stated in my letter of January 19, it is important that none of the obsolete and repealed sections should be carried into the revised bill, but it is more important that all sections and parts of sections that have not been repealed should be carried forward into the revised bill. The carrying of repealed and obsolete sections into the revised bill in one place and placing the current law relating to the same subject matter in another place in the bill must certainly lead to confusion and should not be done.

I also think it important that a subject index like that of the United States Compiled Statutes (1916), and marginal references to the old sections like those of the Revised Statutes of the United States (1878) should accompany the new code.

I have not had an opportunity to make an extensive study of the whole matter, but have endeavored to point out enough defects to put your committee on notice that the bill is objectionable and should not pass in its present form.

Sincerely yours,

J. R. McCARL,
Comptroller General.

WASHINGTON, D. C., *March 1, 1924.*

Senator RICHARD P. ERNST,
Senate Office Building, Washington, D. C.

In re H. R. 12, Sixty-seventh and Sixty-eighth Congresses.

DEAR SENATOR ERNST: Inclosed are some notes made by Edward S. Rogers, Esq., of Chicago, chairman of the committee of the American Bar Association, appointed to draft a codification of the Federal trade-mark statutes on H. R. 12, as passed by the Sixty-seventh and Sixty-eighth Congresses. Mr. Frank L. Browne, of Washington, and I have gone over these notes and approve Mr. Rogers's statements.

Yours very truly,

WILLIAM L. SYMONS.

H. R. 12, SIXTY-SEVENTH CONGRESS, FIRST SESSION

The chapter on trade-marks occurs at page 629, chapter 2, of title 36, "Patents, trade-marks, and copyrights."

The act of March 19, 1920, is omitted entirely.

Section 6177, which is section 3 of the act of May 4, 1906, is misplaced. It occurs after section 6176, which is section 1 of the act of February 20, 1905, and precedes section 6178, which is section 2 of the act of February 20, 1905. Placing it here makes the first two lines of section 6178 difficult to understand, because that section has direct reference to section 6176 and has no reference to section 6177, which immediately precedes it. Thus the statement, "The application prescribed in the foregoing section," apparently refers to section 6177, whereas, as a matter of fact, it refers to section 6176.

Section 6181, the last line "being the act of January 8, 1913," seems to be an error, because what is really referred to is the act of February 20, 1905. The act of January 8, 1913, is merely an amendment.

The conclusion of section 6181 omits the amendment to the so-called 10-year proviso by the act of March 19, 1920, which modified this section. This is due undoubtedly to the fact that the person who prepared this revision was not apparently aware of the act of March 19, 1920, and none of its provisions are included in the proposed codification.

The provisions of section 6204 are modified by the provisions of the tariff act of 1922, which are omitted.

There are two or three rather curious blunders, particularly in the section headings. For example, section 6190 is headed "Fees" and section 6191 is headed "Trade-mark fees." Section 6190, which is headed simply "Fees," refers to trade-mark fees, and section 6191, which is headed "Trade-mark fees," refers only to trade-mark fees which have been paid by mistake.

Section 6195 purports to be section 19 of the act of February 20, 1905. The first two lines of section 19 are "The several courts vested with jurisdiction of cases arising under the present act shall have power to grant injunctions," etc. By "the present act" it would seem the act of February 20, 1905, is referred to, particularly since the courts vested with jurisdiction under it are described in section 17 immediately preceding. The person who did the codification apparently thought that what was referred to as "the present act" was the act of 1881; so accordingly section 6195 is made to read "Injunctions and recovery of damages. The several courts vested with jurisdiction of cases arising under the act of March 3, 1881, Thirty-third Statutes at Large, chapter 592, shall have power to grant injunctions," etc., although section 6209 of the codification repeals this act.

The exact relation between these two bills is not apparent. Whether H. R. 12, Sixty-eighth Congress, supersedes H. R. 12, Sixty-seventh Congress, or is merely a supplement to it is not clear. The chapter on trade-marks occurs at page 1396 and is chapter 2 of title 36, "Patents, trade-marks, and copyrights." This chapter does not contain the act of February 20, 1905, except by reference, but does contain the act of March 19, 1920, and nothing else.

Section 6181.1 is the amendment of March 19, 1920, to section 5 of the act of February 20, 1905, affecting the 10-year proviso, which is next to the last paragraph and is unintelligible unless printed in juxtaposition. It is difficult to see the relation between these provisions as the matter is presented.

Section 6207.1 refers to certain sections of the act of February 20, 1905, and uses the section numbers as they there appear. Since the whole act of February 20, 1905, is omitted in this bill, and since H. R. 12 of the Sixty-seventh Congress does not use the same section numbers of the corresponding paragraph of the act of February 20, 1905, as it is reprinted in H. R. 12 of the Sixty-seventh Congress, it is impossible to identify the sections meant.

There is no reference to the supplement to the trade-mark act contained in the tariff act, although this amendment occurs in H. R. 12, sixty-eighth Congress, page 1570, section 9694.2, title "Imports."

The present trade-mark statutes are difficult to find and are obscure. For this reason the committee of the patent, trade-mark, and copyright section of the American Bar Association have spent five years in attempting to reconcile contradictory provisions, articulate the different sections, and embody them in a consistent measure. The proposed codification of the trade-mark acts in H. R. 12 merely adds confusion to an already complicated condition and makes incomprehensible what before was only uncertain.

FEDERAL RESERVE BOARD,
Washington, February 29, 1924.

Hon. RICHARD P. ERNST,
Chairman Committee on Revision of Laws,
United States Senate.

MY DEAR SENATOR: Pursuant to the suggestion contained in your letter of February 7, I am inclosing herewith a brief memorandum of suggested changes in H. R. 12, a bill to consolidate and codify the general and permanent laws of the United States. This memorandum has been prepared by the board's counsel, who has made a careful comparison of the provisions of the projected code with the corresponding provisions of the Federal reserve act and related legislation. The board recommends the incorporation of the suggested amendments.

The board takes the liberty of calling particular attention to the suggestions that the provisions now printed as a supplement be consolidated with the main body of the code and that an adequate index be prepared. These matters do not affect solely Federal reserve legislation, but are of prime importance to the code as a whole, and I am sure you will recognize their value.

If any question should arise in connection with these suggestions, the board will be glad to be of service to you.

Very truly yours,

D. R. CRISSINGER, *Governor.*

SUGGESTED AMENDMENTS TO BILL H. R. 12

Section 480.1: This section is in part a reprint of section 324 of the Revised Statutes of the United States, as contained in section 10 of the Federal reserve act, and in part that portion of section 10 of the Federal reserve act which deals with the construction of Federal reserve branch bank buildings. This latter provision appears in section 8728.1 and there is no necessity for its inclusion in section 480.1. The proviso, however, that the limitation on branch bank buildings shall not apply to buildings under construction prior to June 3, 1922, has been omitted from section 8728.1 and should be included.

Section 8658: In the fifth paragraph, fourth line, occurs the phrase "and every member bank." This should be clarified by substituting the phrase "every member bank of a Federal reserve bank," or adding "as defined in section 8741," because up to this point there is no mention made of member banks and no indication as to what member banks are.

Section 8658.2: In the third from the last line of subdivision (c) there appears to be a transposition of words. The language in the code reads "holds certificates of stock or ownership in corporations," and in section 25(a) of the Federal reserve act the language reads "holds stock or certificates of ownership in corporations."

The last half of the paragraph of section 25 (a) of the Federal reserve act, which corresponds with subdivision (g), beginning with "The capital stock of any such corporation," has apparently been omitted. This part of the subsection deals with the increase of capital stock of Edge corporations, prohibitions against the withdrawal of their capital, and investment in their stock by national banks. No reason is seen for the omission of these provisions.

Sections 8659 and 8662, inclusive: These sections deal with the reserves against deposits formerly required to be carried by national banks in central reserve and reserve cities, and also provide for the designation of central reserve and reserve cities. By virtue of section 27 of the Federal reserve act and its references to sections 11 (c) and 19 of the Federal reserve act, the above provisions are superseded as regards all national banks which are members of the Federal reserve system; that is, all national banks in the continental United States and all national banks without the United States which have become member banks. The above provisions of the code which relate to reserve requirements and the designation of reserve and central reserve cities are, therefore, obsolete as regards all national banks which are members of the Federal reserve system and a notation to this effect should be inserted.

Section 8691: The second part of the first paragraph beginning "and a duty of one-fourth per cent each half year upon the average amount

of its deposits" is apparently now obsolete. (See sec. 27 of the Federal reserve act.) The second paragraph is now also obsolete by virtue of section 27 of the Federal reserve act, which extended the provisions of this paragraph only to June 30, 1915.

Sections 8714 and 8715: These sections correspond to the act of June 30, 1876, chapter 156, section 1, and chapter 156, section 3, 19 Statutes at Large, 63. There has apparently been omitted chapter 156, section 2 of this act, providing for a creditors' bill against shareholders of a national bank in liquidation. There seems to be no reason for this omission.

Section 8717: In the third line there occurs the phrase "every member bank." This phrase is subject to misconstruction in that the tenth paragraph of section 8727 of the code expressly provides that State member banks shall not be subject to the provisions of the first two paragraphs of section 8717. It would seem desirable to insert a notation to this effect.

Section 8720: The first paragraph of the corresponding section of the Federal reserve act, section 2, provides in part that the reserve bank organization committee shall divide the continental United States, excluding Alaska, into Federal reserve districts. This provision seems to have been omitted from the code and it is believed important to include it, as questions have already arisen as to whether the Federal reserve districts are limited to the continental United States. It would seem also advisable to include the proviso in this paragraph that the districts shall be apportioned with due regard for commercial usage and need not be coterminous with State lines, since questions as to these characteristics of districts may arise.

The fourth paragraph reads at present, "Should any national banking association in the United States, then organized, have failed within one year after December 23, 1913, to become a member bank," etc. Inasmuch as no national bank failed within one year after December 23, 1913, to become a member bank, this provision is surplusage and the paragraph might properly be changed to read as follows: "Should any national banking association in the United States fail to become a member bank, or to comply with any of the provisions of this chapter," etc.

Section 8721: The title of this section is "Directors of branch banks." The section deals primarily with Federal reserve branch banks and such a title would be more appropriate.

Section 8722: Paragraphs 6 to 9, inclusive, deal with Federal reserve bank stock held by individuals and corporations, other than member banks, or allotted to the United States. There have been omitted, however, the provisions of section 2 of the Federal reserve act which set forth the circumstances under which Federal reserve bank stock may have been issued to persons other than member banks. It would seem preferable to include these provisions in order that this matter may be more intelligently set forth in the code.

Section 8723: The title of this section is "Bank organization and powers." This section deals also with election of Federal reserve bank directors, and the title might appropriately be changed to read, "Organization, powers, and directors." The paragraph immediately following subsection 8 and providing that no reserve bank shall transact any business except necessarily preliminary business until it has been authorized to commence business may be omitted. The paragraph beginning "The reserve bank organization committee may, in organizing Federal reserve banks, call such meetings," etc., may be omitted.

Section 8728: This section corresponds to section 10 of the Federal reserve act. The same section, as amended by the act of June 3, 1922, appears in the supplement to the code, in part as section 8728 and in part as section 8728.1. It would seem desirable to consolidate these sections into one section in its amended form.

Section 8729: Subsection (i), insert a comma after the word "collateral" in the second line.

Subsection (k), insert a comma after the word "therefor" in the second line.

Section 8730: The second paragraph, eighth line thereof, insert the word "or" between the words "gold" and "securities."

Section 8731: This section corresponds to section 13 of the Federal reserve act, but it omits the last three paragraphs of this section which follow the revision therein of section 5202, Revised Statutes. These paragraphs deal in turn with (1) the supervision of the Federal Reserve Board over the discount and rediscount and purchase and sale by reserve banks of bills receivable, and of domestic and foreign bills of exchange and of acceptances; (2) the power of national banks in villages of less than 5,000 inhabitants to act as insurance agents; and (3) acceptances by member banks of bills of exchange drawn for the purpose of furnishing dollar exchange. These three paragraphs do not appear to be included in the code, and they should be included.

Section 8734: This section corresponds to section 16 of the Federal reserve act, but apparently the eleventh and thirteenth paragraphs of section 16 of the Federal reserve act have been omitted. These paragraphs deal with the printing of Federal reserve circulating notes and the expenses thereof. No reason is seen for the omission of these two paragraphs.

Section 8735: Ninth line, "this chapter" should read "Section 5391 of the code."

There appears to be a typographical error in the seventeenth line of this section, where the phrase "certificates or indebtedness" should read "certificates of indebtedness."

Section 8738: In the fifth paragraph, third line, it would appear that "section 8722" should read "section 8723."

Section 8741: Corresponds to the first section of the Federal reserve act, containing short title and definitions. The subheading of this section reads, "Short title and penalties; definitions." There is no reason for the use of the word "penalties."

Section 30 of the Federal reserve act is omitted from the code. This section provides that the right to amend, alter, or repeal the act is expressly reserved. It would seem desirable that it be included in the code.

In the table of contents, the subject of Federal reserve banks is treated as a subheading under title 52, which deals with national banks. It would seem more appropriate that the Federal reserve system be listed under a separate title.

It would greatly increase the simplicity and consequent value of the code if the provisions now appearing in the supplement were embodied in the code proper, so that all provisions of law dealing with the same subject matter would appear together. A comprehensive index would also greatly enhance the value of the work.

TREASURY DEPARTMENT,
Washington, February 27, 1924.

Hon. RICHARD P. ERNST,
Chairman Select Committee on Revision of the Laws,
Washington, D. C.

MY DEAR SENATOR ERNST: We have just examined H. R. 12, an act to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923, which has been referred to your committee.

We find that, while you have indexed the Federal intermediate credit banks as being in section 8764.1, this legislation is not included in the act.

The legislation creating the Federal intermediate credit banks is a part of the agricultural credits act of 1923, approved March 4, 1923, no part of which, I judge, has been included in this codifying act.

The section indexed refers to joint-stock land banks, and there is no index covering the subject of joint-stock land banks.

Yours very truly,

M. L. COBBY,
Member Farm Loan Board.

UNITED STATES COURT CHAMBERS,
Grand Rapids, Mich., February 26, 1924.

Hon. RICHARD P. ERNST,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have recently received a copy of H. R. 12, an act to consolidate, etc., which was, on January 15, 1924, referred to the Senate Select Committee on Revision.

I am taking it for granted that your strenuous and useful experience upon this subject in the last Congress puts you again upon this committee, and that the bill will receive the same study from you that it had before.

I have given it only hasty examination, but the impression is not favorable. In the first place, I notice, as you will, that it purports to be a complete revision, down to page 1262, reaching March 4, 1919, and then that all subsequent legislation has been condensed into a supplement instead of being distributed as it should have been. It follows that this supposed code covers the same subject in two places; and one desiring to find the law on any subject must look in two places. This would not be so bad if the second part was merely supplementary, but in many cases, like the Army reorganization or the internal revenue subjects, the latter part is amendatory and revisory as well as supplementary. The bill thus not only loses the benefit of any complete codification but the effect of the enacting clause declaring that the old law and the new law constitute the laws in force in December, 1923, is bound to be confusing.

I have glanced at the subject of the judiciary. I do not find anywhere the provisions of section 274c, being the act of March 3, 1915, which provides for the power to amend at any stage to show diverse citizenship. This provision may be there somewhere. I had a memorandum of three or four others which I did not find but which later turned up. The lack of any index or tables makes it very difficult to tell what is here. Possibly the committee has been furnished with some comparative tables.

If I can be of any assistance in making a study of any particular title, I shall be very glad to do so. It is, of course, entirely possible that a more careful study will make a more favorable impression.

Yours very sincerely,

A. C. DENISON, *Circuit Judge.*

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, February 21, 1924.

Hon. RICHARD P. ERNST,
United States Senate, Washington, D. C.

MY DEAR SENATOR ERNST: I wish to acknowledge receipt of your letter of February 19 in answer to my communication of the 16th instant.

Immediately upon receipt of the Codification of Laws (H. R. 12) I had two of the legal men in the bureau accustomed to working with such compilations make a thorough study of the laws relating to the Public Health Service, and I am confident that the memorandum which was forwarded to you with my previous letter sets forth all of the errors with reference to Public Health Service legislation.

In view of the fact that congressional enactments relating to the service extend from 1794 to the present date and bear on many phases of medicine and public health, I was really surprised to find so few errors. I believe the committee is to be highly congratulated on the apparent thoroughness with which its work has been accomplished.

Sincerely yours, H. C. CUMMING, *Surgeon General.*

UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF MISSOURI,
St. Louis, February 20, 1924.

Hon. RICHARD ERNST,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am taking the liberty of calling your attention to a very obvious error in House bill No. 12, being "An act to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923," which bill is now pending before the Senate Committee on Revision of Laws, of which you are chairman.

Section 967 of the proposed act as contained in a copy of the bill before me reads as follows: "A clerk shall be appointed for each district court by the judge thereof, or by the judge senior in commission if there be more than one judge in the district, *subject to the approval of the cricuit judge for the circuit, senior in commission*, in which the district is situated. (36 S. 1087; 40 S. 1182.)"

In the preparation of the above section the committee which prepared the same overlooked an amendment contained in the act of February 11, 1921, to be found in 41 Stat. 1099, by which last-mentioned act the words above italicized in the section quoted above were stricken out.

Those who prepared section 967 of the revised act clearly overlooked the latter amendment which I mentioned above. This is obvious from the fact that 40 Stat. 1182 is the authority quoted for the present form of this section, while this section was later dealt with and amended by 41 Stat. 1099. In other words, while House bill No. 12 purports to revise all laws in force on December 2, 1923, it fails to do so in this particular instance.

I trust that it is not too late to correct this very palpable mistake.

Very truly yours,

C. B. FARIS, *District Judge.*

ELKINS, W. VA., *February 18, 1924.*

Hon. STUART F. REED,
Washington, D. C.

MY DEAR CONGRESSMAN: I just received H. R. 12, Sixty-eighth Congress, first session, introduced January 15, 1924, in the Senate of the United States, being an act to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923, read twice and referred to the Select Committee on the Revision of Laws.

On page 94, section 1080, West Virginia, it sets out the counties that shall be embraced in the northern district and the time for holding courts at the various places.

You will recall that after my assuming duties as judge this section was amended; Philippi was cut out as a place of holding court and the dates for holding court at the various places changed as follows: Parkersburg, second Tuesday in January, fourth Tuesday in May; Martinsburg, first Tuesday in April, third Tuesday in September; Clarksburg, second Tuesday in April, first Tuesday in October; Wheeling, first Tuesday in May, third Tuesday in October; Elkins, third Tuesday in June, third Tuesday in November.

There were also certain changes made in the southern district which I do not have before me.

I wish you would take this matter up with the select committee, calling its attention to this situation.

Thanking you in advance, I beg to remain,

Sincerely yours, W. E. BAKER

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, February 16, 1924.

Hon. RICHARD P. ERNST,
Chairman Committee on Revision of Laws,
United States Senate, Washington, D. C.

MY DEAR SENATOR ERNST: Through the courtesy of Hon. E. C. LITTLE, chairman of the Committee on the Revision of Laws of the House of Representatives, I have been forwarded a copy of H. R. 12, "An act to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923."

I have had legal assistants in the bureau examine this statute with a view to ascertaining if any discrepancies existed therein with reference to the laws relating to the Public Health Service with which we are familiar, and I am attaching for your information a memorandum setting forth certain errors which occurred no doubt through inadvertence, but which the bureau feels it might be advantageous to correct before this statute is finally enacted into law. May I ask that this matter be given the attention of your committee?

Sincerely yours,

H. S. CUMMING, *Surgeon General.*

MEMORANDUM REGARDING CHANGES IN THE LAWS RELATING TO THE PUBLIC HEALTH SERVICE AS CONTAINED IN H. R. 12, SIXTY-EIGHTH CONGRESS, FIRST SESSION

Section 8353, line 7: The words "revenue cutters" should be changed to "Coast Guard cutters." (See line 2 of same section.)

Section 8417, lines 13, 14: The words "and while thus serving shall have the pay and emoluments of a surgeon" should be omitted. This provision was repealed by a provision in the act of March 4, 1913 (37 Stat. 915). The repealing provision is contained in section 8418 of the Code of Laws.

Section 8435: The reference "37 S. 736" at the end of the section should be omitted.

Section 8439, line 10: The word "of," the last time it occurs, should be changed to "at," which is the wording of section 4793 of the Revised Statutes.

Section 8447, line 12: The word "persons" should be changed to "person," which is the wording of the original act. (39 Stat. 873.)

Section 8448: The reference "40 S. 886" at the end of the section should be striken out.

Section 8452, line 6: The word "of," the first time it occurs, should be changed to "or," which is the wording of the original act. (40 Stat. 886.)

Section 8568, lines 8, 9: The words "Public Health and Marine Hospital Service" should be changed to "Public Health Service." The name of the service was changed to Public Health Service by the act of August 14, 1912. (37 Stat. 309.)

Section 2437.14, line 19: The word "then" should be changed to "on June 10, 1922."

Section 2437.37: The reference in the last line to section 2437.17 should be changed to section 2437.18.

COLUMBIA INSTITUTION FOR THE DEAF,
Washington, D. C., February 4, 1924.

Hon. R. P. ERNST,
Chairman Select Committee on Revision of Laws,
United States Senate, Washington, D. C.

MY DEAR SENATOR ERNST: I received a few days ago, through the courtesy of the Hon. EDWARD C. LITTLE, chairman of the Committee on the Revision of Laws in the House of Representatives, a copy of H. R. 12, Sixty-eighth Congress, first session, entitled "An act to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923."

I have read with interest chapter 4, section 8886 through section 8893, on pages 994 and 995 of the bill, which gives the laws relating to the Columbia Institution for the Deaf. In my opinion it would be a mistake not to include at least one other law, and it would also be a mistake to leave in this chapter several of the sections as now provided.

The law which I believe should be included in the chapter grants to this institution the power to confer collegiate degrees. It was signed on April 8, 1864, by President Lincoln, and is contained in Thirteenth Statutes at Large, page 45. It can be found in the sixty-third annual report of our institution at the bottom of page 22. I am sending you a marked copy of this report.

I believe that sections 8893, 8895, and 8896, dealing with the admission of deaf children from the District of Columbia into our institution should be revised and made clearer. At the present time the Secretary of the Interior has nothing to do with the admission of such children, as the District Commissioners, under section 8896, have taken over the whole matter of recommending pupils of the District to our institution. Our institution, by this same section, is declared not to be a charitable institution, and the word "indigent"

is not being used in any of the laws in this connection, it being properly considered at the present time that all deaf children have a right to instruction at the public's expense, just as well as hearing children have.

Section 8895, providing for the manner of paying expenses, says that one-half the expense of the instruction of District children shall be paid by the District. Of course, this proportion has now been changed and it would seem to me that a proviso should be written in that the proportion of cost in this matter shall be in accordance with the current District appropriations. This is, in fact, the way the expense is worked out by the District Commissioners.

Section 8899, in regard to justices of the peace, it would seem to me, is unnecessary, as I understand that there are no longer justices of the peace in the District of Columbia.

Sections 8894, 8902, and 8903, dealing with the instruction of feeble-minded persons and blind persons, should be taken out entirely from this chapter, as the president and directors of the Columbia Institution for the Deaf should no longer have duties in connection with the admission of such children into proper institutions. It is my belief that the Secretary of the Interior at the present time has nothing to do with either of these classes of children as far as placing them in institutions goes. The president of this institution should be relieved of the present custom of interviewing all feeble-minded children of the District before they are sent to special schools, it being required that a test of hearing of such children be made by medical authorities of the District before they are sent to schools for backward children.

Sections 8900 and 8901, dealing with the report of the institution, are really duplicates. The present custom is for the president to make his annual report to the Secretary of the Interior in accordance with section 8901 and a more or less complete digest of this is presented by the Secretary of the Interior to Congress. In my opinion, section 8900 should be omitted and, if possible, 8901 should be so revised as to require the president and directors of this institution to report to Congress directly the condition of the institution on the 1st of July, etc. Secretary Fall, in his report for the year 1922, advocated that the report of this institution be made directly to Congress. This would not be in violation with section 8900 but really in conformity with it.

Section 8897, which deals with the admission of free students to our advanced department, is very faulty and does not carry out the intent of the present laws, which are that 125 free scholarships shall be granted to students from the States and Territories on the recommendation of the president of the institution to the Secretary of the Interior, the board of directors of the institution having the power to determine the extent of the assistance given. My reading of the proposed revision would confine this assistance simply to the remitting of tuition fees.

I will be very glad to have an opportunity to be heard in regard to the chapter of laws in connection with the Columbia Institution for the Deaf when hearings are held in connection with this bill.

Very truly yours,

PERCIVAL HALL, *President.*

PART III

SPEECH OF HON. RICHARD P. ERNST, OF KENTUCKY, IN THE SENATE OF THE UNITED STATES, FRIDAY, MARCH 2, 1923

Mr. ERNST. Mr. President, H. R. 12 is a bill to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919. This bill passed the House and was referred to the Committee on Revision of Laws of the Senate.

H. R. 12 has not been reported to the Senate because it is filled with imperfections of every character, so many and so serious that they can not be remedied by amendments.

A compilation of the laws of the United States should contain all of the laws in such form that one can ascertain the law without the necessity of referring to the Revised Statutes or to the many volumes of the Statutes at Large. If a compilation fails in this respect, we have but added another reference book to already overcrowded shelves.

H. R. 12 contains section after section with references in the body of the section to the law as it is set out in the Revised Statutes or in the Statutes at Large, and with no reference whatever to that section of the compilation where the law itself can be found, if, indeed, such section be included in the bill. In every such case an examination must be made of the Revised Statutes or Statutes at Large containing the law thus referred to. This statement does not relate to citations at the end of the various sections of the compilation.

If H. R. 12 should therefore become the law, it will fail to accomplish the purpose for which it was enacted, namely, to set forth the laws of the United States in one volume, so that reference to and examination of the Revised Statutes and the Statutes at Large may not be necessary.

A few of the many sections above referred to are sections 104, 333, 354, 423, 456, 501, 651, 660, 773, 783, 787, 869, 905, 925, 945, 955, 988, 1355, 1651, 1679, 1686, 1695, 1774, 1805, 1838, 1967, 2006, 2033, 2058, 2059, 2063, 2199, 2234, 2414, 2452, 2455, 2454, 2455, 2597, 2719, 2777, 2810, 2817, 2824, 2828, 2881, 2892, 2900, 2964, 3122, 3159, 3188, 3224, 3326.

Some of the acts referred to in sections like those above set out were found in this compilation and others were not. The foregoing are only a portion of the sections of that character, and no attempt is made here to set out all of them. There are 10,747 sections in the code, and the sections just set out and others of the same kind are all found in the first 3,326 sections.

One of the sections above—section 104 of the code—reads as follows:

"In any action now pending, or which may be brought against any person for or on account of anything done by him while an officer of either House of Congress in the discharge of his official duty in executing any order of such House, the district attorney for the district within which the action is brought, on being thereto requested by the officer sued, shall enter an appearance in behalf of such officer; and all provisions of the eighth section of the act of July 28, 1866, entitled 'An act to protect the revenue, and for other purposes,' and also all provisions of the sections of the former acts therein referred to, so far as the same relate to the removal of suits, the withholding of executions, and the paying of judgments against revenue or other officers of the United States, shall become applicable to such action and to all proceedings and matters whatsoever connected therewith, and the defense of such action shall thenceforth be conducted under the supervision and direction of the Attorney General."

It will be observed that reference is made in this section to the act of July 28, 1866, instead of the section containing that act in this bill. An examination of that act will disclose the fact that a reference is therein made to an act passed in 1833.

It is clear, therefore, that an examination of section 104 of the code makes absolutely necessary an examination of the act of 1866 and also the act of 1833.

It is interesting to note that the acts referred to have been superseded by later legislation and have been dead matter for more than 30 years.

As to section 988, the last paragraph of this section reads as follows:

"But chapter 57, Fourth Statutes at Large, shall not be construed to apply to cases arising under chapter 173, Thirteenth Statutes at Large, nor any act in addition or amendment thereto, nor to any case in which the validity or interpretation of said acts shall be at issue."

Therefore the act referred to in section 988 and all acts "in addition or amendment thereto" must be examined in order to ascertain to what this section relates. Furthermore, this section is one conferring jurisdiction upon district courts and the above provision has no proper place where it is found. What it does is, in substance, to declare that the provisions of a customs act shall not apply to cases arising under an internal revenue act.

It may be noted that this provision also has long since been dead matter.

There are hundreds of other sections like the following:

"SEC. 769. Nothing in this chapter contained shall affect or modify the provisions of chapter 372, Thirty-first Statutes at Large, page 790, section 5060 of the Code of the Laws of the United States."

As will be seen, the foregoing refers to the Statutes at Large and also to the corresponding section of the code.

Other sections make reference to the acts set out in the Revised Statutes and give the section where the same act can also be found in the code.

There is no good reason for this double reference.

Mr. STERLING. Mr. President——

Mr. ERNST. I yield to the Senator from South Dakota.

Mr. STERLING. I would like to ask the Senator from Kentucky what is meant exactly by the use of the term "code"? In 1876 we had the Revised Statutes, as I remember it, and not the code.

Mr. ERNST. I can say to the Senator that I do not think it should be called the code. That is a name that has been given it in the body of the compilation and is used here for reference. I think this is a compilation of the laws of the United States, and that that would be the better way of designating it.

In the first place, the acts referred to are expressly repealed by this code. In the second place, the double references in hundreds of sections throughout the code make it cumbersome, confusing, and serve no good purpose.

If it is desired to refer to the source from which a section is drawn, that should be done by a citation thereto, placed either at the side or at the end of the section.

Other sections of this code refer only to sections of the code itself, usually, however, in the following form: "Section — of the Code of Laws of the United States."

Mr. STERLING. Then the term "code," as I understand from the Senator, applies particularly to this attempted revision?

Mr. ERNST. It applies to the revision bill, as we call it, being House bill No. 12.

It would be much simpler to make reference to other sections without in every instance repeating the words "the Code of the Laws of the United States," as such reference would be understood as referring to the sections of the bill and to nothing else.

I call especial attention to section 3705, which reads as follows:

"All acts or parts of acts inconsistent with or repugnant to the provisions of chapter 69, Fortieth Statutes at Large, page 547, section 3675 of the Code of the Laws of the United States, are repealed; but nothing in said act shall repeal or in any way enlarge section 2169 of the Revised Statutes of 1878, except as specified in the seventh subdivision of section 3675 of the Code of the Laws of the United States, and under the limitation therein defined: *Provided*, That for the purposes of the prosecution of all crimes and offenses against the naturalization laws of the United States which may have been committed prior to the act of May 9, 1918, Fortieth Statutes at Large, chapter 69, the statutes and laws repealed shall remain in full force and effect: *Provided further*, That as to all aliens who, prior to January 1, 1900, served in the armies of the United States and were honorably discharged therefrom, section 2166 of the Revised Statutes of 1878 shall be and remain in full force and effect, anything in chapter 69, Fortieth Statutes at Large, page 547, section 3675, of the Code of the Laws of the United States, to the contrary notwithstanding."

Comment upon the foregoing section is hardly necessary. It is a most remarkable work of art in statute making. It does not slight either the Revised Statutes or the Statutes at Large or the Code of the Laws of the United States.

The following provision appears in section 6802 of the code:

"The excess of his salary from the Coast and Geodetic Survey paid their man shall come from the funds of this commission."

The above provision is "revised" from a provision in the river and harbor act of June 25, 1910 (36 Stat. 658), relating to the Mississippi River Commission, and reads:

"*Provided*, That * * * the member of said commission appointed from the Coast and Geodetic Survey shall receive the same annual compensation as other civilian members of said commission, and the excess of compensation he receives from the Coast and Geodetic Survey shall be paid from the funds of said commission."

Being from the funds of the Mississippi River Commission.

"SEC. 2414. The President is authorized, under the provisions of what was section 20 of chapter 204 of the Sixteenth Statutes at Large, page 319, to make and publish regulations for the government of the Army in accordance with laws existing March 1, 1875: *Provided*, That said regulations shall not be inconsistent with the laws of the United States."

It will be noted that the foregoing section refers to the provisions of "what was section 20," etc., of the Sixteenth Statutes at Large.

Many more examples or illustrations of the character above set out can be given, but the foregoing are abundantly sufficient to demonstrate that H. R. 12 has failed as a compilation of the laws of the United States, which makes reference to the Revised Statutes and to the Statutes at Large unnecessary.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Kentucky yield to the Senator from Montana?

Mr. ERNST. I yield.

Mr. WALSH of Montana. I was, unfortunately, not in the Chamber when the Senator began his remarks and possibly he has answered the inquiry I desire to address to him. I should like to ask exactly how this work was done? Did some Member of Congress in the midst of his absorbing duties endeavor to devote sufficient time to this subject to make the compilation himself or did he have the assistance of some experts in the work of compilation and revision?

Mr. ERNST. I am not advised as to that; I do not know how this work was prepared in the House.

Mr. WALSH of Montana. I am sure that neither the Senator nor myself, with the extraordinary demands that are made upon our time here, even assuming that we had any particular skill in that character of work, would be able to devote to such a subject as this the time and attention that it requires. It seems to me that a Member of the House of Representatives must be equally pressed for time in the midst of his other duties. I suppose that a work of this kind ought to be assigned to some commission, including experts who are skilled in the matter of digesting, compiling, etc. I was curious to know whether any such course as that had been taken.

Mr. ERNST. I am very glad to hear the Senator from Montana say what he has. I do not know what steps were taken in the House, but I call attention to the fact later on in my remarks. I state that work of this character can not possibly be done by any committee of either House. It ought to be done by a competent, able, experienced lawyer, assisted by a force who understand this character of work, and it would be necessary for them to give their undivided attention to it. I may as well remark here that to read this volume as one would read a novel would require some three hours of steady reading every day for two months, and to go over it in a critical way so as to analyse it, make the necessary comparisons with the existing statutes, ascertain what sections have been repealed and what have not, would require the work of many, many months by an expert force. It can not be done otherwise.

The errors to which I am calling attention demonstrate, I think, that every character of error which could creep into a compilation of this character have found their way into this measure.

REPETITION OF SECTIONS

Many statutes or sections are repeated, some in substance, others in exact language.

The last 16 lines of section 2879 are repeated word for word in section 2901, on the following page.

In section 2879 is found the following:

"That in determining the officers with rank senior to colonel there shall be included the officer serving as major general commandant."

The identical language is repeated on the next page but one, in section 2895, which is a section of but two and a half lines and contains no other matter.

Section 2778, with the headline "Physical examination," and section 2779, with the headline "Physical disqualifications by wounds," are followed but a few pages farther on by sections 2886 and 2887, which later sections contain the same headlines and the exact language in every respect, except that the two words "Navy or" are contained in section 2778 and are not found in section 2886.

I wish to call especial attention to section 218. I am by no means reading all of the sections to which objection can be made, but am picking out some merely for purposes of illustration.

Section 218 reads as follows:

"The officers and employees of the United States whose salaries were appropriated for in chapter 141 of the Thirty-eighth Statutes at Large, page 1049, by the act of March 4, 1915, are established and shall continue from year to year to the extent they shall be appropriated for by Congress. Employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be necessary."

Except for slight variations in sections 3327 and 5509 this section is repeated verbatim et literatim some fourteen times in the compilations, as will be seen by reference to the following sections: Sections 116, 218, 339, 511, 560, 595, 651, 909, 923, 3327, 3487, 5496, 5498, 5500, 5600.

Sections 220 and 221 under title 3, "The President," are duplicated in sections 6355 and 6356, under title 37, "Foreign Relations."

In many places throughout the compilation we find kindred subjects under totally different titles.

Section 596: The last paragraph of this section is, with slight variations, duplicated in section 587.

The last part of section 700, under the "Department of the Interior," is duplicated in section 1396, under "The judiciary."

Section 1413, under "The judiciary," is duplicated in section 5907 under "Public printing, advertisements, and public documents."

Section 1414, under "The judiciary," is substantially duplicated in section 5872 under "Public printing, advertisements, and public documents."

The last sentence of section 1490, under "The judiciary," is duplicated in section 10731 under the "Penal Code."

Section 1519, under "The judiciary," is duplicated in section 10740 under the "Penal Code."

Sections 2876, 2877, 2878, 2895, and 2901, 2902, 2903, 2904 are duplicated in a section found between those sections and numbered 2879.

There are many other duplications of sections, some in exact language, others in language substantially the same, and there are other sections which duplicate sections in part.

Other duplications will be noted elsewhere.

DEPARTMENT OF STATE

TITLE 19.—DIPLOMATIC AND CONSULAR OFFICERS

Many suggestions have been made by the Department of State concerning various sections of the code relating to that department. Attention is directed to the following sections:

"Section 3215. Salaries: This section purports to set out the salaries paid to ambassadors and envoys on March 4, 1919. It does not correctly set out the salaries paid those officers on that date. The appropriation act of March 4, 1919 (40 Stat. 1325), provides for salaries for such officers as follows:

"'Ambassadors to Austria-Hungary, Argentina, Brazil, Chile, France, Germany, Great Britain, Italy, Japan, Mexico, Peru, Spain, and Turkey, each $17,500.

"'Envoys to Belgium, China, Cuba, the Netherlands and Luxemburg, Czechoslovakia, and Poland, each $12,000.

"'Envoys to Bolivia, Bulgaria, Columbia, Costa Rica, Denmark, Dominican Republic, Ecuador, Greece and Montenegro, Guatemala, Haiti, Honduras, Nicaragua, Norway, Panama, Paraguay, Persia, Portugal, Rumania, Salvador, Serbia, Siam, Sweden, Switzerland, and Venezuela, each $10,000.'

"Attention is also called to the fact that this section speaks of 'legations' to Japan, France, Germany, and Great Britain instead of 'embassies.'

"Section 3216: The department asks, Should not this section, together with section 3217, relating to the ambassador to Argentina; 3219, relating to Paraguay; 3220, relating to Uruguay; 3221, relating to other countries; and 3222, relating to Haiti and Liberia; 3223, relating to an agent and consul general at Egypt; 3224, relating to chargé and consul general at Teheran, all be incorporated in section 3215, wherein the salaries of ambassadors and ministers are set out?"

I call the especial attention of the Committee on Foreign Relations to

Section 3221: Ministers to Guatemala, Costa Rica, Honduras, Salvador, and Nicaragua: This section provides for one minister resident for all those countries, inclusive, and gives the President the power to select the residence for the minister in any one of those States. There is now a minister in each of those countries.

Section 3222: Representatives to Haiti and Liberia: The representative to Haiti is referred to as minister resident and consul general, with a salary of $7,500.

He appears to have been accredited as envoy extraordinary and minister plenipotentiary since 1901. He now receives a salary of $10,000. (31 Stat. 884.)

Section 3224: Chargé and consul general at Teheran: This provision specifically amended section 1675, Revised Statutes. Section 1675 is found in section 3215 of this bill. It is difficult to understand why the amendment was not carried into the section, instead of making it a separate section. Further, the representative to Persia, since at least 1905 (32 Stat. 916), has been designated not chargé and consul general but "envoy extraordinary and minister plenipotentiary," and his salary in the act of March 4, 1919 (40 Stat. 1326), was fixed at $10,000.

The section has been obsolete for more than 15 years and should be omitted from the bill.

Section 3230: Secretary of legation to Turkey: This section provides that the consul general at Constantinople shall be the secretary of the legation to Turkey, but shall receive compensation only as consul general.

This provision of law seems now obsolete. The legation at Constantinople was a number of years ago raised to the rank of embassy. For several years a secretary of legation was provided for in the annual appropriation acts. (38 Stat. 443.) Since the passage of the act of February 5, 1919 (38 Stat. 805), providing that secretaries should be appointed by commission to the office of secretary, and not by commission to any particular post, secretaries have been assigned to the mission at Constantinople.

Section 3231: Interpreter to legation to Turkey: The word "legation" should apparently be changed to "embassy," which is now the designation of our diplomatic mission.

Section 3232: Interpreter of legation to Japan: This provides for a salary of $2,500 to the interpreter to the legation to Japan. In more recent years the interpreter has been referred to in appropriation acts as "Japanese secretary and interpreter to embassy to Japan, $3,000" (34 Stat. 288); as "Japanese secretary of embassy to Japan, $3,600" (39 Stat. 1048); and as "secretary interpreter of embassy to Japan, $3,600" (40 Stat. 520).

Similar provisions have also been made for the embassy in Turkey and the legation in China, as will be noted from the acts cited.

Section 3246: Consul assistant's salary: This provision, with the exception of the last three lines, which seem to have no particular value, is duplicated in section 3258, upon the following page of this compilation. One or the other might be omitted. The last three lines of section 3246 read as follows: "and section 1704, Revised Statutes, its amendatory act of June 11, 1874, and all other acts inconsistent with this provision, are so amended."

Section 3248: Can draw one salary only: This same provision is contained in the last three lines of section 3239, on the preceding page of the compilation.

Section 3249: Interpreter for consulates in China and Japan: This provision providing for interpreters for consulates at the places named therein appears to have been taken from an appropriation act for the fiscal year ending in 1875, and does not appear in recent appropriation acts, and consequently it is hardly to be considered as permanent legislation.

Section 3250: Interpreter at Bangkok: This section provides that the salary of the interpreter at the consulate of Bangkok shall not exceed $500 a year. Appropriation acts for the past several years have allowed the interpreter at Bangkok, $1,500. (40 Stat. 520.)

Section 3282: Notarial fees: This section should be included within the first part of section 3304, as it imposes upon consular officers the duty of taking acknowledgments and administering oaths when requested. Under section 3304 it was to a certain extent optional with the officer whether he would take an acknowledgment or administer an oath or not.

Section 3286: Penalty for wrongful conduct: Since the passage of the act of March 4, 1915 (38 Stat. 1164, 1167, 1170), under section 18 of that act, the authority of consuls to "reclaim deserters" from vessels was repealed, and this section should be amended to conform to the change made by the act of 1915.

TITLE 37—FOREIGN RELATIONS

Section 6294: Arrest of seamen.
Section 6295: Commitment and discharge.

So much of these sections as related to the arrest or imprisonment of officers or seamen, deserting, or charged with desertion, and for the cooperation of the local authorities in effecting such arrest or imprisonment, was specifically repealed by sections 16 and 17 of the act of March 4, 1915 (38 Stat. 1184), and these sections should be corrected accordingly. This Government has abrogated all treaty provisions which would permit arrest or imprisonment for desertion.

Section 6297. Judicial authority: The extraterritorial jurisdiction of the United States in Egypt results from a treaty with the Ottoman Empire made in 1830, and not with Egypt, as stated in the section.

With respect to China, the jurisdiction of the minister to China was taken away by the act of June 30, 1906 (34 Stat. 814), and most of the jurisdiction that had theretofore been exercised by consuls was vested in the United States Court for China by that act. The section should be corrected to state the law.

Section 6300: Laws of the United States extended over citizens.
Section 6305: Appellate jurisdiction of ministers.
Section 6307: Arbitration of civil cases.
Section 6311: Capital offenses.
Section 6312: Execution and pardons.
Section 6317: Minister's jurisdiction defined.
Section 6329: Turkey embraced within provisions of title.

In connection with each of these sections, reference is made to the comment on section 6297.

Ministers, since the passage of the act of June 30, 1906 (34 Stat. 814), exercise no jurisdiction, civil or criminal, in China, and each of these sections should be corrected to conform to the law.

Section 6333: Tripoli, Tunis, Morocco, Muscat, and Samoan Islands, and other countries: The United States, as a result of treaties and conventions, has not exercised extraterritorial jurisdiction in Tripoli since 1913 (see Foreign Relations 1913, p. 608); in Tunis, since the convention with France on March 15, 1905; in Zanzibar, since 1907 (see Foreign Relations 1907, p. 574); and in the Samoan Islands, since the convention of 1899 between the United States, Germany, and Great Britain went into effect.

RIVERS, HARBORS, AND CANALS—TITLE 39

This title, excluding therefrom chapter 11, relating to the Panama Canal Zone, is made up of 78 sections. Of this number at least one-fourth have been repealed, executed, or are obsolete, or are special provisions applying to particular rivers or creeks. Most of the sections in chapter 11 relate to the Panama Canal Zone and have no proper place in this title, but belong under the title "Insular affairs" and do not relate to the canal but to the government of the Canal Zone.

In this title, "Rivers, harbors, and canals," are a number of sections which apply only to particular rivers or creeks, such as acts which declare certain streams to be navigable or nonnavigable, which authorize the lease of water powers, or which authorize the purchase or condemnation of certain canals.

Acts of this character are no more to be considered general laws than are the acts which authorize certain companies or persons to construct bridges over particular streams.

It may be that with respect to New York Harbor, or perhaps Chicago Harbor, in view of the extent of the provisions applying to them, it might be convenient to include them in this bill. If the omission of the other provisions should cause doubt, such doubt could be removed by omitting such acts and by including among the general and repealing provisions of H. R. 12 a section to the effect that nothing in this bill shall affect, modify, or repeal such acts.

It is desired to call especial attention to a few of these sections.

Section 6806: This section appears to be a paraphrase of paragraphs (a) and (b) of the flood control act of March 1, 1917 (39 Stat. 948). As drawn it is inaccurate, as well as redundant.

The entire section from which this section is drawn is set out in this bill as section 6819.

Section 6817: This section is subject to the same criticism as the foregoing. It merely repeats a portion of section 6820 of the bill and should be eliminated.

Section 6833: This section is obsolete. The Louisville & Portland Canal has been owned and operated by the Government for nearly 50 years. Tolls and operating charges upon the Government-owned canals were abolished by the act of July 5, 1884. This section was amended March 3, 1909, and the amendment is set out in section 6827 of this bill.

Section 6843: The act from which the first part of this section is taken was repealed by the act from which the second part of this section is taken, as can be seen upon careful examination.

Section 6861: The first three paragraphs of this section refer to a privilege granted a Michigan power company to divert water from the St. Marys River into its canal, but this grant was repealed by the act of March 3, 1909, and both paragraphs should therefore be omitted.

Section 6864: This section is taken from section 10 of the river and harbor act of September 19, 1890 (26 Stat. 454), which was repealed and superseded by sections 10 and 12 of the river and harbor act of March 3, 1899 (30 Stat. 1152), which appear as sections 6863 and 6867 of this bill. The section having been specifically repealed, it should, of course, be omitted.

Section 6865: This section from the river and harbor act of 1875 (19 Stat. 139) was repealed by section 14 of the act of March 3, 1899 (30 Stat. 1152), which act is set out in section 6870 of this bill. This is another illustration of what we find frequently throughout this compilation, namely, two flatly contradictory sections.

Section 6874: This section, taken from section 11 of the river and harbor act of September 19, 1890 (26 Stat. 455), was repealed by section 17 of the act of March 3, 1899 (30 Stat. 1153), which is fully set out in the preceding section, No. 6873, two more flatly contradictory sections.

Section 6879: This is a special provision of a temporary nature. The work has already been done. There is no reason for including this section in the bill.

Section 6880: The first part of this section is set out in section 6805 and should not be repeated. The latter part of the section is a special provision in the river and harbor act of August 8, 1917. The changes there authorized have been made and the work completed. The section should be omitted.

Section 6885: This is a special provision of a temporary nature in the river and harbor act of July 27, 1916 (39 Stat. 403). By the terms of the item the experiment was to be made within two years. It, therefore, no longer has any force, and the section should be omitted.

Section 6890: This is a small part of a special provision in the river and harbor act of June 13, 1902 (32 Stat. 340), which is fully covered by the general provision found in section 6889, which latter provision vests in the Secretary of War the authority to use such means as he may deem necessary to accomplish the purpose named. It adds nothing to the general authority conferred by section 6889, and should be omitted.

Section 6892: This section contains a special grant to James A. Moore, in the act of June 11, 1906 (34 Stat. 231), to construct a canal to connect the waters of Puget Sound with Lake Washington. Later (34 Stat. 1108) the grant was modified. Later, Congress, by the act of June 25, 1910 (36 Stat. 666), made an appropriation for the construction of the canal, and under which the canal and locks have been completed and the grant to Moore extinguished. The section, therefore, is dead matter.

Section 6910: This section is merely a duplication, it being set out in section 6896 and should be omitted.

Section 6933: This is an act authorizing the purchase of certain land which has long ago been obtained and paid for by the Government and the Government has been in possession of it for several years.

Section 6951: By this section the Secretary of Commerce is authorized to establish anchorage ground in Chicago Harbor. By a later act this authority is vested in the Secretary of War (sec. 6957). Flatly contradictory sections, only six sections apart.

Sections 6960 to 6991: These sections under the title, "Rivers, harbors, and canals," contain the entire law providing a government for the Panama Canal Zone. A few of the sections, namely, 6960, 6961, 6962, 6966, 6968, and probably portions of two or three other sections which relate to the ownership and operation of the canal should be included in this chapter, but why should section 6965, providing for the government of the Canal Zone, and sections 6967 and 6968, relating to courts and judicial procedure, and section 6973, a part of which regulates the passage of persons through the Canal Zone, why should these sections and a number of others be placed in this chapter? These sections should be placed under the proper title in this compilation, "Insular affairs." In this compilation laws relating to Territories and insular possessions are found in the two separate titles. Title 25 bears the heading: "The States and Territories," and contains four chapters which bear headings as follows:

Chapter 1. The States;
Chapter 2. Alaska;
Chapter 3. Hawaii; and
Chapter 4. Territorial provisions.

Under title 26, entitled "Insular affairs," there are four chapters with headings as follows:

Chapter 1. Porto Rico;
Chapter 2. The Philippine Islands;
Chapter 3. Guam and Guano Islands; and
Chapter 4. The Virgin Islands.

Porto Rico is placed under the title, "Insular affairs," while Hawaii is placed in the title, "The States and Territories."

There are many other errors under this title to which attention will not now be called.

Mr. HARRISON. Mr. President, I came into the Chamber after the Senator had begun his speech. Is the Senator now giving the reasons why, in his opinion, this legislation codifying the laws should not be passed by the Senate at this time?

Mr. ERNST. That is correct.

Mr. HARRISON. The reason why I asked the question is that I did not hear the preliminary statement of the Senator. The Senator is now giving the reasons why, in his opinion, the legislation should not be passed at this time?

Mr. ERNST. That is correct.

THE NAVY

I desire to call the especial attention of the Senate to a number of objections made by the Navy Department.

There are many mistakes running all through this title, and they begin with the first section.

Section 2438: The section speaks of rear admirals (first nine) and read admirals (second nine). This is not correct. The proper titles of these officers are "rear admirals, upper half of grade or rank," and "rear admirals, lower half of grade or rank." (39 Stat. 577, 578.)

Section 2452: The last sentence of this section should be omitted, as it is a duplication of the last sentence of section 2456, and belongs in that section.

Section 2463: This section is from the naval appropriation act of August 22, 1912 (37 Stat. 344); but the provision carried into this section was expressly repealed by the provision in the naval appropriation act of July 1, 1918 (40 Stat. 708). So this section, as well as section 2464, are dead matter and have no place in this bill.

Sections 2465 to 2470: These sections are taken from the naval appropriation act of August 22, 1912 (37 Stat. 344).

The naval appropriation act of July 1, 1918 (40 Stat. 710) provided for a Dental Corps, which provisions are carried into sections 2472 to 2475, inclusive, and then repealed all acts or parts of acts inconsistent with the provisions of that act.

The only provision in the act of 1912 which is not inconsistent with the provisions of the act of 1918 is that which declares that appointees in the Dental Corps—

"Shall not exercise command over persons in the Navy other than dental surgeons and such enlisted men as may be detailed to assist them by competent authority."

The only portions, then, of sections 2465 to 2470 which were not inconsistent with the provisions of the act of 1918 is the above provision just quoted. It can be carried into its proper place in section 2472 and sections 2472 to 2475 omitted from the bill.

Section 2471: This was a special provision, applying only to one officer. A similar provision was carried into the act of 1918 and carried into the first proviso of section 2475. I am advised that the officer specifically referred to in these provisions had reached the age of 70 years and had been placed on the retired list prior to March 1, 1919. Section 2471, as well as the similar provision in section 2475, should be omitted.

Section 2479: This last sentence of this section, "The Secretary of the Navy is empowered to limit and fix the numbers in the various ratings," relates to the ratings of the enlisted men only, and not to pharmacists, and should be transposed to and made the last sentence of section 2482. The "enlisted ratings" are given in section 2478 of the bill.

Section 2486: The provision carried into this section is obsolete, having been superseded by the provision from the naval act of August 29, 1916 (39 Stat. 576), carried into section 2439.

Section 2489: The words in the last two lines of the section, "subject to such examinations as may be prescribed by the Secretary of the Navy," should be omitted. Being staff officers, under the provisions carried into section 2709 they are not required to take examinations except for "regular advancements in rank." Sections 2781 et seq. regulate the examinations for promotions in grade.

Section 2500: The act of March 3, 1899 (30 Stat. 1005), abolished the Engineer Corps of the Navy and transferred the officers thereof to the line of the Navy. There are, therefore, no longer "chief engineers" as such in the Navy. To state the law as it stands at present, the section should read:

"The President may designate among the officers of the Navy performing engineering duty only, and appoint to every fleet or squadron an engineer, who shall be denominated 'engineer of the fleet.'"

Section 2512: The proviso in this section is obsolete, as it has been superseded by the provision carried into section 2439, which provides that the commissioned officers of the Construction Corps shall be 5 per cent of the total number of commissioned officers of the line of the Navy. The proviso should be omitted, as it is dead matter.

Section 2513: This section provides that certain officers having not less than three years' service shall be eligible for transfer to the grade of assistant naval constructor. That provision of the section has been superseded by the later provision in section 2441, that—

"Hereinafter ensigns of not less than one year's service as such shall be eligible for transfer to the Construction Corps."

The section should be corrected to conform to this latter provision.

The proviso to the section has been superseded by the later law found in sections 2439–2441 of this bill, and should be omitted.

Section 2525: The provisions of this section were superseded by the later provision found in section 2795. The law governing the examinations of officers for promotion are set out in sections 2781 et seq. The section is dead matter.

Section 2531: The provision contained in this section is repealed and superseded by the later provision found in the next section 2532.

Section 2534: This provision is repealed by the act contained in section 2532.

Section 2536: The act of April 25, 1917 (40 Stat. 38), provides that any enlistment for minority in the Navy or Marine Corps may be extended as provided for extending a term of enlistment for four years. The words "four years," in line 7 of this section, should be omitted, and Forty Statute 38 cited as authority for this action.

Section 2542: The provision contained in this section has been dead matter for many years. The enlisted strength of the Navy is fixed by the law in section 2541.

Section 2547: The second sentence of this section, as compiled, provides that "honorable discharges may be granted to all enlisted persons in the Navy who have enlisted for four years." The act of June 11, 1896 (29 Stat. 476; 2 Supp. 531), extends the benefits of honorable discharge to "all enlisted persons." Therefore the words "who have enlisted for four years" in the fourth line of the section should be omitted.

Section 2549: The three months granted by law as the limit of time in which to receive the pecuniary benefits of discharge was, by the act of March 3, 1899 (30 Stat. 1003; 2 Supp. 973), extended to four months; and that provision was again amended (in other respects) by the act of August 22, 1912 (37 Stat. 331). The words "three months" in the fifth line of the section should be changed to "four months."

Section 2558: This section is not of a general nature, but relates to the acceptance, from the State of Rhode Island, of Coasters Harbor Island for use as a naval training station. The cession was made and accepted 40 years ago, and this section can serve no purpose here, its provisions being fully executed.

Section 2559: What is said with respect to section 2558 is true of this section. Its provisions have been fully executed, and it has no place in this compilation.

Section 2563: The provisions of this section were repealed by the provisions of the act of May 13, 1908 (35 Stat. 128), which provides that "an officer of the Navy," after 30 years in the service, may, upon his own application, be retired. This language includes all officers of the Navy who have served 30 years.

Section 2563 should be omitted.

Section 2564: There is no officer now on the active list of the Navy to whom this provision can apply, all officers to whom it could apply having been retired. It should be omitted as being executed.

Section 2579: As here set out, this section is inaccurate in that it provides that all officers failing to pass the physical examination should be retired with the rank to which their seniority entitled them to be promoted, and Thirty-sixth Statutes, 1267, is cited as the source of the section.

This provision was amended by the naval act of August 29, 1916 (39 Stat. 579), with respect to the grades of commander, captain, and rear admiral. By this amendment officers failing to pass the physical examination "shall not be considered, in the event of retirement, entitled to the rank of the next higher grade."

Then the act of July 1, 1918 (40 Stat. 718), extended the provisions of the act of 1916 to officers of the line.

To correctly state the law will require the insertion of the words "below the rank of lieutenant commander" after the word "Navy" in the second line of the section.

Section 2580: The word "sea," in the last line of the section, should be eliminated, as the act of May 30, 1908 (35 Stat. 501), declares that the 10 per cent additional allowed for service beyond the limits of the United States should not be included in computing the retired pay of naval officers. See section 2678 of the bill.

Section 2583: The Navy Department states that this section is executed and obsolete, as there is no officer now in the Navy who can possibly be affected by this provision.

Section 2586: The act of August 29, 1916 (39 Stat. 579), fixed 64 years as the age for retiring, instead of 62 years. The word "sixty-four" should be substituted for "sixty-two" in the third line of the section.

Section 2587: This section as compiled provides that the next officer in rank shall be promoted to the place of a retired officer, but the act of August 29, 1916 (39 Stat. 579), and the act of July 1, 1918 (40 Stat. 718), provide that in the case of an officer in the rank of commander and above the vacancy shall be filled by selection and promotion and by seniority, so that the provisions of this section apply only to the grades below commander. The words "except as otherwise provided in this title" should be inserted at the beginning of the section.

Section 2589: Standing as it is this section is in conflict with section 2596 (from a later statute), which provides that officers on the retired list restored to active duty, under certain conditions, may receive an increase of pay. Section 2589 should therefore be amended by inserting at the beginning thereof the words "Except as provided in section 2596."

Section 2590: This section as it is compiled is in direct conflict with section 2599 (from a later act). To reconcile this conflict section 2590 should be amended by inserting at the beginning of the section the words "Except as provided in section 2599," or the latter section added as a proviso to section 2590.

Section 2595: This section as it stands is in direct conflict with respect to some of its provisions with the later act of March 2, 1907 (34 Stat. 1217). This later act is entitled "An act providing for the retirement of noncommissioned officers, petty officers, and enlisted men of the Army, Navy, and Marine Corps of the United States"; and it repeals "all acts and parts of acts so far as they conflict with the provisions of this act." This act appears as section 2052 in the title The Army.

Section 2601: All that part of this section beginning with the words "and the accounting," in line 10, and to the end of the section, were remedial, the accounts have been adjusted and paid, and the provision fully executed. It is therefore dead matter and should be omitted.

Section 2602: This section fixes the pay of admiral at $13,500. At the time the act from which the section is taken was passed Admiral Dewey was the only admiral, but in the act conferring upon him this title it was provided that upon his death the title should cease. (30 Stat. 1045; 2 Supp. 988.) Later the act of March 3, 1915 (38 Stat. 941, 942), provided that while holding the position of commander of the Atlantic, Pacific, and Asiatic Fleets the officers holding such positions should have the rank and pay of admiral and fixed the pay at $10,000, and also provided that the second in command should have the rank of vice admiral, and fixed the pay at $9,000 per annum.

The provisions of this later law are carried into section 2443 of this bill, where the pay of admiral and of vice admiral is correctly stated.

Section 2604: Under the provisions carried into section 2602 "all commissioned officers of the active list of the Navy shall receive the same pay and allowance, according to rank and length of service." Naval constructors, assistant naval constructors, professors of mathematics, and civil engineers are "commissioned officers" whose pay is fixed by the law found in section 2602. Section 2604 should be corrected by striking out all matter, beginning with the words "naval constructors," in line 8, to and including the words "two thousand six hundred dollars," in line 3, top of page 230.

In addition to this conflict of provisions there are several other minor errors in the section.

Section 2608: The first sentence of this section is from the act of March 3, 1899 (31 Stat. 1108; 2 Supp. 1548), and includes officers of the Navy and officers and enlisted men of the Marine Corps.

The second sentence, while it sets out the exact language of the act of May 13, 1908 (35 Stat. 128), in the act itself refers only to officers of the Navy. The pay of officers of the Marine Corps is the same as the pay of officers of the Army (see sec. 2917 of the bill), which is to be found in sections 2069 et seq. of this bill. The sentence should be changed so as to apply only to officers of the Navy, and should read:

"All commissioned officers of the Navy on sea duty and all such officers on shore duty, etc."

Section 2613: The act of May 13, 1908 (35 Stat. 127), provides that all commissioned officers of the active list of the Navy shall receive the same pay and allowances according to rank. It also provided that nothing in that act should be construed so as to reduce the pay or allowances now (on May 13, 1908) authorized by law for any commissioned officer, etc., of the active or retired lists of the Navy.

The provision carried into section 2613 is from the act of June 29, 1906 (34 Stat. 554). This act fixed the pay of chaplains then in the service. The section should be corrected so as to preserve the pay of the chaplains in the service on that date.

Section 2614: The provision found in this section was repealed by a later enactment, found in section 2602 of this bill. The section should be omitted.

Section 2617: The provisions of law found in this section were modified by the provision in the act of May 22, 1917 (40 Stat. 86), section 5, and also in the act of July 1, 1918 (40 Stat. 716). Concisely stated, the section should read:

"Midshipmen graduated from the Naval Academy may be commissioned effective from date of graduation, and shall be allowed the pay of the grade in which so commissioned from the date they take rank as stated in their commissions to the date of qualifications and acceptance of said commissions." (27 S. 716; 32 S. 686; 40 S 86; 40 S 716.) (See sec. 2704.)

Section 2618: The provision in this section is superseded by a later enactment contained in section 2619 of the bill; and section 2618 should be omitted as dead matter.

Section 2621: The provisions of this section have been superseded by the later law found in section 2619 of this bill.

Section 2626: The act carried into this section was superseded by a subsequent enactment found in section 2627 and in section 2628.

Section 2631: The provision found in this section was superseded by the provision carried into section 2632.

Section 2638: This provision of law was superseded by the provisions of the later act found in section 2602 of this bill.

Section 2641: The first part of the section which authorizes the President to fix the pay of petty officers, excepting mates, etc., was repealed by the provisions in the act of May 13, 1908 (35 Stat. 128), which increased the pay of those officers and provided that the pay as so fixed should remain until changed by act of Congress. The section should be changed to conform to the act of 1908, to read:

"The rates of pay provided for all active and retired enlisted men of the Navy prior to May 13, 1908, are increased 10 per cent, and, as so increased, shall remain in force until changed by act of Congress." (35 S. 128.)

Section 2644: The provision carried into this section was repealed by section 3 of the act of February 28, 1919 (40 Stat. 1203), which is found in section 2169 of this bill, in the title "The Army." Changed to apply only to the Navy and the Marine Corps, the section should be changed to read:

"An enlisted man honorably discharged from the Navy or Marine Corps shall receive 5 cents per mile from the place of his discharge to his actual bona fide home or residence or original muster into the service, at his option: *Provided*, That for sea travel on discharge, transportation and subsistence only shall be furnished to enlisted men: *Provided further*, That naval reservists duly enrolled who may be honorably released from active service shall be entitled likewise to receive mileage as aforesaid." (40 Stat. 1203.)

Section 2646: The law contained in this section is also included in section 2554 of this bill.

Section 2659: The provision carried into this section was superseded by the act carried into section 2661.

Section 2675: This section is section 1588, Revised Statutes. That section provides, among other things, what the retired pay shall be for officers who have performed 45 years' service, after reaching the age of 16 years. As compiled, to be entitled to retired pay, the officer would have to serve 45 years after reaching the age of 64 years; in other words, the officer would have to be 109 years of age before he would be entitled to retired pay. The word "sixteen" should be substituted for "sixty-four" in the third line of the section.

As a matter of fact, section 1588, Revised Statutes, has been modified by several later acts. See sections 2561, 2579, 2580, 2581, 2584, and 2792.

Section 2676: As compiled, this section in some of its provisions is in conflict with the provisions of section 2596. To reconcile this conflict there should be inserted at the beginning of the section the words "Except as provided in section 2596."

Section 2679: There should be inserted at the beginning of this section the words "Except as otherwise provided in this title," for the reason that there are other and later provisions of law which modify the law carried into this section. See sections 2596, 2597, 2600, and 2681.

Section 2683: This section is in direct conflict with the provisions of the later law carried into section 2589.

Section 2686: The provision in this section is superseded by the later law, found in section 1828, title "The Army."

Section 2692: The act of August 29, 1916 (39 Stat. 576), increased from 10 to 15 the number of midshipmen the President was authorized to appoint annually to the Naval Academy, and the act of March 4, 1917 (39 Stat. 1182), increased from 25 to 100 the number that might annually be appointed to the Naval Academy by the Secretary of the Navy. If this section should become a law in the form in which it appears in this bill, the effect will be to increase from 15 to 30 the number of midshipmen the President annually may appoint to the academy.

Section 2694: This section is merely a duplication of the provisions regulating the appointment of 100 midshipmen annually by the Secretary of the Navy. It is a useless repetition and should be omitted from the bill.

Section 2719: The first sentence of this section is from the naval act of March 2, 1895 (28 Stat. 837).

The remainder of the section is from the naval act of March 3, 1897 (29 Stat. 661). The only purpose of the provision was to authorize the proper pay officer to pay the professors the increase in their compensation which had been granted in the act of 1895 from July 1, 1896. It was merely temporary legislation and long since executed, and should be omitted.

The first sentence is obsolete, as it is superseded by the provision in the naval act of August 29, 1916 (39 Stat. 607), which appears as section 2714 of this bill.

Section 2719, therefore, is obsolete, and should be omitted.

Section 2758: This section is obsolete, having been superseded by the provision in the naval act of July 1, 1918 (40 Stat. 717), carried into section 2625 of this bill.

Section 2760: This section is likewise dead matter, having been superseded by the provision of law carried into section 2625 of this bill.

Section 2764: As to officers entering the service after March 4, 1913 (37 Stat. 892), they take precedence according to their respective dates of commission, which provision is found in section 2809 of this bill. The latter section should be a proviso to section 2764, or the words "except as provided in section 2809" should be inserted at the beginning of the section.

Sections 2767, 2768, 2769: The provisions in these sections were superseded and repealed by the act of August 29, 1916 (39 Stat. 577), carried into section 2441 of this bill.

Section 2772: The provision appearing in this section was repealed by the act of June 30, 1914 (38 Stat. 404), which is found in section 2504 of this bill.

Section 2782: This section is in direct conflict with the provisions of a later law, carried into section 2800 of this bill. Section 2782 is, therefore, dead matter.

Section 2785: Under the terms of this section the whole record and finding shall be presented to the President for his approval or disapproval of the finding.

The provisions of the act of May 22, 1917 (40 Stat. 90), authorize the President to direct the Secretary of the Navy to take such action on the records of promotion boards "as is now required by law to be taken by the President," which has been carried into section 2795 of this bill. This later provision is in conflict with section 2785.

Section 2794: This section provides that any officer of the Navy below the rank of commander who upon examination for promotion is found not professionally qualified shall be suspended from promotion for a period of six months, whereas by the later law of August 29, 1916 (39 Stat. 579), any officer selected to pass an examination for promotion who shall fail to pass the professional examination "shall thereafter be ineligible for selection and promotion." This later provision is carried into section 2791 of this bill, and is in direct conflict with the provisions of section 2794.

Section 2797: This section furnishes another illustration of the careless manner in which the sections have been arranged in this bill.

The provision of law found in this section is from the act of August 29, 1916 (39 Stat. 579). This section forms a part of the law found in sections 2788–2791, and should follow section 2789. The board spoken of in the section is the board of selection provided for in section 2788. Without going to the source of the law, no one could tell what board is referred to in the section—whether an examining board or the board of selection.

Section 2828: This section shows upon its face that it is merely temporary legislation, and has no place in this compilation.

TITLE—THE NAVY

CHAPTER IX—THE MARINE CORPS

Attention is specially called to the duplications in this chapter.

Section 2874: The act of August 29, 1916 (39 Stat. 609), changes the title of "commandant," as set out in section 2874, to that of "major general commandant," and this section should be changed accordingly.

Section 2879: This section seems to be the parent section from which several other sections are drawn.

The first four lines of the section and the word "follows," in the fifth line, are a "made up" provision and might be construed in their present form to be in addition to the officers named in section 2875, and should be changed to state the fact or omitted.

Here are some of the duplications from the section:

The first proviso of the section is duplicated in section 2876.

The second proviso is duplicated in section 2878.

The fifth proviso is duplicated in section 2877.

The sixth proviso is duplicated in section 2902.

The first part of the seventh proviso is duplicated in section 2904.

The second sentence of the seventh proviso is duplicated in section 2903.

The remainder of the seventh proviso is duplicated in section 2901.

Section 2883: This section, while correctly fixing the ages between which persons may be appointed to the grade of lieutenant from civil life, does not contain the provision in the act of March 3, 1903 (32 Stat. 1198), that appointees to the grade of lieutenant from noncommissioned officers shall be between the ages of 21 and 27 years.

I have been unable to find this provision in the bill; and if not in the bill this section should be amended by incorporating that provision.

Section 2884: This section is drawn from the act of August 29, 1916 (39 Stat. 611); and in that act, immediately following the provision found in this section, is the following:

"That no midshipman at the United States Naval Academy or cadet at the United States Military Academy who fails to graduate there-

from shall be eligible for appointment as a commissioned officer in the Marine Corps until after the graduation of the class of which he was a member."

I have been unable to find this provision in this bill. It should be added to this section.

Section 2899: This section states that the staff of the Marine Corps shall be separate from the line; while the act of August 29, 1916 (39 Stat. 610), declares that vacancies thereafter occurring in any grade of the staff department should be filled by detail, for a period of four years, from the line.

This latter provision appears in sections 2879 and 2901.

Section 2899 should therefore be omitted.

Section 2900: This section provides for the composition of the staff of the Marine Corps, as provided in the act of March 3, 1899 (30 Stat. 1009), but that provision has been modified by the act of August 29, 1916 (39 Stat. 610).

This section does not, therefore, state the law with respect to the staff of the Marine Corps.

The foregoing are not the only errors under the title "The Navy," but are some of the serious mistakes and duplications that are to be found therein. Many more, of a more or less serious character, are to be found in it. So, too, but few of the omitted provisions are referred to. The foregoing are sufficient, however, to indicate the character of the compilation and the confusion that will exist in attempting to execute the laws relating to the Navy should House bill 12 become a law.

It is not surprising, therefore, that the Secretary of the Navy, in his letter calling attention to the foregoing and to other defects in the bill, states:

"It is obvious that the inclusion of provisions which have heretofore been and now stand repealed would be enacting law which, for reasons best known to Congress and the department, have been specifically repealed. The result would be confusion compounded and result in an intolerable situation. * * *

"It is reasonable to believe that if the compilation in its present form should become law it would be impossible for the department to determine the status of the law in a large number of instances affecting the personnel of the naval service, and, further, that it would be necessary to request immediate legislation on these points reenacting the law as it now exists but as it has not been incorporated in said compilation."

In a subsequent letter the Secretary of the Navy adds:

"To reenact these repealed provisions would not only result in constructive legislation detrimental to the naval service, but would also result in such confusion that it would be impossible to administer the naval service in several important particulars until subsequent legislation had been obtained to eliminate the damage done by enacting this codification into law. * * *

"Suffice it to say that this department is very anxious to promote a careful and comprehensive codification of all the laws of the United States, and that it is particularly interested in a proper codification of the laws relating to the Navy. It must, however, recommend that it be not enacted into law until the very many obvious errors contained therein have been corrected and the provisions of law omitted therefrom incorporated therein.

"You are advised, therefore, that this department is of the opinion that H. R. 12 in its present form should not be enacted, and that in respect to those titles which affect the naval service only a most careful revision, and in many instances a complete reconstruction thereof, will suffice."

TERRITORIAL PROVISIONS

TITLE 25, CHAPTER 4

Most of the sections in this chapter are taken from the Revised Statutes and are dead matter, having become obsolete when Arizona and New Mexico, the last of the Territories to which they applied, became States.

They can serve no useful purpose in this bill.

Alaska: Alaska has a complete system of government—legislative, executive, and judicial—which is set out in the organic act of August 24, 1912. (37 Stat. 512.)

Hawaii: The organic act of April 30, 1900 (31 Stat. 141), establishing a complete system of government—legislative, executive, and judicial—for Hawaii.

Porto Rico: The new organic act of March 2, 1917, an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," establishes a complete government for Porto Rico, with legislative, executive, and judicial departments.

Philippine Islands: The new organic act of August 29, 1916 (39 Stat. 545), is that of a completely organized Territory, and it has a governmental organization with legislative, executive, and judicial departments.

These organic laws governing these Territories are fully set out in the other chapters, title 25 and in the title 26 of the code.

There is no necessity to have further enactment of other laws relating to these Territories which can not be applied to them and which will but serve to confuse. It simply encumbers the new compilation with dead matter which can be of no possible use.

For the purpose of demonstrating the obsolete character of the sections in this chapter, reference is here made to a few of the sections and then to the corresponding section of H. R. 12, which relate to Alaska, Hawaii, and Porto Rico:

"Section 3957: Governor: 3796, Alaska; 3923, Hawaii; and 4046, Porto Rico.

"Section 3958: Veto power: 3776, Alaska; 3914, Hawaii; and 4071, Porto Rico.

"Section 3959: Secretary: 3797, Alaska; 3926, Hawaii; and 4049, Porto Rico.

"Section 3961: Legislative power: 3766, Alaska; 3884, Hawaii; and 4060, Porto Rico.

"Section 3968: The legislature: 3786, Alaska; 3902–3910, Hawaii; and 4061–4062, Porto Rico."

Chapter 4 of title 25 contains sections in the code 3957 to 4038, inclusive. An examination of each one of these sections will demonstrate that there are but very few of them which can possibly be applied to our Territorial possessions.

These obsolete sections should be omitted from the code.

There is submitted herewith a memorandum prepared in the office of the Judge Advocate General of the War Department, which sets out with great care and minuteness the laws and conditions covering Alaska, Hawaii, Porto Rico, and the Philippine Islands, a careful examination of which should be made by anyone interested in this new compilation. It clearly demonstrates that much confusion, uncertainty, and litigation would necessarily follow the enactment of this bill.

Unanimous consent is asked that the memorandum above referred to be printed in full in the RECORD at the end of these remarks, and also that a letter from John Rustgard, Attorney General of Alaska, in a report upon this bill (H. R. 12) to the Governor of Alaska, be also printed in the RECORD at the end of these remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See Appendix 1.)

Mr. Rustgard, in concluding his letter, makes the following statement:

"These are a few of the objections to the new compilation which occur to me at the present time after, as I have stated, a cursory examination of the subject.

"If Alaska could be left out of the new code, it would give me considerable pleasure to assist in compiling and revising the Federal enactments of a permanent nature touching this Territory. I am satisfied that such task must be undertaken in the near future. At any rate an effort should be made to have some changes made in the compilation in question before it becomes a law."

PUBLIC PRINTING—TITLE 34

Section 5769: This section provides that "every bill and joint resolution in each House of Congress at the stage of the consideration at which it was engrossed prior to November 1, 1893, shall be printed, and such printed copy shall take the place of what was known before that as, and shall be called, the engrossed bill or resolution," and so forth.

The law with respect to printing bills or resolutions as it existed prior to November 1, 1893, is not set out in the compilation, and therefore it can not be determined at what stage of passage the bill should be printed.

Section 5771: The provision in this section was superseded by the provision in section 5770. There is now no time "when there is no joint committee of the two Houses of Congress." The section should, therefore, be omitted.

Section 5788: By the act of May 27, 1908 (35 Stat. 381, 382), Congress created the office of a Deputy Public Printer and defined his duties, and provided that he should perform the duties theretofore performed by the chief clerk. Among such duties were those set out in this section. The words "chief clerk" appear three times in this section as compiled. These words should be stricken out and the words "Deputy Public Printer" substituted therefor.

Section 5802. The same change should be made in this section as in section 5788 and for the same reason.

Section 5821: This section is obsolete and is superseded by the provisions of the sundry civil act of May 27, 1908 (35 Stat. 382), which is set out in the last paragraph of section 5786 of H. R. 12.

Section 5830: The word "otherwise" in the fifth line of this section should be changed to "hereinafter" to conform to existing law.

Section 5870: The Superintendent of Documents and not the Secretary of State is authorized to sell copies of the pamphlet laws. The words "Superintendent of Documents" should be substituted for the word "him" in the fourth line of the section, inasmuch as the word "him" refers to the Secretary of State.

Section 5872: The first sentence of this section is contained in section 1414 in the chapter on "Evidence" in the judiciary title, where it properly belongs, because it makes competent as evidence pamphlet copies of the statutes.

Section 5884: This section is obsolete. The Government's interest in the Union Pacific Railway ceased in 1897, and the last report was issued in 1898.

Section 5891: The third paragraph of this section and the second paragraph of section 5916 are duplicates.

The second paragraph of section 5916 should be omitted and the first part of the same section carried into section 5891, since it relates to matters which should be included in the Official Register.

Section 5898: While this section contains the provision regulating the size of the bulletins to be issued, it does not contain the provisions which authorize their publication and the number to be printed. That provision is found in the concurrent resolution of April 27, 1900 (31 Stat. 1992).

Section 5905: The provision found in this section is an amendment of the law found in section 5900 and should be carried into that section. Standing as two separate sections, one contradicts the provisions in the other.

Section 5914: This section is dead matter, having been superseded by a later provision, which is set out in section 5836, which increases from 6 to 10 the number of copies of the daily CONGRESSIONAL RECORD to be furnished to the Library of Congress.

Section 5943: This section has been superseded by the provision set out in section 5773.

Section 5969: This section is superseded by the act of May 12, 1910 (36 Stat. 366), which is set out in section 6614 of this bill.

Omitted provision: Section 5 of the act of July 1, 1902 (32 Stat. 631), authorizes the distribution at the beginning of the first session of each Congress to any Senator or Representative who may apply for them a copy of the Revised Statutes and the supplements thereto, one copy of each to be furnished during the term of service of the Member. This provision can not be found in H. R. 12.

INTERSTATE COMMERCE COMMISSION

The Interstate Commerce Commission, in a communication of considerable length, dated February 13 and addressed to the Hon. EDWARD C. LITTLE, and a copy of which was sent to the Committee on Revision of the Laws of the Senate, withdrawing sundry objections made to the bill in a former letter and setting out various other objections to it, states as follows:

"We appreciate fully the magnitude and importance of this work. It is this very fact that leads us to refer to these matters. We do not mean to intimate that the code has not been most carefully and critically prepared. In a work of this character it is practically impossible to prevent inaccuracies. In an endeavor to be helpful rather than critical we have attempted to call attention to some matters which it seems to us should be further considered. Many of the doubts that arise can be settled only by Congress or by the courts, which in the last analysis means the Supreme Court. The law under which the commission functions has been growing since its original enactment, and it has taken many years to determine its application to various combinations of facts or circumstances. If the code is enacted, it may again require many years before the courts will have decided many of the questions which will arise. This would leave all concerned with the application of the laws relating to the commission's work in a state of uncertainty, in many instances, pending these court decisions. It is also conceivable that the construction placed by the courts upon some of the questions that will arise may vary from the intent of Congress. Congress, in the first instance, determines what the law shall be and the effect that it shall have. It would seem preferable in the enactment of the code that Congress rather than the court should resolve these doubts, and that steps should be taken to eliminate such doubts as far as it is possible to do so."

Unanimous consent is asked that this communication from the Interstate Commerce Commission be printed in full in the RECORD at the end of these remarks. It is worthy of serious consideration.

The VICE PRESIDENT. Without objection, it is so ordered.

(See Appendix 2.)

THE CAPITAL

TITLE XXI—CHAPTER 11

Section 3420: The law from which this section was taken was repealed and superseded by section 10 of the legislative appropriation act of March 1, 1919 (40 Stat. 1269), which appears as section 3462 of this bill.

Section 3435: This section is taken from the act of March 3, 1891 (26 Stat. 868), and does not state the law, as the act from which it is taken was expressly amended by the act of June 21, 1906 (34 Stat. 385), the last sentence of which reads as follows:

"And hereafter no such permits shall be granted except upon special application and with the concurrence of all of said commissioners and, where such extensions are to be placed upon buildings to be erected on land adjoining United States public reservations, the approval of the Secretary of War."

Section 3451: The latter part of this section, which provides that Rock Creek Park shall be under the joint control of the Commissioners of the District and the Chief of Engineers, was repealed by the act of July 1, 1918 (40 Stat. 650), which declares the park to be a part of the park system of the District of Columbia. As a result, this park is now under the exclusive control of the Chief of Engineers (see section 3448), and the Comadssioners of the District have no control over the park. The last two sentences of section 3451 are in direct conflict with the law as set forth in section 3448, and they should therefore be stricken from the section.

Section 3466, determination of harbor lines: The act carried into this section was repealed by a provision in the river and harbor act of July 25, 1912 (37 Stat. 206), which reads:

"The provisions of section 11 of the river and harbor act of March 3, 1899, are hereby made applicable to the Potomac and Anacostia Rivers; and hereafter harbor lines in the District of Columbia, or elsewhere on said rivers, shall be established or modified as therein provided; and all laws or parts of laws inconsistent with this proviso are hereby repealed."

The provisions of section 11 of the river and harbor act of March 3, 1899, which were made applicable to the Potomac and Anacostia Rivers, are found in section 6866 of the bill, in which appears the language from the act of July 25, 1912, above quoted.

The section should be omitted as being dead matter.

TITLE XV.—THE JUDICIARY

SECTION 988, PARAGRAPH 3

Congress, by the act of October 6, 1917 (40 Stat. 395), attempted to amend paragraph 3 of this section by the addition of the words "and to claimants the rights and remedies under the workmen's compensation law of any State"; but the Supreme Court, in Knickerbocker Ice Co. *v.* Stewart (253 U. S. 149), held the provision unconstitutional, as being an attempt on the part of Congress to delegate its legislative power.

The words quoted should be omitted from the section as being dead matter.

Section 1209, paragraph 3: Congress by the act of October 6, 1917 (40 Stat. 395), attempted to make the same amendment to this paragraph that it did to paragraph 3 of section 988, but it was likewise held void by the Supreme Court in the case above cited.

The attempted amendment is therefore dead matter and should be omitted from the paragraph.

HEADLINES TO THE SECTIONS

Some of the headlines to the sections of the code are crude and meaningless. I cite a few:

Section 206: Mileage or neglect of messengers.
Section 1358: Husband or wife competent in bigamy.
Section 1847: Appointment to above colonel; vacancy.
Section 1970: Superior punished if detached six years.
Section 2573: Disability by otherwise than in service.
Section 2933: Exchange of machines and things.
Section 4009: Sanitary bonds of municipal corporations.
Section 4044: United States laws apply except on internal-revenue receipts.
Section 4095: Harbors and navigable waters transferred.
Section 6838: Construction of bridges or dams over navigable waters.
Section 7250: Killing female or seal less than 1 year old.
Section 8204: The Lighthouse Establishment things.
Section 9693: Neat cattle and hides prohibited; penalty.

CITATIONS

The citations are frequently inaccurate and incomplete.

I have many other letters which I should like to have placed in the record; but I shall not now ask to have that done. I simply desire to say in conclusion that no attempt has been made to set out more than a part of the defects in this bill, consisting of errors of omission and commission. A number of the titles have not been touched or commented upon in any way.

To read this bill as one would a novel, as I said a moment ago, would require some three hours a day for two months.

A critical and complete examination of the entire compilation, with its 10,747 sections, would require the continued labor for many, many months of an able and experienced lawyer and a force of assistants familiar with this character of work. It can not be performed by novices.

It would have been a far pleasanter task to report this bill favorably than to point out its defects. Such course would have saved many weeks of hard work.

Its passage is not favored, solely because the bill in its present form is fatally defective, and, in my judgment, it can not be cured by amendment.

APPENDIX 1

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
September 15, 1921.

Senator H. P. ERNST,
United States Senate.

DEAR SIR: Inasmuch as the bill referred to in the inclosed letters from the Governor of Alaska and the attorney general of Alaska is in the hands of your committee, I beg leave to refer the communications to you for your consideration and attention.

Yours very truly,

KNUTE NELSON.

TERRITORY OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau, September 9, 1921,

Hon. KNUTE NELSON,
Chairman Judiciary Committee,
United States Senate, Washington.

MY DEAR SENATOR NELSON: I am transmitting to you herewith a letter received by me from the attorney general of Alaska, in which he calls my attention to House bill No. 12, now pending in the Senate and evidently in your committee, to codify, revise, and reenact the general and permanent laws of the United States, and which he believes in its Alaska provisions may produce complications in this Territory.

I am submitting his letter for your information and such consideration and action as you may think necessary.

With very good wishes, I am,

Sincerely yours,

SCOTT C. BONE, *Governor.*

TERRITORY OF ALASKA,
OFFICE OF ATTORNEY GENERAL,
Juneau, Alaska, September 2, 1921.

Hon. SCOTT C. BONE,
Governor of Alaska, Juneau, Alaska.

MY DEAR GOVERNOR: Permit me to call your attention to House bill No. 12, entitled "A bill to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919."

This bill passed the House of Representatives, May 16, 1921, and is presumably at the present time pending before the Senate.

As the title indicates, this is a bill not only to compile, but to revise and reenact the general and permanent laws of the United States in force March 4, 1919, and as such it purports to compile, revise, and reenact the Federal laws applicable to Alaska.

Under the circumstances, I have hastily examined the Alaska provisions and find that if this bill becomes a law it is likely to cause many complications in this Territory; section 3823 contains the provisions relative to the distribution of the Alaska fund, but I find that it omits the first part of section 7 of the act of February 6, 1909, entitled "An act relating to the affairs of the Territories" (35 Stat. L. 601). This is the provision which authorizes the 5 per cent of the Alaska fund formerly devoted to the care of the insane to be diverted to the use of schools, thereby increasing the school appropriation from 25 to 30 per cent. The new section authorizes only 25 per cent to be used for schools.

Sections 3832 and 3833 contain the old provisions in regard to the establishment of school districts in and outside of incorporated towns, respectively. I have formerly suggested that these sections be repealed. But there is another enactment of importance which has been omitted, so far as I can find, and that is the act of March 3, 1917 (39 Stat. 1131), entitled "An act to authorize the Legislature of Alaska to establish and maintain schools, and for other purposes" (39 Stat. L., ch. 167). Unless this last act is embodied in the new revision of the Federal Statutes it is likely that the Legislature of Alaska will have no authority over schools.

Some of the penal laws applicable to Alaska are embodied in the new codification, but I do not find that the penal code of 1899 is included. What effect this will have I am not at present prepared to state.

I also find that a portion of the act of June 6, 1900, is embodied in the new compilation, but not all of it. I find by section 10742 of the proposed new codification it is provided:

"All acts of Congress passed prior to the 4th of March, 1919, any portion of which is embraced in any section of this code are hereby repealed, and the sections herein applicable thereto shall be in force in lieu thereof; all parts of such acts not contained in this codification having been repealed or superseded by subsequent acts or not being general and permanent in their nature."

There is serious question under this provision whether or not a large part of our civil code, as well as our code of procedure, may be repealed by the bill here in question. This, of course, was not the intent. The act of June 6, 1900, entitled, "An act making further provisions for civil government for Alaska, and for other purposes," contains both a political code, civil practice code, and the civil code in one enactment. Only the political code is amended in the new compilation, but inasmuch as this political code is a part only of a larger act the question is whether or not the other part not included in the codification is repealed by the new enactment.

I also observe that amendments and modification of the civil code of the Territory enacted subsequent to 1900 are incorporated into the above-named compilation.

Personally I feel that the political code of Alaska should be rewritten, and inasmuch as the legislature of the Territory has made several amendments to the remainder, the latter should not be at the present time touched by Congress, as serious complications would thus arise.

The new compilation, for instance, contains the old provisions of 1900 concerning notaries public. These provisions have been to some extent amended by the local legislature. If this reenactment takes place, will the amendment of the local legislature still remain in force? I doubt it.

The compilation contains the provision regarding recording of instruments enacted in 1900. This has also been to some extent amended by the local legislature.

Section 3796 contains the old provision legalizing certain acts of the governor in appointing notaries prior to June 6, 1900 (31 Stat. 321; 2 Supp. 1194). This reenactment would have the effect of legalizing any unauthorized act done by the governor prior hereto touching the same subject.

Section 3796 also contains a provision making it the duty of the governor to "from time to time inquire into the operation of any person, company, association, or corporation authorized by the United States, by contract or otherwise, to kill seal or other fur-bearing animals in the Territory, and any and all violations by such person, company, association, or corporation of the agreement with the United States under which the operations are being conducted, and shall annually report to Congress result of such inquiries."

This, of course, is antiquated, but a reenactment at this time might impose upon the governor duties which it was not the intention to require him to perform.

These are a few of the objections to the new compilation which occur to me at the present time after, as I have stated, a cursory examination of the subject. If Alaska could be left out of the new code it would give me considerable pleasure to assist in compiling and revising the Federal enactments of a permanent nature touching this Territory. I am satisfied that such task must be undertaken in the near future. At any rate, an effort should be made to have some changes made in the compilation in question before it becomes a law.

Yours truly,

JOHN RUSTGARD, *Attorney General.*

APPENDIX 2

INTERSTATE COMMERCE COMMISSION,
Washington, February 13, 1923.

Hon. RICHARD P. ERNST,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I herewith beg leave to inclose a copy of a letter I have this day sent to Hon. Edward C. Little.

Yours very truly,

JOHN J. ESCH, *Commissioner.*

INTERSTATE COMMERCE COMMISSION,
Washington, February 13, 1923.

Hon. EDWARD C. LITTLE,
Chairman Committee on Revision of Laws,
House of Representatives, Washington, D. C.

MY DEAR LITTLE: I have your recent letters commenting on former Chairman Clark's letter of February 26, 1921, to Senator Wolcott, with respect to H. R. 9389, Sixty-sixth Congress.

The explanatory statements made in that letter were probably not as explicit as they might have been, and thus have led to a misapprehension of the purpose of that letter. I take the liberty of quoting from it, as follows:

"Some examination has been made of this bill, but it has been impossible to make that careful examination and criticism which its great importance demands. At this time I can only point out certain apparent errors and omissions which seem important and should be considered."

Upon reflection you will probably agree that we did not intend to suggest that the matters omitted should be included in the code. These omissions were merely matters which the hasty examination we were obliged to make of the code in the time available brought to light. We realized, of course, that the importance of the work demanded a most careful examination; and it was with the thought in mind that the effect of these omissions should not be overlooked, rather than that the parts omitted should be included in the code,

that we directed attention to them. It seems only fair to all concerned that this explanation be made.

Before proceeding to a consideration of the effect of these omissions, permit me to refer to your comments with respect to the use of the commission's pamphlet prints of the law. We appreciate, of course, that these pamphlets are not authoritative texts of the law and, in fact, they are not intended to be. They do, however, contain the various acts under which the commission functions, and there was less possibility of failing to consider some one of these acts in the check made of H. R. 9389 through use of the pamphlet print than through use of the Statutes at Large. Our pamphlet prints contain appropriate references to the Statutes at Large. In the preparation of this letter we have not relied upon our print but have consulted the texts of the various acts as contained in the Statutes at Large which cover the points discussed.

It is necessary to refer frequently in this letter to various acts, and as it is easier to associate various acts by their usual designation instead of the correct citation, we are using the former. For convenience these designations, together with the correct citations, are listed below:

Cullom Act, or act to regulate commerce, approved February 4, 1887. (24 Stat. L. 379.)

Elkins Act, approved February 19, 1903. (32 Stat. L. 847.)

Hepburn Act, approved June 29, 1906. (34 Stat. L. 584.)

Mann-Elkins Act, approved June 18, 1910. (36 Stat. L. 589.)

Panama Canal act, approved August 24, 1912. (37 Stat. L. 560.)

Standard time act, approved March 19, 1918. (40 Stat. L. 450.)

Transportation act, 1920, approved February 28, 1920. (41 Stat. L. 456.)

You will note from our letter of November 22, 1922, to Senator ERNST, copy of which you have, that our letter of February 26, 1921, relating to H. R. 9389, is equally applicable to H. R. 12. For convenience, H. R. 12 is hereinafter referred to as the code.

In taking up the various paragraphs contained in our letter of February 26, 1921, we will consider them in the order in which they there appear. We do not mean to imply that our position with respect to these various omissions is indisputable, but it does seem to us that the very fact that it may be disputable should lead the committee to exercise extreme care in omitting these portions of the act to regulate commerce as amended.

I. ACT TO REGULATE COMMERCE

1. The eleventh and twelfth paragraphs in section 1, appearing on pages 10, 11, and 12 of the June, 1918, print, are omitted. These are contained in the act approved August 10, 1917 (40 Stat. L. 272). We withdraw these from further consideration. (See note A.)

2. The words "after January 1, 1907," appearing in the fifteenth paragraph of section 1 on page 13 of the June, 1918, print, are omitted. These are contained in section 1 of the Hepburn Act. They are withdrawn from further consideration. (See note B.)

3. The sixteenth paragraph in section 1, appearing on page 14 of the June, 1918, print, is omitted. This is contained in the act of February 17, 1917 (39 Stat. L. 922), relating to free transportation to the trustees of the Cincinnati Southern Railway. It is withdrawn from further consideration. (See note C.)

4. The words "From and after May 1, 1908," appearing in the seventeenth paragraph in section 1, on page 14 of the June, 1918, print, are omitted. These are contained in section 1 of the Hepburn Act. They are withdrawn from further consideration. (See note D.)

5. The second proviso in section 4, appearing on page 16 of the June, 1918, print, is omitted. This proviso, which reads "*Provided further*, That no rates or charges lawfully existing at the time of the passage of this amendatory act shall be required to be changed by reason of the provisions of this section prior to the expiration of six months after the passage of this act, nor in any case where application shall have been filed before the commission, in accordance with the provisions of this section, until a determination of such application by the commission," was added to section 4 of the act to regulate commerce, as amended, by section 8 of the Mann-Elkins Act, which amended that section "to read as follows." This proviso in a modified form is contained in the transportation act, 1920. Under the code it will be repealed as of March 4, 1919. Section 10743 of the code would probably cover any situation arising prior to that date, but we do not understand that it would cover the gap from March 4, 1919, to February 28, 1920, during which period the proviso would not have been effective. It would seem that very careful consideration should be given to the omission of this proviso from the code.

6. The words "From and after the 1st day of July, 1914," appearing in the second paragraph in section 5 of the act, on page 17 of the June, 1918, print, are omitted. These words are contained in section 11 of the Panama Canal act, which amends section 5 of the act to regulate commerce, as amended, by adding this paragraph. They are withdrawn from further consideration.

7. The fourth paragraph of section 5, appearing on page 18 of the June, 1918, print is omitted. This is contained in section 11 of the Panama Canal act. Under this paragraph the commission is authorized to permit the continuance of water-line operations by railroads under certain conditions. There seems to be no reason for omitting this paragraph from the code.

8. The following sentence appearing in the third paragraph in section 12, on pages 29 and 30 of the June, 1918, print, is omitted:

"The claim that any such testimony or evidence may tend to criminate the person giving such evidence shall not excuse such witness from testifying; but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding."

This is contained in section 12 of the act to regulate commerce. It is withdrawn from further consideration. (See note E.)

9. The following proviso appearing in the second paragraph in section 15, on page 34 of the June, 1918, print, is omitted:

"*Provided further*, That until January 1, 1920, no increased rate, fare, charge, or classification shall be filed except after approval thereof has been secured from the commission. Such approval may, in the discretion of the commission, be given without formal hearing and in such case shall not affect any subsequent proceeding relative to such rate, fare, charge, or classification."

It was added to this paragraph by section 4 of the act approved August 9, 1917 (40 Stat. L. 270). This law, which is general, was in effect on March 4, 1919, and continued in effect for nine months after that date.

II. OTHER AND RELATED ACTS

1. That part of the Army appropriation act approved August 29, 1916 (39 Stat. L. 556, 646), relating to transportation at reduced rates of members of the National Guard traveling to and from joint encampments with the Regular Army, appearing in the first four lines of page 55 of the June, 1918, print, is omitted.

Paragraph No. 9, under this heading, relates to the omission from the code of the following, which is contained in the same act on page 645:

"The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material, and equipment, or for such other purposes connected with the emergency as may be needful or desirable."

In connection with the former, you say: "In the first place, it is from an appropriation act, which, of course, is not general and has no place in the book," and, in connection with the latter, that it "is a purely temporary law, and is only in effect in time of war."

Section 10742 of the code reads, in part: "That the incorporation in this codification of any general and permanent provisions, taken from an act making appropriation * * *." We did not intend to suggest that the appropriation act be included in the code, but that certain portions of it should be included. A consideration of the foregoing quotation from the code would seem to preclude possibility of any doubt as to the inclusion of these provisions if they are "general and permanent in nature." That these provisions are general, and that the one relating to reduced rates for members of the National Guard is permanent, seems beyond question.

Under section 10742 of the code the repeal of all acts passed prior to March 4, 1919, any portion of which is embraced in the code, would not apply to "any appropriation, or any provision of a private, local, or temporary character," contained in an appropriation act some part of which is included in the code. If the provision giving the President power in time of war to take over the transportation systems is "temporary," it would not be affected. But it seems possible that the courts may construe the provision as permanent and thus as having been repealed by the code. It is true, of course, that the provisions of section 10742, under which such construction would come, reading that "all parts of such acts not contained in this codification, * * * not being general and permanent in their nature" might lead the courts to hold that this provision is specifically made "temporary."

Under this provision the authority granted to the President can be exercised only intermittently, but that power could be exercised, provided the provision remained on the statute books, 50 or 100 years from now as effectively as during the last war. Does such a law seem temporary? In all events the possible effect of the omission of this provision from the code should be most carefully considered.

In this connection we suggest that section 7063 of the code, which contains the car-service provisions, provides: "Whenever the commission shall be of opinion that necessity exists for immediate action with respect to the supply or use of cars" it shall take certain action. Here the commission acts only in time of emergency. Is a law authorizing action in time of emergency any more permanent than one authorizing action "in time of war"?

2. Sections 9, 10, and 11 of the Hepburn Act and the joint resolution approved June 30, 1906 (34 Stat. L. 838), appearing on page 57 of the June, 1918, print, are omitted. Section 9 reads:

"That all existing laws relating to the attendance of witnesses and the production of evidence and the compelling of testimony under the

act to regulate commerce and all acts amendatory thereof shall apply to any and all proceedings and hearings under this act."

Section 10 reads:

"That all laws and parts of laws in conflict with the provisions of this act are hereby repealed, but the amendments herein provided for shall not affect causes now pending in courts of the United States, but such causes shall be prosecuted to a conclusion in the manner heretofore provided by law."

Section 11 provided that the Hepburn Act should take effect and be in force from and after its passage, and the joint resolution provides that the Hepburn Act should take effect 60 days after approval by the President. The omission of these matters is withdrawn from further consideration. (See note F.)

3. The "district court jurisdiction" act, approved October 22, 1913, erroneously referred to as Thirty-fourth Statutes at Large 219 appearing on pages 58 to 62, inclusive, of the June, 1918, print is omitted. The reference should have been to Thirty-eighth Statutes at Large 208, 219. It seems improbable that this has been omitted from the code, and the correction in the citation will undoubtedly enable you to determine readily from your working papers whether or not it has been omitted.

4. The following part of the immunity of witnesses act, approved June 30, 1906, Thirty-fourth Statutes at Large 798, appearing on page 64 of the June, 1918, print is omitted:

"That under the immunity provisions in the act entitled 'An act in relation to testimony before the Interstate Commerce Commission,' etc., approved February 11, 1893, in section 6 of the act entitled 'An act to establish the Department of Commerce and Labor,' approved February 14, 1903, and in the act entitled 'An act to further regulate commerce with foreign nations and among the States,' approved February 19, 1903, and in the act entitled 'An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes,' approved February 25, 1903."

The acts described are—

"Compulsory testimony act, Twenty-seventh Statutes at Large 443; act to establish Department of Commerce and Labor, Thirty-second Statutes at Large 825; Elkins Act, Thirty-second Statutes at Large, 847; legislative, executive, and judicial appropriation act, Thirty-second Statutes at Large 854."

The compulsory testimony act provided that no person shall be excused from testifying, etc., in any proceeding "based upon or growing out of any alleged violation of the act of Congress entitled 'An act to regulate commerce,' approved February 4, 1887, or of any amendment thereof * * *."

The immunity provisions of the compulsory testimony act are contained in section 7034 of the code; those of the Elkins Act in section 7066.

Section 7034 of the code includes the unomitted portion of the immunity of witnesses act. As there stated, it reads: "Under the immunity provisions of this section * * *."

The Elkins Act is not an amendment of the act to regulate commerce as amended. Section 7066 does not contain that portion of the immunity of witnesses act which is contained in section 7034, although under the immunity of witnesses act it is applicable to the Elkins Act as well as to the compulsory testimony act. The omission thus has the effect of narrowing the immunity of witnesses act. It is not necessary to include the description omitted, as the same result can be accomplished by adding to each section of the code covering the immunity provisions in the four acts described the provision which restricts the immunity provisions of those four acts to natural persons.

We have not checked to ascertain whether the immunity provisions contained in the act to establish the Department of Commerce and Labor, and in the legislative, executive, and judicial appropriation act are contained in the code, but it would seem that correction of at least 7066 of the code in this respect is necessary.

5. Sections 4 and 5 of the Elkins Act, appearing on pages 68 and 69 of the June, 1918, print, are omitted. These are withdrawn from further consideration. (See note F (b) and (c).)

6. Joint resolutions (39 Stat. L. 674; 39 Stat. L. 1201; 40 Stat. L. 431) extending the effective date of section 10 of the Clayton Act, appearing on page 82 of the June, 1918, print, are omitted. These omissions are withdrawn from further consideration.

7. Section 17 of an act to incorporate the Lake Erie & Ohio River Ship Canal Co., approved June 30, 1906 (34 Stat. L. 809), appearing on pages 97 and 98 of the June, 1918, print, is omitted. This omission is withdrawn from further consideration.

8. Section 5 of the standard time act, approved March 19, 1918 (40 Stat. L. 450), appearing on page 105 of the June, 1918, print, is omitted. This omission is withdrawn from further consideration. (See note F (b).)

9. This was considered in connection with paragraph No. 1 under this heading.

10. The Federal control act, approved March 21, 1918 (40 Stat. L. 451), as amended by the act approved March 2, 1919 (40 Stat. L. 1290), appearing on pages 106–117 of the June, 1918, print, is omitted.

We note your statement that the matter in Fortieth Statutes at Large 1290 is contained in section 6918 of the code. That section contains section 8 of Fortieth Statutes at Large 1290, while the matter referred to by our letter of February 26, 1921, is the amendment of the Federal control act, contained in section 7 of Fortieth Statutes at Large 1290.

The omission of the Federal control act and the amendment are withdrawn from further consideration. (See note G.)

11. The first paragraph of section 6 of the safety appliance act, approved April 14, 1910 (36 Stat. L. 298), appearing on page 125 of the June, 1918, print, is said to be omitted.

We note your statement that this is contained in section 7407 of the code.

We desire to call attention to another point in this connection which examination of section 7407 has disclosed. The first paragraph of section 6 of the safety appliance act approved April 14, 1910, provides that it shall be the duty of the Interstate Commerce Commission to enforce the provisions "of this act." The various sections "of this act" are contained in sections 7407, 7418, 7419, 7420, 7425, and 7426 of the code. Section 7407 in restating this provision refers to "this act" as "chapter 160, Thirty-sixth Statutes at Large, page 298, sections 7416, 7418, 7419, 7420, 7425, and 7426 of the Code of Laws of the United States." Section 7416 contains section 5 of the safety appliance act of March 2, 1893 (27 Stat. L. 531). Section 7407 thus appears to be in error in so far as it includes reference to section 7416.

12. Sections 6 and 8 of the accidents reports act, approved May 6, 1910 (36 Stat. L. 350), appearing on pages 127 and 128 of the June, 1918, print, are omitted. These omissions are withdrawn from further consideration. (See Note F (b) and (c).)

13. Section 5 of the hours of service act, approved March 4, 1907 (34 Stat. L. 1415), appearing on page 132 of the June, 1918, print, is omitted. This omission is withdrawn from further consideration. (See Note F (c).)

On pages 7 and 8 of our letter of February 26, 1921, certain omissions from sections 7067 (see Note F (c)), 7064 (see Note H), 7110 (see Note I), 7111 (what is said under Note I is applicable here), 7129 (see Note F (c)), 7130 (see Note F (c)), 7018 (see Note F (c)), 6518 (see Note J), 6686, 7412 (see Note F (c)), 7414 (see Note F (c)), 7415 (see Note F (c)), 7409 (see Note F (c)), 7418 (see Note F (c)), 7419 (see Note F (c)), 7484 (see Note K), 7421 (see Note F (c)), 7423 (see Note F (c)), 7435 (see Note F (c)) of the code are listed. These omissions are withdrawn from further consideration.

There is one point in connection with section 6686 to which we desire to call attention. The words omitted, which are contained in section 5 of the act approved July 28, 1916 (36 Stat. L. 412, 429), are in italics in the following quotation from that section:

"The procedure for the ascertainment of said rates and compensation shall be as follows:

"'*Within three months from and after the approval of this act, or as soon thereafter as may be practicable,* the Postmaster General shall file with the commission a statement showing the transportation required of all railway common carriers, including the number, equipment, size, and construction of the cars necessary for the transaction of the business; the character and speed of the trains which are to carry the various kinds of mail; the service, both terminal and en route, which the carriers are to render; and all other information which may be material to the inquiry, but such other information may be filed at any time in the discretion of the commission.'"

The words at the end of the quotation, "but such other information may be filed at any time in the discretion of the commission," are retained in section 6686 of the code. With the omission of the words underscored they do not seem to have a definte meaning.

We note that our reference to section 7033 on page 9 of the letter of February 26, 1921, was in error and that the correction in section 7360 has been made. We also note that the duplication between sections 7057 and 7077 of H. R. 9389 has been corrected in H. R. 12.

We have covered the point raised on that page with respect to section 7076 more fully in this letter.

This concludes the consideration of the various points indicated in our letter of February 26, 1921. The examination of the statutes and of the code in connection with the preparation of our comments above has disclosed several other matters to which it seems desirable to direct attention.

The code is entitled "An act to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919." The effect of the word "revise" on some of the changes in the wording of the statutes made by the code may be more far-reaching than is at present apparent.

For instance, section 7064 of the code restates section 1 of the Elkins Act, as amended. The first sentence of section 7064 reads as follows:

"Anything done or omitted to be done by a corporation common carrier subject to chapter 104, Twenty-fourth Statutes at Large, page 379, this chapter, and the acts amendatory thereof, which, if done or omitted to be done by any director or officer thereof, or any receiver, trustee, lessee, agent, or person acting for or employed by such corporation, would constitute a misdemeanor under this chapter or under the act of February 19, 1903, shall also be held to be a misdemeanor committed by such corporation, and upon conviction thereof it shall be subject to like penalties as are prescribed in this chapter or by the act of February 19, 1903, with reference to such persons, except as such penalties are herein changed."

The "act of February 19, 1903," to which reference is made, is, of course, the Elkins Act. But the Elkins Act was not the only act approved on February 19, 1903. As this is a penal provision it would not be liberally construed, and it is conceivable that the courts might hold that indictments charging violations of section 7064 of the "Code of the Laws of the United States" were insufficient as not showing specifically what act of February 19, 1903, was violated. As shown by the quotation above, the act of February 19, 1903, can not accurately be said to be the act covered by section 7064. The section specifically says that anything done by a corporation common carrier which, if done by any officer thereof, would constitute a misdemeanor under "this chapter or under the act of February 19, 1903," shall be held to be a misdemeanor committed by such corporation. "This chapter," is, of course, Chapter I, title 41, of the code, and includes the Elkins Act, which under the code would be repealed. There would thus seem to be reasonable grounds for doubt as to the meaning of the "act of February 19, 1903." The Elkins Act also provided that the penalties prescribed in the act to regulate commerce, as amended, or in "this act," should apply "except as such penalties are herein changed." Section 7064 uses the word "herein" and thus would seem to mean the code.

The above quotation refers also to a "corporation common carrier subject to chapter 104, Twenty-fourth Statutes at Large, page 379, this chapter." Two interpretations of this seem possible.

First, that "chapter 104, Twenty-fourth Statutes at Large, page 379" and "this chapter" are synonymous. "This chapter," undoubtedly means Chapter I, title 41, of the code, and is thus broader than "chapter 104, Twenty-fourth Statutes at Large, page 379," as it includes other acts.

Second, that "this chapter" as here used merely means that "chapter 104, Twenty-fourth Statutes at Large, page 379" is included. That, of course, is true, but this would have the effect of restricting the application of some of the sections of chapter 1, title 41, of the code to carriers subject to the provisions of "chapter 104, Twenty-fourth Statutes at Large, page 379."

For example, section 7042 of the code reads:

"The commission shall, as hereinafter provided, investigate, ascertain, and report the value of all the property owned or used by every common carrier subject to the provisions of chapter 104, Twenty-fourth Statutes at Large, page 379, this chapter."

The valuation act, chapter 92, Thirty-seventh Statutes at Large, page 701, approved March 1, 1913, amends the act to regulate commerce, as amended, by adding section 19a, which provides for the valuation of the property of common carriers subject to the provisions of "this act." "This act" as there used means the act to regulate commerce, as amended, and included the common carriers which by various amendments to the act to regulate commerce were made subject to the provisions of that act as amended. Section 7042 of the code apparently restricts valuation to common carriers subject to the act to regulate commerce and would thus narrow the valuation act.

Other sections also contain reference to "chapter 104, Twenty-fourth Statutes at Large, page 379, this chapter."

We note that you consider our letter of February 26, 1921, as suggesting that the transportation act, 1920, be included in the code. We did not have or intend to convey that thought, and regret that our letter should have been so construed. The reference to our April, 1920, print of the interstate commerce act, which included the transportation act, 1920, was intended merely to serve as a convenient means of ascertaining the then existing law for such consideration of its effect upon the code as might seem warranted. Perhaps we may be permitted now to indicate some of the doubts that arise as to the relation of the code to the transportation act, 1920.

Section 10747 of the code provides that acts passed since March 4, 1919, are to have full effect as if passed after the enactment of the code, and so far as such subsequent acts vary from or conflict with any provisions of the code they shall have the effect of repealing any portion of the code inconsistent therewith. Under section 10742 of the code the act to regulate commerce, and various acts amending that act, any portion of which is embraced in the code, will be repealed, and the applicable sections of the code will be in force in lieu thereof. This will mean that the amendments made by the transportation act, 1920, to various sections of the act to regulate commerce, as amended, can not be applied to those sections, but if they are to have effect must be applied to the corresponding sections of the code.

The only means of determining the corresponding sections of the code is by a comparison of the code with the act to regulate commerce and the various amendatory acts. That can be done with the aid of an adequate index. The courts may hold that under the provisions of the code the amendments made by the transportation act, 1920, to the act to regulate commerce, as amended, will apply as amendments to the corresponding sections of the code. But many difficulties will be encountered in the application to the code of these amendments.

Section 5 of the act to regulate commerce, as amended, affords an excellent illustration of some of these difficulties. The first paragraph of this section was enacted in the act to regulate commerce. Section 11 of the Panama Canal act specifically amended section 5 of the act to regulate commerce, as amended, by adding a new paragraph. These two paragraphs are contained in section 7077 of the code. Section 11 of the Panama Canal act also contains other paragraphs under which the commission functions. The first of these additional paragraphs is contained in section 7058 of the code; the second, as indicated in paragraph No. 7 under "I. An act to regulate commerce" above, has not been found in the code; and the third is contained in section 7138. Section 408 of the transportation act, 1920, provides that the first and second additional paragraphs of section 11 of the Panama Canal act "are hereby made a part of section 5 of the interstate commerce act."

If it can be said that under the provisions of the code the amendments to the act to regulate commerce, as amended, made by the transportation act, 1920, are applicable to the corresponding sections of the code, in what manner will section 408 of the transportation act, 1920, apply? Will section 7058 of the code be repealed and the matter there appearing be made a part of section 7077, or will no change in the code in this respect be made? Will the second additional paragraph of section 11 of the Panama Canal act, which if it is not contained in the code is repealed, be revived and made a part of section 7077? It may be, of course, that the second additional paragraph of section 11 of the Panama Canal act is contained in the code, but we have been unable, because of lack of an index, to locate it. In that event the same questions would arise as in connection with section 7058. If, on the other hand, it has been omitted from the code, the question as to revival is pertinent and leads to further queries. If it can be said that no change with respect to section 7058 of the code will result, will the second additional paragraph of section 11 of the Panama Canal act be made a part of section 7058 or of section 7077, which corresponds to section 5 of the act to regulate commerce as amended? If no change is made with respect to section 7058 and the second additional paragraph of section 11 of the Panama Canal act is made a part of section 7077, would section 408 of the transportation act, 1920, be given "full effect"? These questions may seem unimportant, but they are at least indicative of the doubts that arise in connection with the application under the provisions of the code of the transportation act, 1920, to the code. Who shall resolve these doubts?

We have never suggested and do not suggest now that the transportation act, 1920, or any other law passed subsequent to March 4, 1919, should be included in the code, but surely the code should not be enacted until the effect of its enactment upon such subsequent laws has been fully considered and effective provision made to eliminate all possibility of confusion as to what is the law under which various rights would accrue, liabilities be incurred, and causes of action arise.

We also note one correction which should be made in section 7078. That section corresponds to section 9 of the act to regulate commerce, as amended. It provides that any person claiming to be damaged by any common carrier may make complaint to the commission as "hereinafter" provided. Section 13 of the act to regulate commerce, as amended, which contained the provisions with respect to the filing of complaints with the commission will become section 7035 of the code, and thus "hereinafter" is incorrectly used in section 7078 of the code.

We appreciate fully the magnitude and importance of this work. It is this very fact that leads us to refer to these matters. We do not mean to intimate that the code has not been most carefully and critically prepared. In a work of this character it is practically impossible to prevent inaccuracies. In an endeavor to be helpful, rather than critical, we have attempted to call attention to some matters which it seems to us should be further considered. Many of the doubts that arise can be settled only by Congress or by the courts, which in the last analysis means the Supreme Court. The law under which the commission functions has been growing since its original enactment and it has taken many years to determine its application to various combinations of facts or circumstances. If the code is enacted, it may again require many years before the courts will have decided many of the questions which will arise. This would leave all concerned with the application of the laws relating to the commission's work in a state of uncertainty, in many instances, pending

these court decisions. It is also conceivable that the construction placed by the courts upon some of the questions that will arise may vary from the intent of Congress. Congress, in the first instance, determines what the law shall be and the effect that it shall have. It would seem preferable in the enactment of the code that Congress rather than the courts should resolve these doubts and that steps should be taken to eliminate such doubts as far as it is possible to do so.

As Senator ERNST has heretofore written us with respect to H. R. 12, and as we have furnished him with a copy of our letter of February 26, 1921, to Senator Wolcott with regard to H. R. 9389, we are sending him a copy of this letter. We are also sending copies to Hon. R. WALTON MOORE and Hon. John R. Tyson.

We have taken the time from our other duties to contribute this much, at least, toward the work which you have in hand. We have not made an exhaustive examination; the time available and the state of our appropriation would not permit, particularly without the aid of any index to the code. The importance and scope of the duties with which we are charged will explain our desire to aid the committee in making this code as accurate and free from possible misconstruction as may be possible in a work of this nature.

Respectfully submitted on behalf of the commission's legislative committee.

JOHN J. ESCH, *Chairman.*

NOTES

A. Fortieth Statutes at Large, 272, amends section 1 of the act to regulate commerce, as amended, "by adding thereto the following." "The following" is the text of these paragraphs which relate to penalties for obstructing interstate commerce and to priority in transportation "during the war in which the United States is now engaged." This, of course, is a "temporary" law, and although the paragraphs form a part of section 1 they will not be repealed by the code, inasmuch as no part of this act is contained in the code.

B. These words are contained in the paragraph prohibiting, with certain exceptions, the issuance of passes, etc., and constitute an "effective date."

C. Although this is shown by the June, 1918, print as a part of section 1 of the act, it is not part of section 1, and as it is not a "general" law, it should not be included in the code.

D. These words establish the effective date of the commodities clause.

E. The provisions of the compulsory testimony act (27 Stat. L. 443) would seem to cover the portion omitted from section 7033 and are contained in section 7034 of the code.

F. (*a*) Section 9: The laws relating to the attendance of witnesses, etc., existing at the time the Hepburn Act was passed are probably contained in the code. We do not now perceive the consequences that may attach to the omission of this section from the code.

(*b*) Section 10 repeals conflicting laws. Under section 10742 of H. R. 12 the Hepburn Act will be repealed. Will the repeal of this omitted repealing section revive prior conflicting laws? Section 4, chapter 1, title 1, rules and terms, reads:

"Effect of repeal: Whenever an act is repealed which repealed a former act such former act shall not thereby be revived, unless it shall be expressly so provided. The repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the repealing act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability."

This is a restatement of Sixteenth Statutes at Large, 431, approved February 25, 1871. Under this the repeal of the omitted repealing sections would not revive prior conflicting laws.

(*c*) Section 11 and the joint resolution: Under the code section 11, establishing the effective date, will be repealed, and the other sections of the Hepburn Act included in the code are "reenacted" and "shall be in force in lieu thereof." It is possible that those sections may thus be held to become effective as of March 4, 1919, but it would seem that section 10743 of the code is sufficient to cover any situation that may arise by reason of this change.

G. Section 16 of the Federal control act specifically provides that "this act is expressly declared to be emergency legislation." Its operation is limited to the period of Federal control. It will not be repealed by H. R. 12.

H. This is the provision of the Elkins Act making the published rate the legal rate and any departure from such rate an offense "under this section *of this act.*" The words in italics are omitted. Section 7064 of the code contains the words "under this section." There seems to be no reason for including the words "of this act."

I. The omitted part was added to section 1 of the expediting act (32 Stat. L. 823) by the amendment of that section made by Thirty-sixth Statutes at Large, page 854. Under the code the part omitted will be repealed. The amendment was approved June 25, 1910. It seems improbable, especially as this is the expediting act, that any proceeding pending on that date would now be pending. Even if such situation did exist, it is possible that it would be covered by section 10743 of the code.

J. The words omitted are contained in section 8 of the appropriation act approved August 24, 1912 (37 Stat. L. 539, 558). This was restated in section 6 of the appropriation act approved July 28, 1916 (39 Stat. L. 412, 431), which does not contain the words said to be omitted. Section 6 of Thirty-ninth Statutes at Large, page 412, is contained in section 6518 of the code.

K. The words omitted are contained in section 2 of Thirty-ninth Statutes at Large, page 61, section 1 of which amends section 3 of Thirty-fourth Statutes at Large, page 1415, "to read as follows." As shown in the commission's print of June, 1918, they form a part of section 3 of the latter act, but, of course, they are not, although they do preserve the status quo of matters arising under section 3 before it was amended. Section 10743 of the code would seem to cover the same situations, even though the omitted words would be repealed by section 10742.

APPENDIX 3

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington.

(Memorandum for Senator RICHARD P. ERNST.)

Subject: Chapter IV, Title XXV, of "The Code of Laws of the United States."

I have been asked to comment upon the question whether or not any or all of the provisions of Chapter IV, Title XXV, of "The Code of Laws of the United States," hereinafter referred to as the new code, have been superseded or rendered obsolete by other legislation.

The new code is entitled "An act to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919." Section 10742 thereof provides that—

"All acts of Congress passed prior to the 4th day of March, 1919, any portion of which is embraced in any section of this code, are hereby repealed and the sections herein applicable thereto shall be in force in lieu thereof; all parts of such acts not contained in this codification, having been repealed or superseded by subsequent acts or not being general and permanent in their nature. * * *."

BRIEF SKETCH OF THE ORIGIN AND HISTORY OF OUR TERRITORIAL GOVERNMENTS

The development of the United States began with the original thirteen Colonies. The territory outside came to be considered later. Although the charter limits of the different Colonies conflicted, the western boundary of the new country was limited to the Mississippi River by the treaty of peace with Great Britain in 1782. The claims of the Colonies to the western lands was ceded to the Confederation, thereby transferring to the confederate management the territory northwest of the Ohio River, which territory was included in the treaty with Great Britain. The first important act with regard to this territory was passed by the Confederate Congress on July 13, 1784, and is entitled "An ordinance for the government of the territory of the United States northwest of the Ohio River." There were, after the adoption of the Constitution, cessions to the United States of territory south of the Ohio. Kentucky was admitted in 1792 as the first new State, it having been a district of Virginia and not having had any Territorial government. Next came Ohio in 1802, the remaining northwest territory being called Indiana Territory, from which was cut off Illinois and Michigan Territories (2 Stat. 58, 173, 201, 428, 514; 3 Stat. 289, 399, 538).

Tennessee was ceded to the United States in 1789 and accepted by the act of April 2, 1790 (1 Stat. 106), followed by the act of May 26, 1790, creating a government for this "territory of the United States south of the Ohio River" (1 Stat. 123). The land between Tennessee and the line of 31°, claimed by Georgia and South Carolina, was ceded to the United States and organized into Mississippi Territory April 7, 1798 (1 Stat. 549). Out of this were subsequently created in 1817 the State of Mississippi and the Territory of Alabama, and later in 1819 the State of Alabama. These different cessions were within the original limits of the United States, as defined by the treaty of Great Britain closing the Revolutionary War.

On April 30, 1803, the President approved the treaty with Napoleon by which Louisiana—that is to say, all the vast territory west of the Mississippi—was ceded to the United States (8 Stat. 200). This marked what is sometimes called the beginning of foreign acquisition by the United States. The Territory of Orleans was created by the act of March 26, 1804 (2 Stat. 283). Louisiana became a State in 1812 (2 Stat. 642). The northern or St. Louis part of the Louisiana purchase was by the same act of 1804 made a separate Territory, called the District of Louisiana, but at first administered with Indiana Territory. The District of Louisiana was made a separate Territory under the name of Missouri on June 4, 1812 (2 Stat. 743). Missouri became a State in 1820 (3 Stat. 645).

The Florida purchase was accomplished by treaty with Spain February 22, 1819 (8 Stat. 255). By acts of March 3, 1819 (3 Stat. 523), and March 3, 1821 (3 Stat. 637), provision was made for a

temporary government of the Florida territories under the direction of the President. The real organization of the Territory of Florida was by the act of March 3, 1823 (3 Stat. 750).

Texas was annexed in March, 1845, and admitted in December, 1845, into the Union as a new State, Texas retaining its public lands. By the treaty of Guadalupe Hidalgo of February 2, 1848, ratified a few months later, there were added California and a new Southwest, increased later by the Gladstone purchase of December 30, 1853. California was admitted as a State on September 9, 1850, without any real previous existence under the Territorial system.

The country west of the Mississippi was from time to time divided into territories with definite boundaries under special or organic acts of Congress. Thus, a territorial system grew up which found its place into the Revised Statutes—sections 1839–1895. This system provided for a uniform organization of the Territories, including the benefits flowing from section 1891. All these contiguous Territories were gradually admitted as States.

The first acquisition of noncontiguous territory was Alaska, which was ceded to the United States by Russia by the treaty of March 30, 1867 (15 Stat. 539).

The Hawaiian Islands were acquired by annexation to the United States by joint resolution of Congress of July 7, 1898 (30 Stat. 750).

Porto Rico and the adjacent islands were ceded to the United States by Spain by the treaty of December 10, 1898 (30 Stat. 1745), and the Archipelago known as the Philippine Islands was likewise ceded to the United States by Spain by the treaty of December 10, 1898 (30 Stat. 1754). The other outlying possessions of the United States are of no importance in so far as the questions under consideration are concerned for the reason that the authority of the United States is exercised therein by virtue of special legislation which admittedly applies to no other territory.

CHAPTER IV, TITLE XXV, OF THE NEW CODE

Chapter IV, Title XXV, of the new code is entitled "Territorial provisions" and contains sections 3957–4038. Of these, 30 sections are essentially the same as the corresponding section of the Revised Statutes from which they were taken, and no reference to other statutes is given as the source of their origin. While 13 other sections are taken in the main from the corresponding sections of the Revised Statutes, reference is also made to various Statutes at Large. The remaining 39 sections refer only to the Statutes at Large for the source of their origin.

All sections and parts of sections which have their origin in the Revised Statutes appear in Title XXIII, Chapter I, entitled "Provisions common to all the Territories," of the Revised Statutes. The Congress was then speaking as of January 1, 1870, when we had no noncontiguous organized Territories. The District of Columbia was not then and is not now a Territory within the meaning of Chapter I, Title XXIII, of the Revised Statutes, for "it is well settled that the District of Columbia has no legislative power, being merely a municipal corporation bearing the same relation to Congress that a city does to the legislature of the State in which it is incorporated." United States ex rel. Daly v. MacFarland (28 Dist. of Col. Apps. 552, 558, and cases cited).

The result is that Chapter IV, Title XXV, of the new code has been superseded in its entirety in so far as contiguous Territories are concerned by the admission of those Territories into the Union as States.

If the provisions of Chapter IV, Title XXV, of the new code are not applicable to or in force in either Alaska or the Hawaiian Islands or Porto Rico or the Philippine Islands, they are not applicable to or in force in any Territory or elsewhere. An examination into the nature, character, or kind of governments which have been set up in those Territories will not be out of place at this time.

ALASKA

Alaska remained from the date of the cession until 1884 an unorganized Territory, subject very largely to the provisions of the act of July 27, 1868 (15 Stat. 240). The provisions of that act were reproduced in sections 1954 to 1976, inclusive, of the Revised Statutes, under the title of "Provisions relating to the unorganized Territory of Alaska." (Steamer Coquitlam v. United States, 163 U. S. 346.)

Alaska is not only an organized Territory but an organized Territory incorporated into the United States. (Rassmussen v. United States 197 U. S. 516.) The present organic act is that of August 24, 1912 (37 Stat. 512), which establishes a complete system of government, legislative, executive, and judicial. Chapter II of Title XXV of the new code, embracing sections 3763 to 3873, inclusive, reproduce those provisions of the statutory laws of the United States deemed by the revisers specifically applicable to and in force in Alaska. Of these 111 sections, only two contain a reference to the Revised Statutes, the other references being to volumes of the Statutes at Large enacted subsequent to the Revised Statuates. It will be noted that by section 3765 of the new code reproducing certain statutes now in force the Legislature of the Territory of Alaska is given authority to alter, amend, modify, and repeal acts of Congress in force in Alaska, with the following exceptions: Customs, internal revenue, postal, or other general laws of the United States; game, fish, and fur seal laws, and laws relating to fur-bearing animals of the United States applicable to Alaska; laws of the United States providing for taxes on business or trade; the act of January 27, 1905 (33 Stat. 616), providing for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons; the provisions gathered together in section 3823 of the new code under the heading "Alaskan funds"; the provisions in section 3839 of the new code under the heading "insane persons"; the provisions of sections 3825 to 3835, inclusive, of the new code dealing with roads, road commissioners, road overseers, etc., and public instruction in Alaska; and any act purporting to deprive the judges and officers of the district court of Alaska of any authority, jurisdiction, or function exercised by like judges or officers of the district courts of the United States.

In section 3771 are found limitations on the legislative powers of the Territory, but within the limits set by sections 3765 and 3771 the Legislature of Alaska has the same power to repeal acts of Congress as is given the Legislatures of the Philippine Islands and of Porto Rico, and the same observations hereinafter made with reference to those Territories are applicable here. There is no method of determining which of the provisions enacted by Congress are thus subject to repeal or are no longer law, except by a careful examination of the acts of the Territorial legislature since the enactment of such laws by Congress. And this examination would require considerable research, because the acts of the Territorial legislature do no specifically refer to the Federal statutes which they may be repealing. The general Territorial provisions found in Chapter IV of Title XXV of the new code have likewise been modified by acts of the Territorial legislature. For example, the elaborate system of mine inspection, provided for in sections 4019 to 4034, have been superseded by Territorial acts, the latest of which appears to be chapter 51 of the Session Laws of Alaska, 1917. In this particular instance the Alaskan statute would probably continue in effect after the enactment of the new code by reason of the provisions of section 4034 of the new code. But other sections, as they appear in the new code, have no doubt been changed. For example, the Legislature of Alaska, in chapter 72 of the Laws of 1917, passed a statute granting to the United States or to the Territory the right to have certain judgments of the district court of the Territory of Alaska in criminal cases reviewed by a writ of error. The reenactment of the provisions contained in section 3800 of the new code, with no reference to such act as that and without incorporation of the matter found in the Territorial act, would raise a grave doubt as to whether the Territorial act was not repealed by implication on the enactment of the new code.

The question suggests itself whether any of the provisions of Chapter IV, Title XXV, of the new code apply to or are in force in Alaska at this time. As a preliminary question it is necessary to decide whether or not the specific provisions in the new code dealing with Alaska and found in sections 3763 to 3873, inclusive, are so comprehensive as not to leave any ground for the operation of the so-called "Territorial provisions." Where a provision referring specifically to Alaska is found the general Territorial provisions would not seem to apply by reason of that rule of statutory construction by which a general provision is held inapplicable when a special provision covers the same general subject matter although not in precisely the same terms.

It is possible to answer this question very definitely for the great majority of sections in Chapter IV, for it is believed that there are not more than three or four of such sections in Chapter IV, the subject matter of which is not covered in the preceding Chapter II, relating specifically to Alaska or by an act of the Legislature of Alaska.

Reference to the table appended will disclose that of the 82 sections in Chapter IV dealing with the Territories generally only 6, viz, sections 3995, 3996, 3999, 4014, 4015, and 4020, appear to contain provisions not covered by the specific provisions of Chapter II relating to Alaska. Of these six provisions only a single sentence from one was included by the joint committee, which compiled the laws of Alaska in 1913 in its compilation. Section 3995 is covered by a local Alaskan statute; sections 3996 and 3999 might perhaps be construed as inapplicable because of section 3807; and the remaining three sections appear to be the only subject matter not covered in Chapter II or elsewhere.

The result is that if all of Chapter IV of the new code were omitted no material provision relating to Alaska would be omitted or repealed save the provisions in sections 4014, 4015, and 4020.

Absence of an index makes it impossible to determine with certainty what provisions relating to Alaska, other than those in Title XXV, are in the new code, but several instances have been noted of such provisions in other titles. Thus in section 5211 of the new code the acquisition of rights of way by railroads and the charges for transportation of freight and passengers on railroads in Alaska is provided for by reproducing section 2 of the act of May 14, 1898 (30 Stat. 409). The reproduction of that section as it stands will raise a question that per-

haps will occur repeatedly in construing the new code. The Supreme Court of the United States, in Interstate Commerce Commission v. Humboldt Steamship Co. (224 U. S. 474, 483), held that the power of the Secretary of the Interior to revise and modify rates of railroads in Alaska given him by the section reproduced had been superseded by the Hepburn Act of June 29, 1906 (34 Stat. 585), so that the power was not vested in the Interstate Commerce Commission alone. Would the reenactment of the law as it now stands in section 5211 of the new code override this court decision so that the Secretary of the Interior would again take such power? Or would the simultaneous enactment of section 1 of the Hepburn Act by section 7036 of the new code continue the status quo? Whichever view is taken, there would be a contradiction between the two provisions which would probably result in litigation.

The general result of this short study may be summarized as follows:

(1) The sections of the new code in Title XXV, Chapter II, dealing with statutory laws of the United States directly applicable to and in force in Alaska do not contain all of said laws nor do they appear to contain the specific provisions of law applicable to Alaska on March 4, 1919, as modified by the Territorial legislation of Alaska under the power given it by section 3 of the organic act of August 24, 1912. Consequently, as such modifications have been made, it would be a question of statutory construction of considerable difficulty whether the enactment of the new code without containing such modifications would not in effect be a repeal thereof.

The provisions in the new code found in Title XXV, Chapter IV, are almost entirely covered by the specified provisions above referred to, and only in isolated instances, if at all, will there be room for these provisions to operate in Alaska. Consequently, to determine whether or not one of these general provisions in Chapter IV is in force in Alaska, it would be necessary to ascertain by detailed examination of Chapter II whether or not there is a special provision for Alaska rendering the general provision in operation.

The results of my investigation in respect to Hawaii, Porto Rico, and the Philippine Islands will be set forth less in detail than that of Alaska.

HAWAII

The Republic of Hawaii continued in existence from the adoption of the joint resolution of July 7, 1898, until the passage of the organic act of April 30, 1900 (31 Stat. 141), when the "Territory of Hawaii" was organized. Hawaii v. Mankichi (190 U. S. 197). That organic act established a complete system of government, legislative, executive, and judicial. Chapter III of Title XXV of the new code, embracing sections 3874 to 3956, inclusive, reproduce those provisions of the statutory laws of the United States deemed by the revisers specifically applicable to and in force in Hawaii. Of these 83 sections not one contains a reference to the Revised Statutes; 60 sections contain reference only to the organic act of April 30, 1900, supra; 18 to that organic act and other acts; and 5 to acts other than the organic act. The five sections which contain no reference to the organic act have to do with public lands (sec. 3954), personal or movable property ceded to the United States (sec. 3952), assumption of the public debt by the United States (sec. 3953), Hawaiian silver coins and certificates (sec. 3955), and intoxicating liquors (sec. 3956).

As to the application of Chapter IV, Title XXV, "Territorial provisions," to Chapter III, "Hawaii," I find that by sections 3878 of the new code 47 sections of Chapter IV are expressly declared inoperative in Hawaii. The presumption, therefore, arises that the remaining 35 sections of Chapter IV were intended to be operative in Hawaii, and this presumption stands until there is found a special provision for Hawaii covering the subject matter of each of these 35 sections in Chapter III or elsewhere in the code. As to three sections, it appears that the general provisions of Chapter IV are inapplicable by reason of the comprehensive language of the sections in Chapter III. The corresponding sections in the two chapters are as follows:

Chapter IV covered by	Chapter III:
3968	3897
4007	3916
4012	3916

As to six sections there is a question of more doubt, for while the specific provisions in Chapter III deal more or less generally with the subject matter they do not cover it as comprehensively as in the first group. These sections are as follows:

Chapter IV covered by	Chapter III:	Comment.
3967	3911	
3972	3916, 3939	Are there justices of peace in Hawaii? No reference found to them in the laws of Hawaii.
3977	3923	
3978	3891	
3985	3939, 3937, 3942	
3996	3945	

There remain 26 sections of Chapter IV which do not appear to be covered either expressly or by implication in Chapter III. Of these 26 sections it seems clear that there is a reason why at least 7 of them should not be included in Chapter III. These sections are as follows: Sections 4016–4018 apply only to the District of Columbia; section 4037 and section 4038 are general provisions of Federal law rather than Territorial provisions; while section 4009 is not included in the list of those sections not applicable to Hawaii under section 3878; said section 4009 is an amendment of chapter 818 (24 Stat. L. 170), and amendments of that chapter are expressly excluded from operation in Hawaii by the provisions of section 3878; section 4010 relates to the provisions of sections 4004 to 4008, inclusive, but sections 4004 to 4006 and 4008 are, by section 3878, not applicable to Hawaii and section 4007 is expressly covered by section 3916, and section 4009 is not applicable to Hawaii for the reasons just stated. There is, therefore, nothing on which section 4010 can operate.

There seems no reason for including the 16 sections running from 4019 to 4034 in Chapter III, because there are no coal mines, no mining, in the Territory of Hawaii, to which these elaborate provisions could apply.

This leaves the provisions of sections 4014, 4015, and 4020 dealing with the rights of aliens to hold land in Hawaii. By section 3929, taken from the organic act, it is provided that aliens can not acquire homesteads in Hawaii except under certain conditions. The compilers of the Revised Laws of Hawaii, 1915, on page 52 of their work, query "whether Federal statutes (24 Stat. 476; 25 Stat. 45; 29 Stat. 618) relating to disabilities of aliens to hold land in the Territories in general are applicable to Hawaii," although that question does not appear to have been passed upon by the courts. Assuming the answer is in the affirmative, however, the general result of this hasty examination would seem to be that these three sections are the only ones that are not covered by the provisions of Chapter III, and that otherwise the omission of Chapter IV of Title XXV of the new code would not materially affect the present laws in force in Hawaii.

It is worthy of note that the local Legislature of Hawaii may have covered by legislation a part of the subject matter covered by some of the 35 sections of Chapter IV, for the legislature is given by section 55 of the organic act, as amended by the act of May 27, 1910 (sec. 3916 of the new code), legislative power extending to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States locally applicable, except those subjects therein specifically mentioned. For instance, section 3937 provides that the judicial power of the Territory shall be vested in one supreme court, circuit courts, and in such inferior courts as the legislature may from time to time establish. Whether the legislature has established courts of justice of the peace, I do not know. However this may be, it would seem that the establishment of such courts would be a rightful subject of legislation. I pursue this point no further.

PORTO RICO

What sections, if any, of Chapter IV, Title XXV, of the new code, relating to the organization and functioning or procedure of the three departments of government in an organized Territory, apply to Porto Rico? An understanding of the kind of government which has been erected for the people of Porto Rico will aid in the solution of the question.

In Kopel v. Bingham (211 U. S. 468) it was held that Porto Rico is a completely organized Territory, although not incorporated into the Union. To the same effect is the holding in American Railroad Co. of Porto Rico v. Didrichsen (227 U. S. 145). And in People of Porto Rico v. Rosaly (227 U. S. 270) it was held that the government established in Porto Rico was of such a nature as to come within the general rule exempting a government sovereign in its attributes from being sued without its consent. These cases were decided while the Porto Rican government was functioning under the act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes" (31 Stat. 77). Section 14 thereof provided that the "statutory laws of the United States, not locally inapplicable, * * * shall have the same force and effect in Porto Rico as in the United States." This section did not make section 1891 of the Revised Statutes (sec. 4036 of the new code) applicable to Porto Rico. (Downes v. Bidwell, 182 U. S. 244.)

The new organic act of March 2, 1917, supra, is entitled "An act to provide a civil government for Porto Rico, and for other purposes." Section 2 contains the first bill of rights enacted for Porto Rico. Here every fundamental right granted by the Constitution is guaranteed to the people of Porto Rico. Within the limits of its authority, the government of Porto Rico is now a complete governmental organism, with legislative, executive, and judicial departments exercising the functions commonly assigned to such departments, although Porto Rico is not yet incorporated into the Union. (Balzac v. People of Porto Rico, 66 L. Ed. 413.) The separation of powers is just as complete as that of the Federal and State Governments. The act of

March 2, 1917, supra, is the practical equivalent of a State constitution. Section 9 of that act provides that the statutory laws of the United States not locally inapplicable, except as therein set forth, shall have the same force and effect in Porto Rico as in the United States. This section did not place section 1891 of the Revised Statutes (sec. 4036, new code) in force in Porto Rico. (Balzac v. People of Porto Rico, supra.)

The new organic act of March 2, 1917, supra, further provides that all local legislative powers in Porto Rico, except as in the act provided, shall be vested in a legislature consisting of two houses (sec. 25); that the legislative authority therein provided shall extend to all matters of a legislative character not locally inapplicable, including the power to alter, amend, modify, or repeal any or all laws in force in Porto Rico in so far as such action may be consistent with the provisions of the act (sec. 37); and by section 38 all inconsistent laws are repealed and all existing consistent laws are retained. The other sections of the act make complete provisions for the organization and functioning of the three great departments of the government—the legislative, executive, and judicial. The provisions of the new organic act of March 2, 1917, supra, consisting of sections 1 to 58, inclusive, are reproduced in Chapter I, Title XXVI, of the new code.

The result is that the operation of each and every provision in Chapter IV, Title XXV, of the new code which has to do with the creation, organization, and functioning of the three great departments of government as such are excluded from Porto Rico by the new organic act of March 2, 1917, supra, for the reason that this act completely covers the subject matter in each case.

May I be permitted to submit one other observation touching the probable results which might flow from the enactment of the new code in its present form in respect of the government of Porto Rico?

The Federal employers' liability act, entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases" (35 Stat. 65), provides in section 2 that every common carrier by railroad in the Territories, etc., shall be liable in damages as therein provided. The provisions of this section appear in the new code, section 7449. This latter section is an exact copy of the former, with the exception of the title. The employers' liability act was amended by the act of April 5, 1910 (36 Stat. 291), and the sections of the act as thus amended appear substantially as sections 7453 and 7456 of the new code.

In American Railroad Co. of Porto Rico v. Birch (224 U. S. 547), decided by the Supreme Court of the United States on May 13, 1912, it was held that "The employers' liability act expressly applies to Porto Rico" (p. 555). The court so held after quoting section 2 of the act.

At an extraordinary session held in 1918 the Legislature of Porto Rico enacted a workmen's accident compensation act (Laws of Porto Rico, 1918, p. 54). In August, 1919, the Porto Rican Railway, Light & Power Co. brought an action against Manuel Camunas et al., composing the workmen's relief commission, for the purpose of enjoining the enforcement of the local compensation act as being in conflict with the Federal employers' liability act. The United States District Court for Porto Rico granted a preliminary injunction restraining the enforcement of the local act. The Circuit Court of Appeals for the First Circuit (Camunas et al. v. P. R. Ry., Light & Power Co., 272 Fed. Rep. 924) reversed the decree of the lower court and held the local act valid. The result is that the employers' liability act is no longer in force in Porto Rico, according to the circuit court of appeals, because it is either locally inapplicable or was repealed by the new organic act of March 2, 1917, supra, or was repealed by the local legislature when it passed the workmen's compensation act. If the new code is enacted in its present form, it may have the effect of making the employers' liability act again applicable to Porto Rico, thereby superseding the local legislation on the subject.

I am not advised as to the number of other instances, if any, where local legislation in conflict with Federal legislation has been enacted by the Porto Rican Legislature.

PHILIPPINE ISLANDS

Again, what section, if any, of Chapter IV, Title XXV, of the new code relating to the organization and functioning or procedure of the three departments of government in an organized Territory are in force in the Philippine Islands. The status of the Philippine Islands under the new organic act of August 29, 1916 (39 Stat. 545), is that of a completely organized Territory—a possession of the United States not incorporated into the Union. Section 5 provides that the statutory laws of the United States hereafter enacted shall not apply to the Philippine Islands "except when they specifically so provide, or it is so provided in this act." Section 1 of the former organic act of July 1, 1902 (32 Stat. 691), provided that the provisions of section 1891 of the Revised Statutes of 1878 shall not apply to the Philippine Islands.

The Government of the Philippine Islands is now, like that of Porto Rico, a complete governmental organism, with legislative, executive, and judicial departments. The separation of powers is just as complete as that of the Federal and State systems. The act of August 29, 1916, supra, is the practical equivalent of a State constitution. Sections 6, 7, and 8 of this act give the Philippine Legislature general legislative power, subject to the limitations contained therein, including the power to amend, alter, modify, or repeal any law continued in force by the act, provided such action be not in conflict with the said act. And by section 31, "All laws or parts of laws applicable to the Philippine Islands not in conflict with any of the provisions of this act are hereby continued in force and effect." The other sections of the act make complete provisions for the organization and operation of the three great departments of the Philippine government. The provisions of the new organic act of August 29, 1916, supra, are reproduced in Chapter II, Title XXVI, of the new code, except the provisions of section 26 of the said new organic act. Whether these provisions appear in some other section of the new code I do not know.

So it is clear that the operation of each and every provision in Chapter IV, Title XXV, of the new code, which has to do with the creation, organization, and functioning of the three great departments of government as such, are excluded from the Philippine Islands by the new organic act of August 29, 1916, supra.

One other observation: The act of Congress of February 6, 1905 (33 Stat. 690), limited the authority of the Philippine government in lending financial aid to the railroad corporations operating in the islands to the guaranteeing of interest on bonds issued by such corporations. The pertinent provisions of that act are reproduced in section 4224 of the new code.

By act No. 3008, the Philippine Legislature authorized the Philippine government to guarantee the payment of both the principal and interest of certain bonds to be issued by the Manila Railroad Co. The legality of this guaranty was submitted to the Attorney General of the United Staes, and he held, on April 21, 1922 (33 Ops. Atty. Gen. 147), that the act of February 6, 1905, supra, was continued in force by the act of August 29, 1916, supra, and that:

"The provisions of act No. 3008, above quoted, must be construed as amending section 4 of the act of February 6, 1905, supra, to permit the Philippine government to guarantee the principal as well as the interest of bonds issued by the railroad companies organized pursuant to the laws of the said government."

While act No. 3008 of the Philippine Legislature was enacted subsequent to March 4, 1919, it is cited for the purpose of showing that both the Philippine Legislature and the Attorney General of the United States are of the opinion that the former has the power to repeal or modify any act of Congress in force in the Philippine Islands, provided that such action on the part of the local legislature be not in conflict with the new organic act of August 29, 1916, supra. This is the only instance that has been called to my attention wherein the Philippine Legislature has modified an act of Congress, although I might point out that a few months after the approval of the act of August 29, 1916, supra, the Philippine Legislature passed, effective on October 1, 1917, act No. 2711, known as the Administrative Code, which contains 2,768 sections. This Administrative Code was enacted "for the purpose of adapting it to the Jones law (act of August 29, 1916) and the reorganization act (act No. 2666 of the Philippine Legislature). Whether any of the provisions of the Administrative Code have been held to have repealed or modified any act of Congress in force in the Philippine Islands I can not state. Neither can I say whether subsequent Philippine legislation has modified or repealed any act of Congress in force in the islands.

OBSERVATIONS COMMON TO BOTH PORTO RICO AND THE PHILIPPINE ISLANDS

There are indications which tend to show that Chapter IV, Title XXV, of the new code is not applicable to Territories not incorporated into the Union, such as Porto Rico and the Philippines, for the chapter is entitled "Territorial provisions," and Porto Rico and the Philippines are not mentioned in section 3961 along with Alaska and Hawaii. True it is that both Porto Rico and the Philippines are mentioned in section 4038, but the proviso takes the Philippines out of the operation of the section. With this single exception in respect to Porto Rico, I find no provision in the entire chapter, as a result of this somewhat hasty study, which is applicable to either Porto Rico or the Philippines.

The most important question upon this branch of the inquiry is, in my opinion, the one which was considered in Two hundred and seventy-second Federal Report 924 and in Thirty-third Opinions Attorney General 147. As I have heretofore indicated, I have not examined Chapters I and II, Title XXVI, section by section and the related sections, for the purpose of pointing out just what provisions therein have been amended, modified, or repealed by the organic act of August 29, 1916, and March 2, 1917, supra, or by the local legislatures.

I note that the preamble to the organic act of August 29, 1916, is entirely omitted in the new code. No legal objection can be raised on this point. A great many of the Filipino people, however, consider this preamble as the most sacred and important declaration yet made by the Congress in so far as the islands are concerned.

CONCLUSIONS

My sole purpose in submitting these comments and observations is the hope that they may be of some assistance to you in your study of this important legislation, knowing at the same time that the Congress will pursue its traditional policy of moving cautiously in such matters so as not to disturb the existing condition of things any further than is necessary under the circumstances.

GRANT T. TRENT.

Table showing sections in Chapter IV, Title XXV, of new code, entitled "Territorial provisions," covered in Chapter II, Title XXV, entitled "Alaska," with comments on such sections as do not appear to be thus covered

Chapter IV ("Territorial Provisions")	Covered by section in Chapter II (Alaska)	Comment
3957	3796	
3958	3776	
3959	3797	
3960	3797	
3961	3768	
3962	3767	Can operate only prospectively, and hence not applicable to Alaska in any event.
3963	3783-3795	
3964	3779	
3965	3771	
3966	3768	
3967	3768	
3968	3766	
3969	3773	Probably so construed.
3970	3807	
3971	3802	No militia in Alaska; hence not applicable.
3973, 2974	3771	See act of Apr. 28, 1904 (33 Stat. 529), re municipalities in Alaska (not in new code).
3973	3767	
3976	3782	
3977	3782	
3978	3769	
3979	3781	
3980	3783-3795	
3981	3800	
3982	3800	
3983	3802	
3984	3800	
3985	3800-3801	
3986	3800-3801	
3987	3802	
3988	3802	
3989	3802	
3990	3801	
3991	3801	
3992	3804	
3993	3805	
3994	3807	
3995, 3996	----------	Requirement of oath of office. This is covered by sec. 795, Comp. Laws, Alaska, 1913. Salaries not to commence until oath of office taken; query as to whether 3996 applicable to Alaska in view of 3807.
3997	3807	
3998	3807-3808	
3999	----------	No salary to officer of a Territory absent from duties; exception. Probably applicable to Alaska by reason of sec. 3807 of new code.
4000	3764	
4001	3777	
4002	3777	
4003	3777	
4004	3771	
4005	3771	
4006	3771	
4007	3771	
4008	3771	See act of Apr. 28, 1904 (33 Stat. 529), as to municipal indebtedness.
4009	3771	
4010	3771	
4011	3779	
4012	3771	
4013	----------	Ownership of real estate by religious societies, etc. Repealed by ch. 12, Laws of Alaska, 1913.
4014, 4015, 4020	----------	Ownership of real estate by aliens. These provisions still apply to Alaska (133 Fed. 216).
4016		
4017, 4018	----------	Provisions applicable to District of Columbia.
4019, 4021-4034	----------	Mine inspection is covered in several Alaskan acts, the latest of which is ch. 51, session laws of Alaska, 1917.
4035	3821	
4036	3765	
4037	----------	Use of Federal penitentiaries by Territories—a general rather than a Territorial provision.
4038	----------	Shipping laws to apply to Alaska.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WARREN:

A bill (S. 3452) to adjust a portion of the eastern boundary of Shoshone National Forest, Wyo. (with accompanying papers); to the Committee on Public Lands and Surveys.

By Mr. BALL:

A bill (S. 3453) to regulate the manufacture, renovation, and sale of mattresses in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PITTMAN:

A bill (S. 3454) granting a pension to John M. Evans; to the Committee on Pensions.

By Mr. McKINLEY:

A bill (S. 3455) granting a pension to Josiah L. Albritton; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3456) granting an increase of pension to Mary L. Chase (with accompanying papers); to the Committee on Pensions.

By Mr. BURSUM:

A bill (S. 3457) conferring upon the Court of Claims jurisdiction to hear and determine the claim of the estate of Robert H. Stapleton, deceased; to the Committee on Claims.

A bill (S. 3458) to amend the act entitled "An act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States, and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 20, 1910, as amended; to the Committee on Public Lands and Surveys.

A bill (S. 3459) to encourage and promote the sale and export of agricultural products grown within the United States; to the Committee on Agriculture and Forestry.

By Mr. HARRIS:

A bill (S. 3460) to purchase additional forest lands; to the Committee on Appropriations.

By Mr. HEFLIN:

A bill (S. 3461) for the relief of Charles O. Green; to the Committee on Claims.

By Mr. STERLING:

A bill (S. 3462) declaring the existence of an emergency arising out of the low price of wheat and providing for the purchase of the surplus of wheat of the crop of 1924 available for export; to the Committee on Agriculture and Forestry.

By Mr. SHORTRIDGE:

A bill (S. 3463) for the relief of E. W. Franklin; to the Committee on Claims.

By Mr. GEORGE:

A bill (S. 3464) granting the consent of Congress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the St. Marys River; to the Committee on Commerce.

By Mr. SPENCER:

A joint resolution (S. J. Res. 143) to reimburse Susan Sanders for expenses and services rendered in behalf of the Eastern, Emigrant, and Western Cherokees by blood; to the Committee on Claims.

IMMIGRATION OF CERTAIN ALIENS

Mr. COPELAND. I introduce a joint resolution, which I ask be referred to the Committee on Immigration and printed in the RECORD.

There being no objection, the joint resolution (S. J. Res. 144) to permit to remain within the United States certain aliens in excess of quotas fixed under authority of the immigration act of May 19, 1921, was read twice by its title and referred to the Committee on Immigration, and ordered to be printed in the RECORD, as follows:

Resolved, etc., That aliens who embarked for the United States on or before May 26, 1924, arriving in excess of quotas fixed under authority of the act entitled "An act to limit the immigration of aliens into the United States," approved May 19, 1921, as amended and extended, may, if otherwise admissible and if not subject to deportation for other causes, be permitted to enter and to remain in the United States without regard to the provisions of such act of May 19, 1921, as amended and extended.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL

Mr. BURSUM submitted an amendment proposing to pay $1,200 to Alexander K. Meek for extra and expert services rendered to the Committee on Pensions, and so forth, intended to be proposed by him to House bill 9559, the deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JONES of Washington submitted an amendment providing that no money appropriated for the enforcement of the prohibition, narcotic, or custom laws shall be expended for the hire of automobiles, boats, or other similar conveyances in any locality whenever there are automobiles, boats, or similar con-

veyances in the custody of the law forfeited to the United States under the penal laws, which in the judgment of the Secretary of the Treasury are suitable for use in the enforcement of such laws, and so forth, intended to be proposed by him to House bill 9559, the deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed acts of the following titles:

On June 3, 1924:

S. 81. An act for the relief of the owners of the steamship *Lexington*;

S. 593. An act for the relief of the United Dredging Co.; and

S. 935. An act for the relief of the Erie Railroad Co.

On June 4, 1924:

S. 243. An act for the relief of Frank Vumbaca; and

S. 3395. An act granting the consent of Congress to the commissioners of Fayette and Greene Counties, Pa., to construct a bridge across the Monongahela River near Masontown, Fayette County, Pa.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. PHIPPS. I intend to move that the Senate insist upon its amendments to the District of Columbia appropriation bill still in disagreement, agree to the further conference asked for, and that the Chair appoint the conferees on the part of the Senate at the further conference; but first I submit the conference report and ask that it be agreed to.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year 1925, and for other purposes, having met, after full and free conference have been unable to agree.

LAWRENCE C. PHIPPS,
W. L. JONES,
L. HEISLER BALL,
Managers on the part of the Senate.

C. R. DAVIS,
FRANK H. FUNK,
W. A. AYRES,
Managers on the part of the House.

Mr. NORRIS. Mr. President, I would like to have from the Senator an explanation of what the conference report involves. I wish the Senator would explain what the controversy is about with the House and how many amendments are in disagreement.

Mr. PHIPPS. They are all in disagreement. The conferees on the part of the House decline to consider any amendments whatever until amendment No. 1 is first disposed of.

Mr. NORRIS. What is amendment numbered 1?

Mr. PHIPPS. Amendment No. 1 deals with the contribution on the part of the General Government.

Mr. NORRIS. I wish the Senator would explain what the dispute is on that question.

Mr. PHIPPS. The difference is that the substantive law provides for a 60–40 basis of contribution. The conferees on the part of the House presenting the bill to the House wrote in the 60–40 basis. On the floor of the House an amendment was adopted without a record vote substituting a lump sum of $8,000,000 in lieu of the 40 per cent Federal Government contribution. The Senate wrote in the bill as an amendment the 60–40 plan, or in lieu thereof a lump-sum contribution of $14,000,000, which was $6,000,000 in excess of the amount the House had written in the bill. The House now proposes to add to the $8,000,000 which it had written into the bill permission for the District of Columbia to receive credit for all the miscellaneous receipts by way of license fees, fines, and other things of that nature, which in round figures might amount to something over $1,000,000.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Arkansas?

Mr. PHIPPS. Certainly.

Mr. CARAWAY. I notice that the House voted on the proposition yesterday. What was the vote? Does the Senator from Colorado know?

Mr. PHIPPS. The vote was 307 to 16 in favor of the proposition advocated by one of the conferees, Congressman DAVIS, representing the conferees, conceding an additional amount, as I said, of about $1,000,000 in round figures.

Mr. CARAWAY. I noticed that the Senator said, when the matter was before the Senate on a previous occasion, that there were only 39 people present when the House adopted it. I was just going to suggest that evidently they are very unanimous in that respect now. I do not want to interfere with the conference report, but I should like to see the Senate vote upon the amendment before it goes back to conference.

Mr. PHIPPS. I did not quite catch the Senator's point.

Mr. CARAWAY. I do not want to interfere with the Senator as a conferee, but if he does not object I would like to see the Senate vote upon the proposition before it goes back to conference. I can not believe that when the taxpayer here pays 50 cents on a hundred dollars and the people out in the States are paying $2.50, $3, and $3.50, we ought to insist on relieving the people in the District of Columbia of any tax and putting it all on the people at large. I witnessed the Senate yesterday kill all relief whatever for the agricultural interests, and yet the Senators stand here now and want to give $14,000,000 to people who are paying only 50 cents on a hundred dollars, and put the tax on the people out in the States who are now paying $2.50 and $3, including the very farmers whom the Senate refused on yesterday to relieve. If the Senator does not object, suppose we have the Senate vote on the question?

Mr. PHIPPS. I wish in all good faith to state to the Senator that I can not believe the amount which would be represented by the motion that was adopted in the House yesterday represents the amount that the conferees have in mind as the contribution on the part of the Federal Government.

Mr. CARAWAY. Of course, I do not know what the conferees had in mind.

Mr. PHIPPS. I think a vote in the Senate now, which would be as to whether or not we should accept the proposition as amended in the House, would not be the proper method to arrive at a solution of the matter. It was suggested in conference that a commission be appointed consisting, say, of three Senator, three Members of the House, and three citizens, to make an investigation and report back to the Congress when it convenes next December as to what would constitute a proper method of taxation and contribution on the part of the citizens of the District and the Federal Government.

Mr. CARAWAY. Will the Senator permit me to interrupt him again?

Mr. PHIPPS. Certainly.

Mr. CARAWAY. I have always observed that whenever a thing is bad that is desired to be put over a conference is asked for, because by delay there is always a chance, at least, that the wrong will prevail. I am not saying that the Senator wants to do wrong. I want to be absolutely clear on that. I think the thing for which he stands, however, is unjustifiable. I do not see how any man can say that the people out in the West, for instance, where I believe it is said that 40 to 50 per cent of the farmers are going into bankruptcy, should be compelled to pay the taxes of the people of the District of Columbia, who pay only 50 cents on the $100.

It is so indefensible to me that I would like to suggest that I do not see how any Senator can reconcile himself to vote on the proposition when he is voting money in his own pocket, where he is a taxpayer here in the District, and in that way ask the people back home to pay his taxes. I am not criticizing anyone who does that way, but I looked over the list of Senators and I discovered as to those who voted that way that nearly all of them put money in their own pockets by that indirect method. I do not say that was their reason for so voting, and nobody shall understand me to say that, but I do know that they did vote to make the people back home pay their taxes here in the District of Columbia. I pay taxes in two districts, and I know that the taxes here are not more than one-fifth of what they are in my home town.

Therefore I do not see how I can afford to vote that the people back home, staggering under the load they already carry, shall also go down into their pockets and pay the taxes of the people here in the District of Columbia, including myself. Therefore, when I can get the floor, I shall move that the Senate concur in the amendment. The Senator from Colorado has the floor now.

The PRESIDENT pro tempore. The Chair desires to remind the Senator from Colorado that Rule XXVII provides that—

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is divid-

ing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

Unless by unanimous consent, the question must be put to the Senate as to whether the report shall be considered at this time.

Mr. CARAWAY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CARAWAY. I desire to move at the proper time that the Senate shall concur in the House amendment to amendment numbered 1. Is this the time to do it?

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Nebraska?

Mr. CARAWAY. Certainly.

Mr. NORRIS. In order that he may get the thing right, as I understand, it should be a motion to recede from the Senate amendment and accept the House bill, so that the Senator's motion should be to recede.

Mr. CARAWAY. On amendment numbered 1?

Mr. NORRIS. Yes; as I understand it.

Mr. CARAWAY. I shall move that the Senate recede on amendment numbered 1.

The PRESIDENT pro tempore. The question must first be decided as to whether the Senate will consider the conference report at this time.

Mr. WALSH of Massachusetts. Mr. President, what is the business before the Senate?

The PRESIDENT pro tempore. The business before the Senate is the conference report on the District of Columbia appropriation bill, and the Senator from Colorado has moved to agree to that report.

Mr. WALSH of Massachusetts. Is not the first procedure to determine the consideration of the report?

The PRESIDENT pro tempore. The Chair just read the rule, which provides that when a report is received the question of proceeding to the consideration of the report, if raised, shall be immediately put and shall be determined without debate.

Mr. WALSH of Massachusetts. If no request has been made for the consideration of the conference report, what is the business before the Senate?

The PRESIDENT pro tempore. It is the conference report.

Mr. WALSH of Massachusetts. But no request has been made to consider it.

The PRESIDENT pro tempore. The Chair understands that the Senator from Colorado requested its consideration.

Mr. PHIPPS. I asked unanimous consent for the consideration of the conference report and then action on the message from the House, which I believe to be the proper method of procedure.

The PRESIDENT pro tempore. The Chair so understood.

Mr. WALSH of Massachusetts. Then I suggest that the Chair put the question whether there is objection to the unanimous-consent request so we can transact some business.

Mr. BURSUM. Mr. President, I suggest that the unfinished business be proceeded with, which is before the Senate.

The PRESIDENT pro tempore. The unfinished business is before the Senate.

Mr. BURSUM. It seems to me the conference report will take up considerable time, and I shall be obliged to object to its consideration at the present time.

Mr. PHIPPS. I hope the Senator will not make an objection. I do not believe it would take any great length of time. It is important that the bill should be dealt with in conference and disposed of. As stated, there are over 165 amendments to the bill that have to be disposed of.

Mr. BURSUM. Notice has been given on the floor that motions will be made to concur, which will involve debate.

Mr. PHIPPS. There is only one amendment in question at the moment.

Mr. BURSUM. Those questions are matters for debate.

The PRESIDENT pro tempore. Unless there is unanimous consent for the consideration of the conference report, the Chair feels constrained to put the question to the Senate, Will the Senate proceed to the consideration of the conference report? Is there unanimous consent? The Chair hears no objection.

Mr. CARAWAY. I move that the Senate recede on amendment No. 1.

Mr. BURSUM and Mr. PHIPPS addressed the Chair.

The PRESIDENT pro tempore. The Chair is of the opinion, inasmuch as the report of the committee of conference does not include a report upon the question suggested by the Senator from Arkansas [Mr. CARAWAY], that the motion must come after the report shall have been agreed to or disagreed to.

Mr. LODGE. Mr. President——

Mr. CARAWAY. Pardon me just a moment; is it——

Mr. BURSUM. Mr. President——

The PRESIDENT pro tempore. The Senator from New Mexico.

Mr. BURSUM. What is the status and what is the understanding now?

The PRESIDENT pro tempore. The present status is the Senate has just by unanimous consent agreed to consider the conference report.

Mr. BURSUM. The Senate did not agree to consider it by unanimous consent; I objected a few moments ago; but I should like to understand as to about how much time this matter will take. I do not want to stand in the way of the consideration of the conference report.

Mr. PHIPPS. The Chair has put the question, and the Senate has agreed to consider the conference report; but I have stated that I did not believe the consideration of the conference report will occupy any great length of time.

Mr. LODGE. Mr. President, I desire to make a parliamentary inquiry, if I may. I should like to see if we can not have the status made clear without constant interruption.

Mr. BURSUM. I have the floor, and I should like to be heard before we get through with this matter.

Mr. LODGE. I rose to a question of order, and I can do so at any time.

Mr. BURSUM. I wish to say that, with the understanding that the consideration of the conference report will not consume much time, I will withdraw the objection, and agree that the bill, of which I am in charge, shall be temporarily laid aside.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. ROBINSON. A point of order, Mr. President. I raise the point of order that objection to the consideration of the conference report is not now in order.

Mr. BURSUM. But I previously objected to the consideration of the conference report.

Mr. ROBINSON. I insist on my point of order that the objection to the conference report is not now in order.

The PRESIDENT pro tempore. The Chair hopes persons in the Chamber will preserve order. It is impossible to hear what is going on. There must be order in the Chamber.

Mr. LODGE. I have tried to get recognition on a point of order.

The PRESIDENT pro tempore. There must be order in the Chamber before anything can be done. [A pause.] The Senator from Massachusetts.

Mr. LODGE. Mr. President, I merely desire that I may accurately understand the situation. As I understand, the Chair laid before the Senate the conference report, which is privileged; that may be done at any time. The Chair did that in accordance with the rule. Then the question of consideration may be raised. The question of consideration was raised by the Senator from Colorado [Mr. PHIPPS]. Unanimous consent was asked for the consideration of the report; the Chair put the request, which was granted, and the conference report is now before the Senate. The question of consideration having been raised and determined, it is not in order to object.

The PRESIDENT pro tempore. The Senator from Massachusetts has correctly stated the situation.

Mr. CARAWAY. Mr. President——

Mr. PHIPPS. Pardon me a moment. As I understand, the first thing in order is to act on the report of the committee of conference on the part of the Senate, which has nothing to do with the action of the House. It is a report of disagreement, which should be accepted.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDENT pro tempore. Senators will take their seats.

COMMENTS ON WORK OF CONGRESS

Mr. WALSH of Massachusetts. Mr. President, I dislike to delay the consideration of the conference report, but I have to attend an important conference committee meeting at 2 o'clock, and I must take this opportunity to present some observations to the Senate. I send to the desk two news articles that have recently been published in the press of the country, and I ask that they may be read by the Secretary. Then I shall comment upon them.

The PRESIDENT pro tempore. The question before the Senate is on the conference report, and the request of the Senator from Massachusetts is not in order.

Mr. WALSH of Massachusetts. I am taking the floor under the right to debate the conference report. I ask that the articles which I send to the desk may be read by the Secretary.

The PRESIDENT pro tempore. Is there objection to the reading of the matter which has been sent to the desk by the Senator from Massachusetts?

Mr. PHIPPS. Mr. President, I feel that I should object. I think that it is important to have the conference report considered. Will the Senator from Massachusetts kindly state the nature of the communication he desires to have read?

Mr. WALSH of Massachusetts. I can read the articles myself, and will be very glad to do so.

Mr. PHIPPS. I do not care to object if the articles are very brief. I am only desirous of securing action on the conference report.

Mr. WALSH of Massachusetts. One of these articles is from the Baltimore Sun, and I may say that both articles are very similar to and typical of other news items which have been broadcasted throughout the country during recent months. The article from the Baltimore Sun is dated May 27, 1924, and reads as follows:

[From the Baltimore Sun, May 27, 1924]

BONUS AND TAX CITED AS CAUSE FOR FIRING MEN—EDISON STORAGE BATTERY CO. GIVES POLITICAL REASONS IN LAYING OFF 107—MOVE TO INFLUENCE THEIR VOTES DENIED—NOTICE, HOWEVER, STRESSES NEED OF ELECTING BUSINESS MEN TO OFFICE

NEW YORK, May 26 (special).—Adoption of the soldiers' bonus, partisan inquiries at Washington which hurt business, and failure of Congress to pass the Mellon tax reduction bill were cited to discharged employees of the Edison Storage Battery Co., West Orange, N. J., as reasons why they lost their jobs.

F. A. Gillman, secretary of the New Jersey Manufacturers' Association, with headquarters at Trenton, said he had not heard reports that the Edison Co. was pioneer in a business-retrenchment program fostered by his association to influence the votes of workers this fall.

PRINTED NOTICE GIVEN EACH

G. E. Stringfellow, general manager of the storage battery company, which is one of a large group of Edison manufacturing units at West Orange, signed printed slips which notified 107 employees their services were no longer required because political turmoil and ill-advised legislation at Washington made imperative a curtailment of production.

"You never before furnished printed reasons for the discharge of employees, did you?" Mr. Stringfellow was asked to-day.

"No," he admitted. "I came to the conclusion, however, that when a man loses his job he should know why."

DENIES POLITICAL MOVE

"Weren't you aware that such a course at this time inevitably would influence the political opinions and vote of the men discharged?"

"I never thought of that. It never occurred to me," Mr. Stringfellow answered.

"Why should investigations at Washington force a reduction in the number of your employees?"

"After the inquiries got under way many of our customers began to lose confidence in the Government and cut down or stopped their buying."

TEXT OF NOTICE

The notice which each of the 107 discharged employees of the Edison Storage Battery Co. received read as follows:

"To the employees whom we must let go. We find it necessary to reduce production on account of bad business conditions, which I believe are brought about by:

"1. Partisan political investigations at Washington.

"2. Passage of the soldiers' bonus bill.

"3. Failure of Congress to adopt the Mellon tax-reduction plan.

"There seems to be little relief in sight unless business men capable of dealing with business problems are elected to public office.

"We are forced to curtail production, which means we must let you and 106 other men go, not because your service is unsatisfactory, but due to business conditions over which we have no control, as outlined above.

"G. E. STRINGFELLOW."

Officials of the New Jersey Manufacturers' Association, when asked about the reports that the Edison Co.'s action squared with the association's plan of campaign propaganda, referred inquirers to Philip Bird, of Trenton, spokesman for the organization. He was said to be on his way to Massachusetts.

Mr. WALSH of Massachusetts. The other article is from the Manufacturers' News of May 24, 1924, and is, as follows:

[From the Manufacturers' News, May 24, 1924]

CONGRESS

What's the matter with Congress?

From one end of the country to the other the cry is growing. What's the matter with Congress? What is the matter?

It is no longer only "big business" that is demanding the answer. The general public—the workingman, the housewife, the salesman, and the clerk, all are beginning to realize that something is wrong.

The whisper is going the rounds that "bad times are coming." No one knows why, nor how, nor when—but what's the matter with Congress? Something's wrong. Watch out.

That's the sort of thing that breeds panic. Every analyst knows that there is no reason for panic or distress—economically. The country is sound. Money is plentiful. Business is good.

But Congress is greasing the skids. A couple more "bonehead plays" will serve to set the Nation on the toboggan. Congress must know it—but Congress doesn't seem to care.

That's what's wrong with Congress. It doesn't care what happens to the country as a whole. It "hasn't time." "Our Representatives" are too much wrapped up in serving "their" constituents to serve the country's welfare.

Too much sectionalism; not enough Americanism—that's what's wrong.

Mr. WALSH of Massachusetts. Mr. President, intolerance is of many brands. The public is aware of many of these brands. Most attacks of intolerance are based upon ignorance and address themselves to the ignorant. The attacks of intolerance disclosed in these news items are not based on ignorance, for they emanate from experienced and educated "leaders of public opinion," but upon deliberate ill will and misrepresentation, actuated by a revengeful purpose.

Mr. President, there is no agency in this country doing more to break the faith of the American people in representative government, not excepting communism, than the Edison Storage Battery Co. and other industrial and financial organizations which are disseminating propaganda of this character. The purpose and intent of this propaganda is to control elections and the Government itself by duress.

For some time past it has been the vogue in certain circles to spread propaganda of this poisonous type for the purpose of discrediting Congress and particularly the Senate. It is not surprising that it has arrested the attention of the American people and is widely believed, for even some members of this body and others in high position in the administration and captains of industry, like Gary, of the Steel Trust, have denounced the present Congress, referring to it amidst prolonged applause at the sumptuous banquets of the money changers as never being at such a low ebb.

The statement of the employer in this news article, setting forth certain acts of Congress as the reason for curtailing employment in the industries of this country, is an unmistakable attempt to shake the confidence of the people in democratic government. It is the cry of a group who are resentful because their political and economic views have not been approved and supported. It is the wail of those, small in number but influential captains of industry and finance who consider themselves the very props of the Government itself, and who denounce all public servants as feeble-minded and incompetent who refuse to advocate and accept their political theories. Put shortly, it is the voice of those who believe in an aristocracy of the vested interests; those who will accept democratic government only when, through control of political parties and public servants, their selfish ends are accomplished.

Their conception of government is government for and by the few—the few who have power, either the power of wealth or the medium to make their dependents and employees political serfs. They are of that class who see no wrong in still seeking to control the votes of their servants, agents, and employees as they did in earlier days; no wrong in public servants taking money directly or indirectly provided the bribed officials serve them; no wrong in public officials serving them in office with a tacit understanding that after they have left office their services are to be rewarded by handsome retainers; no wrong in public officials receiving political aid when the object of the assistance rendered is to help them through the power of their public office to exploit the people. To their minds the public servant is a moron, who is poor and without prestige, if he resists while in office the temptation to make a public career that will enable him in after life to make money while out of office. They are among those who believe that public servants who seek to form a free and privileged relationship between the Government and private exploiters of the Government are statesmen, while those who raise their voices against private exploitation of the people through governmental agencies are demagogues. The general public will not fall victims to their nefarious propaganda or that of their spineless hirelings. These outbursts against the Congress will merely arouse the rank and file of Americans to a full inquiry into the causes of these malignant attacks upon the courage, patriotism, and intelligence of the Congress.

Mr. President, the public upon reflection will discover that the oil scandals only typical of the many other scandals which have been disclosed from time to time and hundreds of other corrupt governmental acts which have never been disclosed; that practically all the defilement in our Government has arisen because of efforts of certain groups either to use the Government to promote private exploitation or to prevent the efforts of public servants to control these exploiters through governmental agencies.

These propagandists are raising a political issue of more importance than they realize. It will be in the next campaign. It can not be avoided. It is this: Are the selfish, plundering, exploiting vested interests more powerful than the plain American people? Are public officials to be condemned if untrammeled; vindicated if they serve the wealth of the Nation? Is incompetency and dishonesty in Government to be condoned and removed from the sphere of congressional interference? Is it the welfare of man or the power of the dollar that the officials of the Government will serve when they are in conflict?

Mr. President, these questions must now be settled through political action. This propaganda against democratic government must be met at the ballot box. Some political organization—in my opinion, it is the solemn duty of the Democratic Party—must devote itself to place in control of the Government officials who will assure this cynical predatory class the rights they are entitled to, but emphatically refuse them the power to control, direct, or monopolize the legislation of the country.

The philosophy of these propagandists is based on the theory that it is through legislation favorable to them alone that America can prosper. By innuendo at least these privilege seekers contend that unless they get from the Government what they want they will prevent the financial crumbs being gathered up by the millions whose very existence depend upon the investments of the wealthy class. Their conception of the functions of government is materialistic. They are without political ideals.

They assert that the Senate has deteriorated. Has it? Yes; if the measure by which you judge the value and usefulness of a legislative body is the wealth of its Members. There are more men of meager financial incomes in the Senate to-day than ever in its history. Has the Senate deteriorated? Yes; if the measure by which you estimate a legislative body is the personal record of its Members as directors in or attorneys for great corporate interests before entering public life. Has the Senate deteriorated? Yes; if the measure of usefulness of a legislative body is the extent to which its Members are completely subservient to political boss rule.

There is more political independence in the present Senate than ever before. Fewer men are bound by the party dictation methods of former days. Some argue that this is unfortunate. When comparison is made between requiring the representatives of the people to follow political leadership subordinated to selfish interests or leaving the representatives free to exercise their own judgment. I think enlightened people now agree the wisest and safest course for the Government in the long run is undoubtedly the latter. The people elect their representatives to study legislative matters, to hear all the arguments pro and con, and, guided by the results of their studies, to form conscientious judgment to guard their interests. Unless the people insist that their servants be left free to guard the public interests as their judgment and conscience dictates, what will be the result? Once individual conscience is discarded the public servant becomes either a political automaton or the mere foil of those sinister forces which are most proficient in the art of peddling propaganda.

Mr. President, the Senate has deteriorated in the opinion of the few for one reason, and one reason alone—because it has during the present session defied and defeated the influence of the privilege-seeking class in its efforts to dictate tax legislation.

I doubt if the public realizes the extent of propaganda in the country to-day magnifying and exaggerating the merits of one particular side of a public question. Public servants have been flooded with letters and telegrams from people who have never read the evidence submitted and have little or no understanding of the real situation. To stand out against this propaganda often requires most unusual courage and strength of character on the part of Members of Congress.

Very recently several Members of the Senate have been subjected to abuse and denunciation from their former political supporters. Because of what? Because they refused to change a conscientious conviction long ago formed and publicly announced by their speeches and votes after long discussion and extensive debate extending over several years. Their critics condemn them for not changing their solemn judgment because a public official in a coordinate branch of the Government formed a different and, we must assume also, a conscientious judgment on the same question. The real reason for condemning them is because they refused to be spineless, characterless mediocrities, mere political hirelings of a system that leads legislators by "hidden masters." What would these critics think of a judge who changed a decision once rendered, not because any new evidence was presented but because a new attorney appeared in the case? It is bitterness, not logic, that is the weapon of such assailants of public men.

In the same breath that these critics assert that it is a fundamental principle of Americanism and of the American Government that every man is entitled to his own opinion and to a reasonable expression thereof—they argue that this principle does not apply to legislators—they alone are worthy of commendation who accept the opinions of the party leaders.

All this criticism is an invitation to abandon respect for the exercise of conscience and judgment by those who differ politically.

Of course constituents should let their representatives know their views about a proposed piece of legislation, but before doing so they should inform themselves and be in a position to express their own judgment instead of merely supplying ammunition to propagandists.

The present session has been notorious for the amount of propaganda broadcast against the investigations which have been held by the Senate; against the so-called bonus bill; and especially for the Mellon plan for tax reduction. It is still operating. The Edison Storage Battery Co. is one of many agencies now promulgating it.

Let us analyze the kind of propaganda of which the Edison Storage Battery Co.'s letter to its employees is an example, and note what they really proclaim as the reasons why the Congress has deteriorated. They assert it is injurious to business for Congress to investigate inefficiency and dishonesty in the National Government. They assert it is injurious to business for Congress to refuse to penalize fighting patriotism in order that commercialized patriotism might be taxed less. They assert it is injurious to business for Members of Congress not to join in the chorus that has been brazenly calling the late defenders of our country grafters and looters of the Public Treasury. They assert it is injurious to business for Congress not to permit the executive department to dictate tax legislation. The provisions of the Constitution intrusting the Congress elected by and responsible to their several constituencies with the duty of levying and appropriating taxes they would declare obsolete and the taxing power vested somewhere in the executive department.

This right of the people's representatives to levy taxes is a cardinal principle of American democracy. The Virginia House of Burgesses formulated this principle more than 150 years before the War of the Revolution. In 1624 they unanimously resolved that the governor—

shall not lay any tax or impositions upon the Colonies, their lands, or commodities in any other way than by the authority of the General Assembly, to be levied and employed as the said assembly shall appoint.

This was the issue of the American Revolution.

All through our history the people have clung tenaciously to the right of their elected representatives to levy all taxes. The theory of the plutocrats has been and is to-day the reverse. Let Mellon, not Congress, levy our taxes, is their slogan.

These propagandists further assert by charging that investigations are injurious to business; that it is good for business to allow liquor permits, tax rebates, oil reserves, and like public concessions to be granted corruptly; that it is vexatious interference with business to try to discover inefficiency or corruption in the Government; that the surest way to promote a healthy development of productive enterprise is to permit fraudulent conspiracies to defraud the Government and waste and incompetency in the public service to remain unexposed and unpunished. It is incredible but nevertheless true, that business interests should take such a position.

Mr. President, let us turn from this sinister propaganda and examine the record of Congress to see just what has been done to relieve business of the excessive burden of war taxes. The record should dispel the impression that the Congress had done little or nothing to relieve business of the crushing tax burdens necessitated by the war. The fact is, Congress has reduced the taxes upon the wealth and business of the country enormously. Had an attempt been made earlier by the Treasury to reduce the rate by which we are paying off the public debt, the taxes on business could have been reduced three years ago.

The careless and conflicting way which the figures concerning revenue, expenses, and surpluses have been given out by

the Treasury Department has kept the public thoroughly in the dark. For more than a year now we have been reducing the outstanding debt of the United States at the rate of better than $1,000,000,000 per annum. We have been paying more than $750,000,000 a year more than is required by the sinking fund law. This vast sum could have been saved had more accurate estimates been made, and business would have been relieved in great part of its excess tax burdens. The Government, instead of leaving money in the hands of taxpayers, has been collecting money from them and turning it over to the bondholders, thus reducing interest charges in the future. Notwithstanding the delay in giving tax relief, due solely to the attitude of the administration in failing to foresee the possibilities of earlier reductions, nevertheless the relief, if we include the provisions of the recent tax bill, to the wealthy taxpayers and to the business of the country has been enormous.

Assuming the net incomes of individuals for the calendar year 1924 to be the same as the war year, 1918, the saving of taxes to the surtax payers, which includes practically all individuals of wealth, reaches the stupendous sum of $424,800,000.

Assuming the income from corporations for the calendar year 1924 to be the same as for the year 1918, the saving of taxes to corporations reaches the enormous figure of $2,244,200,000.

To put it in another way, the surtaxes which will be collected for the calendar year 1924 under the new law will be about $402,000,000. Were the rates fixed in the law of 1918 retained, the tax that would be collected for 1924 would amount to $997,300,000. In other words, the surtax payers of the country would pay about 125 per cent more taxes for the calendar year 1924 had there been no reductions made since the war.

The figures are even more startling when we consider the reductions which have been made upon the taxes of corporations since the war. It is estimated that corporations' income tax for the year 1924 will net the Government about $875,000,000. Were the revenue law of 1918 still in force, the Government would collect $3,022,000,000. In other words, the corporations would pay about 350 per cent more in 1924 than they would had there been no tax reductions.

These figures are the answer to those business interests of the country that have been willing to broadcast the impression that Congress was deliberately and in defiance of all sense of its responsibility to the country refusing to do its part in relieving the wealth and business interests of the country of most burdensome taxes.

I doubt if any country has ever made in such a short period of time following a war such substantial reductions as this record shows.

Mr. President, it is little short of treason in a democracy to attempt to capture the sources of information and to use them to deceive the people so that they will vote for their undoing. The propaganda such as the news article which I have had read at the desk illustrates is deceptive, misleading, unjust, and injurious. However, Let us accept the challenge and let the American people determine whether the supreme power of the land is to be wieldede by the "few," or the "many."

The attitude of certain powerful elements of our population toward the recent investigations of the Senate and toward the work of Congress on tax legislation has raised the political issue paramount to all others, Shall the Government be intrusted to those who sincerely believe in democratic control of Government, or to those who lack belief in democracy? We may well rely in appealing for an answer upon the imponderable moral force of the American people which has never yet failed at the right time to throw its invincible might against every movement to destroy representative government.

Mr. President, I think I voice the opinion of that great mass of American people among whom are counted those who are compelled to fight the battle of life unaided by social position, political influence, and money, when to the question, Has the Senate deteriorated? I answer emphatically, no.

The defense of the Senate, if it needs one because of its new aggressive, independent and progressive types and spirit, is that the needs of to-day require and justify it. Here are men from the very bone and sinew of the various groups that represent the life and soul of America. Great problems, never more difficult of solution, are pressing for adjudication. Who would deny the farmer, the toiler, the consumer, the so-called radical, as well as the lawyer, the business man, the manufacturer, the millionaire, a hearing and a representation in this great American institution? Is it not significant that much of the present complaint comes because of the very democratic character of the Senate?

It is from such a representative body, if you please, that the rights of all are most likely to be safeguarded, whether they are rich or poor, strong or weak.

But no system will insure exact justice at all times between the producer and the consumer, the employer and the employee, the wealthy and the poor, the financial interest and the middle class. But if the scale of equality and justice can not be balanced, the safety of society demands that they tip more easily toward those less able to protect themselves—the weak. Let us frankly admit that in the past it has not always tipped in that direction.

The people's first duty is to guard their Government from the invasion of unfair influences; and who shall do it for the people if not the Congress, the Senate?

No more fatal blow could be struck at our institutions, our national welfare, than to give occasion for the belief that a petitioner's redress depends upon his ability to command influence—political, social, or financial.

No more polluting touch could befall our liberties than the failure of the minority in the Congress, of whatever party it may be composed, to expose mercilessly and unrelentingly any alliance between those in control of the Government and all sordid interests.

Of course, there is and there will be a tendency to abuse power in all branches of the Government, for it is human to do so. But the most extraordinary power in the world to-day, from which most governmental abuses arise, is that of money, which the rapid accumulations of wealth and the multiplications of gigantic corporations in our time have brought forth. It is this power, with its unlimited thirst for protection, for preference, for privilege, that has made our responsibilities greater than ever, our own record more closely watched, our people more anxious; and, may I not add, the money power more defiant, because their grip on political parties is waning. Here, too, in dealing with this great power, if we must err, if we can not always find the exact share of equality and justice, let the decision fall upon the side of those without this stupendous power.

The Senate has defects. Let us correct them with sympathetic hands. The Senate has imperfections. Let us purge it of them, and we will be a stronger bulwark than ever of our liberties. Let us stop abusing it, because it is not as well controlled by political bosses and financial groups as formerly. In any event, those who sit here have been sent here by the American people. An indictment of the Senate is an indictment of the whole people.

Mr. President, I add for the information of the Senate and the country a memorandum showing extent of tax reductions since the war:

Memorandum showing extent of tax reductions

For the calendar year 1918 the individual returns showed a surtax of	$651,300,000
Had the 1924 act been in force, with the same net income, the surtax would have been	226,500,000
A saving of surtax under the new act of	424,800,000
For the same year the corporation-income tax, including the excess-profits tax, was returned at	3,158,800,000
Had the 1924 act alone been in force the corporation-income tax would have been	914,600,000
A saving in tax of	2,244,200,000
The surtax that will be collected in 1925 for the calendar year 1924, under the new law, will be about	402,000,000
If the rates of the 1918 law were applied, the tax would be	997,300,000
Or an increase of	595,300,000
The corporation-income tax for the same year will be about	875,000,000
Under the provisions of the 1918 act the tax would be	3,022,000,000
Or an increase of	2,147,000,000

Mr. McKELLAR. Will the Senator from Colorado indulge me just a moment before the vote is taken?

Mr. PHIPPS. Certainly.

Mr. McKELLAR. The matter to which I wish to call attention is in line with what I understand the Senator from Massachusetts [Mr. WALSH] has just submitted.

I desire to read a short editorial from the Memphis Press. It is as follows:

WHY DAMN CONGRESS

What's back of the studied policy of praising the President and denouncing Congress in every instance where there is a difference of opinion between these two branches of the Government?

Let's examine the two most conspicuous examples—the tax bill and the bonus.

An organized attack on Congress started when Congress didn't accept in its entirety a revenue bill framed by Secretary Mellon and recommended by President Coolidge exactly as Secretary Mellon wrote it.

Yet the Constitution expressly grants to Congress the power to lay and collect taxes, duties, imposts, and excises. As to taxation, no power is granted to the President except the general power to make recommendations to Congress and the right or power of veto.

The right to recommend doesn't include a right to write tax bills or to order Congress to pass them without dotting an "i" or crossing a "t."

The present administration was voted into power on a Republican platform which denounced the "unconstitutional and dictatorial course of the President," and which promised that the Republican Party would end "Executive autocracy and restore to the people their constitutional Government," would "end Executive usurpation," "reform unequal and burdensome taxes," and "maintain a government of all of the people as contrasted with a government of some of the people."

President Harding promised to keep his hands off Congress, and President Coolidge in effect did the same.

Why denounce Congress for living up to the spirit of the Republican platform and the promises of Presidents Harding and Coolidge?

The Republican platform said: "We hold in imperishable remembrance the valor and the patriotism of the soldiers and sailors who fought in the Great War for human liberty, and we pledge ourselves to discharge to the fullest the obligations which a grateful Nation justly should fulfill in appreciation of the services rendered by its defenders on land and sea."

Who obeyed the behest of the party law—the Republicans in Congress who voted for the bonus bill or the Republican President who vetoed it?

Nor is Congress responsible for any of the scandals recently exposed. Congress is not responsible for Fall, Daugherty, Denby, Burns, or Forbes. All were appointees of the executive branch of the Government—the Interior and Navy Departments, the Department of Justice, the Shipping Board, the Veterans' Bureau—all these subordinate parts of the executive branch of the Government.

So why damn Congress and praise Coolidge?

Congress is entitled to the country's thanks for exposing crookedness in the executive branch, Republican Members no less than the Democratic Members.

I desire to say, in regard to this editorial, that in my judgment it expresses the absolute truth in so far as the subjects touched upon in the editorial are concerned. I do not believe the Republican Members of this Congress ought to be blamed in the way they are being blamed, and I am absolutely sure the Democratic Members are not deserving of the blame so strenuously sought to be attached to them.

DISTRICT OF COLUMBIA APPROPRIATIONS

The PRESIDENT pro tempore. The question is upon agreeing to the conference report on House bill 8839, the District of Columbia appropriation bill.

The report was agreed to.

Mr. PHIPPS. I ask that the action of the House on the bill be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The reading clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES,
June 3, 1924.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the bill (H. R. 8839) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes," and concurs therein with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following: "any revenue now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, $8,000,000."

The House insists upon its disagreement to the amendments of the Senate numbered 2 to 167, inclusive, and asks a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. DAVIS of Minnesota, Mr. FUNK, and Mr. AYRES be the managers of the conference on the part of the House.

Mr. PHIPPS. I move that the Senate insist upon its amendments still in disagreement, ask a further conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the President pro tempore appointed Mr. PHIPPS, Mr. JONES of Washington, Mr. BALL, Mr. GLASS, and Mr. EDWARDS conferees on the part of the Senate at the further conference.

Mr. PHIPPS. Mr. President, I think it proper that I should take notice of one statement made by a certain Senator. I think it is really a question of personal privilege almost when a Senator will intimate that other Senators may perhaps have been influenced in passing upon what taxation should be paid in the District on account of their personal ownership of any property here. The Senator from Arkansas declared that he did not mean to make that inference, but the inference is there. I want to say for my colleagues who have been working with me on the conference committee that I am confident that any who own property here are perfectly willing to bear their full share of the burden. They only contend that that share of the burden should be determined in a proper, legal, and constitutional manner. I do not care to enter into a lengthy discussion of the question, but I did feel that I should say one word, and that is a word of protest against any such allusions.

Mr. CARAWAY subsequently said: Mr. President, I was absent from the Chamber just a moment ago, and I understand the Senator from Colorado [Mr. PHIPPS] had something to say about what I had said. I told him I would withdraw my request for a separate vote. What I said about it, and I want to repeat it, was that people may be their own judges of what is the proper thing for a Senator to do under such circumstances. They will have to be their own keepers of their own consciences. I am not trying to say what is right and what is wrong. I did say, and since I am now present again I want to repeat, that personally I do not see how a Senator can afford to vote to have the people out in the country pay his taxes here, so that only 50 cents on the dollar shall be paid by him here in the District, in view of the attitude of the Senate in denying relief to farmers who are staggering toward bankruptcy.

I do not desire to discuss the question further. Every Senator must be his own judge. He can do whatever he thinks is right, and then when the people know all the facts they will cast their votes in the light of what the facts are. If a Senator thinks it is right to take $14,000,000 from people who are staggering toward bankruptcy and use it to pay his taxes in the District of Columbia, that is a question that he shall settle for himself. Personally I think everybody, when they understand it, will have a very strong opinion about it.

PENSIONS AND INCREASE OF PENSIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6941) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The PRESIDENT pro tempore. The Clerk will state the next amendment.

The next amendment of the Committee on Pensions was, on page 175, after line 18, to insert:

The name of Maggie Riphenburgh, widow of William Riphenburgh, late of Company I, Fifteenth Regiment New York Volunteer Engineers, and pay her a pension at the rate of $30 per month.

The name of Charles O. Rider, late of Captain McNulta's Company A, First Regiment Illinois Volunteer Cavalry, and Company C, Nineteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Ellen McGarry, widow of Patrick McGarry, late of Company G, First Battalion Twelfth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Sturtevant, widow of Benjamin A. Sturtevant, late of Company B, Twenty-third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma Urquhart, widow of David Urquhart, late of Battery B, Second Regiment Illinois Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Sallie M. Seaman, former widow of Patrick Fitzgerald, late of Eighteenth Independent Battery Indiana Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Anna Ganderup, helpless and dependent daughter of James Sweeney, late of Company B, Fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Stella B. Irwin, helpless and dependent daughter of John C. Irwin, late of Company K, One hundred and eighty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Matilda B. Henson, widow of John Henson, late of Company P, One hundred and fortieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Caroline Day, widow of Leander J. Day, late of Company A, Thirty-fourth Regiment Ohio Volunteer Infantry, and Com-

panies G, M, and I, Fifth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of John C. Herron, late of Companies E and D, Thirty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Mary D. Bilbay, widow of Joseph Bilbay, late of Company E, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Joseph Bilbay, helpless and dependent son of said Mary D. and Joseph Bilbay, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary D. Bilbay, the name of said Joseph Bilbay shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary D. Bilbay.

The name of Levi Mott, late of Captain Nett's Company K, Fourteenth Regiment Missouri Home Guards, and Company A, Third Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $50 per month.

The name of Ellen Hanour, widow of Peter J. Hanour, late of Company A, Seventy-fourth Regiment New York Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Brown, widow of William Brown, late of Company E, Ninth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elisha M. Chilson, late of Company K, Sixth Regiment Michigan Volunteer Infantry, and Battery F, First Regiment United States Volunteer Artillery, and pay him a pension at the rate of $50 per month through a legally appointed guardian.

The name of Frances A. Thomas, widow of John Thomas, late of Company C, Sixteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Caroline Murfitt, widow of William Murfitt, late of Companies F and C, One hundred and fifty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eleanor G. Tiffany, widow of Henry D. Tiffany, late of Company G, Seventh Regiment New York State Militia, and pay her a pension at the rate of $30 per month.

The name of Fannie M. Gardner, helpless and dependent daughter of Jacob D. Gardner, late of Company G, First Regiment United States Veteran Volunteer Engineers, and pay her a pension at the rate of $20 per month.

The name of Nettie Campbell, widow of Henry Campbell, late of Company G, Thirteenth Regiment Illinois Volunteer Cavalry and pay her a pension at the rate of $30 per month.

The name of Margaret J. Gano, widow of John S. Gano, late of Company A, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah M. Lyon, widow of Andrew J. W. Lyon, late of Company H, Thirty-sixth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma J. Mooers, widow of Menander O. Mooers, late of Company E, Twenty-second Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Beason, widow of John A. Beason, late of Company B, Fortieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Edith C. Oakley, widow of George W. Oakley, late of Company F, Ninetieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Sarah E. McKeever, widow of Alfred L. McKeever, late of Company A, Sixth Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lucy Centers, widow of Killis D. Centers, late of Company B, Forty-fourth Regiment Ohio Mounted Infantry, and Company B, Eighth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Hubbard, widow of Larkin Hubbard, late of Company A, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Julia Conger, widow of Harry Conger, alias Henry Stevens, late of Company K, Eighteenth Regiment, and Company A, One hundred and twenty-first Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary G. Russell, widow of Cashmere Russell, late of Company B, One hundred and ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Edith E. Doty, widow of James J. Doty, late of Company D, Ninety-eighth Regiment New York Volunteer Infantry, and Company A, First Regiment Vermont Volunteer Heavy Artillery, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Phanettie Ormsbee, widow of Charles W. Ormsbee, late of Company B, One hundred and eighteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Josephine Albert, widow of James H. Albert, late of Company A, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Drenning, widow of Simon H. Drenning, late of Captain Dougherty's company, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret C. Spealman, widow of David Spealman, late of Company E, Fourth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Pheby Houck, widow of Eli Houck, late of Company B, Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Adaline Smith, former widow of David W. Brittson, late of Company F, Eleventh Battalion United States Volunteer Infantry, and Company E, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Esther M. Huffman, former widow of John Mann, late of Company C, Fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Cora I. Fisher, widow of John W. Fisher, late of Company H, Seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Medie M. Flanders, former widow of Charles C. Flanders, late of Company G, First Regiment New Hampshire Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Howe, widow of John M. Howe, late of Company B, One hundred and thirty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Annie M. Bass, widow of James Bass, late of Company K, Sixteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary B. Barnes, widow of William H. Barnes, late of Company H, Eighty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lovina Gilmore, widow of Ephraim C. Gilmore, late of Company B, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Elsa Gilmore, helpless and dependent daughter of said Lovina and Ephraim C. Gilmore, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Lovina Gilmore, the name of said Elsa Gilmore shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Lovina Gilmore.

The name of Martha Comstock, widow of De Witt Comstock, late of Company G, One hundred and eighty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Frances E. Austeel, former widow of Francis M. Austeel, late of Company E, Forty-fourth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louisa Woods, widow of Nathaniel G. Woods, late of Company F, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha J. Turner, widow of James H. Turner, late of Company B, Eleventh Regiment, and Company H, Ninth Regiment, Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Shelby, widow of Rufus Shelby, late of Company G, Second Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Nora V. McDaniel, widow of Orrin R. McDaniel, late of Company G, First Regiment United States Mounted Rifles, and Company H, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Philip Dieter, late of Company F, Third Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and Troop D, Seventh Regiment United States Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward D. Henderson, helpless and dependent son of Jacob Henderson, late of Company B, Forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian in lieu of that he is now receiving.

The name of Laura A. Moore, widow of William T. Moore, late of Company D, Twenty-fourth Regiment Ohio Volunteer Infantry, and

landsman United States Navy, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mary L. Green, widow of James M. Green, late of Company D, Ninth Regiment United States Colored Heavy Artillery, and Company E, One hundredth Regiment United States Colored Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lizzie G. Chapman, widow of James C. Heater, known as Samuel H. Chapman, late of Company C, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah Loudermilk, widow of James Loudermilk, late of Company G, Eighteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna M. Craig, widow of John B. Craig, late of Company H, Fourteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William C. Merritt, late of Company F, Second Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of $50 per month.

The name of Carrie E. Doane, widow of James W. Doane, late of Company E, Fifty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jacob Myers, late of Company K, Fifth Regiment Provisional Enrolled Missouri Militia, and Company G, Second Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of $50 per month.

The name of Christina Forsythe, widow of John A. Forsythe, late of Companies K and B, Seventieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Josephine Wood Martin, widow of Charles Martin, late of Company B, Twenty-seventh Regiment Michigan Volunteer Infantry, and One hundred and twenty-fifth Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Shook, widow of Jacob Shook, late of Company I, Thirteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Albert C. Raymond, late of Company F, Fourth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Phoebe A. Chadsey, widow of George Chadsey, late of the United States Navy, and pay her a pension at the rate of $30 per month.

The name of Maria A. Carpenter, widow of Daniel Carpenter, late of Company C, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of George Hurtt, late of Company E, Seventy-ninth Regiment, and Company I, One hundred and ninety-fourth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of John Scott, late of Company K, Fifty-seventh Regiment Ohio Volunteer Cavalry, and Company F, Ninth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The name of Mary C. Thorp, widow of Thomas E. Thorp, late of Company H, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and One hundred and forty-sixth Company, Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Mary D. Surber, widow of Augustus H. Surber, late of Company E, Fourth Regiment Iowa Volunteer Infantry, and One hundred and fifty-eighth Company, Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Ada Thorp, widow of Isaac W. Thorp, late of Company C, Fourth Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Tabitha S. Bennett, former widow of James O. Bennett, late of Company C, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Levi Barrett, helpless and dependent son of William Barrett, late of Company B, Seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Isadora Amos, widow of Benjamin F. Amos, late of Seventh Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Newt Ford, helpless and dependent son of Patrick Ford, late of Company H, One hundred and thirty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Thomas J. French, helpless and dependent son of Edwin French, late of Company F, Third Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Eliza Peters, former widow of John Aday, late of Company G, Second Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Lulia M. Eungard, former widow of James Mason, alias Jacob M. Young, late of Company A, Thirtieth Regiment Indiana Volunteer Infantry, and One hundred and fifty-fifth Company, Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Wellman, widow of Richard N. Wellman, late of Company F, Fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Wellman, helpless and dependent son of said Sarah A. and Richard N. Wellman, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah A. Wellman, the name of said John Wellman shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sarah A. Wellman.

The name of Sarah E. Harkleroad, widow of Lewis Harkleroad, late of Company B, Thirteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Smith, widow of John S. Smith, late of Company E, Seventieth Regiment, and Company K, Thirty-third Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Allie W. Seeber, widow of Franklin Seeber, late of Company I, Tenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Ella L. Kipp, widow of Otis A. Kipp, late of Company C, One hundred and eighty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Johanna Garvey, now Dowling, former widow of Owen Garvey, late of Company D, Seventy-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month, through a legally appointed guardian, in lieu of that she is now receiving.

The name of Lillie Beam, helpless and dependent daughter of Wesley Beam, late of Company G, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Alice Beam, helpless and dependent daughter of Wesley Beam, late of Company G, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Elizabeth Eddy, widow of Goin Eddy, late of Company D, Fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lilly Albaugh, helpless and dependent daughter of James M. Albaugh, late of Company B, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Francis H. P. Showalter, helpless and dependent son of John H. Showalter, late major, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate or $20 per month.

The name of Cynthia M. Johnson, helpless and dependent daughter of William Johnson, late of Company I, Second Regiment Missouri Volunteer Light Artillery, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Lydia Rankin, widow of David Rankin, late of Company B, Eighth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The name of James H. Hoyt, alias James McCabe, late of Companies E and D, Fifty-first Regiment New York Volunteer Infantry, and Company C, Third Regiment Rhode Island Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The name of Sarah M. Skinner, widow of Frederick D. Skinner, late of Fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of John R. Garstang, late of Lieut. J. W. Groff's company (D), Fremont's bodyguard, and pay him a pension at the rate of $50 per month.

The name of Amelia Allen, widow of William Allen, late of Company C, Thirty-second Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rebecca C. Vanderhoof, widow of Richard H. Vanderhoof, late of Company I, One hundred and forty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lizzie Clay, widow of Daniel W. Clay, late of Company H, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of George P. Thomas, late of Company D, Ninth Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The name of Nellie Pratt, widow of James W. Pratt, late of Company F, Forty-ninth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna M. Pierce, widow of Thomas H. Pierce, late of Company E, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah J. Kelton, widow of W. Alvin Kelton, late of Company B, Sixteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sallie R. Van Landingham, now known as Sarah R. Van Landingham, former widow of Lewis J. Van Landingham, late of Company H, Sixty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane E. Thorn, widow of George W. Thorn, late of Company G, Third Regiment, and Company L, Fifth Regiment, Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Angeline Stafford, widow of David W. Stafford, late of Company D, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ida Nalle, widow of George Washington Nalle, late of Military Telegraph Corps, Civil War, and pay her a pension at the rate of $30 per month.

The name of Lueza A. Watson, widow of Samuel H. Watson, late of Company C, Fifth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy J. Herd, widow of Jessee Herd, late of Company I, Forty-sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Malinda Herd, helpless and dependent daughter of said Nancy J. and Jessee Herd, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Nancy J. Herd, the name of said Malinda Herd shall be placed on the pension roll, subject to the provisions and limitations of the pensions laws, at the rate of $20 per month from and after the date of death of said Nancy J. Herd.

The name of Joseph Edwards, late of Company F, One hundred and eighty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Sophia M. West, widow of Lewis W. West, late of Company D, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Jane Hoover, former widow of William S. Clark, late of Fifth Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lewis Berry, helpless and dependent son of John W. Berry, late of Company B, Ninety-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Nancy A. Vickery, widow of Cyrus J. Vickery, late of Company K, Eleventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary J. Noland, widow of James F. Noland, late of Company I, Seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of John Gately, late of United States Marine Corps, Civil War, and pay him a pension at the rate of $50 per month.

The name of Nancy Jones, widow of James A. Jones, late of Companies L and C, First Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julian A. Wheeler, helpless and dependent son of Edwin R. Wheeler, late of Company B, One hundred and fifty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Henry F. Correll, helpless and dependent son of John D. Correll, late of Company F, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Ellen N. Pearson, widow of Washington Pearson, late of Company G, Second Regiment Provisional Enrolled Missouri Militia, and Capt. John H. Morgan's Company A, Forty-fifth Regiment Enlisted Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Fanny M. Hubbard, widow of Benjamin S. Hubbard, late of Company I, Sixtieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Ellen McClaren, helpless and dependent daughter of James N. McClaren, late of Company K, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Belle Huey, helpless and dependent daughter of George W. Huey, late of Company D, Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Mary A. Smith, widow of Reddick Smith, late of Company F, One hundred and thirty-first Regiment Illinois Volunteer Infantry, and Company G, Sixth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ella Orner, widow of George D. Orner, late of Company C, Thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catherine Fuller, helpless and dependent daughter of Christian Fuller, late of Company A, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Frank Gentry, helpless and dependent son of James M. Gentry, late of Company A, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Anna McCombs, widow of John McCombs, late of Company A, One hundred and forty-fourth Regiment New York National Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of John Sims, helpless and dependent son of Jackson Sims, late of Company A, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of William Crawford, alias Thomas S. Carter, late of Company I, Second Regiment Connecticut Volunteer Heavy Artillery, and Company K, Fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Martha R. White, widow of Wilson White, late of Eleventh Battery Michigan Volunteer Light Artillery and Company B, Ninth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Harrison, helpless and dependent daughter of Jared F. Harrison, late of Company I, Thirty-first Regiment Massachusetts Volunteer Infantry, and Company H, Twentieth Regiment, Veteran Reserve Corps, and pay her a pension at the rate of $20 per month.

The name of Anna E. Hemingway, widow of George R. Hemingway, late of Company B, One hundred and seventy-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret J. McKendry, widow of Elijah McKendry, late of Company A, Thirty-sixth Regiment Ohio Volunteer Infantry and landsman United States Navy, and pay her a pension at the rate of $30 per month.

The name of Harriet J. Clise, now known as Harrietta Dunlap, widow of John H. Clise, late of Company H, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rhoda M. Stape, widow of George W. Stape, late of Company E, One hundred and seventh Regiment, and Company C, Two hundred and fifteenth Regiment, Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Douzilla Ashton, widow of Frederick Ashton, late of Company C, Eighteenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Henry F. Dunn, helpless and dependent son of Patrick Dunn, late of Company C, Fifty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Thomas Debuke, late of Company I, Sixtieth Regiment New York Volunteer Infantry and Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Emma C. Withers, widow of Daniel H. Withers, late of Company E, Two hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Carl Gilmore, helpless and dependent son of John Gilmore, late of Company D, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Pius Yingling, late of Company F, Third Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Joanna Billman, widow of Alowis Billman, late of Company D, One hundred and sixty-fifth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan A. Bailey, widow of John F. Bailey, late of Company H, Thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ethel Bailey, helpless and dependent daughter of said Susan A. and John F. Bailey, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Susan

A. Bailey, the name of said Ethel Bailey shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Susan A. Bailey.

The name of George Cohen, helpless and dependent son of James Cohen, late of Company D, First Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Luella E. Felix, widow of William H. Felix, late of Company I, Second Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Naomi G. Wilson, helpless and dependent daughter of Joseph M. Wilson, late of Company D, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Isabell McLaughlin, widow of John H. McLaughlin, late of Company C, Thirty-fifth Regiment Kentucky Mounted Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rebecca E. Fowler, widow of Abraham Fowler, late of Capt. Hiram B. Foster's Provisional Company, Adair County, Eighty-sixth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Flanagan, widow of Christian J. Flanagan, late of Company H, Thirty-fifth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Frances J. Whitten, widow of Charles T. Whitten, late of Company H, Nineteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Josephine F. Pequignot, widow of Charles Pequignot, late of Company C, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lydia J. Lawson, widow of John P. Lawson, late of Company F, Eleventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ada May, widow of Alexander May, late of Company H, Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mary E. Goudy, widow of John S. Goudy, late of Burdsall's Independent company Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Jane Allen, widow of Nathan Allen, late of Company I, Third Regiment North Carolina Mounted Infantry, and pay her a pension at the rate of $70 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Joseph Allen, helpless and dependent son of said Jane and Nathan Allen, $20 of the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Fannie J. Allen, helpless and dependent daughter of said Jane and Nathan Allen, $20 of the additional pension granted herein shall cease and determine: *And provided further*, That in the event of the death of said Jane Allen, the names of said Joseph Allen and said Fannie J. Allen shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month to each of them, from and after the date of the death of said Jane Allen.

The name of Lovada Austin, widow of Andrew T. Austin, late of Company K, Third Regiment North Carolina Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maude A. Norman, helpless and dependent daughter of John P. Norman, late surgeon Eighty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Rosa Boone, former widow of Joseph Blankhorn, late of Company C, Seventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ruth J. Sorrells, widow of George W. Sorrells, late of Captain Crandall's Company A, Reserve Corps Missouri National Guards, and pay her a pension at the rate of $30 per month.

The name of Alta Humphrey, widow of Robert Humphrey, late of Company I, Thirteenth Regiment Vermont Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Hannah Doll, widow of Franklin A. Doll, late of Company K, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Yaple, widow of Giles Yaple, late of Company B, One hundred and sixty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catharine Jimason, widow of George Jimason, late unassigned, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Catherine Skinner, widow of George Skinner, late of Company G, Third Regiment Minnesota Volunteer Infantry, and Company C, One hundred and eighty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret A. Pool, widow of Benjamin T. Pool, late of Company K, One hundred and forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louise Martz, widow of Gottfried Martz, late of Company I, One hundred and thirty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Clarie Herley, widow of William H. H. Herley, late unassigned, Twenty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Irvin E. Browning, helpless and dependent son of Wesley Browning, late of Company D, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Frank Nelson, helpless and dependent son of Richard C. Nelson, late of Company K, One hundred and fifty-second Regiment Ohio National Guard Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Katie Edds, helpless and dependent daughter of Finis Edds, late of Company C, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month, through a legally appointed guardian, in lieu of that she is now receiving.

The name of Annie Knappe, widow of Charles F. Knappe, late of Company E, Second Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy I. Ross, helpless and dependent daughter of Daniel Ross, late of Company I, Twenty-second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Fannie I. Sanderson, widow of William Sanderson, late of Captain Larimer's company, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Bridgman, widow of Columbus Bridgman, late of Company G, Eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Amanda Fuller, widow of William C. Fuller, alias William Martindale, late of Companies A and D, Ninety-third Regiment, and Company B, One hundred and twenty-third Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Issola L. Shipley, widow of William J. Shipley, late of Company A, Thirty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rachel Smith, widow of John A. Smith, late of Company G, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Blanche Smith, helpless and dependent daughter of said Rachel and John A. Smith, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Rachel Smith, the name of said Blanche Smith shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Rachel Smith.

The name of Thersa J. Sunderland, former widow of Peter Sunderland, late of Company K, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura C. Rexroat, widow of William F. Rexroat, late of Company G, Third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mary Taylor, widow of Cephas P. Taylor, late of Company C, Eighty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lizzie McCormick, widow of William McCormick, late of Company A, Twenty-ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate $50 per month in lieu of that she is now receiving.

The name of Emma A. Jones, widow of Abram Jones, late of Companies A and C, Sixth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Lucy Mitchner, widow of Morris Mitchner, late of Company B, One hundred and eighteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Isabella Knight, widow of Thomas L. Knight, unassigned, Fortieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Frances M. Reynolds, widow of John Reynolds, late of Company K, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ellen N. Corbin, widow of George W. Corbin, late of Company D, Ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Burg, widow of Charles H. Burg, late of Company A, Third Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Rebecca J. Klepper, widow of Jacob Klepper, late of Company G, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of M. Ellen Klepper, helpless and dependent daughter of said Rebecca J. and Jacob Klepper, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Rebecca J. Klepper, the name of said M. Ellen Klepper shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Rebecca J. Klepper.

The name of Mary E. Stinson, helpless and dependent daughter of Samuel Stinson, late of Company C, First Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Lucy J. Coburn, widow of Benjamin F. Coburn, late of Company K, Seventh Regiment Vermont Volunteer Infantry, and Company C, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Kate E. Abbott, widow of Allen W. Abbott, late of Company B, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha E. Collier, helpless and dependent daughter of John L. Collier, late of Company H, Tenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Augusta M. Moseley, widow of John L. Moseley, late of Company K, Seventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Reka Butts, widow of Milen Butts, late of Company G, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Delnora Deuel, widow of James F. Deuel, late of Company H, Forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Huckaba, widow of John F. Huckaba, late of Company H, Second Regiment Tennessee Mounted Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Adaline Wiseman, widow of George P. R. Wiseman, late of Company D, Thirteenth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month, through a legally appointed guardian, in lieu of that she is now receiving.

The name of Abbie D. Washburn, widow of Oscar E. Washburn, late of Company H, Third Regiment Massachusetts Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Dorcas A. Reed, widow of George F. Reed, late of Company F, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $50 per month, through a legally appointed guardian, in lieu of that she is now receiving.

The name of Amanda J. Smith, widow of Milton Smith, late of Company F, Twenty-sixth Regiment Illinois Volunteer Infantry, and Fifty-ninth Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julia A. Thornton, widow of Noah Thornton, late of Company E, Fiftieth Regiment New York Volunteer Engineers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ruth Roach, widow of Benjamin Roach, late of Company F, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Phoby E. Sliger, widow of William G. Sliger, late of Company D, Fifth Regiment Tennessee Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Frances L. Row, widow of Michael Row, late of Company K, Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Brown, widow of Levi H. Brown, late of Company D, Twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Zilpah I. Eaton, helpless and dependent daughter of Jeremiah L. Rice, late of Company K, Fifty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of George Grove, helpless and dependent son of Simon Grove, late of Company G, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $20 per month, through a legally appointed guardian, in lieu of that he is now receiving.

The name of Anna W. Jones, widow of Walter N. Jones, late of Company D, One hundred and twelfth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Malissa Sawyer, widow of Solomon Sawyer, late of Company G, Thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah A. Strawn, widow of Thomas J. Strawn, late of Company H, Eleventh Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Adidamiah Reeves, widow of Laton D. Reeves, late of Company K, One hundred and fortieth Regiment, and Company H, One hundred and fiftieth Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Laura C. Dupree, widow of John Dupree, late of Battery L, Fifth Regiment United States Volunteer Artillery, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Harper, widow of James M. Harper, late of Company A, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Adaline Laffolett, widow of John W. Laffolett, late of Company D, Thirty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Bell L. Duncan, widow of Andrew M. Duncan, late of Company I, One hundred and thirty-fifth Regiment, and Company H, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Elizabeth Tedrow, widow of Douglas E. Tedrow, late of Company D, Seventy-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ester C. King, widow of Martin A. King, late of Company C, Third Regiment North Carolina Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret E. Farmer, widow of John N. Farmer, late of Companies H and C, Third Regiment Tennessee Mounted Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Caroline E. Johnson, widow of Henry M. Johnson, late of Company F, First Regiment Michigan Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie E. Stauch, widow of Jacob H. Stauch, late of Company M, First Regiment Potomac Home Brigade Maryland Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Louisa T. Goans, widow of Samuel S. Goans, late of Company K, Ninth Regiment Missouri State Militia Volunteer Cavalry, and Company M, Thirteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Schnarr, widow of Henry Schnarr, late of Company G, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maria L. Johnson, widow of Daniel L. Johnson, late of Company C, Fifty-eighth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Theodore F. Cook, late of Company C, Second Regiment, and Company H, Forty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Elisabeth Wood, widow of Abner P. Wood, late of Company E, Eighteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Coppins, widow of Culmer Coppins, late of Company D, Seventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $50 per month through a legally appointed guardian, in lieu of that she is now receiving.

The name of Maggie A. McKinney, widow of James McKinney, late of Company I, Twelfth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna Sagendorf, widow of Jonas Sagendorf, late of Company B, Ninety-first Regiment New York Volunteer Infantry, and

pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Amy E. Sagendorf, helpless and dependent daughter of said Anna and Jonas Sagendorf, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Anna Sagendorf the name of said Amy E. Sagendorf shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Anna Sagendorf.

The name of Wilhemina W. Dietrich, former widow of John Weiss, late of First Independent Battery, Indiana Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Frances R. Swails, helpless and dependent daughter of Darius R. Swails, late of Company E, Twentieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Barbara Schlatter, widow of Henry Schlatter, late of Company I, Sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sopha Brown, widow of Edley Brown, late of Company K, Fourth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Richie A. Holmes, widow of Amos Holmes, late of Company E, One hundred and fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary M. Perago, widow of James S. Perago, late of Company A, Two hundredth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hattie A. McGuire, widow of George F. McGuire, late of Company I, Fifty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Noah Rickard, late of Company D, Thirteenth Regiment Indiana Cavalry Volunteers, and pay him a pension at the rate of $50 per month.

The name of Avilla Hough, former widow of Andrew Swartz, late of Company I, Eighty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret J. Billig, widow of Charles V. Billig, late of Company G, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The name of Jane L. Hewitt, widow of Daniel C. Hewitt, late coal heaver, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nancy J. Fuller, widow of James W. Fuller, late of Company C, One hundredth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Minnie Young, widow of George G. Young, late of Company I, One hundred and ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha Gruver, widow of Isaac Gruver, late of Company D, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah L. Headington, widow of Emmet Headington, late of Company B, Thirtieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Alexander, widow of Robert Alexander, late of Company C, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Thomas A. Smith, helpless and dependent son of Thomas D. Smith, late of Company H, Seventh Regiment Pennsylvania Reserve Infantry, and Sixty-fourth Company, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate of $20 per month.

The name of Mary Boylen, widow of Patrick Boylen, late of Company D, Sixth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Nancy Leming, widow of Ephraim Leming, late of Company H, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Almira M. Mitchell, widow of James L. Mitchell, late of Company A, Nineteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma Kauffman, widow of Joseph S. Kauffman, late of Company K, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Blanche H. Simms, helpless and dependent daughter of John Simms, late of Company E, One hundred and ninety-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Mary J. Wilking, widow of Philip Wilking, late of Company G, Thirty-ninth Regiment Ohio Volunteer Infantry, and Company C, First Regiment Michigan Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Bridget M. Carpenter, widow of William F. Carpenter, late of Company G, One hundred and eighty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy J. Bryant, widow of Martin V. Bryant, late of Company B, Third Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Kimbell, widow of Lorenzo A. Kimbell, late of Company K, Fourth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Lottie A. Bowhall, widow of Nathan Bowhall, late of Company E, Twentieth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Louise E. Shull, widow of Frederick A. Shull, late of Company A, Eighty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Tanner, widow of Richard M. Tanner, late of Company I, Third Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Christena J. Carter, widow of Thomas J. Carter, late of Company B, Fourth Regiment Provisional Enrolled Missouri Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Allen Y. Boggs, late unassigned Maine Infantry Volunteers, Civil War, and pay him a pension at the rate of $50 per month, without deduction on account of former alleged erroneous payment of pension.

The name of Eliza A. Winters, widow of Jeremiah Winters, late of Company D, Twelfth Regiment Pennsylvania Reserve Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Remetha H. Means, widow of George W. Means, late of Company E, One hundred and nineteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of John Sanders, late of Company B, Sixty-second Regiment Illinois Volunteer Infantry, and veteran volunteer in same organization, and pay him a pension at the rate of $50 per month.

The name of Mable Farnham, widow of Fred L. Farnham, late of Company C, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Pearl Falkinburgh, widow of William A. Falkinburgh, late of Company M, Ninth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Kate Bantz, widow of William A. Bantz, late of Company B, Seventh Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Carrie M. Althouse, widow of John W. Althouse, late of Company H, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura Murdick, widow of Allen Murdick, late of Company D, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The name of Sadie L. Treadwell, widow of Orrin L. Treadwell, late of Company G, Thirtieth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Howell, widow of William H. Howell, late of Company H, Eighty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alice Green, widow of Luther Green, late of Company F, Third Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Benton Abbott, helpless and dependent son of David Abbott, late of Company H, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Sophia Albright, widow of John Albright, alias John Brown, late of Company H, Third Regiment Pennsylvania Reserve Corps Volunteers, and Battery C, Fifth Regiment United States Volunteer Artillery, and pay her a pension at the rate of $30 per month.

The name of Minerva Kenney, widow of Samuel Kenney, late of Company H, Seventy-fifth Regiment Illinois Volunteer Infantry, and One hundred and seventh Company, First Battalion, Invalid Corps, and pay her a pension at the rate of $30 per month.

The name of Carra B. Jacobs, widow of John W. Jacobs, late of Company H, Sixteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ellen J. Goodnoh, widow of Edward C. Goodnoh, late of Company A, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elvina Spangler, widow of Israel Spangler, late of Company C, One hundred and sixty-sixth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jennie S. McIlhenny, widow of Robert K. McIlhenny, late of Company B, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah J. Prouty, widow of Frederick Prouty, late of Company K, Seventh Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Eva G. Klug, widow of John W. Klug, late of Company K, Second Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maggie M. Finch, widow of Martin L. Finch, late of Company A, One hundred and thirty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Myers, widow of Gottlieb Myers, late of Company G, Eighth Regiment Pennsylvania Reserve Infantry, and Company G, One hundred and ninety-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan A. Main, widow of Charles H. Main, late of Company B, Third Regiment Rhode Island Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Esther A. Fero, widow of David Fero, late of Company C, One hundred and twenty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julia B. Miller, widow of Joseph C. Miller, late of Company B, Battalion Engineers, United States Army, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Catharin Murphy, widow of James Murphy, late of Company G, Eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $70 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of James Murphy, helpless and dependent son of said Catharin and James Murphy, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Catharin Murphy the name of said James Murphy shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Catharin Murphy.

The name of Emma L. Maynard, helpless and dependent daughter of Chauncey J. Maynard, late of Company C, Thirty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary E. Main, widow of Lemuel Main, late of Company G, Second Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Joanna D. Potter, widow of Amos Potter, late of Company C, Ninety-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Verrelle S. Willard, widow of Manfred Willard, late of Company H, Sixtieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Kundinger, widow of Theodore Kundinger, late of Company K, Fourth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Malissa Blair, widow of John W. P. Blair, late of Company A, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Morris, widow of Charles B. Morris, late of Companies B and D, Second Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Brittenham, widow of George W. Brittenham, late of Company K, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Palmer, helpless and dependent daughter of John Palmer, late of Company D, Seventeenth Regiment, and Company H, One hundred and fifty-first Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Mary A. Force, widow of Washington P. Force, late of Company G, Sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Olive J. Hurst, former widow of Abram H. Hurst, late of Company B, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Fuller, widow of Henry Fuller, alias James Butler, late of Company A, Seventh Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mahala Shaw, widow of Francis M. Shaw, late of Company I, Twenty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Josephine Roush, widow of Richard J. Roush, late of Company I, Fifty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Maria L. Reed, widow of Edwin W. Reed, late of Company F, Seventy-fifth Regiment, and Company A, Eighty-fifth Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret S. Higgins, widow of William H. Higgins, late of Company D, Fourth Independent Battalion Ohio Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of William A. Crampton, helpless and dependent son of Byron Crampton, late of Company I, Eighty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Jennie A. Davis, former widow of John L. Johnson, late of Company H, Thirty-eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eva L. Wood, widow of Theodore Wood, late of Company F, One hundred and eighty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Yocum, widow of Henry N. Yocum, late of Company H, Third Regiment, and Company I, Ninth Regiment, Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary H. Templeton, widow of Dexter E. Templeton, late of Company A, Third Battalion, Twenty-ninth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nancy Adams, widow of Gillespie Adams, late of Company B, Fourth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eliza Ewing, former widow of Oliver Town, late of Company D, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Walter Town, helpless and dependent son of said Eliza Ewing and Oliver Town, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Eliza Ewing the name of said Walter Town shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Eliza Ewing.

The name of Jane E. Hart, widow of Albert T. Hart, late of Company H, First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rachel Morris, widow of Eli T. Morris, late of Company G, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma L. Dugent, widow of William Dugent, late of Company B, Thirteenth Regiment Maryland Volunteer Infantry, and Company D, Fourth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Fannie Teeple, former widow of Benjamin Teeple, late of Company K, Second Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Josephine M. Downes, widow of Chauncey B. Downes, late of Company F, Seventeenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Catherine Loriot, widow of Henry Loriot, late of Company B, Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Steely, widow of Simon C. Steely, late of Company K, Twenty-sixth Regiment Kentucky Volunteer Infantry, and Company I, Twenty-second Regiment Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of George Robinson, late of Company A, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Grace F. Briggs, widow of Barron W. Briggs, late of Company K, Thirty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Carrie S. Pierce, widow of Henry H. Pierce, late of Company H, Eighth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza Prody, widow of Max Prody, alias Max Prodi, late of Company D, Tenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary W. McGuire, widow of William McGuire, late of Company F, Third Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie K. Doherty, widow of John C. Doherty, late of Company G, Twenty-sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The name of Rhoda Hart, widow of Hector S. Hart, late of Company D, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Orominah Bates, former widow of John R. Russell, late of Company A, Tenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Egolf, widow of Joseph Egolf, late of Company H, Seventh Regiment Pennsylania Reserve Infantry, and pay her a pension at the rate of $30 per month.

The name of Ida Hall, widow of Alexander Hall, late of Company I, Twenty-first Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Thornburg, widow of William Thornburg, late of Company B, Nineteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clifford Fiske, helpless and dependent son of William A. Fiske, late of Company I, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Mary Gaffney, widow of Philip Gaffney, alias Philip Murphy, late of Company I, Sixth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Henry J. Robinson, helpless and dependent son of William L. Robinson, late of Company E, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Mary A. Enderle, widow of Joseph Enderle, late of Company K, Sixteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rosa E. Stephens, widow of Owen Stephens, late of Company B, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Melinda Suggs, widow of James Suggs, late of Company H, Fifty-ninth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Edward Zechman, helpless and dependent son of Joel Zechman, late of Company K, Two hundred and tenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Margary Dotter, widow of Jeremiah Dotter, late of Company K, Sixty-third Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Mary E. Applegate, widow of Edwin R. Applegate, late of Company H, Eleventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Delphina E. Blackwood, widow of Birchem W. Blackwood, late of Company E, Fortieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Arminda Morgan, widow of Jacob Morgan, late of Company E, Second Regiment North Carolina Mounted Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Luren M. Carter, widow of Amos C. Carter, late of Company C, First Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary C. Triplett, widow of Joshua D. Triplett, late unassigned, Eleventh Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clara Wirtz, widow of George Wirtz, late of Company F, Twenty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julia A. Kresge, widow of Amos Kresge, late of Company G, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Minnie E. Crow, widow of Mark E. Crow, late of Company I, One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Martha Hammond, widow of Philip Hammond, late of Company B, One hundred and sixtieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Ella F. Young, widow of George H. Young, late of Company F, Eighth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Cynthia Lillie, former widow of Lauriston Jones, late of Company B, Second Regiment, and Company D, One hundred and twenty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna M. Weber, widow of John Weber, late of Company I, Fifteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Vesta J. Hutsell, widow of Samuel Hutsell, late of Company H, Sixty-third Regiment Missouri Volunteer Infantry (Enrolled Militia), and pay her a pension at the rate of $30 per month.

The name of Betsy A. Burke, widow of Thomas D. Burke, late of Company H, Fifteenth Regiment New York Volunteer Engineers, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Elliott, widow of John B. Elliott, late of Company C, Fourth Regiment West Virginia Volunteer Infantry, and Company A, Second Regiment West Virginia Veteran Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Amanda E. Fortney, widow of Christopher Fortney, late of Company I, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Harriet Sadler, widow of James A. Sadler, late of Company K, One hundred and eighty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lucy A. Cox, widow of Augustus H. Cox, late of Company E, Forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha H. Raymond, widow of Gustavus Raymond, late of Company D, Forty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Caroline M. Fleming, widow of George B. Fleming, late of Company G, One hundred and ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth M. Cook, widow of George B. Cook, late of Company E, One hundred and sixty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Olive Hull, widow of William E. Hull, late of Company B, Seventh Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Fannie F. Kennedy, widow of Daniel E. Kennedy, alias Samuel Cooper, late of Company D, Seventy-seventh Regiment Illinois Volunteer Infantry, and Company K, Ninth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Rebecca J. Raburn, widow of Francis M. Raburn, late of Company H, Seventy-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Frederick J. Dum, late teamster, Quartermaster Department, during Civil War, and pay him a pension at the rate of $30 per month.

The name of Louisa Jackson, widow of Hiram Jackson, late of Company I, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Plummer, widow of Zachary T. Plummer, late of Company C, Fifteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mandy Clapper, widow of William Clapper, late of Companies L and C, Nineteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Isaac Eads, late of Company F, Third Regiment Tennessee Mounted Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Mary D. Brown, widow of George A. Brown, late of Company C, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Conklin, widow of Samuel S. Conklin, late coxswain, United States Navy, Civil War, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Polley Smith, widow of James C. Smith, late of Company M, Thirteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Waitman, widow of Charles A. Waitman, late of Company G, Seventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Katie Thompson, widow of Thomas Thompson, late of Company L, Second Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Matilda Tedlock, widow of Pyrt Tedlock, late of Company B, Ninth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ray D. Ingersoll, widow of Orton Ingersoll, late of Company A, Eleventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Isabel D. Mann, widow of George W. Mann, late of Company I, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Martha A. McNeer, widow of James H. McNeer, late of Company E, Second Battalion Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Della Elder, helpless and dependent daughter of William T. Elder, late of Company G, Eighty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of John S. Nixon, helpless and dependent son of William S. Nixon, late of Company I, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Elizabeth J. Stallings, widow of Henry C. Stallings, late of Company G, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah E. Bender, widow of Joseph C. Bender, late of Company D, Sixth Regiment Ohio Volunteer Infantry, and Companies H and K, Thirteenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Carrie Thompson, widow of Sanford S. Thompson, late boatswain's mate, United States Navy, Civil War, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Metlin, widow of James C. Metlin, late of Company H, Sixty-third Regiment, and Company A, Eighth Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriet E. Brothers, widow of Frank Brothers, late of Company B, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Secrist, widow of Jesse Secrist, late of Company K, Third Regiment Pennsylvania Provisional Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Winn, widow of Joel T. Winn, late of Company A, Ninety-first Regiment New York Volunteer Infantry, and Battery L, First Regiment United States Volunteer Artillery, and pay her a pension at the rate of $30 per month.

The name of Alice Gormley, widow of Daniel Gormley, late of Company E, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Ella L. Norwood, widow of Howard J. Norwood, late of Company H, Fifth Regiment Massachusetts Militia Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emeline Harvey, widow of William Harvey, late of Company A, Fourteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Nellie Mae Harvey, helpless and dependent daughter of said Emeline and William Harvey, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Emeline Harvey, the name of said Nellie Mae Harvey shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Emeline Harvey.

The name of Adelaide M. Clark, widow of Newell B. Clark, late unassigned, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Doan, widow of Marmaduke R. Doan, late of Company F, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary V. Sprague, widow of Albert H. Sprague, late of Second Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hester A. McLuen, widow of James F. McLuen, late of Company E, Thirty-ninth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Annie M. Marsh, widow of Augustus A. Marsh, late of Company H, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lewis Grignon, helpless and dependent son of Andrew Grignon, late of Combany B, Twenty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Elizabeth Hatch, widow of Charles Hatch, alias Charles H. Lord, late of Company B, First Regiment Maine Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Harriet E. Goodale, widow of Jude Goodale, late of Company B, Fifty-second Regiment Pennsylvania Volunteer Infantry, and Company C, Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Susan M. Lambert, widow of James A. Lambert, late of Company I, Second Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emily Sanders, widow of Zachariah P. Sanders, late of Company E, Twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eva L. Little, widow of William Little, late of Company H, One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary J. Wimbles, widow of Henry P. Wimbles, late of Company H, First Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth M. Humphreys, widow of John W. Humphreys, late of Company G, Fourth Regiment Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Susan K. Bentz, widow of Isaac E. Bentz, late of Company C, Seventeenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Melissa Bigler, widow of John W. Bigler, late of Company C, Fifth Regiment Pennsylvania Reserve Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret E. Ulrich, helpless and dependent daughter of George Ulrich, late of Company L, Fifteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Sarah L. Shill, widow of Thomas J. Shill, late of Company G, Twenty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary O. Shaw, widow of John S. Shaw, late of Company D, One hundred and thirty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Erskine A. Cole, alias Charles Stickels, late of Company E, Tenth Regiment Vermont Volunteer Infantry, and Company B, Fifty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month without deduction for former erroneous payments.

The name of Nancy Jane Bush, widow of Albert R. Bush, late of Company G, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna E. Ward, widow of James Ward, late of Company E, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Anna G. Murray, widow of Joseph Murray, alias John Townsend, late of Company K, Twenty-ninth Regiment United States

Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Bella M. Getty, widow of John F. Getty, late of Fourteenth Battery Ohio Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary A. Mathewson, widow of George Mathewson, late of Company C, Tenth Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clarissa Stratton, widow of Samuel W. Stratton, late of Company E, Twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Kate G. Caton, widow of Henry T. Caton, late of Companies G and E, One hundred and twenty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Effie F. Myers, widow of James A. Myers, late of Company G, Thirteenth Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Belle Boots, widow of Willard S. Boots, late of Company L, First Regiment Ohio Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Kitty A. Freeman, widow of Jesse K. Freeman, late of Company H, Eleventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jemima A. Taylor, widow of William L. Taylor, late of Company K, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane F. Cochrane, widow of Russell Cochrane, late of Fifteenth Battery, Massachusetts Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Julia F. Veats, former widow of John Gannon, late of Company K, Fifth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Julia Cowan, widow of Philo J. Cowan, late of Company F, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary Stewart, widow of William A. Stewart, late of Company H, Forty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month, through a legally appointed guardian, in lieu of that she is now receiving.

The name of Marion L. Tyler, widow of Elnathan B. Tyler, late of Company B, Fourteenth Regiment Connecticut Volunteer Infantry, and unassigned, First Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Goodsell, widow of Theodore W. Goodsell, late of Company C, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Helen L. Huff, widow of William H. Huff, late of Company C, Seventeenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Bowman, widow of Peter A. Bowman, late of Company F, Two hundred and first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William D. Bowman, helpless and dependent son of said Mary A. and Peter A. Bowman, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary A. Bowman, the name of said William D. Bowman shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary A. Bowman.

The name of Emma Post, widow of Eldad Post, late of Company D, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Annie C. Frazee, widow of Francis M. Frazee, late of Company G, Sixth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rebecca Murray, former widow of Moses Keeny, late of Company F, Ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lurettie L. Morse, widow of Andrew J. Morse, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Rosaline E. Palmer, widow of William Palmer, late of Company B, Ninth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Kate Irwin, widow of Isaiah T. Irwin, late of Company D, Second Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Augusta Chapman, widow of Abram Chapman, late of Company K, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Corkett, widow of John K. Corkett, late of Thirteenth Independent Battery Wisconsin Volunteer Light Artillery, any pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary H. Von Brandis, widow of William Von Brandis, alias William Brandis, late of Company D, One hundred and thirty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Harrington, widow of Al C. Harrington, late of Company D, Fifth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary L. Danforth, widow of Lyman Danforth, late of Company H, Nineteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Barbara Grant, widow of Henry N. Grant, late of Company F, Second Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Catharine B. Bittle, widow of John Bittle, late of Company A, One hundred and sixty-fifth Regiment Pennsylvania Drafted Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura B. Smith, widow of Rhoades Smith, late of Company D, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Theresa A. Hunter, widow of William M. Hunter, late of Company B, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Harriet E. Gould, widow of Harvey W. Gould, late of Company I, Fifty-seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Jeanette E. Ferris, widow of De Forest W. Ferris, late of Company E, Sixth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Bohama Crosley, widow of Ross Crosley, jr., late of Company E, Nineteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catharine S. Wakefield, widow of Miles D. Wakefield, late of Company H, Forty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Almaria Hemstreet, widow of Alvin L. Hemstreet, late of Company K, Forty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Daniel Burket, helpless and dependent son of Joseph Burket, late of Company E, Second Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Elizabeth Thomas, former widow of Thomas Utz, late of Company F, One hundred and seventeenth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of John Charleston, late of Company G, Twenty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Sarah J. Burns, widow of James Burns, late of Company G, Thirteenth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ella Littlefield, widow of Darwin S. Littlefield, late of Company A, One hundred and fifty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Pfaff, widow of John Pfaff, late of Company K, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary Smith, helpless and dependent daughter of Frederick Smith, late of Company C, Fifteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Sarah A. Bryan, widow of Walter P. Bryan, late of Company G, Fifteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah Hall, widow of Ira D. Hall, late of Company H, Forty-seventh Regiment Kentucky Volunteer Infantry, and Company D, Fourth Regiment Kentucky Volunteer Mounted Infantry, and pay her a pension at the rate of $36 per month in lieu of that she is now

receiving as the natural guardian of Mattie Hall, a minor daughter of said Sarah and Ira D. Hall, $6 of the amount to cease and determine when the said minor daughter, Mattie Hall, attains the age of 16 years, or in the event of her death.

The name of Clarenda Brown, widow of Thomas Brown, late of Company D, Thirtieth Regiment Kentucky Mounted Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eva D. Fuller, widow of Albert Fuller, late of Company C, Sixty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Isabella Rickman, widow of Nelson W. Rickman, late of Company A, Phelp's regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan Smitten, former widow of Edwin Chesley, late of Company A, Two hundred and sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Louesa Kontner, widow of Isaac D. Kontner, late of Company C, Thirty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lydia A. Gossett, widow of Newton J. Gossett, late of Company H, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Henry J. Andrews, late of Captain William H. Ferguson's company, Enrolled Missouri Militia, Civil War, and pay him a pension at the rate of $50 per month.

The name of Elizabeth Croft, widow of William M. Croft, late of Company A, Ninth Regiment Pennsylvania Reserve Infantry, and Company B, One hundred and ninetieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha Thomas, widow of Henry Thomas, late of Company E, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary E. Thomas, helpless and dependent daughter of said Martha and Henry Thomas, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Martha Thomas the name of said Mary E. Thomas shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Martha Thomas.

The name of Jane S. Gillingham, widow of James Gillingham, late of Company H, One hundred and fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ida J. Black, widow of Hugh I. A. Black, late second-class boy, United States Navy, Civil War, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ann C. Platt, widow of James W. Platt, late of Company K, One hundred and thirty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza A. O'Connor, widow of Robert O'Connor, late of Company D, One hundred and sixty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of William G. McElhaney, late of Company D, Third Regiment Pennsylvania Infantry, and pay him a pension at the rate of $50 per month.

The name of Elizabeth J. Waddell, widow of Robert R. Waddell, late captain Company A, Second Battalion Ohio National Guard Cavalry, and pay her a pension at the rate of $30 per month.

The name of Samuel P. Howland, late of Company B, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Catherine Celley, widow of James M. Celley, late private, unassigned, Second Vermont Infantry, and pay her a pension at the rate of $50 per month.

The name of Ellen Knefler Taussig, widow of Edward David Taussig, late rear admiral, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Kate Crookes, widow of Nathan W. Crookes, late of Company C, Eighty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eliza J. Karns, widow of Andrew W. Karns, late of Company B, Ninetieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rebecca Murphy, widow of James F. Murphy, late of Company B, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alvira M. Stevens, remarried widow of Hallaway Clancy, late of Company B, One hundred and thirty-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth C. R. Hill, widow of Samuel W. Hill, late of Company F, One hundred and fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $45 per month.

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments.

Mr. DIAL. Mr. President, I send to the desk an amendment which I desire to offer.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The READING CLERK. On page 259, at the end of line 22, add the following——

Mr. DIAL. I find that I have some additional matter to add to that amendment, and I have sent for it. I ask that the amendment be passed over temporarily, and in the meantime I desire to offer another amendment, which I ask may be taken up at the present time.

The PRESIDENT pro tempore. The Senator has already offered an amendment, which must be disposed of before he can offer another one.

Mr. DIAL. I ask unanimous consent that the first amendment be passed over for the present.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent that the amendment which he offered shall be passed over for future consideration.

Mr. BURSUM. What is the purpose in asking that it be passed over?

Mr. DIAL. I have another amendment that I want to offer now while I am obtaining some additional matter to enable me to perfect the first amendment.

The PRESIDENT pro tempore. The Senator can withdraw his amendment temporarily.

Mr. DIAL. Very well; I will take that course. I withdraw it for the present.

The PRESIDENT pro tempore. The clerk will state the amendment now presented by the Senator from South Carolina.

The READING CLERK. Insert in its proper place in the bill the following:

SEC. —. That the Secretary of the Treasury, the Alien Property Custodian, and the three directors first appointed as provided in section 3, and their successors, are hereby created a body corporate by the name of the "Alien Property Trade Investment Corporation" (referred to in this act as the "corporation").

DURATION OF CORPORATE EXISTENCE

The incorporation shall be held effected at the time the office of one of the appointed directors is first filled. The corporate existence shall continue for such period as the President may by proclamation determine, but in no event for more than five years; except that the corporation shall remain in existence such additional period as the President may by Executive order designate for the purpose of settling, adjusting, liquidating, and winding up its affairs.

BOARD OF DIRECTORS

(a) The board of directors of the corporation (referred to in this act as the "board") shall be constituted as follows:

(1) The Secretary of the Treasury, who shall be the chairman of the board;

(2) The Alien Property Custodian; and

(3 Three individuals, and their successors, to be appointed by the President, by and with the advice and consent of the Senate.

(b) The President shall by Executive order designate one of the appointed directors to serve for a term of two years, one for a term of three years, and one for a term of four years, beginning from the date the incorporation is effected. Successors to the original directors shall be appointed for the remaining period of the corporate existence; except that (1) any individual appointed to fill a vacancy in the office of a director, occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed only for the unexpired term of his predecessor, and (2) any director in office at the expiration of the term for which he was appointed may continue in office until his successor takes office.

(c) A vacancy in the office of a director shall not impair the power of the remaining directors to execute the functions of the board. A majority of the directors shall constitute a quorum for the transaction of the business of the board.

(d) The appointed directors shall receive a salary of $7,500 a year. The appointed directors shall not actively engage in any business, vocation, or employment other than that of serving as a director of the corporation.

(e) Nothing in this act or other law shall be construed to prevent an officer or employee of the United States, or of any other corporation acting as a governmental agent of the United States, from holding, in

addition, the office of director of the alien property trade investment corporation; but any such director shall receive from the corporation only such additional salary, if any, as is necessary to increase his total salary from the United States (or from such other corporation) and from the corporation to $7,500 a year.

(f) Directors, officers, and employees of the corporation shall take the oath of office provided in section 1757 of the Revised Statutes. They shall not participate, directly or indirectly, in any way in the determination of questions coming before the corporation affecting their pecuniary interests outside the corporation or the interests of any partnership, corporation, or association in which they are, or may be, directly or indirectly, pecuniarily interested; but any such participation in violation of this section shall not affect any act of the corporation.

(g) The board shall direct the exercise of all the powers of the corporation.

CAPITAL STOCK

(a) For the purpose of this act—

(1) The term "claimant" means a person whose money or other property was conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian, or seized by him under the trading with the enemy act or any amendment thereof.

(2) The term "trust deposit funds" means the money or the proceeds of the property of any claimant conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him under the trading with the enemy act, or any amendment thereof, and deposited by him in the Treasury of the United States in pursuance of such act, including all interest or other income derived from the investment or reinvestment under section 12 of such act, of such money or proceeds, except interest or income derived prior to March 4, 1923.

(b) The capital stock of the corporation shall be $150,000,000. Subscriptions to the capital stock shall be made as follows:

(1) The United States hereby subscribes to the capital stock of the corporation in the amount of the interest and other income derived prior to March 4, 1923, from the investment and reinvestment of trust-deposit funds in accordance with section 12 of the trading with the enemy act, or any amendment thereof.

(2) The Alien Property Custodian is authorized to subscribe to the remainder of the capital stock of the corporation, to be paid out of the trust-deposit fund attributable to any claimant, if such claimant (or in case of his death, then his legal representative) consents to such subscription. Any claimant or his legal representative who fails within 90 days after the passage of this act to notify the Alien Property Custodian in writing of his objection to such subscription shall be conclusively presumed to have consented to the subscription. So far as practicable the Alien Property Custodian shall make such subscriptions ratably from each of the trust-deposit funds available for subscription.

(c) The amount of the subscriptions under subdivision (b) shall be subject to call in whole or in part by the corporation upon 30 days' notice of each call by the Secretary of the Treasury. Payments of such calls shall be made by the Secretary of the Treasury. For the purposes of such payments the Secretary of the Treasury may sell any United States bonds or United States certificates of indebtedness acquired in pursuance of the investment or reinvestment, under section 12 of the trading with the enemy act, of trust-deposit funds or interest or other income therefrom.

(d) Receipts for payments by the Secretary of the Treasury upon subscriptions to the capital stock of the corporation shall be issued by the corporation to the Secretary. Receipts representing subscriptions made by the United States under paragraph (1) of subdivision (b) shall be held by the Secretary of the Treasury for the United States and shall be evidence of the share interest in the corporation held by the United States. Receipts representing subscriptions paid from any trust-deposit fund shall be held by the Secretary of the Treasury for the fund and shall be evidence of the share interest in the corporation held by the fund.

GENERAL POWERS

The corporation—

(a) Shall have succession in its corporate name during its existence.

(b) May sue and be sued in its corporate name.

(c) May adopt a corporate seal, which shall be judicially noticed, and may alter it at pleasure.

(d) May make contracts.

(e) May acquire, hold for any lawful purpose, and dispose of property.

(f) May appoint, fix the compensation of, and remove without prejudice to contract rights, such officers, employees, and agents as are necessary for the conduct of the affairs of the corporation. Such employees and agents may be either individuals, partnerships, corporations, or associations. Each officer, employee, or agent responsible for the handling of money or property of the corporation shall give bond in such amount, with such penalties and upon such terms as the corporation may determine.

(g) May adopt, amend, and repeal by-laws.

(h) Shall have such powers not specifically denied by law as are necessary and proper to conduct, under this act and in accordance with approved business methods, the business of making advances as provided hereinafter in this act, or such further business as is necessary and incidental thereto.

ADVANCES

(a) The corporation is authorized to make advances to any citizen or subject of Germany, Austria, or Hungary (within the meaning of subdivision (b) of section 9 of the trading with the enemy act, as amended), or to any partnership, association, or corporation organized in or created under the laws of Germany, Austria, or Hungary, and doing business therein, for the purchase of raw materials or other products to be exported for manufacture or consumption in Germany, Austria, or Hungray. In no case shall any of the money so advanced be expended without the United States.

(b) Every such advance shall be represented by the notes, bonds, or other evidences of indebtedness of the borrower, payable in currency of the United States. No advance shall be for a period in excess of one year. Interest upon such advances shall be at a rate not in excess of 6 per cent per annum, to be determined by the corporation. Except in the case of foodstuffs as hereinafter in this section provided, every such note, bond, or other evidence of indebtedness shall be secured by adequate security of such character as shall be prescribed by the corporation. The corporation shall retain power to recall any advance or require additional security at any time. The corporation shall also require, so far as it deems practicable, the creation and maintenance, until the payment of the note, bond, or other evidence of indebtedness, of a lien, in accordance with available laws and customs, upon such raw materials or other products, and upon the products resulting therefrom in process of manufacture or upon completion of manufacture.

(c) Notes, bonds, and other evidences of indebtedness representing advances for the purchase of foodstuffs to be exported as provided in subdivision (a) may in the discretion of the corporation be unsecured, but the total amount of such bonds, notes, and other evidences of indebtedness shall not exceed the amount of the capital stock subscribed to by the United States under paragraph (1) of subdivision (b) of section 4.

(d) The aggregate amount of advances made under this act to any one person, outstanding at any one time, shall not exceed an amount equal to one-half of 1 per cent of the authorized capital stock of the corporation.

(e) The aggregate advances to citizens and subjects and to partnerships, associations, and corporations of Germany, Austria, and Hungary, respectively, shall not exceed that portion of the capital stock of the corporation that the capital stock paid for from trust deposit funds attributable to claimants who are citizens or subjects or partnerships, associations, or corporations of Germany, Austria, or Hungary, respectively, as specified in subdivision (a) bears to the entire paid-up capital stock.

DIVIDENDS

(a) The net income of the corporation, as determined by the board of directors, shall be paid semiannually to the Secretary of the Treasury for distribution ratably to the United States and to the trust deposit funds in accordance with the interest held by them in the corporation.

(b) Upon the termination of the existence of the corporation the assets thereof shall be so distributed by the Secretary of the Treasury, but any losses to the distributees shall first be suffered by the United States to the amount of its distributable share.

(c) The United States hereby agrees, upon the demand at any time by the Alien Property Custodian, to purchase at par the stock of the corporation held by any trust deposit fund. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum sufficient for such purpose.

SALES OF STOCK

Upon any order of the President of the United States or of the court after final judgment or decree, under section 9 of the trading with the enemy act, as amended, for the payment, conveyance, transfer, assignment, delivery, or return of any money or other property held by the Alien Property Custodian or by the Treasurer of the United States, the corporation shall, to the extent necessary to comply with such order, purchase its outstanding stock held by the United States or any trust deposit fund.

EXEMPTION FROM TAXATION

The property and the income of the corporation shall be exempt from taxation by the United States, or any State, Territory, or possession, or any political subdivision thereof; except that any real property of the corporation may be taxed in the same manner and to the same extent as other real property.

OFFICES

The corporation shall maintain its principal office in the District of Columbia and may establish such agencies or branch offices at such places as it finds advisable. The corporation shall be held an in-

habitant and resident of the District of Columbia, within the meaning of laws of the United States relating to venue of civil suits and of offenses by the corporation against the United States.

PENALTIES

(a) Any person who—

(1) Knowingly makes any false statement, for the purpose of obtaining for himself or for any other person any advance under this act;

(2) Knowingly overvalues any security, as a result of which any advance is obtained;

(3) With intent to defraud the corporation or to deceive any officer or employee of the corporation, makes any false entry in any book, report, or statement of the corporation; or

(4) With intent to defraud the corporation and without authority from the directors of the corporation, draws any order or assigns any note, bond, or other evidence of indebtedness, mortgage, judgment, or decree, belonging to or held by or for the corporation—

shall, upon conviction thereof, be punished by a fine of not more than $10,000, or by imprisonment for not more than five years, or both.

(b) All laws relating to embezzlement, conversion, improper handling, redemption, use, or disposal of moneys of the United States shall apply to moneys of the corporation while in the custody of any officer, employee, or agent of the United States or of the corporation.

SEPARABILITY OF PROVISIONS

If any provision of this act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby.

REPORTS

(a) The corporation shall make a report to Congress on the first day of each regular session, and shall include in such report a detailed statement of receipts and expenditures, the name of every officer, employee, and agent receiving a salary from the corporation, and the amount of such salary.

(b) The corporation shall file quarterly reports with the Secretary of the Senate and the Clerk of the House of Representatives, stating, as of the first day of each month of the quarter just ended, (1) the total amount of capital paid in, (2) the total amount of advances made, (3) a list of the securities held, (4) the total amount of advances outstanding, and (5) such other information as may be required by resolution of the Senate or the House of Representatives.

RESERVATION OF RIGHT TO AMEND

The Congress of the United States reserves the right to alter, amend, or repeal any of the provisions of this act.

Mr. BURSUM. Mr. President, I make the point of order that the amendment is not in order and is not germane in any manner to the pending bill.

The PRESIDENT pro tempore. The Chair is constrained to overrule the point of order. Amendments are not required to be germane except to appropriation bills. The question is upon agreeing to the amendment.

Mr. BURSUM. I hope the amendment will not be adopted. It is entirely incompatible with the pending bill The amendment relates to an entirely new affair, very complicated and probably very important. It seems to me that it is entirely out of place in connection with the pending bill.

Mr. ROBINSON. Mr. President, by this amendment it is proposed to take the large trust fund which the Government holds for the benefit of aliens whose property was seized during the war and employ it in promoting our foreign trade. The United States entered into a treaty with the German Government by which it was agreed that the fund should be held as in the nature of security for the debts and damages due to American citizens from Germany.

I do not believe that it is right or wise so to employ this fund. If the United States desires to create a corporation such as is contemplated by the pending amendment, and to supply funds to carry on its activities in foreign trade, the Government ought to use its own money and not this trust fund. The owners of this fund, and American claimants who are secured by it, have the right to expect that the Government will administer the fund in accordance with its reasonable obligations.

True the provisions of the amendment contemplates a guaranty on behalf of the Government that the fund will be safeguarded and finally reimbursed, but I can not conceive of a private trustee making use of a trust fund analogous to that contemplated in this amendment.

I should very much prefer that the author of the amendment modify it so as to require the Government to use its own funds in promoting the trade of American citizens. It would unquestionably arouse anxiety, if not resentment, on the part of the owners of this money and on the part of the American citizens who are claimants against the German Government whose claims are secured by this fund to supply it to foreign citizens or corporations who may enter into trade with the United States.

I am anxious to promote in every legitimate way the interests of our commerce, and that other Senators realize that there exists a necessity for pursuing such policies and enacting such legislation as will be calculated to restore as speedily as possible foreign markets for American products, particularly surplus products, but I think in doing that, Mr. President, we ought in honesty to use our own money.

Mr. OWEN. Mr. President, I think the Senator from Arkansas is entirely justified in his comments. This is a trust fund. It ought not to be diverted from the purposes of the trust. Moreover, it is invested in United States bonds, and in order to be utilized in the manner proposed it would have to be converted from those bonds into some liquid form by which it would be available. Moreover, the banks of the United States are abundantly able to furnish money to the Government immediately to any extent the Government requires, if this measure be amended so as to provide for a fund to be advanced by the Government of the United States without using the trust fund. It is not fair to those who have claims against this fund to divert it for the purpose proposed. It would interfere with the proper adjustment of the claims against the fund. There is also no real occasion to use the Alien Property Custodian's fund for this purpose.

Mr. President, a few days ago I had occasion to call on the Comptroller of the Currency for a statement of the condition of the banks of the country, and I wish to put into the RECORD a letter which I have received from him, together with information relative to all reporting banks, including the Federal reserve banks, from June 30, 1919, to June 30, 1923, showing what the condition of the banks of the United States had been at the end of each of the fiscal years from June 30, 1919, to June 30, 1923. To show in the RECORD what the present condition of the banks is, I will state that their total resources on June 30, 1923—they are now still larger than they then were—were $59,000,000,000, a sum so gigantic as to stagger the imagination.

Mr. SMITH. Mr. President, I did not catch the Senator's statement as to the resources of the banks according to the figures which he gave.

Mr. OWEN. For all of the banks combined, their resources amount to fifty-nine thousand million dollars.

Mr. SMITH. That is $5,900,000,000?

Mr. OWEN. Fifty-nine thousand million dollars, or $59,000,000,000. That was the measure of the total resources of all of the banks of the United States on the 30th of June, 1923, and those resources are still larger to-day.

Mr. OVERMAN. Those figures represent the resources of all of the banks of the United States?

Mr. OWEN. They represent the resources of all of the banks of the United States. We do not need to invade this trust fund in order to carry out the purpose of the amendment. That is the point that I am particularly making.

The PRESIDING OFFICER (Mr. FESS in the chair). Without objection, the request of the Senator from Oklahoma to have inserted in the RECORD the letter of the Comptroller of the Currency, together with the accompanying paper, will be agreed to. The Chair hears none.

The matter referred to is as follows:

COMPTROLLER OF THE CURRENCY,
Washington, June 3, 1924.

Hon. ROBERT L. OWEN,
United States Senate.

MY DEAR SENATOR: I have your letter of May 28, received in this office May 27, requesting information relative to the loans, deposits, and resources of all reporting banks, including Federal reserve banks, at the dates of various calls beginning July 1, 1919, up to and including the last call, also the number of failures of banks from 1919 to 1924, inclusive.

Statistics relative to reporting banks, other than national, are published in my annual reports to Congress, in accordance with the provision of section 333, Revised Statutes, as of the date of the midsummer call on national banks for reports of condition and the latest information at command of this office for distribution with respect to all reporting banks is for June 30, 1923.

I am inclosing a statement showing the loans and discounts, total deposits and resources of all reporting banks, June 30 of each year, from 1919 to 1923, and the number of bank failures in fiscal years ended June 30, from 1919 to 1923. Since June 30, 1923, to date, 129 national banks have been placed in charge of receivers, and information received from commercial agencies and other sources, shows 664 failures of banks other than national between June 30 and March

28, 1924. This latter information, however, has not been verified by State banking departments, and is not considered complete.

I trust the data furnished will serve the purpose for which requested.

Very truly yours,

HENRY M. DAWES, *Comptroller.*

Information relative to all reporting banks, including Federal reserve banks, June 30, 1919 to 1923

[Amounts in thousands of dollars]

	June 30, 1919	June 30, 1920	June 30, 1921	June 30, 1922	June 30, 1923
Loans and discounts	$27,114,262	$34,087,126	$30,735,174	$28,483,604	$31,395,765
Total deposits	40,105,668	44,186,784	40,756,801	43,317,019	46,702,719
Total resources	52,903,455	59,153,704	54,913,431	55,330,215	59,072,413

Number of bank failures, State and National, fiscal years ended June 30, 1919 to 1923

Year ended—	All State banks	National banks
June 30, 1919	42	1
June 30, 1920	44	5
June 30, 1921	330	28
June 30, 1922	364	33
June 30, 1923	237	37

Mr. OWEN. Now, Mr. President, I wish to point out in this connection some matters of great importance, which the Senate ought to understand and which the country ought to understand.

The loans and discounts of the banks on June 30, 1920, was $34,000,000,000—I shall not give the odd numbers—on June 30, 1921, they were $30,000,000,000; on June 30, 1922, they were $28,000,000,000, showing a reduction in loans and discounts within that period of time of something over five thousand million dollars of contracted credit. We need not wonder what the difficulty is in America in the cessation of our industrial activities, because here is the answer. There has been a forced liquidation in this country, as shown by the total of loans and discounts of all these banks, in those two years of approximately five and a half billion dollars. The loans and discounts on June 30, 1923, were $31,000,000,000, approximately, showing a reduction from June 30, 1920, of something over $3,000,000,000. Yet, Mr. President, in the meantime the resources of the banks have grown to $59,000,000,000. From June 30, 1921, when they were approximately $55,000,000,000, they have increased $4,000,000,000, while the loans and discounts are $3,000,000,000 less than they were on June 30, 1920.

The effect of this contraction has been that, whereas for the year ending June 30, 1919, one national bank failed, in the year ending June 30, 1921, 28 national banks failed; in the year ending June 30, 1922, 33 national banks failed; and in the year ending June 30, 1923, 37 national banks failed.

The State banks show a record still more regrettable the number of State banks failing during the year ending June 30, 1919, being 42; during the year ending June 30, 1920, 44; during the year ending June 30, 1921, 330; during the year ending June 30, 1922, 364; and in 1923, 237.

Now, Mr. President, as to the cause for that. I wish to point out to the Senate what the cause was and is. On May 17, 1920, in response to four different appeals I made to the Senate of the United States to resist the deflation of credit and currency by the Federal Reserve Board and the Federal reserve banks, the Senate of the United States passed, apparently without objection, nem. con., the resolution which I shall immediately read. The resolution, which was Senate Resolution 363, was offered by the Senator from Illinois [Mr. McCORMICK], and reads as follows:

Resolved, That the Federal Reserve Board be directed to advise the Senate what steps it purposes to take or to recommend to the member banks of the Federal reserve system to meet the existing inflation of currency and credits and consequent high prices, and what further steps it purposes to take or recommend to mobilize credits in order to move the 1920 crop.

That resolution was urged, without reference to a Senate committee, as merely a resolution seeking information. The Senator from Illinois stated at that time—and I quote his exact language:

The resolution asks for nothing more than information; in fact, I may say to the Senator that to-day there are gathering in Washington representative bankers from all over the country to confer with the Reserve Board and the Secretary of the Treasury about the grave situation now impending.

The grave situation then impending was the shaking of the credit fabric of this country by the high interest rates imposed on call loans by the New York Stock Exchange, against which I protested in vain. Those rates went up to 30 per cent in November, 1919, and did affect the confidence of the country in the stability of our financial institutions and in the ability of the country to continue to receive the accommodations which were necessary to the manufacture of goods and to the distribution of commerce.

On the theory that the resolution of the Senator from Illinois asked for nothing more than information, the resolution was agreed to with little or no debate. It will be found on page 7145 of the CONGRESSIONAL RECORD of the 17th of May, 1920. Unfortunately, the resolution not only asked for information but it made a statement of fact that there were necessary some steps by the Federal reserve banks "to meet the existing inflation of currency and credits and the consequent high prices."

This was a partial truth, because there had been some inflation of credit and of currency for speculation and hoarding commodities for a rise in value.

The word "inflation," properly used, means unjustified expansion of credit and currency; but where the expansion was justified by the necessity of war in protecting the life of the Government itself and the interests of the American people it was not "inflation," but it was a justified expansion.

To the extent that there was an inflation of credit for speculative purposes or for the hoarding of commodities for a rise, such an expansion of credit was in fact inflation, and justified deflation.

I was not present in the Senate when this resolution was offered and agreed to; but on the following day I commented on it, and pointed out that there should be no difficulty in getting the credits necessary to move the crops or to supply manufacture and commerce for productive and distributive purposes, and protested against the obvious policy of the Federal Reserve Board to deflate credit and currency by raising the interest rates of the Federal reserve banks to a very high rate and to the excessive rates on call loans by the New York Stock Exchange, which had the effect combined of breaking down the confidence of the country and undermining the entire credit structure.

At that time I pointed out that such a policy of broadly deflating credit could only result in general depression and ruin to many, and warned the country against this policy, and that the Federal reserve banks were taking their advice from those who believed there should be a general deflation of credit and currency; and I can not help but believe, Mr. President, whether that belief was justified or not, that the resolution offered by the Senator from Illinois was offered at the suggestion of the Federal Reserve Board, whom I had been criticizing for their unwise, unjust, unsound, and ruinous policy of bringing about a general deflation and breaking down the confidence of the country and the credits of the country.

At that time I pointed out that the reserve banks of the country were earning exorbitant rates on their invested capital, and were setting a false standard in the matter of interest rates; that the reserve banks earned $120,000,000 in 1919, or approximately 100 per cent on an average for all the reserve banks; and that they were not justified in raising the rates of interest on any ground, but were in duty bound to lower the rates of interest to legitimate industry while deflating individual credits used for purely speculative purposes or for the purchase and hoarding of commodities for a rise in value.

In pointing out what would be the effect of a general deflation of credit and currency I made some observations which, without reading, I ask unanimous consent to insert in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the CONGRESSIONAL RECORD of May 17, 1920, p. 7200]

Mr. OWEN. * * * Mr. President, the Federal Reserve Board is taking its advice from those who think there ought to be a deflation of credit in this country. Certainly I am not in favor of inflation; I am not in favor of speculation; but I want to say to the Senate that if this policy is pursued of broadly deflating the credits of this country there can be only one result, that of depression and ruin to many.

There are two ways open for lowering prices. The best way is to increase commodities by stimulating both production and saving and

letting credits for such purposes. That is the best way; that is the true way—to work and to save and to give men credit who need to have credit for the purpose of working, for the purpose of creating value. If credit is broadly denied them, as in the case of the State of the Senator from North Carolina, where they have a 6 per cent fixed rate and the Federal reserve charge is 6 per cent on money, how can the banks get any accommodation from Government reserve banks? They are limited to 6 per cent; they would have no margin; and it is necessary to allow some margin to member banks in order to enable them to function properly.

The worst way to lower prices is to raise interest rates, to deny credits, break up business, cause a panic, have an industrial depression, and have bankrupt sales, and cheap goods temporarily. This latter course may easily result if the banks all combine to raise rates and deny credits for productive and distributive purposes; but if that is done it is going to be done over my resolute protest, both in this Chamber and elsewhere. I have not hesitated to express myself about it in Detroit, in Cleveland, in Pittsburgh, in Baltimore, and in other places, and I shall do so all over the country.

The Federal Reserve Board in raising rates broadly are *striking manufacturers, wholesalers, merchants, retailers, stockmen, and farmers* who are not speculating and who do not deserve to be punished as speculators. The reserve board is justified in encouraging a denial of credit for purely speculative purposes and is justified in urging the gradual liquidation of bank resources engaged in speculative enterprises or for mere investment purposes. I regard it as very hazardous to deny credit to the so-called nonessentials, among which my friend the Senator from Illinois [Mr. McCORMICK] classes "phonographs and silk stockings." Both of those commodities are more or less essential. Nothing is of greater educational value than the phonograph, and I do not think the phonograph business ought to be broken up. In time of war the pleasures of the people may be interfered with, but not in times of peace. We fought for liberty, and the liberty to ride in a pleasure automobile or to hear a phonograph, or even to wear silk stockings, ought not to be denied by the Federal Reserve Board by driving such manufacturers out of business.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I yield.

Mr. SMOOT. Is it not about time that the people of the United States and the people of the world should realize that there is only one way that normal conditions can be brought about, and that is for the people of the world to produce what the world consumes? Unless they do that normal conditions never will return.

Mr. OWEN. Of course; that is what I said when I started out. The resolution of the Senator from Illinois, however, offers a hook and an invitation from the Senate to the Federal Reserve Board to declare a policy of "*deflation.*" It carries the suggestion of *deflation.* The policy of deflation set by the Wall Street Stock Exchange control, which broke the stock market by high interest rates, meets the approval of the same class of financial experts domiciled in Chicago who might naturally advise the Senator from Illinois; but I warn the Federal Reserve Board, and I warn the country that if a panic in this country results from their policy they are liable to have a North Dakota reaction, where a State bank was established to furnish money at fair and stable rates, using the credit of the State and the taxing power of the people of the State for that purpose. You can go too far in the matter of taxing the people of this country by high interest rates and the "deflation" of credit. * * *

I warn the Federal Reserve Board that this country is not going to submit to any depression brought about by the banks of the country or under the policy of the board or under the advice of financiers domiciled either in New York or Chicago.

Mr. OWEN. Mr. President, it must now be confessed that the country was compelled to submit to the industrial depression brought about by the policy of deflating credit and currency. I think it only fair to say that I seriously doubt if some of those who urged the policy of deflating credit and currency at all realized the terrible harm which would be done to American industry and to values in America by such an unwise policy. I can not believe that the Senator from Illinois had in mind anything else than realizing credit for what he deemed to be essential purposes, such as the moving of the crops. Doubtless his conception was conveyed to him by the meeting of bankers with the reserve board as of that date, and to which he referred in his remarks.

Mr. HEFLIN. Mr. President, has the Senator a copy of the resolution introduced by the Senator from Illinois?

Mr. OWEN. Yes; I have. I put it in the RECORD just a moment ago.

Mr. HEFLIN. It was very short.

Mr. OWEN. Very short. In effect it demanded a deflation of credit and currency; but the idea of deflating credit and currency was strenuously urged by those who exercised great influence with the leaders of the Republican Party, and they put in their platform adopted June 12, 1920, the following declaration:

> But as the political party that throughout its history has stood for honest money and sound finance, we pledge ourselves to earnest and consistent attack upon the high cost of living by rigorous avoidance of further inflation in our Government borrowing by courageous and intelligent deflation of overexpanded credit and currency, by encouragement of heightened production of goods and services, by prevention of unreasonable profits, by exercise of public economy and stimulation of private thrift, * * *.

The self-praise is natural in a party platform, and the declaration of righteous principles is commendable; but the real substance of this party pledge was the deflation of credit and currency. That is what they said they were going to do as a means of making everybody happy and prosperous, and that is what they did. They had the candidate for the Presidency, Mr. Harding, declare in his speech of acceptance that he would vigorously carry out the policy of deflating credit and currency, and the Federal reserve banks and the Federal Reserve Board, through a series of rules and regulations, put on a widespread campaign and compelled member banks (and indirectly citizens) to deflate credit and currency. They have deflated currency so far now that at the last examination I made of it there were only $1,800,000,000 of Federal reserve notes, whereas there were $3,600,000,000 of Federal reserve notes at the peak during the prosperous times in this country. The work proceeded through 1921 up to date, with the result of paralyzing those engaged in agriculture, stock raising, small production of all sorts, small banks, and doing an infinite harm to hundreds of thousands of men.

The deflation through the reserve banks was accomplished by cutting down over two thousand million dollars of loans to member banks. The member banks cut down their loans over two billions. Distressed debtors were compelled to borrow from bank depositors, and the deposits went down over three billions, and the industrial depression, which I had the unhappy duty to forecast, ensued with an extreme severity that is bringing a complete political upheaval which probably means the defeat of the Republican Party in 1924. Never in the history of political parties has such a reversal of public opinion taken place. The Republican candidate for President in 1920 was elected by over 7,000,000 votes; and yet it is perfectly obvious that the American people are in wholesale revolt against the stupid policy to which that party committed itself in broadly deflating credit and currency and breaking down the prosperity of America in the creation of one of the most painful industrial depressions from which America ever suffered.

Mr. BRUCE. Mr. President, I desire to say just a word or two in opposition to the amendment offered by the Senator from South Carolina [Mr. DIAL] to the pending bill; and I can sincerely say that I regret that I must place myself in an attitude of hostility toward it, for I am very much in the habit of voting with the Senator.

After having served in this body for nearly six months I can declare without the slightest hesitation that I do not think that there is a man in it who has a larger fund of good, saving, common sense than he has; nor, in my opinion, is there a Member in it who is truer than he has proved himself again and again to be to the old American constitutional principles which have made this country what it is. But, Mr. President, while I love Cæsar much, I love Rome more; and I am constrained, as I have said, to antagonize this amendment, and first of all for the reason which has been so lucidly stated by the Senator from Arkansas [Mr. ROBINSON], namely, because it would operate a devastavit of a trust fund. Upon that phase of the matter, however, I shall not linger; but I do wish again to register my conviction that this practice of engrafting some totally foreign proposition or other upon a pending bill is a vicious one in every legal and practical sense; and if I live until the Senate meets again next December I propose myself to do what I have very little inclination to do, and that is to offer an amendment to the Federal Constitution.

We have in the State of Maryland—and doubtless the same thing is true of many other States of the Union—a constitutional provision that no bill shall embrace more than one subject matter, and that shall be reflected in its title. In my humble judgment, there is no change in the Federal Constitution more imperatively called for by the practice of the legislative bodies of the Federal Government than some such change as this.

Mr. SMOOT. Mr. President——

Mr. BRUCE. I yield to the Senator from Utah.

Mr. SMOOT. It is not necessary to change the Constitution in order to bring that about. I will say to the Senator that

we could adopt a rule here that would attain the object the Senator has in mind. I have about come to the conclusion that the only way to stop this practice is to change our rules and forbid it. The House already has a rule that the subject matter of an amendment must be germane to the bill that is under consideration. All we have to do is to change our rules and make them the same as the House rules in this respect and a thing like this could not happen.

Mr. BRUCE. But the Senate never has been willing to change its rules.

Mr. SMOOT. I rather think the Senate lately has changed from what it has been in the past, and I look for a change in our rules along that line at a very early date.

Mr. BRUCE. I am glad to hear the Senator say so; but I must assert that I have seen no indication on the part of the Senate of an intention to make any such alteration in the existing rules.

With due respect to my friend from South Carolina, the pending bill with his amendment will be as much a monstrosity as the fabled mermaid, which begins with the face and the breast of a woman and ends with the tail of a fish. Especially objectionable, I might add, is the amendment when it is remembered that the effort is to engraft it upon such an important legislative measure as a special pension bill.

Mr. President, I trust that the amendment will be voted down.

THE MAINTENANCE OF PEACE

Mr. EDGE. Mr. President, I ask unanimous consent to have inserted in the RECORD what is now a rather famous discussion, compiled by General Harbord, of the Army, and published in McClure's magazine, "Preparedness *v.* Disarmament," which was discussed by two well-known citizens. The debate was handled so well, and in view of a measure we will probably consider in the Senate, I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Reprint from McClure's Magazine, December, 1923]

THE MAINTENANCE OF PEACE

(A study in preparedness versus disarmament, by Maj. Gen. James G. Harbord)

A PROBLEM OF CROWDED POPULATIONS

Nations fight to insure national security or to increase territory or to get access to the sea. The most striking fact of the world to-day is the very uneven division of the earth among the sixty-odd nations that occupy the entire land area of the globe. At one extreme we have the 60,000,000 Japanese occupying the islands of Japan, with a total of arable land smaller than the area of Ireland, and at the other extreme 65,000,000 white people in the whole British Empire, occupying over 7,000,000 square miles and ruling over another 7,000,000 square miles.

Or, again, including Korea and Formosa, the entire area under the Japanese Empire is 260,000 square miles and the population over 77,000,000, while just across the Pacific the United States and Canada, with more than seven and one-third million square miles, have a population of 115,000,000.

Thus there are nearly two-thirds as many people in the limited area of the Japanese Empire as there are in the vast territory of the United States and Canada. Does it not seem inevitable that the peoples in North America must be prepared some day either to share their enormous possessions with the peoples of Asia or to defend them against forcible aggression?

It is well to realise the truth that the greatest conflicts may be between nations both of which are right. Certainly nothing but incalculable harm could come to the United States if the Japanese and Chinese could enter the United States according to their needs. And it is just as true that the Japanese and Chinese are most unjustly deprived of their rights to a more equable share of the earth's surface.

Both sides are right. Force will determine which right shall prevail.

Armaments in the hands of the satisfied nations are not provocative to war, but would constitute the best method of preserving peace.

If the United States and Canada and Australia should decide to share their resources with the peoples of southeastern Asia—and such a policy is hardly conceivable—they should be so well equipped for war as to be able to share their wealth on their own terms. For the United States to disarm is to create conditions leading to disaster.—The Editor.

Are those who heretofore have been advocating complete disarmament as a remedy against war now changing their methods and advocating armament with the same end in view? Is the so-called "church element," which as an organization has been lined up behind the movement for total disarmament now turning to armament as a means of abolishing war? I believe an affirmative answer to these two questions is permissible.

As one expression of this development in pacifist opinion, I call attention to a most remarkable series of letters, in which the topic was brilliantly debated. Two laymen, Dr. Frank Crane and Mr. W. H. Crichton Clarke, both standing at the topnotch of their professions, both pacifists in that they desire the abolishment of war, start at opposite poles and finally come to an agreement on the methods to be employed to secure world-wide permanent peace.

Dr. Frank Crane is an editor and publicist whose pronouncements are considered by many millions as lending great weight to international moral issues.

Mr. W. H. Crichton Clarke is a great corporation lawyer, a practitioner before the Supreme Court of the United States, the Supreme Court of the District of Columbia, and before all the courts of New York State, and various courts of appeal throughout the country.

These two men may be taken to represent a great body of the laymen in this country, and I further believe that they represent the sober-minded press, the church, and the bar.

We must agree with Doctor Crane and Mr. Clarke that war is horrible and is repugnant to the better instincts of the human race. But our abhorrence of war does not in any way eliminate the possibility of its entering once more the stage of international relations. For nations are but masses of individuals, with the difference that passion grips nations in a greater degree than individuals, but with less conscience. If we can change human nature, if we can do away with personal animosities and jealousies and inordinate ambitions, then one may expect nations to be changed and their policies and international adventures to be altruistic. But, until human nature is changed, we must expect wars. This is so evident a truth that it appears, upon consideration, to be elemental; yet the following remarkable debate between Doctor Crane and Mr. Clarke revolved at the start around a disagreement as to their truth.

The correspondence between Doctor Crane and Mr. Clarke is here given to the public as evidence of the present trend in American thought on the preparedness problem.

"LOOSING THE FOUR HORSES"

On February 19, 1921, an editorial by Doctor Crane appeared in the New York Globe. It was entitled "Loosing the Four Horses," and contained the following statements:

"The Senate committee urges a navy 'at least equal to that of any other power.'

"Nothing but the lurid vocabulary of Charles G. Dawes can fitly characterize this monstrous stupidity. More than stupidity, it rises to the height of crime.

"Our plain duty is to disarm and to lead the other nations to do the same.

"The only way to do a decent thing among rowdy neighbors is to do it first.

"The Golden Rule is of no use to you whatever unless you realize that it's your move.

"This Nation, (1) protected by vast oceans, (2) peaceful by tradition and by (3) the temper of its people, and (4) having resources greater than any other land, ought to realize its bounden duty to lead all the world in disarmament.

"To go on piling up armor is (1) to add to the already staggering burden of taxation and (2) to do the one thing of all the world likely to provoke another war.

"The maintenance of great defense is not an American idea. It is European. It is as rotten as any of those old delusions that have wrecked one nation after another all down the highway of history. Dead and damned, the lost empires, from Babylon, Egypt, and Rome, on through Napoleon and unto the swaggering Hohenzollern, stand like red flags to warn us of the folly of force.

"America had a chance to lead the wretched world out of this bog. By an access of frenzied and envious folly we renounced our leadership, and now seem preparing to lead rather in the general ruin of civilization by keeping up the old rival-fleet mania.

"Every nation in Europe is stumbling on the verge of bankruptcy. The wounds of hunger and want may fever into the blood poison of war any day.

"These nations look 'with eyepits red with rust of ancient tears' to America to show them the way out of the hell of war preparedness into the paradise of law and peace.

"We repudiate our former allies. We choose to stand alone.

"Dull witted, vain, and insolent, we slap roundly on the rump the four horses of the Apocalypse and bid them prepare anew to trample the human herd.

"Are they who grasp the reins of our Government to violate every American principle, hitch these four horses to the car of state, and drive this young Nation down the path of ruin where lie, covered with the weeds of oblivion, the bones of every proud and purblind nation that has trusted the devil's delusion of force?" he concludes.

After reading the foregoing editorial, Mr. Clarke wrote Doctor Crane a letter, quoted below, in which he expressed views entirely contrary to those of Doctor Crane and opposed to the general argument advanced

by pacifists; that is, the principle of individual disarmament among nations. The letter follows:

"DEAR DOCTOR CRANE: Would you grant a rehearing on the judgment expressed by you in your editorial entitled 'Loosing the four horses'? You have the facts, but it appears to me that you read them wrong. For instance, you indicate that America is the richest of nations and that Europe is fevered, hungered, bankrupt, and looks to America with red-rusted eyepits. Your inference is that all these fevered, starving men want from us are precepts and example and that our plain duty as the richest of nations in a fevered world is to disarm. You do not argue that we should disarm with or after the fevered patients, but before. Would you do that as an individual?

"You truly can not mean that America, being rich in a distracted, bankrupt, but armed, world should stand alone disarmed. Constantinople was once the richest and weakest city in the world and she was sacked by whom? By the Crusaders! Men bent on redeeming the tomb of Christ were persuaded to plunder Constantinople because its wealth had multiplied while its defenses diminished. They were strong, healthy, and well-fed men, too. It took a lot of persuasion to turn them from Jerusalem to the Bosporus. Suppose they had been fevered and hungry—what then?

"Ah, you may say, that was centuries ago. Such things no longer occur. But they have occurred and are now occurring. In 1914 one nation sallied forth to sack another. Strong nations are to-day plundering weaker nations, and in the world to-day America would be foolish to be both rich and unprotected.

"The fumes of your rhetoric went to your head when you pictured this great country as 'preparing to lead rather in the general ruin of civilization' and as slapping roundly on the rump the four horses of the Apocalypse and bidding them 'anew to trample the human herd.'

"America tried to follow your advice once. She tried to lead toward disarmament by example. She stood rich and weak in an armed world and she was put upon on every side. Those of her ships that were not bombed were seized. We had no rights that any nation respected.

"In arming ourselves, we are no longer leading, but following. The armed nations that flouted all our elemental rights refused to follow our example; now we follow theirs.

"Christ first preached against the money changers—then he overturned their tables. He remarked the unwisdom of bridegrooms laying off their armor, even at a wedding. He showed that a house divided against itself can not stand.

"A world half armed and half disarmed is a world divided. It must become either wholly armed or wholly disarmed.

"We have tried peaceful disarmament. Now let us try warlike disarmament. You men of peace persuaded France, England, and this country to let their defenses lag while Germany built up hers to towering heights. If France and England had matched Germany man for man and gun for gun, there would have come in time a peaceful truce. Each nation would have realized in time that it could not have conquered its rivals and the taxes would have forced general disarmament.

"But the pacifists persuaded the peaceful bridegrooms to lay off their armor while their enemies added on more armor. In short, the world became like a house divided, half armed and half disarmed, and human nature is not good enough for that yet.

"The fox with a 'decapitated' tail was never able to persuade his bush-tailed brothers to remove their tails, and a defenseless bridegroom is never able to persuade his jealous rivals to give up their advantage.

"But a fox with a fine big tail, or a nation with a fine big navy, or a bridegroom with a keen sword, is in a position to receive most respectful attention when he proposes that tails, battleships, or swords shall be laid aside.

"A tramp who suggested a general vow of poverty might well be howled down, but if John D. Rockefeller stepped forward with such a proposal—wow!

"Brother Crane, let us strive to unite this divided world on a plane of armed equality so that when we propose to scrap arms we will receive attention.

"Yours,

"W. H. CRICHTON CLARKE."

In due time Doctor Crane came back with the expected reply to Mr. Clarke's letter:

"MY DEAR MR. CLARKE: Your letter of February 21 is at hand and read with a good deal of interest. I thank you for so clear an expression of your views. It seems to me, however, that your argument does not take into consideration the fact that wars are not the result of human nature, and populations do not want war. They are rather the result of the momentum of tradition and custom, and the fact that the machinery of the world is constructed for war purposes. All we have to do is to reconstruct it.

"It was quite a problem to keep people from standing on the car platforms. Posting notices did no good, neither did laws nor policemen. The problem was solved by an engineer who constructed the cars without any platforms.

"Cordially,

"FRANK CRANE."

After a time, Mr. Clarke wrote again, as follows:

"DEAR DOCTOR CRANE: Thank you for your interesting letter of the 26th instant.

"I still feel that disarmament in the world must be reached in the same manner as in a mining camp. So long as 'bad men' with their weapons represent the preponderance of power in a mining camp there is no disarmament, and the longer the peaceful citizens remain disarmed the longer disorder and lawlessness will rule. It is when the law-abiding citizens arm until they represent the preponderance of power that disarmament occurs.

"PEACEFUL VERSUS WARLIKE DISARMAMENT

"Piracy and privateering at sea were never ended by either agreement or by disarmament of peaceful citizens. They were ended by law-abiding nations building up a preponderance of power and thereby overawing the lawless elements.

"According to your arguments, China and India would be great forces for peace. They represent rich and unarmed nations. Instead of being factors working for peace, they have been the opposite.

"The United States and England with the greatest naval forces in the world could do more to produce disarmament among the nations than they could by continuing to pile up their wealth while diminishing their protection.

"It seems to me that until you men of peace detect unmistakable signs of disarmament in those nations which are still affected with the war fever, you are likely to promote, rather than to retard, war by persuading the peaceful bridegrooms to lay aside their armor while still surrounded by hungry, desperate, and highly armed rivals.

"I wish you would earnestly seek to answer my proposition that 'a world half armed and half disarmed is a world divided. It must become wholly armed or wholly disarmed. We have tried peaceful disarmament, now let us try warlike disarmament.'

"THE RESULT OF COMPETITION

"Your argument about removing the street-car platforms in order to prevent people from standing on them reminds me of the famous boarding-house rule: 'In order to prevent guests from taking fruit away from the table, there will be no fruit.'

"The car-platform argument is beside the point. If it is desirable to keep people from being killed on car platforms, you should remove all of the platforms. If you merely remove the platforms on some of the cars and run them in competition with other cars having fine, alluring platforms, you would find that the safe, but unpleasant, cars would soon be eliminated by the competition of the others.

"I agree with you that all of the warlike platforms, bushy tails and large navies and other military probosces of the world should be amputated, and I argue that the way to have all of them amputated is for those fellows who believe in amputation to be in the majority.

"Your argument, it seems to me, amounts to saying that the men and nations who believe in disarmament should lower themselves to the status of India and China, and after they have thus ceased to have the slightest political influence in the world, to ask the other nations to cut off their own military tails.

"Honor bright, the thing is against nature!

"But, believe me, when the peaceful nations of the world represent the preponderance of power and say: 'The honest nations are going to disarm and the dishonest nations have got to disarm,' the problem will receive a lot more attention than it will ever receive if such peaceful, rich, and disarmed nations as China, India, and the United States say to their strong and armed rivals, 'We have cut off our military tails; come, you, and do likewise.'

"My excuse for writing you at this length is that the question on which we entertain opposite views is too vast and potentially too dangerous for mistaken notions to be expressed publicly, and the matter really is not as simple as you tried to make it in your article of February 19.

"Cordially yours,

"W. H. C. CLARKE."

Replying to Mr. Clarke's second letter, Doctor Crane wrote:

"MY DEAR MR. CLARKE: Your letter of the 28th is at hand. Your logic is all right. The trouble is it starts from the wrong place. You are under the delusion that force is effective. My starting point is that all men are fair, all men want to be decent, and human nature is good. Eliminate the stupidity of government

and get rid of the machinery that produces national hate and wars and people will go about their business and behave themselves. Perhaps only time can tell which of us is right.

"Cordially,

"FRANK CRANE."

Mr. Clarke immediately replied to Doctor Crane's argument as follows:

"MY DEAR DOCTOR CRANE: It does seem to me that you are right in stating, 'Eliminate the stupidity of governments and get rid of the machinery that produces national hate and wars, and people will go about their business and behave themselves.'

"The way to do that is to bring pressure to bear on military governments so as to make them disarm, and until they do disarm to make reasonable preparations to protect your own country. In the presence of heavily armed and hostile nations it is both unwise and unpatriotic to advocate the disarmament of your own country alone. Moreover, it is the least effective way to secure general disarmament.

"You know in your soul that this is true: If England proposed general disarmament, she would be listened to; if China proposed it, she would be laughed at.

"Cordially yours,

"W. H. C. CLARKE."

To this letter Doctor Crane replied briefly on March 3 in the following note:

"MY DEAR MR. CLARKE: Your letter of March 2 is at hand. A little reflection will convince you that there can be no mutuality of any kind unless some one begins. The obligation to begin is always upon the strongest. We are one of the strongest. It is our obligation to begin. I think Great Britain would follow suit. If not, the responsibility will be hers, not ours. There can be no advance in morals, either personal or international, without courage.

"Cordially, "FRANK CRANE."

This letter from Doctor Crane gave Mr. Clarke his opportunity to clinch the argument, which he did in the following:

"MY DEAR DOCTOR CRANE: Yours of the 3d received.

"I have you now. But I am afraid you're like myself—you won't admit it.

"You say, 'There can be no mutuality of any kind unless some one begins—it is our obligation to begin.' I disagree with you.

"Real mutuality of disarmament between nations means that all should disarm at once. If one starts and expects the others to follow, that is rank individualism and not mutuality at all.

"Contracts were invented to avoid the very risks of that kind of individualism. The contract is the real Simon-pure thing of mutuality. 'You disarm, and I will disarm too.' That is true mutuality.

"Would England disarm if we did?

"You think that if we disarm England will follow suit. If she would do that, why would she not strike a bargain to do it? And if she would not strike a bargain, why would she do the thing itself?

"I want mutual disarmament as much as you, and I deny that mutuality means a beginning by one. It means simultaneous action by all.

"We should propose mutual disarmament, and until that is secured it is only common sense to stay out of the class of China and India by arming the same as the others.

"Yours very truly,

"W. H. C. CLARKE."

Doctor Crane, convinced of the ultimate success of the campaign against war by the method of "arming for peace," wrote an editorial published in the New York Globe on October 27, 1922, entitled "Navy Day," in which he closed the discussion with Mr. Clarke, explained more completely his position of February 14, 1921, and sounded the first gun for the new method of warring against war. The forceful editorial is quoted in full:

"October 27, 1922, has been designated Navy Day, at the suggestion of the Navy League, approved by the Navy Department of the United States.

"It is the purpose of this designation to turn the minds of the country to our Navy, to the appreciation of it, and an understanding of its needs.

"I am glad to make my contribution to this cause. I am an out-and-out pacifist and not ashamed of it. I am also an internationalist. But I find nothing in either of these beliefs inconsistent with the desire to keep the Navy of the United States at its peak of efficiency and in its pink of perfection.

"As for pacifism, I am so much in favor of it that I do not wish to see it wrecked by unchecked and fanatic idealism. At bottom, pacifism merely means a settled hatred and opposition to war. There is only one way that wars can be got rid of, and that is by the great nations of the world coming to an understanding and entering into a pool with the object of settling all their international disputes by some international police force. Such a pool can never be formed except by strong nations equipped to deal as equals with other nations.

"We shall therefore never enter into such a compact as shall practically produce pacifism any other way than by keeping ourselves strong and ready to go in if the other fellows will go in, and stay out if they stay out. Until the time comes when the idea of universal peace and an ordered world shall have acquired strength enough to overcome primitive and unthinking nationalistic passion, our Navy should be in as good condition as that of any other nation.

"As for internationalism, the intelligent internationalist does not want a colloid or gluey world unity which discards tradition and endeavors to wipe out all nations.

"He looks rather for an international structure that shall be made up of strong, independent integers.

"In other words, he looks forward to federation. And the gist of federation is that each unit shall be sufficient to itself and shall pursue its own ideals while cooperating with every other unit.

"True internationalism simply means the Americanization of the world; that is, federating the nations of the globe in somewhat the same manner as the States of the American Union are federated, although, of course, with considerable difference.

"The idea, however, is exactly the same. I hope there never will come a time when the Nation of the United States of America, or the nation of Great Britain, or France, or Germany, shall cease to exist. Each should grow strong on its own roots. But I do hope that the time is coming when all of these nations shall become intelligent enough to get together in such a manner that their differences may be settled by law and not by violence.

"In other words, when the battle fleet of the world is formed which is 'to keep the fretful earth in awe,' I hope to see the United States of America make such contribution to that fleet as is worthy of its dignity and power.

"Hence I am in favor of such a naval force as shall be a credit to the country."

PEACE THROUGH PREPAREDNESS

Contained in the letters of Mr. Clarke and the final editorial of Doctor Crane are the arguments which form the foundation of all the moves for peace which have any expectation or reasonable hope of success.

These letters are published at the moment when a new movement for peace through preparedness is being inaugurated—a movement founded upon the vision of our late President, Warren G. Harding. In his inaugural address, in his eulogy of our dead at Arlington last Memorial Day, and in his address at Denver on his fatal trip west President Harding gave expression to the terms of an ideal republic, by which he meant a completely mobilized nation ready on the instant for war or any national emergency. Such mobilization would mean that every natural resource, every industry, every contrivance which makes for efficiency, and every individual capable of mental and physical effort would be called upon for whatever service the emergency required, to the total exclusion of profiteering, hoarding, price inflation, and unjust discrimination against classes of citizenship.

The letters and editorials in the Crane-Clarke correspondence strike the keynote for this great project. A nation mobilized and armed can enter international councils with the assurance of being heard, with the assurance of contributing to the advancement of international morals, international justice, and international peace.

NORTHERN PACIFIC HALIBUT FISHERY

Mr. WILLIS obtained the floor.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Ohio yield to the Senator from Washington?

Mr. WILLIS. I yield.

Mr. JONES of Washington. I do not like to interrupt for this purpose, but I will have to leave the Chamber at 2 o'clock, and, furthermore, if we are to get this bill through, we ought to get it over to the House very soon.

I report favorably from the Committee on Commerce with an amendment the bill (S. 3434) for the protection of the northern Pacific halibut fishery. It is to carry out the treaty we ratified just a few days ago. It simply provides for penalties for violations, and, as I am informed by the Department of Commerce, it is substantially the same as the action already taken by the Canadian Government from their side of the matter.

I would like to get the bill passed in order to give the House an opportunity to act on it, because if we do not, then the treaty will practically not be in effect until we meet in the fall and pass legislation.

So, Mr. President, I submit a favorable report from the Committee on Commerce on the bill and ask for its immediate consideration.

Mr. WILLIS. With the understanding that this will not displace the unfinished business, I shall not object.

Mr. JONES of Washington. That is my understanding.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3434) for the protection of the northern Pacific halibut fisheries. The amendment was on page 5, line 9, after the word "hereby," to insert the words "authorized to be," so as to make the bill read:

Be it enacted, etc.—

SECTION 1. Short title: This act may be cited as the northern Pacific halibut act.

SEC. 2. Definition of terms: For the purposes of this act "close season" shall mean the period from the 16th day of November in any year to the 15th day of February in the next following year, both days inclusive, or any other close season hereafter fixed by agreement between the United States and Canada; "territorial waters of the United States" shall mean the waters contiguous to the western coast of the United States and the waters contiguous to the coast of Alaska; "territorial waters of Canada" shall mean the waters contiguous to the western coast of Canada; and "prohibited waters" shall mean the territorial waters of the United States, the territorial waters of Canada, and the high seas, including Bering Sea, extending westerly from the limits of the territorial waters of the United States and of Canada.

SEC. 3. Fishing unlawful, when: It shall be unlawful for any person to fish for or catch or attempt to catch any halibut (hippoglossus) at any time during the close season in the territorial waters of the United States or for any national or inhabitant of the United States to fish for or catch or attempt to catch any halibut at any time during the close season in prohibited waters. The unintentional catching of halibut, when legally fishing for other species of fish, shall not constitute a violation of this act if such halibut shall be used for food by the crew of the vessel catching the same or be landed and immediately delivered to any authorized official of the Bureau of Fisheries of the Department of Commerce of the United States or the fishing authorities of the Dominion of Canada. The halibut delivered to any official of the United States pursuant to the provisions of this section shall be sold by the Department of Commerce to the highest bidder for cash and the proceeds therefrom, exclusive of necessary expenses in connection therewith, shall be covered into the Treasury of the United States.

SEC. 4. Unlawful port use; departures: No person, firm, or corporation shall use any port of or place in the United States to furnish, prepare, or outfit any vessel, boat, or other craft intended to be used in violation of this act, nor shall any person permit, or cause to be permitted, any vessel, boat, or other craft intended to be used in violation of this act to depart from any port of or place in the United States.

SEC. 5. Unlawful port entry; possession: It shall be unlawful for any vessel, boat, or other craft having on board any halibut caught contrary to the provisions of this act to enter any port or place in the United States, or for any vessel, boat, or other craft to enter any such port or place while upon or in the prosecution of any voyage during which the vessel, boat, or other craft fished or was used in fishing for halibut in prohibited waters in the close season. It shall be unlawful for any person knowingly to have in his possession any halibut unlawfully caught under the provisions of this act.

SEC. 6. Penalty: Any person violating any of the provisions of this act shall be fined not less than $100 nor more than $1,000 or imprisoned not more than one year, or both.

SEC. 7. Patrols; searches: The President shall cause a patrol of naval or other public vessels designated by him to be maintained in such places and waters as to him shall seem expedient for enforcing this act, and any officer of any vessel engaged in such service, and any other officers designated by the President, may search any vessel, boat, or other craft in the territorial waters of the United States and any vessel, boat, or other craft of the United States on the high seas when suspected of having violated or being about to violate the provisions of this act.

SEC. 8. Canadian vessels and nationals: Every national or inhabitant and every vessel of Canada found violating this act shall be delivered as soon as practicable to an authorized official of Canada at the nearest point to the place of seizure or elsewhere as the officials of the United States seizing the same and the authorized officials of Canada may agree upon, and the witnesses and proof necessary to the prosecution of said persons and vessels of Canada shall be furnished with reasonable promptitude to the authorities of Canada having jurisdiction thereof.

SEC. 9. Seizure and forfeiture: Every vessel, boat, or craft employed in any manner in violating this act shall be seized by any collector, surveyor, inspector, officer of a revenue cutter, or person specified in section 7 hereof, and except as provided in section 8 hereof, every such vessel, boat, or craft, including its tackle, apparel, furniture, cargo, and stores, shall be forfeited to the United States by proper proceedings in any court of the United States in Alaska, California, Oregon, or Washington.

SEC. 10. Fisheries commission exemption: None of the inhibitions contained in this act shall apply to the International Fisheries Commission when engaged in any scientific investigation.

SEC. 11. Appropriation: There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 for the fiscal year 1925 for the salaries and expenses of the International Fisheries Commission.

SEC. 12. Duration of act: This act shall take effect immediately and continue in force until the termination of the convention concluded by the United States and Great Britain on March 2, 1924, for the protection of the halibut fishery of the northern Pacific Ocean.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MUSCLE SHOALS

Mr. UNDERWOOD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Alabama?

Mr. WILLIS. I yield.

Mr. UNDERWOOD. I want to ask unanimous consent for an order.

Mr. WILLIS. I yield for that purpose, if it will not displace the unfinished business.

Mr. UNDERWOOD. Mr. President, yesterday I asked unanimous consent that the Senate take up and consider House bill 518, which is known as the Muscle Shoals bill. I was unable to secure unanimous consent, after making the effort twice.

I realize that in the congested condition in the closing hours of Congress it will be very difficult to get the debate closed in time for a vote, and I also realize that the question under consideration, as to whether this great property shall be operated by Mr. Henry Ford under his proposal or by a Government corporation, is a matter entitled to the serious and deliberate consideration of the Senate. So I have collaborated with those on each side of the question, and I ask unanimous consent for the setting down of the bill for consideration at an early date in December.

I wish to say that I have gone over the matter with the Senator from Nebraska [Mr. NORRIS], chairman of the Committee on Agriculture and Forestry, and he has agreed with me with reference to this order, and he asked me to state that he agreed to it, if he was not on the floor when the matter came up.

Therefore I ask that an order be entered as follows:

Ordered (by unanimous consent), That on the calendar day of December 3, 1924, at 2 o'clock p. m., H. R. 518, as reported by the committee, shall be taken up by the Senate for consideration and not laid aside until finally disposed of, and that this order shall not be set aside except by unanimous consent.

The PRESIDING OFFICER. The Senate has heard the reading of the unanimous-consent request. Is there objection?

Mr. BORAH. Mr. President, I was engaged while the request was being read. Will the Senator read it again?

Mr. UNDERWOOD. The request is that the following order be entered:

Ordered (by unanimous consent), That on the calendar day of December 3, 1924—

Which is Wednesday—

at 2 o'clock p. m., H. R. 518—

Known as the Muscle Shoals bill—

as reported by the committee, shall be taken up by the Senate for consideration, and not laid aside until finally disposed of, and that this order shall not be set aside except by unanimous consent.

Mr. ROBINSON. What is the date the Senator fixes?

Mr. UNDERWOOD. The 3d of December.

The PRESIDING OFFICER. Is there objection?

Mr. WILLIS. I do not object, but I call the attention of the Senator from Alabama to the fact that there is already one unanimous-consent order entered for a date early in December.

Mr. UNDERWOOD. That is in relation to executive business, as I understand it.

Mr. WILLIS. It provides, as I recall it, that on December 10, 1924, immediately after the conclusion of the routine morning business, the Senate, as in open executive session, shall proceed to the consideration of the treaty with Cuba relating to the adjustment of the title to the Isle of Pines.

Mr. UNDERWOOD. I understand that, but these two orders do not conflict, because it has been repeatedly held in the Sen-

ate that if we have an order for legislative business, it does not prevent the Senate from going into executive session, whether it is open or closed, to consider executive business. Besides, that order is for a week later, and I think if this measure is taken up at the time I mention it will not require more than three or four days to dispose of it.

Mr. WILLIS. I do not object to the Senator's request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the order will be entered.

EXTENSION AND WIDENING OF STREETS

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives further insisting upon its amendments to the bill (S. 114) to vacate certain streets and alleys within the area known as the Walter Reed General Hospital, District of Columbia; and to authorize the extension and widening of Fourteenth Street from Montague Street to its southern terminus south of Dahlia Street, Nicholson Street from Thirteenth Street to Sixteenth Street, Colorado Avenue from Montague Street to Thirteenth Street, Concord Avenue from Sixteenth Street to its western terminus west of Eighth Street west, Thirteenth Street from Nicholson Street to Piney Branch Road, and Piney Branch Road from Thirteenth Street to Butternut Street, and for other purposes, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BALL. I move that the Senate insist upon its disagreement to the House amendments, ask for a further conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BALL, Mr. JONES of Washington, and Mr. KING conferees on the part of the Senate.

INDEPENDENT OFFICES APPROPRIATIONS

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives insisting upon its disagreement to the amendments of the Senate to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. Mr. President, I move that the Senate insist on its amendments in disagreement, agree to a further conference, and that the Chair appoint the conferees.

Mr. ROBINSON. What is the effect of the report?

Mr. WARREN. There is a disagreement on two items.

Mr. ROBINSON. What are they?

Mr. WARREN. One of them is as to attorneys for the Emergency Fleet Corporation and the other one has relation to the repairs of ships.

Mr. NORRIS. The latter is the one on which the House rejected the conference report?

Mr. WARREN. They have disagreed to two of the provisions, to which I have referred, and they have asked a further conference.

Mr. NORRIS. The House itself has voted on the conference report and rejected it?

Mr. WARREN. Yes.

Mr. NORRIS. I want to make a motion, Mr. President. My attention was diverted, and I do not know just what the parliamentary status is.

Mr. WARREN. The status is this: That I have made a motion that the Senate insist on its amendments in disagreement, and Senators will have to vote in the affirmative or the negative on that.

Mr. NORRIS. I want to make a motion that the Senate recede from the amendment in relation to the shipbuilding proposition. I can not give the number of the amendment.

Mr. COPELAND. It is amendment No. 11.

Mr. NORRIS. At the proper time I want to move that the Senate recede from its amendment. If the Chair holds that we will have first to vote on the other propositions, I am willing to make the motion afterwards, but I want that understanding.

Mr. WARREN. It must be sent to conference before anything can be done with it.

Mr. NORRIS. We can recede at any time we want to as to any amendment we have made. There is no question about that. That motion is in order.

Mr. WARREN. You can take the whole thing away from the conferees.

The PRESIDING OFFICER. The Chair understands that the Senator from Wyoming has made a motion that the Senate shall insist upon its amendments and ask for a further conference.

Mr. NORRIS. My motion would take precedence over that. I move that the Senate recede from its amendment numbered 11. If that prevails, it will mean that that amendment will be out of conference, and we will have agreed to the House bill on that proposition.

The PRESIDING OFFICER. The Chair understands that if the motion were made to adopt the conference report and then the Senator from Nebraska made a motion to concur or recede, his motion would not take precedence; but the motion of the Senator from Wyoming is to insist upon the Senate amendments, and the Chair will hold that the Senator's motion is in order in that case.

Mr. NORRIS. I think there is no doubt that it is in order now.

Mr. WARREN. I understand the Chair to hold that the motion made by the Senator from Nebraska is in order?

The PRESIDING OFFICER. The Chair so holds.

Mr. WARREN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The reading clerk will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Adams	Edwards	Ladd	Sheppard
Ashurst	Fernald	La Follette	Shipstead
Ball	Ferris	Lenroot	Shortridge
Bayard	Fess	Lodge	Simmons
Borah	Fletcher	McKellar	Smith
Brandegee	Frazier	McKinley	Smoot
Brookhart	George	McLean	Spencer
Broussard	Glass	McNary	Stanfield
Bruce	Gooding	Mayfield	Stephens
Bursum	Hale	Moses	Sterling
Cameron	Harreld	Neely	Swanson
Capper	Harris	Norbeck	Trammell
Caraway	Harrison	Norris	Underwood
Colt	Heflin	Oddie	Wadsworth
Copeland	Howell	Overman	Walsh, Mass.
Cummins	Johnson, Calif.	Pepper	Walsh, Mont.
Curtis	Johnson, Minn.	Phipps	Warren
Dale	Jones, N. Mex.	Pittman	Watson
Dial	Jones, Wash.	Reed, Mo.	Willis
Dill	Kendrick	Reed, Pa.	
Edge	Keyes	Robinson	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

Mr. COPELAND. Mr. President, Senators will recall what the question in controversy is. The House sent over to us a bill providing as follows:

That no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase, acquirement, repair, or reconditioning of any ship or article that at the time of the proposed purchase, acquirement, repair, or reconditioning can be manufactured, repaired, or reconditioned, when time and facilities permit, in each or any of the navy yards or any Government factory of the United States at an actual expenditure of a sum less than it can be purchased, acquired, repaired, or reconditioned otherwise.

That is, if the conditions were such in the navy yard that the repairs could be made there, the contracts should be let to and the work should be done by the navy yard. Then the matter came over to the Senate and on the floor of the Senate an amendment was adopted which simply defined the same purposes. Then the matter went to conference and the conference committee have now reported new language providing that the matter shall be referred to the navy yard if in excess of $100,000, provided the President shall so direct. The House has rejected the conference report, and, as I understand the motion of the Senator from Nebraska, it is to the effect that the Senate shall recede from the amendment of the Senate and accede to the language of the House text, which, in my judgment, is what the Senate should do.

The PRESIDING OFFICER. The Chair understands the parliamentary status is that the question is, Shall the Senate recede from its amendment?

Mr. NORRIS. My motion is to recede from the Senate amendment, and that would leave the House bill stand as it was originally.

The PRESIDING OFFICER. The motion of the Senator from Nebraska is that the Senate recede from its amendment numbered 11.

Mr. NORRIS. That is correct.

Mr. WARREN. Mr. President, the two matters in disagreement on the part of the House and the Senate, as I understand the matters at issue, are first the annual employment of attorneys for the Emergency Fleet Corporation, and the other one is as to repair of ships in navy yards. When the House first sent over the appropriation bill it was amended in the Senate Committee on Appropriations. It was unsatisfactory

to some Senators as to repairs on ships, and on the floor of the Senate the chairman of the Committee on Appropriations accepted the amendment exactly as it was proposed by those who submitted it in amendment of the House provision. After the bill had been passed by the Senate and gone back to the House I was approached by several Senators, among them the Senator from Nebraska [Mr. NORRIS], who now makes the motion, who stated to me that there had been a mistaken view and that the bill was wrong in that respect. The Senator from Nebraska asked whether he should recall it from the House to make a further amendment. My reply was that I thought we could handle it in conference, but to call it back from the House if he wished. In the conference that followed there was a full agreement, but the two matters in disagreement had to be taken back to the House because of their rules with reference to certain amendments. It now comes back to the Senate in that condition. The motion of the Senator is that we shall do what?

Mr. NORRIS. That we shall recede from the Senate amendment.

Mr. WARREN. That would leave it in the manner in which he and others were dissatisfied with it before. I hope the motion will not prevail.

Mr. NORRIS. The Senator from Wyoming unnecessarily feels that there is some discourtesy to him in the motion.

Mr. WARREN. Oh, no.

Mr. NORRIS. I hope he will not get that idea from the motion or from anything that anyone may have said. The Senator from New York [Mr. COPELAND] explained the matter as I think it really existed. The House bill came over here and was referred to the Committee on Appropriations. The committee reported it back with an amendment. The amendment was debated and modified, or defeated and changed. Anyway, on the floor of the Senate an amendment was put in that was offered by the Senator from New York. It was late in the evening when the amendment was agreed to. It was modified two or three times during the discussion. It was discovered afterwards, when the bill was printed next day, that the amendment did not cure the defect which it was sought to cure, and it appeared that we had put in an amendment that was not well understood when it was agreed to.

I went to the chairman of the Committee on Appropriations, as he said, and called his attention to it. I think he was convinced, as everybody was, that the way the amendment actually and technically went in it was almost meaningless. I suggested that I would make a motion on the floor of the Senate to reconsider the vote by which the bill was passed the day before and get it back easily enough; but he preferred not to do that, and said we had better let it go to conference. It went to conference. The conferees changed all of it and agreed to another amendment, which, in my judgment, was worse than any of them. It went to the House of Representatives, and the House rejected the amendment. It now comes back here, and I have made a motion to recede from the Senate amendment. That means that in this respect, if the motion prevails, the conference is ended, because the House text would be the language that would be left in the bill and that would become the law. That is all there is to it. The conference committee ought not to feel aggrieved about it. They ought to be glad, because they have reported two amendments in disagreement and this would relieve them entirely from one of them.

Mr. WARREN. Mr. President, will the Senator yield?

Mr. NORRIS. Certainly.

Mr. WARREN. What I wish to say is this: The bill was not satisfactory in this particular respect in either House. It was not satisfactory here and it was not satisfactory to the House. The move now is to send it back to conference in order that it be made agreeable and satisfactory to both Houses. The peremptory way—and I say it with perfect respect, because it is all perfectly right if the Senate sees fit to do it—is finally to come to an end with it, when it is not satisfactory to either House, where if it is sent to the commitee on conference, that committee will intend to fix it so that it will be finally satisfactory to both Houses.

Mr. COPELAND. Mr. President, will the Senator from Nebraska yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New York?

Mr. NORRIS. I yield.

Mr. COPELAND. I would like to say that my objection to the conference report is that the new language substituted by the committee is less satisfactory than the original language presented to us by the House.

Mr. NORRIS. With all due respect to everybody and recognizing that we may honestly disagree on it, I agree with the Senator from New York that I would rather have the House text than the language submitted by the conference committee, but we must bear in mind that in addition to that the conference report has been rejected by the House and we have nothing before us. It has been rejected already in the House. If we recede from our original amendment, that takes that part of the bill out of conference and leaves it as the House passed it originally.

Mr. DILL. The language accomplishes the purpose which the Senator desires, and if his motion is agreed to there will be no more trouble about the conference report.

Mr. NORRIS. None whatever. The language goes out and the bill becomes the law without it, but containing the original language of the House text.

The PRESIDING OFFICER. The Chair would like to ask the Senator from Nebraska a question. If the Senate recedes, is there any other point in difference so the matter would have to go back to conference?

Mr. NORRIS. Oh, yes; there is still another amendment in disagreement.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska that the Senate recede from its amendment No. 11.

Mr. JONES of Washington. Mr. President, I wish to say just a few words. I sympathize very much with the general opinion of the Senator from Nebraska with reference to work being done in the navy yards, and especially as it applies to naval ships or Government ships. But I think that there is an entirely different situation that confronts us when we endeavor to apply that to commercial ships which the Government is trying to run in a commercial way. I do not believe we could put a very much greater handicap upon our merchant marine than to subject it to the restrictions to which the House language would subject it.

I stated my view before, and I am not going to take further time of the Senate now. I think it would be very unfortunate for our merchant marine, which is struggling against all sorts of handicaps, to handicap it a little bit further by requiring repairs and reconditioning to be done in a navy yard. I am in favor of having battleships and naval ships repaired in the Government navy yards.

But the condition surrounding the operation of warships is entirely different from that surrounding the operation of merchant ships which are in competition with the merchant ships of the world. I believe that to adopt the House language would be a further handicap upon the development of our merchant marine.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska [Mr. NORRIS]. [Putting the question.] The "noes" seem to have it.

Mr. NORRIS. I ask for a division. I only heard two "noes."

Mr. SMOOT. I ask for the yeas and nays, Mr. President.

Mr. NORRIS. All right; let us have the yeas and nays.

The yeas and nays were ordered.

Mr. WARREN. Mr. President, owing to the confusion in the Chamber, there is some doubt as to the question upon which the Senate is about to vote. I wish the Chair would state what a vote "yea" or what a vote "nay" will mean.

The PRESIDING OFFICER. The motion upon which the Senate is now to vote is the motion of the Senator from Nebraska to recede from the position of the Senate. Those in favor of that motion will say "yea."

Mr. SMITH. That is, a vote to recede will be "yea"?

The PRESIDING OFFICER. That is correct. The Secretary will call the roll.

The principal clerk proceeded to call the roll.

Mr. McKELLAR (when the name of Mr. SHIELDS was called). The senior Senator from Tennessee [Mr. SHIELDS] is temporarily absent on the business of the Senate.

The roll call was concluded.

Mr. CURTIS. I have been requested to announce the following pairs:

The junior Senator from Kentucky [Mr. ERNST] with the senior Senator from Kentucky [Mr. STANLEY]; and

The senior Senator from West Virginia [Mr. ELKINS] with the senior Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 32, nays 44, as follows:

YEAS—32

Adams	Ferris	Jones, N. Mex.	Reed, Mo.
Borah	Frazier	La Follette	Robinson
Brookhart	George	McKellar	Sheppard
Broussard	Harris	Mayfield	Shipstead
Caraway	Harrison	Neely	Smith
Copeland	Heflin	Norbeck	Trammell
Dill	Howell	Norris	Walsh, Mass.
Edwards	Johnson, Minn.	Pittman	Walsh, Mont.

NAYS—44

Ball	Edge	Lodge	Simmons
Bayard	Fernald	McKinley	Smoot
Brandegee	Fess	McLean	Spencer
Bruce	Glass	McNary	Stanfield
Barsum	Gooding	Moses	Stephens
Cameron	Hale	Oddie	Sterling
Capper	Harreld	Overman	Swanson
Colt	Jones, Wash.	Pepper	Underwood
Cummins	Kendrick	Phipps	Warren
Curtis	Keyes	Reed, Pa.	Watson
Dale	Lenroot	Shortridge	Willis

NOT VOTING—20

Ashurst	Fletcher	Ladd	Shields
Conzens	Gerry	McCormick	Stanley
Dial	Greene	Owen	Wadsworth
Elkins	Johnson, Calif.	Ralston	Weller
Ernst	King	Ransdell	Wheeler

So the motion of Mr. NORRIS was rejected and the Senate refused to recede from its amendment numbered 11.

Mr. COPELAND. Mr. President, is it in order now to move that the Senate insist on the language of its amendment to the bill? It will be recalled——

Mr. WARREN. Mr. President, I do not understand what it is the Senator from New York desires.

Mr. COPELAND. It will be recalled that the conferees substituted language for that which had been agreed to; they brought in an amendment which, to my mind, is out of harmony with the amendment adopted by the Senate as well as the provision adopted by the House.

Mr. WARREN. I do not agree with the Senator as to that at all. There never was a bill sent to conference of any moment as to which in reconciling differences between the two Houses it was not necessary to rearrange the wording.

Mr. COPELAND. Mr. President, is it in order to move that the Senate insist upon the language of the amendment which passed the Senate?

The PRESIDING OFFICER. The Chair would have to rule that that would be instructions to the conferees, and would not be in order until after the Senate has acted on the motion of the Senator from Wyoming.

Mr. WARREN. Mr. President, I wish to say to the Senator from New York that in cases of this kind the usual motion is to insist upon the amendment in order that the Senate conferees may go back to conference and meet the conferees on the part of the House and endeavor to reconcile the differences. Therefore, I now move that the Senate insist upon its amendments still in disagreement, and ask for a further conference with the House, the conferees on the part of the Senate to be appointed by the Chair.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wyoming.

Mr. HARRISON. Mr. President, may I ask the Senator from Wyoming a question touching amendment No. 15, having to do with the sale of a book at the Washington Monument?

Mr. WARREN. That is not in disagreement; that question has been settled.

Mr. HARRISON. I understand it is not in disagreement, and that is what I am complaining about. I had hoped it would be settled by adopting the amendment which the Senate incorporated in the bill—the Caraway amendment—so called, which restored the old law and granted authority to the Secretary of War to allow a certain person to put a book on exhibit at the Washington Monument and to sell it.

I wish to express my regret that the House did not accept the Senate amendment and that the amendment will not become a part of the law. Here is a book, Mr. President, describing the Washington Monument in full detail. The book was prepared by a woman of high literary attainments and talent, and high compliments have been paid to it because of its constructive features and descriptions, and so on. For some reason that I have never understood—and I do not think the explanation which has been offered has been reasonable in the mind of anyone—this lady was stopped from selling the book at the Washington Monument. It has been sold there for 20 years. There is no doubt about it being accurate and being worth the money for which it is sold. Neither is there doubt that many visitors to the Washington Monument wish to take back home with them some souvenir such as this little book. Yet, without rhyme or reason, after the Senate adopted an amendment proposing to allow the book to continue to be sold, the House refuses to accept the amendment, and it seems the conferees allowed it to be stricken out.

Since that has been done and the question is no longer in conference, I understand that a bill has been introduced intended to carry out the purpose of the amendment which the Senate attached to the appropriation bill. I hope that when that bill comes up for consideration it will pass not only the Senate but the House and become a law.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wyoming that the Senate insist upon its amendments still in disagreement, ask for a further conference, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and Mr. WARREN, Mr. JONES of Washington, and Mr. OVERMAN were appointed conferees on the part of the Senate.

PENSIONS AND INCREASE OF PENSIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6941) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. WILLIS. Mr. President, when I took the floor some time ago I took it for the purpose of inviting attention to the very remarkable amendment that has been offered by the Senator from South Carolina [Mr. DIAL] to this pension bill, which is the unfinished business.

The unfinished business before the Senate is House bill 6941, an act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war. To that bill the Senator from South Carolina offers an amendment which is most remarkable in its content. I trust Senators have examined Senate Joint Resolution 121, which is offered as an amendment to the pending bill.

The joint resolution provides, amongst other things—

> That the Secretary of the Treasury, the Alien Property Custodian, and the three directors first appointed as provided in section 3, and their successors, are hereby created a body corporate by the name of the "Alien Property Trade Investment Corporation."

So much for the organization of the corporation.

The inquiry is perfectly natural as to what funds it is proposed shall be devoted to this corporation for its uses and purposes.

Mr. BRUCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Maryland?

Mr. WILLIS. I do.

Mr. BRUCE. I know that order is a very difficult thing to secure, but can we not have some semblance of order in the Chamber so that we can hear what the Senator says?

Mr. WILLIS. I shall make a very strenuous effort to make myself heard.

The PRESIDING OFFICER. The point of order is well taken. The Senate will please be in order; and the occupants of the galleries will please note that they are here at the permission of the Senate, and that order must be maintained in the galleries.

Mr. WILLIS. Paragraph (2) of section 4 undertakes to describe the source whence the funds for the operation of this remarkable corporation shall be obtained. That section provides:

> The term "trust deposit funds" means the money or the proceeds of the property of any claimant conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him under the trading with the enemy act, or any amendment thereof.

So that, shorn of all of its verbiage, here is the proposition: It is proposed to create a corporation, consisting of certain officials of the United States, and authorize that corporation to take a trust fund for the management of which the United States is responsible, a sacred trust which it is bound in honor to discharge.

The trustee, in other words, proposes to take the trust funds and engage in trading speculations. Under the provisions of our treaty with Germany the United States undertakes to hold these funds as trustee for the benefit of American citizens who otherwise would have claims against the German Government. If any amount remains, the residue is to be returned to the original owners, to whom the German Government binds itself to make good any loss to its nationals.

Now, let us see what is proposed to be done with this money belonging to American citizens or to its original owners. It is admitted, in the first place, that it does not belong to the United States. It belongs either to the persons from whom the property was taken, or to American citizens who have claims against that fund under treaty arrangements that we made with the German Republic; so that it is not the property of the United States at all.

It is further stated in paragraph (2), page 5:

The Alien Property Custodian is authorized to subscribe to the remainder of the capital stock of the corporation, to be paid out of the trust deposit fund—

To which I have just drawn the attention of the Senate.

Now, the proposed capitalization is $150,000,000. What are we going to do with this money? I read from section 6:

The corporation is authorized to make advances to any citizen or subject of Germany, Austria, or Hungary (within the meaning of subdivision (b) of section 9 of the trading with the enemy act, as amended), or to any partnership, association, or corporation organized in or created under the laws of Germany, Austria, or Hungary, and doing business therein, for the purchase of raw materials or other products to be exported for manufacture or consumption in Germany, Austria, or Hungary. In no case shall any of the money so advanced be expended without the United States.

So here we have this proposition: We are proposing to create a corporation made up of certain officials of the United States, and to give them the trust fund that is now in the hands of the Alien Property Custodian, and authorize them to loan that to individuals or to corporations or partnerships over in Germany or Austria somewhere, with the idea that they will buy products here in the United States.

Mr. BAYARD. Mr. President——

Mr. WILLIS. I yield to the Senator from Delaware.

Mr. BAYARD. I would suggest to the Senator another thought, if I may, and that is this: If the Senator will read the testimony taken before the House committee he will find an extraordinary state of facts. He will find, among other things, that at no time have the alien claimants to this fund been asked as to whether or not they desire to go into this scheme. They are the beneficiaries of this fund or certain portions of it; and, under the law, while a beneficiary may go to his trustee and ask that certain investments be made, and then the trustee may, with the approval of the court, indulge in those investments, in this case the beneficiary never has gone to the trustee, and we are undertaking to say to the beneficiary: "We will do what we please with a sacred trust." In other words, nationally we are betraying our trust; and may I say one thing more, and that is this: I am credibly informed that the German claimants to this fund and the Austrian claimants and the German Government and the Austrian Government are frowning upon this proposition.

Mr. WILLIS. Mr. President, I thank the Senator from Delaware for his very useful interruption.

Now let me call attention to one thing more.

On page 10 of the joint resolution it provides:

The United States hereby guarantees every trust deposit fund, out of which any subscription to the capital stock of the corporation has been paid, against any loss resulting from such subscription.

Here, then, you have this astounding situation: Here is a trust fund upon which the original owners and citizens of the United States who suffered damage in the World War have just claims because of treaty provisions with the German Republic. You have that fund now in the hands of the United States as trustee, and yet it is proposed that the trustee shall take that fund, engage in business, loan it to people over in Europe, and then, after the thing is all over, if there has been any loss—and it is quite certain that there will be—the Government of the United States is to guarantee all these loans and to be entirely responsible.

Mr. President, I have been speaking of the merits of the joint resolution as a separate proposition. It seems to me no such measure, which breaks faith and interferes with the undoubted rights of American citizens, ought to receive serious consideration; and yet it is proposed to take that measure and engraft it upon a pension bill which undertakes to provide pensions for old soldiers! It is the most amazing proposition that I have heard of during my brief service here, and I trust that the amendment will not be agreed to.

BOULDER CANYON DAM

Mr. JOHNSON of California. Mr. President, for injecting a matter that may not seem wholly germane I make due apologies to this body. I do it because of the importance of the particular measure to which I advert—a measure that perhaps is not familiar to many Members of the Senate—and because, by virtue of the adjournment on Saturday next, it will be quite impossible to take up this very important measure.

It is essential, because an appropriation was carried by the particular bill, that originally it be presented in the House. The House has had its hearings. Those hearings have been completed. Probably a report very soon would have been made, we trust a favorable report; but the proximity of adjournment has rendered impossible even a report, and action upon the bill in these brief few days is something that we can not, of course, hope for.

I speak of the measure, though, that it may become a matter of record, and that I may call it to the attention of my brethren here—call it to their attention, because it is fraught with the most potential possibilities for the great Southwest, and because at the beginning of the session when next we convene I expect to take it up before the appropriate committee, eliminating a direct appropriation in the fashion that may be necessary in order to permit the Senate to act upon it first, and then press it to final favorable conclusion.

Mr. President, on December 10 last I introduced in the Senate bill No. 727, entitled "A bill to provide for the protection and development of the lower Colorado River Basin," and this measure is now pending before the Committee on Irrigation and Reclamation.

On the same day a companion bill, in identical terms, was introduced by Congressman Swing in the House. That bill has been the subject of extensive hearings before the House Committee on Irrigation and Reclamation; but as yet, as I have just explained, no report has been made thereon.

This bill is of an urgency character, and, because of its transcendent importance to the people of the entire Southwest, I feel impelled, with your indulgence, to call attention at this time to some of its main features.

By this bill it is proposed that the Government shall construct a high dam on the Colorado River, in the vicinity of Boulder Canyon, for the purpose of impounding the waters of that stream in the interest of flood protection and irrigation in the valleys below.

The bill also provides for the construction by the Government of certain canals in Arizona, Nevada, and California to take water from the reservoir created by the dam and from the river for irrigation purposes. These canals include what is referred to in the bill as "a main canal and appurtenant structures located entirely within the United States connecting the Laguna Dam on said river with Imperial and Coachella Valleys, in California."

For these purposes the bill would authorize a maximum appropriation of $70,000,000, to be expended through the Department of the Interior.

As an incident to the construction of the dam it is contemplated that extremely valuable power rights will be created. The cost of the dam will be charged against these rights. The cost of the canals will be charged against the lands to be brought under irrigation on a basis of repayment fixed by the Secretary of the Interior in conformity with the reclamation act.

It is not intended by the bill that the Government shall itself go into the power business, or shall develop or distribute the power which the construction of the dam would make possible. That is to be left to lessees and grantees to whom shall be allotted the privilege of utilizing the power rights and making the energy available for the market.

Leases are limited to 50 years, but permanent rights may be granted to States, cities, and other public agencies agreeing to pay therefor a pro rata share of the cost of the dam and of operation and maintenance charges. Political subdivisions are to be preferred in the disposal of these rights.

The entire cost of the dam and canal projects is to be repaid the Government, with interest, in not to exceed 50 years.

The urgency of this bill is extreme and can hardly be overstated. It grows out of two very serious conditions:

First. The annual floods of the Colorado River have become an intolerable menace to life and property along its lower reaches.

Second. The development of Imperial Valley, Calif., has reached the point where the existing arrangement of obtaining its water supply from the Colorado by means of a canal passing through Mexico is no longer safe or justifiable.

The Colorado River is no puny stream. It has a total length of 1,750 miles, and flows through seven great States, namely, Wyoming, Colorado, Utah, New Mexico, Arizona, Nevada, and California. Crossing into Mexico, it discharges into the Gulf of California. The drainage basin of this river has an area of approximately 244,000 square miles. Its mean annual discharge at the Laguna Dam, 12 miles above Yuma, Ariz., is about 17,000,000 acre-feet. Its flow at times reaches the volume of 200,000 cubic feet per second for a period of several weeks.

Imperial Valley is located in the extreme southeastern part of California. It is bounded on the south by the Mexican line and

on the east by the Colorado River. On the American side a range of sand hills lies between the river channel and the valley floor. On the Mexican side the river, flowing in a general southwesterly direction, actually rides on a ridge of silt deposited by its own waters, and standing many feet above the surrounding country. The surface of the ground, including the land in Mexico and in the United States, slopes to the west and north, away from the river. The valley floor is all of a lower elevation than the river channel, and is from 50 to 250 feet below sea level.

The pioneer settlers who undertook to reclaim this valley from its original desert state turned to the Colorado River for the only available water supply to irrigate their farms. They selected a diversion point on the American side, but the sand hills to which I have referred forced them to build their canal through Mexico for a distance of 60 miles.

When the work of reclamation began it soon became apparent that the same river that supplied the water needed by the farmers would be a constantly increasing menace to the inhabitants of the valley. From the Mexican side came the danger of overflow through the breaking of the river banks in times of flood. This danger grew with the gradual building up of the bed of the stream by the deposits of silt. The problem of providing protective works was enormously complicated by the fact that such works must be built and maintained in Mexico. Levees were constructed by the people of the valley in an effort to hold the river in its course as it flowed through Mexico, but against its whirling, rushing floods these works, built of necessity from the unstable material of the locality, could give but partial and temporary protection.

In 1906 the river broke from its channel in Mexico, dissipated the levees and dikes, flowed into Imperial Valley, and overwhelmed thousands of acres of producing lands. The bed of the river channel, as the result of annual silt deposits, is now 15 feet higher than it was when the flood of 1906 occurred. Only by the greatest vigilance and the expenditure of large sums of money on protective works have the people of Imperial Valley been able to avert other disasters similar but vastly more terrible.

Imperial Valley contains a population of 70,000, a half dozen well-built cities, 450,000 acres of cultivated farms, $100,000,000 of property values which have been created in the space of 20 years, and all the improvements of a modern community. All this is under a constant menace of destruction from the floods of a rebellious and treacherous river.

Other valleys of the lower Colorado also greatly need protection from its high-water flows, including Yuma and Parker, in Arizona, and Palo Verde and Needles, in California. All these have suffered from its terrible floods; all are concerned with Imperial and Coachella Valleys in the solution of its mighty problems.

The pending bill, in providing for the protection and development of the lower Colorado River Basin, calls upon the Government to undertake a work which must be done, and can not be done by any other agency.

An act of Congress, approved May 18, 1920, known as the Kinkaid Act, authorized and directed the Secretary of the Interior to have studies made of Imperial Valley, Calif., and related subjects, with respect to irrigation from the Colorado River. It also required the Secretary to report the result of such studies to Congress.

The studies required were made by the Director of the Reclamation Service, and his report to the Secretary of the Interior was transmitted by the latter, with his approval, to the Senate under date of February 28, 1922. It was printed and may be found in Senate Document 142, Sixty-sixth Congress, second session. The report of the director opens with this significant declaration:

> The control of the floods and development of the resources of the Colorado River are peculiarly national problems for several good reasons:
>
> 1. The Colorado River is international.
> 2. The stream and many of its tributaries are interstate.
> 3. It is a navigable river.
> 4. Its waters may be made to serve large areas of public lands naturally desert in character.
> 5. Its problems are of such magnitude as to be beyond the reach of other than national solution.

The report of the Director of the Reclamation Service so transmitted by the Secretary of the Interior, with his approval, to the Senate, embodied these recommendations:

> 1. It is recommended that through suitable legislation the United States undertake the construction with Government funds of a high-line canal from Laguna Dam to the Imperial Valley, to be reimbursed by the lands benefited.
>
> 2. It is recommended that the public lands that can be reclaimed by such works be reserved for settlement by ex-service men under conditions securing actual settlement and cultivation.
>
> 3. It is recommended that through suitable legislation the United States undertake the construction with Government funds of a reservoir at or near Boulder Canyon on the lower Colorado River, to be reimbursed by the revenues from leasing the power privileges incident thereto.
>
> 4. It is recommended that any State interested in this development shall have the right at its election to contribute an equitable part of the cost of the construction of the reservoir and receive for its contribution a proportionate share of power at cost to be determined by the Secretary of the Interior.
>
> 5. It is recommended that the Secretary of the Interior be empowered after full hearing of all concerned to allot the various applicants their due proportion of the power privileges and to allocate the cost and benefits of a high-line canal.
>
> 6. It is recommended that every development hereafter authorized to be undertaken on the Colorado River by Federal Government or otherwise be required in both construction and operation to give priority to right and use:
>
> First. To river regulation and flood control.
> Second. To use of storage water for irrigation.
> Third. To development of power.

The pending bill was drawn in harmony with the plan of development outlined in these recommendations.

President Harding, on the tour ending with his death, carried with him the manuscript of a speech he had prepared for delivery at San Diego on the development of the Colorado. It contained these statements:

> Such a gigantic operation may not be accomplished within the resources of the local communities. It is my view, and I believe the accepted view of a large part of our people, that the initial capital for the installation of these engineering works must be provided by the American people as a whole, and truly the American people as a whole benefit from such investment. The addition to our national assets of so productive a unit benefits not alone the local community created by it, but also, directly and indirectly, our entire national life.
>
> The first of the steps to be taken in this tremendous engineering task lies in the construction of the great dams on the Colorado River, through which the spring flood may be held in reserve for summer use and by which the great dangers which now threaten the communities of the lower river may be safeguarded. It is not my purpose to enter upon the technical discussions as to where such great works should be installed.

The bill, in proposing a full-height storage dam at Boulder Canyon, conforms to the plan of development outlined by the Director of Reclamation and approved by the Interior Department. It also meets the wise and statesmanlike views of our lamented President. Such a dam would assure protection from floods. It would guarantee a full water supply for a half million acres now irrigated from the river. It would also provide for a million and a quarter acres of fertile lands now desert and unreclaimed. It would do more than all this. It would create power possibilities of sufficient value to repay in a single generation every dollar of cost of the dam. The power markets of the adjoining States would convert the Government's outlay from a dead expense to a safe investment sure of repayment with interest.

However, this plan of making the functions of government serve the interests of the people is not unopposed. It has its enemies. In certain quarters, official and otherwise, the view is urged that the dam be built for flood protection alone. This is the view of the private power interests, which are seeking to control the development of the Nation's power resources for their own profit. The dam, as these people say, should be built below Boulder at a point where the structure could not be made high enough also to serve irrigation. To build a dam high enough to provide for irrigation as well as flood protection would mean the creation of opportunities for the development of 600,000 horsepower of electric energy owned and controlled by the public, and to this the power corporations are opposed. They have set their plans to secure a monopoly of the 6,000,000 horsepower of electric energy which the waters of the Colorado will produce and which belong to the people, and they want no interference from the Government. They demand that the plans of reclamation urged and approved by President Harding shall not be carried out except in subordination to their purpose to seize and exploit the remaining power resources of the Nation for their own profit.

I am utterly opposed to any such purpose. The people of the great Southwest, who are supporting this bill and are

urging its speedy passage, are opposed to that purpose, and I have confidence that their hopes and desires, when Congress shall act on this meritorious measure, will not be disappointed.

Passing now to the second main condition that calls for the relief promised by the pending bill, I would direct your attention to an amazing situation affecting Imperial Valley. It is hard to realize that the sole water supply of that great valley, with its population of 70,000 people and its 450,000 acres of irrigated farms, is transported by a canal running for 60 miles through Mexican territory. By this extraordinary arrangement the thing of greatest importance to the lives and property of the people of that valley, the thing without which they can not exist, is placed under the jurisdiction and control of a foreign country.

But that is not all—the situation is further aggravated by the fact that an immense acreage in Mexico is also drawing its water supply from the same river, through the same canal. These lands are owned by a group of American speculators, headed by Mr. Harry Chandler, the proprietor of the Los Angeles Times. Already nearly 200,000 acres have been put under irrigation, and the rest of their holdings, amounting to over 60,000 acres, are rapidly being reclaimed by means of water diverted from the river by the people of Imperial Valley.

The Mexican authorities, in granting the privilege of constructing the canal to serve the lands of Imperial Valley, exacted the condition that one-half of all water diverted should be subject to use on lands in Mexico. The American proprietors take advantage of their position in Mexico to secure for their lands a full water supply, and leave the irrigators of Imperial Valley to get on with what is left and endure the shortages in periods of highest need.

Already the development of Imperial Valley has been arrested by increasing irrigation of Mexican lands. Every acre added to the irrigated area on the Mexican side means, under present conditions, that an acre on the American side is deprived of a water supply from a stream entirely American in its origin and sources.

The unregulated flow of the Colorado River, while overabundant in late spring and early summer, delivers a greatly reduced supply for irrigation at other times of the year. In planting and harvesting seasons, the available flow is sometimes below the requirements of the farmers and great losses follow.

This bill therefore, as regards one of its chief purposes, may properly be characterized as a measure to rescue the people of Imperial Valley, in the United States of America, from the control of Mexico. The dam, besides affording needed flood protection, will provide storage water for irrigation, delivered in a regulated flow. This will mean an abundant and dependable supply for present needs of that valley and also for several hundred thousand acres of new lands in Imperial and other valleys in Arizona, Nevada, and California.

The all-American canal will mean that this water supply from an American river, provided and assured by the action of our Government, will be made available for use by our citizens in our own country, and without tribute to a foreign nation or to its landowners, be they Mexican, American, or otherwise.

Repayment of the cost of the canals provided for in the bill, like that of the proposed dam, would rest on an assured basis. These canals would be located in a region where successful irrigation is an established fact. They would serve lands whose productivity under the application of water is guaranteed by the results of irrigation in the vicinity. The lands benefited by the operation of these canals will repay the Government all they cost, with interest, in any reasonable time the Secretary of the Interior may prescribe.

As might have been expected, the American proprietors operating in Mexico are opposing an all-American canal. They are asking Congress to disregard the appeals of American citizens for the protection of their homes and property in this country in order that their interests in a foreign jurisdiction may be built up at the expense of an American community. Such opposition has no justification in law or morals and should be dismissed as mere effrontery.

Fortunately, the right to build the Boulder Dam and the all-American canal, and operate them for the exclusive benefit of American citizens in this country, is not opposed by any legal or equitable principle in favor of any foreign country or interest. Neither is there any treaty obligation in the way of these enterprises.

The all-American canal would not only be located entirely within the United States, as its name implies, but would divert water and deliver it to lands within the United States and above the boundary between the two countries. This fact makes a situation entirely outside of the treaty of Guadalupe Hidalgo between the United States and Mexico. This point is made clear by an opinion rendered by Judson Harmon, Attorney General of the United States, in 1895, in reply to an inquiry from the Secretary of State, on a similar question affecting the Rio Grande. The Colorado, like the Rio Grande, flows in part entirely within the United States, and in part constitutes the boundary between the United States and Mexico. Unlike the Rio Grande, the Colorado flows in part wholly within the Republic of Mexico.

The opinion of the Attorney General is found in Opinions of of Attorneys General, volume 21, page 274. For the sake of brevity I quote from the syllabus which appears to faithfully reflect what is stated by the Attorney General:

> The taking of water for irrigation from the Rio Grande above the point where it ceases to be entirely within the United States and becomes the boundary between the United States and Mexico is not prohibited by said treaty.
>
> Also, the only right the treaty professed to create or protect with respect to the Rio Grande was that of navigation. Claims against the United States by Mexico for indemnity for injuries to agriculture alone, caused by scarcity of water resulting from irrigation ditches wholly within the United States at places far above the head of navigation, find no support in the treaty.
>
> The rules, principles, and precedents of international law impose no duty or obligation upon the United States of denying to its inhabitants the use of the water of that part of the Rio Grande lying entirely within the United States, although such use results in reducing the volume of water in the river below the point where it ceases to be entirely within the United States.
>
> The fact that there is not enough water in the Rio Grande for the use of the inhabitants of both countries for irrigation purposes does not give Mexico the right to subject the United States to the burden of arresting its development and denying to its inhabitants the use of a provision which nature has supplied, entirely within its own territory. The recognition of such a right is entirely inconsistent with the sovereignty of the United States over its national domain.

Mr. President, no more important or pressing measure is before the Congress, at this time, than the bill to which I have been directing the attention of the Senate. It calls for prompt action on the part of Congress, for it relates to matters which are among the highest concerns of government. It relates to the protection of human lives and vast properties from dangers of destruction, which only the national powers, speedily exercised, can avert.

The magnitude of the proposed Boulder Canyon Dam provided for by this bill may be appreciated by comparison with present existing works of like character. The highest dams now in existence stand from 250 to 350 feet above bedrock, while the Boulder Canyon Dam will consist of a solid concrete structure towering 600 feet above its foundations and braced between solid rock walls. The greatest reservoirs in the world are the Assuan, of Egpyt, with 1,865,000 acre-feet capacity; the Elephant Butte, of New Mexico, and our Reclamation Service, 2,368,000, and the Gatun Lake on the Panama Canal, with 4,410,000, while the proposed Boulder Canyon storage will have not less than 24,000,000 acre-feet. The hydroelectric power which will be generated from the contemplated new work will equal 600,000 horsepower continuously, with a plant of 1,000,000 horsepower capacity—a capacity equal to the total capacity of all the Niagara plants now operating and six times greater than the contemplated Muscle Shoals project. Careful estimates demonstrate that the Boulder Canyon project will save 23,000,000 barrels of oil yearly. The project is the main feature of a practicable, unified plan to develop all the power of the whole Colorado River and 6,000,000 continuous horsepower, equivalent to one-half the total present rate of consumption of fuel oil in this country.

The United States Geological Survey warns us that the oil supply of America, at the present rate of consumption, may be completely exhausted in 20 years. With this exhaustion the industries of the great Southwest will face disaster, and this disaster can be averted by the development of the power of the Colorado River under the pending measure, and unlimited additional cheap power for new industries and factories will be at hand.

In closing my remarks regarding this great project I quote further from the speech which only death prevented President Harding from delivering. He said:

> I should, indeed, be proud if during my administration I could participate in the inauguration of this great project by affixing my signature to the proper legislation by Congress through which it might be launched. I should feel that I had some small part in the many thousands of fine American homes that would spring forth from the

desert during the course of my lifetime as the result of such an act and in the extension of these fine foundations of our American people.

ORDER OF BUSINESS

Mr. JOHNSON of Minnesota obtained the floor.

Mr. McNARY. Mr. President, will the Senator from Minnesota yield?

Mr. JOHNSON of Minnesota. I yield.

Mr. McNARY. The Senator from Minnesota is about to deliver a very interesting address. I am sure a number of Senators would like to be summoned to the Chamber. I therefore suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Dial	Heflin	Phipps
Ashurst	Dill	Howell	Ransdell
Ball	Edge	Johnson, Calif.	Reed, Mo.
Bayard	Edwards	Johnson, Minn.	Robinson
Brandegee	Ferris	Jones, Wash.	Sheppard
Brookhart	Fess	Kendrick	Shortridge
Broussard	Fletcher	Keyes	Simmons
Bruce	Frazier	Lenroot	Smith
Bursum	George	McLean	Smoot
Cameron	Gerry	McNary	Spencer
Capper	Glass	Mayfield	Stephens
Colt	Gooding	Moses	Sterling
Copeland	Hale	Neely	Underwood
Cummins	Harreld	Oddie	Wadsworth
Curtis	Harris	Overman	Watson
Dale	Harrison	Pepper	Willis

Mr. KENDRICK. I desire to announce that the Senator from North Dakota [Mr. LADD], the Senator from Oregon [Mr. STANFIELD], the Senator from Montana [Mr. WALSH], and the Senator from Nevada [Mr. PITTMAN] are detained by the work of the Committee on Public Lands and Surveys.

Mr. HEFLIN. I wish to state that the junior Senator from Tennessee [Mr. MCKELLAR] is unavoidably absent.

Mr. BURSUM. I desire to announce that my colleague, the senior Senator from New Mexico [Mr. JONES], is absent on official business in the Public Lands Committee of the Senate.

The PRESIDENT pro tempore. Sixty-four Senators have answered to the roll call. There is a quorum present. The Senator from Minnesota has the floor.

Mr. BROOKHART. Mr. President——

Mr. JOHNSON of Minnesota. I yield to the Senator from Iowa.

INVESTIGATION OF DEPARTMENT OF JUSTICE

Mr. BROOKHART. Mr. President, I wish to announce that on to-morrow, when the Senate shall resume the consideration of the unfinished business, I shall speak on the subject of the special committee investigating the Department of Justice in relation to the refusal of Mr. Daugherty to appear before the committee.

Mr. SPENCER. Mr. President, will the Senator from Minnesota yield to me for a moment?

Mr. JOHNSON of Minnesota. I yield to the Senator.

Mr. SPENCER. On Saturday last in the United States District Court for the Southern District of Ohio, the Western Division, Judge Cochran, rendered an opinion with regard to the right of the Senate relative to the examination of witnesses, having particular reference to the Daugherty case, to which the junior Senator from Iowa has referred. I have secured an authenticated copy of the decision of Judge Cochran and I ask that it may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection it is so ordered.

The decision is as follows:

United States District Court, Southern District of Ohio, Western Division, at Cincinnati, Ohio

In the matter of the application of Mally S. Daugherty for a writ of habeas corpus. Opinion

Cochran, district judge for the eastern district of Kentucky, sitting by designation in the southern district of Ohio, western division:

By the designation of myself to hear this cause, there has been thrust upon me the inescapable duty of passing upon the validity of certain action of the United States Senate. This cause involves a controversy between two individuals. It has come about by one of them restraining the other of his liberty and the latter applying to this court for discharge therefrom. The legality of the restraint depends upon the validity of such action. On April 28, 1924, Mally S. Daugherty, a citizen of Ohio, residing at Washington Court House, in this district, and president of the Midland National Bank, engaged in business at that place, was arrested and taken into custody at the Federal Building in this city by John J. McGrain. McGrain, in so doing, acted under a warrant of the United States Senate, dated April 26, 1924, directed to the Sergeant at Arms thereof, commanding him to arrest Daugherty and bring him to its bar in pursuance to a resolution that day agreed to by it which was set forth in full therein. The warrant bore an indorsement signed by that official, appointing and employing McGrain to serve it. Thereupon Daugherty applied for and obtained from this court a writ of habeas corpus, directed to McGrain, commanding him to have the petitioner's body before it with the cause of such imprisonment and detention, which has been done. The cause assigned therefor is such warrant. It is the action of the Senate in causing this warrant to be issued whose validity is involved here. Its validity depends upon the question as to whether in taking such action that body exceeded its powers. In disposing of this question I will first set forth in the proceedings which led up to the issuance of the warrant; then interpret and appraise the decisions of the Supreme Court which are thought to be pertinent thereto; and, finally, come to close quarters with and determine it.

1. On March 1, 1924, the United States Senate adopted the following resolution:

"*Resolved*, That a committee of five Senators, consisting of three Members of the majority and two of the minority, be authorized and directed to investigate circumstances and facts, and report the same to the Senate, concerning the alleged failure of Harry M. Daugherty, Attorney General of the United States, to prosecute properly violators of the Sherman Antitrust Act and the Clayton Act against monopolies and unlawful restraint of trade; the alleged neglect and failure of the said Harry M. Daugherty, Attorney General of the United States, to arrest and prosecute Albert B. Fall, Harry F. Sinclair, E. L. Doheny, C. R. Forbes, and their coconspirators in defrauding the Government, as well as the alleged neglect and failure of the said Attorney General to arrest and prosecute many others for violations of Federal statutes, and his alleged failure to prosecute properly, efficiently, and promptly, and defend all manner of civil and criminal actions wherein the Government of the United States is interested as a party plaintiff or defendent. And said committee is further directed to inquire into, investigate, and report to the Senate the activities of the said Harry M. Daugherty, Attorney General, and any of his assistants in the Department of Justice which would in any manner tend to impair their efficiency or influence as representatives of the Government of the United States.

"That said committee above referred to and the chairman thereof shall be elected by the Senate of the United States.

"*Resolved further*, That in pursuance of the purposes of this resolution said committee or any member thereof be, and hereby is, authorized during the Sixty-eighth Congress to send for persons, books, and papers, to administer oaths, and to employ stenographic assistance, at a cost not to exceed 25 cents per hundred words, to report such hearings as may be had in connection herewith, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate."

The committee called for thereby was elected. On March 24, 1924, the petitioner was summoned by subpœna to appear before such committee at its room, 105 Senate Office Building, Washington, D. C., to testify as to what he might know relative to the subject matter under consideration by it and to bring with him deposit ledger of the Midland National Bank since November 1, 1920, also note files and transcript of owners of every safety vault, also records of income drafts, also records of any individual account or accounts showing withdrawals of $25,000 or over during that period. Daugherty refused to comply with this summons. On April 11, 1924, two of the members of the committee, SMITH W. BROOKHART and BURTON K. WHEELER, visited Washington Court House and there issued and caused to be served on Daugherty a subpœna commanding him to appear before the Select Committee on Investigation of Department of Justice of the United States at their committee room, 12 Cherry Hotel, Washington Court House, to testify as to what he might know relative to the subject matters under consideration by that committee. Daugherty also refused to comply with this summons. The committee reported these refusals of Daugherty to the Senate, and on April 26, 1924, that body adopted the following resolution:

"Whereas the select committee of the Senate, elected pursuant to Senate Resolution 157, Sixty-eighth Congress, first session, has submitted a report to the Senate; and

"Whereas it appears from such report that M. S. Daugherty, as president of the Midland National Bank, Washington Court House, Ohio, was on March 22, 1924, duly served with a subpœna to appear forthwith before such committee in Washington, D. C., and then and there to testify relative to subject matters, and to produce specified files, records, and books, pertinent to the matter under inquiry; and was on April 11, 1924, duly served with a subpœna to appear forthwith before the committee in Washington Court House, Ohio, and then and there to testify relative to subject matters pertinent to the matter under inquiry; and

"Whereas it appears from such report that the said M. S. Daugherty has, in disobedience of such subpœnas, failed so to appear or answer, or to produce such files, records, and books; and

"Whereas the appearance and testimony of the said M. S. Daugherty is material and necessary in order that the committee may properly execute the functions imposed upon it, and obtain information necessary as a basis for such legislative and other action as the Senate may deem necessary and proper: Therefore be it

"*Resolved*, That the President of the Senate pro tempore issue his warrant commanding the Sergeant at Arms, or his deputy, to take into custody the body of the said M. S. Daugherty, wherever found, to bring the said M. S. Daugherty before the bar of the Senate, then and there to answer such questions pertinent to the matter under inquiry as the Senate may order the President of the Senate pro tempore to propound; and to keep the said M. S. Daugherty in custody to await the further order of the Senate."

This is the resolution, copied in the warrant, under which the petitioner was arrested and it was thereunder that the warrant was issued.

These proceedings constitute the sole basis and justification of the warrant and arrest. By the original resolutions, those of March 1, 1924, the committee to be elected thereunder was authorized and directed to investigate and report the circumstances and facts concerning the alleged neglect and failure of Harry M. Daugherty, then Attorney General of the United States, in performing his duties as such in four particulars, and his activities and those of any of his assistants, which would in any manner tend to impair their efficiency or influence as representatives of the Government of the United States. The investigation, thus authorized, concerned the alleged shortcomings of Harry M. Daugherty, as Attorney General, in the particulars named, and such of his activities as impaired his efficiency and influence in that position, which may be characterized as wrongdoings. It concerned nothing else. It was not recited who had alleged that he had been guilty of such shortcomings, nor that it had been alleged by any one that he had been guilty of such wrongdoings. It was assumed that he had or, at least, that it was possible that he had. The investigation thus authorized was, therefore, a purely personal one.

The last resolution, that of April 26, 1924, though it set forth petitioner's disobedience of the two summonses of the committee, did not authorize the issuance of a warrant for contempt because of such disobedience, but of one to bring him before the bar of the Senate to answer such questions pertinent to the matter under inquiry as the Senate might order to be propounded to him. It did not call for the production of any documents, as did the first summons of the committee. It was in this resolution, adopted after such disobedience, and its report to the Senate that, for the first time, any intimation was given of the purpose of the investigation. It was that the Senate might obtain information "necessary as a basis for such legislative and other action as" it "may deem necessary and proper."

2. The decisions of the Supreme Court of the United States thought to be pertinent to the determination of the question before me are the following:

"Anderson *v.* Dunn (6 Wheat. 204); Kilbourn *v.* Thompson (103 U. S. 168); In re Chapman (166 U. S. 661); Marshall *v.* Gordon (243 U. S. 251)."

(1) Anderson *v.* Dunn was an action to recover damages for false imprisonment. The defendant was the Sergeant at Arms of the House of Representatives. The plaintiff had no connection therewith. He was an outsider. As a justification for the false imprisonment complained of the defendant set up in his plea that he had acted under a warrant of arrest of that body, issued pursuant to a resolution adopted by it, adjudging plaintiff to have been guilty of a contempt and requiring him to be brought before its bar to answer therefor. On demurrer to this plea it was held to be good and the declaration dismissed. The Supreme Court affirmed the judgment. This decision, therefore, stands for the position that the House of Representatives has the power to punish an outsider for contempt. It also stands for the position that the Senate has such power. Such being the case, each branch of Congress has, in this particular, judicial power; i. e., power to exercise the judicial function. As in disposing of this case I have to do with the judicial power of the Senate, it is well that I pause here to consider wherein the judicial function consists. A good definition is not at hand. An attempt must be made to frame one. In the case of People *v.* Keeler (99 N. Y., 463), brought to my attention by counsel, and hereafter again taken note of, in referring to a certain power conferred by the Legislature of New York on each of its two houses, Judge Rapallo said that it was "in its nature judicial, to hear, adjudge, and condemn." The judicial function, according to this, is "to hear, adjudge, and condemn." He quotes from Thompson, J., in Dash *v.* Van Kleeck (7 Johns. 498) these words:

"To declare what the law shall be is a legislative power; to declare what it is or has been is judicial."

In Grant *v.* Buckner (172 U. S. 236) Mr. Justice Brewer said:

"As a rule courts do not create but simply determine rights."

These expressions suggest that the judicial function has to do with the determination of rights and duties and of guilt or innocence and with due inquiry into facthood in order to reach such determination. Contempt is an offense, and in determining whether a person charged therewith is guilty thereof the judicial function is exercised. It must be accepted, therefore, that the Supreme Court in deciding that each branch of Congress has power to punish for contempt held that it has power in this particular to exercise the judicial function. As such power is not expressly conferred by the Federal Constitution, the decision was that it is thereby granted by fair implication. The reasoning upon which the conclusion reached was based is embodied in these two extracts from the opinion:

"That 'the safety of the people is the supreme law,' not only comports with, but is indispensable to, the exercise of those powers in their public functionaries without which that safety can not be guarded. On this principle it is that courts of justice are universally acknowledged to be vested by their very creation with power to impose silence, respect, and decorum in their presence and submission to their lawful mandates, and, as a corollary to this proposition, to preserve themselves and their officers from the approach and insults of pollution."

Again:

"But what is the alternative? The argument obviously leads to the total annihilation of the power of the House of Representatives to guard itself from contempts and leaves it exposed to every indignity and interruption that rudeness, caprice, or even conspiracy may meditate against it. This result is fraught with too much absurdity not to bring into doubt the soundness of any argument from which it is derived. That a deliberate assembly, clothed with the majesty of the people and charged with the care of all that is dear to them, composed of the most distinguished citizens, selected and drawn together from every quarter of a great Nation, whose deliberations are required by public opinion to be conducted under the eye of the public and whose decisions must be clothed with all that sanctity which unlimited confidence in their wisdom and purity can inspire—that such an assembly should not possess the power to suppress rudeness or repel insult is a supposition too wild to be suggested."

In brief, then, the basis of the implication of the existence of such power was the right of self-defense and self-preservation. The offense of contempt has two aspects. It may consist either in misbehavior or disobedience. There is nothing in the opinion indicating that the latter aspect was had in contemplation. But the decision may rightfully be taken as standing for the position that each branch of Congress has power to punish an outsider for contempt, which consists in disobedience. This, however, must be qualified by the statement that it has such power only in case there is a duty of obedience on the part of such outsider. The only conceivable particular in which an outsider can owe either branch of Congress the duty of obedience is in the matter of giving testimony or producing documents. This additional position, for which this decision may be taken to stand, may be more fully put in thus: Each branch of Congress has power to punish an outsider for disobedience in refusing to give testimony or to produce documents, if such outsider owes the duty of so doing in this particular. The way in which it is to be made out that this decision stands for this is this: The right to punish for contempt for misbehavior was rested on the right of self-defense or self-preservation. It may be put on the right to function. Where the duty of giving testimony or producing documents exists on the part of an outsider the performance of such duty is essential that the body to whom it is owed may function. Hence in such case, in order that it may function, it has the right to punish for disobedience. The decision, however, sheds no light whatever on the question as to the circumstances under which the duty may be owed by an outsider to either branch of Congress to give testimony or to produce documents. Nor does it shed any light on the question as to the kind of misbehavior that may be punished for contempt. It did not appear from the plea in what particular the plaintiff had misbehaved, and hence there was no occasion for the courts to pass on the question as to the kind of misbehavior that may be punished for contempt. It would seem that the plaintiff had attempted to bribe a member of the Committee on Claims of the House. There is no room to doubt that such misbehavior was within the power to punish for contempt.

The decision seems to have been pretty generally taken to stand for another position than those thus far stated. It seems to have been taken to stand for this position in Kilbourn *v.* Thompson. That position is that the judgment of the House of Representatives that particular misbehavior on the part of an outsider, necessarily involved in condemning and punishing him for contempt, is conclusive and the validity of its action can not be inquired into by the courts. I do not so read the decision. The particular in which the plaintiff had misbehaved not appearing from the plea, and the House having the power to punish for misbehavior in some particular, it was to be presumed that it was for misbehavior in such particular that he had been punished for contempt. As the court said:

"* * *; non constat, from the pleadings, but that this warrant issued for an offense committed in the immediate presence of the House."

There is nothing in this favoring the position that if it had appeared from the plea what had been the particular in which the plaintiff had misbehaved the judgment of the House would have been held to be conclusive as to its right to punish for such misbehavior on

the courts. If, however, the decision in this case does stand for this position, it is no longer authority therefor, inasmuch as it has to this extent been overruled by the decision in Kilbourn v. Thompson.

(2) I come now to that decision. Its value consists in that it deals with the question as to the power of either branch of Congress—it was that of the House which was involved there—to punish an outsider for contempt for refusing to give testimony and to produce documents. This, of course, depended on the duty of obedience on the part of the outsider in these particulars. It was like the case of Anderson v. Dunn in that it was an action to recover damages for false imprisonment. The defendant was the Sergeant at Arms of the House, and he justified his action as having been taken by order of that body. The facts which led up to this action were these: The United States was a creditor of Jay Cooke & Co., which had gone into bankruptcy. The bankrupt had an interest in a partnership, termed a real-estate pool. The trustee in bankruptcy had settled with the other members of the firm for that interest.

The House of Representatives adopted a resolution calling for the appointment of a committee to "inquire into the nature and history of said real-estate pool, and the character of said settlement with the amount of property involved, in which Jay Cooke & Co. were interested and the amount paid or to be paid in said settlement, with power to send for persons and papers, and report to this House." The committee was appointed. Kilbourn, likely a member of the partnership, was summoned by the committee by subpœna to testify and to produce certain documents. He refused to comply with the summons. Thereupon proceedings in contempt were instituted against him. It was for defendant's part in those proceed'ngs that the action against him was brought. This case also went on demurrer to the plea of the defendant justifying his action under the House. It was held to be good and the declaration dismissed. This judgment the Supreme Court reversed, holding that the House had no power to punish the plaintiff for contempt because of his disobedience, and this on the ground that he owed no duty of obedience. The House had no authority to compel him to testify and to produce the documents called for. In appraising this case and ascertaining just what it stands for it is important to understand exactly the basis of the holding that the House had no such authority and the plaintiff owed no such duty. It was that, in ordering and conducting such inquiry, the House was exercising a judicial function and it had no power to exercise that function in such a case. The way in which the Supreme Court made out that the House had no power to exercise this function in such a case was this: Neither branch of Congress has any judicial power, except such as is expressly conferred upon it by the Federal Constitution. This follows from the division which that instrument makes of the powers of the United States and the express provision vesting its judicial power in one Supreme Court and in such inferior courts as Congress may from time to time ordain. In view thereof there is no possible room for saying that either branch of Congress has any judicial power by fair implication. If either has any it must be expressly granted. Two extracts from the opinion will make this good:

"It is believed to be one of the chief merits of the American system of written constitutional law that all the powers intrusted to government, whether State or national, are divided into the three grand departments—the executive, the legislative, and the judicial. That the functions appropriate to each of these branches of government shall be vested in a separate body of public servants, and that the perfection of the system requires that the lines which separate and divide these departments shall be broadly and clearly defined. It is also essential to the successful working of this system that the persons intrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall by the law of its creation be limited to the exercise of the powers appropriate to its own department and no other. 'To these general propositions there are in the Constitution of the United States some important exceptions."

Again:

"The Constitution declares that the judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. If what we have said of the division of the powers of the Government among the three departments be sound, this is equivalent to a declaration that no judicial power is vested in the Congress or either branch of it, save in the cases specifically enumerated to which we have referred."

Those cases are thus referred to:

"The Constitution expressly empowers each House to punish its own Members for disorderly behavior. We see no reason to doubt that this punishment may in a proper case be imprisonment, and that it may be for refusal to obey some rule on that subject made by the House for the preservation of order.

"So, also, the penalty which each House is authorized to inflict in order to compel the attendance of absent Members may be imprisonment, and this may be for a violation of some order or standing rule on that subject.

"Each House is by the Constitution made the judge of the election and qualification of its Members. In deciding on these it has an undoubted right to examine witnesses and inspect papers, subject to the usual rights of witnesses in such cases; and it may be that a witness would be subject to like punishment at the hands of the body engaged in trying a contested election for refusing to testify that he would if the case were pending before a court of judicature.

"The House of Representatives has the sole right to impeach officers of the Government and the Senate to try them. Where the question of such impeachment is before either body acting in its appropriate sphere on that subject, we see no reason to doubt the right to compel the attendance of witnesses and their answer to proper questions in the same manner and by the use of the same means that courts of justice can in like cases."

Of course, if what I have said above as to trying and adjudicating a contempt proceeding against an outsider either for misbehavior or disobedience, where there is the duty of obedience, is the exercise of a judicial function, what is here said is subject to the exception that in such a case each branch of Congress has the power to exercise such function, though not expressly given, and that on the ground of fair implication.

It remains to be shown that the Supreme Court held that the House, in ordering and conducting the inquiry in question in that case, was exercising a judicial function, and that it was on the basis of this position, in connection with the one just established, that it held that that body had no authority to compel Kilbourn to testify and to produce the documents called for. As to this there can be no possible question. It was said:

"In looking to the preamble and resolution under which the committee acted, before which Kilbourn refused to testify, we are of opinion that the House of Representatives not only exceeded the limit of its own authority, but assumed a power which could only be properly exercised by another branch of the Government because it was in its nature clearly judicial."

Again:

"If the investigation which the committee was directed to make was judicial in its character, and could only be properly and successfully made by a court of justice, and if it related to a matter wherein relief or redress could be had only by a judicial proceeding we do not, after what has been said, deem it necessary to discuss the proposition that the power attempted to be exercised was one confided by the Constitution to the judicial and not to the legislative department of the Government. We think it equally clear that the power asserted is judicial and not legislative."

Again:

"The case being one of a judicial nature, for which the power of the courts usually afford the only remedy, it may well be supposed that those powers were more appropriate and more efficient in aid of such relief than the powers which belong to a body whose function is exclusively legislative. If the settlement to which the preamble refers as the principal reason why the courts are rendered powerless was obtained by fraud, or was without authority, or for any conceivable reason could be set aside or avoided, it should be done by some appropriate proceeding in the court which had the whole matter before it, and which had all the power in that case proper to be intrusted to any body, and not by Congress or by any power to be conferred on a committee of one of the two Houses."

It is to be noted that the nature of the inquiry was held to be judicial in character, notwithstanding the resolution contained no hint of any final action that could be taken by the House or that it intended to take any such action.

That the nature of the inquiry was judicial was recognized by Chief Justice Alvey in the case of In re Chapman, yet to be considered, when it was before him in the lower court, his opinion being reported in Fifth District Court of Appeals, page 122. As to the decision in Kilbourn v. Thompson, he there said:

"The subject matter of the investigation, therefore, was of judicial cognizance and not legislative, and this was shown on the face of the resolution."

Notwithstanding such is the real basis for the decision in this case, it has frequently been cited in other cases as being based on the ground that the House has no power to investigate the private affairs of individuals. That was a consideration enforcing the conclusion reached, and it was so recognized by the court. It said:

"We are sure that no person can be punished for contumacy as a witness before either House, unless his testimony is required in a matter into which that House has jurisdiction to inquire, and we feel equally sure that neither of these bodies possess the general power of making inquiry into the private affairs of the citizen."

Again:

"Was it to be simply a fruitless investigation into the affairs of individuals? If so, the House of Representatives has no power or authority in the matter more than any other equal number of gentlemen interested for the Government of their country. By fruitless we mean that it could result in no valid legislation on the subject to which the inquiry referred."

And again:

"What authority has the House to enter upon this investigation into the private affairs of individuals who hold no office under the Government?"

But this consideration was not controlling. Apart therefrom the House had no power to make the investigation. It had no power because the investigation was judicial in character and such judicial power had not been expressly conferred. The ruling would have been the same if the investigation had been into the public affairs of one who held office under the Government, if such investigation had been judicial in character, and not such an investigation as power to make which had been expressly conferred. In other words, what counted in the case was not the subject matter of the investigation but the nature of the investigation itself. It was judicial in character. Power to make it did not exist, unless it came within one of the instances in which judicial power was expressly conferred. It did not so come. What the decision, therefore, came to then was that the House in ordering and conducting the investigation involved therein had usurped judicial power. This being so it had no power to compel Kilbourn to testify and to produce the documents called for or to punish him for disobedience.

The decision in this case also stands for this position. That the decision of either branch of Congress that it has power to compel a witness to testify and to produce documents or to punish him for contempt in disobeying a command to do so, involved in the exercise of such power, is not conclusive on the courts. It is not to be presumed when inquired into therein that such power was rightfully exercised. The courts have the right to their own convictions on the matter. And in so far as the case of Anderson *v.* Dunn laid down a contrary position it was overruled.

(3) The case of In re Chapman differs from the others in that it did not involve the validity of the action of either branch of Congress acting separately. What it involved was the constitutionality of sections 102 and 104, United States Revised Statutes, passed by both Houses and approved by the President. In view of this it is not possible for it to have any bearing on this case except indirectly. Section 102 is in these words:

"Every person who, having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100, and imprisonment in a common jail for not less than one month nor more than 12 months."

Section 104 provided for the certification of the disobedience of a witness under section 102 to the district attorney for the District of Columbia for indictment.

Chapman had been summoned before a committee of the Senate to testify in regard to a matter under investigation by it by virtue of a resolution of that body and refused to testify. He was indicted under this statute and convicted. He thereupon sued out a writ of habeas corpus on the ground that these two sections were unconstitutional. They were held to be constitutional and the writ was denied. The matter under investigation by the Senate committee was certain charges made in the newspapers that Members of the Senate were yielding to corrupt influences in the consideration of a bill providing for duties on sugar. No question seems to have been made as to the power of the Senate to make the investigation and compel outsiders to testify before it and its committee. And none could have been made. The matter concerned its Members. The Federal Constitution expressly confers on each branch of Congress power to punish its Members for disorderly behavior and to expel them. In making the investigation there was no usurpation of authority. It being a case of the rightful exercise of judicial authority, there was authority to compel witnesses to testify.

The ground upon which it was claimed that the act was unconstitutional was that it was a delegation of the power to punish for contempt and there was liability of being twice punished therefor by the Senate and under the statute. Point was made of the fact that the resolution under which the committee was appointed did not intimate what was to be done as the result of the investigation. Concerning this it was said:

"We can not assume on this record that the action of the Senate was without a legitimate object, and so encroach upon the province of that body. Indeed, we think it affirmatively appears that the Senate was acting within its right, and it was certainly not necessary that the resolutions should declare in advance what the Senate meditated doing when the investigation was concluded."

Concerning the words "any matter" in the statute it was said: "* * * and we think that the word 'any,' as used in these sections, refers to matters within the jurisdiction of the two Houses of Congress, before them for consideration, and proper for their action; to questions pertinent thereto; and to facts or papers bearing thereon."

(4) The case of Marshall *v.* Gordon involved the power of the House of Representatives to punish an outsider for contempt because of misbehavior. It involved no question of contempt for disobedience. It was held that the House did not have power to punish as contempt the particular misbehavior complained of, and the judgment of the lower court refusing to discharge the plaintiff in error from custody under contempt proceedings on writ of habeas corpus was reversed. The petitioner in the writ was the district attorney for the southern district of New York. Impeachment proceedings were pending against him in the House. The contempt complained of was writing a letter to a newspaper and also to the House that was defamatory in character. It was held that such a letter was not calculated to injuriously affect the House's ability to function, and hence the writing thereof was not such misbehavior as to constitute a contempt. The decision may be classed with that in Anderson *v.* Dunn, in that each involved the right of the House to punish an outsider for contempt consisting in misbehavior. They differ in this: Anderson *v.* Dunn argued for that right. Marshall *v.* Gordon argued from it. By this I mean it presupposed the existence of such right and considered whether the particular misbehavior complained of was within the right. In so doing it went beyond the decision in Anderson *v.* Dunn, because it did not consider what misbehavior came within the right. These propositions may, therefore, be gathered from these four decisions:

(1) Each branch of Congress has power to punish for contempt.

(2) This, as to outsiders, is conferred by fair implication.

(3) The contempt may consist of either misbehavior or of disobedience.

(4) The misbehavior to constitute a contempt must be such as to injuriously affect the ability to function.

(5) In order to constitute a contempt for disobedience there must be a duty of obedience. And the only possible duty of obedience is in the matter of giving testimony or production of documents.

(6) There is no duty of obedience to do so, in aid of an investigation judicial in character, unless it is an investigation in the execution of judicial power expressly conferred.

(7) An exception to this is that where the investigation concerns contempt there is power to punish for contempt.

(8) The judgment of the Senate or the House that a party charged has been guilty of contempt is not conclusive on the courts. They are entitled to their own convictions on the subject.

I have been impelled to give such a complete presentation of what these four cases stand for because of the stress that has been placed on them in argument. On behalf of the respondent the decisions in Anderson *v.* Dunn, In re Chapman and Marshall *v.* Gordon have been stressed. On behalf of the petitioner that in Kilbourn *v.* Thompson has been mainly relied on, though some reliance has been placed on Marshall *v.* Gordon. Counsel for respondent would dismiss the case of Kilbourn *v.* Thompson from consideration on the ground that it concerned an investigation of private affairs. This case involves the power of the Senate to punish for contempt consisting in disobedience or rather the duty of obedience to testify on the part of an outsider. It has nothing whatever to do with contempt where it consists in misbehavior. As there can be no question as to the power to punish for contempt where it consists in disobedience, if there is a duty of obedience, the cases of Anderson *v.* Dunn and Marshall *v.* Gordon have no bearing here, except that Marshall *v.* Gordon has bearing on the question of the conclusiveness of the judgment of the Senate. And as, in the case of In re Chapman, the investigation was one which the Senate was expressly authorized to make there is no possibility of its having a bearing here. It follows that except to the limited extent stated, as to the case of Marshall *v.* Gordon, none of these four cases has any bearing here except that of Kilbourn *v.* Thompson.

I come now to deal directly with the question presented by the case before me.

The first thing that I would do is to reiterate what I have said, to the effect that the decisions in Kilbourn *v.* Thompson and Marshall *v.* Gordon are authorities for the position that the judgment of the Senate in this case that it has power to compel the petitioner to testify and to punish him, if he refuses, involved in its assertion of the former, is not conclusive. It is not conclusive, not merely on the Supreme Court; it is not conclusive on this court. A Federal district judge is the humblest and loniest member of the Federal judiciary. He is at the bottom and has no one to help him think clear and straight. It is a matter of great delicacy for such a one to have to pass on the validity of the action of such a body as the United States Senate. It is, therefore, comforting to feel that I have the Supreme Court behind me in such an undertaking. The question arising in this case and its determination being essential to its disposition, I not only have the right to have a conviction in regard thereto and to express it and to give it effect, but it is my duty so to do. It is a duty which I can not shirk. In each of those two cases the judgment of the lower court

was reversed because it upheld the action of the House of Representatives. Of course, if upon any view of the matter the action of that body can be held to be valid, it should be upheld. Counsel for respondent are correct in maintaining that it can not be pronounced invalid unless it is absolutely void. But I can not agree with them that petitioner's action in attacking the validity of the action of the Senate is premature. They urge that he should have allowed himself to be taken before the Senate under warrant and, only in case it undertook to punish him for contempt, in not answering some question propounded to him, should he have sought his discharge. But he was not bound to put the matter off until then. If the action of the Senate in attaching him to testify before it was absolutely void, he had the right to seek his discharge from such attachment. Its action in punishing him for contempt could be absolutely void only on the ground that its action in requiring him to testify was void. In Anderson *v.* Dunn it was said:

"The duress complained of was sustained under a warrant issued to compel the party's appearance, not for the actual infliction of punishment for an offense committed. Yet it can not be denied that the power to institute a prosecution must be dependent upon the power to punish. If the House of Representatives possessed no authority to punish for contempt, the initiating process issued in the assertion of that authority must have been illegal; there was a want of jurisdiction to justify it."

Here the duress complained of goes a step further back. It was sustained not under a warrant to answer a contempt charge, but under one to testify. If, however, the Senate possessed no authority to punish for contempt upon disobedience of its command, it has no authority to command or to attach to testify. Its action in so doing was illegal. There was want of jurisdiction. And petitioner is entitled to discharge from such duress.

Inasmuch as the petitioner was never summoned to testify before the Senate itself, only before its committee, question is made by him as to its right to attach him to so testify. But I pass this by and treat the case as if he had been so summoned or as if the warrant under which he was arrested was one for contempt in not testifying before the committee in obedience to its summons. The question before me, therefore, is whether the petitioner owed the duty of obedience to this command of the Senate or its committee to testify, and this depends on the question whether the action of the Senate in originating and conducting the investigation of the former Attorney General was absolutely void.

The sole ground upon which it is claimed, in argument, that the Senate had power to take such action is that it was taken as auxiliary to the exercise of its legislative function. Reference to such as a ground of its action is to be found in the second resolution of the Senate under which the warrant was issued under which the petitioner was arrested. This raises the interesting question whether either branch of Congress has the power to compel an outsider to testify and to produce documents before it in aid of its exercise of the legislative function, or rather of that part of such function which belongs to it. What one knows and what information is contained in documents owned by him are his own, just as much so as his horse or his home.

Such information is his own by virtue of ownership of the documents containing it. What he knows is his own in the very nature of the case. It exists in his own head, and nowhere else. The question is whether either branch of Congress is entitled to such knowledge or information, without his consent, in the aid of legislation. It is well settled that where it is pertinent to the question at issue the courts are entitled thereto and can force it out of him, with certain well-recognized exceptions. Wigmore on Evidence, sections 2190 to 2195, gives the history and logical basis of this rule with great fullness. In section 2192 he says:

"For 300 years it has now been recognized as a fundamental maxim that the public (in the words sanctioned by Lord Hardwicke) has a right to every man's evidence."

He refers to it as a "sacrifice which is due from every member of the community." It is a sacrifice "of time and labor" and a sacrifice "of privacy." The question here suggested by this position of respondent is whether every member of the community owes this duty of sacrifice to the state when acting either in its legislative or executive capacity or is it confined to when it is acting in its judicial capacity? Wigmore refers to this question in section 2195 in these words:

"The duty to give testimony is a duty to the state, but the function of enforcing the duty resides specifically in the judicial branch of the government. The constitutional question thus arises, on the one hand, whether the power of enforcement can for any purpose be exercised by the legislative branch in the course of investigations which it may choose to make, either as preliminary to its decision upon legislation or as ancillary to the enforcement of its own internal order, or can for any purpose be exercised by the executive branch."

Other than certain references in the notes to this statement, he does not otherwise deal with the question. That the giving of testimony in aid of legislation can be enforced by the legislative branch has been upheld by two decisions in the State courts. They are those in the cases of People *v.* Keeler (99 N. Y. 463) and Ex parte Parker (74 S. C. 466).

In the New York case the senate of that State, because of certain charges of fraud and irregularity against the Commissioner of Public Works of the City of New York, directed its committee to investigate the department of public works in the city of New York, with power to send for persons and papers. It was held that an outsider summoned to testify before the committee on this investigation was bound to do so and was subject to punishment for contempt in refusing. In New York at the time of the authorization of the investigation there involved there was in existence a statute enacted by the legislature providing that every chairman of a committee, either of the senate or assembly, or of any joint committee authorized to send for persons and papers, had power under the direction of the committee to issue compulsory process for the attendance of the witnesses within the State, and another statute, so enacted, providing that each house had power to punish as a contempt any person guilty of the offense of refusing to attend or be examined as a witness either before the house or by a committee to take testimony in legislative proceedings. By the constitution of New York the State legislature possessed the whole legislative power of the State except where prohibited or restrained by that instrument or by the Constitution of the United States. Though it was recited in the resolution authorizing the investigation that the occasion of its adoption was charges of fraud and irregularity against the commissioner of public works in the city of New York, and that it was of vital importance to all the taxpayers of the State that the heads of all public departments should be beyond reproach, what was authorized to be investigated was the department of public works in that city. It was said:

"It is difficult to conceive any constitutional objection which can be raised to the provision authorizing legislative committees to take testimony and to summon witnesses. In many cases it may be indispensable to intelligent and effectual legislation to ascertain the facts which are claimed to give rise to the necessity for such legislation and the remedy required, and, irrespective of the question whether in the absence of a statute to that effect either house would have the power to imprison a recusant witness, I can not yield to the claim that a statute authorizing it to enforce its process in that manner is in excess of the legislative power."

In the South Carolina case the general assembly of the State—i. e., both houses thereof—appointed a committee to investigate the affairs of the State dispensary with power to send for persons and papers, and thereafter, pending the investigation, the general assembly enacted an act conferring upon the committee the power given them by their appointment. It was held that an outsider summoned to testify before the committee on this investigation was bound to do so and subject to punishment for contempt in refusing. The constitution of the State of South Carolina is like that of New York in that it invests the general assembly with all the legislative power of the State except that denied thereby. Here, too, the investigation was of the State dispensary and it was authorized by both branches of the legislature, first in the appointment of the committee and then in the enactment of the statute. It was said:

"The power of the general assembly to obtain information on any subject upon which it has power to legislate, with a view to its enlightenment and guidance, is so obviously essential to the performance of legislative functions that it has always been exercised without question."

Again:

"The dispensary is a public institution, created by the general assembly, through which it undertakes to control and conduct the sale of liquor in the entire State. The principal officers of the dispensary are elected by the general assembly, and directions for its management are laid down with particularity in the statutes. The business is so enormous and the problems it presents are so novel and difficult and vital to the public welfare that not only the fullest and widest information as to the practical operations of statutes enacted for its control, and as to the competency and honesty of its officers, is essential to wise legislative action, but it is also important that the general assembly should be advised as to the methods used or attempted by those who deal with the dispensary by the sale of liquor or otherwise."

What these two cases stand for then is that, in a jurisdiction where the constitution vests the entire legislative power in the legislature except as thereby denied, if an investigation of a department of the State is provided for or authorized by both branches thereof, outsiders can be compelled to testify and punished for contempt in not so doing.

But this is not the case here. In the first place there is a radical difference in the constitutional provision. By the tenth amendment to the Federal Constitution it is provided:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people."

And by section 1 of Article I of the Constitution it is provided:

"All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

The question here is whether, in view of these constitutional provisions, either branch of Congress, acting by itself, can compel an outsider to testify and to produce documents to aid it in performing its part in the enactment of legislation. The Constitution of the State of Ohio is similar in these respects to the Federal Constitution. The Supreme Court of Ohio in the case of State v. Guilbert, 75 O. S. 1, held this:

"The constitution of this State contains no express grant of power to either branch of the general assembly to appoint a select investigating committee for general legislative purposes; and such power is not necessarily implied from the express grant to each house.

"The whole legislative power of this State having been conferred by the constitution upon the general assembly as a unit and not upon the senate or house of representatives acting separately, a single branch of the general assembly so acting has no power of independent legislation, except as expressly granted in the constitution or as necessarily implied in the express grants."

The Supreme Court of the United States has not only never held that such power exists; it has never said anything favoring its existence. In Kilbourn v. Thompson it said:

"We are of opinion that the right of the House of Representatives to punish the citizen for a contempt of its authority or a breach of its privileges can derive no support from the precedents and practices of the two Houses of the English Parliament nor from the adjudged cases in which the English courts have upheld these practices. Nor, taking what has fallen from the English judges and especially the later cases on which we have just commented, is much aid given to the doctrine that this power exists as one necessary to enable either House of Congress to exercise successfully their function of legislation.

"This latter proposition is one which we do not propose to decide in the present case, because we are able to decide it without passing upon the existence or nonexistence of such a power in aid of the legislative function."

This language would seem to look with disfavor on the existence of such power. In the case of Henry v. Henkel (235 U. S. 219, 226), which involved the right to have removed to the District of Columbia, under United States Revised Statutes 1014, a defendant indicted in that District under section 102 U. S. Rev. Stat., the contention between the parties was thus stated:

"* * * petitioner's counsel, renewing the objections made in the district court, insist that the resolution did not authorize an inquiry as to the matter about which Henry refused to testify; that the facts charged do not constitute an offense under the statute; or, if so, that the statute is void. On the authority of In re Chapman, 166 U. S. 661, 668; Kilbourn v. Thompson, 103 U. S. 168, and other cases, they insist that in the trial of contested elections, in cases involving the expulsion of Members, or other quasi judicial proceedings, the House or Senate may, like any other court, compel material and noncriminatory disclosures. But they argue that, in view of the provisions of the fourth amendment to the Constitution, neither House can compel a citizen to disclose his private affairs as a basis for legislation. * * *

"The Government, on the other hand, insists * * * that Congress may provide for the punishment of witnesses who, in answer to a question propounded by its authority, fail to make noncriminatory disclosures and furnish information deemed necessary as a basis for legislation."

The Supreme Court held that the decision of this contention was with the trial court and did not pass on it. The defendant seems to have died before the contention came up for disposition in the trial court, and hence it was never decided. Senator Charles Sumner, on June 15, 1886, in addressing the Senate, explained himself on this question in these words:

"I know it is said this power is necessary in aid of legislation. I deny the necessity. Convenient, at times, it may be; but necessary, never. We do not drag the members of the Cabinet or the President to testify before a committee in aid of legislation; but I say, without hesitation, they can claim no immunity which does not belong equally to the humblest citizen. Mr. Hyatt and Mr. Sanborn have rights as ample as if they were officeholders. Such a power as this which, without sanction of law, and merely at the will of a partisan majority, may be employed to ransack the most distant States, and to drag citizens before the Senate all the way from Wisconsin or from South Carolina, may be convenient, and to certain persons may seem to be necessary. An alleged necessity has, throughout all time, been the apology for wrong.

"'So spake the fiend; and with necessity,

"'The tyrant's plea, excused his devilish deeds.'

"Let me be understood as admitting the power of the Senate where it is essential to its own protection or the protection of its privileges, but not where it is required merely in aid of legislation. The difference is world-wide between what is required for protection and what is required merely for aid; and here I part company with Senators with whom I am proud on other matters to act. They hold that this great power may be exercised, not merely for the protection of the Senate, but also for its aid in the framing of a bill or in maturing any piece of legislation. To aid a committee of this body merely in a legislative purpose, a citizen, guilty of no crime, charged with no offense, presumed to be innocent, honored, and beloved in his neighborhood, may be seized, handcuffed, kidnapped, and dragged away from his home, hurried across State lines, brought here as a criminal, and then thrust into jail." (Senate Miscellaneous Documents, second session, Fifty-third Congress, Smith's Precedent, vol. 12, p. 293.)

If either branch of Congress has such power it would seem to follow that the President has such power to aid him in performing his part in the function of legislation. In Kilbourn v. Thompson it was said:

"* * * the President is so far made a part of the legislative power, that his assent is required to the enactment of all statutes and resolutions of Congress."

"This, however, is so only to a limited extent, for a bill may become a law notwithstanding the refusal of the President to approve it, by a vote of two-thirds of each House of Congress."

It will be noted that Wigmore couples the question as to the existence of this auxiliary power in the executive department with its existence in the legislative department.

In Anderson v. Dunn it was said:

"The genius and spirit of our institutions are hostile to the exercise of implied power."

Neither branch of Congress seems ever to have exercised this power, i. e., of compelling an outsider to testify or to produce documents in aid of legislation except on the occasion out of which the case of Kilbourn v. Thompson arose, and possibly also on the occasion which led to the remarks of Senator Sumner. It can not, however, be said that the fact that a given power has never been used in either branch of Congress or that its existence has been unsuspected, is conclusive against its existence, though it may have a bearing on the necessity of its existence. And, in determining whether any given power has been conferred by fair implication, these words in the case of Hepburn v. Criswold, 8 Wall. 613, should be considered:

"The design of the Constitution was to establish a government competent to the direction and administration of the affairs of a great nation and at the same time to mark by sufficiently definite lines the sphere of its operations. To this end it was needful only to make express grants of general powers, coupled with a further grant of such incidental and auxiliary powers as might be required for the exercise of the powers expressly granted." These powers are necessarily extensive. It has been found, indeed, in the practical administration of the Government that a very large part, if not the largest part, of its functions have been performed in the exercise of powers thus implied."

But it should be borne distinctly in mind that the question raised here is not as to the power of Congress to compel evidence from outsiders in aid of legislation but of either branch thereof acting by itself without previous action on the part of Congress. The necessities of this case, however, do not require that I should pass on this question, and I do no more than say that I have very serious doubt as to the existence of such power. This is so because, conceding that the Senate has such power, I am constrained to hold that its action in attempting to compel the petitioner to testify before it is absolutely void. It is urged that such is the case because the investigation was not, at the start, expressly based on the ground that it was in aid of legislation, if such is the case. But I do not find it necessary to determine this question. It will be noted that in the second resolution the Senate has expressly avowed that the investigation is in aid of other action than legislation. Its purpose is to "obtain information necessary as a basis for such legislative and other action as the Senate may deem necessary and proper." This indicates that the Senate is contemplating the taking of action other than legislative as the outcome of the investigation, at least the possibility of so doing. The extreme personal cast of the original resolutions; the spirit of hostility toward the then Attorney General which they breathe; that it was not avowed that legislative action was had in view until after the action of the Senate had been challenged; and that the avowal then was coupled with an avowal that other action was had in view are calculated to create the impression that the idea of legislative action being in contemplation was an afterthought.

That there is a disposition somewhere in connection with this investigation to stretch things appears from the sweeping demand to produce documents made on the petitioner by the first summons of the committee. The Supreme Court in the recent case of Federal Trade Commission v. American Tobacco Co., decided the 17th day of March, 1924, said that such a demand is contrary to the "first principles of justice." Just what other action can be had in contemplation is a problem. Counsel for respondent, in the course of argument, when called on to suggest what other action could possibly be had in contemplation, was not able to shed much light on the problem. I

would not be warranted, on the face of things before me, to hold that it is merely to besmirch the former Attorney General and to pillory him, or that there is some other sinister purpose behind the investigation. The only suggestion made by such counsel, as I recall it, of possible other action, was an impeachment of him, without saying where. The only possible place at which it can be thought that there is any purpose to impeach him is at the bar of public opinion. It may be that such is the purpose and this on the idea that good will result therefrom. This is the most favorable view of the matter that occurs to me, and because it is, should be taken. But the Senate has no power to impeach any Federal officer at the bar of public opinion, no matter what possible good may come of it. It is not within its province to harass, annoy, put in fear, render unfit, or possibly drive from office any such officer, high or low, by instituting such impeachment proceedings against him. The power to impeach under the Federal Constitution resides solely in the House of Representatives, and it has power to impeach solely at the bar of the Senate. The sole power which the Senate has in the matter of impeachment is to try such proceedings so instituted, and it should act therein the part of the impartial judge and not that of prosecutor. That the Senate has in contemplation the possibility of taking action other than legislation as an outcome of the investigation, as thus expressly avowed, would seem of itself to invalidate the entire proceeding. But, whether so or not, the Senate's action is invalid and absolutely void in that, in ordering and conducting the investigation, it is exercising the judicial function, and power to exercise that function, in such a case as we have here, has not been conferred upon it expressly or by fair implication. What it is proposing to do is to determine the guilt of the Attorney General of the shortcomings and wrongdoings set forth in the resolutions. It is "to hear, adjudge, and condemn." In so doing it is exercising the judicial function.

The decision of the Supreme Court in the case of Kilbourn *v.* Thompson is squarely in point and is a direct authority against the validity of the action of the Senate. This, however, is a stronger case than that case. Here the Senate is not only exercising a judicial function, power to do which is not conferred by the Federal Constitution expressly or by fair implication, but power to do which is impliedly negatived by that Constitution, in its provision conferring the sole power of impeachment on the House of Representatives and limiting the Senate's connection with such proceedings to trying them. That the Senate should have any power is against the "spirit and genius" of that instrument. That it is the exercise of a judicial function which the Senate is engaged in is not affected by the consideration that exactly what action is in contemplation as the outcome of the investigation does not appear, no more than, in the case of Kilbourn *v.* Thompson, the fact that the House of Representatives was engaged in the exercise of a judicial function was not affected by the consideration that it did not so appear there. Nor is the action of the Senate validated by the possibility that from the investigation some suggestion may come of needed legislation any more than, in that case, the action of the House of Representatives was validated by the possibility that from that investigation some suggestion might come of needed legislation in regard to bankruptcy proceedings. Here, as never, does the end justify the means, nor should evil be done that good may come.

The power of the Senate to investigate the Attorney General's office or any department of the Government to the fullest extent is not involved here. In brief of counsel for respondent this is said:

"In order that the legislative function may be performed, properly outside of the court, it must be conceded that the first duty of the legislature is to properly and fully inform itself. In no matter can this duty be more paramount than in respect to the conduct of the various departments of the Government itself. This would seem to be the first and foremost duty. Annually, Congress must legislate for the continued support and, therefore, for the very existence or ability to continue to function for all the departments of the Government. To contend that such power and such duty are not present and inherent and intrinsic is to say that Congress must pass willy-nilly the money of the people (not their money, nor the money of the departments, but of the people, contributed by enforced taxation). The complaint is generally that too much is spent in that manner as it is, and for the court to deny the power of Congress to inform itself with the aid of compulsory process to get the information would not merely be the height of effrontery but would be destructive."

I hold nothing to the contrary of this. There would seem, however, to be no reason why the information referred to therein can not be obtained without calling on outsiders. What the Senate is engaged in doing is not investigating the Attorney General's office; it is investigating the former Attorney General. What it has done is to put him on trial before it. In so doing it is exercising the judicial function. This it has no power to do. It has not been conferred expressly. Its existence is negatived by the provisions of the Federal Constitution in relation to impeachment proceedings, in view of which there is no possible ground for claiming that it exists by fair implication. As I view the matter, the Senate in its action has usurped judicial power and encroached on the prerogative of the House of Representatives.

There is nothing else for me to do but to adjudge that the petitioner is entitled to his discharge, and a judgment will be entered to that effect.

A. M. J. COCHRAN, *Judge.*

MAY 31, 1924.

JUDGE WILLIAM S. KENYON

Mr. BROOKHART. Mr. President, a few days ago I put some statements in the RECORD in reference to a communication from the Secretary of the Treasury stating that Judge Kenyon was associated with a firm of lawyers which had been practicing before the Treasury Department. It has developed that that statement was entirely unfounded, and I desire now to have printed in the RECORD a letter from Judge Kenyon and also a letter to me from Mr. Kelleher, the attorney who was in charge of those cases, a telegram sent by him to Secretary of the Treasury Mellon, and also a letter from Mr. Winston, Undersecretary of the Treasury, in reference to this matter.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

UNITED STATES CIRCUIT COURT OF APPEALS, EIGHTH CIRCUIT,
St. Paul, Minn., May 30, 1924.

Hon. SMITH W. BROOKHART,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am sending you copy of telegram which Mr. Kelleher has sent to Secretary Mellon and which I think should be placed in the RECORD. I would be glad if his letter to you could also be placed in the RECORD.

As I have before wired you, I have had no connection of any kind, nature, or description with Mr. Kelleher's law firm or any other law firm for more than eight years. I have never had anything to do with any claim before the Treasury Department and have done absolutely no law business for more than six years before I went on the bench.

Mr. Kelleher informs me that the claims he filed in the Treasury Department for refund of taxes were those of farmers who had sold farms for high prices and had paid taxes on the profits. Then, with the shrinkage of land values, they had been compelled to take back the farms and lose the profits and hence wanted the refunds. These, I understand, were filed in March, 1922, which was after the time I went upon the Federal bench. I knew absolutely nothing about them, had never heard of them, and, in fact, I have never in my life received a cent of fees or anything else from any Government claim.

I understand the charge was made by the Secretary of the Treasury on the strength of a firm name, "Kenyon, Kelleher & Mitchell," being found in some law directory. There never was such a law firm. I had no knowledge of such name ever appearing in any law directory.

It would seem to me that before making such charges against a United States Senator or a Federal judge that a Secretary of the Treasury would have had some better evidence. On account of the restraints properly imposed upon a judicial officer I can not characterize this conduct in the language it deserves. I should be glad to believe it was merely a mistake.

I am in receipt of a telegram from the Secretary of the Treasury that he has sent a correction of the report containing the charge against me to the Senate, and I suppose the matter is now eliminated from the report. Please advise me whether this has been done.

Very sincerely,

WM. S. KENYON.

FORT DODGE, IOWA, *May 29, 1924.*

Senator SMITH W. BROOKHART,
Senate Office Building, Washington, D. C.

DEAR SENATOR: I inclose herewith copy of a telegram that I am to-day dispatching to the Secretary of the Treasury.

The writer never had any claims before the Treasury Department before the claims that were argued in 1922. It is just possible that some of these claims were filed in 1921. Even that date would be two years after the firm of Kelleher, Hanson & Mitchell was organized. I am sending you copy of a letter of August 20, 1921, directed to C. P. Smith, assistant to the Commissioner of Internal Revenue; a telegram to the same addressee of March 8, 1922; telegram of the same date to the Solicitor of Internal Revenue; and the reply of the Solicitor of Internal Revenue.

You will see that in no possible way could Judge Kenyon be connected with or concerned in this correspondence.

Judge Kenyon did not, of course, appear personally in any way, and I am quite sure did not even know that such claims were in existence. The powers of attorney, which are required to be filed, named

the writer, D. M. Kelleher, as the attorney in fact. If the filing of these powers of attorney and the argument by me of the legal questions involved in the claims before the department constitute an appearance of anyone beside myself, surely the implication could extend no further than my firm or associates. The mere fact that eight or nine years ago I was associated with Judge Kenyon in the practice has not even a remote bearing upon this matter. The claims which I presented to the department did not arise until five or six years after the conclusion of the last business in which Judge Kenyon was interested.

Upon returning from Washington in the latter part of 1919 the firm of Kelleher, Hanson & Mitchell was formed. I had been out of the practice for about two years. I am sending you a copy of the announcement which was made October 1, 1919, together with the stationery which was subsequently used. The stationery, "Kelleher, Hanson & Mitchell," was used until June, 1921, at which time Mr. Hanson retired from the firm. Then the stationery of Kelleher & Mitchell was used from that time to this. Judge Kenyon has no actual or nominal connection with the firms or their business. He did not share at all in it in any way.

I do not see how I could have foreseen the possibility that he would be charged with a connection with the conduct of any department business conducted by me in 1921 or 1922.

As a matter of fact, at the time the claims were argued Judge Kenyon was on the Federal bench.

Respectfully yours, D. M. KELLEHER.

MAY 29, 1924.

Mr. A. W. MELLON,

Secretary of the Treasury, Washington, D. C.:

My attention has been called to press dispatches purporting to state the substance of a report by the Secretary of the Treasury giving the name of W. S. Kenyon as one who appeared before the Treasury Department, either in person or through firms with which he was connected, and stating that his name was included as a practitioner before the department because of the fact that I appeared on behalf of claimants before the department from whom I had powers of attorney. I wish to state explicitly that the inference that Judge Kenyon, through a partnership or other association, was in any way concerned in presenting these claims is unwarranted. On March 23, 1922, at which time W. S. Kenyon was on the Federal bench, I filed powers of attorney in and argued before officials of the Bureau of Internal Revenue a number of claims. These claims originated in 1921. From the latter part of 1919 until June, 1921, I was a member of the firm of Kelleher, Hanson & Mitchell, and thereafter of the firm of Kelleher & Mitchell. Judge Kenyon was not a member of either firm. He had no share or interest in the firms or their earnings. Our books and tax returns on file in your department will afford proof of this. If my appearance is construed to be for the firm of which I was a member, that firm was Kelleher & Mitchell. W. S. Kenyon was not a member of my firm or associated or connected therewith. The last law business in which I was associated with Judge Kenyon was finished in 1915 or 1916, since which he has had no interest in any law business with me or my firm. So far as I am informed, he did not engage in practice since that time.

D. M. KELLEHER.

THE UNDERSECRETARY OF THE TREASURY,
Washington, May 28, 1924.

Hon. SMITH W. BROOKHART,
United States Senate.

MY DEAR SENATOR: Confirming my conversation with your secretary this afternoon with reference to Judge Kenyon's name, Senate Resolution 173 required a report of all ex-Senators "who since the 1st day of January, 1918, has appeared as attorney or agent or who is a member of any firm or partnership appearing as attorney or agent," etc. In Martindale's Legal Directory for 1922 the firm of Kenyon, Kelleher & Mitchell appears, with W. S. Kenyon as a senior member of the firm. This directory was used by all of the departments in preparing a list of the men about whom a report was required. The powers of attorney in the cases reported by the Treasury were all made out to D. M. Kelleher. None of them were made out to Judge Kenyon. I understand your secretary is to ascertain whether Judge Kenyon was a member of the partnership in 1922 or whether Martindale's Legal Directory was incorrect.

Very truly yours, GARRARD B. WINSTON,
Undersecretary of the Treasury.

Mr. REED of Missouri. Will the Senator from Minnesota yield to me for about two minutes in reference to the matter to which the Senator from Iowa [Mr. BROOKHART] has just referred?

Mr. JOHNSON of Minnesota. I yield to the Senator.

Mr. REED of Missouri. Mr. President, I think it exceedingly regretable that any official of this Government should have carelessly or recklessly sent out the information that former Senator Kenyon had been practicing before the Treasury Department. At the time the information was sent out ex-Senator Kenyon was occupying a distinguished judicial position. All that was necessary for the department to have done in order to have learned the truth was to have addressed a note to Judge Kenyon. The department proceeded in this instance, as it apparently has proceeded in others, with a disregard for ordinary care and prudence, and a disregard of any desire really to proceed in a manner that would prevent injury to perfectly innocent persons. The department made some similar charge—for it amounts to a charge—against former Senator Lewis, of Illinois.

The fact of the matter is, as the department could have easily ascertained, that Judge Kenyon had not ever practiced law before any of the departments while he was a Senator or at any other period of his life. They could have easily ascertained that for about nine years he had not been a member of the law firm which did have a little business before the department.

I think the conduct of the department in this instance, if not inexcusable, is a just subject for severe criticism. I served in the Senate with Judge Kenyon for a good many years. I did not always agree with him, which was, of course, a very natural thing. I have never known a man who appeared to me to be more thoroughly imbued with a high sense of disinterested duty—I will not say I never knew a man his equal, but I never knew a man who was his superior in that respect—and reflection upon him by any kind of a report merits very severe condemnation. I hope that in the future officials and the employees of the Treasury Department and other departments will have a little care before they recklessly send out false if not slanderous statements.

CONDITION OF AGRICULTURE

Mr. JOHNSON of Minnesota. Mr. President, it would be most pleasing to me to get up here and talk a few minutes on the achievements of Congress in bringing about relief for the distressed farmers of the country. That, I say, would be most pleasing to me. There is little satisfaction in faultfinding. I dislike to criticize. But the situation is such that I feel compelled to tell the Senate that, in my opinion, Congress has all but ignored the pleas of the farmers. Not a single measure in the nature of general farm relief has as yet passed either House of Congress. We have appropriated hundreds of millions of dollars for the perpetuation of militarism, but we have refused even to set up machinery to enable the farmers to protect their own interests.

There is little need of discussing the condition of agriculture. Most of you are acquainted with the general situation already; Senators know that conditions are bad; but I am going to call attention to a few facts which have come to me through personal observation and which I have learned from the testimony given before the Committee on Agriculture and Forestry.

In my home county in Minnesota, where I have lived for more than 30 years, conditions have grown worse for the farmers during the last few years. Farmers who were considered well-to-do five years ago are to-day bankrupt. This is true in spite of the fact that my county is in the dairy section of the State. Now, the price of butterfat is dropping so fast that I am being flooded with letters asking that the tariff on butter be increased so as to keep out all imported butter. I mention this so that those who are advocating dairying as a means of farm relief may realize that it does not seem to be the only remedy after all.

The other day I received a letter from an old neighbor of mine, in which he tells something of the conditions back there. I am going to read a part of his letter:

Now, Mr. JOHNSON, I tell you since you are gone a big change is made to the worse from the farmers' standpoint. There is one lawyer, Mr. J—— H——, told me he wrote 54 foreclosures, to say nothing about the other lawyers. What is to become of the farmers if they don't get better prices for their products? I don't know. The farmers can't hire any help, as labor is too high; and what the farmer has to buy is three prices. Shoes, $5 to $10; a good hat, the same price; and all clothes and wearing apparel at the highest price. Coffee, 30 to 50 cents a pound; sugar, $9.65 per hundred pounds; and all groceries the same high price. But they pay a farmer $1 for No. 1 wheat; oats, 35 cents; barley, 45 cents; rye, 54 cents; corn, 75 cents—not so bad for corn. Hogs, No. 1, $5.75 on foot; dressed, 9 cents per pound; beef, 2 cents up to $5.50 per hundred for fat steers. Tax on cultivated land from $1 up to $4.50 per acre. My dear Senator, if things don't change, the land will go back to the Indians, and most land will lay idle; and I don't know what will become of the poor farmer people.

Right here, Mr. President, I wish to add that some days ago I received a letter from a banker in Douglas County, Minn., in the dairy section of the State, and, among other things, referring to agricultural conditions in my State, and especially in

his county, he said the farmers are beginning to think about packing up their clothes and leaving their farms. The writer of that letter is a regular Republican, but his letter indicates that even Republicans of that character are beginning to have their eyes opened.

The territory to which reference is made in the letter from which I quoted a moment ago is populated for the most part with Germans. The German farmer is economical and industrious. He can usually make farming pay. Now, even those German-American farmers are being forced into bankruptcy.

A number of prominent leaders of farmers' organizations and State officials from the Northwest testified before the Committee on Agriculture and Forestry during the hearings in January and February. It is impossible to quote any number of them, so I shall just refer merely to the testimony of two or three.

Mr. John N. Hagen, of North Dakota, former commissioner of agriculture and labor, and at the present time supervisor of grades, weights, and measures of that State, went into some detail as to the conditions in his State.

He secured reports from the sheriffs of all of the counties in the State on the number of sheriff's sales of real estate during the year 1923. For the first 11 months of 1923—that is, up to December 1—the number of such sales varied from 1.2 per cent to 36.81 per cent of the farms in these counties, and the average for the entire State was nearly 10 per cent. In other words, Mr. Hagen stated, all of the farms in the State would be sold at sheriff's sale within the next 10 years if the present rate of foreclosures should keep up.

Mr. Hagen also gave figures with reference to bankruptcies in several Northwest States. In 1913 there were 667 bankruptcies in Iowa, Montana, and North Dakota. In 1923 there were 2,295 bankruptcies in these States. There was an increase of 244 per cent. That, however, is not the interesting point. The increase in the number of farmer bankrupts is what is startling. There were 190 farmer bankrupts in 1913. In 1923 this number had increased to 1,470. This is an increase of 673 per cent. Of course, the percentage of bankrupts was higher in Montana and North Dakota than in Iowa, though in the last-named State the number increased from 60 in 1913 to 489 in 1923, representing an increase of 715 per cent. In my own State, Minnesota, bankruptcies increased from 404 in 1913 to 1,023 in 1923. Farmer bankrupts increased from 32 in 1913 to 291 in 1923. This was at the rate of 800 per cent.

As further evidence of the condition in agriculture I want to insert as part my remarks a report made by the Department of Agriculture on January 9 last. This report has already been discussed by the Senator from Iowa [Mr. BROOKHART] and by several other Senators. I ask unanimous consent that it be inserted in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
Office of the Secretary.

[Release for publication Wednesday afternoon, January 9, 1924]

FARM FORECLOSURES AND BANKRUPTCIES SINCE 1920

More than 8½ per cent of the owner farmers in 15 corn and wheat producing States lost their farms with or without legal process between 1920 and the spring of 1923, the United States Department of Agriculture has learned through a special inquiry to which 2,400 farmers in the upper Mississippi Valley replied. In addition, more than 15 per cent of the owners were, in fact, temporarily insolvent but held on through the leniency of creditors.

The 2,400 farmers, each reporting for a specified area, made returns on 69,000 owner farmers. It was shown that of these owner farmers 2,800 lost their farms through foreclosure or bankruptcy, 3,000 lost their farms without legal process, and 10,400 farmers held on through the leniency of creditors.

Of 26,000 tenant farmers in the areas covered, 1,900, or more than 7 per cent, lost their property through formal proceedings; 2,000, or more than 7 per cent, went under without legal formality; and 5,500, or more than 21 per cent, were spared such losses only through the leniency of creditors.

Applying the percentages of losses obtained in the inquiry to the 1920 census figures for owners and tenants in the States covered, it is estimated that out of a total of 2,283,000 owner and tenant farmers more than 108,000 lost their farms or other property through foreclosure or bankruptcy, over 122,000 lost their property without legal proceedings, and nearly 373,000 retained their property through the leniency of creditors.

It appears from the inquiry that of the owner farmers who had lost their farms more than 43,000 experienced such loss as the result of purchase of their farms or of other farm land during the land-boom period, whereas nearly 11,000 of all owner and tenant farmers in the 15 States lost their property as the result of unwise investments in enterprises other than farming.

The losses of farms by owners were relatively more numerous in Montana, North Dakota, Colorado, and South Dakota, and less numerous in the east North Central States. Losses of property by tenants were also relatively more numerous in the Western States covered by the reports.

Mr. JOHNSON of Minnesota. But while agriculture in the corn and wheat States, with which the report deals, may be in a worse condition than in other parts of the country, it is safe to state that agriculture as a whole is anything but prosperous.

Benjamin C. Marsh, managing director of the Farmers' National Council, made such a fine analysis of the present agricultural situation, taking the country on a whole, that I am going to ask leave to have part of his testimony inserted here.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

The last census gives the total value of farm property as $78,000,000,000.

Now, taking the long-term indebtedness and allowing 6 per cent on $70,000,000,000, it gives $4,200,000,000; then if you allow the interest on the mortgaged and temporary indebtedness of the farmers, amounting to $13,000,000,000, which I think averages 9 per cent, you have got $1,170,000,000. I put fertilizers down at $300,000,000. In 1919 they paid $326,000,000. I think that is about accurate—around $300,000,000. I have got it only approximately. Then I figured, for nearly $80,000,000,000 investment, an average of about 2 per cent tax, plus all the other taxes the farmer has paid, that their total tax bill must be, roughly, $2,000,000,000. That is only a quarter of the total annual cost of Federal, State, and local Government.

Then the farmers in 1919 paid for labor, both in crops and cash, about a billion and a third. I put it down at $1,000,000,000. They paid an enormous amount for feed. It was nearly $1,100,000,000 in 1919. I reduced it to $1,000,000,000. And seed, $250,000,000; that is an estimate. The total of that comes to $9,920,000,000, without paying a penny to the farmer or his wife and children for the work which they do on the farm. The total which they got for their crops, as I read you the figures from the Department of Agriculture, was $8,322,000,000, to which should be added what they got for livestock; and if you put that down at a billion and a half or a billion and three-quarters, on which, as I told you, there are no figures available, it makes a total of about $10,000,000,000 which farmers received for the output of their farms. Their expenses, without any allowance for labor, were approximately the same as the total price which they got, and the farmer and his wife and children worked for nothing. Say there were 6,200,000 families on the farms and allow only $800 a year for the work of the farmer, the mother, and the children, and that is $4,960,000,000, the amount that the farmers ran behind the game. I would say it was at least $5,000,000,000 last year, on the basis on which any other business is conducted, on any reasonable basis.

Mr. JOHNSON of Minnesota. There are other evidences of the sad condition of agriculture. The fact that business in the rural sections of the country is also on the down grade bears ample testimony of what condition agriculture is in. Just recently the Manufacturers' Record showed that the agricultural depression is manifest in the falling off in the manufacture of farm machinery. For example, in 1914 there were 1,335,104 plows manufactured; in 1922 the number had fallen to 431,409. In 1914 there were 277,521 mowers manufactured; in 1922 the number had fallen to 80,484. Grain binders and headers had fallen from 215,386 in 1914 to 41,458 in 1922. Other machines used on the farm had fallen in number in like manner.

Surely these figures indicate something. Machinery is just as essential to the farm to-day as ever before. It did not just happen that the number of mowers, binders, and plows decreased in number. There was an economic reason for it, and that reason is that agriculture is fearfully on the down grade.

Now I shall just cite one more proof of the deplorable condition of agriculture.

The small-town bankers are going broke. These bankers, as you all know, were wholly dependent upon the prosperity of the farmers in the vicinity where they exist. So many banks have been closed recently that I could not even give an estimate of the number. An article which appeared in the Washington Times some weeks ago showed that in the States of Minnesota, North Dakota, South Dakota, and Montana the banking situation is unusually bad. The article showed that 119 State banks had failed in Montana during the period of 1922 and 1923, 96 State banks had failed in North Dakota during the same years, 44 in Minnesota, and 60 in South Dakota. In addition,

16 national banks had failed in Montana, 14 in North Dakota, 8 in South Dakota, and 3 in Minnesota during the same period.

Some time ago the Senator from New Mexico [Mr. BURSUM] called attention to the situation in New Mexico. I have forgotten his figures as to number of banks that have failed; but, as I recall it, the condition in that State is no better than in the States of the Northwest when the total number of banks is taken into consideration.

The United States Tariff Commission has just published its report on "Wheat and Wheat Products." This report contains the information that during the year 1923 the cost of producing a bushel of hard spring wheat in the United States was $1.80. The cost of producing a bushel of wheat in Canada in 1923 was $1.10 per bushel. Evidently, the American farmer was losing about as much on each bushel of wheat produced as he got for it. It requires no expert to prove that the farmer who produces wheat is going broke fast.

This report of the Tariff Commission also contains some other interesting information. On page 43 of the report a reference is made to the difference in transportation cost in Canada and in the United States. Let me quote a few sentences:

> The advantage to the Canadian producer in the rail rate is 5.33 cents per bushel. So far as this relates to the Canadian National Railways, it is in the nature of an advantage granted a foreign producer by a foreign government. The testimony and investigation show that in western Canada wheat is hauled on all railroads to the head of the Lakes at rates 3 cents per bushel less than in 1897, despite increases in operation cost during the past generation. It is an unavoidable inference that wheat is being hauled at less cost and that the Canadian Government, so far as the National Railways are affected, is bearing the loss.

But the difference in the rate on wheat is much greater on long hauls than the average would indicate. From Great Falls, Mont., to Duluth, Minn., is a distance of 1,057 miles. The rate on wheat is 25.2 cents per bushel. The distance from Medicine Hat, Alberta, to Fort William, on Lake Superior, is 1,076 miles. The rate is 14.4 cents per bushel. The difference is actually more than 10 cents per bushel. This information is also taken from the Tariff Commission's report.

From another source I have obtained figures showing similar rates in effect between other points in Canada and the United States. For example: The distance from Teton, Mont., to Duluth, Minn., is 1,004 miles, and the rate is 25.2 cents per bushel. From Conquest, Saskatchewan, to Port Arthur is 1,002 miles, and the rate is 15 cents per bushel. Here, again, there is a difference in favor of the Canadian farmer of 10 cents per bushel in the freight rate.

The report dwells somewhat on the fact that the wheat is being hauled on the Canadian National Railways "at less than cost." That is undoubtedly true. A report published in the Christian Science Monitor a few days ago shows that though the Canadian National Railways' income exceeded expenditures by $20,000,000 in 1923, that part of the lines west of Port Arthur sustained a loss of $2,000,000 in operation. To show what this advantage meant to the Canadian shipper, I ask leave to have a news item from the New York Times of May 3 inserted in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

FINDS RAIL RATES LOWEST IN CANADA—DIFFERENCE COMPARED WITH THE UNITED STATES $100,000,000 IN THREE YEARS, EXECUTIVE SAYS

As a result of lower freight rates in Canada shippers there have saved $100,000,000 that they would have expended in the last three years had their rates been the same as those of the United States, according to A. J. Hills, assistant to S. J. Hungerford, vice president of the Canadian National Railways. His comparison of the rates in Canada and the United States is contained in an official publication issued by the company.

"The great Canadian National Railways system performed about 50 per cent of the work of all the railways in Canada, and performs it at a very low rate to the shippers," he said.

"I have never heard a captain of industry attack the Canadian National Railways. If a man is a big shipper he is well posted on the useful services performed by the National system, and he knows, too, that the rates are low. The best comparison of rates from a Canadian point of view is with the United States.

"In the last three years the difference in favor of the Canadian shippers and consignees between the rate per ton-mile in Canada and in the United States has been worth $100,000,000 to the people of Canada. The rate per ton per mile represents what the railways receive on the average for moving a ton of freight a distance of 1 mile; and this is generally regarded as the mean or average freight rate, and is used as a basis for comparisons between individual railways and between railways of different countries. In 1922 the United States rate was 1.185 cents, whereas the Canadian rate was 1.039 cents."

Mr. JOHNSON of Minnesota. But the Canadian Government is making no mistake in assisting the farmers of the West in reduced freight rates. Instead of subsidizing privately owned railroads, as we have done in the United States, by increasing freight and passenger rates that are ruinous to agriculture and business, the Government of Canada seems to have had the good sense of granting a subsidy to its basic industry, agriculture. It no doubt seems regrettable to certain people on this side of the line that "wheat is hauled on all railroads to the head of the Lakes at rates 3 cents per bushel less than in 1897," but I am sure that the farmers of western Canada have had no occasion to regret it.

We are paying the price in the United States for private ownership of railroads. Under this system of railroad ownership freight rates have had to be boosted to insure income on a grossly inflated capitalization, until we are now paying more than the traffic will bear.

In addition to the ruinous freight-rate burden suffered by the American farmers there is also the tax burden to be considered. The Bureau of the Census reports that the per capita government cost payments of States increased from $5.03 in 1915 to $11.82 in 1922. This means an average increase for a family of six of $41.47.

The Secretary of Agriculture in his report for 1923 says:

> Our investigations lead us to estimate the property taxes and interest combined paid by agriculture in the year 1920 at about $1,457,000,000, in 1921 at $1,684,000,000, in 1922 at $1,749,000,000. In 1920 practically the entire value of the wheat and tobacco crops, or about two-thirds of the wheat and cotton crops, were required to pay property taxes and interest charges. In 1922 the value of wheat, oats, and tobacco crops and one-half of the potato crop were required to pay taxes, and interest charges were equivalent to the entire value of the cotton crop, plus two-thirds of the wheat crop.
>
> Property taxes increased from $532,000,000 in 1920 to $797,000,000 in 1922.

With all this load to carry and an income insufficient to meet it, is there anything strange about the farmers asking for relief? Surely the farmer is as much entitled to Government assistance as are the railroads, the manufacturers, and the banks. When the railroads found themselves unable to pay dividends on their oceans of water, Congress came to the rescue and passed the transportation act guaranteeing income on an alleged "fair valuation." When the big banks desired to place themselves in a more strategic position than that which they previously occupied Congress enacted the Federal reserve scheme, thereby conferring power upon the bankers to inflate and deflate as seemed most advantageous to them. The manufacturers got the Fordney-McCumber tariff law for their protection when they asked for it.

The farmer wants the Government to undertake the marketing of his products. I am most anxious to see the measure introduced by the Senator from Nebraska enacted into law. The plan embodied in the bill provides for marketing the farmer's products through a Government marketing and finance corporation. The plan is scientific. Marketing is a proper function of government.

I would gladly have supported the McNary-Haugen bill had it come before the Senate. Now adjournment stares us in the face, and nothing has been done. From a political standpoint I could wish for nothing better than to leave matters as they stand. The administration now stands discredited with the farmers. The fact is proven by the recent election returns from Nebraska and Iowa, which give large majorities to the Progressive Senators [Mr. NORRIS and Mr. BROOKHART] over their "regular" Republican opponents.

But while the situation is satisfactory to us Progressives politically, we are not primarily concerned about that. We want something done for the farmers; and I shall be perfectly satisfied with any gains the Republican Party can make as a result of enacting genuine farm-relief legislation. There is still time to pass the Norris-Sinclair bill before Saturday evening. If that be done, the poverty-stricken farmers of the West will have love in their hearts for the legislators at Washington instead of a feeling of distrust of all governmental authority, such as will result from inaction on the part of Congress.

Senators, this is our move, and unless we make it the people will do so for us at the polls next November.

Mr. President, just one word more: A little over six months ago I came to Washington representing one of the great States of this Union. I was invited to be one of the speakers at the great Gridiron Club banquet. I had opportunity to speak for

only six or seven minutes; but because the President of the United States was there, together with representatives of the great press of this country, I said that I was here, elected for only a short time, and as a new Senator I could not "butt in"; and Senators will all agree with me that I have not "butted in"; but I serve notice now that if I am reelected for six years I will "butt in" when I come back next December.

I said this, "I will ask for a square deal for the farmers of the Northwest."

When I sat down the President of the United States got up and said, "The Senator from Minnesota is asking for a square deal. He is going to get it. If he does not get it at the Capitol, he is going to get it at the other end of the Avenue." He even picked up a little story I told, and said, "I am willing to give him the horse, even if I have to take the rabbit."

Mr. President, in conclusion I want to state that I have not seen anything done in Congress for the farmers so far, and I shall go back to my State next Sunday very greatly disgusted and disappointed if some measure is not put on the statute books that will help the American farmer. His prosperity, his buying power, will mean prosperity, happiness, and contentment for the rest of the people in this great country.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate No. 14 to the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, with a further amendment, in which it requested the concurrence of the Senate; and that the House still further insisted on its disagreement to the amendment of the Senate No. 13 to the said bill.

WAR DEPARTMENT APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate the action of the House agreeing to the amendment of the Senate to the amendment of the House to the amendment of the Senate No. 14 to the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, with an amendment as follows:

After the matter inserted by the Senate amendment to the House amendment to the Senate amendment add the following:

based on using funds received from the sale of surplus War Department real estate.

Mr. WADSWORTH. I move that the Senate concur in the amendment just read by the Secretary.

The motion was agreed to.

The PRESIDENT pro tempore. The Chair lays before the Senate further action of the House on the bill, which will be read.

The reading clerk read as follows:

That the House still further insists on its disagreement to the amendment of the Senate numbered 13.

Mr. WADSWORTH. I move that the Senate recede from this amendment, the effect being to reduce the appropriation by $600,000.

The motion was agreed to.

Mr. UNDERWOOD. May I ask the Senator from New York if that passes the bill?

Mr. WADSWORTH. It does.

PROMOTION OF VOCATIONAL REHABILITATION—CONFERENCE REPORT

Mr. STERLING submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5478) to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, and 5, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted insert the following: "June 30, 1926, and June 30, 1927"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment, strike out the words "and annually thereafter for a period of three years," and insert in lieu thereof "1926, and 1927"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the word "three"; and the Senate agree to the same.

THOMAS STERLING,
PORTER H. DALE,
A. A. JONES,
Managers on the part of the Senate.

FREDERICK W. DALLINGER,
DANIEL A. REED,
B. G. LOWREY,
Managers on the part of the House.

Mr. STERLING. Mr. President, I ask for the present consideration of the conference report just laid before the Senate.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the question is on agreeing to the conference report.

The report was agreed to.

MUSCLE SHOALS AND AGRICULTURAL CONDITIONS

Mr. HEFLIN. Mr. President, I was interested in what the Senator from Minnesota [Mr. JOHNSON] has just said. In the closing hours of this session he reminds the Senate and the country that the Republican Party, in control of every branch of the Government, has failed utterly to do anything for the relief of the farmers of the country.

I recall, when the session commenced six months ago, the promises that were made by the President and by the Republican leaders of the Senate and by the Republican leaders of the House as to just how they were going to the rescue of the distressed farmers of the country. Some two months ago I heard the able and eloquent Senator from Idaho [Mr. BORAH] remind the Senate that the farmers through the West by the hundreds and thousands were having their lands sold for taxes. Senators, the farmers of the West and the farmers of the South are in a deplorable condition. I heard Senator BORAH tell the Senate that under the present conditions and policies hundreds of banks in the West had failed.

In the hearings before the Committee on Agriculture and Forestry, when we were seeking to get some measure through that would give relief to the farmers, I heard testimony of dire distress amongst the farmers throughout the West. Witnesses told of farmers who had lost their homes, lost their farms, lost their household effects.

Yet, with this convincing testimony and this gloomy picture before us, we find this Republican Congress adjourning to make way for a Republican convention, which will soon assemble at Cleveland, Ohio, not seeking to do something to relieve the great mass of the people of our country, but making preparations for a convention to write another platform, nominate candidates, and go to the country to gain control for four years more for a party that is being repudiated by the people all over the land.

Some people wonder how it is that the Republican Party makes millionaires overnight of a favored few and literally destroys the business and the prosperity of millions of people in the common pursuits of life. Because it is a special-privilege party, because it is a party of governmental favoritism, because it is a party now dominated and controlled absolutely by the money trust of America. They who control the money bags of America dominate the Republican Party and dictate the policy of that party.

Mr. President, the Republican Party is truly the party of special privilege——

Mr. BROOKHART. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. HEFLIN. I yield.

Mr. BROOKHART. Assuming that the Republican Party is such a special privileged party, is it not true that the Democratic Party has just voted to adjourn without doing anything?

Mr. HEFLIN. A majority of the Democrats voted against adjournment, and if enough Republicans had joined us we would have held the Senate in session, and therefore defeated the concurrent resolution.

Mr. BROOKHART. As I recollect, there were 20 Democrats so voting. That is not a majority of the Democrats.

Mr. HEFLIN. I think you will find that a majority of the Democrats voted against adjournment.

Mr. BROOKHART. Another question, then. Has the Democratic side presented any affirmative, concrete plan for the relief of the common people?

Mr. HEFLIN. Yes; the Senator from South Carolina [Mr. SMITH] has offered a meritorious, constructive measure. There is no wildcat scheme in it. It is a safe and sound legislative proposition and would be very helpful to the farmers of the country, and if the Senator from Iowa and his colleagues would join us and get behind this bill, we would get some relief yet for the farmers of the country.

Mr. BROOKHART. I will say to the Senator now that if he will unite the Democratic side on that bill, we will all vote for it and pass it; that is, we "progressives," as the Senator calls us.

Mr. HEFLIN. I fear the Senator has waited too long.

Mr. BROOKHART. I said that two months ago. I told the Senator from South Carolina [Mr. SMITH] that two months ago.

Mr. HEFLIN. The Senator did not say it quite as loud as he is saying it now just before adjournment. A loud cry now is a despairing cry in the closing hours of the session; you have waited too late. Judgment time has come on your party, and in November you are going to get it where the chicken got the ax—in the neck. [Laughter.]

Mr. BROOKHART. There may be judgment on another party in November, too. The ax sometimes has two blades, and it might hit two necks.

Mr. HEFLIN. Mr. President, I know how my good friend from Iowa feels just now. The President has been repudiated in his State; all the Republican machinery of the State has been repudiated, and the Senator has been renominated.

Mr. BROOKHART. There is one other thing that was repudiated up there, and that was this attempt to turn the biggest Government resource over to Henry Ford.

Mr. HEFLIN. I understand that Congressman HARRY HULL, who bitterly opposed the Ford offer in the House, was defeated in the Republican primary last Tuesday, and that the Ford offer was one of the main issues in the primary campaign.

Mr. BROOKHART. There were 10 others who did the same thing who were nominated.

Mr. HEFLIN. Did they support the Ford offer?

Mr. BROOKHART. Not one of them. They were all against it, and they were all renominated, so there is not much argument in that.

Mr. HEFLIN. I do not know that it was on in the other congressional districts.

Mr. BROOKHART. The trouble is that there was not much of a Ford issue in HULL'S district. If there had been, he would have been renominated.

Mr. HEFLIN. My information is to the contrary. I can remind the Senator from Iowa that Mr. Phil Campbell carried a special rule which provided for a vote on the Ford offer around in his pocket, while a Member of the House, and would not permit that body to vote on the Ford bid, just as you are not permitting us to vote on it here, and they defeated Mr. Phil Campbell in the primary, and that was an issue in his district. Mr. Good, of your State, I understand, carried a rule around in his pocket in the House—this is Republican leadership tactics I am now talking about—and he would not let them vote on the matter of appropriating $10,000,000 to carry on the work on Dam No. 2, and by his arbitrary action prevented the appropriation from being made and the delay caused by his action cost the Government, according to the estimate of General Taylor, the large sum of $5,000,000. And now I am informed that this same Mr. Good is an attorney for the Alabama Power Co. in the western division. This is one of the companies fighting the Ford offer.

Mr. BROOKHART. Then I understand from the Senator——

Mr. HEFLIN. I understand that "by their fruits ye shall know them." [Laughter.]

Mr. BROOKHART. Then I understand the particular fruit the Senator from Alabama wants to bring forth is to turn over to Henry Ford the greatest national resource in the possession of the country.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield.

Mr. CARAWAY. Did he not trade for it?

Mr. BROOKHART. With whom did he trade?

Mr. CARAWAY. With the only real patriot in the country—the President.

Mr. BROOKHART. Let us concede that that be true; but what surprises me is to see the Senator from Alabama sustaining that trade.

Mr. CARAWAY. Oh, well, he ought to sustain the President now and then, ought he not?

Mr. BROOKHART. Perhaps that is so.

Mr. HEFLIN. The Ford offer is the only offer and the only one that will at all benefit the farmers of the country. We may just as well speak plainly about this thing.

The Senator from Iowa says we are about to turn over the greatest resource of the country to a private individual. What did the Government start to do when it commenced work at Muscle Shoals? To manufacture nitrates for war purposes and fertilizer for farmers in time of peace. Yes, and to relieve the farmers of the country from the clutches of the Fertilizer Trust. What happened to this great national project of which the Senator speaks so glibly? Mr. President, a Republican House abandoned it, stopped work upon it, left the cofferdams to wash away, as they were washing away. What did the Republican committee do in the House? It recommended that it be abandoned as a matter of junk. Why was that done? Let me tell you why I think it was done, because the country ought to know the truth about this Muscle Shoals matter, and the Senator from Iowa and others must answer for their positions on it. I am going to give the truth to them, as will other Senators during this discussion. I think that it was abandoned in order that one of the big power companies might buy it for practically nothing after it had been abandoned for two or three years. They intended to go down and look it over and say to the Government, "There is your junk. It is no good. The cofferdams are gone. The material that was put in the dam is exposed and damaged." And they would get it for a song.

Mr. FLETCHER. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Florida?

Mr. HEFLIN. I yield.

Mr. FLETCHER. I have here an editorial from the Dearborn Independent of May 31, 1924, entitled "What Muscle Shoals Really Means." There are some statements of fact that seem to me quite important in the editorial, and they ought to be considered in this connection. Among them I would call attention to the following:

> The Muscle Shoals controversy means more than water power and fertilizer, more than the opening of the South's new era; it means that two systems of business are colliding head-on! The contest is Production v. Profits. Service and Spoils confront each other.

There is another statement a little further on in the editorial, as follows:

> When the war stopped and the Government found unfinished Muscle Shoals on its hands the Government sent out men and messages to these very interests asking bids for the completion and operation of the works. One after another all possible users of Muscle Shoals were approached. And with one accord they declared that Muscle Shoals wasn't worth a nickel; that as for themselves they would never invest a penny in it.

Another statement is this:

> Is there a better or more promising offer in sight? No. With the Ford offer refused, there will never be any other offer heard of.

Another statement is as follows:

> If Henry Ford had agreed to do business along the old lines, charging the power users all the traffic would bear, charging farmers all they could pay, squeezing out every cent of personal profits that could be had—if he had agreed to do business along the lines his opponents follow, boosting prices and profits, Muscle Shoals would have been handed to him long ago with the blessing of every exploiter in the land.

As the editorial said, two vast systems are colliding head-on. Without committing myself one way or the other on the proposition, it seems to me these are facts that are very well worth considering and ought to be answered by those who advocate either disposition of the offer.

Mr. HEFLIN. They will have to answer the powerful facts contained in that editorial.

Mr. FLETCHER. I ask permission to have the editorial printed in the RECORD at the conclusion of the Senator's speech.

The PRESIDENT pro tempore. Without objection, it is so ordered.

[See appendix.]

The PRESIDENT pro tempore. The Chair recognizes the Senator from Alabama for his second address on the amendment.

Mr. HEFLIN. How is that, Mr. President?

The PRESIDENT pro tempore. The Chair has remarked several times that when a Senator yields for a purpose other than an interrogatory he yields the floor. The Chair recognizes the Senator from Alabama for his second speech on the amendment.

Mr. HEFLIN. Very well. I can only yield hereafter for a question. I appreciate the interruption of the Senator from Florida. He has contributed to the discussion an editorial that Senators must answer this fall.

The Senator from Iowa intimates that Mr. Ford and Mr. Coolidge had a trade. That has been intimated several times, intimated very strongly by the chairman of the Committee on Agriculture and Forestry, the senior Senator from Nebraska [Mr. NORRIS].

Mr. BROOKHART. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. HEFLIN. Just for a question.

Mr. BROOKHART. The question is this: Is it not true that the intimation about the trade was made by the Senator from Arkansas [Mr. CARAWAY]?

Mr. HEFLIN. The Senator from Arkansas was just indulging in a little pleasantry with the Senator from Iowa.

Mr. BROOKHART. Was it not more than just an intimation?

Mr. HEFLIN. I think he was doing that to make the position of the Senator from Iowa a little more ridiculous than it was already.

Mr. BROOKHART. Whether he did or not, is not he the one who made the intimation? Now, I call the Senator's attention——

Mr. HEFLIN. I can not yield for a speech. I must proceed with my own speech.

The Senator from Iowa said we are about to turn over to Mr. Ford the greatest natural resource in the country. The Senator from Iowa is not informed as to what occurred in the hearings before the committee. We have seven or eight States with power possibilities from five to ten times as great as Muscle Shoals and all Alabama. One witness who appeared before the committee testified that the power possibilities of the State of Washington were 9,000,000 horsepower. Alabama all told can not produce more than 1,500,000. Yet the Senator from Iowa would have the Senate and the country believe that Muscle Shoals is the greatest power project in the Nation and that we are about to turn it over to one man for private purposes.

I propose that the Senator from Iowa and others shall meet the issue squarely, and here is what it is: Congress is about to adjourn and we have been denied the opportunity of having a vote on the question of giving relief to the farmers of America. The Senator from Minnesota [Mr. JOHNSON] closed his speech with an appeal that something be done for them. The Senator from Wisconsin [Mr. LA FOLLETTE] stated in the resolution which he submitted on yesterday what he wanted to do for them and then stood here and objected to a vote on the Ford offer which would save the farmers of America $100,000,000 a year.

Does that look like getting relief for the farmer?

On account of the objections of the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Iowa [Mr. BROOKHART], the Senator from Nebraska [Mr. NORRIS], and the Senator from New Hampshire [Mr. MOSES], we are not going to vote at this session at all on Henry Ford's offer. Remember, this project was abandoned by Republican leadership, thrown aside as a matter of junk, cast away to be picked up after a while by the power companies of America, combined, and all of them here now fighting to the death Henry Ford's offer for Muscle Shoals.

Mr. NORBECK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from South Dakota?

Mr. HEFLIN. I yield for a question.

Mr. NORBECK. I want to ask if the Senator from Alabama was not among those Senators who voted to withhold an appropriation to continue the construction work at Muscle Shoals?

Mr. HEFLIN. From July to October.

Mr. NORBECK. Yes; through the low-water season, the effect of which was to delay it one year.

Mr. HEFLIN. No; it did not delay it one year. We made the appropriation to go into effect October 1 instead of July 1, just three months later; but General Taylor testified, as the Senator ought to know, that they did carry on the work to some extent for that three months with the money they had on hand, and that the time lost and money lost was infinitesimal. Senators, the whole people are interested in the Ford offer. As an issue it vitally affected the Republican Party in 101 congressional districts in 1922. Do you want to wrestle with it again in the coming election? Your majority in the House was 169. We reduced it to 18 in the 1922 election.

Mr. President, they have gone out and brought in a combination of power companies and fertilizer companies, and they have pounced down upon the Henry Ford offer and pounded it in terrific fashion.

The chairman of the Committee on Agriculture and Forestry [Mr. NORRIS], who all the while was protesting that he was anxious to get through with the hearings and anxious for a vote on the question in the Senate, has convinced me at last that he was not anxious either to conclude the hearings or to have a vote at this session. Why do I say that? Because under my motion in the committee he was given until last Thursday to prepare his report, submit it, and report the bill to the Senate, and he did not do it. He asked for more time, and Saturday he told the newspaper boys that he would not be ready until Monday. So he delayed the matter himself for nearly a week, and when he did come in and my colleague rose and asked to have the matter taken up and let the Senate vote on it, vote it up or vote it down, the Senator from Nebraska, who had been protesting his anxiety to have a vote, rose and stated that he could not consent; that it was too important a matter and would require more time than was available at this session.

The eloquent senior Senator from Mississippi [Mr. HARRISON] reminded the Senator from Nebraska that the matter had been discussed in the Senate for two years and more, and that every Senator here knew practically how he was going to vote. Yet with the junior Senator from Iowa [Mr. BROOKHART] and the others that I have named clamoring for aid for the farmer, when we gave them the opportunity to vote to relieve the farmer, they killed the opportunity, the only opportunity that we will have at this session of the Senate. I want the country to know how strong their friendship is for the American farmer. They have killed the only chance we had to relieve the American farmer in the closing hours of this session of Congress.

Mr. BROOKHART. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield just for a question.

Mr. BROOKHART. Is there not quite a difference in relieving the farmer and relieving Henry Ford? I do not think Mr. Ford needs a whole lot of relief.

Mr. HEFLIN. Mr. Henry Ford has shown by his conduct where his heart is in the business world. He brought automobiles down in price to where the common masses of the common people could buy them. The big automobile companies sent for Henry Ford and said to him, "Why do you not sell your machines at a high price? You can do it just as well; you can sell just as many and you can make more money." What did he say? He said, "I want to put them within reach of the plain people, who can not buy high-priced automobiles. I want those who will never enjoy the privilege of riding in an automobile if the prices stay up to have these machines, and I am going to put them within their reach." What did he do? He sold automobiles for one-third and one-fourth of the prices for which the other manufacturers sold them, and the common people throughout the country have his machines. I cite the Senator from Iowa to Mr. Ford's conduct in that regard to show him that Mr. Ford's heart goes out to serve the farmers who this minute are held by the throat by the Fertilizer Trust of America.

Mr. BROOKHART. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. HEFLIN. I yield.

Mr. BROOKHART. Does the Senator from Alabama think that Henry Ford sold those jitneys of his so cheaply that he now needs $100,000,000 of relief from the Government of the United States?

Mr. HEFLIN. Oh, Mr. President, Mr. Ford is paying high wages to those who work for him. What did he do in that regard? He took men out of New York, who were walking the streets with nothing to do, who were being fed at the soup houses; he took men out of Philadelphia and Boston and other places and carried them to Detroit and put them to work. He put new clothes on their backs and a new song in their mouths. He was doing something for the poor, struggling people of America. He was not down here in the Senate protesting his friendship for them and then standing up and, by some strange arrangement, objecting to giving the people relief asked for.

Mr. President, Senators on the other side of the Chamber who have objected to considering the bill in reference to Muscle Shoals have also helped to defeat the McNary-Haugen bill in the other House; they have made it impossible to get legislation such as would have been provided by those measures. Why? Because they have shown no disposition to vote for anything to help anybody out, to give relief to other sections of the country.

They have not bestirred themselves in any other regard, so far as I know, until it was too late to accomplish anything.

The Senator from Iowa talks about giving Henry Ford $100,000,000. I want the country to know the truth about that situation. How does the Government come to be in possession of Muscle Shoals? Driven by necessity born of war, the Government went down to Muscle Shoals and built a dam across the lordly Tennessee River—to do what? To make nitrates for war, in order to relieve this Government of dependency upon a foreign country for its nitrates. Then what? The war ended, and the Government had this plant on its hands. The big power companies, encircling around like a lot of carrion crows, looking out saw what a desirable thing it would be after awhile to possess Muscle Shoals. The Republican House committee inspected it and said that they would spew it out of their mouths; they left it alone. Cofferdams were washing away, as I have said. Then Henry Ford and Mr. Edison, under the invitation of the Government for bids, went down and looked at it. Ford said, "Yes; I will take it. What will I do with it? I will make fertilizer, freeing the farmers from the Fertilizer Trust, and I will turn the plant over to the Government to make nitrates in time of war."

Mr. McKELLAR rose.

Mr. HEFLIN. I will yield to my friend from Tennessee for a question.

Mr. McKELLAR. I wish to say this to the Senator, if I may, in the way of a question, if it is necessary to put it in that form. It seems to me that the Senator from Iowa [Mr. BROOKHART] should be the last man in this body to criticize either Mr. Ford or his machines. I am reliably informed that the Senator from Iowa would never have won the victory which he won in Iowa two days ago if it had not been for the Ford automobiles carrying the Senator's friends to the polls on that day. [Laughter.]

Mr. HEFLIN. I am satisfied that is true, because they would have had to walk if they had not had those machines in which to ride.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Alabama yield to the Senator from Iowa?

Mr. HEFLIN. I yield for a question.

Mr. BROOKHART. Does not the Senator from Alabama know that Henry Ford is now a big manufacturer of fertilizer, and yet he has not reduced the price to the farmer?

Mr. HEFLIN. No, sir; and neither does the Senator from Iowa know it. Mr. Ford has a little side-show arrangement in connection with his automobile factory which produces merely a little fertilizer. The Senator from Iowa says that he is a large producer of fertilizer, but the Senator knows that Mr. Ford is not a large producer of fertilizer, because that is not the fact. I do not wonder that the Senator from Iowa wants to get out of the predicament in which he is. He has got some explaining to do and other Senators have some explaining to do before the farmers of Iowa and Nebraska and Wisconsin and the other sections of the West, who are going to know the truth about this matter.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. HEFLIN. I yield for a question.

Mr. BROOKHART. I should like to ask the Senator if he has ever been in Iowa?

Mr. HEFLIN. I have not; but I will be there next fall. [Laughter.]

Mr. BROOKHART. The farmers of Iowa do not use fertilizer.

Mr. HEFLIN. That accounts for the lack of sympathy on the part of the Senator for the people of the South who do use it and must have it.

Mr. JOHNSON of Minnesota. We are raising too much up there without fertilizing.

Mr. HEFLIN. Yes; maybe; but I think the Senator from Minnesota had better rest on the attack he has already made on the old stand-pat party.

Mr. President, I know that certain States of the West do not as yet have to use fertilizer, but all of the soil experts say that they will soon have to use it; and when that time comes I want the farmers whom the Senator from Iowa represents to be free from the clutches of the Fertilizer Trust, and in the meantime I want him to vote to free the people of the South from its strangle hold.

In my State in 1920 the fertilizer bill was $20,000,000. If Henry Ford had been making fertilizer, we could have obtained it for half price and it would have saved $10,000,000 to the people of my State. The fertilizer bill in North Carolina last year, I understand, was $46,000,000. If Henry Ford had been manufacturing fertilizer, the people of North Carolina would have saved $23,000,000. In South Carolina the fertilizer bill, as I remember, is $52,000,000 a year, and the people of that State would have saved $26,000,000 if Henry Ford were manufacturing fertilizer at Muscle Shoals. So the Senator can appreciate that there is an opportunity right here now to serve the farmers of the country. Yet we can not make any impression on the Senator by our appeals.

I have appealed to the Senator, and I have appealed to other western Senators. When we had before the Senate the bill affecting the long-and-short-haul provision of the transportation act, a bill which was designed to relieve the people of the West from the hurtful discrimination of the so-called long-and-short-haul clause, we voted with them; in fact, had it not been for the votes of southern Democrats that bill could not have been passed. Now, we come and plead with them in vain to allow us to have a vote on the Ford bill at this session, and they deliberately deny us the right to have such a vote.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield further to the Senator from Iowa?

Mr. HEFLIN. I yield for a question.

Mr. BROOKHART. Does not the Senator know that every progressive, and I think nearly every other Senator on this side, stands ready to vote to the farmers of the South everything, and even more than they are asking, in the way of the production of fertilizer by the Government itself; but they are opposed to turning the Muscle Shoals plant over to another private trust even if the name of Henry Ford is attached to it?

Mr. HEFLIN. Oh, Mr. President, the best way for us to judge what a section of the country wants is by what the Representatives from that section say on the subject. What does the South want—what the Senator would give us or what our people say they want and ask their Representatives to stand for? Let me say to the Senator that out of 117 Democrats in the House of Representatives 111 voted for the Ford offer, and out of 10 Republicans in the House from the South 9 voted for the Ford offer. And here we Democrats stand in the Senate and a few over there begging you to let us vote; but you will not permit us to do so. You deny us the opportunity even to let Henry Ford know whether or not his offer is going to be accepted. The Government invited him to submit an offer; he responded to the invitation of the Government; but now the Senate is denied the right to say whether that offer shall be accepted or not, and he is being left up in the air, while the matter remains undisposed of, and is to go over until December. The dam will be completed by July of next year, and there will be power going to waste for several months; you are responsible for this situation.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield?

Mr. HEFLIN. I yield for a question.

Mr. BROOKHART. Does not the Senator know that we voted an appropriation to proceed as fast as possible with the construction work down there?

Mr. HEFLIN. Certainly; but that appropriation is to improve the navigation of the river and for the nitrate plant in order that it may be used in the national defense in time of war and for fertilizer in time of peace, but the Senator will not permit us to have a vote to say whether or not we will provide that national defense and at the same time relief for the farmers of the country.

The Senator from Iowa speaks about giving a hundred million dollars to Henry Ford. That is not a fair argument. What will this money do? It will make the river navigable for 65 miles. Even if that were all that money did, it would be well spent. It not only will make the river navigable, but it will provide a nitrate plant to supply us with nitrates in time of war and free us from dependence upon a foreign country. But, in addition to that, we come and say, "While this plant remains there to be used by the Government to make nitrates when needed, let us turn it to a wholesome use; let us use it to free the farmers of the country from the Fertilizer Trust." The Senator from Nebraska [Mr. NORRIS] has said frequently that he does not know whether there is a Fertilizer Trust or not, and yet that Senator claims to be a friend of the farmer, and I am sure he is.

Fertilizer Trust! The Federal Trade Commission, in its last investigation, found that seven big companies control the price of fertilizer in the United States, and witnesses in the hearings have admitted that, if Henry Ford made the fertilizer agreed to be made, he would affect and bring down the price

of all fertilizer in the country. Yet the Senator from Iowa says we are going to give Henry Ford a hundred million dollars.

Mr. President, there is no other use to which this great governmental instrumentality can be put that will relieve the farmers of this country from the clutches of the Fertilizer Trust. I know what the straw man is that Senators have constructed. Some of them have very vivid imaginations, but the facts will not sustain them. They have built up a straw man, and they say that this gigantic concern is about to be handed over on a silver platter to Henry Ford for his private use. That, however, is not the case, Mr. President. This man who has shown that he would use his millions to put things in the reach of the masses of the people would do that with regard to fertilizer and produce it at such a price that the farmer would save half of what he pays to-day. I submit to the Senator from Iowa and others interested that $100,000,000 a year for 100 years to the farmers of the country is the best return that could be had from this property through any other plan.

Why, the chairman of the committee intimates in his report—and I do not know whether all the majority members signed that report; I do not know whether they even read it; I can not believe that some of them subscribe to the attack made on the President in that report—the chairman intimates that there was some understanding between the President and Henry Ford about Muscle Shoals. I am sure not even the Senator from Iowa [Mr. BROOKHART] would have us believe that you, including the President, had taken Henry Ford upon the mount and shown him around and told him what he would get if he would fall down and worship the golden calf of the Republican Party and then pick him up bodily and throw him off the mountain top down amongst the jagged rocks below.

Now, Mr. President, briefly, what does Henry Ford propose to do? Here is a brief statement of the Ford offer:

1. He completes Dam No. 2 and builds Dam No. 3 as rapidly as possible at cost and without profit, subject to the approval of the Chief of Engineers.

2. He leases both dams and manufactures commercial fertilizers in accordance with the demand, but he must produce annually at least the equivalent of 250,000 tons of Chilean nitrate, either mixed with other fertilizers (phosphoric acid or potash) or unmixed. This is enough for 2,000,000 tons of 2-8-2 fertilizer.

The present demand is for about three and a half times as much phosphoric acid as nitrogen, and his obligation requires at least 257,000 horsepower continually throughout the year, or its equivalent, although the power dependable throughout the year at both dams is only 240,000 horsepower, including the steam plants, and would be only about 326,000 horsepower after storage dams in the upper tributaries of the Tennessee River have been built.

Mr. President, that does not look as if the Senator from Iowa is very thoroughly informed as to what the power possibilities at Muscle Shoals are.

Witnesses all agreed that the price of commercial fertilizers to the farmers can be reduced one-half at Muscle Shoals, so Mr. Ford probably could not supply the entire demand but would have to do so at Muscle Shoals to the extent of his reasonable ability. Possibly a ton of fertilizer may be produced with less power than is now required. Then, Mr. Ford could supply a greater portion of the demand from Muscle Shoals than otherwise.

3. He agrees to a policy of regulation by consumer through a board of nine voting members, seven from the three leading national farm organizations, nominated by the President, by and with the advice and consent of the Senate, who inspect his books, limit his profits to not more than 8 per cent of the fair actual annual cost of production, and regulate price and distribution of the fertilizer.

4. He maintains nitrate plant No. 2 or a better one ready for use by the Government in time of war for manufacture of explosives.

5. He pays 4 per cent on the entire cost of completing Dam No. 2 and on the entire cost of building Dam No. 3, whatever the cost, including dams, power houses, equipment, and locks, except that during the preliminary period his payments are $200,000 per year for the first six years at Dam No. 2 and $160,000 per year for the first three years at Dam No. 3.

6. He provides for a sinking fund, which if invested in Federal farm loan bonds will return the Government more than $100,000,000 at the end of the 100-year lease. The Government in addition to its interest would receive far more than its entire investment in the dams, including $17,000,000 of wartime expenditure on Dam No. 2. Thereafter the water power will be free from interest charges and its cost greatly reduced. He furnishes free power to operate locks.

7. He pays $55,000 annually for maintenance and operation of the locks and dams which the Chief of Engineers agrees is sufficient for the purpose. The responsibility for the maintenance of the dams is left to the United States, but the Government is not required to rebuild the dams if they should be destroyed.

8. He researches improved methods of fertilizer manufacture, at his own expense employing such as are found successful, keeping the nitrate plant up to date.

9. As a cash payment in addition to the foregoing considerations he pays $5,000,000 for nitrate plants No. 1 and No. 2. Plant No. 1 is admittedly unsuccessful and would require a prohibitive expenditure to make it operative, and all agree that nitrate plant No. 2 is obsolete and must be completely rebuilt.

10. In lieu of the Government's interest in the Gorgas steam plant—sold to the Alabama Power Co.—only the amount received from that plant shall be used to construct a similar plant so as to retain the status of the Government properties existing when bids were asked.

Mr. President, that is the gist of the offer of Henry Ford. What does he propose to do? He proposes to have a board of nine members, seven of them appointed by the President and confirmed by the Senate. Whom do they represent? The great farm organizations of America are represented on this board, to make sure that the farmers have somebody on the inside to see whether or not fertilizer is being sold at the cost of production and a profit not to exceed 8 per cent. The President selects this board, the Senate confirms this board, and the bill itself provides that these men shall be taken from these farm organizations.

What does this bill do? It recognizes the great agricultural army of America as no other bill in Congress ever has. What does the bill of the Senator from Nebraska [Mr. NORRIS] do? It puts the Government into competition with the private citizen in private enterprise. It throws the Government into business in competition with its citizens. Do Senators want to vote for that? Is the Government ready to take this first official step toward leaglized socialism?

No, Mr. President. Individual effort and enterprise have been the inspiriting power and mainspring of American success and achievement and should continue to be. The idea embodied in the bill of the Senator from Nebraska would set up the Government in the manufacturing business at Muscle Shoals. Our proposition takes this plant and leases it to Henry Ford, who saves millions of dollars to the farmers of the country by operating it, who supplies nitrates to the Government for war purposes, and who pays the Government interest on the money invested and puts up money to take care of the dams.

General Taylor testified before our committee. I asked him how much it would cost for maintenance at Dam No. 2. He said about the same as for the Keokuk Dam up in Iowa. I said, "How much is that?" He said, "About $25,000." I said, "Well, Henry Ford provides $35,000 for this." He said, "That amount is ample."

Henry Ford is taking over this property to do what? To use it in the interest of the farming masses of America. What will the bill of the Senator from Nebraska do? It puts Henry Ford out entirely. Then what? It will not be five years until one of these big power companies down here that have been fighting Henry Ford to the finish will have it. I know just as well what disposition will be made of it finally—I believe I do—as anyone can know anything that he does not absolutely know. If Henry Ford is eliminated, then what? They will connect it up with a superpower trust, and the day will come when the people of the southeastern section of the country will be here crying out for deliverance from the Power Trust of the South. That is what you will see, instead of taking this project and setting it off to itself, and saying: "In view of the fact that the farmers are in distress; in view of the fact that they are suffering greatly now; in view of the further fact that Henry Ford's operation of Muscle Shoals will relieve them from extortionate prices on fertilizer and sell them fertilizer at half price, we will let Henry Ford have it."

Senators, that is an inducement to me to turn it over to Henry Ford. Now I will tell you some of the interesting facts that came out in the hearings.

The question was asked: "You are afraid Henry Ford will manufacture aluminum down there at Muscle Shoals, are you not?" Some of them thought he might. Then the question was asked: "Then he would be in competition with Mr. Mellon, would he not?" Mr. Mellon, the Secretary of the Treasury,

the aluminum king of America, does not want Henry Ford to have Muscle Shoals. Why? Because it was stated that Henry Ford and others manufacturing it might bring down the price to 5 cents a pound. It is now selling for 20 cents a pound, and they do not want Henry Ford as a competitor in the making of aluminum.

Mr. President, I never saw such a power and fertilizer lobby as has been here fighting this Ford offer at this session of Congress. That agricultural committee room has been filled with bidders. Their interests were related one to another, I am sure. It used to amuse me, in a way, to sit there and watch them. Here would be one little group of bidders, representing one company; here would be another one over here, and there would be another one over there, and whenever one of their keen, well-trained, expert witnesses got on the stand and commenced delivering body blows to Henry Ford, they would look at each other, and their faces were wreathed with smiles. They had a complaisant and satisfied look in their eyes as these other fellows were hitting Ford. They seemed to give each other a knowing look, as much as to say, I know what he means and it is all right. There was unity of purpose and concerted action. The chairman said one night that we had not heard Mr. James Lloyd—an able gentleman from Missouri, with whom I served in the House a few years ago. I said, "Mr. Chairman, it does not make any difference whether we hear him or not. This committee is not going to even consider his bid," and we did not. We never even mentioned it when we came to make up the report. And yet it kept the hearings going for some time for some reason.

Why was that committee held there having hearings on that proposition, when it was evident to everybody that it was not going to be considered? Why were these other bids put in, and these hearings drawn out so long? Will the Senator from Nebraska tell why? The Senator used to look so innocent when he would look around at the members of the committee and say, "Why, you all know I am trying to hurry through. I want to get action as soon as possible."

I heard that so frequently that I must confess that I got to be a little suspicious, and I wondered whether the chairman was really enthusiastic about getting action on the matter at this session of Congress.

I reached the point where I did not believe the chairman was very enthusiastic over the idea of making an early report, and after we did close the hearings he complained that we had closed them, and on yesterday on this floor he complained that we had closed the hearings. If we had not demanded a vote and closed the hearings, we would have gone on and on with them until Congress adjourned.

When we brought him right up to the test station here, what did he do? He said he could not consent for the Senate to vote on it. When did Henry Ford make his offer? Nearly three years ago. Hearings have been had in the House twice, hearings have been had in the Senate twice. Yet the Senator gave as his excuse that it was too big a matter to be hurriedly disposed of. It has been considered two and a half or three years, but we could not get a vote at this session. The Senator from Nebraska would not give his consent for a vote.

Senators, now stand up and say that you have not done anything for the farmer. No, you have not done anything for the farmer, and you Senators whom I have mentioned helped to prevent anything being done for the farmer in refusing to let us vote on the Ford offer. It was up to you. We asked unanimous consent for this opportunity to use Muscle Shoals to supply nitrate to the Government for war purposes and fertilizer to the farmers, and you, by your objection, prevented it.

The Senator from Wisconsin [Mr. LA FOLLETTE], who is just getting ready to run for President, we are told on a platform promising relief for the farmer, rose and stated that he would have to object; and he did object to permitting the Senate to vote on the Ford offer. I wondered how the Senator could reconcile his professions of friendship for the farmer with his conduct on yesterday, when he would not let us even vote on the Ford offer? Henry Ford was entitled to know whether or not his offer was going to be accepted.

Have you been playing politics with Henry Ford? Have you taken this great wizard of the industrial world, with all his wealth, and toyed with him in the political arena for partisan purposes? Have you played with him, thinking you could hold him and have his influence in a national election, when you sit silent and will not permit this body to vote as to whether or not you will accept his bid? You will not do him the courtesy of letting him know whether he is going to have Muscle Shoals or not. You are letting Congress adjourn without giving him a reply to your invitation for him to bid on Muscle Shoals.

Oh, Mr. President, some strange things happen around here. The Senator from Nebraska says in his report that real-estate agents are located in various parts of the country selling lots around Muscle Shoals, and he actually uses that as an argument against Henry Ford having his bid accepted. They say that they tell people, "If Henry Ford gets Muscle Shoals, for every horsepower he will give a man a job." There are about 240,000 human beings who would be put to work, providing for their children and their households, but you will not let him have that opportunity to give employment to people who need work and want to work.

The Senator from Nebraska says that they use the name of Ford in selling lots, and telling what he would do. Well, if they are using Ford's name to deceive people and get them innocently to buy land because they think Ford is going to get Muscle Shoals, why did you not let us vote yesterday, and if you wanted to vote down his bid do it and fix it so that they could not fool anybody else with that sort of an advertisement.

What else do they say? They say that if Ford gets Muscle Shoals he will build a city 70 miles long. I wonder if the Senator from Nebraska has it in his heart to be envious of our people in north Alabama if a city 70 miles long should be built. If I know my own heart, I can state truthfully that I would rejoice to see a prosperous industrial city built in every State in the Union. Make it any length, 70 miles or more. I would love to see prosperity in every State in the Union. I want to see the whole people happy and contented. I wish prosperity to Nebraska. I wish it to every section of our great country. But the Senator from Nebraska seems to urge as a reason why Ford should not have Muscle Shoals is, if he gets Muscle Shoals he will build an industrial city and give thousands of human beings employment.

Mr. President, would the Senator want to deny us the benefit that would flow from such a city? Would he want to deny the opportunity to people who would go there and get work and good wages? Then, on top of that, would he want to deny the farmers of my State and the other Southern States the great benefit and relief they would get in the way of cheap fertilizer from the operation of Muscle Shoals by Henry Ford?

When you analyze the report of the Senator from Nebraska it will be seen that it is feeble and misleading. Government ownership and operation and extravagance and waste is one step open to us, and private operation for the benefit of the many and serving the needs of the Government in time of war and the farmers in time of peace is the other step. If Ford's offer is accepted, at the end of 100 years Ford will have returned a good deal more to the Government than the Government invested at the outset, and he will have saved to the farmers billions of dollars in prices on fertilizer, and will have supplied the Government nitrates in time of war and relieved it of dependence upon Chile, a foreign country.

No, no, Mr. President, Senators are not going to get away quite so easily by rising in their places here and saying it would be giving Henry Ford $100,000,000. That is not so. I want to repeat it, so that it will be so plain in this RECORD that everyone who reads it will understand that this money invested in the construction of those dams makes the Tennessee River navigable for 65 miles, which practically completes navigation on the Tennessee River; and, I repeat, that of itself would justify the Government in expending $100,000,000. Then the fact that it would relieve the Government of dependence on a foreign power for nitrate in time of war is another thing that destroys the argument that you are giving Ford $100,000,000.

Then the fact, on top of that, that farmers, through their committees appointed by the President and confirmed by the Senate, are to go there and have access to the books of Henry Ford and know exactly what it costs to produce fertilizer, and then that he shall not make to exceed 8 per cent profit, are things worth considering.

Mr. President, why is the Fertilizer Trust here fighting Henry Ford's offer? Because they know that he will cut the price of fertilizer in two. Why are the Chilean interests opposing Ford's offer? Because they know he will free this Government from dependence upon Chile for the millions that we pay them every year for Chilean nitrate.

Why is it that the power companies, combined, are fighting the Ford offer? Because they are afraid that if he gets this thing in operation he will show that power can be sold so much more cheaply than the price at which they are now selling it that he will revolutionize the power-distributing business of the country.

Oh, Mr. President, they started out in the hearings by saying they did not believe Ford could make fertilizer at half price, and then Mr. Hooker, from New York, came down with

his bid and said, "We can do the same thing," and others said, "We can do the same thing," and then they changed their tactics, saying that it could be done, but that somebody else ought to do it, that the Government should do it.

I do not know that there is any connection, but Mr. Crago, an ex-Republican Member of Congress from Pennsylvania, a very great friend of Mr. Mellon, sat in the committee room throughout the hearings, and I used to glance around the room, and he had a very pleasant smile on his face when anybody was attacking Henry Ford, and whenever one of the companies came forward with its bid and we pressed them tight on the offer of Henry Ford, they would look at the chairman, sitting right close to him, and say, "Well, as between Ford's offer and the chairman's bill, we would prefer the chairman's bill"—the Norris bill.

They just let the cat out of the bag every day. What did that mean? It meant that they were backing the Norris bill if they could not get one of theirs accepted. Why? Because they think it will be only a question of time until the Government will say, "Away with this experiment and useless waste of money. Let some private individual have it." And then, Ford having been eliminated, they will crowd in on the scene and one of them will get it for a song.

I know what their scheme is, and the country must know. They are not going to get away with this idea that you are giving Henry Ford a hundred million dollars. You are not doing it.

Why is it that they do not want him to have it? Because they do not think he can make fertilizer cheaply? No; because they fear that he will. Because they think they can not make aluminum there? No; because they think he will make it in competition with Mr. Mellon, the aluminum king of America.

Do you know what aluminum used to sell for? Two dollars a pound. Competition brought it down to 20 cents, and somebody has said that Henry Ford says he can make it for 5 cents and that he would bring it down in price to the people who have to buy it, and that is what the big companies do not want.

Senators, sinister interests are at work around the Capitol. They are fighting to the death, I repeat, the Ford offer. They do not want Henry Ford to get Muscle Shoals. Why? Because they know that he will revolutionize the fertilizer business of America. The Chilean interests know that he will free this Government from dependence on them, and the power distributers know that he will show the people how cheaply power can be generated and distributed, and upset their prices. They have already determined to pounce down upon him and destroy him if they can.

We are now at the end of the session. For weeks and weeks and weeks we have had quite a lot of irrelevant testimony taken at our hearings on Muscle Shoals. Some people think that the hearings were unnecessarily prolonged. I am one of them. I honestly believe that the pertinent testimony upon all the bills containing bids could have been put in one little volume an inch thick, but we have several of them. Why one man got to talking about how to store waters somewhere in the mountains in some remote place to affect the average flow of the river 400 miles from Muscle Shoals. The Senator from South Dakota said, "How far from Muscle Shoals is this place you are talking about regulating the average flow?" He said, "Three or four hundred miles." That was so ridiculous that even the chairman said, "Well, I guess you had better not go into that," and we laughed and said we thought he had better not go into it. This witness, very much to his discomfort, was permitted to retire without finishing his essay on the equal flow of the river 400 miles away. We have had a great deal of immaterial matter injected into the hearings, some of it right interesting if a man were taking a course in chemistry; but we were trying to get at the facts as to who should have Muscle Shoals, whether this superpower company should get hold of it and plant it in the midst of its system for monopoly purposes, or whether the Government should operate the enterprise, or whether Henry Ford should have it and use it to the benefit of millions of people upon the farms and use it to supply his country's needs in time of war with nitrates. These were the real questions before us, but we could not get along and close the hearings until about 10 days ago.

It has been said, suppose Henry Ford will not make fertilizer. The bill provides that if he falls down on his contract the Secretary of War shall notify the Attorney General, and the Attorney General shall proceed in the northern district of Alabama where the Muscle Shoals project is located. Proceed to do what? To cancel his lease. The Government's interests are well taken care of.

I plead for consideration of the people who live out yonder on the farms. I do not know whether the appeal for them is going to have much effect on some Senators on the other side of the Chamber or not. These poor obscure men constitute the chief industry of the Nation. All other industries rest upon the agricultural industry. When the Government's liberties were imperiled their sons came up from the farms and remote places and followed the flag across the sea to a foreign battlefield. Many of the boys are back home. They are working under deplorable conditions. They and their parents are paying high prices for fertilizer. The Federal Trade Commission has found that there is a Fertilizer Trust. Henry Ford has said, in effect, to us, "Give me Muscle Shoals, let me operate it, and I will cut that price of fertilizer in two." He will stretch forth the healing rod and give the farmers deliverance. Then we ask if we can have a vote and see what the Senate wants to do with Muscle Shoals. The Senator from Nebraska [Mr. NORRIS] informs us that he would have to object. The Senator from Iowa [Mr. BROOKHART] informs us that he would have to object. Then the bellwether of them all, "Fighting Bob" from Wisconsin, just ready to hit the trail as a candidate for President, rises in his place and says he objects. I said, "That is the straw that breaks the camel's back." I could not believe my eyes for a moment. I looked the second time and saw him sitting there with a look of contentment and satisfaction on his face, and I said, "He is in earnest. He has denied the Senate, he has denied Henry Ford, he has denied his followers in the Nation, thousands and hundreds of thousands who believe in him and wish him well, the right to be told whether we are going to accept the Ford offer or not." Ford was just waved aside. That is the treatment he was accorded by those who claim that they are anxious to secure legislation that will benefit the farmer. The House passed the Ford offer by a big majority, but you would not even permit the Senate to vote on it.

Mr. President, I have told Senators the fix of some others who conducted themselves in this way and the effect it had in the 101 congressional districts where it was an issue in the fall of 1922. We cut your margin down from 169 to 18 in the House, and in many western districts the Ford bid was an issue. We are trying to do something for the farmers. The Senator from South Carolina [Mr. SMITH] has offered a bill that has genuine relief in it. It is a good, constructive measure, but you have not turned your hand toward passing it; not one of you who objected to a vote on the Ford offer that I know anything about. Then we came yesterday and asked for a vote for a bill which is on the calendar right before us. Let the Senate say whether we shall take it or not take it, and you pop up, four of you all at once, and object. You would not even let us put it to the test here.

Your President has been assailed in the report. They practically accuse him of making a trade with Henry Ford. Yes, they accuse him of making a deal with Henry Ford. The hearings show that your chairman brought out testimony seeking to show that Henry Ford and the President had made a deal, and in his report—go and read it—he implies that there were considerations of this kind strongly intimated, and not one of the old guard has lifted up his voice to defend the President. The leaders on the Republican side are as silent as the tomb. None of them come to his rescue.

Mr. CARAWAY. Mr. President——

Mr. HEFLIN. I yield to my friend from Arkansas.

Mr. CARAWAY. They do not even help him keep his contract, do they?

Mr. HEFLIN. The Senator from Arkansas says they will not even help him keep his contract, whatever that was. I do not know. There was no positive testimony before the committee that tended to show that the President made a deal with Henry Ford, but if he did promise Henry Ford Muscle Shoals, it is about the only thing he has done for the farmers since he has been President. Now, surely you are not going to let him break faith with Henry, are you?

If you have such a deal as that looking toward relief for the farmers, it is the only gesture made in that direction, and you will not let us give the Senate an opportunity to help the President in this matter. Senators on the other side of the Chamber, standpatters and the progressives that I have named, Why will you not let us have a vote? Why did you not rise in your places yesterday when twice my colleague, the senior Senator from Alabama [Mr. UNDERWOOD], begged the Senate to let us vote on it and settle the question? It has been pending for nearly three years. Hearings have been had in the House and hearings have been had in the Senate, twice over there and twice here, as I have stated, and the matter is on the calendar, and you will not let us have a vote.

When Henry Ford sits down at his fireside to-night and reads of the courteous, kind treatment that he received at your hands on yesterday, do you think he will feel very grateful to you? I ask you again, have you Republican politicians trifled with the affections of Henry Ford? He was talking about running for President, you said, and was actually ready to throw his hat in the ring, we are told. The Senator from Nebraska [Mr. NORRIS] said he came down here and saw the President, and disappeared from the political arena and came out for Calvin Coolidge for President. What you did to him yesterday was a very cruel thing. You would not even say a thing to him when he was standing at the door asking, "Gentlemen, are you going to accept my bid? You invited me to make it. I would like to know whether or not you are going to accept it." There he was waiting, patiently waiting. You sent word out to him that you were not going to tell him whether you would accept it or not, but by your conduct you said to him that you did not intend to tell him.

Mr. President, there is just one other thing I want to refer to this evening. Some Senators have charge of bills they want to pass and I do not want to interfere with them. I want to say this in conclusion: The Senator from North Dakota [Mr. LADD], a real friend of the common masses of the people, a real friend of the farmer, filed a minority report. I gladly joined with him, as did the Senator from South Carolina [Mr. SMITH], the Senator from Arkansas [Mr. CARAWAY], and the Senator from Mississippi [Mr. HARRISON]. He knows what the Henry Ford proposition would do for the farmers of the country. He is in favor of the bill as against the Norris proposition, and as between the Senator from Nebraska [Mr. NORRIS] and the Senator from North Dakota [Mr. LADD] I think it is wise and well to follow the Ladd leadership, because his position is that which would turn over to Henry Ford the operation of the Muscle Shoals project, and would, I repeat in conclusion, benefit more people in that way than in any other way the Government could. It would do what the Government sought to do at the outset—provide its own nitrate plant for war purposes. It would do what we have sought for years and years to do—make the river navigable at Muscle Shoals. These things and the cut price of fertilizer are what you had the opportunity to pass on yesterday, but you refused to do it.

Mr. President, on to-morrow or perhaps the next day I desire to discuss this matter at some length. [Laughter.]

APPENDIX

[From the Dearborn Independent, May 31, 1924]

WHAT MUSCLE SHOALS REALLY MEANS

The Muscle Shoals controversy means more than water power and fertilizer, more than the opening of the South's new era; it means that two systems of business are colliding head on! The contest is production versus profits. Service and spoils confront each other.

If nothing else comes of this controversy, this at least has been achieved—the system of exploitation has been drawn out from its cover into public view. All its American and foreign tentacles have been disclosed. Its pressure methods have been studied in all sections of the country and in all lines of business. For the first time in our economic history the interests which commonly sharpen their teeth on each other have ceased their private fights and have joined in single pack for a combined terrific assault on one lone offer for Muscle Shoals. Never before has such concentrated opposition been piled up against a single object.

Is it because the interests themselves want Muscle Shoals so badly? No. When the war stopped and the Government found unfinished Muscle Shoals on its hands the Government sent out men and messages to these very interests asking bids for the completion and operation of the works. One after another all possible users of Muscle Shoals were approached. And with one accord they declared that Muscle Shoals was not worth a nickel; that as for themselves they would never invest a penny in it.

Whether this was a concerted movement to destroy any idea that Muscle Shoals had value is not for us to say. Whether its purpose was to enable some member of the trust to get it for nothing is not here alleged. But the fact is that the interests when approached joined with one voice in depreciating the value of this Government property.

By some chance, and last of all, Henry Ford was proposed as a possible user, and the Government requested him to examine the proposition. In response, he made the first and only businesslike offer the Government has received, an offer backed by millions of his own funds, an offer involving the completion of the great works to high productive capacity, an offer involving a limited income fixed by law, and, last of all, an offer involving the return of the entire developed property to the Government at the expiration of the contract period, or at any time it might be needed for war purposes.

What this meant, although it can not all be stated in the cold language of contracts, is that a demonstration was to be made of how cheaply power could be produced for employment and productive purposes. The ratio developed by the Ford Motor Co. is one workman per horsepower—a job for every unit of power developed. If 1,000,000 horsepower is developed at the Shoals, it means 1,000,000 jobs. It meant also the liberation of the farmer from the present heavy burdens of the Fertilizer Trust. More than that, it meant a great source of munitions, a military resource American controlled and of the first importance.

This is the proposition which the concentrated forces of the exploiting interests are opposing. This is the offer which many newspapers and magazines are now attacking after having indorsed it. The pressure came late upon the newspapers; apparently it was applied in other quarters first; but within three months there have been concerted and wholesale desertions of their former position by the press.

Why? Is there a better or more promising offer in sight? No. With the Ford offer refused, there will never be any other offer heard of. Why, then? Is it personal opposition to Mr. Henry Ford? As to that, strangely enough, the real opposition is not against Mr. Ford personally. It is against his system of service in business. If he were less likely to make Muscle Shoals a demonstration of how cheaply the necessaries of life could be made, there would be less opposition to his offer. The great fear is that he will actually accomplish what his offer proposes!

If Henry Ford had agreed to do business along the old lines, charging the power users all the traffic would bear, charging farmers all they could pay, squeezing out every cent of personal profits that could be had—if he had agreed to do business along the lines his opponents follow, boosting prices and profits, Muscle Shoals would have been handed to him long ago with the blessing of every exploiter in the land. But the power trust knew that he would demonstrate that power costs little to produce and less to transmit. The Fertilizer Trust knew that he would demonstrate what a wholesale system of robbery has been practiced against the American farmer. In fact, the Ford system of doing business would be the judgment day for the old system, and the old system has gathered itself in bristling alliance to save its life.

This is the meaning of the opposition. Two opposed systems are colliding head-on.

What temporarily becomes of Muscle Shoals may be a secondary matter. But the Ford offer has already done this for the Nation: It has given millions of dollars of value to a property that the interests said "wasn't worth a nickel." It has given the system of selfishness in business its death warning. That system knows it, too. No other meaning can be attached to this unparalleled concentration of hostility to the only offer which the Government has thought it worth while to consider.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes.

REPORT OF THE BOY SCOUTS OF AMERICA

The PRESIDING OFFICER (Mr. JONES of Washington in the chair), laid before the Senate a communication from the chief scout executive, Boy Scouts of America, transmitting, pursuant to law, the annual report of the Boy Scouts of America, which was referred to the Committee on Education and Labor.

R. S. HOWARD CO. *v.* UNITED STATES (S. DOC. NO. 133)

The PRESIDING OFFICER laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by the court in the cause of R. S. Howard Co. *v.* The United States (Congressional, No. 17329), etc., which was referred to the Committee on Claims and ordered to be printed.

FISHERY RIGHTS AT PEARL HARBOR, HAWAII (S. DOC. NO. 137)

The PRESIDING OFFICER laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Navy Department, fiscal year 1924, to enable the Secretary of the Navy to pay costs and expenses relating to the condemnation proceedings in connection with the acquisition of private rights of fishery in and about Pearl Harbor, Hawaii, $5,000, with the accompanying papers, which was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE FOR FLOOD CONTROL (S. DOC. NO. 134)

The PRESIDING OFFICER laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation, for the War Department, fiscal year 1924, for preliminary examinations

and surveys for control of floods, in accordance with law, as follows: North Branch of the Susquehanna River, $8,000; Allegheny and Monongahela Rivers, $25,000; Puyallup River, Wash., $5,000; in total amount, $38,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS UNDER EXHAUSTED APPROPRIATIONS (S. DOC. NO. 136)

The PRESIDING OFFICER laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, schedules of claims amounting to $267,040.25 allowed by the General Accounting Office, as covered by certificates of settlement, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of law and for the service of the several departments and independent offices, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS RENDERED AGAINST THE GOVERNMENT (S. DOC. NO. 135)

The PRESIDING OFFICER laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, a list of judgments rendered against the Government by the district courts of the United States, under the provisions of law, as submitted by the Attorney General to the Secretary of the Treasury, and requiring an appropriation for their payment, as follows: Under the Department of Labor, $10,011.91; under the Treasury Department, $1,701.64; in total amount, $11,713.55; which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS OF THE COURT OF CLAIMS (S. DOC. NO. 132)

The PRESIDING OFFICER laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, a list of judgments rendered by the Court of Claims and requiring an appropriation for their payment, as follows: Under independent offices: United States Food Administration, $6,564.52; under the Navy Department, $819,851.29; under the Treasury Department, $181,364.99; under the War Department, $489,522.79; in total amount, $1,497,303.69; which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

POSTMASTERS AND POSTAL EMPLOYEES (S. DOC. NO. 131)

Mr. EDGE submitted a conference report on the bill (S. 1898) reclassifying the salaries of postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, and for other purposes, which was ordered to lie on the table and be printed.

ORDER FOR NIGHT SESSION THURSDAY

Mr. CURTIS. Mr. President, I ask unanimous consent that when the Senate concludes its business to-morrow afternoon it recess until 8 o'clock, and that there be a night session from 8 until 11 o'clock at which unobjected bills on the calendar shall be taken up.

Mr. McKELLAR. Mr. President, will the Senator from Kansas modify his request by asking that bills may be considered under Rule VIII? When an agreement is made to consider only unobjected bills Senators examine the calendar and mark the bills which are objected to and they go over. I think bills ought to be considered under Rule VIII.

Mr. CURTIS. I would be willing to request that bills shall be considered under Rule VIII, but it would be no use to consider the calendar in that way, for if we should do so the whole of the night session might be consumed fruitlessly.

Mr. McKELLAR. No. I am quite confident the method I suggest may be advantageously pursued. All the bills on the calendar ought to have an opportunity to be considered.

Mr. CURTIS. I wish to complete the statement of my request. I ask further that at the night session conference reports and appropriations also may be taken up.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent when the Senate concludes its business to-morrow afternoon that it take a recess until 8 o'clock in the evening, and on reassembling that it shall proceed from 8 o'clock until 11 o'clock in the consideration of unobjected bills on the calendar, appropriation bills, and conference reports.

Mr. ROBINSON. Mr. President, I have no intention of objecting to the request for unanimous consent, but let it be remembered that Congress is to adjourn on next Saturday, and that it will hardly avail anything for the Senate to pass a Senate bill at this late stage of the session, particularly in view of the course which has been taken by the body at the other end of the Capitol with respect to bills that are from time to time passed through the Senate. No action is being taken upon such bills by the House of Representatives. I do not object to the request of the Senator from Kansas, of course; but with respect to the request of the Senator from Tennessee it must be borne in mind that if the Senate proceeds to the consideration of a bill to which objection is made that bill will likely consume the entire time of the night session and might result in no action whatever.

Mr. McKELLAR. Mr. President, let me ask the Senator from Kansas shall we have an opportunity to consider bills which are on the calendar?

Mr. CURTIS. I think such an opportunity will be afforded later; perhaps the next day.

Mr. McKELLAR. Of course, if bills are passed at this session such passage will be perfectly good for the next session of Congress, and the House can act upon them at the short term.

Mr. CURTIS. That is true.

Mr. McKELLAR. And we shall have disposed of just that much business. It seems to me that the work having been done, every Senator who has a bill on the calendar in which he is interested ought to have a right to call it up between now and Saturday. Senators ought not be put to the hazard of one Senator objecting.

Mr. ROBINSON. Mr. President, it will not be possible to secure action on any considerable number of bills on the calendar to which objection may be made.

Mr. CURTIS. Nor will it be possible to accomplish much if bills may be taken up on motion. Under Rule VIII, however, each Senator, I think, has five minutes in which to explain a bill.

Mr. McKELLAR. I am not going to object, but I hope we shall have an arrangement by which bills may be taken up on motion.

Mr. SWANSON. I want it understood, if the unanimous-consent request shall be agreed to, that under Rule VIII, as to any bill objected to, the proponent of the bill shall have five minutes in which to explain it and see if after such explanation the objection shall be persisted in.

Mr. CURTIS. I will add that suggestion to my request for unanimous consent: That if there is objection to a bill the Senator favoring the bill may have not to exceed five minutes in which to explain the bill to endeavor to have the objection withdrawn.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

Mr. GLASS. What is the request? I have just come into the Chamber.

The PRESIDING OFFICER. The request is that to-morrow afternoon, at the conclusion of the business, the Senate will take a recess until 8 o'clock, and that from 8 o'clock until 11 o'clock the Senate shall proceed with the calendar, unobjected bills to be considered, with the right of a Senator when an objection is made to a bill in which he may be interested to have five minutes in which to explain the bill; and that conference reports and appropriation bills may also be considered. Is there objection? The Chair hears none, and it is so ordered.

HOWARD UNIVERSITY ATHLETIC FIELD AND GYMNASIUM

Mr. BALL. I ask unanimous consent for the present consideration of the bill (S. 2694) to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes.

The PRESIDING OFFICER. The Senator from Delaware asks unanimous consent for the present consideration of the bill named by him. Is there objection?

Mr. DIAL. Mr. President, we now have a bill before us which we are trying to pass, and I shall have to object. We should like to dispose of the pending measure.

Mr. BALL. I do not think there will be any discussion on this bill. It is very important, for, unless it be passed, the athletic field and gymnasium of Howard University will be held up, simply because the authorities can not close a small alley running through the land upon which they are building the athletic field and gymnasium.

Mr. ROBINSON. I do not think there is any objection to the consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment on page 2, after line 20, to insert:

SEC. 4. *Provided*, That no street shall be closed until all of the property abutting on the portion to be closed shall have been acquired by the trustees of Howard University.

SEC. 5. *Provided*, That no street shall be closed until the trustees of Howard University shall have secured the necessary title to, and shall have dedicated to the District of Columbia, the land necessary to provide the following streets, to wit:

An extension of Sixth Street, with a width of 50 feet, north for 194 feet from its present terminus at Girard Street; also a street, with a width of 44 feet, from the terminus of Sixth Street as above extended eastwardly to Fifth Street.

SEC. 6. *Provided further*, That an easement in the areas of the streets hereby closed shall remain in the District of Columbia for all except highway purposes, and that no structures shall be erected thereon except with the permission of the Commissioners of the District of Columbia.

So as to make the bill read:

Be it enacted, etc., That for the purpose of developing an athletic field and gymnasium project, the trustees of the Howard University are hereby authorized to acquire by gift, purchase, condemnation, or otherwise so much of square 3059, formerly block 6, Howard University Subdivision as the university does not already own, also 45,000 square feet of land, being that portion of square 3057, formerly block 7, Howard University Subdivision, which lies south of the 15-foot alley running east and west in said square, also known as the east 300 feet front on Euclid Street: *Provided*, That no special appropriation of funds of the United States shall be made for this purpose and that no liability on the part of the United States shall be involved in said acquisition.

SEC. 2. That those portions of Fairmont and Girard Streets lying within the area to be acquired and between the said area and the present grounds of Howard University, together with all alley space not subject to the terms of the Code of Laws for the District of Columbia, shall and are hereby declared to be closed and abandoned as public ways and shall be subject to acquisition under section 1 hereof.

SEC. 3. That the Secretary of War is hereby authorized and directed to reconvey to the trustees of the Howard University a triangular plot of land now included in McMillan Park and situated between Fairmont Street, Fifth Street, and the McMillan Park Reservoir at the price per foot formerly paid to the said university by the United States for the said property, subject to such terms and conditions as may be prescribed by the Secretary of War.

SEC. 4. *Provided*, That no street shall be closed, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RAILROAD ACROSS FORT LOGAN MILITARY RESERVATION, COLO.

Mr. WARREN. I ask unanimous consent for the immediate consideration of Order of Business No. 755, being the bill (S. 3420) granting the consent of Congress to the construction, maintenance, and operation by the Denver & Rio Grande Western Railroad Co., its successors and assigns, of a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado.

The PRESIDING OFFICER. The Senator from Wyoming asks unanimous consent for the present consideration of Senate bill 3420.

Mr. DIAL. I shall have to object to any more bills being considered, Mr. President.

The PRESIDING OFFICER. The Senator from South Carolina objects.

LANDS SOUTH OF RED RIVER, OKLA.

Mr. STANFIELD. I ask unanimous consent to present a report from the Committee on Public Lands and Surveys.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STANFIELD. From the Committee on Public Lands and Surveys I report back adversely the bill (S. 2132) to repeal an act entitled "An act to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore, or leases of, certain lands that lie south of the medial line of the main channel of Red River, in Oklahoma, and for other purposes," approved March 4, 1923. I ask unanimous consent that action may be taken at this time.

Mr. ROBINSON. Reserving the right to object, will the Senator state what are the provisions of the bill?

Mr. STANFIELD. The bill, which was introduced by the Senator from Florida [Mr. FLETCHER], proposes to repeal an act approved March 24, 1923, relative to the leasing of oil lands south of Red River between Oklahoma and Texas. I have consulted the Senator from Florida about it, and he has no objection to the action proposed. I desire to move that the bill be indefinitely postponed.

Mr. ROBINSON. The report is an adverse one?

Mr. STANFIELD. The report is adverse, and it is unanimous on the part of the committee.

Mr. ROBINSON. If the report is adverse and is the unanimous action of the committee, I have no objection.

Mr. STANFIELD. I move that the bill be indefinitely postponed.

The motion was agreed to.

PROCEEDINGS OF NATIONAL ENCAMPMENTS OF VETERANS' ORGANIZATIONS

Mr. MOSES. I ask unanimous consent to present a report from the Committee on Printing.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the report will be received.

Mr. MOSES. From the Committee on Printing I report back favorably without amendment the joint resolution (H. J. Res. 194) to print as a House document the proceedings of the national encampments of the Grand Army of the Republic, the United Spanish War Veterans, and the American Legion, for the use of the House and Senate. I ask unanimous consent for immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORTS FROM COMMITTEE ON MILITARY AFFAIRS

Mr. WADSWORTH. Mr. President, from the Committee on Military Affairs I ask leave out of order to present three reports, and I desire to ask unanimous consent that two of the bills may be immediately considered.

The PRESIDING OFFICER. Is there objection to the presentation of the reports?

Mr. ROBINSON. What are the bills?

Mr. WADSWORTH. They are all House bills.

Mr. BURSUM. I submit that we have had unfinished business before us now for two days, and I should like very much that the consideration of the present unfinished business may be proceeded with, so that the next omnibus pension bill may follow the pending one. After that I shall, of course, have no objection to any routine matters.

The PRESIDING OFFICER. Is there objection to receiving the reports?

Mr. BURSUM. I do not object to receiving reports, but I object to any further interruption of the unfinished business.

Mr. WADSWORTH, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 1539) for the relief of Caleb Aber (Rept. No. 742);

A bill (H. R. 2821) authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Santa Monica, Calif. (Rept. No. 743); and

A bill (H. R. 4816) authorizing the Secretary of War to permit the city of Vicksburg, Miss., to construct and maintain water mains on and under the National Cemetery Road at Vicksburg, Miss. (Rept. No. 744).

The PRESIDING OFFICER. The Senator from New York has asked unanimous consent for present consideration. Is there objection?

Mr. BURSUM. I object.

The PRESIDING OFFICER. The Senator from New Mexico objects.

Mr. BURSUM. I ask for the regular order.

The PRESIDING OFFICER. The regular order is demanded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

S. 381. An act to amend section 2 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (39 Stat. L. p. 862);

S. 790. An act for the establishment of a Federal industrial institution for women, and for other purposes;

S. 1174. An act authorizing the Secretary of the Interior to investigate and report to Congress the facts in regard to the claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses;

S. 1971. An act to authorize the Commissioners of the District of Columbia to accept certain land in the District of Columbia dedicated by Charles C. Glover for park purposes;

S. 2169. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

S. 2929. An act granting the consent of Congress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the St. Marys River at or near Wilds Landing, Fla.;

H. R. 526. An act authorizing the Secretary of War to enter into an arrangement, on behalf of the United States, with the Alexandria Light & Power Co. whereby civilians may obtain electric current from a Government-owned transmission line extending from Alexandria to Fort Humphreys, Va.;

H. R. 905. An act for the relief of Gerard E. Bess;

H. R. 2607. An act for the relief of Jesse L. Meeks;

H. R. 4985. An act to repeal the first proviso of section 4 of an act to establish a national park in the Territory of Hawaii, approved August 1, 1916;

H. R. 5078. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes;

H. R. 5325. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes; and

H. R. 8961. An act for the relief of Frank Stinchcomb.

PENSIONS AND INCREASE OF PENSIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6941) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. DIAL. Mr. President, we have pending before us now an amendment to the omnibus pension bill. I wish to speak on that amendment, and I will detain the Senate for only a few moments.

I appreciate very much what the able Senator from Maryland [Mr. BRUCE] had to say about my position as to most public questions, and I wish to reciprocate the compliment, for I think usually his position is pretty sound; but he is entirely wrong as to this matter.

Mr. President, I believe as firmly as anyone in the sacredness of contracts. I realize fully that the money in the hands of the Alien Property Custodian is a trust fund, and we certainly should be careful in the management of that fund.

We have been talking here for several months and have been trying to pass some measure to benefit agriculture. I have not believed that some were really in earnest in trying to enact legislation to that end. It has appeared to me that much of the talk was for camouflaging purposes, as has been demonstrated by the impracticable measures that have been brought forth. I think that the proponents of those measures, particularly on the Republican side, have adopted tactics to deceive the farmer and to hold out bait to him until after the election.

However that may be, Mr. President, I have offered this amendment in good faith. Its results, if adopted, will be threefold. Good interest would be returned upon the money; we would help the farmers to get rid of their raw agricultural products, so that the next crop would bring a better price; and we would give the people of Germany and Austria and Hungary something with which to work. Those people have the mills; they have the labor, and they are anxious to work, but they have not the cotton to spin. We have a surplus of that commodity in the South, and that condition has been depressing the price since the war. We would like to get rid of it before the next crop comes in in order that our farmers may secure a better price for what they produce. The same condition obtains as to tobacco and also as to wheat. By adopting this amendment we would help these several classes of people.

A resolution has been proposed authorizing the Government to donate $10,000,000 to German women and children. If we are going to be so liberal with the funds of the Treasury, it would be better to lend out this money in order to help to put those people to work.

There is nothing visionary or impracticable about the amendment. A commission is to be created, to be composed of the Alien Property Custodian, the Secretary of the Treasury, and three others to be appointed by the President, and if good security is not forthcoming there will be no loans made. There is no attempt being made now, and none has been made, to put this fund in a different position than that which it now occupies. It is merely to be used as a revolving fund, and no loans are to be made for a longer period than a year. In the meanwhile the claims of our nationals against foreign governments are bing adjudicated by the international claims commission.

Mr. President, Senators have been speaking here for several days about the sacredness of this trust. There is no use in becoming excited about that. The United States Government created this trust, and the United States Government can change it if it sees fit to do so. We are violating faith with no one. We are simply letting the funds go to use in the meantime, instead of letting them lie in the Treasury of the United States.

I am as much opposed as anyone to the Government going into business. To do that is unsound. Ordinarily, I should oppose it on all occasions; but this is an exception to the rule. This amendment has been before the Agricultural Committee, and it has received a unanimous favorable report. I am sure that committee gave it careful consideration. The able chairman of the committee, the Senator from Nebraska [Mr. NORRIS], said the other day that when it was first presented he thought it was impractical, and was opposed to it, but after looking into it he could see nothing wrong about it.

I want to say with perfect frankness that there is not much difference in principle between using this fund and appropriating money out of the Treasury for this purpose; but there is some excuse for encouraging the parties from whom it was taken, and who are now engaged in industries on the other side of the ocean, to get this money. Thereby we would restore good feeling between the people of those countries and the people of this country, and would encourage them to go to work and make their own living.

I confess that the measure is a little bit out of the usual, and I would prefer not to advocate anything that is unusual or that could be criticized at all; but this fund is protected in the amendment by saying that it shall not be lost, and that the Government guarantees its stability.

Secondly, Mr. President, in the case of cotton products, the products would be much more valuable when completed than in the raw state. In other words, the adoption of this amendment would enable those people to sell their labor through cloth and make a profit on it.

I can see nothing wrong about it, nothing unconstitutional, nothing particularly radical. We inherited many of these things from the war, and we are trying to get back to normal and help the world to become normal in the meantime.

Some Senators have criticized the proposal to place this measure upon the pension bill as an amendment. Of course, we all know that that is a little unusual; but there is no chance to get it up by itself as an independent proposition, and if we do not attach it to some other bill we are not going to have it passed at this session. It matters but little to the people who sell their cotton and their tobacco and their wheat and their other raw agricultural products in this country whether this amendment is put on the pension bill or whether the proposition is embraced in a bill of itself. It would make no difference to the people of those three countries who would get the products and use them whether it took two pieces of paper to pass the measure or whether it took only one piece of paper.

Mr. President, I am thoroughly convinced that the Senate do not intend to pass at this session anything that is constructive and that will help relieve the distressed condition of the country. I want to give them an opportunity to vote that way, however. If they want to do it, here is a proposition that they can embrace. I have fought these visionary bills that have been brought in here, that are impracticable and unconstitutional and revolutionary measures; but here is one to which I can see no real objection, except that as a matter of sentiment Senators get up and speak about this being a trust fund. I want to say that they have no more regard for a trust fund than I have; but, as I said before, we created this trust, and we can change it; and we have no desire to place it beyond the reach of parties who may establish claims against those other governments in case we desire to take this money to pay the debts of those governments. Those questions are not gone into at all in this matter.

I trust, therefore, that the amendment will be adopted, although I know that there is a good deal of objection to it.

Mr. FLETCHER. Mr. President, I have very great confidence in the judgment and the conservative spirit of the Senator from South Carolina [Mr. DIAL], and I know his sincere interest in agriculture and his desire to do those things that will help the agricultural industry. If there were a way whereby the cestui que trust here could be consulted, and its consent obtained, it seems to me there would be less difficulty in favoring the Senator's proposal. We are acting in an arbitrary fashion, however, when we attempt to handle this trust fund in this way, even though the Government guarantees it. Of course the Government ought not to handle it at all unless

the Government guarantees its safety and gives it full protection and security.

The Senator from South Carolina has studied this subject more than I have, however; and, having such confidence in his opinion, I am not disposed to interfere with his plans in connection with this matter.

Some time ago—to be specific, on February 7—I introduced a bill, Senate bill 2435, which was referred to the Finance Committee. I believe that real help to agriculture, real benefit to people abroad as well as to the people of the United States, could be worked out along this line much more soundly and much more satisfactorily and effectively.

The bill provides:

> That whenever the President of the United States shall by proclamation declare an emergency to exist by reason of a condition of overproduction of any commodity, the growth, produce, or manufacture of the United States, or by reason of an emergency abroad, he may authorize the Secretary of the Treasury to admit free of duty during the continuance of such emergency such commodities, the growth, produce, or manufacture of foreign countries, as the President may specify and as may be imported into the United States in exchange for the American commodities specified: *Provided*, That to secure the benefits of this act, at least 50 per cent in tonnage of such American commodities and at least 50 per cent in tonnage of such foreign commodities shall be carried in American ships.

Two things would be effected by that. It would bring about the easy flow of trade. It would make possible the exchange for our commodities of commodities manufactured in other countries which are now kept out of this country by reason of the high tariff wall and would enable other countries to purchase raw material or other products in this country by the use of their own goods. Then it would help the American merchant marine by providing that the transportation of these commodities should be at least 50 per cent in American bottoms.

Then section 2 provides:

> The Secretary of the Treasury, with the approval of the President, is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this act.

In my judgment, some procedure along that line would be of more benefit to our own country as well as to foreign countries and would be based upon sounder principles. I merely suggest that, however. Of course, the Finance Committee—and I scarcely expected any other course—have not acted upon the bill, and of course they will not act upon it now. It is, however, a matter that I believe really has merit. It is upon some procedure and principle of that kind that we may be able to find a market for our products and also to help those countries in Europe that are struggling to find markets for their products.

Mr. SMITH. Mr. President, just a word in reference to the amendment to this bill offered by my colleague [Mr. DIAL].

Of course, I appreciate, as every other Member of the Senate appreciates, the sacredness of a trust fund; but as the matter was represented to the Agricultural Committee, the ultimate owners of this money are the nationals of the countries standing sorely in need of raw material such as we have, and the proposition came originally from the nationals of some of these countries, at least, that instead of letting this capital lie idle, or at least having it invested in United States bonds alone, it might be used for the benefit of those countries and incidentally for the benefit of this country.

Mr. BAYARD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Delaware?

Mr. SMITH. I yield.

Mr. BAYARD. May I suggest to the Senator from South Carolina that I think he is in error there. If he will read the testimony taken before the committee of the House he will find that a year ago, when the hearing was held before the Winslow committee, it appeared that the German and Austrian and Hungarian claimants to these funds did request that a certain amount of money, estates of $10,000 and less, should be paid over. That act was put through. If the Senator will read the present testimony, however, taken of recent months before the committees of Congress, I think he will find that not a single one of these alien claimants has asked that this fund be turned over for the purpose named in the amendment of the junior Senator from South Carolina.

Mr. SMITH. I was just stating the impression that was made on certain members of the committee when this measure was under discussion, the common sense that was in it. Divesting it of all international red tape, the common sense that appealed to the committee was this:

Here was an idle fund. Here was a poverty-stricken people. Here was a destructive surplus. The question was, if we could use the money that ultimately would go to them during the period of adjudication as to the specific owners—this money which was, as represented to us, practically idle, and not performing any very good function for anybody—why not do so, safeguarding it and keeping it intact and as inviolable as though it were invested in bonds? Why not use that money for the purpose of enabling those people to get sufficient credit to buy what we have to sell, and keep it flux until such time as it automatically passes into the hands of those who are ultimately to have it?

Mr. BAYARD. May I suggest to the Senator that the committee does not appear in any of its hearings to have had brought before it any information, authoritative or otherwise, on behalf of the claimants to this fund, that they, the claimants, desire the fund to be used in this way. Assuming the propriety and the necessity, as suggested by the Senator, of utilizing what is apparently an otherwise idle fund, yet the claimants to this fund, the beneficiaries of this trust, appear by the record never to have been consulted as to such utilization as the Senator undertakes to present.

Mr. SMITH. Granting that the impression made upon me, as made upon others, was in error, still the common sense involved in the proposition would appeal to me. I set no great store on the question of my Government holding locked in the Treasury of the United States a certain amount that it may owe an alien government, for the reason that she is sufficiently solvent to meet her obligations whenever they become due.

There is no argument in that that would appeal to me. If her means were so limited, and her resources so restricted, that she would be likely to lose this amount as an individual or a corporation might do, that argument might appeal; but leaving aside the question of using this particular fund, I think my colleague has put his finger on one of the acute conditions which may be remedied.

Our friends from the West have told us, and have proven, that the surplus wheat is destroying the market price. We also have been told, to the extent of a supplication for $10,000,000, that some Europeans want wheat. Here is the supply; there is the demand. The question is, How are we, as a sensible Nation, to bring the two together? That illustrates what production is for, namely, consumption.

If we may not use this alien property fund for the benefit of the aliens, why may we not amend this proposition and appropriate the amount of money necessary, under the proper safeguards, to enable these people to purchase the raw material here, and follow it through to its ultimate use, recoup what we have advanced in the matter, and leave whatever excess profit belongs to them? I believe it is a sound principle.

The Senator from Oklahoma [Mr. OWEN] to-day paved the way by calling attention to the fact that despite the lack of credit in the European countries, we have in our banks thirty billions of banking resources in excess of our obligations. No such amount as that is needed, if the fund is properly safeguarded, to open the markets of the distressed European countries, and allow them, through the processes of commerce, to reimburse us.

The fact of the matter is that there was seriously debated on the floor of the Senate just a few months ago the wisdom of our remitting the foreign debt in order to enable those people to get on their feet and more than reimburse us by the rehabilitation of war-stricken Europe.

This does not go that far. The necessity is here, and I maintain that the principle involved in my colleague's measure is a correct one. If we balk at the use of a trust fund, let us take some of the thirty billions of idle capital and utilize it for the purpose of relieving us of our surplus products, and enabling Europe to rehabilitate itself and purchase the raw material from this country.

Mr. HARRISON. Mr. President, before we vote, I want to try to save some of the Senators on the other side from the dire distress that awaits them.

A very distinguished Senator in this body, one of the leaders of the progressive wing of the Republican Party, made a remarkable statement on the floor of the Senate day before yesterday. He very truly and graphically depicted the conditions in the Northwest. To refresh the minds of Senators on the other side, I want to read to them what he said; and I am sure there are Senators here who will agree with him in this remarkable statement protraying the conditions of the farmers in the Middle West and the Northwest.

This Republican, high and influential in the ranks of the Republican Party—and Senators know of whom I am talking—said that "in the 15 wheat States alone more than 108,000

farmers have since 1920"—when the Republican Party came into control of the Government—"lost their farms." "One hundred and eight thousand farmers" in the three years of this administration have "lost their farms or other property through foreclosures or bankruptcy; over 122,000 have lost their property without legal proceedings, and nearly 373,000 have retained their property only through the leniency of creditors, making a total," says this Republican Senator, "of 603,000 farmers, or 26 per cent of all who are virtually bankrupt in these 15 States."

That is not all he said. These are remarkable facts. I am calling them to the attention of the Senate because in less than 30 hours of consideration of bills before the Senate the Congress will adjourn. I am drawing it to the attention of Senators, and appealing to them, that some farm legislation be passed before the Senate adjourns.

Let me go further with the statement of this Republican Senator. He said that from 1920 to 1923 "1,357 State and national banks have failed, with total liabilities of more than $500,000,000."

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. Not just yet will I yield. As soon as I get through I will be glad to yield to the Senator.

Certainly neither the Senator from Utah nor any other Senator over there would contradict these remarkable figures, showing that in two years of this Republican administration bank failures to the amount of $500,000,000 have come about.

That is not all. He continued, "During the first three months of the present year 265 banks failed, with total liabilities of $100,275,000, or at the unprecedented rate of 1,060 bank failures for the year."

That is the situation in the Northwest. Yet I see Senators sitting here who are not assisting in the passage of this amendment, which would mean much to the wheat section of the country, as well as to farmers generally.

Talk about adjournment of the Congress with such a condition as that facing the American people! This is the last opportunity, I may say, to do anything for the people in that distressed section of the country.

You put off the development of Muscle Shoals, and will prohibit farmers from getting cheaper fertilizer to help them. You have denied consideration of the McNary farm relief bill, or the so-called Norris-Sinclair bill, and it looks as if my friend from Idaho [Mr. GOODING] would not be able to get up his reclamation bill. Nothing has been done to help the farmers, and here is an opportunity. Here is a bill that would take $150,000,000 out of the Alien Property Custodian's hands and invest it for the benefit of these claimants.

Senators are splitting hairs, saying that we would take a trust fund. It is already taken. The trust fund is already being used. It is out now drawing interest. It is invested through the purchase of bonds, and all we would be doing would be to put it where it would bring more revenue to these claimants.

Senators say, "No claimants have been consulted." Not a claimant has lifted his voice against this proposal. Every national of a foreign country affected who lives in this country, in my humble opinion, would be glad to see his money so invested, because the Government would guarantee him against loss and would permit his mother country to get this money to buy products here. Everybody would be helped by it. Germany would be helped by it. What German in America would oppose a bill like this which guaranteed to make good the national of Germany here whose money is taken and guarantee to the people in Germany the opportunity to get some of the things we have here for sale? So it will help the farmers to get rid of their surplus products, and it will help the industries and the people of Germany and Hungary and Austria, and I hope the amendment will be agreed to.

I believe the principle back of it is sound. I believe it is conservative. I think it is along the right line. I do not think it is violative of any trust fund, and consequently I shall vote for it, and I appeal to Senators on the other side to vote for it.

Mr. LENROOT. Will the Senator yield?

Mr. HARRISON. Yes; I yield.

Mr. LENROOT. I want to ask the Senator just one question. I assume the Senator claims, or will claim, that the Democrats in this body passed the tax bill through the Senate?

Mr. HARRISON. Everybody knows that we passed the tax bill.

Mr. McKELLAR. Does anybody doubt it?

Mr. HARRISON. Now, all the Republicans are praising that tax bill.

Mr. LENROOT. I want to ask the Senator how it is, if the Democrats controlled a majority in the Senate and passed the tax bill, that they have not been able to put through some farm legislation?

Mr. HARRISON. We have not blocked any farm legislation here. We have been appealing to Senators on the other side to do something, but they would not do it. They were busy trying to pass the Mellon plan, which gave 1,200 people in the country out of 3,555,000 a great reduction and prevented the enormous number of 3,500,000 from being given the greater reduction of the Democratic plan. Senators on the other side were too busy looking after the special interests of the country to take care of the farmers, and when they go back home they will have to explain it to them.

Mr. MOSES. Mr. President, I wish to announce that what the Senate has just heard is a mere dress rehearsal. The real speech by the Senator from Mississippi, amplifying the text which he has used to-day, will be heard in Madison Square Garden on the 24th of June.

Mr. DIAL. We will hear a good one, then.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from South Carolina [Mr. DIAL].

The amendment was rejected.

The PRESIDENT pro tempore. The Secretary will report the second amendment proposed by the Senator from South Carolina.

The READING CLERK. Insert at the proper place in the bill:

Be it enacted, etc., That from and after the 4th day of the month next after the approval of this act the rate of pension for persons who served with the United States forces during the war with Spain between April 21, 1898, and July 4, 1902, inclusive, who are now pensioned under the act of June 5, 1920, or under said act as amended by the act of September 1, 1922, shall be as follows: The rate for all persons who are now receiving on account of disability $12 per month shall be $20 per month; the rate for all persons now receiving $15 per month shall be $25 per month; the rate for all persons now receiving $18 per month shall be $30 per month; the rate for all persons now receiving $24 per month shall be $40 per month; and the rate for all persons now receiving $30 per month shall be $50 per month, and like rates shall be allowed in all claims for pension or increase of pension under said act, or under said act as amended, hereafter adjudicated, it being the intent and purpose of this act to substitute the rates herein provided for those now allowed under the act of June 5, 1920, and the amendment thereto.

Mr. DIAL. Mr. President, my object in offering the amendment is simply to compensate the disabled Spanish War soldiers to a little better degree; that is all.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Carolina. [Putting the question.] The noes appear to have it.

Mr. DIAL and Mr. McKELLAR. Division!

The PRESIDENT pro tempore. The amendment is rejected.

Mr. McKELLAR. A division was asked for and we are entitled to have it.

The PRESIDENT pro tempore. The Senator is too late.

Mr. McKELLAR. I was on my feet immediately asking for a division upon the question of the amendment of the Senator from South Carolina. I was on my feet as soon as it was over and asked for a division. It is an amendment in favor of the Spanish-American War veterans.

The PRESIDENT pro tempore. The Chair will grant the request of the Senator from Tennessee.

On a division, the amendment was agreed to.

Mr. HOWELL. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Nebraska offers the following amendment. The Chair is advised that the amendment relates to the other special order, but the Senator has a right to offer it to this order if he is pleased to do so. The Clerk will read the proposed amendment.

The PRINCIPAL CLERK. It is proposed to insert at the proper place in the bill:

That the Secretary of the Treasury under the direction of the President is authorized, upon the terms and conditions and in the manner hereinafter provided, to pay to any person, firm, or corporation the purchase price of any grain or other foodstuffs produced in the United States which are purchased in the United States from such person, firm, or corporation by the Government of Germany.

That the total amount of the loan or credit granted under this act by payments made under section 1 hereof shall be not more than $25,000,000. No credits shall be allowed hereunder until the Government of Germany, by duly authorized action, shall have agreed to accept and abide by all the terms of this act and until appropriate

evidence of such action shall have been filed with the Secretary of State of the United States and by him certified to the Secretary of the Treasury.

That the Government of Germany may utilize the loan and credits authorized by this act within the period of one year from the date of its passage and approval for the purchase of grain and other foodstuffs produced in the United States for the purposes herein provided.

That the Government of Germany shall pay to the Secretary of the Treasury, in legal tender of the United States, the full amount of the loan or credit granted under this act on or before the expiration of 50 years after the allowance of such loan or credit, together with interest thereon at the rate of 3½ per cent per annum, the accrual of said interest to begin 10 years after the date of the acceptance of said loan or credit by Germany, and to be paid in legal tender of the United States.

That upon acceptance by the Government of Germany of the loan or credit granted under this act said Government shall deliver to the Secretary of the Treasury its bond or bonds or such other evidences of its obligation for said loan or credit as may be required and approved by him.

That whenever the Government of Germany desires to purchase any products under this act it shall file with the Secretary of the Treasury, through its authorized purchasing and forwarding agent, a written statement showing the kinds and amounts of such products, the name and address of the person, firm, or corporation from whom they are being purchased, and the purchase price to be paid therefor. If the Secretary of the Treasury finds that the transaction meets the requirements of this act, he shall pay the amount of said purchase price and expenses to the person, firm, or corporation entitled thereto in accordance with section 1 hereof.

That if the Government of Germany fails at any time to comply with any requirements of this act, the Secretary of the Treasury may refuse further payments from said loan or credit until such requirement has been met.

Mr. HOWELL. Mr. President, the purpose of the amendment is to afford relief to the German people where it is needed, and incidentally it will be a source of relief to agriculture in the West. It provides that $25,000,000 may be loaned to Germany upon these terms. The loan is to cover a period of 50 years, no interest for the first 10 years and 3½ per cent interest for the remaining 40 years, or the rate of interest which England will pay upon its loan.

The money will be used to purchase foodstuffs in this country. It is provided in the amendment that the money shall be paid out only when the foodstuffs are purchased in the United States. It would be a source of great relief to the western farmer. It would clear the decks for the coming crops and at the same time, as I have already pointed out, will afford succor to those who are suffering in Germany. I sincerely trust the amendment will receive consideration at the hands of the Senate.

Mr. LODGE. Mr. President, I desire to say only a word in reference to the amendment. It is a proposition to force upon Germany a loan. Germany has asked for no loan. She has made no request to this country for any loan whatever. This is an attempt to give Germany a loan unasked for. It was carefully considered by the Committee on Foreign Relations and voted down by a very large majority in that committee.

Mr. HOWELL. Mr. President in reply to the statement of the distinguished Senator from Massachusetts, I will say that whereas Germany has not asked for a loan I have reason to believe that a loan would be acceptable. They are in need of these foodstuffs in Germany. There is this feature about the amendment: It does not force a loan upon Germany. Germany will have to assume the initiative in order to secure the benefits of the proposal. Therefore, the ground that Germany is not here pleading for a loan is no sufficient reason why we should not consider the welfare and needs of some of the German people, especially the women and children, and also why we should not remember the condition of the farmer in this country. Nothing is being done for the farmer. Something ought to be done. Here is an opportunity incidentally to do something for the western farmer.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HOWELL].

The amendment was rejected.

The PRESIDENT pro tempore. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS

The PRESIDENT pro tempore. The Chair lays before the Senate the second bill in the special order, House bill 6426.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6426) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

Mr. HALE. Will the Senator withhold the motion a moment?

Mr. LODGE. I withhold the motion.

ALTERATION AND CONSTRUCTION OF NAVAL VESSELS

Mr. HALE. I ask unanimous consent that at the conclusion of the unfinished business the Senate take up the bill (H. R. 8687) to authorize alterations to certain naval vessels and to provide for the construction of additional vessels.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that when the present unfinished business is disposed of the Senate shall proceed to the consideration of House bill 8687.

Mr. ROBINSON. May I inquire of the Senator from Maine whether the bill was referred to the Committee on Naval Affairs?

Mr. HALE. The bill was referred to that committee and reported out and is now on the calendar.

Mr. ROBINSON. Was the report unanimous?

Mr. HALE. I think there was one dissenting vote.

Mr. ROBINSON. The request is that the bill be made a special order following the present special order?

The PRESIDENT pro tempore. That is the substance of it.

Mr. ROBINSON. I shall not make any objection to the request.

Mr. JONES of Washington. Mr. President, I want to ask what status that would give to the bill? Would it prevent taking up other measures at that time by motion?

The PRESIDENT pro tempore. The Chair is of opinion that when the present bill is finished, if the request is granted, the Senate must proceed to the consideration of House bill 8687.

Mr. ROBINSON. By motion, the Senate could supersede it by another bill or another order of procedure at any time?

Mr. LODGE. Certainly.

Mr. ROBINSON. There is no consent agreement asked that it shall be disposed of. It is merely asked that we shall proceed to its consideration. After that has been done the Senate, upon motion, if the motion should prevail, could proceed to the consideration of any other measure.

Mr. HALE. It simply becomes the unfinished business.

Mr. JONES of Washington. The Senator from Maine says it becomes the unfinished business. I have understood heretofore that a bill could not be made the unfinished business in this body until it came before the Senate.

The PRESIDENT pro tempore. The Chair is of opinion that it would not necessarily become the unfinished business. That would be determined after the Senate had taken it up.

Mr. JONES of Washington. I think I shall object.

The PRESIDENT pro tempore. The Senator from Washington objects.

Mr. JONES of Washington subsequently said: I desire to withdraw my objection to the request of the Senator from Maine.

The PRESIDENT pro tempore. To the request of the Senator from Maine the Chair hears no objection, and it is so ordered.

FORT LOGAN MILITARY RESERVATION, COLO.

Mr. WARREN. Mr. President, I ask unanimous consent for the present consideration of a measure upon which there will be no debate. I refer to the bill (S. 3420) granting the consent of Congress to the construction, maintenance, and operation by the Denver & Rio Grande Western Railroad Co., its successors and assigns, of a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wyoming?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to grant to the Denver & Rio Grande Western Railroad Co., a corporation organized under the laws of the State of Delaware, its successors and

assigns, a permit to locate, construct, maintain, and operate a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado upon such location and under such regulations and conditions as shall be approved by the Secretary of War.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. SMOOT. I would like to ask if there was a unanimous report upon the bill from the Committee on Military Affairs?

Mr. WADSWORTH. There was.

Mr. SMOOT. And a favorable report?

Mr. WADSWORTH. Yes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. LODGE. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session, the doors were reopened and, on motion of Mr. CURTIS, the Senate (at 6 o'clock and 25 minutes p. m.) took a recess until to-morrow, Thursday, June 5, 1924, at 12 o'clock meridian.

CONVENTION WITH ITALY TO PREVENT THE SMUGGLING OF INTOXICATING LIQUORS

In executive session this day the following convention was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

To the end that I may receive the advice and consent of the Senate to ratification, I transmit herewith a convention to aid in the prevention of the smuggling of intoxicating liquors into the United States, signed between the United States and Italy on June 3, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, *June 3, 1924.*

The PRESIDENT:

The undersigned the Secretary of State has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention between the United States and Italy to aid in the prevention of the smuggling of intoxicating liquors into the United States, signed at Washington June 3, 1924.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, June 3, 1924.

The President of the United States of America and His Majesty the King of Italy, being desirous of avoiding any difficulties which might arise between them in connection with the laws in force in the United States on the subject of alcoholic beverages, have decided to conclude a convention for that purpose and have appointed as their plenipotentiaries:

The President of the United States of America, Charles Evans Hughes, Secretary of State of the United States;

His Majesty the King of Italy, Signor Augusto Rosso, Counselor of His Embassy at Washington;

Who, having communicated their full powers found in good and due form, have agreed as follows:

ARTICLE I

The high contracting parties respectively retain their rights and claims, without prejudice by reason of this agreement, with respect to the extent of their territorial jurisdiction.

ARTICLE II

(1) The Italian Government agrees that it will raise no objection to the boarding of private vessels under the Italian flag outside the limits of territorial waters by the authorities of the United States, its territories or possessions, in order that inquiries may be addressed to those on board and an examination be made of the ship's papers for the purpose of ascertaining whether the vessel or those on board are endeavoring to import or have imported alcoholic beverages into the United States, its territories or possessions, in violation of the laws there in force. When such inquiries and examination show a reasonable ground for suspicion, a search of the vessel may be initiated.

(2) If there is reasonable cause for belief that the vessel has committed or is committing or attempting to commit an offense against the laws of the United States, its territories or possessions, prohibiting the importation of alcoholic beverages, the vessel may be seized and taken into a port of the United States, its territories or possessions, for adjudication in accordance with such laws.

(3) The rights conferred by this article shall not be exercised at a greater distance from the coast of the United States, its territories or possessions, than can be traversed in one hour by the vessel suspected of endeavoring to commit the offense. In cases, however, in which the liquor is intended to be conveyed to the United States, its territories or possessions, by a vessel other than the one boarded and searched, it shall be the speed of such other vessel and not the speed of the vessel boarded which shall determine the distance from the coast at which the right under this article can be exercised.

ARTICLE III

No penalty or forfeiture under the laws of the United States shall be applicable or attach to alcoholic liquors or to vessels or persons by reason of the carriage of such liquors, when such liquors are listed as sea stores or cargo destined for a port foreign to the United States, its territories or possessions, on board Italian vessels voyaging to or from ports of the United States or its territories or possessions or passing through the territorial waters thereof, and such carriage shall be as now provided by law with respect to the transit of such liquors through the Panama Canal, provided that such liquors shall be kept under seal continuously while the vessel on which they are carried remains within said territorial waters and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

ARTICLE IV

Any claim by an Italian vessel for compensation on the grounds that it has suffered loss or injury through the improper or unreasonable exercise of the rights conferred by Article II of this treaty or on the ground that it has not been given the benefit of Article III shall be referred for the joint consideration of two persons, one of whom shall be nominated by each of the high contracting parties.

Effect shall be given to the recommendations contained in any such joint report. If no joint report can be agreed upon, the claim shall be referred to the Permanent Court of Arbitration at The Hague, described in the convention for the pacific settlement of international disputes, concluded at The Hague October 18, 1907. The arbitral tribunal shall be constituted in accordance with article 87 (Ch. IV) and with article 59 (Ch. III) of the said convention. The proceedings shall be regulated by so much of Chapter IV of the said convention and of Chapter III thereof (special regard being had for articles 70 and 74; but excepting articles 53 and 54) as the tribunal may consider applicable and to be consistent with the provisions of this agreement. All sums of money which may be awarded by the tribunal on account of any claim shall be paid within 18 months after the date of the final award without interest and without deduction, save as hereafter specified. Each Government shall bear its own expenses. The expenses of the tribunal shall be defrayed by a ratable deduction of the amount of the sums awarded by it, at a rate of 5 per cent on such sums, or at such lower rate as may be agreed upon between the two Governments; the deficiency, if any, shall be defrayed in equal moieties by the two Governments.

ARTICLE V

This treaty shall be subject to ratification and shall remain in force for a period of one year from the date of the exchange of ratifications.

Three months before the expiration of the said period of one year, either of the high contracting parties may give notice of its desire to propose modifications in the terms of the treaty.

If such modifications have not been agreed upon before the expiration of the term of one year mentioned above, the treaty shall lapse.

If no notice is given on either side of the desire to propose modifications, the treaty shall remain in force for another year, and so on automatically, but subject always in respect of each such period of a year to the right on either side to propose as provided above three months before its expiration modifications in the treaty, and to the provision that if such modifications are not agreed upon before the close of the period of one year, the treaty shall lapse.

ARTICLE VI

In the event that either of the high contracting parties shall be prevented either by judicial decision or legislative action from giving full effect to the provisions of the present treaty the said treaty shall automatically lapse, and, on such lapse or whenever this treaty shall cease to be in force, each high contracting party shall enjoy all the rights which it would have possessed had this treaty not been concluded.

The present convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Italy; and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the present convention in duplicate, in the English and Italian languages, and have thereunto affixed their seals.

Done at the city of Washington this 3d day of June in the year of our Lord 1924.

[SEAL.] CHARLES EVANS HUGHES.
[SEAL.] AUGUSTO ROSSO.

NOMINATIONS

Executive nominations received by the Senate June 4 (legislative day of June 3), 1924

SPECIAL COUNSEL

William C. Morrow, of Tacoma, Wash., to be special counsel, employed to prosecute proceedings to assert and establish the title of the United States to sections 16 and 36, township 30 south, range 23 east, Mount Diablo meridian, within the exterior limits of naval reserve No. 1 in the State of California, and to prosecute any suit or suits ancillary thereto or necessary or desirable, under the provisions of Public Resolution No. 6, approved February 21, 1924, compensation to be paid from the appropriation provided by Public Resolution No. 8, approved February 27, 1924.

PROMOTIONS IN THE REGULAR ARMY

To be colonel

Lieut. Col. Joseph Kepner Partello, Infantry, from June 2, 1924.

To be lieutenant colonel

Maj. George Percy Hawes, jr., Quartermaster Corps, from June 2, 1924.

To be major

Capt. Stafford LeRoy Irwin, Field Artillery, from June 2, 1924.

To be captains

First Lieut. Robert Grier St. James, Infantry, from May 30, 1924.

First Lieut. Francis Irwin Maslin, Quartermaster Corps, from June 2, 1924.

To be first lieutenants

Second Lieut. Fred William Makinney, jr., Cavalry, from May 30, 1924.

Second Lieut. William Benjamin Kean, jr., Infantry, from June 2, 1924.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

SIGNAL CORPS

First Lieut. Kenneth Seymour Stice, Coast Artillery Corps (detailed in Signal Corps), with rank from October 2, 1919.

FIELD ARTILLERY

Second Lieut. William Beck Goddard, 3d, Air Service, with rank from June 14, 1922.

PROMOTION IN THE NAVY

Pay Director Frank T. Arms to be a pay director in the Navy, with the rank of rear admiral, from the 18th day of May, 1924.

MARINE CORPS

Maj. Gerard M. Kincade to be lieutenant colonel in the Marine Corps from the 8th day of February, 1924.

Maj. Jesse F. Dyer to be a lieutenant colonel in the Marine Corps from the 3d day of June, 1924.

Capt. George W. Martin to be a major in the Marine Corps from the 21st day of December, 1923.

Capt. David S. Barry, jr., to be a major in the Marine Corps from the 8th day of February, 1924.

First Lieut. Thomas E. Kendrick to be a captain in the Marine Corps from the 8th day of February, 1924.

First Lieut. Donald J. Kendall to be a captain in the Marine Corps from the 11th day of May, 1924.

POSTMASTERS

ARIZONA

Harry O. Parks to be postmaster at Willcox, Ariz., in place of H. C. Lowdermilk, resigned.

June S. Haymond to be postmaster at Claypool, Ariz., in place of F. E. Hall. Office became third class October 1, 1923.

Blaine W. Hugo to be postmaster at Clarkdale, Ariz., in place of A. R. Tipton, resigned.

George E. Rowen to be postmaster at Seligman, Ariz., in place of J. A. Pitts. Incumbent's commission expired February 11, 1924.

CALIFORNIA

Edna M. Sheridan to be postmaster at Montrio, Calif., in place of Edna M. Sheridan. Incumbent's commission expired June 4, 1924.

Joseph C. Beard to be postmaster at Burlingame, Calif., in place of J. C. Beard. Incumbent's commission expired June 4, 1924.

ILLINOIS

John Wacker to be postmaster at Techny, Ill., in place of John Wacker. Incumbent's commission expired June 4, 1924.

Charles H. Cottrell to be postmaster at Quincy, Ill., in place of Elmer Lummis. Incumbent's commission expires June 5, 1924.

Edward E. Gott to be postmaster at Morris City, Ill., in place of Harry Bryant. Incumbent's commission expired August 29, 1923.

Hiram B. Rutherford to be postmaster at Newman, Ill., in place of R. C. Waters. Incumbent's commission expires June 5, 1924.

Samuel T. Little to be postmaster at Hillsboro, Ill., in place of C. F. McHenry. Incumbent's commission expires June 5, 1924.

IOWA

Rose M. Fischbach to be postmaster at Granville, Iowa, in place of J. P. Fischbach, resigned.

Theodore B. Satory to be postmaster at Albert City, Iowa, in place of O. M. Furb, resigned.

Arthur O. Reinhardt to be postmaster at Van Horn, Iowa, in place of A. O. Reinhardt. Incumbent's commission expired June 4, 1924.

Frank C. McCluskey to be postmaster at Toledo, Iowa, in place of J. J. McMahon. Incumbent's commission expires June 5, 1924.

Lyle J. McLaughlin to be postmaster at Schaller, Iowa, in place of T. V. Barnard. Incumbent's commission expires June 5, 1924.

Ira Soop to be postmaster at Sanborn, Iowa, in place of Mae Dougherty. Incumbent's commission expired March 9, 1924.

William A. Grummon to be postmaster at Rockwell, Iowa, in place of W. E. Murray. Incumbent's commission expired March 22, 1924.

Jay J. Merwin to be postmaster at Peterson, Iowa, in place of G. P. Martin. Incumbent's commission expires June 5, 1924.

Henry W. Huibregtse to be postmaster at Hull, Iowa, in place of A. F. Steffen. Incumbent's commission expires June 5, 1924.

Louis C. Glencke to be postmaster at Guttenburg, Iowa, in place of C. P. Luther. Incumbent's commission expires June 5, 1924.

William M. Bausch to be postmaster at Ashton, Iowa, in place of W. M. Bausch. Incumbent's commission expires June 5, 1924.

KANSAS

Gerald G. Smith to be postmaster at Burr Oak, Kans., in place of G. E. Bentley. Incumbent's commission expired June 4, 1924.

William T. Perry to be postmaster at Belleville, Kans., in place of J. H. Hostetler. Incumbent's commission expired June 4, 1924.

LOUISIANA

Emile Aubert to be postmaster at Abita Springs, La., in place of Emile Aubert. Incumbent's commission expired June 4, 1924.

MAINE

Elsie J. McKenney to be postmaster at Jackman Station, Me., in place of J. C. A. Daigneault, removed.

Linwood B. Jones to be postmaster at Winthrop, Me., in place of H. Clair Miller. Incumbent's commission expires June 5, 1924.

Luther G. Cushing to be postmaster at Freeport, Me., in place of S. G. Brewer. Incumbent's commission expires June 5, 1924.

Louis F. Higgins to be postmaster at Ellsworth, Me., in place of C. H. Leland. Incumbent's commission expires June 5, 1924.

MASSACHUSETTS

John P. McKay to be postmaster at Wellfleet, Mass., in place of J. P. McKay. Incumbent's commission expired June 4, 1924.

John Adams to be postmaster at Provincetown, Mass., in place of John Adams. Incumbent's commission expired June 4, 1924.

David L. Kelley to be postmaster at Fairhaven, Mass., in place of W. M. Allen. Incumbent's commission expired June 4, 1924.

MINNESOTA

Herbert M. Hauck to be postmaster at Mankato, Minn., in place of C. E. Wise, resigned.

Henning O. Mickelson to be postmaster at Carson Lake, Minn., in place of M. A. Beer. Office became third class January 1, 1924.

Frederick S. Purdy to be postmaster at Russell, Minn., in place of F. S. Purdy. Incumbent's commission expires June 5, 1924.

Sidney D. Wilcox to be postmaster at Park Rapids, Minn., in place of S. D. Wilcox. Incumbent's commission expires June 5, 1924.

MISSOURI

Mattie A. Campbell to be postmaster at King City, Mo., in place of Essie Ward. Incumbent's commission expired June 4, 1924.

MONTANA

Oswald M. Johnson to be postmaster at Chinook, Mont., in place of Thomas Dowen. Incumbent's commission expired June 4, 1924.

NEBRASKA

Gust S. Jollensten to be postmaster at Ogallala, Nebr., in place of J. J. McCarthy. Incumbent's commission expired June 4, 1924.

Earl F. Fishel to be postmaster at Guide Rock, Nebr., in place of O. C. Lamb. Incumbent's commission expired June 4, 1924.

NEW HAMPSHIRE

John H. Garvin, jr., to be postmaster at Sanbornville, N. H., in place of J. A. Willey. Incumbent's commission expires June 5, 1924.

NEW JERSEY

Wilson S. Frederick to be postmaster at Dunellen, N. J., in place of W. N. Apgar. Incumbent's commission expires June 5, 1924.

NEW MEXICO

John H. York to be postmaster at East Las Vegas, N. Mex., in place of E. V. Long. Incumbent's commission expired September 5, 1922.

NEW YORK

James H. Huntington to be postmaster at Naples, N. Y., in place of J. G. Lewis, resigned.

Henry F. Blessing to be postmaster at Pawling, N. Y., in place of H. F. Blessing. Incumbent's commission expired August 5, 1923.

Clayton M. Card to be postmaster at Amenia, N. Y., in place of E. J. Cunningham. Incumbent's commission expired August 5, 1923.

NORTH CAROLINA

Ferry M. Barber to be postmaster at Goldston, N. C., in place of M. C. Olive. Office became third class January 1, 1924.

Preston B. Herman to be postmaster at Conover, N. C., in place of J. F. Hunsucker. Incumbent's commission expired June 4, 1924.

OHIO

Pearl W. Athey (Mr.) to be postmaster at Belpre, Ohio, in place of O. D. Ellenwood, resigned.

Roy S. Grunder to be postmaster at Creston, Ohio, in place of A. S. Tuttle. Incumbent's commission expired June 4, 1924.

Nestor J. Taylor to be postmaster at Beverly, Ohio, in place of F. H. Hart. Incumbent's commission expired June 4, 1924.

OREGON

William E. Reed to be postmaster at Mitchell, Oreg., in place of I. H. Jones. Office became third class October 1, 1923.

James W. Dunn to be postmaster at St. Benedict, Oreg., in place of J. W. Dunn. Incumbent's commission expired June 4, 1924.

William D. Hardesty to be postmaster at Freewater, Oreg., in place of W. D. Hardesty. Incumbent's commission expired February 11, 1924.

SOUTH CAROLINA

Gilbert G. Hiers to be postmaster at Ehrhardt, S. C., in place of E. D. Grant, resigned.

John Commins to be postmaster at Meggett, S. C., in place of E. L. Joyner. Incumbent's commission expired April 7, 1924.

SOUTH DAKOTA

Edna L. Brown to be postmaster at Timber Lake, S. Dak., in place of J. E. Burns. Incumbent's commission expired June 4, 1924.

Harry R. Wood to be postmaster at Redfield, S. Dak., in place of F. M. Crain. Incumbent's commission expired June 4, 1924.

TENNESSEE

James Rogers to be postmaster at Dyer, Tenn., in place of C. C. Berry. Incumbent's commission expired June 4, 1924.

TEXAS

Humphrey M. Fowler to be postmaster at West, Tex., in place of C. P. Zapalac, deceased.

Ulvah Ramsey to be postmaster at Haslam, Tex., in place of Ulvah Ramsey. Office became third class July 1, 1923.

William A. Reese to be postmaster at Groveton, Tex., in place of W. C. O'Bryan. Incumbent's commission expired January 23, 1924.

UTAH

John O. Anderson to be postmaster at Salina, Utah, in place of Olga McKenna. Incumbent's commission expired May 4, 1924.

VERMONT

Claude C. Duval to be postmaster at West Burke, Vt., in place of C. C. Duval. Incumbent's commission expired June 4, 1924.

John S. Kimball to be postmaster at Bethel, Vt., in place of John Noble. Incumbent's commission expires June 5, 1924.

VIRGINIA

Maude L. Bateman to be postmaster at Lowmoor, Va., in place of M. A. Proctor. Office became third class January 1, 1924.

Norborne G. Smith to be postmaster at South Hill, Va., in place of R. J. Northington. Incumbent's commission expired August 15, 1923.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 4 (legislative day of June 3), 1924

COAST AND GEODETIC SURVEY

To be aids

Harold John Peterson.
Virgin Alfred Alexander Powell.
Byron Williams.
Alexander Francis Jankowski.

POSTMASTERS

ALABAMA

Law W. Bowman, Marvel.

COLORADO

William V. Kerr, Eads.
Harrison V. Teller, Windsor.

ILLINOIS

Ralph W. Miller, Collinsville.
John E. Heffron, East Dubuque.
Jacob L. Pfundstein, Erie.
Edwin L. Griese, Northbrook.
Herman O. Manuel, Steger.
Leonard O. Bingham, Virginia.
Willis A. Myers, Wenona.
Lela Seneff, Westfield.

INDIANA

Claude L. Worster, North Liberty.

IOWA

John J. Ethell, Bloomfield.

KANSAS

Hiram W. Joy, Quinter.
Michael Fischer, Tipton.
William R. Robb, Treece.

MAINE

Jabez M. Pike, Lubec.
Stella L. Hill, Northeast Harbor.

MARYLAND

Eunice W. Dement, Indianhead.
Clare N. Payne, Preston.

MASSACHUSETTS

Stephen C. Luce, Vineyard Haven.

MICHIGAN

Benjamin W. Somers, Hesperia.
Emma F. Lyon, Hillsdale.
Fred C. Putnam, Kalamazoo.
Emma Moote, White Cloud.

MONTANA

Wedsel J. Hartman, Broadview.
Arnold D. Ferris, Sidney.
Maurice D. Holmes, White Sulphur Springs.

NEBRASKA

Millard M. Martin, Allen.
Frank G. Smith, Ashton.
Owen T. Thompson, Farnam.
Claude A. Sheffner, Hay Springs.
Jacob H. Jimerson, Liberty.
Frank A. Bartling, Nebraska City.
Verner O. Lundberg, Nehawka.
William M. Baskin, Stapleton.
Charles E. Zink, Sterling.
Julia A. Presson, Stromsburg.

NEW HAMPSHIRE

Ralph E. Messer, Bennington.
Alice M. Sloane, Conway.
James P. Farnam, Hanover.
Everett F. Tozier, Salmon Falls.

NEW MEXICO

Edward H. Hemenway, Carlsbad.

NEW YORK

Erwin Smith, Annandale-on-Hudson.
Harold D. Babcock, Delanson.
Fred L. Babcock, Massena Springs.

NORTH CAROLINA

Joseph G. Gamble, Davidson.
Thomas S. Keeter, Grover.
Hilliard C. Rector, Marshall.
Joseph B. Sparger, Mount Airy.

OHIO

Earl W. Starkey, Flushing.
Benjamin Hagemann, Minster.
Edwin H. Garver, Navarre.
David J. Thomas, Niles.
Mabel E. Dierker, Pemberville.
William H. Flach, Piqua.
Perry A. Dickey, Rogers.
Edward P. Harker, Rossford.

OKLAHOMA

Lee Hilton, Barnsdall.
Adrian J. Brown, Bixby.
Hubbard Ross, Fort Gibson.
James F. Bethel, Muldrow.

PENNSYLVANIA

Clifford G. Chase, Butler.
Paul L. Boyd, Mars.

RHODE ISLAND

Edward T. Priday, Peace Dale.

SOUTH CAROLINA

Samuel R. Cartledge, Batesburg.
Luther V. Martin, Mullins.

TENNESSEE

Lee M. Jeffers, Oakdale.
Herschel H. Tatlock, Covington.
William A. Dunlap, Maryville.

UTAH

Boyd J. Barnard, Bingham Canyon.
Hans P. Ipson, Panguitch.

VERMONT

Casper W. Landman, South Londonderry.

VIRGINIA

Samuel R. Gault, Scottsville.

WISCONSIN

John C. Chapple, Ashland.
Gertrude C. Grinde, Dallas.
Frank M. LeCount, Hartford.
Jacob Gumm, Jackson.
Adolph R. Mill, Kaukauna.
William A. Kohl, Mayville.
John H. Kaiser, jr., Port Washington.
Frank E. Wieman, Washburn.

REJECTION

Executive nomination rejected by the Senate June 4 (legislative day of June 3), 1924

POSTMASTER

Walter V. Nuckolls to be postmaster at Bristol, Tenn.

HOUSE OF REPRESENTATIVES

WEDNESDAY, *June 4, 1924*

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, we give Thee thanks for the blessed gift of life. With us may our great purpose be to live wisely, labor industriously and at the last hand it back to God without shame. In this wondrous world we pray for a yearning sense of incompleteness and help us to stress the unrealized and thus grow in knowledge and wisdom. Fill up the open spaces of our characters with those fine aspirations and loves that shall never die out. O Lord, let the sweet harmonies of peace, good will, and Christian fraternity bless our entire country and rest like a divine benediction everywhere. Amen.

The Journal of the proceedings of yesterday was read and approved.

AMENDING THE NATIONAL DEFENSE ACT

Mr. McKENZIE. Mr. Speaker, I call up from the Speaker's table a privileged resolution, Senate Concurrent Resolution No. 19, and ask the concurrence of the House.

The SPEAKER. The gentleman from Illinois calls up a privileged resolution which the Clerk will report.

The Clerk read the resolution, as follows:

Concurrent Resolution 19

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the enrolled bill (S. 2169) entitled "An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes," be rescinded, and that in the reenrollment of the said bill the following amendment be made, viz.: On page 2, line 12, strike out the words "for animals loaned to the National Guard."

Mr. GARNER of Texas. Mr. Speaker, I would like to take one minute to call the attention of this House to what the gentleman from Illinois, the late Mr. Mann, took occasion to do a number of times. There have been a number of instances in which bills have had to be recalled, as well as resolutions, which have been passed, and there is something wrong with the office having to do with it. It is the duty of those having charge of it to look into it and correct it, and if necessary get new material and put it in there in order that this House may have better service. I call attention to it at this time because I think it ought to have the attenion of those who are responsible.

Mr. McKENZIE. Will the gentleman yield?

Mr. GARNER of Texas. Yes.

Mr. McKENZIE. Does not the gentleman think it would be a pretty good remedy to discharge some of these men?

Mr. GARNER of Texas. I do not want to be that harsh; but I will say that the record in this Congress shows that somebody somewhere ought to take charge of this matter and give relief to the House of Representatives.

Mr. BEGG. Will the gentleman yield?

Mr. GARNER of Texas. Yes.

Mr. BEGG. This error was not made on this side, was it?

Mr. McKENZIE. No.

Mr. BEGG. This was an error made on the Senate side, and therefore is beyond our jurisdiction.

Mr. GARNER of Texas. It makes no difference where it occurred; some one who has the authority ought to call attention to this neglect of duty and try to get a remedy.

The SPEAKER. The Chair thinks it ought to be stated that the mistake was made on the Senate side and not on the House side.

Mr. GARNER of Texas. Not entirely.

The SPEAKER. There has only been one such mistake made on the House side.

Mr. GARNER of Texas. I realize that a larger percentage of the errors have been made on the other side, but that is no reason why some action should not be taken and some one in authority ought to do something.

Mr. McKENZIE. I think it is fair to say that no responsibility rests on the clerical force of the House, as far as this matter is concerned.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested.

S. J. Res. 130. Joint resolution for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927;

S. J. Res. 142. Joint resolution providing for the United States Government to have representation at the celebration of the centennial of first meeting of the Legislative Council of the Territory of Florida;

S. 2887. An act authorizing transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes;

S. 3058. An act giving the consent of Congress to a boundary agreement between the States of New York and Connecticut; and

S. 3192. An act to provide for an examination of the Chicago River and its branches.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 526. An act authorizing the Secretary of War to enter into an arrangement on behalf of the United States, with the Alexandria Light & Power Co. whereby civilians may obtain electric current from a Government-owned transmission line extending from Alexandria to Fort Humphreys, Va.;

H. R. 905. An act for the relief of Gerard E. Bess;

H. R. 2607. An act for the relief of Jesse L. Meeks;

H. R. 4985. An act to repeal the first proviso of section 4 of an act to establish a national park in the Territory of Hawaii approved August 1, 1916; and

H. R. 8961. An act for the relief of Frank Stinchcomb.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1174) authorizing the Secretary of the Interior to investigate and report to Congress the facts in regard to the claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses.

The message also announced that the Senate had agreed to the reports of the Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to bill of the following titles:

H. R. 8143. An act for the protection of the fisheries of Alaska, and for other purposes.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Senate had agreed to report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate No. 47 to the bill (H. R. 5078) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes."

The message also announced that the Senate had passed the following resolution:

Resolved, That Mr. EDWARDS be appointed a member of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8839) entitled "An act making appropriations for the government of the District of Columbia, and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes," in the place of Mr. SHEPPARD, excused.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 7041. An act to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916; and

H. R. 5325. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

SENATE BILLS REFERRED

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2887. An act authorizing transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes; to the Committee on Interstate and Foreign Commerce.

S. 3058. An act giving the consent of Congress to a boundary agreement between the States of New York and Connecticut; to the Committee on the Judiciary.

S. 3192. An act to provide for an examination of the Chicago River and its branches; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 130. A joint resolution for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927; to the Committee on Industrial Arts and Expositions.

POSTAL LEGISLATION

Mr. ROUSE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on postal legislation.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROUSE. Mr. Speaker, I desire to call the attention of the country, and more especially of the citizens who compose the greatest corporation in the world, namely, the great body of post-office employees, to the legislation that was enacted for the benefit of the Postal Establishment during the years the Democrats were responsible for legislation and compare that with what has not been done for them during the years the Republicans have had complete control of both the legislative and executive branches of the Government.

I will begin to enumerate the acts dating from August 24, 1912, and including many pieces of legislation to and including the act of June 5, 1920, which was the reclassification act, giving the employees the salaries they are now receiving; and I might state at this point that I am proud of the fact that I was a member of that commission which provided these salaries, and this is the only commission created by Congress during the past 20 years that put its recommendations into a law.

The following are some of the provisions of law given the employees by the Democratic administration:

No. 1. In the act of August 12, 1912, we provided for an increase in per cent of clerks and carriers to be promoted to the maximum grades.

No. 2. A provision for closing post offices on Sunday.

No. 3. A provision for the promotion of 75 per cent of the letter carriers from the fifth to the sixth grades, and that postal employees shall not work more than 8 hours per day, and that the 8 hours shall not extend over a longer period than 10 consecutive hours.

No. 4. Provision for the reclassification of the Railway Mail Service.

No. 5. A provision that no postal employee be removed or reduced until after charges have been filed in writing, and that the employees shall have the right of petition, thereby removing the obnoxious "gag law."

No. 6. Providing that enlisted men of the Marine Corps be included as Navy mail clerks or assistant Navy mail clerks.

No. 7. In the act of March 4, 1913, we provided for increase pay for letter carriers and substitute letter carriers.

No. 8. Provision for insurance to the amount of $2,000 to be paid to the estate of an employee who is killed while on duty.

No. 9. Provided that when employees who entered the military or naval service of the United States be permitted to resume their positions in the Postal Service when honorably discharged.

No. 10. Provided for the promotion of 75 per cent of the clerks from the fifth to the sixth grade and for the promotion of 5 per cent of clerks in the sixth grade to be graded as special clerks.

No. 11. Provided for compensatory time for work performed on Sundays or holidays.

No. 12. Provided that there shall be no distinction in salary between letter carriers assigned to delivery duty and letter carriers assigned to collection duty.

No. 13. Provided that railway mail clerks shall be credited with full time when deadheading under orders of the department.

No. 14. Provided for the modification of Rural Route Service in the interest of the carriers and those to be served.

No. 15. Under the act of March 3, 1917, we provided for the promotion of clerks from the fifth to the sixth grade, and also gave to the watchmen, messengers, and foremen compensatory time for work done on Sundays and holidays.

No. 16. Provided for compensatory time given to railway mail clerks.

No. 17. Provided that watchmen, messengers, and laborers in first and second class offices and railway mail clerks assigned to terminal railway post offices and transfer clerks shall be required to work not more than 8 hours a day, and that the 8 hours shall not extend over a longer period than 10 consecutive hours, except in emergencies.

No. 18. A provision giving postal employees and substitute postal employees credit for time served in the military, marine, or naval service.

No. 19. The act of June 5, 1920, which law was the result of the labors of the Postal Commission, and referred to above, gave to all the postal employees an increase in salary, and the salaries they are receiving to-day are provided for in this law.

No. 20. The above provisions were enacted by the Democratic administration. No legislation har been enacted for the benefit of the employees during the nearly four years of the present administration; promises have been made, but nothing has been received but a veto.

IMMIGRATION ACT OF 1924

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the immigration act of 1924.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, notwithstanding the statements made by myself and others during the passage of the new immigration act (see statement A) I have been asked by many colleagues to place in the RECORD some additional statements, which are made necessary owing to last minute changes made in conference between House and Senate.

STATEMENT A

DEBATES IN HOUSE AND SENATE ON IMMIGRATION BILLS, S. 2576 AND H. R. 7995

(Debate in the Senate, up to April 18, 1924, was on the Reed bill, S. 2576. Debate in the House was on the Johnson bill, H. R. 7995. The House passed the Johnson bill April 12. The Senate on April 18 took the Johnson bill, struck out all after the enacting clause, and substituted the Reed bill. Thereafter all debate was on H. R. 7995.)

April 2. Senate debate.
April 3. Senate debate.
April 4. Senate debate.
April 5. House debate.
April 7. Senate debate.
April 8. Senate and House debates.
April 9. Senate debate.
April 11. House debate.
April 12. House debate. H. R. 7995 passed the House April 12.
April 14. Senate debate.
April 15. Senate debat.
April 16. Senate debate.
April 17. Senate debate.
April 18. Senate debate. H. R. 7995 passed Senate April 18.
May 8. First conference report (H. Rept. 688) submitted to House.
May 9. House debate—bill recommitted to conference.
May 12. Second conference report (H. Rept. 716) submitted to House.
May 15. Conference report adopted in House and Senate.

The immigration act of 1924 is Public Law No. 139, Sixty-eighth Congress (H. R. 7995). Originally introduced by me at the beginning of the Congress, December 5, 1923, it underwent many changes; passed both Houses by decisive votes—323 to 71 in the House and 62 to 6 in the Senate—was approved by the President May 26, 1924, thus ending a struggle of more than 40 years for legislation that would not only substantially restrict immigration but make a record and examination overseas of prospective immigrants. A fight of 20 years to complete the exclusion of Asiatic immigrants is also ended with this enactment. We have had Chinese exclusion by law for 42 years. We have had Asiatic exclusion—except Japanese—through the barred-zone provisions of the Burnett Act of 1917, and now we have complete exclusion as immigrants of those ineligible to citizenship through section 13 of the new act. Inasmuch as the policy of the United States has been against the admission of Asiatics generally, and inasmuch as the laws forbid their naturalization, it has been apparent to all students of the question that general Asiatic exclusion had to come sooner or later. It seemed unfair to bar the Chinese, the Hindu, the Malay, the Javanese, and so forth, and to admit the Japanese, thus making of the latter a preferred oriental race. Further, it is an unwise policy for the United States to permit the growth of colonies of nonnaturalizable aliens to develop here, always to owe allegiance to another Government.

Again, if the United States intends to retain control of its Territorial outpost in the Pacific, Hawaii, then the United States will do well to see that the population there is of a kind which can be naturalized.

Some think that the exclusion clause of the new immigration act will so offend the Japanese that it will create a breach that will lead on to war, not immediate war, of course, but that conditions making for peace will be lacking; that preparations for war must be made; and that vigilance will have to be maintained.

A PREVENTIVE OF WAR

I believe, on the contrary, that the exclusion provision will serve as an actual preventative of war, for the reason that we now make certain that the status of the Hawaiian Islands shall be maintained. These islands were annexed by the United States as an outpost and for the peace of the Pacific. If the islands are not orientalized, peace is assured for many generations; for a much longer period than if populated by Japanese people—immigrants and native born. The latter, of course, are citizens of the United States. Of course, every nation that pretends to be a nation is vigilant.

But, after all, the real reasons for the American policy of exclusion are:

1. The unassimilability of the Asiatic races with the people of the United States.

2. Undesirability of the competition of Asiatic coolies with American laborers.

Those who will read section 13 of the new act carefully will find that it is not directed at the Japanese alone. It is directed at all who are ineligible to citizenship. It catches those who withdrew first papers and fled the country to avoid the draft. It catches certain deserters from Army and Navy. It tightens up the Chinese exclusion act in many particulars. It also greatly reduces the barred-zone provisions of the 1917 act.

In fact, the new immigration act tightens and regulates immigration in more ways than appear at first sight. The new act is "in addition to and not in substitution for" the other immigration laws—except parts of the expiring quota act. Thus, if the Chinese exclusion act is more liberal than section 13, the Chinese exclusion act is reduced to the limits of section 13. The long line of exemptions carried as a proviso to the barred-zone clause of the 1917 act is reduced to the few exemptions of subdivision (c) of section 13.

TEXT OF THE EXCLUSION CLAUSE

Subdivision (c) of section 13 of the new act reads as follows:

(c) No alien ineligible to citizenship shall be admitted to the United States unless such alien (1) is admissable as a nonquota immigrant under the provisions of subdivision (b), (d), or (e) of section 4, or (2) is the wife, or the unmarried child under 18 years of age, of an immigrant admissible under such subdivision (d), and is accompanying or following to join him, or (3) is not an immigrant as defined in section 3.

The subdivisons of section 4 referred to are as follows:

(b) An immigrant previously lawfully admitted to the United States, who is returning from a temporary visit abroad;

* * * * * * *

(d) An immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of, carrying on the vocation of minister of any religious denomination, or professor of a college, academy, seminary, or university; and his wife, and his unmarried children under 18 years of age, is accompanying or following to join him; or

(c) An immigrant who is a bona fide student at least 15 years of age and who seeks to enter the United States solely for the purpose of study at an accredited school, college, academy, seminary, or university, particularly designated by him and approved by the Secretary of Labor, which shall have agreed to report to the Secretary of Labor the termination of attendance of each immigrant student, and if any such institution of learning fails to make such reports promptly the approval shall be withdrawn.

DEFINITION OF IMMIGRANT

Section 3, which is referred to in the exclusion clause, is a very important section of the new act. It undertakes to define immigrants by naming all classes who are not to be considered immigrants. It reads as follows:

SEC. 3. When used in this act the term "immigrant" means any alien departing from any place outside the United States destined for the United States, except:

(1) A Government official, his family, attendants, servants, and employees;

(2) An alien visiting the United States temporarily as a tourist or temporarily for business or pleasure;

(3) An alien in continuous transit through the United States;

(4) An alien lawfully admitted to the United States who later goes in transit from one part of the United States to another through foreign contiguous territory;

(5) A bona fide alien seaman serving as such on a vessel arriving at a port of the United States and seeking to enter temporarily the United States solely in the pursuit of his calling as a seaman; and

(6) An alien entitled to enter the United States solely to carry on trade under and in pursuance of the provisions of a present existing treaty of commerce and navigation.

END OF GENTLEMEN'S AGREEMENT

Japan is given about everything that Japan claimed in her interpretation of her "gentlemen's agreement," which, by the way, is not a treaty, never was a treaty, never was considered to be a treaty, never saw the light of day, did not apply to the Hawaiian Islands unless Japan desired to apply it, did not give the United States any right to regulate immigration from Japan, and is now as dead as Hector, after 17 years of misunderstanding.

Where is Japan hurt?

The chief complaint seems to be the charge that she does not receive a quota, and is thus discriminated against.

But Japan does receive a quota. She is given the minimum of 100. The quota, however, is for persons eligible to citizenship.

China gets a quota also, subject to the same conditions. So does India. So does Siam, and so do numerous places in the barred zone. Each has the minimum quota of 100, but in all cases it must be used by persons eligible to citizenship.

No; Japan is not hurt that way. She is hurt because she has reached high place as one of the five great powers and is demanding "race equality" for herself, but not for China, Formosa, India. According to Thomas F. Millard, author of Conflict of Policies in Asia:

Japan has used this issue of "race equality" as trading stock in diplomatic negotiations without giving to it the importance in her own mind which it seems to have on the surface. She does not practice race equality as between Japanese and Formosans, Koreans, or Chinese. Actual race equality in the United States would surely be unfavorable to Japanese, since Chinese and other Oriental races could undercut Japanese in America's economic field if their equality were recognized in our laws.

The race-equality slogan is used for the benefit of Japanese alone. Yet Japan has carried on in all eastern Asia for years a Pan-Asian propaganda meant to line up Asiatic races against Europe and America. She does this, not to help the other races, but as a part of the plan of making Japan the head of a movement which will finally subject all Asia to Japan.

LEADING FEATURES OF NEW ACT

Having discussed the oriental problem and given the definition of the term "immigrant," I may now drop back to a discussion of the general features of the new act.

The Burnett Act of 1917 still stands. It excludes certain classes of people, such as mental defectives, paupers, diseased, criminals, polygamists, anarchists, prostitutes, procurers, contract laborers, stowaways, and persons likely to become public charges. It provides for deportation of aliens who enter unlawfully, or who after entry are found to be members of an excluded class. It prescribes a literacy test. But it fixes no numerical limitation. Under its provisions every alien who can not be numbered among the excluded classes must be admitted.

NUMERICAL LIMITATION IMPOSED

Three years ago the Congress first decided that some restriction more severe than that embodied in the Burnett Act was needed to prevent the movement of large numbers of Europeans to the United States. This decision found expression in the passage of the so-called quota law of 1921. This law provided that the number of aliens of any nationality admissible in any fiscal year must be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the census of 1910. When first enacted, the quota act of 1921 was intended as a stop-gap and was to expire, by its own terms, on June 30, 1922. By joint resolution of Congress it was extended to be operative until June 30, 1924.

The immigration act of 1924, just signed, supersedes the temporary quota act. It continues in force the principle of numerical limitation, but it changes the procedure radically and reduces the number of persons admissible.

PASSPORTS AND IMMIGRATION VISÉS

To understand the operation of our immigration laws one must understand also that we have a passport law. It is required that every alien entering the United States must carry a passport issued to him by the government to which he owes allegiance. More, he must have stamped on his passport an American consular visé. Since the World War that has been largely routine. Many a United States consul has been obliged to visa the passport of an immigrant whom he knew would not be admitted to the United States, or if admitted, would make a most unwelcome addition to our population.

But now the immigration act of 1924 steps in and gives some real value to the visa which the United States consul stamps on the alien's passport.

We have made the passport and its accompanying visa (which now becomes a separate document instead of a mere rubber stamp and signature) the sine qua non of admission to the United States.

The new law puts upon the consular officers of our Government situated in foreign lands the first and most important duty of sifting our immigration by granting or withholding "immigration visas."

If the new law had nothing else in it but this provision it would be worth all of the seven years' effort to pass it.

CONSUL'S ACTION IS FINAL

Under the immigration act of 1924 the consular officer may refuse to issue an immigration visa "if he knows or has reason to believe that the immigrant is inadmissible to the United States under the immigration laws."

Inasmuch as the Burnett Act of 1917 is continued in effect, providing for exclusion of many classes of undesirable aliens, this is a most important authority. The consular officer's action in such case is final.

ALL MUST BRING RECORDS WITH THEM

From and after July 1, 1924, all persons who come to the United States as "quota immigrants" or "nonquota immigrants," whether from England, Germany, Canada, Mexico, or elsewhere, must come with a certified document or record. This document will be taken from each immigrant and filed in the Department of Labor. The immigrant will find it of great service as he proceeds toward naturalization.

Further, each immigrant henceforth may be challenged as to his right to be in the United States. The burden of proof is on him. The actual proof is the document with which he entered the United States. The Government will freely offer that document to help him to prove his right to be here. If there is no document he must be deported. This applies to Canadians, Cubans, and Mexicans, as well as Europeans and all nationals of all countries of the world. It is expected that the Mexicans who have been coming in freely under the Burnett Act and the quota act will have great difficulty in filling out the questionnaire required for the "immigration visa," and that the burden-of-proof clause will enable the Department of Labor to deport most of those who enter surreptitiously.

EFFORT TO END HARDSHIPS

The quota law of 1921 created many hardships. It excluded thousands simply because they were late in making application or because they came on slow steamships. It debarred or deported many who thought when they left their homes that they had a fair or excellent chance to be admitted, but found on reaching our shores that their national quotas were exhausted. It divided families and was difficult of administration. While no restrictive immigration act can be expected to work without hardship, for the human equation is always present, it is hoped that the immigration act of 1924 will eliminate many of the difficulties encountered in the enforcement of the

quota act. Right off the new law changes the manner of counting those who apply for entry. It provides that the immigrants themselves shall not be counted at ports of arrival. In fact, they are not counted at all. The counting is done in the granting of immigration visés. Every "quota immigrant" and every "nonquota immigrant," young or old, married or single, must have such a document at a cost of $10 each. So, if the alien obtains a visé he may be sure he is counted; he will not be debarred on account of exhaustion of quota. But he will still be subject to examination on arrival at an American port of entry, and subject also to exclusion if he can not pass the tests of the Burnett Act.

TWO PER CENT, 1890 CENSUS

The limitation upon the issuance of immigration visés, under the new law, is a percentage limitation, effective until July 1, 1927. The law provides:

The annual quota of any nationality shall be 2 per cent of the number of foreign-born individuals of such nationality resident in continental United States as determined by the United States census of 1890, but the minimum quota of any nationality shall be 100. * * *

There shall be issued to quota immigrants of any nationality (1) no more immigration visés in any fiscal year than the quota for such nationality, and (2) in any calendar month of any fiscal year no more immigration visés than 10 per cent of the quota for such nationality * * *.

No immigrant shall be admitted to the United States unless he (1) has an unexpired immigration visé or was born subsequent to the issuance of the immigration visé of the accompanying parent, (2) is of the nationality specified in the visé in the immigration visé, (3) is a nonquota immigrant, if specified in the visé in the immigration visé as such, and (4) is otherwise admissible under the immigration laws.

This definitely fixes the number of "quota immigrants."

The expiring law admitted nationals of other countries to the number of 3 per cent of persons here from those countries as shown by the census of 1910. The total admissible was 357,803, and for the past two years the quotas were filled—except a few hundred. Many thousands came in under the exemptions, and other thousands came from the countries for which no quotas were set up—Canada, Mexico, Japan, Jamaica, and so forth. In fact, the number admitted from July 1, 1923, to April 30, 1924—10 months—was 774,717. The following table is of interest:

Immigrants admitted July 1, 1923, to April 30, 1924

Number admitted charged to quota	356,714
Number admitted as exempted classes and not charged to quota	418,003
Number admitted at Canadian borderland ports	171,111
Number admitted at Mexican borderland ports	91,302
Total admitted	774,717

When one learns that nearly 775,000 immigrants gained admission in 10 months of this fiscal year with the 3 per cent quota law in operation, one may be sure that without the quota restriction 1,500,000 would have come in, if not more.

During the debates there were printed a great many quota tables, showing 2 per cent on 1890 census, 2 per cent and 3 per cent on 1910, 2 per cent on an average of 1890, 1900, 1910, and 1920, and so on. All of these tables were merely tentative, and most of them were prepared before the section of the act fixing the methods of adding dependencies to mother countries and of caring for mandated countries, new countries, and so forth, had been perfected. Exact quota tables based on the new law—2 per cent of the various peoples in the United States as shown by the census of 1890—are still unavailable, but I present the following as the best approximation that can be made at this date:

Estimated quotas

	Old quota	New quota
Albania	288	100
Armenia	230	125
Australia	279	120
Austria	7,342	785
Belgium	1,563	500
Bulgaria	302	100
Czechoslovakia	14,357	3,000
Danzig	301	240
Denmark	5,619	2,800
Finland	3,921	500
France	5,729	4,000
Germany	67,607	51,200
Great Britain and north Ireland	[1] 77,342	34,000
Greece	3,063	100
Hungary	5,747	500

[1] Included all of Ireland.

Estimated quotas—Continued

	Old quota	New quota
Irish Free State		[2] 23,000
Latvia	1,540	150
Lithuania	2,629	350
Netherlands	3,607	1,600
New Zealand	80	100
Norway	12,202	6,300
Palestine	57	100
Poland	30,977	6,000
Portugal	2,465	500
Rumania	7,419	2,500
Russia	24,405	2,200
Spain	912	150
Switzerland	3,753	2,000
Sweden	20,042	9,700
Turkey	2,654	100
All other countries, including Other Asia, Other Europe, South Africa, etc	23,628	[3] 15,000
Total	357,800	167,750

[2] Approximate.

[3] Japan, India, Siam, Persia, and several other countries will have nominal quotas of 100 each, which may be used by persons eligible to citizenship. Some 25 small countries, such as Andorra, Monaco, South Africa, etc., will have minimum quotas of 100 each.

NONQUOTA IMMIGRANTS

Certain aliens are designated as "nonquota immigrants." They are entitled to immigration visés, but are not counted in quotas. They are admissible without reference to numbers. These are (sec. 4):

(1) An immigrant who is the unmarried child under 18 years of age, or the wife, of a citizen of the United States who resides therein at the time of the filing of a petition under section 9;

(2) An immigrant previously lawfully admitted to the United States who is returning from a temporary visit abroad;

(3) An immigrant who was born in the Dominion of Canada, Newfoundland, the Republic of Mexico, the Republic of Cuba, the Republic of Haiti, the Dominican Republic, the Canal Zone, or an independent country of Central or South America, and his wife, and his unmarried children under 18 years of age, if accompanying or following to join him;

(4) An immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States has been and who seeks to enter the United States solely for the purpose of carrying on the vocation of minister of any religious denomination, or professor of a college, academy, seminary, or university; and his wife, and his unmarried children under 18 years of age, if accompanying or following to join him; or

(5) An immigrant who is a bona fide student at least 15 years of age, and who seeks to enter the United States solely for the purpose of study at an accredited school, college, academy, seminary, or university, particularly designated by him and approved by the Secretary of Labor, which shall have agreed to report to the Secretary of Labor the termination of attendance of each immigrant student, and if any such institution of learning fails to make such reports promptly the approval shall be withdrawn.

Not nearly so many classes of nonquota immigrants are permitted under the new law as under the old. In addition the conditions are made such there will not be one-fifth as many such admissions.

REGARD FOR PROVISIONS OF ALL TREATIES

It is through the definition of "immigrant" in section 3 and through the students' provision of section 4 that the new act takes care of the treaties of the United States with the nations of the world, including the remnant of the Chinese treaty of 1880.

In passing permit me to remark that the United States, having experimented with five immigration treaties with China and one "agreement" with Japan, is not likely to undertake any more immigration treaties with any nation in the world. The regulation of immigration is a domestic matter, not only in the United States but in all other countries. The United States having been so long a melting-pot country, the change to a policy of heavy restriction and overseas weeding out is likely to cause some misunderstanding. In fact, the mere fact that we have so many nationals of other countries among us has led some other countries to believe that their people not yet here have some sort of vested right in the United States. But time will cure that idea. Our population on the last census estimate is about 113,000,000, or 8,000,000 more than the actual census count of 1920—a rapid growth in the face of restricted immigration. In 50 years, with little or no immigration, continental United States will number 200,000,000 souls. The struggle for existence here will then be on in earnest.

PREFERENCES WITHIN QUOTAS

In granting immigration visas to "quota immigrants," American consuls are directed to give preferences as follows:

(1) To a quota immigrant who is the unmarried child under 21 years of age, the father, the mother, the husband, or the wife of a citizen of the United States who is 21 years of age or over; and

(2) To a quota immigrant who is skilled in agriculture, and his wife and his dependent children under the age of 16 years, if accompanying or following to join him.

These preferences are hedged about by provisions. Neither class granted preference is to be given priority over the other. Preferences do not apply to immigrants of any nationality the quota for which is less than 300. A preference shall be given in the calendar month in which the right to preference is established if the number of immigration visés which may be issued in such month to quota immigrants of such nationality has not already been issued, otherwise in the next calendar month.

It is probable that the demand for admittance of preferred relatives from many countries will be so great that all available visés will be used until approximately 50 per cent of the annual quotas from these countries are exhausted.

APPLICATION FOR RELATIVES' ADMISSION

Although certain relatives of American citizens are entitled to exemption from quota count as "nonquota immigrants," or to preference within the quotas, under the new law, these exemptions and preferences are not had automatically. To obtain them the citizen relative within the United States must petition the Commissioner General of Immigration, submitting certain information. Thereupon if the commissioner general finds that the immigrant is entitled to be admitted as a "nonquota immigrant," or is entitled to preference as a relative, his finding shall be transmitted to the appropriate consular officer overseas, with instructions to issue the "nonquota" immigration visé or to grant the preference. It is probable that there will be some delay in getting these relatives started, inasmuch as the application begins here; but no harm will result as the annual quotas are spread 10 months, with 2 months leeway, in which to care for just such a contingency.

ENTRY FROM CONTIGUOUS TERRITORY

No quotas are fixed for independent countries of the Western Hemisphere. Persons born in Canada, Newfoundland, Mexico, Cuba, Haiti, the Dominican Republic, and the independent countries of Central and South America are not subject to count. They are "nonquota immigrants." But they are not relieved of the necessity of obtaining immigration visés if they are coming to the United States for purposes of permanent residence or if they are not of the "nonimmigrant" class. Thus a Canadian or a Mexican intending to domicile himself permanently in the United States will be put to the trouble of applying at a consulate, and the consular officer will have a certain discretion respecting the issuance of the desired visé. It is expected that this will mean somewhat of a hindrance to the illiterate or semiliterate Mexican laboring class. Persons born in the colonies of the Western Hemisphere, such as the British West Indies, French and Dutch Guiana, and so forth, are to be charged to the quotas of their mother countries.

RESTRICTIONS ON ALIEN SEAMEN

The new law puts an additional burden on vessels employing alien seamen. The master of the vessel is required to detain every alien seaman aboard ship until he shall have submitted to inspection, including examination by medical officers. Such a requirement was intended when the Burnett Act of 1917 was written, but on account of a technicality it did not become operative. The immigration act of 1924 corrects the flaw and prohibits the landing, with certain exceptions, of alien seamen found excludable.

PERMIT TO REENTER THE UNITED STATES

Upon payment of a fee of $3 any alien legally admitted to the United States may obtain a permit to reenter the country after a temporary absence abroad. Under the terms of the new law such a permit shall have a validity of one year, but on good cause shown it may be extended for one or more periods of six months each. But a permit of this sort, the law expressly states, shall have no effect under the immigration laws except to show that the alien to whom it has been issued is returning from a temporary visit abroad. The permit is intended merely as a convenience to the alien, a sort of identification paper.

FEES AND FINES

Immigration visés under the new law are to cost the applicants $10 each, the same amount now charged for passport visés. This sum, however, is divided. The immigrant pays $1 for the furnishing and verification of the application for visé and $9 for its issuance. In other words, if his application is rejected, he is out but $1. After issuance, the immigration visé has a validity for four months, by the end of which time the holder must have taken ship for the United States.

Steamship fines under the new law are made more severe than under any previous immigration statute. Responsibility is fixed upon vessel owners, and they are liable to heavy fines for bringing to the United States persons of the excluded classes mentioned in the Burnett Act of 1917.

DETERMINATION OF NATIONALITY

Provision for ascertainment of nationality by country of birth, written into the quota act of 1921, is carried also in the new law. This is an arbitrary rule believed to be necessary. It means simply that regardless of his allegiance or citizenship the arriving immigrant is counted for quota purposes a national of the country in which he was born. The fact that its operation has meant hardship to some aliens is appreciated—as, for instance, when a simon-pure Englishman or Scandinavian was born in a "small-quota" country, such as Greece or Syria—but no better rule has been found. In the new law it is modified, however, so that the nationality of an alien child is determined by the nationality of one or the other of its parents. It is provided also that if a wife is of a nationality different from that of her husband, and if her quota is exhausted, she shall have her visé nevertheless as if she were of her husband's nationality. These provisions are fixed in order to avoid separation of families. It is provided also that an immigrant who was born in the United States and who has lost his American citizenship shall be considered as of the nationality of the country of which he is a citizen or subject, or if he is not a citizen or subject of any country—as in a case of dual or disputed nationality—then he shall be considered as of the nationality of the country from which he comes.

NATIONAL ORIGIN QUOTAS

The percentage limitation based upon the census of 1890, noted above, is not to be effective permanently. For the fiscal year beginning July 1, 1927, and for each fiscal year thereafter annual quotas are to be based upon an idea which, while new and untried, is expected to operate with fairness toward every group or class numbered in the country's population. This idea as written into the law is that quotas should be based upon an ascertainment, as nearly accurate as may be, of the numerical strength of the various national, not racial, stocks making up the population. It contemplates a consideration of all immigration and emigration of years past and a determination of the national origins of all the people. A maximum immigration quota for all countries of 150,000 is to be fixed. The quota of a particular nationality is to be a number which bears the same ratio to 150,000 as the number of persons of that national origin bears to the number of inhabitants in continental United States as disclosed by the 1920 census. But the term "inhabitants in continental United States" does not include aliens ineligible to citizenship or their descendants, the descendants of slave immigrants, the descendants of American aborigines, or immigrants from Canada, Mexico, and other Republics and independent countries of the Western Hemisphere. For example, if persons of Irish stock make up 15 per cent of our white population, the Irish quota will be 15 per cent of 150,000, or 22,500. Likewise, if persons of Swedish stock are found to be 10 per cent of the total whites, the Swedish quota will be 15,000.

It is expected that the ascertainment of "national origin quotas" will be a work of no small magnitude. Hence the new law directs that it shall not be operative immediately. The preliminary work is to be done by 1927, the quotas are to be announced by the President on April 1 of that year, and from and after July 1, 1927, they are to be effective as superseding quotas based upon the 1920 census.

If for any reason the national origin plan can not be satisfactorily worked out, the President need not issue the required proclamation and the quota law will then remain until changed by Congress.

PROBLEM OF THE COMMINGLING OF THE RACES

Mr. Speaker, with this new immigration act the United States is undertaking to regulate and control the great problem of the commingling of races. Our hope is in a homogeneous Nation. At one time we welcomed all, and all helped to build the Nation. But now asylum ends. The melting pot is to have a rest. This Nation must be as completely unified as any nation in Europe or in Asia. Self-preservation demands it. I believe the new act to be of vital importance to the future of the United States.

EXTENSION OF REMARKS

Mr. HOWARD of Nebraska. Mr. Speaker, I make the point of no quorum.

Mr. GARRETT of Tennessee. Will the gentleman withhold that for a moment in order that I may make a personal request?

Mr. HOWARD of Nebraska. Yes.

Mr. GARRETT of Tennessee. Mr. Speaker, on the 4th of May at the memorial exercises on the New York Members I made some remarks which I withheld for revision. I have neglected to revise them and to-day is the last day to get them in, so I ask unanimous consent to have that time extended.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

FACTS INTERESTING TO VOTERS

Mr. BROWNE of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the work of this Congress.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWNE of Wisconsin. Mr. Speaker, Congress adjourns notwithstanding the protests of the progressive Republicans and progressive Democrats. The reactionary leaders of both the Republican and Democratic Parties adjourned Congress without passing any legislation looking to the relief of the farmer. One word from the President would have brought Congress back July 9, but that one word was not spoken. Secretary of Agriculture Wallace stated that the "farmers of the Nation are victims of economic injustice due to Government action." In other words, the farmer has not had a square deal.

If any other business of one-tenth the magnitude and importance as agriculture was suffering as severely as agriculture, the President would have insisted that Congress remain at its post and at least try to meet the emergency.

CONTRAST THIS WITH TREATMENT OF THE RAILROADS

The railroads were paid an annual rental when the Government was obliged to operate them during the war a sum equal to their net earnings for the three preceding years, which were the years when we were furnishing material for the Allies who then were in war. These were the three most prosperous years for railroads in their history. Senator CUMMINS, who could not surely be charged with hostility to the railroads, said in a speech that we overpaid the railroads from two hundred and fifty to three hundred million dollars per year more than they were entitled to receive. Besides guaranteeing their earnings under the Esch-Cummins Act, we loaned the railroads $300,000,000 for 15 years to purchase equipment. No one argued that this was class legislation. A portion of this money loaned will never be paid, as some of the loans were not on prior-lien securities. As important as the railroads are, they are not as important as the farms of the country. Yet, by what the Secretary of Agriculture states was economic injustice caused by the Government, which is a polite term for ruthless deflation of agriculture by the Federal Reserve Board, and through no fault of his own, the farmer is in a desperate situation. He is down on his knees crying for help, and no help is given him. Agriculture, our basic industry, as an independent, paying business, is threatened with extermination so far as American standards of living are concerned.

The La Follette resolution, Senate Concurrent Resolution 14, introduced June 3, 1924, and voted down, sets forth accurately the situation and reads as follows:

Whereas the Secretary of Agriculture has reported that in the 15 wheat States alone more than 108,000 farmers have since 1920 lost their farms or other property through foreclosures or bankruptcy, over 122,000 have lost their property without legal proceedings, and nearly 373,000 have retained their property only through the leniency of creditors, making a total of 603,000 farmers, or 26 per cent of all, who are virtually bankrupt in these 15 States; and

Whereas the conditions are even more appalling in particular States, as, for example, in South Dakota, where, according to the Secretary of Agriculture, 40 per cent of all farmers are virtually bankrupt; Colorado, 42 per cent; North Dakota, 50 per cent; Wyoming, 51 per cent; and Montana, 62 per cent; and

Whereas as a result of this acute agricultural distress during the four years, 1920 to 1923, 1,357 State and National banks have failed, with total liabilities of more than $500,000,000; and

Whereas during the first three months of the present year 265 banks failed, with total liabilities of $100,275,600, or at the unprecedented rate of 1,060 bank failures for the year; and

Whereas this constitutes conclusive evidence that the alarming conditions in the agricultural States above described are not only increasing but threaten the financial and commercial stability of the entire Nation:

Resolved by the Senate (the House of Representatives concurring), That when the two Houses complete the business of the calendar day of Saturday, June 7, 1924, they shall stand adjourned until 12 o'clock meridian Monday, July 7, 1924; and

Resolved further, That when the Congress reconvenes on July 7, 1924, the two Houses shall proceed to consider and vote upon the following measures in the order named: (1) Emergency legislation for the relief of agriculture; (2) the Howell-Barkley bill for the settlement of disputes between carriers and their employees; (3) amendment of the rate-making sections of the transportation act; and (4) reclamation-relief legislation.

UNPRECEDENTED INCREASE OF WEALTH OF NATION

December 31, 1922, the wealth of the United States was $320,000,000,000 as compared with $186,000,000,000 in 1912. This increase of wealth in 10 years is unprecedented and more than in the preceding 50 years. Has this wealth made the people of our Nation, as a whole, more prosperous and contented? Has this wealth been at all equitably distributed? Have the real producers of this wealth received their just share or the proportion they have formerly received? If not, are the political parties who have had control of all the departments of government during this time functioning for the benefit of the many or for the benefit of the few? Are we as a nation paying enough attention to the welfare of the masses of the people?

DISTRESS OF FARMER

Over one-third of our whole population are on the farms, working long hours in all kinds of weather and producing what our Nation eats and wears. The farmer did more than any other class to increase the wealth of the Nation from $186,000,000,000 to $320,000,000,000, the increase of wealth in the last decade. The farmers have done more than any other class to make this country a powerful and mighty Nation that has surpassed all other nations of the world. Notwithstanding this, the present administration and those in authority are allowing conditions to remain that have caused over 600,000 farmers in 10 wheat States to either lose their farms by foreclosure or retain them because the mortgagees did not desire to take them over, conditions that have caused agriculture in all lines to be reduced to the very extremity and on the verge of collapse. As a result of this acute agricultural distress, over 1,000 banks, with assets of approximately $500,000,000, have failed in the last three years.

FARMERS ASK FOR SPECIAL SESSION OF CONGRESS

Before Congress convened in general session in December all of the farm societies begged of President Coolidge to call a special session of Congress. Delegations of farmers appeared before the President in person, but their words fell on deaf ears, and their request for a special session of Congress was denied. Congress could not convene before the regular session without the President convening it. When Congress met at the regular session in December the farmers and everybody else thought that President Coolidge's first message would be devoted largely to the solution of the agricultural emergency. They knew that the President's attention had been called to the emergency by agricultural associations representing several million farmers. They knew that the United States Department of Agriculture, with its corps of highly trained experts, the most learned in the world, always ready to aid, was at the President's elbow. They knew the power of the Chief Magistrate of the greatest Nation in the world to summon experts not only from all parts of the United States but the whole world. They expected, and had a right to expect, that when Congress convened in December that before it adjourned some legislation would be passed dealing with the very critical situation.

THE PRESIDENT'S MESSAGE

The President's message delivered at the convening of Congress was voluminous. It dealt in a general way with everything on this earth and the air above and the waters under the earth, making a booklet of 14 pages of printed matter. Before finishing, the President dealt with the greatest agricultural emergency that ever faced this country or any other country in the history of the world, an emergency that has driven over a million farmers off their farms and bankrupted over 1,000 banks in the last three years.

The President in his message advocated diversified farming and cooperation and summed up his conclusion with the following statement:

Simple and direct methods put into operation by the farmer himself are the only real sources for restoration.

FARMERS DISAPPOINTED

The farmer and the public had expected the President would propose some constructive legislation. All who had such expectations were bitterly disappointed. They next looked to

Congress. They hoped against hope, that, notwithstanding the indifference of the President, Congress would pass some legislation helping to solve the emergency.

OPPOSITION TO FARM RELIEF

There were a large number of bills introduced dealing with the agricultural situation, the Haugen-McNary bill, the Norris-Sinclair bill, the Beck bill, and the Williams bill being the most prominent. Most of the speakers who opposed these bills quoted President Coolidge to the effect that the farmers themselves, and they alone, could and should work themselves out of their predicament without help from the Government. Representative HERSEY, of Maine, in a speech against the Haugen bill, took the President's words that I have quoted as his text and his justification for opposing the bill.

COOPERATION

Cooperation of farmers, in my opinion, is a solution for many of the troubles. A drastic reduction of freight rates on agricultural products would also help the situation. A higher duty on dairy products would be of inestimable value to the dairy farmers. Bills along all of these lines were introduced, but were crowded out of the way by very much less important proposed legislation. One word from President Coolidge would have given these subjects precedence. It is easy to talk about cooperation, but we will never have effective cooperation of the farmers in marketing and selling their products until the Government establishes a Federal cooperative board and sends its agents to the locality that needs help and helps the farmers organize and stays with them until they are thoroughly organized and doing business and then goes to their assistance when needed. Our railroads and produce buyers and middlemen all work together and are powerful enough to defeat the farmer unless he is assisted by the Government. All the agricultural cooperative societies should be members of one large federation whose officers and directors would have the power and influence of millions of farmers back of them. The bills introduced by Representative BECK, of Wisconsin, and WILLIAMS of Michigan provided for the Government assisting the farmer in cooperating.

DENMARK

Denmark has a federation of all farm cooperative associations, and has her cooperative exporting societies as well as local cooperative societies. As a result the farmers of Denmark are prosperous and contented and are receiving between 50 and 60 per cent of what the consumer pays.

CONTRAST

The farmer of the United States for the year 1923 only received $7,500,000,000 for products; the consumers paid $22,500,000,000; or the farmer received about one-third of what the consumer paid.

DAIRY FARMERS NEED PROTECTION FROM FOREIGN COMPETITION

On the 12th day of May, 1924, I introduced a bill which would raise the duty on dairy products as follows:

Milk, fresh, 5 cents per gallon;
Sour milk and buttermilk, 3 cents per gallon;
Cream containing 7 to 15 per cent butter fat, 20 cents per gallon;
Cream containing 15 to 25 per cent butter fat, 30 cents per gallon;
Cream containing 25 to 35 per cent butter fat, 40 cents per gallon;
Cream containing 35 to 45 per cent butter fat, 50 cents per gallon;
Cream containing over 45 per cent butter fat, dutiable as butter;
Milk, condensed or evaporated: In hermetically sealed containers, unsweetened, 4 cents per pound;
Milk, condensed or evaporated: In hermetically sealed containers, sweetened, 4¼ cents per pound;
All others, 3 cents per pound;
Whole-milk powder, 6 cents per pound;
Cream powder, 14 cents per pound;
Skim-milk powder, 3 cents per pound;
Malted milk and compounds, or mixtures of or substitutes for milk or cream, 40 per cent ad valorem;
Butter, 20 cents per pound;
Oleomargarine and other butter substitutes, 16 cents per pound;
Cheese and substitutes therefor, 12 cents per pound; and
Casein, 6 cents per pound.

On May 30, 1924, I spoke in favor of this bill and explained the need of it and urged Congress to act upon it before adjournment.

I have appeared also before the United States Tariff Commisson and presented facts, which are now being considered and which I trust will be presented to President Coolidge by the Tariff Commission, asking that the present duty be increased on butter, cheese, and other dairy products. The President, under the present tariff bill, can increase the tariff on any article 50 per cent after due hearing had.

The Fordney tariff bill was written for the benefit of the manufacturers. There is only 8 cents per pound duty on butter, 2½ cents a gallon on milk, and 5 cents per pound on cheese.

DAIRYING INDUSTRY SERIOUSLY MENACED

At the present time the dairying industry is seriously menaced. The dairy industry has expanded to the point where gross domestic production slightly exceeds gross domestic consumption. Foreign surplus production is likewise steadily increasing. Denmark, by the use of cheap water transportation, can send butter to the New York market for 1 cent per pound, while it costs Wisconsin and Minnesota farmers 1¾ cents per pound. There is an 8-cent duty on butter, but this is more than offset by the difference in exchange. A Danish farmer gets his pay in American dollars, and every American dollar in Denmark is worth $1.35, which more than wipes out all the benefit derived from the tariff on butter. This situation has resulted in the imports of butter jumping from a total of about 1,000,000 pounds in 1913 to 1,823,961 pounds in the month of February, 1923, and to over 5,000,000 pounds in February, 1924. Skilled farm labor can be procured for $15 per month with board, or $1 per day by the day without board. I know this from my personal investigation in Denmark last summer and also from the best Danish authorities.

CHEESE

Looking at the cheese situation, conditions are equally as bad. There are 14,500,000 pounds more of cheese in storage now than a year ago. In the month of March we received from foreign markets 4,264,467 pounds of cheese; at the same time we sold abroad 2,848,591 pounds less than in 1923. This gives a total balance against 1924, as compared with 1923, of almost 4,000,000 pounds of cheese for the month of March.

MILK POWDER

Milk powder is in the same situation. A year ago we were selling milk powder for 13 cents per pound, while now we are getting 9 cents per pound. On March 1, 1923, there were 2,538,000 pounds of milk powder in storage, while on March 1, 1924, there was over 10,000,000 pounds in storage.

The present tariff of 2 cents on casein is of practically no value in preventing the importation of casein from Argentina and other countries. The casein in these countries is dried in the sun instead of by the use of coal, and is produced by cheap labor. This resulted last year in importations from Argentina alone which destroyed a market for 1,000,000,000 pounds of skimmed milk furnished by American farmers.

MALFEASANCE AND CORRUPTION

The most important indictment against the present administration is malfeasance and corruption in office. Malfeasance and corruption in office during the last eight years is unparalleled in the annals of the American Government. The administrations of Hayes, Cleveland, Garfield, Harrison, McKinley, and Roosevelt were untainted by scandal.

With the beginning of the Taft administration the Roosevelt policy of conservation was reversed. Garfield, the Secretary of the Interior under Roosevelt, and his assistant, Gifford Pinchot, had made splendid records and had the confidence of not only Roosevelt but also the people of the United States. President Taft reversed the conservation policy of Roosevelt and appointed Ballinger, who had been the attorney of the Morgan and Guggenheim syndicate, in place of Garfield. Ballinger's utter disregard for the rights of the public, and his turning over to these large syndicates valuable coal and mineral rights in Alaska, resulted in such a scandal that public opinion compelled him to resign and the Taft administration went down in disgrace to defeat. The leases made by Ballinger of our coal and mineral rights to these syndicates were canceled for fraud. Notwithstanding the Ballinger scandal, Taft was able in the nominating convention to defeat Colonel Roosevelt for the nomination, but at the general election was only able to carry the States of Vermont and Utah, proving that under our faulty caucus and convention system of nomination a sitting President can renominate himself.

WILSON ADMINISTRATION

The Taft administration was such a failure that the Democratic Party came into power. In the last four years of the Wilson administration the same influences that dominated the Taft administration in a large degree controlled the Democratic administration.

Profiteering and graft were unrestrained, and the Treasury was looted out of several billions of dollars. Freedom of speech and of the press were abridged, and more large fortunes were amassed at the expense of the many in these 4 years than in any preceding 50 years of our country's history.

PEOPLE DEMANDED CHANGE

The people of the United States, regardless of party, demanded a change in the administration of our Government. In the 1921 presidential campaign big business dominated both political parties and nominated Harding the Republican candidate at the convention at Chicago and Cox at the Democratic National Convention at San Francisco. The same men, representing the railroads, the banking interests, coal, iron, oil, and steel, the directors of large financial interests of sufficient magnitude to wipe out the German war debt if they chose to do so, from their headquarters in the Blackstone Hotel at Chicago controlled every movement of the Republican convention in the Coliseum. After nominating Harding and Coolidge these same men, representing the same interests that Roosevelt called the "predatory" interests, entered their special cars and leisurely journeyed across the continent to San Francisco and from their palatial headquarters in the St. Francis Hotel nominated Cox for President on the Democratic ticket.

The major portions of the campaign contributions came from Wall Street. Senator LODGE, of Massachusetts, May 21, 1924, speaking in the Senate of campaign contributions, said:

I think I am putting it moderately when I say that nine-tenths of the money expended on behalf of the party of the Senator from Arkansas, as well as mine, was raised in the city of New York. (CONGRESSIONAL RECORD, p. 9109.)

ADMINISTRATION REACTIONARY

President Harding was a reactionary. He had supported Taft as against Roosevelt. He had advocated the abolition of the primary election and the restoration of the caucus and convention system in its place. He had opposed all progressive legislation. The Harding Cabinet was selected from the reactionaries. Every member of the Harding Cabinet who had participated in politics had supported Taft as against Roosevelt. The old Taft administration was literally back in power.

PLATFORM

The Republican platform upon which Mr. Harding and Mr. Coolidge were elected contained a strong plank favoring conservation of our national resources, yet Albert B. Fall, the well-known uncompromising foe of conservation, was appointed Secretary of the Interior to guard these resources.

Edwin Denby, Representative from the State of Michigan during the Taft administration, who was placed on the Congressional committee to investigate Ballinger, and who had given Ballinger a clean bill despite the overwhelming proof against him, proof so clear and so convincing that the leases which Ballinger had given to the Morgan-Guggenheim syndicate were canceled for fraud and Ballinger driven out of office and Denby retired to private life, was appointed Secretary of the Navy to protect the Nation's naval oil resources.

Harry Daugherty, a second-grade lawyer of unsavory reputation, who helped pull the wires at the midnight conference of big business at the Hotel Blackstone which resulted in nominating Harding, was appointed Attorney General. This in itself amounted to notice that there would be no prosecutions.

The administration was warned in advance by the press of the country. The Philadelphia North American, the oldest Republican paper in the United States, established back in 1771, in its issue of February 28, 1921, when the appointments of Daugherty and Fall were announced as probable and before President Harding and Coolidge had been inaugurated, had an editorial which read as follows:

The Daugherty appointment is reckless and wicked. Reckless because it needlessly puts reproach upon the party and a cloud upon the administration; because his political repute is such that his official actions and motives will always challenge suspicion. Wicked because it puts a premium upon the practice of unprincipled politics and because it intrusts the enforcement of law to one whose associations have been largely with forces striving to circumvent law; who as the agent of special privilege and predatory wealth has become so entangled with their interests and so saturated with their doctrines as to make his appointment as head of the Department of Justice an anomaly. * * * Senator Fall is a determined reactionary, heavily interested in the development of natural resources, and his attitude upon the vital matter of conservation is questioned. There is a disquieting recollection of the era of Ballingerism, inaugurated by President Taft's appointment to this post of a man with interests similar to those of Fall, and the development of the policies of the Interior Department will be under close scrutiny from the outset.

Is it any wonder that with these men in the Cabinet protecting the public interest that Harry F. Sinclair and E. L. Doheny felt that it was an invitation for them to start in immediately to plunder the Government out of hundreds of millions of dollars?

Fall, Denby, and Daughtery took their oath of office March 4, 1921. The first part of April, 1921, within a month from their taking the oath of office, Secretary Denby told the Chief of the Bureau of Engineers, Admiral Griffin, that he intended to transfer the naval oil reserves to Fall. Admiral Griffin then and there strenuously objected. When called on the witness stand, Admiral Griffin testified and no one controverted it, as follows:

I told him [Denby] I hoped he would reconsider transferring the naval oil reserves to Fall; that the Navy had been fighting for 10 years to retain this oil and that if he turned it over to the Secretary of the Interior we might as well say good-bye to our oil; that our naval oil reserves were just as much the property of the Navy as our navy yards.

The history of how Secretary Fall procured the assent of Secretary Denby and how together they induced President Harding to transfer naval oil reserves worth several hundred million dollars to Secretary of the Interior Fall, and of the secret lease to Sinclair and Doheny, and the undisputed evidence that Doheny handed Fall a hundred thousand-dollar bills, which he put in his black satchel and departed, and for which he is now under indictment, the payment of Sinclair to Fall of $25,000 and other valuable considerations, are among the revelations that have been unearthed by the investigations and are established by the findings of the Senate.

The United States Senate, January 31, 1924, on page 1728, unanimously passed a resolution holding that the oil leases and contracts were without authority of law on the part of the officers executing them and were executed under circumstances indicating fraud and corruption and in violation of the laws of Congress; that such leases and contracts were made in defiance of the settled policy of the Government adhered to through three successive administrations to maintain in the ground a great reserve supply of oil adequate to the needs of the Navy in any emergency threatening the national security.

The resolution introduced by Senator LA FOLLETTE inquiring into the leasing of the naval oil reserves resulted in the resignation of the Secretary of the Interior Fall and the final disclosures which led to the passage of the above resolution by the Senate and which was unanimously passed by the House of Representatives.

Title to No. 1 oil reserve, consisting of 33,000 acres of oil.

Title to No. 3 oil reserve, consisting of 9,000 acres of oil lands, valued at several hundred million dollars, will ultimately vest in the Government and will be held as naval oil reserve lands.

Notwithstanding the passage of this resolution by both Houses of Congress by a unanimous vote declaring that the oil leases and contracts were without authority of law on the part of the officers executing them, which were Denby and Fall, and in violation of the laws of Congress, and were executed under circumstances indicating fraud and corruption, and notwithstanding Secretary Denby's statement that he would do exactly what he did over again if he had the opportunity, President Coolidge allowed Denby to remain in office. The United States Senate on the 11th day of February, 1924, passed a further resolution by a vote of 47 to 34 reenacting the former resolution, and in addition stating that it is the sense of the United States Senate that the President of the United States immediately request the resignation of Edwin Denby as Secretary of the Navy. Secretary Denby was allowed to remain in the Cabinet until the 10th day of March, 1924. Denby resigned February 17, 1924, his resignation to take effect March 10, 1924, President Coolidge stating he accepted the resignation of Denby with regret, and was loud in his praise of Denby. The President's note to Denby is as follows:

THE WHITE HOUSE,
Washington, February 18, 1924.

MY DEAR MR. SECRETARY: Your resignation has been received. I am conscious that you have tendered it from a sense of public duty. It is with regret that I am to part with you. You will go with the knowledge that your honesty and integrity have not been impugned. I treasure and reciprocate your expressions of friendship. I shall remember the fine sense of loyalty which you have always exhibited toward me with much satisfaction and always wish to you and yours contentment and success.

Very truly yours, CALVIN COOLIDGE.

SECRETARY OF THE NAVY DENBY AND THE OIL SCANDAL

Edwin Denby, Secretary of the Navy, was the custodian of the naval oil. This trust was more important even than the control of the Navy itself. In 1911 the construction of the first oil-burning battleship suggested to the naval authorities that reserve supplies of fuel should be assured. This was Roosevelt's suggestion. President Taft withdrew from entry large areas of public lands in California consisting of naval oil reserve Nos. 1 and 2. In 1915 President Wilson set aside reserve No. 3, the Teapot Dome reserve of Wyoming. The purpose was thus stated in the proceedings of the Naval Consulting Board:

It is the intention to hold these areas and not utilize the oil until the shortage of domestic production rendered it advisable.

These reserves were to serve as an assurance against the possibility of having a large fleet of exclusively oil-burning ships with no oil available. In 1915 Secretary Daniels advised the great Engineers Societies of the United States to form a civilian naval consulting board. Thomas A. Edison became president of the board. The board filed findings that it was the unanimous opinion of this committee that the national defense demands that the Nation hold with unassailable title reserves of oil lands within its own borders sufficient to meet the requirements of our Navy for a period of not less than 50 years. With this policy well established and with Admiral Griffin and several other Navy officers protesting verbally and in writing against the transfer of the oil reserves, which, as Admiral Griffin said, the Navy had been fighting for 10 years to retain, and if it was turned over to the Secretary of the Interior, we might as well say good-by to our oil, and that oil reserves were just as much the property of the Navy as the navy yards, Secretary of the Navy Denby not only refused to heed the advice of his admiral but sent Admiral Shafroth and Captain Halligan and several other protesting Navy officers to duty far away where their protests could not be heard. Admiral Griffin, the Chief of the Bureau of Engineers, who was shocked by Secretary Denby's intention of conveying the Navy's valuable oil reserves, retired, and Admiral Robison was selected by Denby as Admiral Griffin's successor.

WHO WAS ADMIRAL ROBISON

Admiral Robison was the commander of a ship in Pensacola Harbor, in the State of Florida. One of his junior officers was the son of Mr. E. L. Doheny. The elder Doheny visited his son and became very intimately acquainted with Admiral Robison and succeeded in convincing Admiral Robison that it would be a splendid thing to place the naval oil reserves in the hands of the Secretary of the Interior to be developed along certain lines. It is a striking coincidence that among all of the distinguished officers of the Navy that Secretary of the Navy Denby should select Admiral Robison, who had been converted by the persuasive Doheny, who was soon to become the beneficiary of naval oil reserves worth several hundred million dollars. Admiral Robison, who was appointed by Secretary Denby as Chief of the Bureau of Engineers, was charged by Secretary Denby with the protection of the naval oil reserves. Soon after Admiral Robison's appointment Secretary Denby, President Harding, and Fall signed the leases, and the naval oil reserves became the property of E. L. Doheny and Harry F. Sinclair. Both of these gentlemen testified that they expected to make over $100,000,000 out of the leases.

DENBY'S TESTIMONY

Secretary Denby, when placed upon the witness stand in the oil investigation, when asked if he could remember anyone in his department who approved the transfer of the reserves to Secretary Fall at the time he agreed to it, answered, "No."

They asked him if he knew what happened afterwards; if he knew what part of the great No. 1 reserve in California had been leased for private exploitation. And he replied, "I do not know. I could not tell you about that offhand."

They asked him if he knew to whom it had been leased. He answered, "No."

They asked him if he so much as knew whether or not it had all been leased. And his reply was:

I wouldn't be able to answer definitely questions propounded as to whether that is true or not. But I would immediately consult the record and find out.

WHAT DENBY KNEW

Did Secretary Denby deceive Navy officers when he sought to persuade them that the transfer of naval oil reserves would be wise?

Admiral Latimer, testifying before the House Naval Committee January 31, 1923, said:

Mr. Denby told me that he had initiated the transfer after investigating the question and consulting with various experts.

On October 25, 1923, Secretary Denby testified before the Senate Public Lands Committee as follows:

Senator WALSH. I want to go back for a moment, Mr. Secretary. You told us that after taking office you ascertained about the drainage of the reserves. From whom did you get the information?

Secretary DENBY. I can not tell you. It was general information. Exactly how the matter came before me I do not know.

SINCLAIR GIVEN SERVICES OF MARINES

At the request of Sinclair the Secretary of the Navy, through his Assistant Secretary, sent the United States marines, the far-famed "Devil Dogs," out to Wyoming to drive off all squatters and claimants upon the reserves and put Sinclair in peaceful possession of the same, an unprecedented and wholly unwarranted act on the part of the Navy Department. The Government is now proceeding in an orderly but slow way through the courts to get possession of these same oil lands. It does not send the marines for itself the way the Secretary of the Navy did for Sinclair, although Congress has unanimously passed a resolution declaring Sinclair's title and possession are contrary to law and were obtained by fraud.

Secretary Denby, a member of the President's Cabinet, was charged with the great responsibility of conserving and protecting the naval reserve oil lands, estimated by many to be worth over a billion dollars, property that Denby's predecessors had guarded since the time of Roosevelt, property of more than money value, property more valuable than all the fleets of the Navy and all of its docks and equipment, as Admiral Griffin stated, for it was property upon which the future safety of our Nation might rest.

The Senate of the United States, after hearing all of the evidence, and the House of Representatives, after deliberation, did not hesitate by unanimous vote to declare that the oil leases were without authority of law on the part of the officers executing them and were executed under circumstances indicating fraud and corruption and in violation of the laws of Congress.

INDIFFERENCE OF ADMINISTRATION

President Coolidge has not aided in any way the investigations of the Senate regarding the leasing of the naval oil reserves. He allowed Denby to remain in office until public opinion condemned him so strongly that he was obliged to retire, and then with the President's "Well done, good and faithful servant," parting. President Coolidge severely criticized the Senate because they asked for Denby's resignation. He allowed Attorney General Daugherty to remain in office when it was openly charged in the Senate and everybody knew that Daugherty was using his powerful organization of Secret Service operatives in the Department of Justice to intimidate in every way and embarrass the committee in ascertaining the truth.

DAUGHERTY REMAINS IN OFFICE

Notwithstanding the pressure brought to bear by prominent Senatorial friends of the President, among them Senator LODGE, Senator PEPPER, and Senator BORAH, asking the President to request Daugherty's resignation, Daugherty still remained in office. Day after day the most convincing and damaging evidence was being produced against Daugherty, yet the President took no cognizance of it. In the meantime, the Republican National Committee, collaborating with the Attorney General's office and with the notorious Detective W. J. Burns, at the head of the Secret Service, was sending detectives to shadow United States Senators, burglarizing their offices to see if they could not get some clue against them to use to blackmail them and make them drop the investigation. Through the chairman and secretary of the Republican National Committee, with its political agents in Montana, and the assistance of the Department of Justice, an indictment was issued against Senator WHEELER in the State of Montana for the purpose of discrediting and preventing the further investigation of Daugherty.

WHEELER EXONERATED

The United States Senate thoroughly investigated the charges and all the proof and rendered a verdict completely exonerating Senator WHEELER and finding that the charges were unfounded and maliciously made.

When Daugherty was called before the Senate Committee investigating him, after asking for an investigation in his letter of February 11, 1924, addressed to the Senate, instead of testifying like an innocent man, he refused to testify and for the purpose of delaying the matter obliged the committee to appeal to the courts to compel him to testify, which will delay his testimony until after election.

PUBLIC SENTIMENT DEMANDS RESIGNATION OF DAUGHERTY

The public sentiment of the country, which is stronger than Senates or Presidents, demanded that the President compel the resignation of Daugherty. President Coolidge on the 27th day of March, 1924, called for the resignation of Daugherty and he thereupon resigned. President Coolidge's parting with Daugherty was similar to his parting with Denby, with "Well done, good and faithful servant." Daugherty becomes a Coolidge delegate to the national convention at Cleveland and joins in a chorus with the other picked delegates for the nomination of President Coolidge. Both Denby and Daugherty feel so grateful to President Coolidge for his solicitude and friendship that both become enthusiastic rooters for the President and are enthusiastic Coolidge delegates to the Republican National Convention.

APPOINTMENT OF ATTORNEYS IN PLACE OF DAUGHERTY

When Attorney General Daugherty was disqualified from acting President Coolidge appointed two lawyers to act for the Government to set aside the illegal oil leases and institute, if they found the facts warranted, criminal prosecutions. Names of prominent lawyers all over the United States were suggested to the President. He appointed Thomas W. Gregory as one of the attorneys, and Silas W. Strawn as the other. Both of these gentlemen were excellent lawyers, but both represented oil interests and, as attorneys, had connections which absolutely disqualified them from representing the United States in these suits. The Senate investigated the appointees of the President and refused to confirm them and the President was obliged to withdraw their nominations. If the United States Senate had not investigated the matter any more than the President, Attorneys Gregory and Strawn would be acting as attorneys to-day for the Government. The President then started in again, after his first two appointees were found to be disqualified on account of their oil affiliations, and appointed ex-Senator Atlee Pomerene and Owen J. Roberts. There were serious objections raised in the Senate to both of these appointees. Atlee Pomerene, formerly a Democratic Senator, was a reactionary. He had not practiced law for a great many years and never was distinguished at the bar. He represented a great many railroad companies, the directors of which were interested in oil. As a Senator, he was appointed upon an investigation of the charges of excessive use of money by the late Senator Stephenson of Wisconsin. Despite the findings of a committee appointed by the State Legislature of Wisconsin finding that Stephenson had used an excessive amount of money and had violated the corrupt practices act of Wisconsin, Senator Pomerene and the committee voted to seat Stephenson.

Objection was made to the appointment of Owen J. Roberts on the ground that he had made statements which showed his sympathy with the oil interests, and that his clients and intimate friends were the officers of the great trust companies that were directly or indirectly connected with the Standard Oil Co. They cited a speech that was made by Attorney Owen J. Roberts on February 15, 1923, at a Central Union Trust Co.'s dinner, given at the Waldorf-Astoria, New York, to the American Bankers' Association. Attorney Roberts, speaking of the oil investigation, reported in the New York Times, Friday, February 16, spoke of the investigation of the Senate subcommittee into the oil industry and the evidences disclosing that the president of the Standard Oil Co., New Jersey, received a salary of $125,000 a year, and that six other officials received $100,000 a year as propaganda for the nationalization of industries. He spoke further of the nationalization of the oil industry, which he said would result in a loose-jointed badly run Government industry. He also attacked the Government for the condition in which the railroads were left at the end of Government operation.

DID PRESIDENT COOLIDGE'S APPOINTMENTS INSPIRE CONFIDENCE?

The case to be prosecuted involving the most colossal frauds perpetrated against the Government since the foundation of our Nation—the unlawful acts of Cabinet officers to be set aside and one former Cabinet officer already indicted; Government property involved which the Government relies upon for its future defense; the title of oil lands to be set aside, aggregating over 40,000 acres, valued by many at a billion dollars; unscrupulous men as defendants who are accused of corrupting high Government officials; defendants whose vast wealth mounts up to the hundreds of millions of dollars and whose far-reaching business tentacles connect them with banks, railroad systems, and hundreds of large business enterprises, giving them tremendous power—more power, in fact, than many kings exercised in the days when monarchies flourished; the confidence of the people in their Government and the honesty of public officials shaken over the sordid revelations of corruption by high officials in our Government more than it had been in several generations. With these conditions facing him, did President Coolidge exercise the best of judgment in selecting men which the Senate upon investigating found to be clearly disqualified and whose names the President was obliged to withdraw and in his second attempt selecting men open to the criticism made upon the floor of the Senate?

FORBES, HEAD OF VETERANS' BUREAU, INDICTED

Another flagrant abuse of the appointing power was the appointment of Charles R. Forbes at the head of the United States Veterans' Bureau at the beginning of the Harding administration. Forbes had powerful influences back of him which gave him the appointment. He had been an Army officer and a deserter and a man of well-known loose habits, but he had influential friends. After less than two years of Forbes's administration of the Veterans' Bureau the congressional investigation showed that the Veterans' Bureau was reeking with corruption; that a Government bureau through which the American people were contributing $450,000,000 a year for the care of disabled and needy service men was being robbed of many millions of dollars a year while the sick and wounded soldiers suffered neglect. Forbes had stolen millions of dollars and his friends many millions more. Major General Ryan, who assisted the committee in the investigation, says:

A record of dishonesty and neglect no American can read without a feeling of disgust and no soldier familiar with the responsiveness of the American troops in battle can consider without a feeling of rage and shame.

INVESTIGATION OF SECRETARY MELLON

Gifford Pinchot, Governor of Pennsylvania, and many equally respectable men, including United States Senator COUZENS of Michigan, made charges against Secretary of the Treasury Mellon, and a committee of the Senate was appointed to make investigation of Secretary Mellon's department. Several hundreds of millions of dollars in taxes paid by corporations, some of them corporations that Mr. Mellon himself was one of the largest stockholders, had been refunded as taxes "overpaid." These investigations are made in secret, and not even a United States Senator or Congressman is allowed to examine the figures. It was charged by Governor Pinchot, of Pennsylvania, that Secretary Mellon, who is the head of the Federal Prohibition Enforcement Department, was part owner of thousands of gallons of Overholt whisky when the eighteenth amendment went into effect, and the subsequent illegal withdrawal of 42,000 gallons of whisky while he was still the principal owner of the Overholt distillery; that prohibition enforcement had completely broken down in Pennsylvania by reason of Secretary Mellon's laxness and lack of sympathy in the enforcement. Governor Pinchot says:

In that as Governor of Pennsylvania I am vitally concerned, and Mr. Mellon as Secretary of the Treasury is directly responsible, what our people and Government need most of all is a return to first principles. Fall, Denby, Daugherty, and the Federal Enforcement Service have taken from us much of our former confidence in the Government. The truth alone can restore it. I resent the effort to shift the blame by them and their like to the men who have proven their great public service in exposing corruption. They have earned, and they will receive, the gratitude of the whole Nation.

PRESIDENT COOLIDGE ATTACKS THE SENATE

In a message to the Senate, dated April 10, 1924, President Coolidge states:

The attack which is being made on the Treasury Department goes beyond any legitimate requirements. Seemingly, the request for a list of the companies in which the Secretary of the Treasury was alleged to be interested for the purpose of investigating their tax returns must have been dictated by some other motive than a desire to secure information for the purpose of legislation.

Further—

The constitutional and legal rights of the Senate ought to be maintained at all times, but these rights ought not to be used as a subterfuge to cover unwarranted intrusion.

The President closed his message to the Senate by saying:

It is time that we returned to a Government under and in accordance with the usual forms of the law of the land.

In other words, when the United States Senate attempts to investigate tax returns and asks for a list of the corporations in which the Secretary of the Treasury is interested, the Senate is going beyond its jurisdiction and the motives of the 96 Senators who voted for this investigation are impugned by the President. Therefore, under the President's contention, one of

the three departments of Government should not have access to the books of another department of Government to ascertain whether there are irregularities or whether the Secretary himself is deciding his own case, involving millions of dollars, fairly and impartially and according to law. Both Houses of Congress voted in favor of allowing congressional committees to investigate income tax returns, and the hearings for a remittance of taxes are a matter of record open to the public. This was an amendment to the revenue bill which became a law June 2, 1924, and proposed by the progressive Republicans.

ENORMOUS CAMPAIGN CONTRIBUTIONS TO BE RAISED

The evidence brought out by the oil investigations has shown that Doheny and Sinclair were large contributors to both political parties; that they made these contributions with the expectation of getting concessions from the party in power of hundreds of millions of dollars. Their expectations were realized, and if it had not been for Senator LA FOLLETTE and Senator WALSH, the American people would not have known of the gigantic fraud that had been perpetrated upon them. Other large predatory interests contributed to both the Republican and the Democratic campaign and tens of millions of dollars were spent in the campaign of 1921. The heavily protected interests of New England pay large sums of money to the campaign committees and in return are allowed to write the tariff bill, so far as their interests are concerned.

PRESIDENT COOLIDGE VETOES CORRUPT PRACTICES ACT

Congress, to prevent the repetition of the corrupting influences of large campaign contributions, passed a corrupt practices act, which would have limited contributions and given publicity to contributors. Unable to get this corrupt practices act to a vote without placing it upon some appropriation bill, Senator BORAH, of Idaho, amended the postal employees appropriation bill by writing into it the corrupt practices act. After this bill passed both Houses of Congress by almost a unanimous vote, President Coolidge vetoed it, his veto coming so late that Congress was unable to bring it to a vote to see whether it could be passed over the President's veto. The action of President Coolidge in vetoing the most far-reaching corrupt practices act that has ever been before Congress, after the revelations of the corruption in the last campaign, is particularly significant in view of the efforts that are now being made in the President's own State by the large corporations that are seeking special favors at the hands of Congress and the President to raise a mammoth campaign fund.

I herewith set forth as a part of my remarks the correspondence between some of the heavily protected industries of Massachusetts in their endeavor to raise a mammoth campaign fund to elect President Coolidge and Members of Congress who will do their bidding. Similar drives for campaign contributions are being made in other States. You will note by reading this correspondence that these men openly tell how they can evade the law of Massachusetts, which limits the amount of the campaign contributions that any one individual can make, by stating that they can circumvent this express statute by dividing up the contributions, presumably placing fictitious names on the books. These letters also disclose the fact that those interested are anxious that the present administration shall be retained, because they expect to receive the same special privileges in the future that they have received in the past.

The Walworth Manufacturing Co., of Boston, from which the corrupt correspondence emanated, is a highly protected corporation, whose head is president of the Boston Chamber of Commerce.

MAY 12, 1924.

DEAR SIR: A member of our committee will call on you within the next few days to accept your contribution to the Calvin Coolidge campaign fund.

Five hundred thousand dollars was raised in Massachusetts for the Harding campaign, and there are many reasons why we should raise more for Calvin Coolidge. The remarkable character of statesmanship of our candidate and State pride should make this task easy.

The fund represents the contribution of the Massachusetts business men to the national Coolidge fund for maintaining Calvin Coolidge headquarters and organization work, also our proportion of the national committee expenses, and for maintaining the Massachusetts State committee work of registration and Americanization throughout all our districts, and to carry on the active campaign for all Federal and State officers as soon as nominations are over.

Strong political opposition in Massachusetts is anticipated and an aggressive campaign must be conducted to secure a straight Republican ticket. We must all beware of overconfidence and do our utmost to achieve the desired result.

Your contribution to this fund will be the only one we will ask of you this year.

The satisfaction of giving and giving liberally to maintain a Massachusetts man in the highest office within the gift of the people of these United States, the assurance that a continuation of the present safe and sane administration will constitute the best possible business insurance for business in general and for the shoe and leather industry in Massachusetts in particular, should be sufficient incentive (all other considerations aside) to make your contribution as liberal as possible.

Very truly yours,

E. J. BLISS, *Chairman.*

G. F. Elliott, who signs one letter, is a mere figurehead, behind whom the protected corporations work.

GENERAL OFFICE WALWORTH MANUFACTURING CO.,
Boston, Mass., April 24, 1924.

_____ _____,

_____ _____.

DEAR SIR: The Massachusetts Calvin Coolidge finance committee has delegated to me the chairmanship of the pipe fittings and allied material group in the matter of collecting funds to make sure of the nomination and election of Calvin Coolidge.

The money goes—first, to the national Coolidge preconvention fund for maintaining Calvin Coolidge headquarters and organization work; secondly, to pay a proportion of the national committee expense; thirdly, to maintain the Massachusetts State committee's active work of registration and Americanization throughout all our districts, and to carry on the active campaign for all Federal and State offices as soon as nominations are over.

There is no limit to the amount an individual may give to this committee. Large contributions will be so divided as to give full observance to the requirements of the statutes. All contributions must be voluntary.

I assume that you will wish to have a share in making sure of the election of Calvin Coolidge, and I am inclosing a card furnished me by the finance committee.

Your check should be made to Louis K. Liggett, and if you will send it to me for forwarding to him I can keep correctly my records of our group. In any event, whether your response is a check or a signature of promise on the inclosed card, will you kindly make it promptly, so I may make my full report without much delay.

Yours truly,

G. F. ELLIOTT,
Chairman Pipe Fittings and Allied Material Group.

EXTRAVAGANCE OF ADMINISTRATION

It is easy for political parties in their platform to promise economy. It is also easy for an administration in control of the Government to talk about the Budget system and cutting the appropriations of the different governmental activities. If an administration is sincere and wishes to lower taxes, there is no better way for it to do so than to reduce the large appropriations for the Army and the Navy. The present Congress has appropriated for the War Department and its activities $327,970,465.13.

In times of peace, when the countries of the world have been bled white by war, what is the necessity of maintaining a Military Establishment that is costing the Government over $327,000,000 yearly? What countries or combination of countries are coming away across the seas to attack the United States? All the countries of Europe are straining every nerve to keep themselves out of bankruptcy. The United States has over 4,000,000 seasoned veterans of the World War who could be called to the defense of their country at a moment's notice, and yet we are spending this vast amount yearly for our Army.

NAVY

The appropriation of this Congress for our Navy Department was $275,105,067. The war jingoes and the people who profit by selling steel plate and making war vessels, feeling that times were getting a little dull in their business, started a scare that our Navy had fallen below the navies of Great Britain and Japan according to the ratio established by the Conference on Limitations of Armament. The Conference on Limitations of Armament, which met on the 12th day of November, 1921, made certain treaties, which were presented to the Senate February 10, 1922, and afterwards ratified. The three propositions expressed in those treaties may be summarized as follows:

1. Capital ships: Sixty-eight to be scrapped or converted; a 10 years' building holiday; the total tonnage of capital ships to be limited to 525,000, 525,000, 315,000, 175,000, and 175,000, respectively; the ratio of 5-5-3 1.75-1.75 to be maintained; the maximum tonnage of individual ships to be restricted to 35,000, and the maximum caliber of their guns to 16 inches.

2. Auxiliary ships: The maximum tonnage of individual ships to be restricted to 10,000, and the maximum caliber of their guns to 8 inches.

3. Aircraft carriers: Their total tonnage is limited, for the five powers, to 135,000, 135,000, 81,000, 60,000, and 60,000, respectively; the maximum tonnage of individual ships is restricted to 27,000, and the maximum caliber of their guns to 8 inches.

DISARMAMENT DOES NOT DISARM

The administration refers to this Conference on the Limitation of Armament as one of its greatest achievements, yet we are going right on spending more money for our Navy than ever before. Not content with the annual appropriation of over $275,000,000 appropriated a few months ago, an additional appropriation bill was passed through the committee of the House over the protests of a large minority of the committee and given a special rule by the Rules Committee and crowded out in front of very important legislation and passed the House of Representatives after a few hours' debate. This bill, in figures, carries an appropriation of an additional $130,000,000, but that did not include equipment of the vessels to be built. Adding the equipment of these vessels, which the bill contemplated, would make the appropriation over $155,000,000, making a total appropriation for the Navy of over $430,000,000. This bill was favored by President Coolidge and passed the Senate, but a motion was made to reconsider and the Senate adjourned, so that this last appropriation is still pending.

APPROPRIATION NOT FOR A DEFENSIVE NAVY

This was not a bill for a defensive Navy. Not a dollar of the proposed appropriation will be expended on aircraft or submarines, the most powerful of all defensive weapons. For several weeks before this bill was considered Congress was flooded with stories about the weakness of the American Navy; that we were not maintaining the ratio set by the Washington Conference on Limitation of Armament; that we were falling behind Great Britain, and even Japan. Yet the disarmament ratio was fixed by the experts of the United States in Secretary of State Hughes's statement at the opening of the conference. There is no allegation that either England, Japan, or France had violated the terms of the disarmament agreement. Yet all of a sudden the United States finds itself, according to the experts, behind the other nations. When I was in England last summer the same agitation was going on there. Some of the Navy experts were claiming that Great Britain was falling behind, and the same propaganda has been carried on in Japan. If the people of these countries listen to this propaganda that is circulated by the war jingoes and armament manufacturers there will be a race of competition between all of the countries in building war vessels. Thus, appropriations aggregating over $757,000,000 passed both Houses of Congress during the last six months. This certainly does not show much of a naval holiday.

MONEY SPENT FOR NAVY

The armistice was signed November 11, 1918, and the United States was at peace. The two preceding years we had spent more than $3,000,000,000 on our Navy, and everybody considered that we had a Navy sufficient to compete with the navies of the world, yet we went right on and spent the following amounts for our Navy, notwithstanding the much-heralded disarmament treaty and the much-advertised naval holiday:

1919		$1,915,155,835.19
1920		1,078,099,485.70
1921		697,687,633.94
1922		443,980,577.88
1923		309,342,765.87
1924	$275,105,067.00	
Plus	155,000,000.00	
		430,105,067.00
Grand total		4,874,371,365.58

The United States has appropriated more for its Navy since the war than any three nations combined. If our Navy is not the equal of any Navy afloat, what have the experts done with the money?

ST. LAWRENCE-GREAT LAKES WATERWAY

On January 16, 1922, Secretary Hughes submitted a report to Congress of the joint commission of the United States and Canada favoring the St. Lawrence-Great Lakes waterway, which would permit ocean vessels to navigate this waterway and make ocean ports of the cities on the Great Lakes, give us cheap water transportation, and be of inestimable value to the people. The hydroelectric power that could be generated would more than pay interest on the investment. The engineers were unanimous as to the feasibility of the project. President Roosevelt pushed through the Panama Canal with engineers evenly divided as to whether it could be accomplished, and foreign Governments hostile, and the engineering project very much more complex. It was a great achievement and has more than justified the effort. The Republican Party has a right to point to it with pride.

CONTRAST

Contrast this administration's action. The St. Lawrence-Great Lakes waterway would cost one-third less than the cost of the Panama Canal, would be more than self-supporting from the sale of power, and would be of vastly more benefit to the people of the United States than the Panama Canal. Why does this great project lag? Why has this great project slept so quietly for over two years in the Interstate and Foreign Commerce Committee, the committee that passed the Esch-Cummins law so quickly, the committee that reported out the Cape Cod Canal bill and obtained a special rule for it, which provided for the Government buying this canal owned by the Harriman interests, which had never paid—a committee that some have nicknamed the "morgue of progress legislation"? Why did the Republican platform remain silent upon a matter of such great importance and which would help solve the high cost of transportation? The answer is that the great railroad interests centered in New York City and the powerful banking interests of that city, the city that Senator LODGE says pays nine-tenths of all the campaign contributions of both the Republican and Democratic Parties, are against the St. Lawrence-Great Lakes waterway. They are not paying these large contributions that run up in the millions for the fun of giving away their money. They know that it gives them a commanding influence with both parties. They know, like Doheny and Sinclair, they are getting back their money with compound interest and at the rate of several thousand per cent. Bipartisan, they strive to control both political parties. They advocate, through that part of the press which they control, party solidarity expressed in "May my party always be right; but, right or wrong, my party." They deplore blocs for the farmer or the people, and yet they themselves constitute a financial bloc more powerful than all other blocs combined. This powerful financial bloc is a menace to representative government.

REPUBLICANISM

As a Wisconsin Republican, whose father was one of the charter members of the Republican Party and who has always voted the Republican ticket with the exception of the time when I voted for Theodore Roosevelt when he ran as an independent against Taft, I can not vote for Coolidge and Dawes without stultifying myself and condoning the misdeeds of this administration. Colonel Roosevelt refused to remain silent on the misdeeds of the Taft administration. He publicly excoriated those who were responsible. He believed in "hewing to the line and letting the chips fall where they may." He bitterly condemned the Taft administration, although Taft had been his lifelong friend, and through his influence had been placed in power.

This is what Colonel Roosevelt said in his speech at Chicago in 1910:

> Now, I am a good party man, but I am an American first. When we come to questions affecting the vital principles of American life I know no party. When such a question as corruption is involved we can not afford to divide on party lines. I take just this much account of party in such a case. While I will do my best to get hold of the thief of the opposite party, I will try, if possible, a little harder to get hold of the thief of my own party. When I was President I endeavored to act so that there should be no need of raising the cry among my opponents of "Turn the rascals out," because I turned them out myself just as fast as I could get at them.

WHITELAW REID

Whitelaw Reid, at one time editor of the New York Tribune, ambassador to the Court of St. James, a friend of Lincoln, Grant, and Roosevelt, speaking of the tyranny of party, said:

> No person can do a higher duty than to resist the majority when he believes it wrong—to assist the right of individual judgment and maintain it; to cherish liberty of thought and action against the tyranny of his own or any other party.
>
> The main object of an old party becomes more and more the retention or the regaining of power. The great curse of our present politics is that your heated partisan never knows the other side. It seems to him that it is disloyal to be on the other side. The element now so sadly needed in our politics is consideration of every question on its individual merits and willingness always to hear the other side.

TAFT DEFEATED

Taft received the nomination on the Republican ticket, but received only eight electoral votes. Roosevelt was considered just as good a Republican after he refused to support Taft as before.

The misdeeds of the Taft administration, although startling and revolting, were insignificant compared with the saturnalia of corruption of this administration. The same sinister influences that have controlled this administration for the last four years will control it if Coolidge and Dawes are elected. Their

defeat is the only way of freeing the Republican Party from the malignant influences that now control it.

THE STERLING-REED BILL

Mr. BLACK of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Sterling-Reed bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLACK of New York. Mr. Speaker, the Sterling-Reed bill presents a rather baffling problem to the open mind interested in educational advancement. The hearings developed much strength pro and con on the subject. However, the case for the bill hardly justifies the enormous expense entailed, as well as the danger of the complications suggested by the opponents of the legislation.

The outstanding danger is its possibility of Federal control of education that would evolve into a reasonable probability should the bill become law. True, you have the definite statutory language of the bill against the control, but subsequent Congresses, acting under the spur of the secretary of education, may eliminate the limitation and provide for a centralized control of education. Forces strong enough to have this bill adopted with its tremendous expense feature would, if they controlled its administration, easily influence a Congress to make their power absolute.

The majority report of the committee on education of the United States Chamber of Commerce states:

> The agitation for this bill represents the growing tendency to endeavor to centralize all Government activities in Washington and take away from the people the practice of the control of their own affairs. If our Government is to survive, it can only be by constant exercise of self-government by the people in things which vitally concern them. No activity of the Government is of more vital concern to every citizen than education.
>
> Hitherto the management, control, and support of our public-school systems has rested with the local communities and the States. Federal participation in education means a revolutionary change in the conduct of our public schools, for it is the beginning of Federal control. This is the inevitable consequence of appropriations of Federal money for public schools. The proponents of the Sterling-Towner bill have thought to prevent the tendency to Federal control by inserting a clause in the bill to the effect that the Federal Government shall not control the expenditure of the money which is to be turned over to the States. This clause is a Ford brake on a Pierce-Arrow car. It won't hold. The recipients of bounties are sure to be compliant to the views of the dispensor of the funds, even though his wishes are not embodied in words of command. The spirit of the law is more powerful than the letter. The bill itself contains the beginnings of Federal control, as it sets up standards to which the States must conform. It establishes a department of education with a secretary, and it gives him the power to withhold the appropriation from States which do not maintain the standards.

Federal control is a dangerous thing and entirely out of accord with the American theories of education. Civil freedom rests largely on intellectual freedom. Intellectual freedom flows largely from diversification in the teaching field. The censored mind of the child develops into the abject mind of the political subject as distinguished from the ruling mind of the free citizen. True, I would not let the child ramble at will into the forests of knowledge, because some things that can be learned had best not be. However, I do not believe that all children should be mentally developed into a mold patterned by a political secretary of education sitting at Washington, who may or may not be a worthy man. There is more danger to American freedom in this bill than in any recent legislative suggestion.

The expense involved in the bill by its language is approximately $200,000,000. The money required to meet the views of the leading proponent of this bill, the National Education Association, is about one and one-half billions of dollars. By charts produced by the statistician of this association at the last hearing of the committee it seems that the country and its subdivisions spend about one and one-half billions on education, and yet about one-half the States are below par. To bring them up to par, having in mind increases of population and educational demands, it is quite likely the country would have to double within a few years its educational budget, and it would expend $3,000,000,000 to stagnate the youthful mind under a Federal system.

The appropriation authorized by the bill is beyond the ways and means of a Nation that has to skimp on its national defense and adminstration of justice to the point of an absolute breakdown in these services that make the Nation sovereign.

Moreover, the apportionments under the bill are on false bases. For instance, teachers in those States already paying fair salaries to its teaching forces will benefit by this bill in greater proportion than those teachers now poorly paid. I take it that this would be adjusted by ultimately wiping out territorial lines in education, so that teachers would get uniform pay regardless of habitats and would also be required to teach where sent by Washington, regardless of residential preferences. The bill does not say this, but the bill aims to equalize education, and this would be the practical way for a bureaucracy to accomplish equalization. This, of course, I oppose.

Moreover, the bill apportions money for illiteracy removal in the States on the basis of their number of illiterates over 14 and without any regard to the present resources of the States to cope with the problem. The number of illiterates at any given place is largely accidental, so it is poor science to have money expenditures allocated on a census theory. Again, the logical and honest answer of the advocates of the legislation to this thought would be federalization, and this America does not want, and the proponents fear to advance. This feature of the bill, while mathematically equalizing, is as artificial as its terminology against control.

New York has 425,022 illiterates by the Bowlby tables, while the continental United States has 4,931,925. New York has, therefore, a little over 11 per cent of the illiterates and would get, therefore, from the fund set forth in the bill to care for illiteracy about $1,250,000. To get this New York would have to appropriate directly to meet this allotment a like sum. But New York would have to contribute to the original fund about $2,250,000 under our normal contributions to the Federal Treasury. Does it help the illiteracy problem to take from the State that has over one-tenth of the illiteracy twice as much as the country would give it? The very State that has a big illiteracy problem would be handicapped in its work by a tremendous depletion of its own fund. This does not seem so scientific unless it is the hope of the Sterling-Reed educators to abolish State lines.

Then look at the provisions for physical education. Twenty millions of dollars is to be divided among the States according to their population. The proponents of the McNary-Haugen bill testified that about 40.1 per cent of the people live on farms.

Therefore about $7,000,000 is provided by this bill to see that the farmers get exercise. Efficiency experts may assemble charts based on miscellaneous data, but legislation affecting over 100,000,000 people had best be drawn with an eye to practicability, even though the rules of mathematics may be forced into the background.

Take also the $15,000,000 for teachers' training. That is to be apportioned in such a way that those States which now have the most teachers with the highest training get the largest part of the funds. As a street-corner philosopher one time said, "Them as has gets."

The Federal department of education is the first step toward "the establishment of general principles of national education." (Art. XVI, treaty of union of the Russian Socialist Federal Soviet Republic) under the direction of "the Council of People's Commissaries of each of the United Republics, consisting of the chairman and the people's commissary for education." (The treaty of union of the Russian Socialist Federal Soviet Republic), which is the Bolshevik counterpart of the machinery provided by section 17 of the Sterling-Reed bill, which is as follows:

> SEC. 17. That there is hereby created a national council on education to consult and advise with the secretary of education on subjects relating to the promotion and development of education in the United States. The secretary of education shall be chairman of said council, which shall be constituted as follows: (a) The chief educational authority of each State designated to represent said State in the administration of this act; (b) not to exceed 25 educators representing the different interests in education, to be appointed annually by the secretary of education; (c) not to exceed 25 persons not educators interested in the results of education from the standpoint of the public, to be appointed annually by the secretary of education. Said council shall meet for conference once each year at the call of the secretary of education. The members shall serve without pay, but their actual expenses incurred in attending the conferences called by the secretary of education shall be paid by the department of education.

This national council, which is to be a check on the secretary, shall meet in conference once each year when he calls them. He is also to appoint them. Truly this is a democratic thought and a powerful inhibition on the educational ruler to rise out of the bill. This one provision probably emphasizes the deception

of the bill more than its any other feature or any statements proceeding from its advocacy. Here was the sop to the people, a sop always in the control of the secretary. Why, even the soviet system is fairer and more democratic.

That the suggested law in its present professedly innocuous form is not in its permanent appearance is promised by section 18 of the bill:

SEC. 18. That the secretary of education shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by the department of education and describing the work done by the department. He shall also, not later than December 1 of each year, make a report to Congress on the administration of sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of this act, and shall include in said report a summary of the reports made to him by the several States showing the administration of this act therein, and shall at the same time make such recommendations to Congress as will, in his judgment, improve public education in the United States. He shall also from time to time make such special investigations and reports as may be required of him by the President or by Congress.

What better encouragement is there to the fears of the foes of the bill than this promise of increased power in the secretary?

A great number of earnest men and women appeared for this bill, carried away by the thought that it would be an educational benefit. Their enthusiasm did not permit them to stop to analyze. Had they, I am quite sure their support would not have been so extreme. Some of our leading educators, with educational results to vindicate their standing, oppose the bill. A mention of a few may be of interest—for instance: President Hadley, of Yale; Doctor Eliot, president emeritus of Harvard; President Lowell, of Harvard; President Hibben, of Princeton; Professor Judd, of Illinois University; and Professor Burris, of the University of Cincinnati.

It seems that the States can work out their own problems if they will. The majority report of the committee on education of the United States Chamber of Commerce says:

The "poverty" argument is the other premise of the case for Federal participation. Federal aid is needed, it is claimed, because some States are too poor to furnish adequate schools for their children. It is true that the wealth of our States varies, but no State has made the claim that it can not provide a good common-school education for all its school children. The relative wealth statistics of the States which have been presented to Congress by the advocates of the bill as the basis of the "poverty" argument show that the least wealthy States are all Southern States. There is an abundance of evidence, however, from official State reports within these very States that the real difficulty is not poverty but that their systems of assessment and taxation are poorly administered and are of an antiquated and ineffective character. In our report we have quoted from recent reports of tax commissions in regard to conditions in Kentucky, North Carolina, South Carolina, Georgia, and Mississippi. As an example, we quote from the report of the special tax commission of South Carolina made in 1920:

> "It would therefore seem to be a conservative estimate to place the value of all taxable intangible property in South Carolina now escaping taxation at not less than $300,000,000, which is more than 70 per cent of the present assessed value of all property of every character in the State."

In directing especial attention to the escape of this form of property from the tax rolls the committee has not been inadvertent to the fact that much real estate is also escaping. The committee has reason to believe that there are thousands of acres of land outside of the towns and cities that are not upon the tax books. The United States Census Bureau (1912) gives the land area of South Carolina as 19,516,800 acres. The acreage returned for taxation in 1919 for all lands outside of cities and towns was 18,693,519. This leaves 823,281 acres to be accounted for as town lots. Even in the cities, where the listing and assessment of real estate would seem to be comparatively easy, improved lots have been known to escape taxation for years. In 1915 the tax commission of this State had surveys made of five of the city blocks in Columbia and found as to three of them that two-thirds of the land and one-half of the buildings in one block were not returned for taxation; in another block twenty-three fortieths, or over half of the land, and half of the buildings were escaping taxation; in the third block 23 front feet, valued at $460,000, and a lot and small building, valued at $600, escaped taxation.

The income and ability of a State to maintain a satisfactory school system depends only in part on the property within the area; it depends quite as much also upon the willingness of the people of the State to adopt a modern system of tax laws and assess to its real value the property within the State, collect a substantial tax on the property thus assessed, and then to use a substantial proportion of the income thus derived for school purposes instead of using it for other less essential purposes.

The very States on whose behalf the "poverty" argument is apparently put forward are proceeding to modernize their taxation laws and practices, and this will result in increased appropriations for public schools without undue strain upon the public finances.

That the thinking business man of the country opposes this bill is evidenced by the referenda of the United States Chamber of Commerce. Its results were as follows on referenda to its associate organizations:

QUESTION. Do you favor the creation of a Federal department of education with a secretary in the President's Cabinet?

Opposed, 1,319½.

In favor, 461½.

QUESTION. Do you favor the principle of Federal aid to education in the States on the basis of the States appropriating sums equal to those given by the Federal Government?

Opposed, 1,200.

In favor, 527.

It probably is true that some few States need help in spite of the frank statement of Dr. A. E. Winship, editor Journal of Education, who wants the bill, that—

We talk about the hard times. There never has been a time in America when bond issues for public schools carried as they have carried to-day; never anything like it.

This he said at the hearings, not realizing it was the best argument against those who say they want the bill because of the need of Federal funds.

If some few States can not take care of themselves, why plunge the Federal Government into this delicate question like a bull in a china shop?

If the Federal Government is to help the States where necessary, why not accomplish it by a purely financial loan over a long term at short interest to the needy States? This would accomplish the stated purposes of the disinterested advocates of the bill, and would not make possible the calamities to our public and private school systems that would spring from this bill.

One of the most fervent advocates of the bill—Dr. J. A. H. Keith—has given us the unmistakable signs that it means Federal control and the imposition of a Federal standard. He testified as follows at the hearings of the House committee:

Doctor KEITH. * * * That, to my mind, is what constitutes the Americanization of the foreign born. They must first get our language to make it possible for them to get the body of ideas that underlie our civilization, and then they must learn also the plans and schemes and devices by which our Government is carried on.

Mr. BLACK. Is there going to be any standard applicable all over?

Doctor KEITH. I think so.

Mr. BLACK. Where are we going to get the ideals from?

Doctor KEITH. The secretary of education will set these standards.

Mr. BLACK. He will tell us what Americanization is and what our ideals are?

Doctor KEITH. Yes.

Again, the danger of the control the advocates of the bill disavow comes by chance from the mouth of another advocate, Dr. J. O. Engleman, field secretary, National Education Association. Here is what he said to the House committee:

Doctor ENGLEMAN. * * * That can be partly overcome by a provision which we have in the bill that will make it possible to give Federal support to those States that can not reach desirable standards and maintain the sort of decent schools that they recognize, as everybody recognizes, as desirable as a standard——

Mr. BLACK. Who will pass on that?

Doctor ENGLEMAN. Well, I am not.

Mr. BLACK. Will the Federal secretary of education pass on that?

Doctor ENGLEMAN. I suppose the Federal secretary of education, aided by such a council, would have something to do with that.

cil, in which every State is represented through its leading State officer, and in which every phase of education in every State is also represented, and in which the laity is represented by its most intelligent citizens on this national council, I suppose the national secretary, aided by such a council, would have something to do with that.

Whether they want it or not, the sponsors of this bill are going to see Federal control if the bill becomes law. The whole scheme and logic of the legislation means that, and the saving legislative words thrown out to lull America into a sense of safety are weak, indeed, against human nature operating under the machinery of the bill.

THE TARIFF AND THE FARMER

Mr. SMITH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the benefit of the protective tariff policy of the Republican Party to the farmers.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH. Mr. Speaker, American agricultural and livestock interests are still suffering the consequences of Democratic maladministration. During and immediately following the war the American farmer and livestock grower was urged by the Democratic administration to spare no efforts or money in obtaining a maximum production of farm products. This policy was urged upon the farmer by every method and device at the command of the Democratic administration. Every bit of governmental machinery at the disposal of the administration was used to assist and encourage the agricultural and livestock producer in this program of increased production.

The American farmer responded. He cultivated the land he possessed at the time the war broke out with all the intensity at his command, buying for himself additional farm machinery and power. To do this he, in the majority of cases, made commitments in the form of notes payable at future dates. This was the situation in the summer of 1920. The crops of that year were produced at peak cost to the farmer. Farm wages were higher than ever before in the history of American agriculture. Farm machinery was at peak prices. Under these conditions the American farmer produced the largest crop in 1920 that history records. He expected to market that crop under the conditions which prevailed at the time he sowed it.

During the summer of that year the Wilson administration became panicky over the high cost of living. The campaign was on. In the large industrial centers and cities the protest against high cost of food and other products was becoming a serious matter. It was directed at the Democratic administration and was reacting against the Democratic Party. Instead of instituting prosecution of profiteers the futile method of deflating farm prices was resorted to in the hope that this would bring down the retail price of food. So it came about that in the summer of 1920 the Federal Reserve Board, composed at that time wholly of Democratic members, appointees of President Wilson, suddenly and without warning ordered a restriction of credits and the calling in of loans already made.

The farmer is the one producer who can not meet such an emergency. The merchant, who turns his goods over many times a year at a very wide margin, can always resort upon the shortest notice to a forced bargain sale and thus dispose of his wares. Not so with the farmer. No bargain sale in wheat or corn or wool or livestock is possible with him. You can not stimulate the consumption of beefsteak or bread by slashing the price of cattle on the hoof and wheat in the bin.

That the Democratic policy of deflating farm prices did not result in cheaper food prices in retail stores is officially set forth in a bulletin issued by the United States Bureau of Labor May 22, 1922—Bulletin of United States Bureau of Labor Statistics, No. 300; Retail Prices and Cost of Living Series. This bulletin shows that during the last few months of the Democratic administration of Woodrow Wilson, when the American farmer was selling his products at less than cost and going bankrupt, the average price of food in retail stores throughout the United States was higher than it had been during the years of 1918 and 1919, when the American farmer was getting top prices for his products. In other words, the deflation of farm prices did not bring down the retail cost of food derived from farm products. But the deflation did result in the ruination of the American farmer. The following tables, which are compiled from governmental reports, show the decline in the average monthly prices of five leading agricultural products from July, 1920, when the Democratic policy of deflation of farm credits went into effect, to June, 1921, a period of one year. All prices are quoted from the Chicago markets.

Corn No. 3

July, 1920	$1.53
August, 1920	1.53
September, 1920	1.29
October, 1920	.87
November, 1920	.80
December, 1920	.73
January, 1921	.65
February, 1921	.63
March, 1921	.61
April, 1921	.55
May, 1921	.60
June, 1921	.60

Wheat No. 2, red winter

July, 1920	$2.80
August	2.47
September	2.49
October	2.20
November	$2.05
December	2.01
January, 1921	1.96
February	1.91
March	1.67
April	1.38
May	1.56
June	1.43

Cattle—Steers, good to choice

July, 1920	$15.38
August	15.35
September	15.25
October	14.68
November	14.57
December	12.09
January, 1921	9.84
February	9.31
March	9.56
April	8.71
May	8.42
June	8.09

Hogs—Light

July, 1920	$15.88
August	15.73
September	17.06
October	14.78
November	12.14
December	9.66
January, 1921	9.67
February	9.70
March	10.30
April	8.85
May	8.45
June	8.25

Wool, Ohio, one-fourth to three-eighths scoured

July, 1920	$0.90
August	.87
September	.83
October	.72
November	.69
December	.54
January, 1921	.54
February	.54
March	.52
April	.52
May	.50
June	.49

Simultaneously with the deflation of farm credits by the Democratic administration, the American farmer had to compete with larger quantities of agricultural imports of all kinds than ever before in the history of American agriculture. These imports included cereals from Argentina and Canada; potatoes, eggs, and butter from Denmark and Canada; beef from Argentina and Canada; lamb and mutton from Australia, New Zealand, and England; and other agricultural products from various quarters of the globe. All of them were being imported free of duty under the Underwood tariff.

EMERGENCY TARIFF ENACTED FOR PROTECTION OF FARMERS

For the purpose of stopping this tremendous flood of agricultural imports, the Ways and Means Committee of the Republican House of Representatives on December 20, 1920, introduced an emergency or farmers' tariff bill. It was opposed on the floor of the House by the Democratic leaders and practically all of the Democratic minority. It passed the House December 22. In the Senate, the Democratic minority lined up solidly against its enactment, but the Republican majority passed it on February 16, 1921. President Wilson vetoed it.

On April 11, 1921, the newly elected Republican Congress convened in special session upon call of President Harding. Almost immediately the emergency or farmers' tariff was reintroduced. The Democratic leaders in both branches of Congress opposed its enactment as they had in the previous Congress, but it was passed by both the House and Senate, and became a law May 27, 1921. This tariff applied solely to agricultural products. It remained in effect until the passage of the Fordney-McCumber tariff in September, 1922, and in that permanent tariff act the agricultural schedules of the farmers' tariff were embodied without material change.

During the discussion of the Fordney-McCumber Act the critics of the system of protective tariff, particularly those who insisted a protective tariff was of no benefit to the farming interests, were instrumental in having a resolution passed calling upon the United States Tariff Commission for a report as to the effect the farmers' emergency tariff, enacted in May, 1921, had had upon farm prices in the United States. The United States Tariff Commission made its report to the United States Senate June 26, 1922, after the farmers' emergency tariff had been in effect over one year.

No one can accuse the United States Tariff Commission of being a "hard-boiled" protective-tariff body. It is quite the contrary. In fact, only two of its members at the time this report was made were advocates of the theory of protective tariff; and at present only three, or one-half of its membership, are recognized as being favorable to the protective tariff doctrine. Its reports have never been favorable to protective tariff

unless the facts were so indisputable and the evidence so overwhelming that it could not, in justice to its reputation as a public official body, ignore or discredit them. Yet the United States Tariff Commission, with such a personnel, upheld the value of a protective tariff to the American farmer in almost every schedule.

Its report showed that while the prices of farm products, livestock, and meat products steadily declined throughout the world during the calendar year 1921, the decline in the prices of these products was far less in the United States than in other countries. The report showed that immediately upon the enactment of the emergency tariff the decline in price of farm products in the United States materially slowed down, and that under the operation of that tariff the prices of farm products in the United States have been materialy higher than the world price of the same products in world markets. The report further showed that the margin between farm prices in the United States and prices elsewhere steadily increased in favor of the American producer following the enactment of the emergency tariff.

REPORT SHOWS THE PROTECTIVE TARIFF KEPT PRICE OF WHEAT IN AMERICAN MARKET ABOVE THE PRICE OBTAINED IN CANADIAN MARKETS

Take wheat as the first example. Under the Underwood Act, passed in 1913 and still in effect except where its provisions have been repealed by the emergency tariff, wheat was admitted free into this country. The farmers' tariff levied a duty of 35 cents per bushel on wheat and an ad valorem duty of 20 per cent on wheat flour.

From a report issued June 26, 1922, by the United States Tariff Commission the following is quoted:

Under conditions of free trade between the United States and Canada, Winnipeg prices of No. 1 Manitoba wheat normally exceeded the Minnesota prices of No. 1 northern spring by 5 or 6 cents per bushel. After the passage of the emergency act, however, Minnesota prices gradually came to exceed Winnipeg prices by 25 to 27 cents per bushel. * * * It is significant, however, that this increase in the differential after the passage of the emergency act is not due to an increase in American prices, but rather to a relatively greater decrease in Canadian prices. Minnesota prices gradually declined during the whole year of 1921, but Winnipeg quotations went down still more precipitously, with the result that the differential was about equal to the duty by the time the Canadian crop reached the market in the fall, 1921.

OFFICIAL MARKET REPORTS FURNISH CONCLUSIVE PROOF OF BENEFIT OF FARMERS' TARIFF

The following table gives the average price per bushel of No. 1 northern spring wheat at Minneapolis and Winnipeg for a year after the enactment of the emergency tariff. This table clearly illustrates the above statement, namely, that although wheat prices declined in this country after the emergency tariff went into effect they did not decline as much as they did in Canada, which conclusively proves that the American tariff protected the American farmer:

	Minneapolis	Winnipeg
1921—May	1.64	1.67
June	1.69	1.68
July	1.74	1.61
August	1.84	1.62
September	1.63	1.32
October	1.36	1.09
November	1.80	1.01
December	1.81	1.05
1922—January	1.85	1.08
February	1.55	1.28
March	1.58	1.36
April	1.64	1.39

TARIFF SUSTAINED PRICES OF DAIRY PRODUCTS ABOVE THOSE ELSEWHERE IN THE WORLD

The emergency tariff has been instrumental in raising the price of dairy products of the American farmer and keeping those prices above the international level of dairy prices.

In 1920 the United States imported four times as much butter under the Underwood tariff than during any previous year in the history of the country. Denmark was the source of 53 per cent of these butter imports. About 25 per cent came from Canada, 11 per cent from Argentina, and 8 per cent from the Netherlands. These imports were largely concentrated in New York, Boston, and Philadelphia. The imports of butter in New York in 1920 was 17 per cent of New York's requirements, according to statements made by the United States Tariff Commission in a report it filed with the United States Senate June 27, 1922. The United States Tariff Commission in this report further states that—

since New York is the country's largest consuming market and draws a large portion of its supply from the Middle West, the effect of imports upon the New York market was reflected in other important markets throughout the country.

In May, 1921, the price of high-grade butter (92 score) in New York was 28 cents and for butter of like grade in London 36 cents. By the 1st of July the American price had caught up with that paid in London.

Thereafter, with but few exceptions—

Says the United States Tariff Commission—

the New York price was higher than the London price, the average margin being 4.3 cents. The emergency tariff was thus effective in maintaining the domestic above the British price.

EMERGENCY TARIFF GAVE UNITED STATES POTATO GROWER BETTER PRICES THAN HIS FOREIGN COMPETITORS

Under the Underwood Act potatoes were admitted to the United States free. During the years 1919 and 1920 the importation of potatoes into this country was greater than any two previous years in the history of American agriculture. Eighty-two per cent of the imports came from Canada and 9 per cent from Denmark.

Potatoes are a seasonal and a perishable product. They must be disposed of within a period of six to eight months after their gathering. Unable to store the crop, the farmer is compelled to ship to market soon after harvest. It can readily be seen what effect a cargo of several hundred thousand bushels of potatoes from Denmark would have upon the price of American potatoes if they were dumped upon the American market at the time the American grower had to sell his crop. Furthermore, when the American market is impaired by such dumping its recovery is very slow, requiring weeks and sometimes months before normal prices are again reached.

Speculators took advantage of this under the free trade Underwood Act to import potatoes for the express purpose of breaking the American market at the very time the American potato grower had to dispose of his crop. The result was a break in the American market during a period of a few weeks, which meant a loss to the American potato grower of the profit on his entire crop.

The price of potatoes in Boston and Montreal, as given, respectively, by the United States Market Reporter and the Canadian Grocer, show that in April and May, 1921, Montreal was paying 11 to 32 cents per bushel for potatoes more than Boston, Boston being the potato market of the United States. In June, 1921, within 30 days after the emergency tariff went into effect, the Boston market took the lead in potato prices and has maintained it ever since. Since the enactment of the emergency tariff the difference in the American market over the Canadian market has reached as high as $3.82 a bushel, and the imports of potatoes from Canada have been reduced more than one-half.

Cattle were admitted free under the Underwood tariff of 1913; so were fresh and frozen meats. The emergency tariff placed an ad valorem duty of 30 per cent on cattle and a specific duty of 2 cents a pound on fresh or frozen beef or veal.

TARIFF INCREASED CHICAGO'S MARGIN OVER WINNIPEG IN PRICES FOR LIVESTOCK

The Chicago market has always shown a better price level for cattle than the Winnipeg market, but the difference between the two markets was noticeably increased in favor of the Chicago market after the enactment of the emergency tariff. In May, 1921, when the emergency tariff went into effect, steers were selling in Chicago at $8.51 per 100 pounds and at $7.21 in Winnipeg, a difference of $1.30 in favor of the Chicago market. This differential in favor of Chicago immediately began to increase. The following table shows the average price in the two markets, by months, since the enactment of the emergency tariff, together with the excess of the Chicago price over that of the Winnipeg price:

Comparative price of steers

[Per 100 pounds]

	Chicago	Winnipeg	Excess of Chicago
May, 1921	$8.51	$7.21	$1.30
June	8.24	6.16	2.08
July	8.60	4.85	3.75
August	9.07	4.38	4.69
September	8.59	4.24	4.35
October	9.17	3.97	5.20
November	8.96	4.07	4.89
December	8.38	4.02	4.36
January, 1922	8.59	5.25	3.34
February	8.69	5.36	3.33
March	8.61	5.82	2.79
April	8.39	6.15	2.24

Commenting upon this, the United States Tariff Commission says:

The average price of cattle in Winnipeg was $2.28 cheaper than in Chicago from January to May, 1921 (prior to the enactment of the emergency tariff), and $4.20 cheaper from June to December, 1921.

The comparative prices of stockers and also of feeders in the Chicago and Winnipeg markets for the same period showed the same increase in differential favorable to the Chicago market. The difference between the Winnipeg and Chicago markets for stockers in April, 1921, was $1.63 per hundred in favor of the Chicago market. Immediately the emergency tariff was a law this difference began to increase. For June, 1921, it was $1.90; July, $2.61; August, $2.53; September, $2.47; October, $2.56; November, $2.24; December, $2.34; January, 1922, $2.36; February, $2.78.

Relatively the same figures obtained for feeders, the difference in the Winnipeg and Chicago markets in April, 1921 (prior to the enactment of the emergency tariff), being $1.42 per hundred in favor of Chicago. After the enactment of the tariff the differential has never been less than $2.09 in favor of Chicago, and has run as high as $2.78.

UNITED STATES TARIFF COMMISSION TESTIFIED FARMERS' TARIFF KEPT UP AMERICAN PRICES

In drawing a conclusion regarding the effect of the emergency tariff upon the price of cattle, the United States Tariff Commission, in its report to the Senate, says:

Canadian prices have followed the declining world market, while American prices steadied at a level considerably above the international level.

The market reports for beef show even more pointedly the beneficial effects of the emergency tariff.

The following table shows the average price of fresh beef in Chicago and Winnipeg for the months since the emergency tariff went into effect:

Comparative price of fresh beef
[Per 100 pounds]

	Chicago	Winnipeg	Excess of Chicago
1921—			
May	$15.69	$14.03	$1.61
June	15.25	12.26	2.99
July	15.20	11.84	3.36
August	15.75	12.05	3.70
September	16.25	11.72	4.53
October	16.60	10.68	5.92
November	16.45	9.21	7.24
December	16.50	10.07	6.43
1922—			
January	15.00	11.43	3.57
February	13.69	12.43	1.26
March	14.25	12.59	1.66
April	14.50	13.20	1.30

From this table it will be seen that Chicago prices remained fairly constant throughout the year 1921, whereas Winnipeg prices showed a steady decline.

TARIFF KEEPS AMERICAN PRICES FROM SLUMPING AS MUCH AS PRICES IN WORLD MARKETS

It is even more interesting to compare beef prices in various centers of the world for the period since the emergency tariff went into effect. This comparison is shown in the following table:

Comparative prices of fresh beef
[Average per 100 pounds]

	January to May, 1921	June to December, 1921	Decline	Per cent
New York	$17.00	$15.61	$1.39	8.2
Toronto	19.02	14.65	4.37	23.0
Winnipeg	14.22	11.27	2.95	20.7
Longon (English beef)	27.29	19.54	8.25	29.7
London (Argentine beef)	17.54	14.81	2.73	15.6
Buenos Aires	9.70	6.90	2.80	28.9

The table shows clearly two things: First, that throughout the world there was a steady decline in 1921 of the price of fresh beef, but that due to the protection afforded the American farmer by the emergency tariff the decline in beef prices in the United States was far less than the decline elsewhere in the world.

CHICAGO-WINNIPEG REPORTS SHOW SHEEP INDUSTRY SAVED BY EMERGENCY TARIFF

Lambs, per hundred pounds, were quoted in Winnipeg in April, 1921, at $10.19 and in Chicago, the same month, at $10.04, a difference in favor of the Winnipeg market of 15 cents. With the enactment of the emergency tariff the difference immediately began to appear on the Chicago side of the ledger and increased from month to month. By October the Chicago market for lambs was $1.16 better than the Winnipeg market; in December it was $2.61 higher than the Winnipeg market; in January, 1922, it was $4.51 higher than the Winnipeg market; and in February, 1922, $5.59. The emergency tariff imposes a duty of $2 per head for all sheep 1 year old or over, $1 a head for all those less than 1 year of age, and a specific duty of 2 cents a pound on lamb and mutton. Under the Underwood law there was no tariff imposed whatever upon either sheep or their meat products, such as mutton and lamb.

During 1920, under the Underwood free-trade tariff, there was five times as much fresh mutton and lamb imported into the United States than during any other year in the history of American agriculture. Sixty-five per cent of this importation came from New Zealand, 12 per cent from England, and 13 per cent from Argentina and other South American countries. The result of this, as shown above, was to break the price of sheep to the American grower, but, as exhibited in the table relative to retail prices, it did not result in lowering the prices of lamb and mutton to the American consumer.

WOOLGROWING INDUSTRY FACED FINANCIAL RUIN UNTIL FARMERS' TARIFF WAS ENACTED

The manner in which the emergency tariff came to the benefit of the woolgrowers is set forth at length in the report made to the United States Senate by the United States Tariff Commission. From that report the following is quoted:

When the emergency tariff act was passed, in the spring of 1921, there were large stocks of wool on hand in the United States. American woolen mills were operating on short time because of the industrial depression and labor troubles, and the world, especially the British colonies, possessed great stores of wool ready to be marketed at any reasonable price. Imports were heavy in the first quarter of 1921 in anticipation of the duty; woolgrowers had almost a full clip on hand at high cost, with almost no market, and their credits were stretched almost to the point of collapse. In short, the whole wool-growing industry, including the financial institutions supporting it, was faced with ruin. Under these conditions the emergency tariff act gave immediate relief, especially to the strained credit situation. Bankers were no longer afraid of wool paper when foreign wools were practically embargoed.

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Prices, as was to be expected in view of the great stocks of wool on hand, did not immediately respond to the emergency duty, but remained fairly steady all through the year 1921. By January, 1922, however, a decided revival had set in, and it has continued to the present time. Boston prices of standard grades of scoured wool exceeded London prices of comparable grades by 10 to 25 cents per pound prior to the passage of the emergency act. In recent months, however, the differential has increased, and it now stands from 25 to 35 cents a pound. As stocks of domestic wool are still further depleted a closer approximation may be expected of the premium of Boston over London to the amount of the duty.

BENEFITS RESULTING FROM THE EMERGENCY TARIFF

Such were the benefits of the emergency protective tariff during the first year of its operation, beginning in May, 1921, according to the report of the United States Tariff Commission. Briefly, it checked the precipitous decline of agricultural prices in this country. It operated to maintain a higher level of prices for all kinds of agricultural products in the United States than prevailed in any other country in the world. Before it went into effect prices of agricultural products in this country were lower than prices elsewhere for similar products, but following the enactment of the tariff the reverse was true. It stopped the flow of agricultural imports that were breaking the price to the producer in the United States. It directly operated to save the cattle and wool industry from absolute ruin.

This is the summary of the benefits of the protective tariff to the agricultural interests of the country as set forth not by a partisan organization but by an organization which leans toward the theory of free trade. What a refutation of the loose charges which have been constantly made and still are being made by free traders to the effect that the farmer has not been benefited by the protective tariff!

At this point the fallacy and misrepresentation of one of the favorite arguments of the Democratic free trader should be

exposed. Whenever a Democratic editor or speaker attempts to convince the farmer that the tariff has been of no benefit to him his first argument is that farm prices have declined since the tariff was enacted; therefore he would have the farmer conclude that protection means nothing to him. What the free trader does not show, but what must be shown in justice to the truth and in order that correct conclusions may be reached, is that although prices of American farm products, including livestock, may have declined in this country since the enactment of the protective tariff, they have not declined in anything like the degree or with anything like the rapidity which has marked the decline of farm prices in other agricultural countries, such as Argentina, Australia, New Zealand, and Canada.

What the American agricultural producer should be told in the interest of truth and in order that he may properly judge whether or not the tariff has been of benefit to him is that while agricultural conditions in the United States to-day are not all that could be desired they are infinitely better than agricultural conditions in other countries.

According to the consular reports filed with the United States Department of Commerce, more farmers and livestock producers have gone into bankruptcy in Australia and New Zealand in the last two years than in any previous period of the history of that great agricultural producing continent. The livestock industry in Argentina is in the worst possible shape. In fact, the individual livestock grower in the Argentine is almost extinct. The cattle industry in that country has practically all passed into the hands of immense corporations owned in foreign countries, due to the inability of the individual to continue in the business at all.

Have the benefits which accrued to the grain grower and to the livestock industry and to the dairy interests during the first year of the operation of the farmers' emergency tariff continued under the Fordney-McCumber tariff, which embodied the rates of the emergency tariff without any material change?

The answer to this is found in the official records. Take first the livestock industry. The Department of Agriculture has had special representatives in the Argentine for three years. One of these representatives, Dr. George B. S. Arner, of the Bureau of Agricultural Economics, has just issued a voluminous report upon the cattle industry in the Argentine. Altogether it is the most marvelous document in support of the protective tariff as the salvation of the American livestock industry that has ever been written. From this statement it should not be inferred that Doctor Arner wrote his report to sustain the protective tariff. He wrote his report merely to set forth the conditions in the Argentine, but the official figures which he gives can not otherwise than prove that the only thing which prevents the absolute bankruptcy and ruin of the American livestock industry is the protective tariff rates. Doctor Arner quotes the monthly average price of chilled beef steers in the Buenos Aires market. His quotations are taken from two sources—the Boletin Mensual de Estadistica Agricola, the official publication of the Direccion de Economia Rural y Estadistica, and also from the Review of the River Plata, an official publication of the Argentine. The price he gives in American currency makes all allowances for exchange from Argentine currency with the proper deductions for depreciation. The grade of cattle he quotes is comparable to the grade sold in the Chicago market under the heading of 1,200 to 1,350 pound native steers. The following are the comparative yearly average prices per 100 pounds live weight of these comparable grades of cattle in the Buenos Aires and the Chicago markets:

Comparative yearly average prices of cattle in Argentina and the United States

	1919	1920	1921	1922	1923
Chilled beef steers, per 100 pounds live weight, Buenos Aires, in United States currency	$8.24	$7.43	$4.86	$3.94	$3.60
Native steers (weight, 1,200 to 1,350 pounds), per 100 pounds live weight, Chicago	15.82	13.70	8.22	8.96	9.73

The latest obtainable price from Argentina is for the month of April. Chilled beef steers were quoted in Buenos Aires during the month of April at an average of $3.40 to $3.50 a hundred pounds.

The average April price of 1,200 to 1,350 pound native steers on the Chicago market was $9.95 per hundred pounds. From these official figures it is indisputable that livestock is selling on the hoof in Argentina at about a third of what comparable grades sell for in the United States. The reason for this is clearly set forth in the report of Doctor Arner. He quotes from a report recently made by the Rural Society of Argentina for the National Livestock Bureau. This society has made an investigation of the livestock industry in Argentina, particularly with the point of ascertaining the cost of production of livestock. Land values are given at a maximum of $50 per acre, although the United States consul makes the statement that the land values are more nearly half that. Wages are negligible. The peon in the Argentine who handles the herds gets scarcely anything other than his lodging. After charging in taxes, depreciation, food, such as ensilage, the ranch cost of producing cattle in the Argentine is 75 cents per hundred pounds. Doctor Arner compares this with the ranch cost of producing cattle on the Colorado cattle ranch of 6,000 acres according to data furnished by Mr. R. H. Wilcox, of the Bureau of Agricultural Economics of the United States Department of Agriculture. The costs in each case are figured on the basis of prices in 1922. Doctor Wilcox shows that the cost of production of cattle on the Colorado ranch was $3.56 per hundred pounds.

From these figures it is clearly evident that it is absolutely impossible for the American cattle producer to compete with the Argentine cattle industry, either in the American market or in the foreign market. It is absolutely indisputable that were it not for the present tariff of $3 a hundred on cattle that the American market would be open to such destructive competition from Argentina as to drive the American cattle industry to the wall.

This tariff, plus the cost of freight, makes it more desirable for the Argentine livestock industry to market its products in Europe, which it does. Proof of this is furnished from the official records of the Argentine Government.

Argentina exported 429,630 tons of chilled beef in 1921. In 1922 she increased this to 446,503 tons. In 1923 her exports of chilled beef jumped to 593,599 tons. For the first four months of this year she exported 250,000 tons, or nearly half the amount in four months that she exported during the entire year of 1923. From this it is seen that Argentina's export business in beef is increasing with tremendous rapidity. Her principal markets are the countries of Europe. England is her best customer, largely due to the fact that English capital has established tremendous packing plants in the Argentine and operates a line of refrigerating ships from Buenos Aires to Liverpool for the express purpose of handling chilled beef. However, American packing houses are heavily interested in the Argentine and have tremendous plants located there. The moment the tariff were eliminated they could do to this country what the British packing interests are doing to the United Kingdom, namely, flood this country with beef from the Argentine, do it at a profit greater than that they now make handling American beef, and yet do it for a price that would be impossible for the American livestock interests to meet.

Let us take another example—that of wheat. The protective tariff on wheat under the Fordney-McCumber schedules still operated to keep the price of wheat in this country above the levels of prices in other primary markets. The proof of this is again found in the market reports. The following table shows the comparative prices of like grades of wheat in primary markets of Argentina, Canada, and the United States for the first three months of 1924, there being no Argentine prices obtainable later than for the month of March. The Argentine prices are reduced from pesos to American currency at the rate of exchange prevailing during the month indicated. Argentine wheat is also sold on the basis of 100 kilograms, and in the table of comparisons this is changed to a comparable basis of bushels.

Wheat

1924	Argentina	Canada	United States
	Barletta (1)	No. 1 Northern Manitoba, (2) Winnipeg market	No. 1 Northern Spring or hard, Minneapolis market (2)
January	$0.98	$0.96	$1.18
February	.943	.99	1.21
March	.949	.98	1.21

The same reason which enables Argentina to produce cattle at a figure with which the American livestock producer can never hope to compete also enables Argentina to produce wheat at a cost which the American farmer can never expect to meet. Nor is this situation confined to the Argentine. Early in February this year the United States Tariff Commission issued a report showing the result of its investigations in the United States and Canada as to the cost of producing wheat. Without encumbering the RECORD with the details of this report, which are very exhaustive, the summary may be stated. The report showed that the cost of producing wheat in the United States last year ranged from 85 cents to $2.19 a bushel, while in Canada it ranged from 53 cents to $1.19 per bushel. Taking the minimum figure in each case, it will be seen that the Canadian wheat grower can produce a bushel of wheat for 32 cents less than the American wheat grower.

Nor is this the only advantage which the Canadian wheat grower has over the American wheat grower. In January of this year the Omaha Bee published the result of an exhaustive study it had made upon the cost of producing and marketing wheat in this country as compared with the cost of producing and marketing wheat in Canada. One of the most significant features of this report was the difference in cost of transportation to the Canadian wheat grower and the American wheat grower. It showed that the Edmonton, Canada, wheat grower can reach the Chicago market by lake-and-rail haul for a rate of 30½ cents per hundredweight. The same rate prevails to the wheat grower in the Calgary, Canada, district. But the American wheat grower who ships to Chicago from American Falls, Idaho, must pay a rate of 63½ cents per hundredweight to get his grain delivered in Chicago, or more than twice what it costs his Canadian competitor to reach the same American market. The rate from Billings, Mont., to Chicago is 52½ cents per hundredweight; from Cheyenne, Wyo., 50½ cents; from Denver, Colo., 50½ cents; from Grand Island, Nebr., 37 cents; from Mitchell, S. Dak., 32½ cents.

For export purposes the Edmonton wheat grower can lay his wheat down in New York, using a lake-and-rail haul, at a rate of 47.17 cents per hundredweight. The same is true of the wheat grower in the Calgary district. The wheat producers who ship from American Falls, Idaho, for export to New York must pay a rate of 83.17 cents per hundredweight, using lake-and-rail haul. From Billings, Mont., the rate is 72.17 cents; from Denver, Colo., it is 70.17 cents; from Grand Island, Nebr., it is 56.67 cents; from Mitchell, S. Dak., it is 52.17 cents.

Therefore the Canadian wheat grower has the American wheat grower handicapped not only in the cost of producing the wheat but in the cost of transporting it to the markets of the world. The Canadian wheat grower can deliver his wheat in any American primary market for less money than the American wheat grower can do so. The only reason that he does not drive the American wheat grower out of his own market is that between the two there is raised the differential of the protective tariff, which differential keeps the American markets stabilized at a higher level than the Canadian market, as evidenced in the above table.

Let us consider for a moment another great American industry, the butter industry. The report of the United States Tariff Commission in June, 1922, as quoted above, shows the benefit the farmers' emergency tariff brought to the American tariff interests during the first year of that tariff's operation. The schedules and rates were embodied practically without change in the Fordney-McCumber tariff. With what effect? Below is appended a table showing the comparative prices of like grades of creamery butter in the primary markets at Denmark, New Zealand, and the United States for the first four months of this year. The Denmark prices are taken from the official quotations in the Danish publication Smer Tidende. The New Zealand quotations are taken from the New Zealand Trade Review and Price Current. The following are the comparative prices paid in primary markets of these three great butter-producing countries:

Creamery butter prices

Month	Denmark	New Zealand	United States
1924	*Cents per pound*	*Cents per pound*	*Cents per pound*
January	39.79	31.90–35.44	53.29
February	39.48	34.73–38.54	50.60
March	36.91	33.96–37.53	46.87
April	[1] 30.87		37.50

[1] Two weeks.

Due to the depreciated currency of many foreign countries, it is still possible for them to export products to the United States, pay the tariff and all costs of transportation, and still undersell American products. This is true particularly of dairy products coming from Europe. Despite the protective tariff rates levied on imports of dairy products, the records show that during the last year more dairy products were imported into the United States than any previous year. This is having a bad effect upon dairy products. It has resulted in practically every organization connected directly or indirectly with the dairy business in petitioning to have the President put into effect the flexible clause of the tariff whereby rates may be increased 50 per cent.

In this connection it is worth while to observe the attitude of agricultural producers toward the Fordney-McCumber protective tariff two years after it has been in effect. The statement is repeatedly made in Democratic newspapers and by Democratic speakers, particularly those in the East, that the agricultural producer of the West realizes he has been goldbricked by the tariff, realizes he has not been benefited by it, and is ready to have it repealed. In clear refutation of this charge are the records of the United States Tariff Commission. A short time ago a motion was filed before that commission by those interests desiring to lower the tariff on vegetable oils and animal fats—the interests which are headed by the soap manufacturers of the United States, aided by those interests which are manufacturing milk products from such deceptive ingredients as coconut oil. As soon as the petition was filed the producers are heard from.

Among the organizations which immediately filed a protest against a reduction of any schedule on dairy products or vegetable oils were the Indiana Farm Bureau Federation, the Kentucky Farm Bureau Federation, the Washington Farm Bureau Federation, the Michigan Milk Producers' Association, New York State Grange (representing 140,000 members), Ohio Dairy Marketing Organization, Ohio Dairy Products Association, St. Joseph (Missouri) Milk Producers' Association, Washington State Grange, Inland Empire By-products Corporation, of Spokane, Wash. (handling dairy products), Washington Creamery Butter Manufacturers' Association, New England Milk Producers' Association, New York Dairymen's League Cooperative Association, Northwestern Ohio Cooperative Sales Co. (representing 5,000 dairy farmers), National Dairy Union, Cooperative Pure Milk Association of Kentucky, and 160 other agricultural producing associations which would be directly or indirectly affected by the reduction of the tariff on vegetable oils and animal fats.

The records of the Tariff Commission conclusively prove that whenever an effort is made to lower the rate in any agricultural schedule there is a veritable flood of protest from all sorts of agricultural producers' organizations and from countless numbers of individuals. The agricultural producer who has studied the problem knows full well that the Fordney-McCumber tariff does give him protection. It protects him directly in that it keeps the products of other countries from entering into competition with him at home and beating down the price in his home market. It benefits him indirectly, but quite as much, by protecting the manufacturing industries of the United States, and thereby keeping the industrial wage earners of the country in steady employment at wages which enable them to purchase products of the American farmer. This, in itself, is a tremendous item.

Did the agricultural interests have no direct protection it would still be wise for them to support a protective tariff in order that the industrial wage earner might continue to be their profitable customer. The American wage level is the highest of any in the world. It is many times higher than the wage level of European countries. The American workingman when he is employed is the largest consumer as well as the best consumer in the world of farm products. What would it profit the American farmer to gain the markets of Europe? The European workingman is impoverished. Even in pre-war days he ate little white bread, and meat to him was a luxury to be indulged in only once a week, if at all. Since the war the conditions are infinitely worse. On the contrary, the American wage earner eats white bread three times a day, is a daily consumer of meat, and demands the best the market affords of dairy products, meat products, and other products of the American farm.

One of the favorite arguments advanced by the free trader against the protective tariff schedules for agricultural products is that these schedules protect only a comparatively small number of agricultural producers and therefore are of no general benefit to the agricultural classes as a whole. For ex-

ample, they argue, and I quote literally from one of their pamphlets:

Inasmuch as only 15 per cent of the total farmers of the United States grow wheat, the farming class as a whole can not be said to be benefited by the tariff on wheat, even though that tariff does benefit the wheat growers.

The same argument is adduced to prove that the tariff on wool benefits but a few ranchmen, that the tariff on sugar benefits only a handful of sugar-beet growers, and so on through the list. There never has been a more fallacious piece of reasoning issued. If that logic were applied to all legislation, we would have no legislation.

We would not have the packers and stockyards act, because it benefits only the livestock interests and only a comparatively small number of the total agricultural population is engaged in livestock industry to such an extent as to be touched by the packers and stockyards act. We would not have any irrigation and reclamation legislation, because only a very small percentage of the total number of agricultural producers live on reclamation and irrigation projects. We would not have any rivers and harbors improvements, because only a relatively small number of our population live in cities which have harbors or which are located upon navigable rivers. We would not have any protective tariff at all. Even the manufacturers of woolen goods constitute but one-third of 1 per cent of all the manufacturers of all kinds in the United States, and according to this argument a tariff which protects such a small percentage of producers is not justifiable. Or take the hardware industry. Hardware, in manufacturing plants, represents less than one-fifth of 1 per cent of all the manufacturers in the United States, and therefore a tariff on hardware affects so small a percentage of our manufacturers that it should not be economic from the free traders' standpoint to have it in force and effect.

SUGAR-BEET INDUSTRY

Again, there is the argument applied especially to the sugar-beet industry, that inasmuch as other countries can raise sugar much cheaper than this country can it is an economic crime to encourage the sugar-beet industry in America by a protective tariff. It is argued that we should allow that industry to die and obtain all of our sugar from Cuba or some other country where sugar can be raised at a much lower cost than is possible in this country. If we apply this logic to all other agricultural interests, America will go out of the agricultural business, for, as has been shown, Argentina can produce livestock for a mere fraction of what it can be produced in the United States.

Argentina and Canada can raise wheat for a mere fraction of what it can be raised in the United States. New Zealand and Australia can raise sheep and export wool and mutton and lamb for a mere fraction of what can be done in the United States. Other countries can raise citrous products for a mere fraction of what can be done in the United States. Denmark and New Zealand can produce butter for much less than it can be produced by the dairy interests in the United States. And so if we are to go on the theory that nothing should be protected and no industry should be encouraged in this country if such an industry can be operated in another country at much less cost, we immediately wipe out all of our agricultural industries as well as all of our manufacturing industries.

Simultaneously with the allegation that the Fordney-McCumber tariff does not protect the American producer is the equally false allegation that it raises the cost of everything the American farmer buys. The proof of the falsity of this argument is found in the schedules of the Fordney-McCumber Act.

THE COMMODITIES THE FARMERS BUY ARE ON THE FREE LIST

The farmer buys agricultural implements, all of which are on the free list under the Republican tariff. Not only agricultural implements in whole or part but all repair parts of agricultural implements are on the free list.

The farmer buys binding twine. All binding twine is on the free list under the Republican tariff.

The farmer buys fertilizer. All bone, bone dust, bone meal, bone ash, and animal carbon suitable only for fertilizer purposes, guano, ground or unground, manures, and all other substances used chiefly for fertilizers, potash, potash salts, and phosphates, all of which are used in fertilizers, all these are on the free list under the Republican tariff.

The farmer buys building material. Building brick, cement, stone, shingles, pickets, palings, hoops, staves of wood of all kinds, logs and timber, either in the rough or hewn, sided, square, sawed, or planed on one side, sawed boards, planks, and other lumber used for building purposes are all on the free list under the Republican tariff.

The farmer uses leather gloves; he wears boots and shoes; he buys harness and saddles and leather fly nets. Gloves made wholly or in chief of leather, all leather used for harness or saddlery, leather for shoe uppers, shoe vamps, soles, leather shoelaces, boots, and shoes made wholly or in chief of leather, hides of cattle from which leather is made, all are admitted free under the Republican tariff.

The farmer uses whetstones and hones. They are admitted free under the Republican tariff.

The farmer uses horse pads. They are admitted under the Fordney-McCumber tariff. The farmer uses barbed wire in fencing and for other purposes. It is admitted free under the Republican tariff.

This free list eliminates a very large percentage of what the farmer buys. If prices of any of these articles have gone up, it is not due to the tariff.

Coal, both hard and soft, slack, coke, and all compositions for fuel in which coal or coal dust is the principal material are admitted free. Therefore, the tariff has not increased the farmer's fuel bill and is not responsible in any degree for the high price of coal.

Obviously, if wood and lumber are on the free list, any change in the cost of household furniture and other articles made of wood which the farmer buys can not be charged to the tariff.

After eliminating the farmer's building material, his agricultural implements, his barbed wire, his binding twine, his fuel, his fertilizer, his leather goods of all kinds, his household furniture, and whatever other commodities he purchases in which wood enters, what is there left to charge up against the Republican tariff?

EMPLOYMENT OF LABOR AT GOOD WAGES MAKES A MARKET FOR THE FARMER

If the tariff is responsible for an increase in the price of manufactured goods which the farmer must buy, there must exist proof of this in the record of wholesale prices which are compiled once a month by the United States Bureau of Labor Statistics. The American manufacturer does not sell direct to the consumer. In comparatively few cases does he sell direct to the retailer. He sells his products to the wholesaler, who in turn distributes them to the retailer or direct to the consumer. If the American manufacturer, taking advantage of the protection afforded by the Fordney-McCumber schedules, has boosted his prices, the first place this increase would show would be in the wholesale prices. The United States Bureau of Labor Statistics compiles wholesale prices once a month upon 404 commodities embracing practically every industry. The records of the Bureau of Labor Statistics show that the wholesale prices of the 404 commodities for the month of April were lower than they were in October, 1922, when the Fordney-McCumber tariff became effective. Nor is the month of April, 1922, selected because it shows an exceptionally low record of wholesale prices. The reports of the United States Bureau of Labor Statistics, for the entire year of 1923 and for the months of 1924 up to date, show a consistent decline in wholesale prices from the levels of 1922 before the Fordney-McCumber tariff went into effect.

It is therefore perfectly apparent that the manufacturers of the United States have not increased their prices since the Fordney-McCumber tariff went into effect. If prices have been increased since that time—and in a great many instances there is no doubt that they have been—it is due to the profiteering upon the part of retail interests who have refused to give to the consumer the benefit of the lower prices they have enjoyed from the wholesaler and the manufacturer. Before the American farmer permits himself to believe the stories put in circulation by the Democratic and free-trade advocates to the effect that the American manufacturer is exploiting him under the Fordney-McCumber tariff he should take into consideration that in the cities of the country the same story is being told on him in order to array the working classes against the farmer and against protective schedules for the agricultural products. The American farmer knows the decline in prices of his products, yet the price of food products as retailed to the workingman in the city have not decreased. In a great many instances they have increased. Take, for example, the price of bread. A recent investigation of the price of bread by the Federal Trade Commission disclosed the fact that despite the tremendous drop in the price of wheat since 1920 there has been no decrease in the price of bread to the workingman in the cities, and in a great many localities the prices have been increased. The United States Department of Agriculture supplemented this investigation with one of its own in order to ascertain why, although wheat had declined 50 per cent to the farmer, the price of bread remained stationary. It was found that the extra

profit was being made by the bakers, as the price of flour had been lowered to the baker almost in proportion to the decrease in the price of wheat to the miller, while the cost of transportation of the wheat to the miller and the flour from the mill to the baker had remained stationary.

Yet the free trader, in order to obtain the support of the city workingman, is representing to the workingman that the protection the American farmer receives on his wheat causes the high cost of bread in the cities. The falsity of this is perfectly obvious. No less obvious is the falsity of the charge that the protection afforded the American manufacturer has resulted in his boosting prices, with the result that the American farmer is paying more for his manufactured goods.

WOOL AND CLOTHING PRICES

Another illustration will prove the falsity of this charge. Take the item of clothing. Democrats and free traders have been very prolific in their charges that the tariff has resulted in a tremendous increase in the price of clothing. This accusation is based wholly upon the protection afforded the American sheepmen in the form of tariff on wool. In this connection it is very interesting to note that on February 1 the Commercial Bulletin, of Boston, Mass., trade organ of the textile clothing industry, made the following official announcement:

The opening of initial lines of goods by the American Woolen Co. at prices substantially on a par with the prices for heavy weights a year ago has been a matter of surprise to most of the members of the trade.

On February 7 the trade publications of the garment industry contained the statement that the American Woolen Co. at its initial opening quoted Fulton serges at $2.67½, the same as a year ago, and compared with $2.87½ for the price of similar lines opened last fall for spring wear. The price is quoted in face of an advance of 12½ per cent in wages.

On the other hand, the price of cotton goods is from 25 to 30 per cent higher now than a year ago, while the price of raw cotton for 1923 averaged 70 per cent higher.

The significance of this in its relation to the charge that the tariff is responsible for increase in price of clothing is found in the fact that while the tariff protects wool, woolen goods have not increased in price, while goods made from cotton, which is on the free list, have increased from 25 per cent up, and cotton itself has increased 70 per cent.

These facts prove conclusively that the high price of clothing has no relation whatever to the schedules of the Fordney-McCumber tariff. They prove conclusively that the manufacturers of woolen clothing textiles have not advanced their prices. And this leaves but one conclusion, and that is if the price of woolen clothing in the retail stores has advanced, then the blame must rest squarely on the shoulders of the retailers, who are responsible for this advance. As evidence that the tariff on wool has nothing at all to do with the increase of the cost of wool clothing, it should be stated that the rate of protection, 31 cents per scoured pound, is 12 cents per scoured pound less than the rate in the Payne-Aldrich bill, a rate which has been in effect the major portion of the time for the past 40 years. A notable exception to this was during the life of the Underwood tariff. It would be very interesting to hear a Democrat or a free trader or a retailer give a satisfactory explanation why, if the tariff is responsible for an increase in the price of wool clothing, retail prices on clothing remained at the highest peak ever known for over two years after the armistice was signed, at a time when there was no duty whatever on wool, when the Government had approximately 400,000,000 pounds of wool for sale, most of which was suitable for clothing purposes, and when millions of pounds of raw wool were still in the hands of the growers because they could find no market for it at any price. It is a fact which can not be disputed that the total cost of all the wool in a suit of clothes, which includes the purchasing price of the wool plus the tariff, amounts to only $3.43. In view of this, it is malicious to circulate the false charge that the Fordney-McCumber tariff is responsible in any way for any increase the consumer may have to bear on wool clothing, and certainly it can not be charged that the tariff is responsible in any way for an increase in price of cotton goods, because cotton is on the free list.

CALL OF THE HOUSE

Mr. HOWARD of Nebraska. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Nebraska makes the point of order that there is no quorum present. It is clear there is no quorum present.

Mr. SNELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

Anderson	Fish	Lilly	Rayburn
Aswell	Frothingham	Linthicum	Reed, W. Va.
Barkley	Funk	Little	Rogers, N. H.
Beck	Garber	Logan	Rosenbloom
Bell	Gifford	Lyon	Rubey
Boies	Glatfelter	MacLafferty	Sanders, Ind.
Bulwinkle	Green, Iowa	Mansfield	Sanders, N. Y.
Byrnes, S. C.	Hammer	Michaelson	Shreve
Campbell	Hastings	Miller, Ill.	Sproul, Kans.
Carter	Howard, Okla.	Milligan	Stengle
Celler	Hudspeth	Moore, Ill.	Sullivan
Clark, Fla.	Hull, Tenn.	Moore, Ga.	Taylor, Colo.
Cole, Ohio	Jost	Morin	Tincher
Collins	Kahn	Mudd	Underhill
Connery	Kelly	O'Brien	Upshaw
Connolly, Pa.	Kendall	O'Connor, La.	Ward, N. Y.
Corning	Kent	O'Connor, N. Y.	White, Me.
Curry	Kincheloe	Oliver, Ala.	Wilson, Miss.
Davey	Knutson	Paige	Winslow
Dickinson, Iowa	Kunz	Park, Ga.	Yates
Dominick	Langley	Patterson	Zihlman
Drane	Larsen, Ga.	Peavey	
Eagan	Larson, Minn.	Phillips	
Edmonds	Lee, Ga.	Quayle	

The SPEAKER. Three hundred and forty Members have answered to their names. A quorum is present.

Mr. MADDEN. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The doors were opened.

SECOND DEFICIENCY BILL

Mr. MADDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 9559, a bill making appropriations to supply deficiences in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 9559, with Mr. GRAHAM of Illinois in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

For payment to Walter M. Chandler for expenses incurred as contestant in the contested-election case of Chandler v. Bloom, audited and recommended by the Committee on Elections No. 3, $2,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph that it is not a deficiency and that it is legislation on an appropriation bill unauthorized by law.

Mr. MADDEN. Mr. Chairman, these items are all authorized by law. The law provides that not to exceed $2,000 shall be paid to any person who has a contest when receipted bills are filed with the committee having charge of the contest.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. No; not until I get through with this statement.

The chairman of the committee having charge of the contest has certified over his own signature that these bills are on file and receipted. This has been done in every case.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. Why did not the gentleman's distinguished committee allow the other certification from the committee for the other contestant?

Mr. MADDEN. Which one is that?

Mr. BLANTON. There was one other contestant, and the committee certified to his expenses and the committee turned him down.

Mr. MADDEN. There was some objection to that at the time.

Mr. BLANTON. What was it?

Mr. MADDEN. That he had not paid some of the bills, and we are looking up that question and satisfying ourselves whether that is correct or not. We are simply taking the ordinary course that should be taken before money is appro-

priated. This is not subject to a point of order, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Illinois state that all the provisions of the law relative to the action of the Committee on Elections have been complied with?

Mr. MADDEN. Yes.

The CHAIRMAN. The Chair must take the gentleman's word, and if that has been done this is authorized by the statute, and if authorized by statute it is a proper appropriation. The point of order is overruled.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 2, beginning with line 6, strike out all of lines 6, 7, 8, and 9.

Mr. BLANTON. Mr. Chairman, there is nothing personal in this amendment. I am a friend of this contestant. I like him and have great respect and high regard for him, but there is no reason whatever for paying out this $2,000 to him. If this contestant, who is an eminent lawyer, who has had much experience here in the Congress, had had any good reason to believe that he could have prevailed here or that there was justice in his claim, then he ought to be paid. But he is a member of the dominant party here. The dominant party is in control of this House. It has organized the House. It has the Speaker in the chair and it has its men at the head of every committee and has its men at the head of the Committee of the Whole House on the state of the Union, and yet, under such circumstances, when all the evidence was heard, a majority of this House decided against him.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BLANTON. In a moment. We have been very kind to our friend from New York. We have given him the big caucus room over here as his office for the last six months. We have shown him every regard. We have given him every chance to prove his case, and when he comes in without a case and the House decides against him, with his own friends in control of the House, then they are coming in now, with the people already tax burdened, seeking to take $2,000 of the people's money out of the Treasury and pay it to him. I am not in favor of it. You may be in favor of it, but I am putting the question up to you fairly, do you want to do it? The chairman has just told you that another contestant came in here with an approved certificate from the Committee on Elections, that certificate certifying that the Committee on Elections had approved his account. Why did not the chairman approve it and bring in an item here to pay him $2,000? The Committee on Appropriations turned him down. They make fish of one and fowl of another.

I know how easy it is to vote out money when it is our friend who is the beneficiary. It is mighty easy. I do lots of things for friends that I ought not to do. [Laughter and applause.]

That is all I have to say.

Mr. CHINDBLOM. Mr. Chairman, I rise in oppositon to the amendment. The contestant was beaten in the House by only 20 votes or thereabout. There was a large number of Members on the floor who believed that he had a good case. We considered the case on its merits, and, I think, if there ever was a case where a contest was justified this was one of them.

Mr. SABATH. This is the usual allowance that is made in contested-election cases, is it not?

Mr. CHINDBLOM. Not only the usual allowance, but the allowance provided by statute and is contained in appropriation bills.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For payment to ROYAL H. WELLER for expenses incurred as contestee in the contested-election case of Ansorge *v.* Weller, audited and recommended by the Committee on Elections No. 1, $2,000.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 2, after line 17, insert: For payment to James R. Buckley for expenses incurred as contestee in the contested-election case of Gorman against Buckley, audited and recommended by the Committee on Elections No. 3, $2,000.

Mr. BLANTON. Mr. Chairman, I offer the following amendment. At the end of the Madden amendment add the following:

To pay E. W. Cole, contestant for a seat in the House of Representatives——

Mr. MADDEN. Mr. Chairman, I make a point of order against the gentleman's amendment.

The CHAIRMAN. The gentleman from Texas will reduce his amendment to writing.

Mr. CRAMTON. Mr. Chairman, I make the point of order that in any event the Blanton amendment would not be germane to the Madden amendment and there is no need to wait to have it in writing. It has been made apparent that the Madden amendment relates to the Buckley claim, and the Blanton amendment relates to some man by the name of Cole. Why should we wait? He can offer it as a separate amendment. I do not think it would be in order then. [Laughter.]

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Texas.

The Clerk read as follows:

Amendment by Mr. BLANTON to the amendment of Mr. MADDEN: At the end of the Madden amendment add the following: To pay E. W. Cole his expenses as contestant for a seat in the House of Representatives, $2,000.

Mr. MADDEN. I make the point of order, Mr. Chairman, that the amendment is not germane.

Mr. BLANTON. Mr. Chairman, the rule is plain that where a bill embraces several items of the same class an additional item within that class is both germane and admissible. Here is a bill that provides for paying two contestants for expenses for seats in the House of Representatives. The gentleman from Illinois just offered an amendment to pay $2,000 to a man named Buckley whose seat was contested. I am proposing to pay another contestant $2,000. I am not in favor of him and would have voted against giving him a seat, but if we pay one why not pay the other?

The CHAIRMAN. The Chair does not think the amendment of the gentleman from Texas is germane to the Madden amendment. Whether it is germane to the bill is another matter. The point of order is sustained. The question is on the amendment offered by the gentleman from Illinois [Mr. MADDEN].

The question was taken, and the amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 2, after line 17, insert "to pay E. W. Cole his expenses as contestant for a seat in the House of Representatives, $2,000."

Mr. MADDEN. I make a point of order against the amendment. The law says:

That hereafter no contestee or contestant for a seat in the House of Representatives shall be paid exceeding $2,000 for expenses in election contests; and before any sum whatever shall be paid to a contestant or contestee for expenses of election contests, he shall file with the clerk of the Committee on Elections a full and detailed account of his expenses, accompanied by the vouchers and receipts for each item, which account and vouchers shall be sworn to by the party presenting the same, and no charges for witness fees shall be allowed in said accounts unless made in strict conformity to section 128, Revised Statutes of the United States.

Mr. Chairman, there is no certificate from the Committee on Elections No. 1, which indicates the accounts have been filed as provided by law, and hence the amendment is subject to a point of order.

The CHAIRMAN. In view of the fact that the gentleman from Illinois has stated that the formalities of the law have not been complied with——

Mr. BLANTON. The gentleman only states that there has been no certificate—the law does not provide for a certificate but only for filing an expense account with the committee, and the gentleman from Illinois does not know whether that has been done or not.

Mr. MADDEN. It is up to the gentleman from Texas to say whether or not that has been done.

Mr. BLANTON. I admit that that is a fact, and I am not able to do so.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

The four preceding sums shall be disbursed by the Clerk of the House.

Mr. MADDEN. Mr. Chairman, I offer the following amendment, to substitute the word "five" for the word "four" on line 18.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 2, line 18, strike out the word "four" and insert in lieu thereof the word "five."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

GOVERNMENT PRINTING OFFICE

To pay Samuel Robinson, William Madden, Joseph De Fontes, and Charles C. Allen, messengers on night duty during the Sixty-eighth Congress, first session, for extra services, $800 each, $3,200.

Mr. MADDEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 3, after line 14, insert:

"Executive office, White House police: For additional personnel in accordance with the act approved May 27, 1924: Sergeant, $2,400; five privates at $2,100 each; in all, fiscal year 1925, $12,900.

"For uniforming and equipping the White House police, including the purchase and issue of revolvers and ammunition, fiscal year 1925, $600."

Mr. MADDEN. Mr. Chairman, the House will recall that a short time ago we passed a new act increasing the compensation of the police and giving them one day off in seven. This makes necessary an additional sergeant and five additional privates at the White House, and it requires $600 for the purchase of the uniforms. That is all there is to this. It is to comply with the law.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

DISTRICT OF COLUMBIA

GENERAL EXPENSES

RENT COMMISSION

For salaries and expenses authorized by section 103, Title II, of the food control and the District of Columbia rents act, approved October 22, 1919, as amended by the act approved August 24, 1921, extending the Rent Commission until May 22, 1922, and the act approved May 22, 1922, extending the said commission until May 22, 1924, and the act approved May 17, 1924, extending the said commission until May 22, 1925, $45,000, including postage on official mail matter, street-car transportation, and daily newspapers: *Provided*, That the amount herein appropriated shall cover salaries and expenses for the period beginning with May 23, 1924, and ending with May 22, 1925: *Provided further*, That no part of this sum shall be used for the payment of additional compensation to the assessor of the District of Columbia after June 30, 1924.

Mr. BLANTON. Mr. Chairman, on page 4, lines 14 and 15, I move to strike out the words "beginning with and ending with."

The CHAIRMAN. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 4, line 14, after the word "period," strike out the words "beginning with May 23, 1924, and ending with May 22, 1925."

Mr. BLANTON. Mr. Chairman, the courts of the country are going to save the people of the United States from Congress with respect to this paragraph. Every time I hear anybody criticizing the courts I get out of patience. They are after all the safeguards of the people's rights. Here we are fooling away the time passing rent bills that are unconstitutional, passing appropriations to pay salaries under an act that is unconstitutional, and next Saturday do you know what is going to happen here in the District? One of our courts, a judge who has splendid judgment and knowledge of the law and the backbone and stamina to stand up and do his duty, is going to restrain this Rent Commission from taking this money, and it is going to save this $45,000 in your Public Treasury, and also save another big sum you appropriated not long ago in an appropriation bill. The court is not going to let one dollar of it be paid out after next Saturday.

Mr. KING. How does the gentleman get his advance information?

Mr. BLANTON. Oh, I know what the law is, and I told you what the law was when you passed that rent bill. I noticed in the paper the other day that there was an effort to frighten this judge, to bulldoze him, to threaten him with losing a raise in his salary if he granted these injunctions. Was not that a nice thing for a newspaper to do? Do you know what they told him in this newspaper? They said that there was a bill up here in this Congress to increase his salary $6,000 a year, and that his action in granting the injunction against this Rent Commission had held up the passage of that judge's salary bill, and if he insisted on granting these injunctions the salary bill would not pass, and he would lose this $6,000 a year. Was not that a nice way to try to intimidate a judge? But, thank God, we have on the bench in this country judges who can not be intimidated like that. [Applause.] I take off my hat to Justice Stafford, of the Supreme Court bench of the District of Columbia, as a man unafraid to do his duty. He will stand up foursquare and render an opinion based on the law and lose his salary if necessary, but I promise this to Justice Stafford. I have enough confidence in my colleagues who are Members of this House to know that they are not going to penalize a judge for doing his duty. [Applause.]

The CHAIRMAN (Mr. TILSON). The Chair assumes that the amendment of the gentleman from Texas is pro forma, because it would make nonsense if adopted.

Mr. BLANTON. Yes; I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For completion of the equipment of the Macfarland Junior High and Langley Junior High Schools, fiscal year 1924, $3,000.

Mr. MADDEN. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 6, after line 20, insert: "For an additional amount for the erection of an eight-room extensible building, including a combination assembly hall and gymnasium, on a site to be purchased in the vicinity of and to relieve the Tenley School, $15,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against that; that is legislation. This is new construction. It shows on its face that it is new construction, unauthorized on a deficiency appropriation bill or any other appropriation bill.

Mr. MADDEN. Mr. Chairman, this building has already been appropriated for. There is $160,000 available. The work in progress requires $15,000 to complete the building. We can not let the contract until we get the money, and we will be without the school for the children if we do not get it. This is very important.

Mr. BLANTON. Mr. Chairman, if the gentleman thinks it is so important, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For repairs and improvements to school buildings and grounds and for repairing and renewing heating, plumbing, and ventilating apparatus, and installation of sanitary drinking fountains in buildings not supplied with same, $25,000, to remain available until June 30, 1925.

Mr. MADDEN. Mr. Chairman, I offer an another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, after line 5, insert the following:

"Metropolitan police: For an additional amount required for the payment of salaries and allowances of officers and members of the Metropolitan police, District of Columbia, fiscal year 1925, $751,030: *Provided*, That this sum and the amounts specifically appropriated in the District of Columbia appropriation act for the fiscal year 1925 for salaries and allowances of officers and members of the Metropolitan police, other than the appropriation for personal services, in accordance with the classification act of 1923, are authorized to be consolidated and used as one amount for the payment of salaries and allowances of officers and members at the rates authorized by law, and including 165 privates of class 1 in addition to the number of privates provided for in such appropriation act."

Mr. MADDEN. Mr. Chairman, I think I would like to make a general statement here about these amendments, of which we have a number. It is very unusual for the committee to bring in as large a number of amendments as we have to this bill, and in explanation of that I want to say that a great

many acts have been passed since the consideration of this bill was started and a great many acts carried additional authority for appropriation. The President has reported the amount required under the acts to the House since the bill was reported. Among other things we have the particular amendment before us which provides for 165 additional policemen, due to the passage of the last act fixing the compensation of members of the police force and granting them one day of relief from duty out of every seven days. The relief provision in that bill requires 165 additional men to be supplied to the department, and hence we are called upon now to provide not only an increased compensation which was fixed by law but the increase in the force made necessary by the relief from duty of these men one day out of every seven. We will have a lot of other amendments applicable to other departments where the laws passed since we began the consideration of this bill call for additional expenditures, and this is the reason that we present for offering so many amendments to a bill which ought to be presented and considered under ordinary circumstances without any amendment whatever.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Fire department.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 7, after line 6, insert: "For an additional amount required for the payment of salaries of officers and members of the fire department, fiscal year 1925, $553,120: *Provided*, That this sum and the amounts specifically appropriated in the District of Columbia appropriation act for the fiscal year 1925 for salaries of officers and members of the fire department, other than the appropriation for personal services in accordance with the classification act of 1923, are authorized to be consolidated and used as one amount for the payment of salaries of officers and members at the rates authorized by law and including 6 captains, 6 lieutenants, 6 sergeants, and 97 privates of class 1 in addition to the numbers provided for in such appropriation act."

Mr. MADDEN. Mr. Chairman, the reason for this amendment is similar to the one I gave in reference to the preceding amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Public buildings and grounds.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 10, after line 15, insert: "For an additional amount for the United States park police force under the provisions of an act entitled 'An act to fix the salaries of officers and members of the Metropolitan police force, the United States park police force, and the fire department, District of Columbia, approved May 27, 1924,' fiscal year 1925, $36,152.25: *Provided*, That this sum and the amounts specifically appropriated in the District of Columbia appropriation act for the fiscal year 1925 for salaries United States park police are authorized to be consolidated and used as one amount for the payment of salaries for the United States park police at the rates of compensation authorized in such act of May 27, 1924.

"For motor-vehicle allowance for the superintendent of the United States park police, fiscal year 1925, $480.

"For motor-cycle allowance to 20 members of the United States park police, at $120 each, fiscal year 1925, $2,400."

Mr. DENISON. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. I have observed, Mr. Chairman, that some real estate company has erected some large signs on the property known as the Plaza, between the Capitol and the Union Station, and advertise that property for sale. May I ask the chairman of the committee to give some explanation of that? Where is the title to that property?

Mr. MADDEN. The title to the property on which those buildings stand down there is in the Baltimore & Ohio Railroad Co., and we are paying $74,315 a year rent for the property. They are demanding $160,000 a year, which is outrageous, and so far as I am able to advise I have advised against it. But ejectment proceedings have been started, or notice has been given that they will be started, and that is the situation.

Mr. DENISON. If these proceedings are carried out successfully, will the Government have to remove those buildings known as the dormitories?

Mr. MADDEN. Yes, indeed.

Mr. DENISON. Is the Government contemplating any proceedings to acquire title to that property?

Mr. MADDEN. I do not know. I think the act required the purchase of that property at one time. There was a condemnation authorization some years ago, but it was never carried into effect.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PUBLIC BUILDINGS AND GROUNDS

For the construction and maintenance of a bathing beach and bathhouse for the colored population of the city, $50,000, to remain available until June 30, 1925: *Provided*, That the unexpended balance of the appropriation of $25,000 contained in the District of Columbia appropriation act for the fiscal year 1923 for the construction of a bathing beach and bathhouse for the colored population of the city, continued and made available during the fiscal year 1924 by the District of Columbia appropriation act for the fiscal year 1924, is further continued and made available during the fiscal year 1925 for the construction and maintenance of said bathing beach and bathhouse.

Mr. BLANTON. Mr. Chairman, I make a point of order to the following: Lines 16, 17, and 18, down to and including "1925," as legislation unauthorized.

The CHAIRMAN. The gentleman from Texas makes the point of order that it is legislation on an appropriation bill.

Mr. MADDEN. Mr. Chairman, I do not concede that this is subject to a point of order. This is a work in progress. It is in connection with the development of the park. We have a number of bathing beaches connected with the park, and this is simply another bathing beach as a part of the work in progress.

Mr. BLANTON. Mr. Chairman, I wish to be heard on that.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BLANTON. Mr. Chairman, the gentleman from Illinois is not serious, I know.

Mr. MADDEN. Yes; he is.

Mr. BLANTON. He is only pretending to be. He is too good a parliamentarian, however, to try to claim that this $50,000 is for a work in progress. It is not. There is no such work in progress. There is no such bathing beach in progress. There is nothing of the kind. This is in order to authorize one, and the gentleman knows it.

Now, if it were a work in progress, to add on to something that we already have, the gentleman would be correct. But this is new construction entirely. It is to provide something that has never been begun, and I know we have made no start on it whatever. I have no objection whatever to the creation of a bathing beach for the colored population. There ought to be one. I am willing to be taxed to get one. But this is a city proposition, not a Government proposition. The great city of Washington, in the District of Columbia, ought to provide bathing beaches for its 110,000 deserving colored population. I want to see them get one. I think this District ought to take steps to give them one. I would vote to give them one from District funds, but I am not willing to say that it is a Government proposition, and that the Government ought to provide it. I submit that this is legislation.

Mr. MADDEN. Rule, Mr. Chairman!

The CHAIRMAN. Will the gentleman from Illinois cite to the Chair some facts in regard to this, whether or not this is in continuation of a work going on? If so, the Chair will overrule the point of order.

Mr. MADDEN. Mr. Chairman, I will move an amendment, assuming that the matter goes out on a point of order.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 10, after line 15, insert: "For construction and development work in Potomac Park, on the west shore of the Tidal Basin, to provide public bathing facilities and for the maintenance thereof, $50,000, to remain available until June 30, 1925."

Mr. BLANTON. Mr. Chairman, it is just a dodge, putting the matter in different words, but in substance it is the same. It is to provide this bathing beach for colored people. It is a subterfuge on the part of the distinguished chairman of the Committee on Appropriations, of whom I think a great deal and whom I follow all the time. But he ought not to be permitted to run over the Chair in this manner. [Laughter.]

The CHAIRMAN. The gentleman from Illinois will not attempt to run anything over the Chair.

Mr. MADDEN. Mr. Chairman, this is on all fours with a situation that happened during the construction of the Lincoln Memorial. There was an item incorporated in the appropriation bill for the "commencement of construction of a reflecting pool for the Lincoln Memorial," requiring an appropriation of $200,000, to be available until expended. A point of order was raised against that, and the Chair sustained it. An amendment was then offered, after the point of order was sustained, as follows:

For commencing construction of a reflecting pool in West Potomac Park.

The Chair held that it was within the jurisdiction of the park authorities to make any such improvements as might be necessary, and said:

As the appropriation is in pursuance of a work in progress, namely, the development of park work, the Chair thinks this would not be subject to a point of order.

This is in the nature of a work in progress in the development of the park.

Mr. BLANTON. There is quite a difference between a bathing beach and a park.

Mr. MADDEN. The one was a reflecting pool. The other is a bathing beach. One of the things that the park authorities pride themselves in is that they furnish facilities for the recreation and health of the people, and this is one of the things necessary for the preservation and development of the health of the people.

Mr. DENISON. Does not the gentleman think that very often a bathing beach is a reflecting pool? [Laughter.]

Mr. MADDEN. Well, lawyers might find it so, but I can not undertake to say?

Mr. SEARS of Florida. If the Chair sustains the amendment, I have an amendment that I want to offer later, and I was hoping that the chairman of the committee might then still have the same attitude as he has at the present time, and not make a point of order against my amendment. I think the point of order is well founded, but I hope the gentleman from Illinois will not reverse himself at this time.

The CHAIRMAN. The Chair is ready to rule. Whether or not this is a subterfuge is not for the Chair to determine. If it be a subterfuge, it is quite skillfully constructed, so as to get by the point of order made by the gentleman from Texas [Mr. BLANTON]. The work of Potomac Park was authorized by law, has been in progress for a number of years, and appropriations are made year after year for the continuation of the work.

The language of the amendment provides only for construction and development work such as has been going on there for years, as we all know. The appropriation is made for development work in Potomac Park which is already authorized. Therefore the Chair is constrained to hold that the amendment is not subject to a point of order and overrules the point of order.

Mr. BLANTON. Mr. Chairman, I offer an amendment to the amendment in the following proviso:

Provided, That no one-piece bathing suits shall be allowed.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 15, noes 39.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is now on agreeing to the amendment offered by the gentleman from Illinois.

Mr. VARE rose.

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. VARE. I rise to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word and is recognized for five minutes.

Mr. VARE. Mr. Chairman, this seems to me to be a very meritorious appropriation. Those of us who have had an opportunity to visit the bathing beaches in the summer time know what a vast part of the population takes advantage of those beaches, and it does seem to me this amendment ought to receive the hearty approval of the House. John Wesley once said, "Certainly this is a duty, not a sin; cleanliness is indeed next to godliness." It is quite true we can not hope to make all the people of Washington godly; but for God's sake let us at least help keep them clean. I hope the amendment will pass.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

JUDGMENTS

For payments of the judgments, including costs, rendered against the District of Columbia, as set forth in House Document No. 265 of the present session, $4,213.94, together with a further sum to pay the interest at not exceeding 4 per cent per annum on such judgments, as provided by law, from the date the same become due until date of payment.

Mr. MADDEN. Mr. Chairman, I offer an amendment to strike out the letter "s" in the word "payments" in line 4.

The CHAIRMAN. Without objection, the correction will be made in accordance with the amendment offered by the gentleman from Illinois.

There was no objection.

The Clerk read as follows:

Sixty per cent of the foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States, except such sums as relate to the fiscal year 1920 and prior fiscal years, and they shall be paid 50 per cent out of the revenues of the District of Columbia and 50 per cent out of the Treasury of the United States.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 12, strike out lines 21 to 25, inclusive, and on page 13, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid as follows: Such sums as relate to the fiscal year 1920 and prior fiscal years, 50 per cent out of the revenues of the District of Columbia and 50 per cent out of the Treasury of the United States; such sums as relate to the fiscal years 1921, 1922, 1923, and 1924, 60 per cent out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States; and such sums as relate to the fiscal year 1925 and jointly to the fiscal years 1924 and 1925 shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the same proportion or in the same manner as the appropriations for the District of Columbia in the District of Columbia appropriation act for the fiscal year ending June 30, 1925, are paid."

Mr. MADDEN. Mr. Chairman, I think an explanation of this is due the Members of the House. I want to say that this is in lieu of the language appearing on page 12, from lines 21 down, and on page 13 from lines 1 to 3, inclusive. The reason why I offer this language is that under existing law all District of Columbia payments are made on the basis of 60–40, 60 per cent by the District and 40 per cent by the United States. Under appropriation acts for the fiscal year 1920 and prior years payments were made on a 50–50 basis, 50 per cent by the District and 50 per cent by the Government.

Now, there is some question as to what the terms of payment will be when the pending regular 1925 appropriation bill is passed, and we are providing here that whatever the terms of that act may be these payments in this bill shall be made in accordance with its terms.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. MOORE of Virginia. What would be the situation if the pending District appropriation bill is not passed and if no such bill should be enacted?

Mr. MADDEN. If there is no appropriation bill enacted, of course, there would have to be a continuing resolution adopted, and that would be in accordance with the 1924 appropriation act.

Mr. MOORE of Virginia. That resolution would have to take into account these deficiencies?

Mr. MADDEN. No; it would take into account the existing appropriation for 1924 and it would be a replica for that; it would not take into account anything that is pending, but it would be a copy of the appropriation bill that is now existing.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE

Damage claims: To pay the claims for damages to privately owned property adjusted and determined by the Department of Agriculture under the provisions of the act approved December 28, 1922 (42d Stats., p. 1066), as fully set forth in House Document No. 317, reported to Congress at its present session, $2,545.89.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN (Mr. GRAHAM of Illinois). The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 16, after line 21, insert: "Forest Service, general expenses: For fighting and preventing forest fires, fiscal year 1924, $125,000."

Mr. MADDEN. Mr. Chairman, the present fund has been exhausted, and fires are continuing to rage. This is to provide an emergency fund for use between now and the 1st of July, in order to protect millions of dollars' worth of valuable timber against fire.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHRISTOPHERSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from South Dakota moves to strike out the last word, and is recognized for five minutes.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman from South Dakota may be permitted to speak out of order for five minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CHRISTOPHERSON. Mr. Chairman, last winter South Dakota passed through an economic storm that closed a number of our banks. In my home town of Sioux Falls, a splendid, enterprising, commercial city of 35,000 people, four banks closed their doors within a period of three weeks. In other parts of the State and in some of the adjoining States there were similar experiences.

Reports of these events have been elaborated upon and magnified by writers and publishers. Articles have been written that conveyed the idea and thought that South Dakota is in financial distress. I refer especially to the article that appeared in the Saturday Evening Post of April 12, 1924, entitled "That pain in the Northwest." That article was evidently based upon a superficial investigation and without any real information as to the true conditions. Perhaps the writer was indulging in a little humor at our expense in order to make his article readable; nevertheless, we of South Dakota resent the implications contained in that article.

While South Dakota, in common with other agricultural States, has felt the depression that has passed over our land, nevertheless the fact is that South Dakota has continued each year to produce more per capita new wealth than any other State in the Nation. South Dakota, known as the Sunshine State, because of its many days of bright, sunshiny weather, is a Commonwealth of approximately 48,000,000 acres of land, with a population of 660,000, or something like 80 acres of land to each person in the State. In 1923 the value of farm products, including grains, livestock, and dairy products, approximated $375,000,000, or something over $600 for every man, woman, and child in the State, placing us first in the production of per capita wealth of all the States in the Union.

We who live in South Dakota know that it is as sound as gold coin. This for the reason that its rich, productive soil and its splendid climate enable us to produce all kinds of small grain. In the production of corn we rank seventh of all the States in the Union. We can and do raise an abundance of all kinds of feed, tame grass, timothy, alfalfa, sweet clover, and so forth, making us one of the great livestock and dairy States in the country. Agriculture, the production of food, is the basic industry of our land, and South Dakota, with its broad and productive acres, if all cultivated intensively, could produce enough food for all the people of our country. For this reason we who live in the State have abundant confidence in its future prosperity.

If the writer of the article in question had really sought for exact information rather than to prepare an article which would comprise a good story, he would have learned that the banks that closed their doors did "not shut up shop" because of any lack of production or unsoundness in our economic conditions, but, primarily, was the result of the high tide of prosperity, inflation, and speculation that spread over our land following the war. Money was abundant, credit was freely extended, and this induced a certain number to speculate in property at inflated values. When the crisis came the paper held by the banks could not be redeemed. Frozen credits and paper representing inflated values was responsible for the bank failures.

South Dakota is sound, and while these bank failures have complicated the problems, the people are not in the least discouraged. They have abundant faith in their State and its future prosperity. They are still imbued with that same spirit of industry and adventure that impelled them to go West and engage in the enterprise of subduing the virgin soil and overcoming the many trials of pioneer life. The bank failures have not halted their progress. They have set about to adjust their affairs in accordance with the new conditions, and will by their industry and perseverence in a few years replace not only the wealth that was lost in the bank failures but will multiply the same many times.

The Farmer and Breeder, a publication devoted to agriculture, published in my home city of Sioux Falls, contained an editorial in reply to the article in the Saturday Evening Post, which deals fully with the conditions in South Dakota and the Northwest. It is comprehensive and based upon the actual facts. In view of the adverse publicity that has been given the State of South Dakota, I ask unanimous consent to extend my remarks by printing this article.

Mr. Chairman, in the Stock Farmer and Breeder, of my home town, there was published an editorial which deals with the economic conditions in the West, and I ask unanimous consent to extend my remarks by publishing that article.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. KING. Will the gentleman yield?

Mr. CHRISTOPHERSON. Yes.

Mr. KING. I read that article in the Saturday Evening Post which the gentleman has quoted to us, and was as much surprised as the gentleman was, and that article, together with numerous other articles in that publication, have led me to believe that one of the greatest press enemies of the common people in this country is the Saturday Evening Post.

Mr. CHRISTOPHERSON. This article I am asking to have printed answers that article very fully. [Applause.]

The article referred to follows:

THAT "PAIN" OF THE SATURDAY EVENING POST—NORTHWEST NOT BROKE—AGRICULTURAL CONDITIONS IMPROVING—PROSPERITY IN SIGHT

In an article entitled "That pain in our Northwest" a writer in the Saturday Evening Post for April 12, who calls himself Garet Garrett, makes a vicious attack on North and South Dakota and Montana and upon all farmers generally in this region. Whatever may be the motive of the author and publishers of this story, the editor of Farmer and Breeder does not believe that its implications and conclusions fairly reflect the true situation in the States mentioned, and especially in South Dakota. The author of the article quotes statistics with the glibness of the clever writer, but the general attitude is one of criticism and unfriendliness. The reader feels from the beginning that the author is out of sympathy with farmers and farming and that his statements and conclusions indicate a desire to put all the blame for the burdens of agriculture upon the farmers themselves.

It has been said that "the devil can quote Scripture," and it is neither new nor original to say that "statistics can be made to bolster any argument or contention." We object not so much to the figures quoted as to the assumption that the farmers of South Dakota are a bunch of boobs who have got into trouble because of their foolishness. What Mr. Garrett says about the Scandinavians and their fondness for what he calls "imitative magic" will certainly not go down with that hardy and progressive people.

The chief trouble with the story is that it makes sweeping generalities that would condemn a race or a state for the peculiarities or acts of a few. The author quotes examples of reckless speculation in lands, cattle, etc., as though they were typical of all the citizens in that State. This is why we feel moved to correct some of the impressions the casual reader in other States may get from reading about "That pain in our Northwest."

The complaint is made that there has been an overproduction of wheat and that in Montana and North Dakota particularly farmers have depended too much on the one-crop plan and have not adopted wise systems of diversification. It is true there has been overproduction of wheat, but who is to blame? Some of the North Dakota farmers have depended too much on wheat, but what are the underlying causes? A review of the history of wheat and the reclamation of the Mississippi Valley and the Northwest will give us some light on why farmers have raised too much wheat in the past few years.

Everyone who knows anything about agriculture in America knows that the pioneer farmer must depend largely upon flax and wheat for a

number of years. Flax is the natural first crop on new breaking, and wheat follows close after. Small grain has been the dependence of early settlers in all States where the prairie has been plowed and tilled. In the memory of men now living Illinois, Iowa, Kansas, and Nebraska have gone through this stage of development. The States farther north and west have merely repeated this history. They raised flax and wheat in the early years because those were the crops they could grow successfully on new land and in a new and untried territory.

Gradually, as the older States were able to make the change, flax and wheat were discarded and diversified agriculture took their place. Iowa, for example, has raised no flax and very little wheat for some years. South Dakota is not now among the leaders as a wheat State. It is to-day distinctly in the Corn Belt, standing eighth in the aggregate amount grown in 1923.

Before the war North Dakota had begun to take definite steps toward changing from wheat to diversified farming. As it was a newer country, they had not progressed quite as far as in South Dakota and Minnesota, but they had made a good beginning. In 1914 one of the present editors of Farmer and Breeder attended a meeting of the Tri-State Live Stock Breeders' Association at Fargo, N. Dak. It was a rousing meeting, with every seat in the large auditorium filled. The addresses on the various phases of livestock breeding and allied subjects were listened to with enthusiasm and interest. In connection with this convention there was a large display of products of North Dakota farms. There was a creditable showing of oats, rye, barley, and potatoes. There was alfalfa, which the farmers of that State were beginning to grow and rely on. Most noticeable of all was the corn show. Corn had got as far as North Dakota some years before. It had become acclimated to the soils and climate of that region and was making good account of itself. The corn at that show, which our editor examined with great interest and approval, was good corn. It was not as large as some of the corn grown farther south, but it was of excellent quality and under favorable methods of culture made substantial yields. Economic necessity and the intelligence of her people had brought North Dakota squarely into the line of progress; they were all set for diversified farming and in many instances had already adopted this system of agriculture.

Then came the war. You know what happened. After we got into it in the spring of 1917 the farmers were urged to grow more wheat and still more wheat. In the summer of 1917 the senior editor of Farmer and Breeder—the same one who addressed the gathering of livestock men at Fargo three years previous—attended a great meeting of agricultural editors at the Sherman Hotel in Chicago, where Herbert Hoover, then Food Commissioner for the United States, presided. Mr. Hoover declared that there was scarcely enough wheat in sight to feed our people until another crop could be raised. He urged the farmers of this country to grow wheat to the limit of their capacity. Without bread we could not feed our soldiers nor maintain our allies. This call for more wheat came almost as an official command from the Government. Farmers were appealed to on the ground of patriotism. In every way they were urged to produce the greatest possible quantity of the golden grain "to help win the war!" Wheat at all hazards was expected from the farmers in those regions where wheat could be grown successfully.

At this Chicago meeting our senior editor arose near the end of the great conference and asked to be heard. He was given attention by Mr. Hoover, and stated that he came from a section where diversified farming was the custom and where livestock and not wheat was the great staple product of the farm. He spoke on behalf of meat foods for the soldiers and asked if it might not be advisable also to make provisions for greater production of pork and beef. Mr. Hoover admitted the reasonableness of this statement and said that it would be considered later; that the Government had not yet had time to work out the plans in that direction; that the call for more wheat was the immediate and most urgent need.

We need not dwell upon the days and months that followed. With unexampled patriotism the farmers sent their sons to die on Flanders fields. The women and the young children worked long, hard hours in the harvest fields to gather the precious wheat which was to be the lifeblood of our Armies and the means to victory. The farmers of this region organized working committees, bought Liberty bonds, and "gave until it hurt."

To grow more wheat at the behest of the Government many farmers in North Dakota and elsewhere in the Northwest abandoned their plans for diversified farming. Grasslands were plowed up and sowed to wheat; money and equipment and energy that had been directed toward a varied program of farm management were diverted to the production of wheat.

Furthermore, it is not difficult to recall that of all the articles necessary to win the war wheat and pork were the only ones on which the Government fixed a price—a price that was later to be not an "irreducible minimum" but a stern and forbidding "maximum." In other words, the farmers of this country now believe that wheat and pork would have brought higher prices had the Government not "fixed" them as it did. Not that the farmers of America have wished at any time to do any profiteering, but they do resent the idea that the prices of their chief products should have been held down by Government fiat, while with labor and organized industry generally the sky was the limit.

Now, it should be understood by those who are not intimately acquainted with the science and art of agriculture that diversified farming can not be established quickly. It is a matter of years to get a system of crop rotation established. It takes time and capital and labor to erect barns and hog houses and build up a profitable milking herd of cows. That great apostle of permanent agriculture, Dr. Cyril G. Hopkins, was wont to warn the farmers of the West that "farming is not a business for a year nor for 5 or 10 years; it is an enterprise for a lifetime." And we have often added, "Yes; and farming in its best aspect is a business for connected lifetimes," calling attention to the importance of the "father and son" idea in carrying on a broadly considered program of field and feed lot production.

The fact stands out in the minds of all thinking men that wheat production had been artificially stimulated to the extent that it could not be abandoned in a year. It was a process of several years. But in the meantime the whole world was growing more wheat. Last year there was a great world surplus, so that the price fell far below the average cost of production. The wheat growers of North Dakota and similar regions where diversified farming had been started were forced to begin all over again. They had to change their equipment; they had to get grain lands back into domestic pasture—alfalfa, sweet clover, soy beans, and blue grass—they had to get started to growing corn instead of so much small grain; they had to open up outlets for potatoes which have also been a glut on the market for two years; they had to buy milk cows and brood sows and dual-purpose chickens and wool and mutton sheep. All these diversifications took capital. And with the wheat market shot to pieces where was the money coming from with which to make the radical change from wheat to mixed farming? The one simple remedy—the Norbeck-Burtness bill, derisively styled "the pig and chicken bill" by Mr. Garrett—was voted down by the present Congress. This bill provided for a loan of not to exceed $1,000 to any one farmer for the specific purpose of purchasing milk cows, pigs, and chickens with which to make at least a start along the line of less wheat and more livestock.

But in the meantime, while the grain farmers were struggling with a situation that had been forced on them and which they desired heartily to get rid of, what happened? Deflation! With the perspective of four years we can now look back clearly to that fatal day in June, 1920, when the Federal reserve banks shut off all additional credit and support for the farmers of the land, who had worked like true patriots to produce food for the world, to save the world for democracy and other things. We now know that the period of deflation was made tragic by its unreasoning suddenness and its unfairness to the farmers.

The Federal reserve system had fed its newly printed money into the banks of the East to support vast promotion schemes and for the expansion of ventures whose wisdom was questionable. The demand for money and credit in those sections was so insistent that the Federal reserve had issued currency up to its limit. Its gold reserve had been reduced to 41 per cent of its loans—and 40 per cent was the legal limit. At a time when it should have had a wide margin left with which to safeguard the country in a crisis the crisis came with the Federal reserve helpless.

Where were further supplies of cash coming from? Wall Street pointed out that to call upon the East to sell some of its stocks and bonds would be to break the market, with a possible return of Black Friday and all the ills of a financial panic which the Federal reserve bank system was created to prevent. After due deliberation, urged by the Wall Street element, the Federal reserve system turned its eyes to the farms. The farmers had crops on hand—corn and wheat and livestock—let them sell it and supply the needed cash! Quick liquidation of farm products is the easiest way out! That it was the deliberate intent to wreck agriculture to save the manufacturing and commercial East we are not prepared to state. But the world knows what happened, and you can do your own figuring as to how it came about.

The facts are that the Federal reserve banks refused to let the country banks of the West have any more money. They declined to carry them or their farmer customers any longer. Bang! It came—just like that! The farmer was made the goat, whether that was the intention of the powers that be or not. No more money nor credit for farmers; outstanding loans must be called in and settled at once.

Then came the deluge! Prices of farm products fell to almost nothing. Corn sold in parts of South Dakota for 10 to 15 cents a bushel. Crops that had been grown and livestock that had been raised under a period of inflation were forced to be sold at ruinous prices. These are the facts, and for any self-styled doctor of economics or magazine writer to say that the farmers have only themselves to blame for their financial troubles is not only gratuitous but it is indecent in view of the sacrifices the farmers have made.

When the bubble of inflation (for which the farmers are certainly not responsible) finally burst the farmers had to bear the heaviest loss. They not only had to write off their losses of sudden deflation, which came like a bolt from the blue sky, but they have been carrying the

burden ever since. Union labor, with its wages higher to-day than during the stress of war, has not been deflated. The great industries and big corporations have not done their share of lowering costs of commodities to the rural classes. Interest and taxes have not been deflated. Farm prices, counting the relatively good prices that have prevailed for sheep and dairy products, which few farmers have been fortunate enough to have on hand, have been slightly higher than they were before the war, but the things the farmer has to buy to do business with and to live decently are very much higher than they were before the war. This is the average farmer's chief grievance, and it is a very real one, as any honest analyst of the agricultural situation can verify for himself.

It is well for the people of this Nation to know—for those who have never been west of the Mississippi River to know—that the citizenship of the States of North and South Dakota and of Montana and other portions of the Northwest is of a high order. There are exceptions, of course, but the bulk of the farmers of this and adjoining States farther west came from Illinois, Iowa, and other regions farther east. For the most part they are farm-minded folk whose forefathers lived for generations on the land. In the States of their birth they were farmers, practicing, as a rule, diversified farming as it became more and more common with the passing of the years. In those States where these hardy pioneers came from they learned diversified farming. They know how to farm now—better, perhaps, than any writer of the Saturday Evening Post. In South Dakota mixed farming is the common practice. One-crop farming is almost unknown here; and in a few years—had not the war intervened with its insistent call for "More wheat!"—North Dakota would have swung safely into line. The fact is there are farmers in North Dakota to-day who have done very well all through the trying times since war was declared in 1914; there are still greater numbers in the Sunshine State who admit that they are not bankrupt but are prospering; the number of banks that have closed in South Dakota is comparatively small. The viciousness of the stories that have been circulated about our State is that isolated cases are taken as typical of the way we do things, whereas they are exceptional.

The fever of speculation, the land boom that Mr. Garrett refers to, was not confined to the four States he picks out as horrible examples of foolishness. The States in the fourth Federal reserve district, which he selected as his field of investigation, have no monopoly on the willingness to see property increase in value. Neither is the farmer unique in his desire to make money by following Emerson's classic definition of commerce, which is: "Buying in the cheapest and selling in the dearest market."

The people of South Dakota and adjacent territory do not object to fair, constructive criticism. They are not particularly thin skinned; but they have a right to resent the far-flung publicity given to this "Pain" story, when the conditions discussed are general and not local. Deflation hurt the farmers of the entire Nation. It was not confined to four States. Banks have been failing in Iowa, Nebraska, Illinois, Indiana, and elsewhere. As to the land boom, anyone posted on the facts knows that it was less virulent in South Dakota than in some of those older sections farther east. The "$500 an acre farm" quoted by Mr. Garrett is not typical. It may have happened; but if so, it was the exception and not the rule. We know of some farms that have been sold at high figures, but they were close to Sioux Falls and had unusual improvements. But these cases are rare. Very few farms in this State sold during the boom for more than $200 an acre, and the great bulk of farms were sold at prices well within their productive value.

In Montana, which has been hit the hardest because it is farthest removed from its ultimate markets, much of the distress is due to crop failure and to grasshoppers. Mr. Garrett conceded this, but seems to fail utterly to understand the underlying principles which govern the settlement of a new country like the Montana "triangle," where dry farming is the rule. Dry farming is hazardous at best, and the men who stake their fortunes upon the process of turning the plains into a place of homes deserve our admiration as good sports. To scorn them as dilettante or "parlor" farmers comes with poor grace from anyone who undertakes to write agriculture history with sympathetic understanding and scientific accuracy.

Mr. Garrett has one of his Montana bankers—real or imagined—say, "Things are worse in South Dakota, I understand." This is a trick of the demagogue who insinuates with cunning innuendo without coming out with a flat-footed statement on his own authority.

We wonder what the Montana farmers and others who have watched the fruits of their toil vanish under a cloud of grasshoppers or a scorching wind from the southwest will say to this extract which Mr. Garrett passes out to his readers as economic gospel. He says, "You get a group of Chicago bankers together and say, writing it down on a pencil pad as you think of it: 'Let us suppose the five principal factors in the Northwest situation are these: (1) Acts of Providence, (2) bad banking, (3) bad farming, (4) land speculation, (5) too much credit. Now, how should these be weighed? How should you set them down in the order of their importance?' They reply, all with one voice, 'Leave Providence out of it.'"

That is a fair sample of the hostile attitude this clever magazine writer seems to entertain for all farmers and those of the fourth Federal reserve district in particular.

What he failed to get on the occasion of his probably hurried visit in our midst was the indomitable spirit that is the real thing in the Northwest. The "pain" is only temporary and subordinate; the main factor is that these people out here are accustomed to fighting against odds. They are of the old, tough pioneer breed. You can't down them with grasshoppers and droughts and hard times and unfriendly systems of high finance that do not function in their behalf. They have had some backsets; some banks have failed; some depositors have lost money; the people have made some mistakes both in their laws and in their public officials. But they carry on. And for the most part—we should say the great majority are now carrying on with the cheerfulness of a friend of the writer who lost $33,000 in three different banks. This good scout was not losing any sleep. "No use to worry," said he. "Worry doesn't do any good. It doesn't bring your money back." He was going ahead, doing "business as usual."

This spirit of optimism is characteristic of the whole Northwest. We may have a pain somewhere, but we tell the other fellow to "forget it," and somehow we forget it ourselves. "Sunshine and smiles is our stock in trade," runs one of the songs of the "Sunshine State."

Finally, we believe we voice the conservative sentiment of the closest students of the situation in saying that in our estimation South Dakota is to-day better off than most of the agricultural States. Our farmers only ask for a square deal. They have no monopoly on trouble, and they have made a quick recovery from the trials of the past decade. They are going forward with cheerfulness and undaunted courage. Agriculture only asks that the Federal Government and the forces that dominate the industrial world shall give the farmer the same privileges and legislative benefits accorded the rest of the Nation.

The significant point of all that has been said is that notwithstanding the hard times our farmers have battled through. In spite of the bankruptcies and the setbacks that worthy young men have endured by losing their farms, they have forged ahead. They have adjusted themselves to the new conditions and are rapidly getting on their feet. We believe that as a class the farmers of the Northwest are better off to-day than they were a year ago. This is particularly true of South Dakota and is conceded by those who are in position to know the facts.

As to the banks, they have undergone the same kind of troubles that afflicted the farmers. They are still going through these trials, and some of them are carrying heavy loads. But we believe that in another year the banks throughout the State will have cleared up the situation satisfactorily. Frozen credits will be thawed out, and normal times will return.

Without doubt we shall then see the beginning of the greatest period of prosperity the Sunshine State has ever experienced. South Dakota is still new and only partially developed. With the class of citizens we now have and those who are steadily coming into our State, there is no section that offers such great opportunities for success in business of every kind.

During all these four years of depression and readjustment our farmers have had but little help from the Government or from any other outside source. All they have had was advice from magazine writers, political demagogues, and quack doctors of economics. Our farmers are to-day traveling on their own power. By their unaided efforts they have made splendid progress in reestablishing agriculture on a normal basis. We are inclined to agree with Mr. Garrett that what the farmers of this land now need more than anything else is to be let alone. They can be trusted to finish the job of reconstruction they have begun.

The Clerk read as follows:

BUREAU OF AGRICULTURAL ECONOMICS

General expenses: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, stock, and value of farm crops, and numbers, grades, and value of livestock and livestock products on farms, in cooperation with the extension service and other Federal, State, and local agencies, fiscal year 1925, $50,000.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 17, after line 5, insert the following heading: "Miscellaneous items."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

BUREAU OF LIGHTHOUSES

Damage claims: To pay claims adjusted and determined by the Department of Commerce under the provisions of section 4 of the act approved June 17, 1910 (36 Stat. p. 537), on account of damage occasioned to private property by collision of vessels of the Lighthouse Service and for which the vessels of the Lighthouse Service were responsible, certified to the present Congress in House Document No. 262, $390.64.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: On page 19, after line 4, insert the following: "To pay the claims for damages to privately owned property adjusted and determined by the Department of Commerce under the provisions of the act approved December 28, 1922, as fully set forth in House Document No. 341, reported to Congress at its present session, $1,712.15."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

For continuing construction and enlargement of the Wapato irrigation and drainage system, to make possible the utilization of the water supply provided by the act of August 1, 1914 (38 Stat. L. p. 604), for 40 acres of each Indian allotment under the Wapato irrigation project on the Yakima Indian Reservation, Wash., and such other water supply as may be available or obtainable for the irrigation of a total of 120,000 acres of allotted Indian lands on said reservation, $20.37.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 20, after line 21, insert:

"Fort Hall Reservation, Idaho (tribal funds): The Secretary of the Interior is hereby authorized to withdraw from the fund created by section 3 of the act entitled 'An act authorizing the acquiring of Indian lands on the Fort Hall Indian Reservation in Idaho for reservoir purposes in connection with the Minidoka irrigation project, approved May 9, 1924,' $100,000, or so much thereof as may be necessary for use in relocating, enlarging, and reconstructing the main canal of the Fort Hall irrigation project, to provide irrigation facilities for Indian lands situated in the southern portion of the Fort Hall Reservation, Idaho, commonly known as the Michaud Flats, in accordance with the provisions of section 5 of such act. This sum shall remain available until June 30, 1925."

Mr. MADDEN. Mr. Chairman, I think this amendment ought to be explained. The Indians whose funds are about to be appropriated here sold a lot of land which they owned—or, rather, the Interior Department sold it for them, in order to provide part of the site for the American Falls Reservoir. They are to receive for that land approximately $700,000. Two hundred thousand dollars of this money will be paid in to their credit by the Reclamation Service shortly. The Indians own other lands, among them 19,500 acres which it is proposed to use this money on. The plan is to take $100,000 of the $700,000 to start work on the irrigation system. It will be a very good investment for the Indians, and if it is done now will save them $60,000 or $75,000 in the total cost of construction. The work will all be done by the Indian Service, under the direction of the Department of the Interior, which is the guardian of the Indians, and Congress, by special act passed a few days ago, has authorized this appropriation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 20, after line 21, insert as follows: For the relief of dispossessed allotted Indians of the Nisqually Reservation, Wash., $85,000, to remain available until June 30, 1925, and to be in full settlement of claims against the United States as provided in the act of April 28, 1924 (Pub. 105, 68th Cong.).

Mr. JOHNSON of Washington. Mr. Chairman, this appropriation becomes necessary under the act of Congress approved April 28, 1924, for the immediate relief of these Indians.

Mr. MADDEN. Mr. Chairman, this question in relation to which the gentleman from Washington offers his amendment, is one that has considerable merit. The Indians affected had their lands taken away from them when they established Camp Lewis, in the State of Washington. The Indians owned a large tract along the river bottom. They owned many important fishing rights. It seems the War Department wanted the land, and particularly the water frontage. They took the lands from the Indians. I understand that a court judgment was rendered fixing the amount of the award at $75,000. At the time, during the war, the Interior Department told us they did not want to place themselves in opposition to the desires of the War Department. They allowed the judgment to be entered, although they protested against it. They served notice that they did not think the Indians were fairly treated and that the amount of the award was insufficient to pay for the lands taken; that the lands were worth at least $85,000 more than the award.

The Indians were removed to land less valuable and less fruitful and they are not in a very happy condition. Congress passed an act recently to authorize an appropriation of the amount stated in the amendment of the gentleman from Washington, we had the matter before the Committee on Appropriations, and the only reason we did not authorize the appropriation was that we thought we might start negotiations between the Interior Department and the War Department with a view to seeing if we could not cede the lands back to the Indians. Since the committee has had the matter under consideration I have been advised by the gentleman from Washington, Mr. JOHNSON, and others, that there will be no possibility of getting the land back for the Indians from the War Department. If that is the case and in the face of the statement made to the Committee on Appropriations by the Interior Department to the effect that the $85,000 should go to the Indians as a matter of just recompense, and to enable the department to restore the Indians to a state of reasonable comfort in the new location I do not feel disposed to oppose the amendment offered by the gentleman from Washington.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington.

The amendment was agreed to.

Mr. SINCLAIR. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 20, after line 21, insert a new paragraph:

"That out of the funds standing to the credit of the Fort Berthold Indians, comprising the Arickarees, Gros Ventres, and Mandans, of North Dakota, in the Treasury of the United States, a sum not exceeding $3,000 may be used for the employment of counsel under contract, as provided by law, to represent said Indians in their claims against the United States now pending in the Court of Claims under the act of Congress entitled 'An act to confer on the Court of Claims jurisdiction to determine the respective rights of and differences between the Fort Berthold Indians and the Government of the United States,' approved February 11, 1920. (42 Stat. p. 404.)"

Mr. MADDEN. Mr. Chairman, I reserve a point of order to the amendment.

Mr. SINCLAIR. Mr. Chairman, this is merely providing for the initial fee to cover expenses of prosecuting the case in the Court of Claims by attorneys already under contract and engaged by the Indians to determine their claim.

Mr. CRAMTON. Will the gentleman yield?

Mr. SINCLAIR. I will.

Mr. CRAMTON. I assume that the statute referred to authorizes a suit to be brought in the Court of Claims and has a provision that no attorney fee shall be paid greater than 10 per cent of the judgment recovered.

Mr. SINCLAIR. That is correct.

Mr. CRAMTON. If that be true, what authority is there to pay an attorney $3,000 before there is any certainty of the recovery of a nickel? If it was to be a contingent fee it should be a contingent fee.

Mr. SINCLAIR. I realize that this case has been in court since the law was passed; it has been in court four years. There is considerable evidence to be obtained. The attorneys have gone to some expense because of the suit being over four years old. It sort of lapsed because the attorney was unable to procure evidence needed because he did not have the funds to meet the expense in gathering it. This is not taking any money from the United States Treasury, but is merely using the tribal fund of the Indians. These Indians met in council and agreed that their attorney should have this sum, that they would be willing that the $3,000 should be advanced in order to prosecute the case.

The Indian Bureau is also willing that it should be done, in order that the Indians may not lose their rights in court. This is a claim against the Government brought by the Indians, based on treaty rights. The Government holds the Indian funds in trust. In order to successfully prosecute the case some money is needed. It seems to me the Government is taking an unfair advantage of its wards in refusing to allow them to spend their own money in having their claim determined. They have only from now until next February in which to prosecute this claim, and it seems to me that they ought to be permitted to do it.

Mr. SNYDER. Has this bill been regularly passed through the Indian Affairs Committee as a jurisdictional bill?

Mr. SINCLAIR. That is a jurisdictional bill, passed by the Indian Committee; yes.

Mr. SNYDER. How long ago?

Mr. SINCLAIR. About four years ago.

Mr. SNYDER. I thought it was as long ago as that. This is a most unusual thing that the gentleman is asking to have done. In all my experience in Indian affairs there has never been occasion to do a thing of this sort. Attorneys usually have been willing to take up these cases on the basis of a certain percentage of the accounts, with a fixed maximum charge.

Mr. SINCLAIR. The first contract the Indians had with their attorney was based along that line. However, the attorney was unable to prosecute it for want of funds. They have been able now to get a new attorney.

The contract has been made and signed by the Indians and approved by the Indian Bureau. The proposed sum will be deducted from the possible total of the judgment obtained and will be used as a credit payment on the attorneys' fees.

Mr. SNYDER. I regret to say to the gentleman and to Members of the House that I would not favor legislation of that kind, because it would establish a precedent and once we do that, when these jurisdictional cases are up, there will be items like this coming in to enable the lawyers to get their feet under the table before really the Indians know whether they have anything to get or not.

Mr. MADDEN. Mr. Chairman, I make the point of order against the amendment that it changes existing law.

The CHAIRMAN. Does the gentleman from North Dakota desire to be heard upon the point of order?

Mr. SINCLAIR. Mr. Chairman, I will merely say that the law of February 11, 1920, gives these Indians the jurisdictional right to go into the Court of Claims, and as the gentleman from Michigan [Mr. CRAMTON] called to our attention, there is a 10 per cent maximum contingent charge that attorneys can make under that law. However, this arrangement which has been entered into by contract with these attorneys and the Indians has the approval of the Indian Bureau and provides that advances may be made from the Indian tribal funds, which sum shall be deducted from the total fee when judgment is obtained. It is provided that the total attorneys' fee shall not exceed the 10 per cent of the judgment. In view of the relationship existing between the Government and the Indians, I respectfully submit that the amendment should not go out on a point of order.

The CHAIRMAN. It seems to the Chair that this is a change of existing law, and is therefore, legislation on an appropriation bill. The point of order is sustained.

The Clerk read as follows:

Continuation of road construction: For construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and national monuments under the jurisdiction of the Department of the Interior, including the making of necessary surveys and plans, in accordance with the provisions of, and being part of the amount authorized to be appropriated for the fiscal years 1924 and 1925 by the act approved April 9, 1924, $1,000,000, to remain available until June 30, 1925: *Provided*, That the sum of $3,600 of the appropriation herein made shall be available for the employment of accounting and clerical services in the District of Columbia.

Mr. RAKER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 23, line 2, strike out "$1,000,000" and insert in lieu thereof "$1,500,000."

Mr. RAKER. Mr. Chairman, this amendment corresponds with the act of April 9, 1924. This is the plan and the program laid out by the park service. It is very necessary and I hope the chairman of the Committee on Appropriations will not only consent but will advocate starting on this program. It will be effective and of some value. It is what we need, it is what the country needs, it is what the people want, and what they are willing to pay for.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. MILLER of Washington. The gentleman will recall that it covers a three-year program of $2,500,000 per year.

Mr. RAKER. Yes.

Mr. MADDEN. That is true.

Mr. MILLER of Washington. This is a part of the program for the year 1925?

Mr. RAKER. Yes.

Mr. MILLER of Washington. But the committee has reduced the sum from $2,500,000 to $1,000,000?

Mr. RAKER. Yes.

Mr. MILLER of Washington. The gentleman is thoroughly advised that the park bureau has the machinery, the organization, and that everything is ready to embark upon this improvement of road and trail construction.

Mr. RAKER. Oh, yes. We had quite extended hearings before the Committee on Public Lands, of which the gentleman from Oregon [Mr. SINNOTT] is the chairman.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. SINNOTT. I take the gentleman's time only for the purpose of inquiring of the distinguished chairman of the Committee on Appropriations why the whole amount was not allowed.

Mr. MADDEN. Mr. Chairman, I am glad to advise the gentlemen from the Rocky Mountain section of the country, in which these beautiful parks are situated, that I am thoroughly in sympathy with the desire of the committee to develop these parks and build the roads and enable the people to indulge in the pleasures that come with a visit to the parks.

Mr. MILLER of Washington. But we can not do these things on sympathy. We have to have money.

Mr. MADDEN. After a thorough investigation of the problem it was clearly disclosed that the park authorities are not prepared with an organization to expend properly on road construction in the parks this calendar year more than $1,000,000. I think they are not prepared to expend that much. Their organization must be made. It takes time to do that, and it must be perfect. The season is short. The money will be available to the extent of $1,000,000. They will spend every dollar of that and they will expend it judiciously and wisely and will accomplish a great deal toward final completion of the work. What the committee has recommended is all that should be appropriated because to appropriate more is likely to induce waste. The committee proposes to conserve all of the money authorized to be expended so that it may be expended to the best advantage of the roads, and there will not be any lapse of the unappropriated part of the authorization, the whole $7,500,000 will ultimately be expended on the roads in the parks and will be expended as expeditiously as it can be expended. If after the expenditure of $1,000,000 it is found that any amendment to the enabling act may be necessary to extend authority to conserve it, everyone of the committee will be in favor of doing that.

Mr. RAKER. The only thing I wanted to call to the attention of the gentleman is that the park service people in appearing before the committee when this matter was before the Committee on Public Lands, stated that they were prepared with an organization, and that if they could start in now they would be able to commence the work as it should be commenced, that they had allocated money to the various projects so that they would get the highest service. Then, if we are going to do public work, ought we not to do it when there is a surplus of men?

Mr. MADDEN. Mr. Chairman, will the gentleman permit me to say a word right there?

Mr. RAKER. Surely.

Mr. MADDEN. In connection with the great anxiety of the department to complete these roads through the parks, they stated to us that they were ready to turn all of their steam shovels and their organization in Alaska into the development of the park roads up there.

Now, I think that the Alaska park can wait until we get the parks at home developed to some extent. At any rate, it need not be the first thing, and the committee is convinced that not to exceed $1,000,000 can be expended properly.

Mr. RAKER. This one thought and I have finished: It was presented, and I understood the Budget favored $2,500,000, commencing with the following three years.

Mr. MADDEN. We are in harmony with the view of the department.

Mr. RAKER. I hope the committee will see their way clear——

Mr. COLTON. Does the gentleman think that amount is sufficient?

Mr. MADDEN. Absolutely.

Mr. COLTON. And will not curtail the work?

Mr. MADDEN. It will not curtail it at all, and it will save the appropriation.

Mr. CRAMTON. Mr. Chairman, I would like to be permitted to make this brief statement: The authorization bill

referred to the fiscal years 1924 and 1925 and authorized $2,500,000 for those fiscal years. Now, the fiscal year 1925 ends June 30, 1925. The million dollars is immediately available, and it is the expectation of the committee and it is the statement of the Park Service that the million dollars is all that can be properly organized and expended this calendar year, not this fiscal year. This million dollars is all that can be expended this calendar year because the construction season is pretty well advanced and there are only three months at the most left, but next year in the regular 1926 Interior Department appropriation bill we hope and expect that the Budget will recommend the full two and a half million dollars. That being the short session of the Congress that will become the law before the 4th of March. All new construction items for the parks are immediately available so that the situation is this—that this million dollars is for the calendar year 1924, and the two and a half millions coming in the next, or 1926, Interior Department bill but available for the calendar year 1925 means three and a half million dollars for the calendar years 1924–25, and that carries out the spirit of the authorization act. We are assured that the million dollars is all that they can well expend in this calendar year, and before another calendar year construction season opens there will be another appropriation. No one can be more friendly to the parks than Mr. MADDEN, chairman of the committee, and the rest of us.

Mr. COLTON. We all feel that.

Mr. DYER. This will be available up to the 30th of next June?

Mr. CRAMTON. It will be available and they will expend it between now and the 1st of January, and before the new construction period opens another appropriation will be available.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

Mr. DYER. Mr. Chairman, I move to strike out the last word, and I do so for the purpose of asking permission to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DYER. Mr. Chairman, I think it well to make a statement touching the bill H. R. 1, known as the antilynching bill, so far as this session of the Congress is concerned. We all recall that a similar bill passed the House of Representatives in the Sixty-seventh Congress, on January 26, 1922, with a vote of 230 yeas and 119 nays, and that it failed to come to a vote in the Senate by reason of a Democratic filibuster that was put on there against it. In the beginning of the Sixty-eighth Congress, December 5, 1923, I introduced the present bill. It was referred to the Judiciary Committee, and on January 19, 1924, it was reported favorably from the Judiciary Committee and referred to the House Calendar.

On January 21, 1924, I introduced a resolution (H. Res. 154), in which I asked for the immediate consideration of this legislation. It went to the Committee on Rules, and I have repeatedly urged the Committee on Rules to give a special rule for the consideration of this legislation in the House. The Committee on Rules has not given a special rule and without it, of course, it is impossible to consider and pass it in the House. The reasons that have been given to me as to why no special rule was granted are that it would bring on a Democratic filibuster in the House by the Democratic leader and that as a result, the House being about evenly divided between Democrats and Republicans, it would have the effect of tying up all important legislation in the present session and prevent the passage of appropriation, revenue, and other legislation absolutely necessary for the life of the Government. Another reason given to me was that even should we finally be able to pass the bill in the House and overcome the threatened Democratic filibuster, it would not meet with any more success in the Senate this time than it did in the last Congress. They claim that the Senate, like the House, is very evenly divided between the Democrats and the Republicans, and that it would be much easier for Democratic Senators to filibuster and prevent the antilynching legislation from coming up now than before. Another reason that has been given to me by Republican leaders in the House was that we would be charged with playing politics. In other words, they claimed that as there was no chance for the bill to pass the Senate nothing could be accomplished by us taking the time of the House and trying to pass it here, except as a bid for votes of the colored people. These leaders said that that would not be right and that they were not in favor of any apparent attempt to mislead the colored people. In other words, they claimed, for us to do this thing, it would be an insult to the colored people and that they would naturally resent it.

These leaders said that the thing for us to do was to wait until after the election and then to go ahead as best we could with the present make-up of the Senate and the House. The above are the facts that have confronted me to secure this humane legislation enacted into law. The need for it is great and there is no good excuse for us to fail to enact the law. Lynchings continue in the United States. We have 5,000 or more to our discredit in the last 35 years. During this year, there have been five known lynchings. Two of them were in Georgia, two in Florida, and one in South Carolina. This crime will never cease until there is a law that will enable mobs to be punished. The people of the United States, through their churches and otherwise, are working to bring about the enactment of this legislation into law. Sentiment is crystallizing for that purpose. One recent evidence of this were resolutions adopted at the Methodist Episcopal Church conference in Springfield, Mass., this year. They were, in part, as follows:

> Lynch law is an abomination and an outrage. Those who are guilty of any connection with it are traitors and outlaws. No American can assume to be patriotic who does not denounce it with hot indignation. We urge upon our representatives in both branches of Congress the prompt enactment of legislation for the wiping out of lynching, which is "the black spot on America's soul."

The prevalence in many States of the spirit which tolerates lynching, accompanied too often with inhuman cruelty, and the inability or unwillingness of the public authorities to punish the persons who are guilty of this crime, threaten very seriously the future peace of the Nation. Not only is lynching a denial of the right secured by law to every man of a fair trial before an established court in case he is charged with crime, not only does it brutalize the communities which suffer it by breeding a spirit of lawlessness and cruelty in the young people who see barbarities unpunished and uncondemned, not only does it terrorize important bodies of our citizens, but it inevitably leads the people whose rights are thus trampled upon to leave the regions where their lives, their families, and their property are in danger and move to others where they can find peace and protection, thus disturbing the labor situation all over the country.

It also blots our fair name as a Nation, for we can not claim to be civilized until our laws are respected and enforced and our citizens secured against the hideous cruelties of which we are constantly furnishing fresh examples.

The people of the United States suffer justly under the grievous charge that they continue to tolerate mob murder. It is well known that the innocent, equally with the guilty, suffer the cruel inflictions of mob violence. Mobs have even invaded court rooms and prisons to seize and murder prisoners whose punishment had already been fixed. Local and State authorities frequently offer only the feeblest objection to the actions of the mob which is permitted to do its will unchecked. Rarely are the members of a mob sought out and prosecuted. Only in a few isolated cases has any lyncher ever been punished. Patriotic citizens throughout the country feel the shame which lynchings cast upon the Nation. The time has come when the United States can no longer permit the setting at naught of its fundamental law. We can no longer endure the burning of human beings in public in the presence of women and children. We can no longer tolerate the menace to civilization itself which is contained in the spread of the mob spirit.

Since States have shown themselves unwilling, unable, and incompetent to cope with this evil, who will deny that the time has come when the common sacrifices of white and black on the French front against autocracy in Europe should inspire the passage of the proposed bill to make lynching a national crime and thus remove this cancer from our vitals? If black men are expected to respond to the call to make democracy safe abroad, surely they have a right to expect that democracy be made safe for their loved ones at home.

As an instance of the impossible conditions existing in some States that are causing the colored people to flee therefrom and seek an abode elsewhere, I cite to you the figures of those that have migrated for the year ending August 31, 1923, totaling 478,700, as follows:

> Georgia 120,600, Oklahoma 1,000, Alabama 90,000, Arkansas 3,000, Florida 90,000, Kentucky 2,500, Louisiana 15,000, Mississippi 86,600, North Carolina 25,000, South Carolina 25,000, Tennessee 10,000, Texas 2,000, Virginia 6,000.

There have been more than 5,000 lynchings in the United States in the last 37 years. Only 17 per cent of these

have been charged with the crime that is usually said to cause lynchings. Many of this 17 per cent have been shown to be innocent after the mobs had done their work. Men and women have been lynched without any cause. In most cases they have been negroes.

That the United States should take jurisdiction of this crime of lynching, I need only to cite the fact that of the more than 5,000 known cases of lynchings in the United States there has been scarcely a single conviction by the States of any member of a mob that participated in the lynchings. When efforts have been made by the States to do so, it has been found impossible to secure either a grand jury that will indict the mob members or a petty jury that will convict those that have been indicted. This is due largely to prejudice, fear, and so forth, as under the laws of the States, in order that there be prosecutions, there must be grand juries to act in the counties where the lynchings took place. It is almost impossible to find a grand jury in a county where a lynching has taken place that will indict the members of the mob. If a grand jury does indict, as happened in Columbia, Boone County, Mo., last year, the members of the mob are acquitted by the jury called to hear the case. For that reason the trial of these cases in the United States courts is preferable, because grand juries can be called from counties and cities far away from the counties where lynchings took place. In other words, the grand jurors, as well as other jurors, can come from any place in the jurisdiction of that court of the United States district that the lynching took place in, which sometimes consists of a whole State, half of a State, and so forth. The States have failed for more than 35 years to punish mobs that lynch people. The only alternative is to take the crimes to the United States courts, where local influence, prejudice, and so forth, will not avail.

That the Congress is authorized to so legislate, I call your attention to the fourteenth amendment to the Constitution, which provides that no State—

shall deny to any person within its jurisdiction the equal protection of the laws.

And further that—

the Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

It is well settled by decisions of the Supreme Court of the United States that the denial forbidden is not alone a denial by positive legislation but that—

no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws.

It is thus made the duty of the Congress under the Constitution to enact such laws as may be needful to assure that no State shall deny to any person within its jurisdiction the equal protection of the laws. Within the limits of the jurisdiction thus conferred the Congress has the right to exercise its discretion as to what laws or what means can best accomplish the desired end.

The proposed law constitutes appropriate Federal action under the fourteenth amendment to prevent the individual State from denying to persons within its jurisdiction the equal protection of its laws.

We find the solid ground of fact under our feet at once when we regard the proposed law from this angle, for the States in fact do not give equal protection.

You know and I know, everybody, even the individual members of the Supreme Court know, that the victims of lynching mobs do not get the equal protection of the State's laws; that State and county officials do not try to prevent this crime as they try to prevent other crimes; that they do not try to punish this crime as they try to punish other crimes. This is susceptible of overwhelmingly convincing demonstration.

It is worth noting that it is in accord with the fundamental purpose of this amendment for the Federal Government to take action to insure the negroes particularly equal protection. Their plight was the cause of the amendment being adopted; their plight now is the occasion of this legislation.

But is such inequality as the negroes suffer in connection with lynchings the denial of equal protection by the States which the Constitution prohibits? To anticipate such an objection we should next observe that inequality in administration is a denial of equal protection of the laws.

It hardly seems possible to make any definition which more exactly fits the existing conditions with respect to lynchings than the constitutional phrase "deny the equal protection of the laws." It is clear that this must not be taken to mean only the passage of discriminating statutes or ordinances. The language of the provision we rely on is sharply distinct from the language of the preceding provision against discriminating legislation, which is that "no State shall make or enforce any law which shall abridge the privileges or immunities," and so forth; not to deny that equal protection of laws imports not only an obligation to make no laws which discriminate, but equally an obligation to enforce all State laws in existence, so that all persons within the jurisdiction of the State enjoy equal protection from them. But the Supreme Court has said this very exactly:

The denial of rights given by the fourteenth amendment need not be by legislation. (Saunders *v.* Shaw, 244 U. S. 317, p. 320.)

I believe that the Supreme Court will come to adopt the reasoning ably expressed by Krekel, district judge, in his charge to the jury in The United States *v.* Blackburn (Fed. Case No. 14603):

By the equal protection of the laws, spoken of in the indictment, is meant that the ordinary means and appliances which the law has provided shall be used and put in operation in all cases of violation of law. Hence, if the outrages and crime shown to have been committed in the case before you were well known to the community at large, and that community and the officers of the law willfully failed to employ the means provided by law to ferret out and bring to trial the offenders because of the victims being colored, it is depriving them of the equal protection of the law.

Having established that in fact the victims of the lynchings, generally negroes, are being denied the equal protection of the laws of the States in the sense contemplated by the fourteenth amendment, we next come to the question whether the proposed law is "appropriate legislation" to enforce the prohibition which the Constitution has declared against such denial. We find it settled law that in forcing the State to afford the equal protection of the laws the Federal Government can act directly upon such individuals as are the agents of the State and whose act or neglect constitutes the denial by the State of the equal protection.

During the past year—1923—there were 29 known lynchings in the following States:

Florida, Mississippi, Louisiana, Arkansas, Texas, Georgia, Missouri, Alabama, Virginia, and Oklahoma.

These States bore the black shame of lynching in 1923, according to the nonlynching roll of honor announced by the Federal council's commission on the church and race relations. Twenty-six of the victims were Negroes, two being women. This is the lowest number for any year since accurate records have been kept.

The roll of honor contains the names of 39 States which had no lynchings in 1923. Places on the roll were earned during the last year by South Carolina, Alabama, and Tenessee.

The roll of honor follows:

States that have never had a lynching: Massachusetts, New Hampshire, Rhode Island, and Vermont	4
Additional States which have no record of a lynching since 1886: Connecticut, Maine, New Jersey, and Utah	4
Additional States that have no record of a lynching during the past 10 years: Delaware, Idaho, Indiana, Iowa, Maryland, Michigan, Nevada, Pennsylvania, South Dakota, and Wisconsin	10
Additional States which have no record of lynchings in the past five years: Montana, Wyoming, New Mexico, Arizona, Oregon, New York, and North Dakota	7
Additional States which have no record of a lynching in the past two years: Kentucky, North Carolina, West Virginia, California, Colorado, Nebraska, Kansas, Illinois, Washington, Ohio, and Minnesota	11
Additional States which have no record of a lynching during 1923: South Carolina and Tennessee	2
Total States free of lynching in 1923	38
Total States still having mob murder	10

Some of those lynched by mobs were charged with crime; many of them were charged with misdemeanors only; some only with words or acts which are nowhere at any time punishable by law. All were slain without trial, where they might have faced their accusers, had witnesses and had the evidence considered by a lawful judge or jury. The frenzied mob was judge, jury, and executioner.

In many cases persons not sought by the mobs have been lynched by mistake, so wild and savage has been the procedure. Some of the victims suffered indescribable torture, such as saturation of parts of the body with kerosene or gasoline so

that they could be burned piecemeal, branding with hot irons, or the gouging out of eyes and ears with red-hot rods.

It hardly seems credible that America, with its great Christian churches and its missionary enterprises, its homes, schools, and courts, permits this terrible crime to go on. Our Christianity is but skin deep when we do not cry out from the pulpit, the press, and everywhere that Christian people gather against mob violence.

Of the iniquity of lynching in America no civilized person, to say nothing of one whose conscience has been trained in the school of Christ, needs longer to be convinced.

The danger which this form of violence constitutes for orderly government is appallingly obvious. Continued and unpunished disregard of law and legal processes on the part of lynching mobs can only weaken the cement that holds the state together.

Beyond its deplorable effect upon citizenship within our country lynching has a further detrimental influence upon the Nation. It shames and humiliates us before the world. Many Americans would doubtless be astonished to learn that our national shame is as well known abroad as at home. America as a Christian Nation suffers from the gibes of Turks and Indians, of Japanese and Germans and French, and the whole Latin America. We can not expect our moral leadership to be rated very high so long as human beings can be publicly burned at stake.

The church has not yet awakened to a realization of the extent to which, in the lynching evil, fundamental Christian principles are at stake.

We must confess that the church and its ministry as related to the welfare of the negro have been too little inspired by the fundamental principles and ideals of Jesus Christ. Communities that have expressed horror over atrocities abroad have seen, almost unmoved and silent, men beaten, hanged, and also burned by a mob. Respect for negro manhood and womanhood is the only basis for amicable race adjustment, for race integrity, and for permanent racial peace. If we talk democracy, let us act democracy.

We must recognize the negro as a man, a human being.

It is most undesirable, if not unthinkable, that a race of people one-tenth of the entire population, should continue to live in the United States without adequate opportunity to develop the intellectual and spiritual natures and talents with which God has endowed them and continually chafing under the limitations imposed upon them. The negroes in America are descendants of men and women who were brought to these shores without their consent. They came from a land in which God had placed them and were forced from a life of freedom into one of bondage. It is incumbent upon the white Americans to-day to undo so far as possible the injustice of yesterday.

Negro Americans are not only fellow human beings, with spirits created in God's image, but they are fellow citizens by birthright. They have right to life, liberty, education, and the pursuit of those things on which their welfare depends. Most white Americans come into contact with negro Americans, but few appreciate the injustices from which they suffer, the handicaps under which they labor or their viewpoint on social, industrial, and political questions. Many white people know the negro cook or furnace man but not the negro lawyer, banker, or physician. They have heard caricatures of the picturesque but ignorant negro preacher but are entirely unacquainted with highly educated and refined Christian preachers and teachers. The negro is in American life to stay, and unless he is educated and given an opportunity to follow his highest and best ambitions as a man he will be a sore in the body politic and a menace to society. Given justice and opportunity negro Americans may be made a valuable asset not only in economic life but in every department of civil and religious activity.

We all recall the service of the thousands of negro soldiers in the World War, and that their record for bravery in the battles in France were unsurpassed. Whole regiments, whole brigades, and whole companies were praised and decorated in general orders for their service. Many individuals received special mention for heroic deeds in that war. They went to Europe to fight for democracy. We certainly ought to see to it that their simple rights in America are accorded them. They did not falter and they did not weaken in the discharge of their duty then. Every time this Nation has been at war, negro soldiers have performed their part with faithfulness and bravery. This is so since the beginning.

They were found in all branches of the patriot Army. They generally served in the same regiments with the white soldiers. Connecticut, however, had one complete company of colored soldiers, and Rhode Island a complete regiment. According to an official report, there were in the Army, under General Washington's immediate command, on the 24th of August, 1778, 777 colored soldiers. It is estimated that there was an average of 35 colored soldiers in each white regiment. This does not appear to include the colored troops furnished by Connecticut, New York, New Hampshire, and Rhode Island. There were altogether about 3,000 colored soldiers.

Some of the most heroic deeds of the War of Independence were performed by colored men. The first martyr in the Boston massacre, March 5, 1770, was Crispus Attucks. Samuel Lawrence, a prominent white citizen of Groton, Mass., led a company of colored soldiers to the Battle of Bunker Hill. It was the colored man, Peter Salem, who, at the Battle of Bunker Hill, fired the shot that mortally wounded Major Pitcairn. Solomon Poor, another one, so distinguished himself at the Battle of Bunker Hill that a petition was drawn up by some of the principal officers to secure him recognition by the Massachusetts Colony. Austin Dabney, another, rendered such conspicuous service in the Revolutionary War that he was freed and the Federal Government granted him a pension. The State of Georgia also granted him a considerable amount of land. The Black Legion, organized in 1779 in Santo Domingo by Count d'Estaing, consisted of 800 young freedmen—blacks and mulattoes. At the siege of Savannah on the 9th of October, 1779 this legion, by covering the retreat and repulsing the charge of the British, saved the defeated American and French Army from annihilation.

A large number of colored sailors were in the Navy during the War of 1812. It is estimated that one-tenth of the crews that manned the vessels on the Great Lakes were colored. They served faithfully in all the battles of the Great Lakes and in the Battle of Lake Erie rendered very effective service. In the celebrated picture of Perry's victory on Lake Erie is seen a colored sailor.

Gen. Andrew Jackson, September 21, 1814, issued a call to the free colored men of Louisiana to enlist. As a result 500 of them were organized into two battalions. These battalions distinguished themselves in the Battle of New Orleans. The Legislature of New York, October 24, 1814, authorized the raising of two regiments of men of color. As a result, 2,000 colored men were enlisted and sent forward to the Army at Sacketts Harbor.

One hundred and seventy-eight thousand nine hundred and seventy-five colored soldiers were enlisted in the War of the Rebellion. These made up 161 regiments, of which 141 were infantry, 7 were cavalry, 12 were heavy artillery, and 1 light artillery. The first colored regiments to be organized were the First South Carolina, in which the first enlistments were made May 9, 1862; the First Louisiana Native Guards, September 27, 1862; the Fifty-fourth Massachusetts, February 9, 1863; the Second Carolina Volunteers, February 23, 1863.

July 28, 1866, Congress passed a law that colored regiments should be a part of the Regular Army. Under this act the Ninth and Tenth Cavalry, and the Thirty-eighth, Thirty-ninth, Fortieth, and Forty-first Regiments of Infantry were organized. March 3, 1869, a consolidation act was passed, and the Thirty-eighth and Forty-first were reorganized as the Twenty-fourth Regiment of Infantry; the Thirty-ninth and Fortieth were reorganized as the Twenty-fifth Regiment of Infantry. These regiments were stationed on the frontier and rendered valuable service in the military operations against the Indians, extending from Dakota to Mexico. The Ninth and Tenth Cavalry won the reputation of being the best Indian fighters on the frontier.

At the outbreak of the Spanish-American War in 1898 the four colored regiments were among the first troops ordered to the front. Here again they won great distinction by their bravery and daring. Colored soldiers took a more conspicuous part in the Spanish-American War than in any previous war waged by the United States. At the first battle in Cuba, Las Guasimas, the Tenth Cavalry played an important part by coming to the support of Col. Theodore Roosevelt and the Rough Riders. The Twenty-fifth Infantry took a prominent part in the Battle of El Caney. The Ninth and Tenth Cavalry and the Twenty-fourth Infantry rendered heroic service in the famous Battle of San Juan Hill.

According to the last census, the colored people had 45,000 churches; 4,800,000 communicants; 46,000 Sunday schools; 2,250,000 Sunday-school pupils; the value of church property $9,000,000; 35 theological schools for ministers. Their religious progress is indicated by the growth of the church. The churches are conducting many denominational schools and contributed $2,000,000 toward them. They are helping the race in many ways. Its pastors are composed of many splendid men and are 25,000 strong, standing for God, the home, the

school, and the State, and preaching that "Christ is all and in all." Religion has solaced and sustained the race under its heavy burdens—at times almost unbearable. There are now more than 2,000,000 of the race attending public schools and over 100,000 in the normal schools and colleges. The teachers now number about 50,000. There are 17 institutions devoted to education of women; 2 to schools of law, 2 to medicine, 2 to dentistry, and 2 to pharmacy. There are 17 agricultural and mechanical colleges and over 400 normal and industrial schools. Education everywhere is sought by the race. Assistance comes from many splendid colleges, universities, and schools. Then, too, the church, the Y. M. C. A., and Y. W. C. A. do a good part in education. Through it all is coming not only a Christian race of people but an educated one. All of this in a period of 60 years. The race are thus building for themselves a splendid society based upon religion, character, and industry, and thus fitting themselves for taking a large part in the life of the Nation.

Economic advancement and progress has likewise been good. A half century ago the race was principally agricultural workers. There were some few blacksmiths, carpenters, and so forth. Now you find them in all walks of life. Sixty thousand or more are in the professions; 50,000 more are engaged in business of different kinds. They publish 400 newspapers; they have 100 insurance companies, 700 drug stores, 40,000 grocery and other stores; 500,000 working in trades, and so forth, where skill is required; 2,000 patents have been granted to the race; they have 78 banks, with capital of $100,000,000. They operate 915,595 farms, with 100,000,000 acres of land. Over 40,000,000 acres are controlled by the race, and 212,365 farms are owned by them. This in 60 years. The value of all property owned by the race in the United States is estimated at $1,500,000,000. They own 22,000,000 acres of farm land. No record of a race is equal to this in all the world.

So when we see the religious zeal of the race, their intense desire and progress in obtaining education, their accumulation of property through all kinds of industry, why should we have to make special appeals for the civil and political rights of the race. The answer is race prejudice. Why race prejudice? They say to prevent "social equality." They tell us that the race must be denied political, civil, educational, and even industrial opportunity for fear that out of it the race may seek this social equality. Of course, the charge that the race seeks a social affiliation with the whites is untrue and absurd. Their sense of self-respect forbids them forcing themselves upon any unwelcome association. Household intercourse and domestic familiarity are purely matters of personal privilege. The white race can maintain without hindrance its social integrity. They need have no fear as to that. The Negro race have their own society, and white people are just as unwelcome there as the converse. The educated and Christian negro is building up his own social status based upon character, culture, and the new amenities of life. They find ample social satisfaction within the limits of their own race. The negro has social sensibilities as well as the other races. They do not ask and never complain against any white man because he is not invited to dine at his table. What the race has a right to complain of, though, is that this exaggerated social equality is wont to be interpreted so as to rob him of civil and political rights as well as educational and industrial opportunity. The race can not surrender as to this.

The Clerk read as follows:

Penal institutions.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 26, after line 14, insert: "Leavenworth, Kans. For repairs to the Government-owned bridge, including the approaches thereto across the Missouri River at Fort Leavenworth, Kans., connecting the military reservation with land heretofore belonging to the Fort Leavenworth Military Reservation in Platte County, Mo., which land and bridge have been transferred to the jurisdiction of the Department of Justice, $49,115, which amount, together with $50,000 appropriated for roads, walks, wharves, drainage, fiscal year 1924, transferred from the War Department to the Department of Justice by the act of May 31, 1923, shall remain available until June 30, 1925."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Department of Labor.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 27, after line 17, insert:

"Bureau of Immigration: The amount which may be expended for personal services in the District of Columbia from the appropriation, expenses of regulating immigration, 1925, is hereby increased from $50,000 to $75,000."

Mr. MADDEN. Mr. Chairman, the necessity for this results from the passage of the recent immigration act and the increased duties imposed upon the office in Washington.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF LABOR

CHILDREN'S BUREAU

Promotion of the welfare and hygiene of maternity and infancy: For carrying out the provisions of section 3 of the act entitled "An act to extend the provisions of certain laws to the Territory of Hawaii," approved March 10, 1924, fiscal year 1925, $12,079.96.

Mr. RAKER. Mr. Chairman, I move to strike out the last word, to obtain just a little information, and a question will be sufficient. Under the act of March 10, 1924, the provisions for the promotion of the welfare and hygiene of maternity——

Mr. MADDEN. That was extended to Hawaii.

Mr. RAKER. And this amount is——

Mr. MADDEN. For the purpose of carrying it into effect.

Mr. RAKER. And will give the same results it has in the United States.

Mr. MADDEN. Will extend the same treatment to Hawaii.

Mr. RAKER. I want to say, from personal observation over those islands, I think it is a splendid thing and in the right direction.

Mr. MADDEN. Well, I think it is a good investment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

NAVY DEPARTMENT

Administrative expenses, World War adjusted compensation act: For temporary personal services in the District of Columbia in accordance with the classification act of 1923, purchase, hire, exchange, and repair of typewriters, adding machines, and other mechanical devices, printing and binding, stationery, office supplies and equipment, and transportation of things, to enable the Secretary of the Navy to perform such duties as are required by the World War adjusted compensation act of May 19, 1924, $450,000, to remain available until June 30, 1925: *Provided*, That the Secretary of the Treasury is authorized to issue to the Secretary of the Navy, without charge, for temporary use, such surplus office supplies and equipment as may be under the control of the General Supply Committee.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, in line 5, after the word "things," insert "and for other necessary contingent and miscellaneous expenses."

Mr. MADDEN. This is to make the language here, in connection with the enforcement of the adjusted compensation act, conform to the language in all the other departments which have jurisdiction over the enforcement of the act.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Post Office Department.—Contingent expenses, Post Office Department.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: On page 31, after line 13, insert "out of the postal revenues."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Postal Service.—Office of Postmaster General.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 32, after line 4, insert "out of the postal revenues."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

STATE DEPARTMENT

General and Special Claims Commissions, United States and Mexico: For the expenses of the settlement and adjustment of claims by the citizens of each country against the other under a convention concluded September 8, 1923, and of citizens of the United States against Mexico under a convention concluded September 10, 1923, between the United States and Mexico, including the expenses which under the terms of the two conventions, are chargeable in part to the United States, the expenses of the two commissions, and the expenses of an agency of the United States to perform all necessary services in connection with the preparation of the claims and the presenting thereof before the said commissions, as well as defending the United States in cases presented under the general convention by Mexico, including salaries of an agent and necessary counsel and other assistants and employees in the District of Columbia and elsewhere, rent, law books and books of reference, printing and binding, contingent expenses, traveling and subsistence expenses, and such other expenses in the United States and elsewhere as the President may deem proper, fiscal year 1925, $171,930.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 35, after line 2, insert: "Immigration of aliens: To enable the Department of State to perform the duties devolving upon it under the laws regulating the immigration of aliens into the United States, including the same objects specified in the act making appropriations for the Department of State for the year 1925 under the head of 'Salaries and contingent expenses, Department of State,' printing and binding, salaries of the foreign service officers, allowances for clerk hire at United States consulates, transportation of diplomatic and consular officers and clerks, and contingent expenses, United States consulates, $500,000, to continue available until June 30, 1925, of which not to exceed $35,000 shall be available for personal services in the District of Columbia under the classification act of 1923."

Mr. MADDEN. Mr. Chairman, this amendment is necessitated by the immigration act recently passed, which provides that immigrants desiring to come into the United States must be examined by the consular officers of the United States abroad, and a number of other preliminary requirements which cause considerable additional expense on the other side, but which we hope may reduce the cost in the United States when the matter is once fully in operation.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RAKER. I thought our consular officers were practically sufficient to do the work. This is to get additional clerk hire?

Mr. MADDEN. They have to have additional interpreters, clerks, stenographers, and vice consuls. They do not dare to place the responsibility for this work under the jurisdiction of any inferior clerk or alien employee of the Government, lest there might be bribery. You might just as well express it in plain words.

Mr. RAKER. I think the gentleman is absolutely correct in that.

Mr. MADDEN. And we think we can put the matter into the hands of responsible Government officials, who have a career and a reputation to preserve and protect.

Mr. RAKER. Those will be citizens of the United States who perform this work?

Mr. MADDEN. Yes; citizens of the United States and officials of the State Department; not merely clerks.

Mr. RAKER. Mr. Chairman, will the gentleman permit another question?

Mr. MADDEN. Yes.

Mr. RAKER. While this appropriates $500,000 now, those coming in will practically reimburse the Government for the work performed?

Mr. MADDEN. I could not answer that question in the affirmative. I would not like to deny it. Nobody knows.

Mr. RAKER. Approximately?

Mr. MADDEN. Well, it does not matter anyway. We are doing the work.

Mr. RAKER. Yes; but I think it is well to know that the amount estimated to come from the fund will reimburse us.

Mr. MADDEN. That does not hurt it with me.

Mr. RAKER. It adds to it.

Mr. YOUNG. Mr. Chairman, will the chairman of the committee tell me whether this is the last appropriation bill to be presented by his committee?

Mr. MADDEN. This is the last appropriation bill to be presented at this session. But I have on my desk here a bill for the so-called $240 bonus and such additions as may be necessary to bring the field service positions up to the level of those classified in the departmental service in the District of Columbia, on which I will ask to suspend the rules as soon as we complete this bill. That will get them all out of the way.

Mr. YOUNG. Mr. Chairman, I believe it is only due to the gentleman from Illinois [Mr. MADDEN] to say that he has made a record as chairman of the Committee on Appropriations of which we are all proud. He has given the members of the Committee on Appropriations and the Members of this House a leadership in financial matters unequaled in the history of Congress. [Applause.] The great sums of money saved by reason of that leadership and the prodigious success as a revenue producer of the Fordney-McCumber tariff law are chiefly responsible for the passage of two great tax-reduction measures during one presidential term.

Mr. Chairman, a great effort is being made by opponents of the present administration to make it appear that the Fordney-McCumber tariff law discriminates against farmers. A careful examination of the law shows this charge to be absolutely false. The fact is the law discriminates in favor of farmers. They have been singled out for special and favored treatment.

In the first place farmers got their protection a year in advance of the manufacturers. There was some opposition to this, but Republican leaders insisted upon first giving relief to a number of farm products which had been left exposed in the Democratic Underwood law to ruinous foreign competition. And so the emergency tariff law was passed.

This was followed by the passage of the permanent law, the Fordney-McCumber law. The agricultural schedule in that law includes practically everything grown on the farms, in marked distinction to the Democratic Underwood law.

The Fordney-McCumber tariff law carries higher rates of duty on agricultural products than any tariff law in the history of the Nation. It was written by a subcommittee of the Ways and Means Committee consisting of W. C. HAWLEY, of Oregon; A. B. Houghton, of New York; and myself, who spent several months in its preparation.

Not only were practically all the things which farmers produce and sell given liberal rates of duty, which was not the case in the Underwood law, but farmers in the matter of their purchases were given special consideration in the free list. Read the free list and you will be convinced that farmers are the chief beneficiaries. The thrifty farmer produces on his own farm by far the greater portion of things used on his own table. Outside of this there is little upon which he is called upon to pay duties, with the exception of woolen cloth. The duty on woolen cloth has much less to do with the price than is popularly believed; but even if it were an outstanding price factor, farmers should be the last to complain, because the price of sheep in my State went from almost a dead loss up to a profitable price. I heard Halvor Halvorson, of Minot, N. Dak., former Democratic candidate for Congress, in a speech at a convention last year tell of a big flock of sheep in Montana which he could have bought at $2 per head while wool was free under the Underwood law and which jumped in value under tariff protection to $15 per head.

Farmers are large buyers of materials for buildings and fences. The following articles are free of duty: Lumber, including that planed, tongued, and grooved; clapboards, laths, shingles, logs, timber, poles, cement, limestone rock, asphaltum, bitumen and tar, barbed wire, and fence posts.

Then note also this comprehensive list:

Plows, tooth or disk harrows, headers, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, threshing machines, cotton gins; machinery for the manufacture of sugar; wagons and carts; cream separators valued at not more than $50 each, wholesale; and all other agricultural implements are free of duty.

All animals imported for breeding purposes are on the free list.

Binding twine comes in free of duty.

Fertilizers are free of duty, including guano, manures, bones used for fertilizers, potash used for fertilizers, muriate of potash, sodium nitrate, potassium nitrate, calcium nitrate, used for fertilizers, are free.

Gasoline, benzine, kerosene, and crude, fuel, or refined petroleum are on the free list.

Leather, harness, and saddles are on the free list, also pads for horses.

Boots and shoes are free of duty.

While I was in my district last summer a banker gave me a tongue lashing for helping to pass a tariff law to boost the price of shoes. Looking at his own, he said, "There is a pair of shoes for which I paid $15."

I suggested that perhaps he ought not to blame the Government for his extravagant taste in shoes, pointing to a good pair of Hanover shoes which I bought on Pennsylvania Avenue for $5, and which I had already worn for a year and could not wear out, and said:

"Do you think it is the tariff which makes shoes high?"

"Of course it is," said he, "and it is indefensible."

"Well," said I, "I am sorry to disabuse your mind on this, John, but shoes and leather are both on the free list."

Mr. Fordney himself told me about a shoe store in his town where the salesmen gave as an excuse for the high price of shoes the new tariff law. Of course, they could not fool Joe, author of the law, but unprincipled tradesmen have done much throughout the entire country to create erroneous opinions about the tariff. When voters go to the polls they should have the facts, and if all the facts are given to them in respect to the tariff they will vote to sustain it.

There are indications that the Democratic National Convention will again declare that the high cost of living is due to the tariff. That is what they did in their platform of 1912, but with the passage of the Underwood law carrying lower duties the cost of living continued to mount during the entire Democratic administration.

It is not surprising, however, that tradesmen, possibly not well informed themselves as to the contents of the tariff law, have given it as the excuse for higher prices, because Democratic Members of this House before we passed the Fordney-McCumber bill and while it was under consideration here made very extravagant predictions as to its operation. They said, "If you pass this bill, there will be no revenue collected from it, because the rates are so high as to practically prohibit the importation of foreign goods." As a matter of fact, the operation of the law shows these predictions to have been entirely unfounded, because almost twice as much money has been collected in duties under it as under the Underwood Democratic law.

These Democratic leaders might have been well meaning, but they apparently overlooked the big fact that ad valorem rates of duty were made to cover the foreign valuation, and that foreign valuations since the war had been very much lower than prior to the war. The rates of the Fordney-McCumber law as applied to such valuations are really moderate rates. The claim that they are high and robberlike is born of ignorance or a desire to obtain political advantage without regard to facts.

The writer is aware that many farmers have been fooled by propaganda. While I was in my district last summer farmers frequently said the tariff on farm products is valueless. Since then, when it was proposed that the duty on flaxseed be reduced, I was showered with letters protesting against it. They had suddenly discovered its real value. Later, when a bill was introduced by a Democrat to reduce the tariff on eggs, I was again flooded with letters of protest, and later similar protests were received covering other farm products.

Again farmers and others who had been reading Democratic speeches in which these gentlemen declared with great emphasis that a wheat tariff was valueless and that the first chance at the American market was no good because we are exporters of wheat ceased to be doubting Thomases when importers began to actually import wheat and actually pay 30 cents a bushel duty. There is no sentiment about importers. The only thing which induced them to part with 30 cents per bushel wheat duty was because wheat on this side of the boundary line was costing them more than 30 cents per bushel in excess of the Canadian market price. Again farmers began a bombardment in which they asked for an increase in wheat duty. Its value had been demonstrated. Under the powers contained in the Fordney-McCumber law President Coolidge increased the wheat duty from 30 cents to 42 cents per bushel.

There is perhaps some excuse for superficial students to reach wrong conclusions in regard to relative prices of wheat at Winnipeg and Duluth. They are apt to think that freight costs from Winnipeg to Duluth should be taken into account. They do not know that all quotations upon the Winnipeg Board of Trade are for delivery at Fort William or Port Arthur or Duluth, all on Lake Superior, and that the shipping rates from these points are identical.

Democratic leaders do not seem to be able to sense the tremendous value of our home market. Here are some of the biggest items of consumption:

The United States consumes 42 per cent of the entire world output of coal, 53 per cent of the entire world output of iron, 57 per cent of the entire world output of steel, 44 per cent of the entire world output of copper, 39 per cent of the entire world output of shoes, 51 per cent of the entire world output of timber, 72 per cent of the entire world output of petroleum, 50 per cent of the entire world output of print paper, 90 per cent of the entire world output of automobiles. This is nothing short of marvelous when it is considered that the United States has less than 6 per cent of the world's population.

Republicans believe that the American market, the greatest on earth, belongs first to Americans. That is why in spite of the sneers of Democratic leaders, who said that duties on many of the farm products would be valueless, went resolutely about the task of placing protective duties upon practically all farm products, including wheat.

Propagandists have also been busy peddling poison among farmers with some success, for the purpose of making them believe that Republicans have conspired by tariff legislation to make manufacturers successful and rich while at the same time forgetting about the farmers. They would like to have farmers believe if a portion of them have failed that it is proof of unfairness or discrimination in the tariff. Some of this kind of talk was indulged in while the McNary-Haugen bill was before the House.

Republicans have never promised by tariff legislation to insure success to any individual or any corporation. That must be determined to some extent by such factors as experience, training, judgment, habits of industry, and economy. It has been and still is their purpose to protect American producers against unfair foreign competition so far as that can reasonably be done by the placing of tariff duties on imports. If farmers fail or if manufacturers fail, they should look for causes other than the tariff. According to the poison peddlers, manufacturers are all successful, if not swimming in wealth. Let us see.

During the calendar year 1923 there were 4,968 manufacturing concerns which became insolvent and went into bankruptcy. This is according to the best authority—R. G. Dun & Co.

Here is the list:

Manufacturers of—	
Iron, foundries, nails	79
Machinery and tools	495
Woolens, carpets, and knit goods	42
Cotton lace, hosiery	49
Lumber, carpenters, and coopers	453
Clothing and millinery	645
Hats, gloves, and furs	161
Chemicals and drugs	72
Paints and oils	13
Printing and engraving	165
Flour and baking	485
Shoes and harness	205
Liquors and tobacco	110
Glassware and earthenware	73
Miscellaneous	1,921
Total failures of manufacturers	4,968

Then, of those manufacturers that did not fail many of them have paid no dividends. I have a little money invested in the stock of three different manufacturing companies manufacturing products covered by protective duties. Two of them have never paid a dividend and the third failed to pay a dividend the year following the war, but has paid 10 per cent since.

But whether they paid dividends or not, the manufacturers of the country gave employment last year to more men than were ever before employed and at higher wages, and who were all purchasers of farm products. If times are hard for a portion of the farmers, think what they might have been during this postwar period if millions of workingmen had continued to walk the streets as they were doing when the last Democratic administration stepped out of office. Some people are sufficiently unreasonable to expect that the United States can entirely escape the economic results of participation of our country in the greatest war of all time. And some also expect that we can have an abundance of cheap merchandise made by low-

paid foreign labor and at the same time have high wages in the United States. It can not be done, and the man or party that promises it has either unsound or unprincipled leadership.

David Lloyd-George, the great British statesman, upon his return to Great Britain made a notable speech at Brighton, in which he said:

The only people unemployed in the United States are the jailers.

What a tribute to the governmental policies of the Harding-Coolidge administration.

It is up to farmers, as well as others, to make a careful study of the Fordney-McCumber tariff law before condemning it. No law has ever been so viciously misrepresented. The wise producer, whether on the farm or in the workshop or elsewhere, and the prudent consumer will find upon study it is the most scientific tariff law ever written. And if he wants to maintain American standards of living he will stand by the party that stands for protection to American labor and American industry.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. RAKER. Mr. Chairman, I took this matter up when it was heard before the Committee on Immigration relative to the immigration bill, and the Secretary of State furnished a statement of the expenditures and cost and an estimate, so that the committee would have something to work on, showing that we would be repaid for the money expended in enforcing the immigration law, which will add much to the expedition of it, as well as preventing the claims of hardships and troubles that occurred at Ellis Island.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I have another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Page 35, after line 2, insert:

"Salaries, Foreign Service officers: For compensation of Foreign Service officers for the fiscal year 1925, in addition to the amounts made available for that purpose by section 21 of the act entitled 'An act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes,' approved May 24, 1924, $450,000."

Mr. MADDEN. Mr. Chairman, this is due to the passage of the so-called Rogers bill for the correlation of the Consular and Diplomatic Services and the increased compensation to be paid to those engaged in that service.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Illinois offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: On page 35, after line 2, insert:

"International Statistical Institute at The Hague: For the annual contribution of the United States to the International Statistical Bureau at The Hague for the year 1925, as authorized by public resolution approved April 28, 1924, fiscal year 1925, $2,000, to be expended under the direction of the Secretary of State."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Illinois offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: On page 35, after line 2, insert:

"Seventh Pan American sanitary conference: For the representation of the United States at the seventh Pan American sanitary conference to be held at Habana, Cuba, as authorized by public resolution approved April 28, 1924, including the expenses of the delegates for transportation, subsistence (notwithstanding the provisions of any other act), compensation of interpreters and other employees, assembling of the necessary data and preparation, printing, and binding of a report, and such other miscellaneous expenses as the President may deem proper, fiscal year 1925, $2,600."

Mr. MADDEN. Mr. Chairman, I would like to state in connection with this amendment, as well as in connection with the other amendments I have just submitted for the State Department, that they are offered because of new legislation enacted within the last 60 days and upon which estimates have come to the Committee on Appropriations within the last few days from the President. In connection with the last amendment, I wish to say that the Public Health Service says that this sanitary conference is one of the best investments that can be made. They establish rules and regulations for sanitation, and these rules and regulations are applicable to all the countries attending the conference. The countries have taken advantage of the recommendations made by these conferences to the extent that the health of the people in all the countries involved is much better on the general average than it ever has been before.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: On page 35, after line 2, insert:

"Traffic in habit-forming narcotic drugs: For the expenses of the participation of the United States in one or both international conferences to be called to agree upon a plan to enforce The Hague opium convention, as authorized by public resolution approved May 15, 1924, including salaries in the District of Columbia or elsewhere, rent, printing and binding, traveling and subsistence expenses (notwithstanding the provisions of any other act), and such other expenses in the United States and elsewhere as the President may deem proper, fiscal year 1925, $35,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Illinois offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: On page 35, after line 2, insert:

"Nineteenth conference of the Interparliamentary Union: For the purpose of defraying the expenses in the city of Washington and elsewhere in the United States incident to the nineteenth conference of the Interparliamentary Union, to be held in Washington in 1925, to be expended under such rules and regulations as the Secretary of State may prescribe, for salaries in the District of Columbia or elsewhere, rent, printing and binding, traveling and subsistence expenses (notwithstanding the provisions of any other act), and such other expenses as may be necessary, $50,000, as authorized by public resolution approved May 13, 1924, to remain available until December 31, 1925."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Illinois offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: On page 35, after line 2, insert:

"Commission on equitable use of the waters of the Rio Grande: For a study, in cooperation with representatives of the United States of Mexico, regarding the equitable use of the waters of the Rio Grande below Fort Whitman, Tex., with a view to their proper utilization for irrigation and other beneficial uses, including salaries of commissioners and other employees, transportation, subsistence (notwithstanding the provisions of any other act), and such other miscellaneous expenses as the President may deem proper, fiscal year 1925, $20,000: *Provided*, That one of the commissioners so appointed shall be an engineer experienced in such work."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: On page 35, after line 2, insert:

"Relief of Madame Crignier: To pay to the Government of the Republic of France, as a matter of grace and without reference to the question of liability therefor, as full indemnity for loss and damage to

property suffered by Madame Crignier, a citizen of France, by reason of the search for the body of Admiral John Paul Jones, as authorized by the act approved May 13, 1924, fiscal year 1924, $13,511.13."

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 35, after line 2, insert:

"Embassy, legation, and consular buildings and grounds: The unexpended balance of the appropriation 'repairs and improvements, embassy premises, London, England, 1922 and 1923,' is hereby made available for the payment of any obligations incurred after June 30, 1923, and shall remain available until June 30, 1925."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

INTERNAL REVENUE SERVICE

The appropriation "Collecting the internal revenue, 1925," is made available for rental at not exceeding $11,500, care, maintenance, and protection of quarters in the District of Columbia, including such alterations and repairs to rented quarters as may be necessary, in all $29,915, provided suitable or adequate space can not be assigned to the Bureau of Internal Revenue by the Public Buildings Commission in Government-owned buildings under its control: *Provided*, That the superintendent State, War, and Navy Department Buildings shall be responsible for the care, maintenance, and protection of such buildings as may be so rented: *And provided further*, That the sum of $18,415 herein above authorized to be expended for the care, maintenance, and protection of such rented buildings, together with all machinery, tools, equipment, and supplies used for the use in connection therewith, shall be transferred on July 1, 1924, from the Secretary of the Treasury to the superintendent State, War, and Navy Department Buildings.

Mr. FRENCH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Insert after line 14, on page 36, a new paragraph, as follows:

"No money appropriated for the enforcement of the prohibition, narcotic, or customs laws shall be expended for the hire of automobiles, boats, or other similar conveyances in any locality whenever automobiles, boats, or similar conveyances are available in the custody of the law, forfeited to the United States under the penal laws, which in the judgment of the Secretary of the Treasury are suitable for use in the enforcement of such laws; and the Secretary of the Treasury is hereby authorized to acquire, upon payment of lien and costs as provided by law, such forfeited automobiles, boats, or other conveyances as in his discretion may be suitable or requisite for such purposes, and to expend such sums from the appropriation made for the enforcement of such laws for the maintenance and operation for official use of such automobiles, boats, or other conveyances, and a report shall be submitted to Congress each year in the Budget of all sums thus expended."

Mr. CHINDBLOM. Mr. Chairman, I make a point of order on that.

Mr. FRENCH. Will the gentleman withhold the point of order?

Mr. CHINDBLOM. I will reserve a point of order.

Mr. BLANTON. It is clearly a limitation.

Mr. CHINDBLOM. No; it is not.

Mr. FRENCH. I think we will not even need to debate the point of order if the gentleman will just grasp the importance of the proposition in the language of the amendment. It will do two things: First, under the law, it happens that automobiles and boats are seized from those who are violating the law and are held for a time in the custody of the proper enforcement officers, and by natural operation of law under certain conditions are forfeited to the Government. This amendment will give an opportunity for the Government to use these boats and vehicles, and in the use of them save expenditures of money that otherwise would need to be made in purchasing craft and automobiles for the enforcement of the law. In the second place, it will have an important part in aiding the officers to enforce the law, for this reason: At this time, as the officers undertake to enforce the law, the boats and automobiles and vehicles that are used by violators of the law in plying their craft are seized, and normally they are sold in the localities where seized. They are owned by the Government. They have been forfeited, but the situation is such that when the automobiles or boats are offered for sale bidders do not compete with each other because of fear of those who have violated the law. In other words, the law violators are able through themselves, if they are unknown, or through dummies, to slip in, bid back for a song the boat or the automobile or other vehicle which has been forfeited to the Government, and continue to ply their business of violating the laws of our country.

It seems to me that when these considerations are taken into account the gentleman will not want to insist upon his point of order against this amendment.

Mr. CHINDBLOM. Mr. Chairman, I will say to the gentleman from Idaho that this very proposal is now pending before the Committee on Ways and Means. A separate bill has been introduced covering exactly the same matter. The committee has begun the consideration of the bill, but has not concluded it. I will say that at least many of the members of the committee have a great deal of doubt as to the wisdom of this proposal, so that with reference to the merits of the matter we are informed, I think, to the extent that we do not think the conditions are as appealing as the gentleman from Idaho has attempted to state them.

Mr. CRAMTON. Will the gentleman yield?

Mr. BLANTON. I want to be heard on this, Mr. Chairman.

Mr. CRAMTON. Will the gentleman yield just for half a minute simply that I may observe that recently the head of the State constabulary in Michigan, Mr. Jackson, a very efficient officer, was in Washington and brought this same thing to my attention and made an appeal that something of this kind be done, and in doing so said to me—you understand we have a great problem there on the Canadian border—the trouble is they seize a speed boat and it is put up for sale, and this gang that is operating on the river—hi-jackers, he called them—intimidate and prevent competition. I will make the further suggestion. I notice a recent decision by the Comptroller General in a case where they stored an automobile in this way—I suppose it may have been a John Doe case, where the owner did not appear—and it was stored so long that the storage fees amounted to more than the automobile sold for. The Comptroller General held that the Government was not liable for anything above what the car actually sold for. At the same time when we are paying storage fees on automobiles we are hiring automobiles.

Mr. CHINDBLOM. I make the point of order.

Mr. GARNER of Texas. It is clearly legislation on an appropriation bill.

Mr. CHINDBLOM. Of course it is legislation on an appropriation bill and it is not reducing expenditures. No one in favor of this legislation can convince the Chair or anyone else that it will make any reduction in expenses. It is affirmative legislation. It provides for the use of boats and automobiles and other means of transportation which under the present law are to be sold, the proceeds of the sale to go into the General Treasury.

Mr. CRAMTON. I want to say that while I hoped that the gentleman would not make the point of order, there is no doubt about its being subject to a point of order.

Mr. CHINDBLOM. I think we ought to have orderly consideration of legislation. Gentlemen know that my record has been consistent in the matter of prohibition enforcement, but I insist that this most important legislation which has already begun to be considered in a legislative committee shall be considered by that committee to its conclusion, or a fair opportunity offered that committee before an attempt is made to engraft the legislation upon an appropriation bill. I insist on the point of order.

Mr. BLANTON. Mr. Chairman, I want to make one suggestion. The Chair has made some rulings which I did not agree to at the time the Chair made them, but nevertheless they are the rules by which this committee is governed; and the committee sustained the Chair. This amendment is in order on two grounds. First, it limits the manner in which the money may be expended, and secondly, it comes within the Holman rule, saving the Government expense.

What is the situation? The Government captures a fast boat smuggling liquor against the law. It is faster than any boat the United States Government has now under its direction. The Government can not use that boat. It has to expend money in having new boats made, or buy them, whereas if the amendment is passed, granting it is legislation, we do save the Government money because that very fast boat can not be sold for one-fifteenth of its value. If the Government can take it over, pay the costs, and use it, it is saving governmental expense and comes within the Holman rule. I submit that the point of order ought to be overruled.

The CHAIRMAN. The amendment offered by the gentleman from Idaho reads as follows:

No money appropriated for the enforcement of the prohibition, narcotic, or custom laws shall be expended for the hire of automobiles, boats, or other similar conveyances in any locality whenever automobiles, boats, or similar conveyances are available in the custody of the law forfeited to the United States under the penal laws, which in the judgment of the Secretary of the Treasury are suitable for use in the enforcement of such laws.

It will be observed that that limitation on the use of these moneys does not relate alone to the moneys appropriated by this act, but to all moneys appropriated by all acts. Therefore it goes beyond the ordinary rule of limitation, which refers only to a limitation on the appropriation carried in the particular bill which is being amended. There might be some question of doubt about it if it was not for the latter part of the amendment, which reads as follows:

And the Secretary of the Treasury is hereby authorized to acquire upon payment of lien and costs as provided by law such forfeited automobiles, boats, or other conveyances as in his discretion may be suitable or requisite for such purposes, and to expend such sums from the appropriation made for the enforcement of such laws for the maintenance and operation for official use of such automobiles, boats, or other conveyances, and a report shall be submitted to Congress each year in the Budget of all sums thus expended.

This is a legislative provision giving authority to the Secretary of the Treasury to do something which heretofore he has not had authority to do. It is said that it is a retrenchment or a diminution of the amount to be expended, but the Chair can not be sure of that. It might cost more than the Secretary would otherwise expend for the purpose. The point of order must be sustained.

Mr. MADDEN. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The point of order is sustained.

Mr. SEARS of Florida. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 38, line 17, insert a new paragraph, as follows:

"For the alteration and improvement of the post-office building at Orlando, Fla., $20,000, or so much thereof as may be necessary."

Mr. MADDEN. Mr. Speaker, I reserve a point of order on the amendment.

Mr. SEARS of Florida. Mr. Speaker, I hope the gentleman from Illinois will not insist on the point of order. The other day, in speaking about the post offices in my district, I made the statement that my brilliant and intellectual colleague from Illinois, because he was a bachelor, was estopped from coming to Florida. I think I did him a grave injustice. I think if he could come to Florida and look over the bathing beauties perhaps he would not remain a bachelor.

Mr. CHINDBLOM. Are they native beauties, or do they come from the North.

Mr. SEARS of Florida. Both.

Mr. MADDEN. I suppose the gentleman is referring to our handsome colleague, Mr. DENISON.

Mr. SEARS of Florida. Mr. DENISON, I trust, will accept the invitation, and as to the other members of the Illinois delegation I leave that to each of them.

Mr. BLANTON. The distinguished gentleman represents the silk-stocking district of the United States, and I think he ought to be heard for a few minutes.

Mr. SEARS of Florida. Mr. Chairman, I trust the chairman of the committee will not insist upon the point of order. The proposition is simply this: Four hundred thousand dollars to meet just such emergencies as my amendment is trying to meet was appropriated by the House. The First Assistant Postmaster General informs me that this has all been allotted and that there is nothing left for Orlando. Therefore I have come to this House and asked for this, even though it is subject to a point of order, and I sincerely trust the gentleman will not insist upon it. This morning I called up the Treasury Department, to whom the matter was referred, and the Assistant Secretary of the Treasury, Mr. Moss, told me I could state on the floor of the House that he hoped the House would pass this amendment, because it is absolutely necessary. I have been told that I would have to wait until we got a public building and grounds bill, but I have been waiting since 1915, and God knows how much longer I shall have to wait unless Congress changes its attitude.

At this point, Mr. Chairman, I desire to have inserted in the RECORD a letter, dated April 1, 1924, from one of the most intellectual, brilliant, reliable, and conservative citizens of our State. There is but one objection to him, and that is he is a Republican and we have been unable to convert him. This letter is as follows:

ORLANDO, FLA., *April 1, 1924.*

Re: Orlando (Fla.) Post Office.

Hon. W. J. SEARS,
Washington, D. C.

DEAR SIR: Orlando having doubled in population since the erection of the post-office building, the added service of parcel-post business has made the room space entirely inadequate to care for the usual business of the office. To this is added the increase of tourist business of 25 per cent.

No private business could possibly expect to hold trade under such conditions. The only reason why the patrons stand it is because they can not help themselves and must of necessity use the service which the department provides. A remedy can be had with comparatively little expense which would meet the needs for three times the present population, which will probably be 20 years from this date. The remedy is this:

1. Erect a porch on the west side of the present building and install the boxes in the west wall of the building. This porch need not be more than 10 feet wide, extending from the north front to the south front. There can be no objection from the fire hazard, as there is a clear space and fire-proof building on the west. The general-delivery stamp window may be handled from this side.

2. The present lobby will then be adequate for the money-order, postal-savings, and registry windows.

3. Purchase or lease for 99 years the lot immediately south of the present post-office property, which has an old building on it of no value, ready to be condemned. Erect thereon a two-story building for parcel post, rural and city carriers. This lot has a depth equal to the post-office lot and has sufficient space and opportunity for openings to answer every purpose.

It may appear that I am free with my suggestions, but may I explain that for 17 years I was postmaster in Orlando. I brought the office from a poor, third-class office to a first-class office; that I raised the money and purchased the present site of the post office and gave it to the Government. I have no property to sell. I never expect to hold any office within the gift of the United States; but I am interested, and always shall be, in doing my part to have the United States Government receive the commendation of the citizens and not the complaints and criticisms of all who deal with it. These are the things that make Bolsheviks, that start the red flag, that spell the failure of a republican form of government, unless those who assume responsibility handle the Government's business as they would their own.

Will you kindly bring this matter to the attention of the proper department.

Yours respectfully, ——— ———.

Also letter dated April 10, 1924, as follows:

ORLANDO, FLA., *April 10, 1924.*

Re: Orland post office.

Hon. W. J. SEARS,
House of Representatives, Washington, D. C.

MY DEAR MR. SEARS: I thank you for your letter of the 4th, and know that you are doing all you can to relieve the situation.

I fully realize, out of my experience, that the demand for additional service, increased appropriations, increased service in every direction, buildings, boxes, clerks, carriers, etc., is ever present with the Post Office Department. It is the penalty in an expanding country with increasing population.

There has always been one thing that seems difficult for the Post Office Department to realize—they admit and say that they understand, but evidence seems to be lacking to comprehend. Take, for illustration, the Orlando post office. The building was designed according to the established rules and experience with lobby to care for population of 10,000 people. The demand for boxes became so strong that a square was projected out into the lobby, already too small. No merchant or business man would have ever done a thing like that.

Again, the second floor was put in in the main room, where distribution cases were placed. For six months in the year it is with the greatest difficulty that you can get to your box or purchase stamps. You can break through the line, if some good-natured person will let you. A woman told me last week that she waited an hour while negroes got C. O. D. packages, and finally took a car and went 5 miles to Winter Park to mail a package.

Orlando is not a mushroom town. In 1838, when old Fort Gatlin was keeping the Seminoles in line, Orlando was the center. Why should the United States Government, with an absolute monopoly of mail service—as it should have—inconvenience its patrons to the ex-

tent it does? A merchant who followed the same policy would go out of business in six months.

Please suggest to the First Assistant Postmaster General that he order an inspection.

Yours very truly, W. R. O'NEAL.

Also letter from a constituent of mine from West Palm Beach, Fla., dated May 31, 1924:

WEST PALM BEACH, FLA., *May 31, 1924.*

The Hon. W. J. SEARS,

Representative, House of Representatives, Washington, D. C.

DEAR MR. SEARS: We appreciate very much your letter of the 27th instant, and we realize the obstacles which you have had before you in trying to get some relief for our post-office situation.

Our situation is becoming worse and worse, and the lease on the present building will expire in about one year, and from the way in which this local post-office situation has been handled, both by the Post Office Department and by the red tape and machinery of Congress, the local people are beginning to lose confidence in the administration of our affairs from a strictly business standpoint.

Any private individual or corporation who would try to conduct a business upon the same basis as the local post office has been conducted would be out of business and bankrupt in short order.

I fully appreciate your position, and I sincerely hope that we can in the future see "more business in government and less government in business."

Thanking you for your many past courtesies and hoping that you might be able to get something done which would relieve our condition, we remain,

Very sincerely yours, ——— ———.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman may have one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SEARS of Florida. Mr. Speaker, we have appropriated $50,000 for a bathing beach for negroes in this bill. We have made other appropriations, and I insist that the people are entitled to mail facilities and to service in having their mail delivered, and unless you give this appropriation to Orlando, Fla., they can not serve your constituents who will be down there next fall.

Mr. CHINDBLOM. There is at present in the city a very fine looking delegation from Florida at the real estate convention, and they almost persuade me.

Mr. SEARS of Florida. If the gentleman could see the conditions in the district, he would not take this as a joke.

Mr. CHINDBLOM. I am not taking it as a joke at all.

Mr. SEARS of Florida. Mr. Chairman, I hope the chairman of this committee will not make the point of order, because I am quite sincere in offering the amendment. The people of this country are entitled to mail service. They are entitled to have their mail facilities increased. I have voted for every appropriation for the post office, and when I have done that I think it unfair that I should be criticized for not doing my duty, because I am not in a position to bring in these bills, and can only vote for such bills as are brought in by my Republican colleagues who are in control. You may call it pork barrel; you may call it graft, but I tell you the people are getting tired of inadequate mail facilities. They are also getting tired of the way you postpone river and harbor bills. Let me again urge you in the strongest terms possible that relief for both be speedily given. Mr. Chairman, I voted against adjournment because I believed relief along lines as above stated should be given, but the majority wanted to adjourn. Therefore let me urge upon my colleagues that these propositions be taken up the first thing after we meet next session.

The Clerk read as follows:

WAR DEPARTMENT

Administrative expenses, World War adjusted compensation act: For temporary personal services in the District of Columbia in accordance with the classification act of 1923, purchase, hire, exchange, and repair of typewriters, adding machines, and other mechanical devices, printing and binding, stationery, office supplies and equipment, telegrams, telephones, maintenance and operation of motor trucks, transportation of things, and rent of buildings and parts of buildings in the District of Columbia, if space is not provided by the Public Buildings Commission in Government-owned buildings, to enable the Secretary of War to perform such duties as are required of him by the World War adjusted compensation act of May 19, 1924, $3,600,000, to remain available until June 30, 1925: *Provided*, That the Secretary of the Treasury is authorized to issue to the Secretary of War, without charge, for temporary use, such surplus office supplies and equipment as may be under the control of the General Supply Committee.

Mr. MADDEN. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 39, line 16, after the word "things," insert "other necessary contingent and miscellaneous expenses."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

Mr. SEARS of Florida. Mr. Chairman, I reserve the point of order on that.

Mr. MADDEN. This is to harmonize this language with the language carried in other bills.

Mr. SEARS of Florida. But "other necessary and contingent expenses" means anything.

Mr .MADDEN. It is for the purpose of harmonizing the language.

Mr. SEARS of Florida. We do not want harmony in this.

Mr. MADDEN. It is in connection with the World War bonus, and it is to make all of the language in all of the de-departments where they have to administer the act harmonious.

Mr. SEARS of Florida. The President having vetoed the bill, I think it ought to be harmonious.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. I have no criticism to make of the Committee on Appropriations so far as the amount carried in the paragraph is concerned, although I think it is altogether too much. Of course, the Committee on Appropriations, when a department comes before it and says that it has a certain amount to work to and that it can not be done for any less amount, can do nothing else than appropriate the money, but I do hope the War Department will systematize its operations and make it more efficient in order that it will not be necessary to expend the sum of $3,600,000 for this purpose.

Mr. MADDEN. They asked us for $4,500,000.

Mr. GREEN of Iowa. The gentleman did very well in cutting it down as he has. The Members of the House will observe that this is about 75 cents each for obtaining something the records ought to show at a mere glance, after they have systematized the matter as they should.

The War Department is required to certify to the Veterans' Bureau four things. First, that the applicant is a veteran; second, his name and address; third, the date and place of his birth. All those things are furnished by the veterans. Fourth, the amount of his adjusted-service credit, together with the facts of record in his department upon which such above conclusions are based. The facts are simply the length of time of service, and that is all there is to that.

Mr. MADDEN. They have to go through the files where there are 5,000,000 records and compare them with the statement made by the veterans and it takes a lot of time.

Mr. GREEN of Iowa. No; I beg the gentleman's pardon. They will not pay any attention to the statement of the veterans, they will take what the record shows, and I think it ought to be done for a very much less sum than is here. Mr. Chairman, I withdraw the pro forma amendment.

Mr. SEARS of Florida. Does the gentleman think the name and address of everybody ought to be pretty well indexed by the present Veterans' Bureau and War Department, they having gone over it time and time again?

Mr. GREEN of Iowa. Well, they ought to be; I do not know whether they are or not.

The Clerk read as follows:

Medals, Texas Cavalry: For procuring bronze medals of appropriate design with a bar and ribbon, together with a rosette or other device to be worn in lieu thereof, for issue to officers and enlisted men of Texas Cavalry, under the provisions of an act approved April 16, 1924, $5,000, to remain available until June 30, 1925.

Mr. SEARS of Florida. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. MADDEN. This is in accordance with the law that has just been enacted, and is not subject to the point of order.

Mr. SEARS of Florida. That is authorized by law?

Mr. MADDEN. Directly.

Mr. SEARS of Florida. I withdraw the point of order.

The Clerk read as follows:

For pay, etc., of the Army, $1,043,989.12.

Mr. BROWNING. Mr. Chairman, I move to strike out the paragraph for the purpose of asking the chairman of the committee one question. I would like to ask if this item of $1,043,980.12 includes in it allowance for men in the officers' training camps and entitled to an amount above the enlisted pay and $100 per month?

Mr. MADDEN. As many as are certified up to the 20th of May by the Comptroller General.

Mr. BROWNING. Are in this item?

Mr. MADDEN. Yes; up to the 20th of May. There will be more certified, perhaps, before this bill goes through the Senate.

Mr. BROWNING. I withdraw the pro forma amendment.

The Clerk read as follows:

For indemnities, domestic mail, $593.26.

Mr. BLANTON. Mr. Chairman, I move to strike out the word "indemnities." I do that for the purpose of asking the chairman a question. It was reported in the press that as an indemnity, through some one who is trying apparently to prevent the adjournment of the Congress on Saturday, it has been agreed to put in this bill when it goes to another body all sorts of outlandish amendments, one involving $167,000,000 on a proposition which the House has turned down by an overwhelming vote. Now, just to get an adjournment, is the gentleman going to agree to such amendments?

Mr. MADDEN. Anything put on the bill that ought to come back to the House will come back. The gentleman need not be worried about that.

Mr. BLANTON. I hope so.

The Clerk read as follows:

Total, audited claims, section 2, $1,190,870.49, together with such additional sum, due to increase in rates of exchange, as may be necessary to pay claims in the foreign currency as specified in certain of the certificates of settlement of the General Accounting Office.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 50, line 10, insert a new section, as follows:

"SEC. 3. That this act hereafter may be referred to as the second deficiency act, fiscal year 1924."

The question was taken, and the amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I move that the Committee do now rise and report the bill with the amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 9559, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MADDEN. Mr. Speaker, I move the previous question on the amendments and bill to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the passage of the bill.

Mr. HOWARD of Nebraska. Mr. Speaker, I make the point of order of no quorum.

The SPEAKER. The gentleman from Nebraska makes a point of order of no quorum. It is clear there is no quorum present.

Mr. MADDEN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Browne, N. J.	Crowther	Fairfield
Ayres	Bulwinkle	Curry	Fish
Bankhead	Byrnes, S. C.	Davey	Frear
Beck	Celler	Davis, Minn.	Fredericks
Berger	Clark, Fla.	Dempsey	Freeman
Bixler	Clarke, N. Y.	Dickstein	Funk
Boies	Cole, Ohio	Dominick	Geran
Brand, Ohio	Collins	Drane	Hammer
Britten	Connolly, Pa.	Edmonds	Hooker
Howard, Okla.	Logan	O'Sullivan	Scott
Hudspeth	Lowrey	Oliver, Ala.	Spearing
Johnson, S. Dak.	Lyon	Paige	Stalker
Jost	McFadden	Park, Ga.	Sullivan
Kahn	McSwain	Parker	Swoope
Kerr	Magee, N. Y.	Patterson	Taylor, Colo.
King	Martin	Peavey	Underhill
Knutson	Merritt	Phillips	Voigt
Kunz	Michaelson	Quayle	Ward, N. Y.
Langley	Miller, Ill.	Reed, W. Va.	Watres
Larson, Minn.	Morin	Richards	Wertz
Leatherwood	Mudd	Robinson	White, Me.
Lilly	Nelson, Me.	Rogers, Mass.	Wilson, Miss.
Lineberger	Nelson, Wis.	Rogers, N. H.	Winslow
Linthicum	Nolan	Rosenbloom	Wood
Little	O'Connell, R. I.	Schall	

The SPEAKER. Three hundred and thirty-five Members have answered to their names. A quorum is present. The Doorkeeper will open the doors.

The doors were opened.

Mr. MADDEN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. RAMSEYER. Mr. Speaker, I have a motion to recommit on the Clerk's desk, which I offer.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. RAMSEYER. I am not opposed to the bill.

The SPEAKER. The Clerk will report the motion of the gentleman from Iowa.

The Clerk read as follows:

Mr. RAMSEYER moves to recommit H. R. 9559 to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment:

"That a joint commission is hereby created, to be known as the joint commission on national defenses, which shall consist of five Senators, three of whom shall be members of the majority party and two of whom shall be members of the minority party, to be appointed by the President of the Senate, and five Representatives, three of whom shall be members of the majority party and two of whom shall be members of the minority party, to be appointed by the Speaker.

"Said commission shall investigate and report to Congress, on or before the first Monday in December, 1925, the best and most practical plan for drafting all the resources of the United States, human and material, for national defense, so that in event of future war every man and woman may be called under the flag for assignment to duty for whatever service, military or civil, the individual is best fitted; and every plant, agency, and facility may be called to universal service, all in sublime sacrifice for country, and not one penny of war profit shall inure to the benefit of private individual, corporation, or combination.

"The commission shall include in its report recommendations for legislation which in its opinion will tend to carry out the purpose of this resolution, and shall specifically report upon the limitations of the powers of Congress in enacting such legislation.

"The commission shall elect its chairman, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

"The commission or any subcommittee of its members is authorized to sit during the sessions or recesses of Congress, in the District of Columbia or elsewhere, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purpose of this resolution; such expenditure shall be paid from the contingent funds of the Senate and House of Representatives in equal proportions upon vouchers authorized by the commission and signed by the chairman thereof."

Mr. MADDEN. Mr. Speaker, I make a point of order against the motion. It is legislation on an appropriation bill.

Mr. RAMSEYER. The gentleman does not know whether it is up properly or not.

The SPEAKER. It is clearly out of order. The Chair sustains the point of order. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. MADDEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 5478) to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise, and their return to civil employment."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8839) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes," had insisted on its amendments, had agreed to further conference with the House, and had appointed Mr. PHIPPS, Mr. JONES of Washington, Mr. BALL, Mr. GLASS, and Mr. EDWARDS as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. JONES of Washington, and Mr. OVERMAN as the conferees on the part of the Senate.

COMPENSATION OF CIVILIAN EMPLOYEES IN CERTAIN FIELD SERVICES

Mr. MADDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 9561) making additional appropriations for the fiscal year ending June 30, 1925, to enable the heads of the several departments and independent establishments to adjust the rates of compensation of civilian employees in certain of the field services.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass the bill H. R. 9561. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9561) making additional appropriations for the fiscal year ending June 30, 1925, to enable the heads of the several departments and independent establishments to adjust the rates of compensation of civilian employees in certain of the field services

Be it enacted, etc., That to enable the heads of the several departments and independent establishments to adjust the compensation of civilian employees in certain field services to correspond, so far as may be practicable, to the rates established by the classification act of 1923 for positions in the departmental services in the District of Columbia the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the fiscal year ending June 30, 1925, namely:

EXECUTIVE OFFICE AND INDEPENDENT ESTABLISHMENTS

EXECUTIVE OFFICE

For repairs, fuel, etc., Executive Mansion, $11,040; for improvement and care of public grounds, Executive Mansion, $2,640; for lighting, etc., Executive Mansion, $480; and for salaries, White House police, $15,260; in all, $29,420.

CIVIL SERVICE COMMISSION

For salaries, field force, Civil Service Commission, $64,920.

INTERSTATE COMMERCE COMMISSION

For Bureau of Inquiry, $760; for Bureau of Accounts, $15,760; for Bureau of Valuation, $3,060; in all, $19,580.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

For salaries, National Advisory Committee for Aeronautics, $30,000.

TARIFF COMMISSION

For salaries, Tariff Commission, $1,260.

UNITED STATES VETERANS' BUREAU

For salaries and expenses, United States Veterans' Bureau, $1,225,000.

EXECUTIVE DEPARTMENTS

DEPARTMENT OF AGRICULTURE

Office of experiment stations, general expenses, $23,280.

Office of extension service, general expenses, $2,860.

Weather Bureau: For salaries, $67,520; for general expenses, $259,980; in all, $327,500.

Bureau of Animal Industry: For salaries, $63,740; for general expenses, $313,500; for meat inspection, $833,270; in all, $1,210,519.

Bureau of Plant Industry: For salaries, $9,540; for general expenses, $130,191; in all, $139,731.

Forest Service: For salaries, $824,120; for general expenses, $439,256; in all, $1,263,376.

Bureau of Chemistry: For salaries, $28,260; for general expenses, $70,700; in all, $98,960.

Bureau of Entomology: For salaries, $6,780; for general expenses, $54,150; for preventing spread of moths, $17,800; for prevention of spread of European corn borer, $7,280; and for preventing spread of Mexican bean beetle, $1,780; in all, $87,790.

Bureau of Biological Survey: For salaries, $3,340; for general expenses, $41,490; in all, $44,830.

Bureau of Public Roads: For salaries, $1,800; for general expenses, $16,220; in all, $18,020.

Bureau of Agricultural Economics: For salaries, $76,000; for general expenses, $64,978; for enforcement of United States cotton futures act, $3,500; for enforcement of United States grain standards act, $48,940; and for administration of United States warehouse act, $10,560; in all, $203,978.

Enforcement of the insecticide act: For salaries, $1,180; for general expenses, $3,200; in all, $4,380.

Federal Horticultural Board: For salaries, $1,860; for general expenses, $27,708; in all, $29,568.

Miscellaneous items: For demonstrations on reclamation projects, $2,180; for cooperative fire protection of forested watersheds of navigable streams, $1,520; for acquisition of lands for protection of watersheds of navigable streams, $18,540; for experiments and demonstrations in livestock production, $960; for field station, Woodward, Okla., $300; for experiments in dairying and livestock production in western United States, $1,380; for eradication of foot-and-mouth disease, etc., $6,980; for suppressing spread of pink bollworm of cotton, $19,760; for eradication of the date scale, $2,320; for enforcement of packers and stockyards act, $23,140; and for enforcement of grain futures act, $7,070; in all, miscellaneous items, $84,150.

Total, Department of Agriculture, $3,538,942.

DEPARTMENT OF COMMERCE

Bureau of Foreign and Domestic Commerce: For commercial attachés, $17,136; for promoting commerce, Europe and other areas, $12,600; for district and cooperative office service, $34,818; for promoting commerce, South and Central America, $5,040; for promoting commerce in the Far East, $5,544; for China trade act, $504; for export industries, $504; and for compiling foreign trade statistics, $45,980; in all, $122,126.

Steamboat Inspection Service: For salaries, $137,700; for clerk hire, $27,460; in all, $165,160.

Bureau of Navigation: For enforcement of navigation laws, $11,200; for preventing overcrowding of passenger vessels, $3,920; for wireless communication laws, $24,960; for salaries, shipping commissioners, $7,100; for clerk hire, shipping service, $19,040; and for contingent expenses, shipping service, $480; in all, $66,700.

Bureau of Standards: For testing structural materials, $5,060; for industrial research, $300; in all, $5,360.

Bureau of Lighthouses: For general expenses, Lighthouse Service, $72,000; for salaries of keepers of lighthouses, $402,100; for salaries, lighthouse vessels, $570,000; and for salaries, Lighthouse Service, $120,580; in all, $1,164,680.

Coast and Geodetic Survey: For field expenses, Atlantic coast, $2,160; for Pacific coast, $7,120; for State surveys, $9,980; and for pay, etc., officers and men, $133,684; in all, $152,944.

Bureau of Fisheries: For salaries, $126,520; for officers and crews, Alaska vessels, $16,160; in all, $142,680.

Total, Department of Commerce, $1,819,650.

DEPARTMENT OF THE INTERIOR

General Land Office: For salaries and contingent expenses, offices of surveyors general, $39,680; for surveying the public lands, $92,820; for contingent expenses of land offices, $60,280; and for depredations on public timber, $66,400; in all, $259,180.

Bureau of Indian Affairs: For general expenses, Indian Service, $20,850; for purchase and transportation of supplies, $11,580; for inspectors, Indian Service, $2,000; for pay of judges, Indian courts, $13,660.80; for pay of Indian police, $79,012; for suppressing liquor traffic among Indians, $3,060; and for Indian school and agency buildings, $1,300; in all, general expenses, $131,462.80.

For expenses in probate matters: For determining heirs of deceased Indian allottees, $13,580; and for probate attorneys, Five Civilized Tribes, $7,530; in all, $21,110.

For surveying of Indian lands: For surveying and allotting Indian reservations (reimbursable), $840; and for council for Pueblo Indians in New Mexico, $500; in all, $1,340.

Industrial assistance and advancement: For industrial work and care of timber, $107,936.

Development of water supply: For maintenance and operation of water works, Papago Indian villages, Arizona, $480; for water supply, Navajo and Hopi Indians, $900; and for water supply, Pueblo Indians, New Mexico, $300; in all, $1,680.

Irrigation and drainage: For irrigation, Indian reservations (reimbursable), $27,850; for maintenance and operation, irrigation system, Pima Indian lands, Arizona (reimbursable), $1,200; for irrigation

project, Gila River Reservation, Ariz. (reimbursable), $2,160; for maintenance and operation irrigation system, Colorado River Reservation, Ariz. (reimbursable), $1,840; for maintenance and operation, Ganado irrigation project, Navajo Reservation, Ariz. (reimbursable), $300; for maintenance and operation, pumping plants, San Xavier Reservation, Ariz. (reimbursable), $240; for improvement, maintenance, and operation, Fort Hall irrigation systems, Idaho (reimbursable), $3,380; for irrigation system, Fort Hall Reservation and ceded lands, Idaho, $12,080; for maintenance and operation, irrigation systems, Fort Belknap Reservation, Mont. (reimbursable), $2,150; for irrigation systems, Flathead Reservation, Mont. (reimbursable), $7,760; for irrigation systems, Blackfeet Reservation, Mont. (reimbursable), $4,020; for improvement, maintenance, and operation, irrigation systems, Crow Reservation, Mont. (reimbursable), $5,340; for improvement, maintenance, and operation, Hogback irrigation project, Navajo Reservation, N. Mex. (reimbursable), $1,180; for proceeds of Uintah and White River Ute lands, Utah, $6,120; for maintenance and operation, Teppenish-Simcoe irrigation system, Yakima Reservation, Wash. (reimbursable), $240; for maintenance and operation, Ahtanum irrigation system, Yakima Reservation, Wash. (reimbursable), $480; for diversion dam and distribution and drainage system, Yakima Reservation, Wash. (reimbursable), $1,600; for maintenance, irrigation system, Wapato project, special fund, act of August 30, 1914, $5,880; for Satus irrigation project, Yakima Reservation, Wash. (reimbursable), $8,180; for irrigation system, Wind River Diminished Reservation, Wyo. (reimbursable), $1,560; for maintenance, irrigation system, Wind River Diminished Reservation, Wyo., special fund, $6,220; and for the diversion dam, Gila River Reservation, Ariz. (reimbursable), $6,070; in all, irrigation and drainage, $105,850.

Education: For support, Indian schools, $393,423; for Indian schools, as follows: Fort Mojave, Ariz., $11,280; Phoenix, Ariz., $24,750; Truxton Canyon, Ariz., $4,980; Theodore Roosevelt School, Fort Apache, Ariz., $16,980; Riverside, Calif., $28,330; Fort Bidwell, Calif., $4,580; Lawrence, Kans., $33,930; Mount Pleasant, Mich., $17,750; Pipestone, Minn., $10,270; Genoa, Nebr., $14,950; Carson City, Nev., $15,430; Albuquerque, N. Mex., $21,695; Santa Fe, N. Mex., $16,970; Cherokee, N. C., $12,560; Bismarck, N. Dak., $5,080; Fort Totten, N. Dak., $18,100; Wahpeton, N. Dak., $8,650; Chilocco, Okla., $22,800; Cherokee Orphan Training School, Oklahoma, $10,475; Salem, Oreg., $29,340; Flandreau, S. Dak., $16,260; Pierre, S. Dak., $10,040; Rapid City, S. Dak., $13,680; Hayward, Wis., $11,960; Tomah, Wis., $12,360; Shoshone Reservation, Wyo., $6,400; for support of Chippewas of the Mississippi, Minnesota, $1,240; for Indian schools, Five Civilized Tribes, $3,240; and for education, Sioux Nation, South Dakota, $109,060; in all, education, $906,563.

Relief of distress and conservation of health: For relieving distress and prevention, etc., of diseases among Indians, $96,270; for asylum for insane Indians, Canton, S. Dak., $8,320; in all, $104,590.

General support and civilization: For support of Indians, as follows: In Arizona, $44,830; California, $8,980; Seminoles in Florida, $540; at Fort Hall Reservation, Idaho, $4,770; Fort Belknap Agency, Mont., $4,560; Flathead Agency, Mont., $1,830; Fort Peck Agency, Mont., $7,540; Blackfeet Agency, Mont., $11,780; for support of Rocky Boy's Band of Chippewas and other Indians in Montana, $880; for support of Indians in Nevada, $7,040; in New Mexico, $37,980; for support of Sioux, Devils Lake Reservation, N. Dak., $2,240; for support of the Indians at Fort Berthold Agency, N. Dak., $4,300; the Chippewas, Turtle Mountain Band, North Dakota, $3,560; Wichitas and affiliated bands, Oklahoma, $1,160; Kansas Indians, Oklahoma, $320; Kickapoos, Oklahoma, $740; Poncas, Oklahoma, $1,680; Grande Ronde and Siletz Agencies, Oreg., $1,560; Yankton Sioux, $1,140; for support of Indians in Utah, $1,150; for Colville and other agencies and Joseph's Band of Nez Perces, Washington, $2,060; Makahs in Washington, $420; Dwamish and other allied tribes in Washington, $1,180; Chippewas of Lake Superior, Wis., $640; Potawatomies, Wisconsin, $780; Coeur d'Alenes, Idaho, $1,360; Bannocks, employees, Idaho, $2,160; for relief of Choctaws in Mississippi, $1,440; for education of Choctaws in Mississippi, $2,160; for fulfilling treaties with Crows, Montana, $1,700; for support of Northern Cheyennes and Arapahoes, Montana, $9,720; for support of Pawnees, schools, $1,140; support of Pawnees, employees, $1,990; support of Quapaws, employees, Oklahoma, $540; for administration of affairs, Five Civilized Tribes, $30,314; for support of Indians of Warm Springs Agency, Oreg. (reimbursable), $760; Sioux of different tribes, employees, etc., South Dakota, $53,420; confederated bands of Utes, employees, etc., Utah, $9,200; Spokanes, Washington, $320; Shoshones, employees, etc., Wyoming, $2,240; and for insect infestation, Indian Service, $400; in all, for general support and civilization, $272,530. Total, Bureau of Indian Affairs, $1,653,061.80.

Reclamation Service: For the Reclamation Service, $365,400; for general investigations, $7,620; in all, $373,020, payable from the reclamation fund.

United States Geological Survey: Geological Survey, $28,941.

Bureau of Mines: For investigating mine accidents, $30,260; operating mine rescue cars, $15,240; testing fuel, $14,310; mineral mining investigations, $5,800; oil, gas, and oil-shale investigations and leasing, $17,630; enforcement of mineral leases, $4,160; for expenses, mining experiment stations, $14,450; for care, etc., of buildings and grounds, Pittsburgh, Pa., $9,630; and for mining investigations in Alaska, $1,320; in all, Bureau of Mines, $112,800.

National Park Service: For the following national parks: Crater Lake, $1,980; General Grant, $1,180; Glacier, $9,260; Grand Canyon, $4,360; Hawaii, $1,260; Hot Springs, $11,800; Lafayette, $2,820; Lassen Volcanic, $100; Mesa Verde, $1,895; Mount McKinley, $700; Mount Rainier, $5,230; Platt, $1,920; Rocky Mountain, $4,540; Sequoia, $5,810; Wind Cave, $960; Yellowstone, $24,103; Yosemite, $21,414; Zion, $1,560; and for protection of national monuments, $1,230; in all National Park Service, $102,122.

Bureau of Education: For education of natives of Alaska, $52,335; for medical relief in Alaska, $17,560; for reindeer for Alaska, $2,640; and for investigation of rural and industrial education, $200; in all Bureau of Education, $72,735.

Government in the Territories: For contingent expenses, Alaska, $780; for protection of game, Alaska, $2,220; and for suppressing traffic in intoxicating liquors, Alaska, $1,200; in all, $4,200.

Alaskan Engineering Commission, for maintenance and operation of railroads in Alaska, $2,400.

Total, Department of the Interior, $2,608,459.80.

DEPARTMENT OF JUSTICE

Miscellaneous objects: For protecting interests of the United States in customs matters, $7,460; for detection and prosecution of crimes, $101,072; and for enforcement of antitrust laws, $2,730; in all, $111,262.

Judicial: For salaries, United States Supreme Court, $2,160; for salary of reporter, Territory of Hawaii, $240; for salaries, National Park Commissioners, $2,160; for United States Court of Customs Appeals, $5,200; for salaries, Court of Claims, $12,252; for auditors, Court of Claims, $1,240; for salaries of judges, marshals, etc., Territory of Alaska, $1,200; for salaries, fees, and expenses of marshals, United States courts, $258,160; for salaries and expenses, district attorneys, United States courts, $117,890; for pay of regular assistant attorneys, United States courts, $76,640; for pay of special assistant attorneys, United States courts, $136,942; for salaries and expenses of clerks, United States district courts, $243,805; for pay of bailiffs, etc., United States courts, $39,184; and for miscellaneous expenses, United States courts, $115,212; in all, Judicial, $1,012,345.

Penal institutions: Fort Leavenworth, Kans., $43,900; for construction, Leavenworth, Kans., $1,320; for Atlanta, Ga., $42,305.50; for working capital, Atlanta, Ga., $5,000; for McNeil Island, Wash., $14,800; for construction, McNeil Island, Wash., $600; for the National Training School for Boys, Washington, D. C., $22,274; and for support of prisoners, United States courts, $4,380; in all, penal institutions, $134,579.50.

Total, Department of Justice, $1,258,186.50.

DEPARTMENT OF LABOR

Bureau of Immigration: For expenses of regulating immigration, $584,865.

Bureau of Naturalization: For miscellaneous expenses, $76,640.

Salaries and expenses, Commissioners of Conciliation, $3,165.

Employment service, $18,080.

Total, Department of Labor, $682,750.

NAVY DEPARTMENT

Bureau of Navigation: For naval home, Philadelphia, Pa. (payable from income from naval pension fund), $16,950.

Naval Academy: For pay of professors and others, $24,000.

Hydrographic Office, contingent and miscellaneous expenses: For services of necessary employees at branch offices, $7,140.

Marine Corps: For pay of civil force, $840.

Total, Navy Department, $48,930.

STATE DEPARTMENT

For passport bureaus: New York City, $3,900.

For the Inter-American High Commission: United States section, $1,680.

Total, Department of State, $5,580.

TREASURY DEPARTMENT

Public Debt Service: For distinctive paper for United States securities, $5,742.50; and for preparation and issue of Federal reserve notes (reimbursable), $2,587.50; in all, $8,330.

Customs Service: For collecting revenue from customs, $3,105,000.

Federal Farm Loan Board, for salaries (special fund), $2,400.

Internal Revenue Bureau: For salaries, office of Commissioner of Internal Revenue (reimbursable), $260; for salaries and expenses of collectors, etc., $584,446; for collecting the internal revenue, $1,646,040; and for enforcement of the narcotic and national prohibition acts, $712,000; in all, $2,942,746.

Coast Guard, $380.

Secret Service Division, for suppressing counterfeiting and other crimes, $29,747.

Public Health Service: For pay of acting assistant surgeons, $22,228; for pay of other employees, $187,827; for pay of personnel and maintenance of hospitals, $518,740; for field investigations of public health, $24,270; for preventing the spread of epidemic diseases, $30,572; interstate quarantine service, $630; for studies of rural sanitation, $1,460; for the control of biologic products, $3,700; and for expenses of the Division of Venereal Diseases, $40; in all, $789,476.

Mint establishment: New Orleans, for salaries, $1,100; for wages, $1,140; in all, $2,240.

Seattle: For salaries, $1,310; for wages, $1,670; in all, $2,980.

Deadwood, S. Dak.: For salaries, $960; for wages, $320; in all, $1,280.

Carson City, Nev.: For salaries, $300; for wages, $680; in all, $980.

Salt Lake City: For salaries and wages, $660.

Boise, Idaho: For salaries, $960; for wages, $480; in all, $1,440.

Helena, Mont.: For salaries, $960; for wages, $420; in all, $1,380.

Philadelphia: For salaries, $10,940; for wages, $85,000; in all, $95,940.

New York: For salaries, $7,640; for wages, $26,497; in all, $34,137.

Denver, Colo.: For salaries, $6,420; for wages, $17,090; in all, $23,510.

San Francisco: For salaries, $7,900; for wages, $28,066; in all, $35,966.

New York: Special fund, charges on silver dollar bullion sold, $2,124.

Denver: Special fund, charges on silver dollar bullion sold, $2,107. In all, Mint establishment, $204,744.

Office of Supervising Architect: For operating force in public buildings, $1,673,572; and for general expenses of public buildings, $17,000; in all, $1,690,572.

Total, Treasury Department, $8,773,395.

WAR DEPARTMENT

Adjutant General's Department: For the Army War College, $14,030; for the Command and General Staff School, Fort Leavenworth, Kans., $1,680; and for military post exchanges, $5,040; in all, $20,750.

Finance Department: For the pay of the Army, $16,680; and for the finance service, $282,049; in all, $298,729.

Quartermaster Corps: For regular supplies of the Army, $179,078; for clothing and equipage, $381,332; for incidental expenses of the Army, $983,623.80; for Army transportation, $659,145; for barracks and quarters, $252,301.10; for water and sewers at military posts, $172,150; for roads, walks, wharves, and drainage, $47,439.60; and for the sewerage system, Fort Monroe, Va., $2,500; in all, $2,677,569.50.

Signal Corps: For signal service of the Army, $101,119; for maintenance of fire-control installations. In the United States, $6,016; in the insular possessions, $1,840; and on the Panama Canal, $860; in all, $109,835.

Air Service Army: For salaries and expenses, $678,043.80.

Medical Department: For the medical and hospital department, $101,023; and for medical and hospital services, $203,156; in all, $304,179.

Corps of Engineers: For engineer depots, $14,535; for engineer schools, $2,650; for engineer equipment of troops, $3,055; for civilian assistants to engineer officers, $7,420; for engineer operations in the field, $16,475; for military surveys and maps, $1,855; for fortifications in the United States—plans for fortifications, $1,500; for gun and mortar batteries, $40; for modernizing older emplacements, $135; for searchlights and electrical installations at seacoast fortifications, $3,220; for sea walls and embankments, $1,690; for preservation and repair of fortifications, $25,655; for supplies for seacoast defenses, $6,155 for contingent expenses, seacoast fortifications, $2,920; and for maintenance of historical fortifications, $1,925; in all, United States fortifications, $43,240; for fortifications in insular possessions—for plans for fortifications, $900; for searchlights and electrical installations, Hawaiian Islands, $3,740; for preservation and repair of fortifications, $16,040; and for supplies for seacoast defenses, $4,205; in all, fortifications, insular possessions, $24,885; for fortifications for Panama Canal—for plans for fortifications, $350; and for preservation and repair of fortifications, $770; in all, fortifications, Panama Canal, $1,120. Total Corps of Engineers, $115,255.

Chemical Warfare Service, Army, $207,980.

Chief of Infantry: For Infantry School, Fort Benning, Ga., $3,120; and for the Tank Service, $3,840; in all, $6,960.

Chief of Cavalry: For Cavalry School, Fort Riley, Kans., $1,980.

Chief of Field Artillery: For Field Artillery School, Fort Sill, Okla., $1,320.

Chief of Coast Artillery: For Coast Artillery School, Fort Monroe, Va., $1,240; and for submarine mines, $1,900; in all, $3,140.

United States Military Academy: For pay of Military Academy, $39,001.24; and for maintenance, United States Military Academy, $157,330 in all, $196,331.24.

Militia Bureau: For arming, equipping, and training the National Guard, $600.

Finance Department: For citizens' military training camps, $3,820.

National Board for Promotion of Rifle Practice: For quartermaster supplies and services for rifle ranges for civilian instruction, $4,960.

Cemeterial activities, Quartermaster Corps: For national cemeteries, $49,932; for pay of superintendents, $19,305; for headstones for graves of soldiers, $540; for disposition of remains of officers, soldiers, and civilian employees, $2,748; and for monuments or tablets in Cuba and China, $300; in all, cemeterial activities, $72,825.

National military parks, Quartermaster Corps: For Chickamauga and Chattanooga, $8,265; for Gettysburg, $9,200; for Guilford Courthouse, $1,800; for Shiloh, $4,520; and for Vicksburg, $3,260; in all, National Military Parks, $27,045.

Signal Corps: For Washington-Alaska military cable and telegraph system, $10,900.

Medical Department: For medical and surgical history of the World War, $2,280.

Buildings and grounds in and around Washington, Corps of Engineers: For improvement and care of public grounds, $240; for care and maintenance of the Washington Monument, $2,400; for repairs to building where Abraham Lincoln died, $240; for improvements, birthplace of George Washington, Wakefield, Va., $180; for care and maintenance of Lincoln Memorial, $2,160; and for the reflecting pool, West Potomac Park, $2,160; in all, buildings and grounds in and around Washington, $7,380.

Miscellaneous objects, Corps of Engineers: For expenses, California Débris Commission, $1,840; and for construction and maintenance of roads, bridges, and trails, Alaska, $55,000; in all, miscellaneous objects, $56,840.

Rivers and harbors, Corps of Engineers: For salaries and expenses, $42,100.

National homes for disabled volunteer soldiers, $960,000.

Panama Canal: For maintenance and operation, in the United States, $23,480; maintenance and operation, on the Isthmus, $79,570; for sanitation, Canal Zone, $6,266; for civil government, Panama Canal and Canal Zone, $79,670; in all, Panama Canal, $188,986.

Total, War Department, $5,999,808.54.

DISTRICT OF COLUMBIA

For salaries of employees, public buildings and grounds, $9,620; for improvement and care of public grounds, $89,220; for lighting public grounds, $480; for the Anacostia River and Flats, $23,460; for increasing water supply, $25,100; for the Washington Aqueduct (payable from revenues of the water department), $22,210; for salaries, Supreme Court, $4,560; for probation system, Supreme Court, $2,220; for pay of bailiffs, etc., Supreme Court, $5,520; for salaries of employees, courthouse, $7,836; for salaries and expenses, Court of Appeals, $4,980; and for salaries of employees, Court of Appeals Building, $1,680; in all, District of Columbia $196,886.

The foregoing sums under the caption "District of Columbia" shall be paid out of the Treasury of the United States and the revenues of the District in the same proportion, or in the same manner, as the appropriations for the District of Columbia in the District of Columbia appropriation act for the fiscal year ending June 30, 1925, are paid.

The appropriations herein made may be utilized by the heads of the several departments and independent establishments to accomplish the purposes of this act notwithstanding the specific rates of compensation and the salary restrictions contained in the regular annual appropriation acts for the fiscal year 1925 or the salary restrictions in other acts which limit salaries to rates in conflict with the rates fixed by the classification act of 1923 for the departmental service.

Total appropriated by this act, $26,302,767.84.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. MADDEN], to suspend the rules and pass the bill.

The question was taken, and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

PROTECTION OF ALASKAN FISHERIES

Mr. GREENE of Massachusetts. Mr. Speaker, I call up the conference report on the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, and ask unanimous consent that the statement be read instead of the report.

The SPEAKER. The gentleman from Massachusetts calls up the conference report on the bill H. R. 8143, and asks unanimous consent that the statement accompanying the conference report be read in lieu of the report. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the statement.

The statement was read.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R.

8143) for the protection of the fisheries of Alaska, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 4.

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agrees to the same with the following amendment:

"It shall be unlawful to import or bring into the Territory of Alaska, for purposes other than personal use and not for sale or barter, salmon from waters outside the jurisdiction of the United States taken during any closed period provided for by this act or regulations made thereunder."

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agrees to the same with the following amendment:

"Whenever the Secretary of Commerce shall find that conditions in any fishing area make such action advisable, he may advance 12 hours both the opening and ending time of the minimum 36-hour closed period herein stipulated."

WILLIAM S. GREENE,
L. LAZARO,
EWIN L. DAVIS,
Managers on the part of the House.

W. L. JONES,
BERT M. FERNALD,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report, as to each of said amendments, namely:

No. 1. The amendment of the House to the amendment of the Senate is merely a change in language but not in purpose, and the said amendment of the Senate as amended by the House is perfectly agreeable to the managers on the part of the House.

No. 2. This amendment by the Senate is in harmony with the action taken by the committee in charge of the bill upon its report to the House in the first instance.

No. 3. The amendment of the House to the amendment of the Senate is merely a phraseological change and does not affect the amendment of the Senate, which is agreeable to the managers on the part of the House.

No. 4. This amendment by the Senate is strikingly in accord with the purpose and intent of this whole legislation.

WILLIAM S. GREENE,
L. LAZARO,
EWIN L. DAVIS,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

WAR DEPARTMENT APPROPRIATION BILL

Mr. ANTHONY. Mr. Speaker, I desire to call up the War Department appropriation bill, H. R. 7877, with a Senate amendment.

The SPEAKER. The gentleman from Kansas calls up the bill H. R. 7877, the War Department appropriation bill, with a Senate amendment. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes.

Mr. ANTHONY. Mr. Speaker, I yield to the gentleman from Michigan [Mr. McLEOD].

APPORTIONMENT

Mr. McLEOD. Mr. Speaker and gentlemen of the House, I desire to bring to your attention a most important legislative matter that this Congress is failing to consider. Early in this session the Census Committee of the House went on record as refusing to report out an apportionment bill this Congress. When this fact was made known several Members, realizing the gross unfairness of this action of the committee to the people of this great Nation, attempted to take advantage of one of the new rules of the House and started the circulation of a petition for 150 signatures, which would take the reapportionment bill away from the committee and give the entire membership of the House an opportunity to act on the same. I am sorry to say that, up to the present date, less than 25 Members of this body have affixed their signatures to that petition. Now, Mr. Speaker, I ask, why is not that done which ought to be done?

Our Constitution is the charter of our national life. Its expressions on this subject are not only admittedly clear but universally acknowledged as mandatory. In the words of the "Sage of Monticello"—

Though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; the minority possess their equal rights, which equal laws must protect.

It appears, however, from the research of scholars and specialists, that there is no law to compel Congress to make a reapportionment of our representation.

That the grossest disfranchisement of citizens of the United States in certain States of the Union exists, there is an overwhelming mass of evidence which can not be disputed. The United States must purge itself of this national disgrace, or in the eyes of the world be disgraced as a constitutionally organized government and law-abiding nation. It is clearly the duty of the Census Committee to obey and comply with the mandate contained in the fourteenth amendment. Otherwise there might be a complete nullification of the Constitution.

If the constitutional mandate of the fourteenth amendment to the Constitution for a general reduction of the basis of representation in the several States in proportion to disfranchisement is not obeyed, the presidential and congressional elections in 1924 could be publicly challenged as unconstitutional, illegal, and void, irrespective of which party elects its candidate for President or controls the House of Representatives.

That matchless American, Theodore Roosevelt, in his usual concise manner, made the following statement:

Our task as Americans is to strive for social and industrial justice, achieved through the genuine rule of the people. This is our end, our purpose.

That genuine rule of the people is attained in our form of government through their representatives, who express their indicated will, and if a large part of our people have no representation, putting it more euphoniously, if a great percentage are insufficiently represented, then how can it be that the people rule?

Article I of the Constitution provided that—

Representatives * * * shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State—

This to be in equal proportion to the whole number of citizens of the United States.

To make the matter more clear: First, determine the number of Representatives the people deserve, or desire, or are willing to put up with, and agree to pay the salary of; divide this number into the total population of the United States, thus determining the basic representation of each Member. Divide this basic representation into the populations of the several States, and this will give you the actual number of Representatives to which each State is entitled. For example, in 1920 there were in the United States 105,710,620 people, represented by 435 Members in the House of Representatives of the United States, thus affording one Representative for each 243,013 people. One of the best and most concrete examples of the thought I am trying to convey is in my own State. The great State of Michigan in 1920 had 3,668,412 population and 13 Representatives, or one to each 282,186 people. On the national basis of representation, there are in the State of Michigan 509,243 people who, in effect, have no representation and therefore no voice in that rule which is recognized as one of the fundamental principles of a democratic government.

Let us go further: Take my home city of Detroit, which now has a population in excess of 1,000,000 inhabitants. This community of 1,000,000 souls is represented by two Congressmen, who, under the law based on our national apportionment, can speak but for 480,026 of these citizens; there are, therefore, 514,000 of our constituents who have no voice in the conduct of their government.

Do you wonder that I am now asking "What ought to be done"?

With your permission, I now invite you for a few minutes to visit with me my home city, Detroit—a name to conjure with. A city of lofty civic ideals, where life is well worth the living; a city of law and order, founded upon the Gibraltic rock of jus-

tice and right living, and firmly planted on a river of the greatest beauty. A city of boundless vision and pulsing enthusiasms, psysically evidenced by the most beautiful natural park in all America; a leading convention city, with luxurious hotels, with the highest wage rate and the lowest per capita debt; the second largest fur-trading center, with the largest music house, printing concern, and publishing house; chemical works; the largest factories of white lead, adding machines, copper and brass rolling mills, soda and salt products, capsules, metal beds, electrical goods, perfumes, women's dresses, picture frames, aluminum castings, 250 automobile-accessory plants, and 37 factories making automobile trucks and pleasure cars. Fourteen thousand vessels clear the Detroit River each season, and the tonnage is distributed throughout the city over 738 miles of paved streets by 160,000 automobiles, assisted by street cars coursing over 800 miles of street-railway tracks. It takes 4,500 school-teachers, housed in $43,000,000 worth of buildings, and earning over fourteen and a half million dollars per annum, to teach the children of our city. These children are privileged to play within the confines of our 50 public parks, aggregating more than 1,250 acres of land. We have over 300,000 contented workers, producing $1,800,000,000 in business every year, and clearing $5,000,000,000 annually through our 119 banks, and incidentally paying to the Government—which these same people patriotically believe they are helping to govern—over $75,000,000 each year in taxes. Our citizens stroll of evenings along 1,200 miles of shaded streets into our 168 theaters. We worship in 350 churches of all denominations, and at night read the musings of our "poet laureate of the household," our beloved townsman, Edgar A. Guest.

I trust you have enjoyed with me this short excursion through the best lighted city in the world, which is so popular that its growth from 1910 to 1920 was more than 130 per cent, the greatest of any city in the universe. When you consider that 514,000 of these citizens of our municipality are as step-children of our mother Republic, do you not agree with me that this is taxation without representation? That my compatriots should have a voice in the General Government?

I, for one, refuse to agree that we continue to sit idly by and allow the great States of California, Michigan, Ohio, New Jersey, New York, Pennsylvania, Texas, North Carolina, Connecticut, and Washington to be insufficiently represented.

WHAT OUGHT TO BE DONE

Those of us who long for justice should let the Government of the day respond to the Constitution. It is hard for him who strives to please to be successful in a desire to be honest. Especially is this true when the attempt is to please both you and me. There is no desire so beclouding to unbiased perception as the selfish desire. The commandments of principle are universal and impartial. They steady us in the moment of passion, they lengthen our view in the instant of urgent desire, and broaden our vision when the consideration of self seems paramount. These commandments admit of no exceptions, no realm of human action is exempt from their united judgment.

This is true—that not for the last 100 years of our Republic has a Congress, except the last and the present, failed to reapportion our representation after the final closing of a decennial census. Essentially, legislation under a constitutional government rests upon the right of the majority to coerce the minority. For the first time in over 104 years a Congress is delaying the performance of a recognized act of justice. Having shown you, my colleagues, what is your duty, having demanded that this duty be performed, as one man we should acknowledge our duty, accept its performance, and with one voice assure the Nation in the words of Emerson:

So nigh is grandeur to our dust,
So near is God to man,
When duty whispers low "Thou must!"
Each member smiles—"I can."

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had insisted upon its amendments to the bill (S. 114) to vacate certain streets and alleys within the area known as the Walter Reed General Hospital, District of Columbia; and to authorize the extension and widening of Fourteenth Street from Montague Street to its southern terminus south of Dahlia Street, Nicholson Street from Thirteenth Street to Sixteenth Street, Colorado Avenue from Montague Street to Thirteenth Street, Concord Avenue from Sixteenth Street to its western terminus west of Eighth Street west, Thirteenth Street from Nicholson Street to Piney Branch Road, and Piney Branch Road from Thirteenth Street to Butternut Street, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BALL, Mr. JONES of Washington, and Mr. KING as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 18

Resolved by the Senate (the House of Representatives concurring), That there be printed 41,000 additional copies of public law No. 170, known as the revenue act of 1924, of which 13,000 copies shall be for the use of the Senate document room, 25,000 copies for the use of the House document room, and 1,000 copies for the use of the Committee on Finance of the Senate, and 2,000 copies for the use of the Committee on Ways and Means of the House of Representatives.

WAR DEPARTMENT APPROPRIATION BILL

The SPEAKER. There is a Senate amendment that ought to be reported to the House. The Clerk will report the amendment of the Senate.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES,
May 31, 1924.

Resolved, That the Senate agree to the amendment of the House of Representatives to the amendment of the Senate No. 14 to the bill (H. R. 7877) entitled "An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes," with an amendment as follows: After the words "military posts" insert the words "including Camp Lewis in the State of Washington."

Mr. ANTHONY. Mr. Speaker, I offer the following motion.

The SPEAKER. The gentleman from Kansas submits a motion, which the Clerk will report.

The Clerk read as follows:

Mr. ANTHONY moves to agree to the Senate amendment to the House amendment to the Senate amendment No. 14, with an amendment as follows: After the matter inserted by the Senate amendment to the House amendment to the Senate amendment No. 14 add the following: ", based on using the funds received from the sale of surplus War Department real estate."

Mr. ANTHONY. Mr. Speaker, in substance the motion just read means that the House will agree to the amendment made by the Senate, which includes Camp Lewis, Wash., in the construction program which we asked the Secretary of War to furnish to the House, and it also includes the words "based on using the funds received from the sale of surplus War Department real estate." That clarifies and makes more apparent the purpose of the original amendment which was adopted by the House.

Mr. SEARS of Florida. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. SEARS of Florida. Did I understand the gentleman to say that this was for the sale of surplus real estate?

Mr. ANTHONY. No. This calls upon the Secretary of War to furnish to Congress, presumably at the next session, a list of the posts at which permanent construction is necessary. It also calls upon him to furnish us with information showing what surplus real estate the War Department now has and which it feels could be disposed of, with the idea that the proceeds from the sales of such real estate will be used to pay for such permanent construction. It in no way binds Congress. Of course, we could not bind the next session of Congress, but it will get us the information.

Mr. SEARS of Florida. The reason I asked the gentleman that question was that several times an effort has been made to sell Fort Marion, the oldest fort in the country, and I have been assured by the committee that this authority would not be granted. I simply wanted to know.

Mr. ANTHONY. I do not think there is much chance of Fort Marion being disposed of.

Mr. CRAMTON. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CRAMTON. I have noted in the last few weeks of this session that the policy of the War Department has seemed to be to give away all the land for which it has no more use. If that is to be the policy of the War Department the gentleman's inquiry will not get anywhere. Does the gentleman understand that is going to be the continued policy of the War Department, to give away all of these pieces of land we have?

Mr. ANTHONY. I will say to the gentleman that the purpose of this inquiry is to ascertain from the War Department what surplus real estate they have that is valuable and which can be converted into cash sufficient to pay the expenses of any new construction.

Mr. CRAMTON. I believe that economy and a proper sense of their responsibility ought to lead the War Department to take a different attitude toward all of this local pressure to give away large tracts of land.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. This resolution does not authorize the War Department to sell anything or to convert any bonds that have been sold or that will be sold?

Mr. ANTHONY. Not at all. It merely calls upon the Secretary of War to furnish Congress with the information.

Mr. TILSON. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. TILSON. My experience has been rather different from that of the gentleman from Michigan in that the War Department has appraised at quite an adequate figure and has sold the properties near the locality where I live instead of giving them away.

Mr. HULL of Iowa. Will the gentleman yield further?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. I will say that that seems to be the attitude of the War Department in some cases, but it is true, as the gentleman from Michigan has said, that in other cases there is some pressure able to be brought upon the War Department by which they recommend to the Military Affairs Committee that they pass resolutions giving away valuable property to local communities.

Mr. TILSON. But Congress does not have to do it.

Mr. HULL of Iowa. No; but when the War Department recommends these things it is very hard to stop them, as we found in the case of the extension of Walter Reed Hospital.

Mr. TILSON. It did not seem very difficult to stop that.

Mr. HULL of Iowa. Well, it has taken two fights, and mark my word, the time will come when that resolution will go through Congress because the War Department recommends it, and they ought to stop recommending it.

The SPEAKER. The question is on the motion of the gentleman from Kansas.

The motion was agreed to.

Mr. ANTHONY. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 13.

The SPEAKER. The gentleman from Kansas moves that the House further insist on its disagreement to Senate amendment 13.

The motion was agreed to.

CUSTOMS SERVICE

Mr. GREEN of Iowa. Mr. Speaker, I call up H. R. 9076, a privileged bill, reported by the Committee on Ways and Means.

The SPEAKER. The gentleman from Iowa calls up a bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 9076) to amend sections 2 and 5 of the act entitled "An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws," approved March 4, 1923.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

Mr. GARNER of Texas. Mr. Speaker, reserving the right to object, I would like to understand just what this bill is. If I understand, this is the bill where they simply inserted a word which was left out of the original act.

Mr. GREEN of Iowa. Well, the bill does a little more than that. The original act, by some mistake, contained some language that did not make any sense and which was not intended to be in it. This strikes out that language and the proper words are inserted. In addition to that, it gives the customs officials abroad an official status. That is all. It imposes no charge on the Treasury at all.

The SPEAKER. Is there objection to the request of the gentleman from Iowa that the bill be considered in the House as in Committee of the Whole?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue law," approved March 4, 1923, is amended to read as follows:

"SEC. 2. That the Secretary of the Treasury is hereby further authorized and directed to appoint deputy collectors, deputy comptrollers, deputy surveyors, deputy and assistant appraisers, examiners of merchandise, inspectors and such other customs officers, laborers, and other employees as he shall deem necessary, prescribe their designations and duties when not otherwise defined by law, and fix their compensation. He is authorized to appoint special agents of the customs service, in number as now provided by law, and fix their compensation, and to appoint and fix the compensation of such number of customs attachés for duty in foreign countries and of customs agents as he may deem necessary, all of whom shall perform their duties as defined by existing law or prescribed by the Secretary of the Treasury, under the immediate supervision of the director special agency service of the customs: *Provided*, That any officer of the customs service designated by the Secretary of the Treasury for foreign service shall, through the Department of State, be regularly and officially attached to the diplomatic missions of the United States in the countries in which they are to be stationed, and when such officers are assigned to countries in which there is no diplomatic missions of the United States appropriate recognition and standing with full facilities for discharging their official duties shall be arranged by the Department of State: *Provided further*, That the Secretary of State may reject the name of any such officer whose assignment to the foreign post for which he has been designated would, in his judgment, be prejudicial to the public policy of the United States. The Secretary of the Treasury shall likewise appoint and fix the compensation of the clerks and other employees of the Board of United States General Appraisers. The appointment of such customs officers and employees shall be made pursuant to the civil service laws and regulations upon the nomination of the principal officer in charge of the office to which such appointments are to be made."

SEC. 2. That section 5 of such act of March 4, 1923, is amended to read as follows:

"SEC. 5. That all customs officers and employees, including customs officers and employees in foreign countries, and all other Government officers and employees while traveling on official customs business, in addition to their compensation shall receive their necessary traveling expenses and actual expenses incurred for subsistence within the limitations to be imposed by the Secretary of the Treasury while traveling on duty and away from their designated station, and when transferred from one official station to another for duty may be allowed, within the discretion and under the written orders of the Secretary of the Treasury, the expenses incurred for packing, crating, freight, and drayage in the transfer of their household effects and other personal property, not exceeding in all 5,000 pounds.

"The limitation of section 1 of the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1914 and for prior years, and for other purposes,' approved April 6, 1914, and section 13 of the act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes,' approved August 1, 1914, shall not apply to this section, and credit for all payments for subsistence expenses actually incurred by Government officers and employees in excess of $5 per diem since March 4, 1923, while traveling on official customs business, but not exceeding the maximum allowed by the Secretary of the Treasury, shall be allowed in the accounts of such officers and employees."

With the following committee amendment:

Pages 3 and 4, strike out section 2.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to amend section 2 of the act entitled 'An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws,' approved March 4, 1923."

On motion of Mr. GREEN of Iowa, a motion to reconsider the vote by which the bill was passed, was laid on the table.

ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Speaker, at the conclusion of the legislation which is to be proposed by the Chairman of the Committee on Rules, the so-called Kiess printing bill, it is the

intention to take up the Consent Calendar and to run continuously until a comparatively late hour in an effort to dispose of it.

GOVERNMENT PRINTING OFFICE

Mr. SNELL. Mr. Speaker, I call up a privileged report from the Committee on Rules, House Resolution 315.

The Clerk read as follows:

House Resolution 315

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 7996, entitled "A bill to regulate and fix rates of wages for employees of the Government Printing Office." After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by those favoring and opposing the bill, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SNELL. Mr. Speaker, I think this resolution is plain and needs no special explanation from me at this time. The situation in the Printing Office is this: At the present time about 65 per cent of the employees have their wages regulated by the Public Printer and the Joint Committee on Printing of the two Houses. The purpose of this bill is to put the other 35 per cent in the same status that the 65 per cent are in at the present time, and the bill gives some leeway in order that the wages may be adjusted from time to time to meet the conditions in the District of Columbia and to a certain extent pay practically the same wages there as are paid by private corporations to men doing the same class of work.

As far as I know there is no special desire for time on the rule, and I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. KIESS. Mr. Chairman, I move the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 7996, a bill to regulate and fix rates of wages for the employees of the Government Printing Office.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 7996, with Mr. TILSON in the chair.

The Clerk read the bill, as follows:

A bill (H. R. 7996) to regulate and fix rates of wages for employees of the Government Printing Office

Be it enacted, etc., That the Public Printer may employ, at such rates of wages, including compensation for night and overtime work, as he may deem for the interest of the Government and just to the persons employed, except as otherwise provided herein, such journeymen, apprentices, laborers, and other persons as may be necessary for the work of the Government Printing Office; but he shall not, at any time, employ more persons than the necessities of the public work may require or more than 260 apprentices at any one time: *Provided*, That on and after the passage of this act the minimum pay of all journeymen printers, pressmen, and bookbinders employed in the Government Printing Office shall be at the rate of 90 cents an hour for the time actually employed: *Provided further*, That except as hereinbefore provided, the rates of wages, including compensation for night and overtime work, for more than 10 employees of the same occupation shall be determined by a conference between the Public Printer and a committee selected by the trades affected, and the rates and compensation so agreed upon shall become effective upon approval by the Joint Committee on Printing; if the Public Printer and the committee representing any trade fail to agree as to wages and compensation either party is hereby granted the right of appeal to the Joint Committee on Printing, and the decision of said committee shall be final; the wages and compensation determined as provided herein shall not be subject to change oftener than once a year thereafter: *Provided further*, That no employee of the Government Printing Office whose wage or compensation is increased as provided for herein shall, on and after said increase becomes effective, receive any additional compensation provided for in the act approved March 4, 1923, known as the $240 bonus act.

SEC. 2. No part of the wages or compensation authorized by this act shall be paid or delivered to or received by, either directly or indirectly, any agent, attorney, or other person on account of services alleged to have been rendered respecting the introduction of any bill increasing the pay of employees of the Government Printing Office or the passage of this act, and any employee of said office violating this provision shall be dismissed immediately from the Government service.

SEC. 3. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

With the following committee amendments:

Page 3, strike out all of section 2.

In line 10, page 3, strike out the figure "3" and insert in lieu thereof the figure "2."

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KIESS] is recognized for 30 minutes.

Mr. STENGLE. Mr. Chairman, may I inquire before the gentleman from Pennsylvania begins, who is in charge of the time in opposition?

The CHAIRMAN. The Chair will recognize a member of the committee opposed to the bill if there is any member of the committee opposed to the bill.

Mr. STENGLE. If not, I claim the time in opposition.

Mr. STEVENSON. Mr. Chairman, there is no member of the committee opposed to the bill. I am the only member on this side and I am in favor of it.

Mr. STENGLE. Then I claim time in opposition, Mr. Chairman.

The CHAIRMAN. The Chair will cross that bridge when he reaches it. The gentleman from Pennsylvania [Mr. KIESS] is recognized for 30 minutes.

Mr. KIESS. Mr. Chairman, the passage of this bill before Congress adjourns is a matter of great importance to the Government Printing Office. An emergency exists there due to the fact that it is impossible for the Public Printer to secure enough competent printers at the present rate of wages authorized by law. The fact that the Committee on Rules reported a rule making this bill in order is evidence the members of that committee were convinced of the necessity of action at this session of Congress.

No increase has been granted the printers, pressmen, and bookbinders since August, 1919, nearly five years ago, at which time the rate of pay was increased from 60 cents per hour to 75 cents per hour. In addition to this, they now receive the $240 bonus, which brings their rate of pay up to approximately 85 cents per hour. This is somewhat less than is paid in other printing establishments in Washington and less than paid in other cities for certain of the printing trades.

With the present wage scale, as fixed by law, it has been impossible to retain some of the best workers or to attract enough other properly skilled men to fill their places. The report of the Public Printer shows that during the year ending June 30, 1923, 269 printers left the service of the Government Printing Office. With an adequate scale of wages the office can be manned with the most efficient workmen in the country. Aside from the present wage, as fixed by law, working conditions in the Government Printing Office are regarded as superior to any other industrial plant wherever located.

In accordance with the recommendations made by the Public Printer in his annual report for 1922, a collective bargaining wage bill, after due hearings, was reported favorably to the House by the Committee on Printing near the close of the last session of the Sixty-seventh Congress. The bill, unfortunately, failed of consideration, owing to the pressure of other legislative business.

For consideration by the Sixty-eighth Congress an employees' wage bill was drafted at a conference between the Public Printer and a joint committee of nine employees, three each being selected for that purpose by the pressmen, printers, and bookbinders employed in the Government Printing Office. This bill was similar to the one reported by the House Committee on Printing in the last Congress, except that the new measure contained more specific provisions as to the right of employees to be represented by a committee of their own selection in wage conferences with the Public Printer, and the privilege granted either party of appealing to the Joint Committee on Printing for final decision. This bill received the approval of a very large majority of the employees in the Government Printing Office who are affected by its provisions.

At the opening of the Sixty-eighth Congress I introduced H. R. 506, which had been drafted by the committee of employees and the Public Printer, and after due consideration it was reported favorably by the Committee on Printing.

The wages of all printers, proof readers, pressmen, and bookbinders employed in the Government Printing Office are now fixed by the act approved August 2, 1919 (41 Stats. 272), and the pay of all the other mechanics and laborers is determined by the Public Printer under authority of section 49 of the printing act approved January 12, 1895 (28 Stats. 608). Thus the compensation of 35 per cent of the employees of the Gov-

ernment Printing Office is definitely fixed by law and that of 65 per cent is determined by the Public Printer. In other words, Congress fixes the wage of the printer who sets the type, but the Public Printer determines the pay of the stereotyper who makes a plate of the type form; Congress fixes the pay of the pressman who prints from this plate, but the Public Printer determines the pay of the machinist who keeps the press in repair; Congress fixes the pay of the bookbinder who operates a machine, but the Public Printer determines the pay of the skilled laborer who also operates a bindery machine.

This is an unbusinesslike procedure, and in fairness both to the Government and the employees the wages of all journeymen, apprentices, and laborers employed in the Government Printing Office should be determined in the same manner, and not fixed partly by Congress and partly by the Public Printer. It would be a difficult task for Congress to fix by law from time to time such wages as would be just to the score or more of trades and the numerous groups of each trade employed in the Government Printing Office. Therefore it was decided to recommend that the wages of all the work forces in the Government Printing Office be determined by the Public Printer, as he now does for almost two-thirds of the employees in that great establishment.

The Printing Office is the only industrial establishment of the Government that has the wages of even a part of its working forces specifically fixed by law. In the Bureau of Engraving and Printing the wages of all its mechanics and skilled laborers are determined by the director, with the approval of the Secretary of the Treasury. The wages of all navy-yard employees are adjusted by a wage board, with the approval of the Secretary of the Navy.

To secure an adequate number of efficient workmen at all times it is as necessary for the Government as it is for the private employer to be able to meet changing conditions with corresponding readjustments of wage scales. It is just as unfair to obligate the Government by law to pay an excessive wage in times of business depression and lower costs of living as it is impossible at other times to obtain enough efficient workmen to operate successfully a manufacturing plant like the Government Printing Office at wages much less than they can command elsewhere. Accordingly, the Public Printer, or some other agency, should have the authority to readjust wages for the Government Printing Office from time to time, the same as can now be done for every other industrial plant either under Government or private control.

The Printing Committee did not believe, however, that such a large power over public expenditures should be vested in any one officer without some suitable restriction or supervision. Accordingly the bill provides that all rates of wages and compensation fixed upon by the Public Printer, except for groups of less than 10 employees of the same occupation, shall not be effective until approved by the Joint Committee on Printing, and gives the right of appeal to and hearing before the committee.

This restriction applies not only to the additional employees whose wages the bill proposes shall hereafter be determined by the Public Printer but also includes the greater number of employees whose wages may now be fixed by the Public Printer without the advice or consent of any other agency of the Government. The bill therefore provides a far better safeguard as to the expenditure of public funds than is possible under the present practice, whereby the Public Printer is not required to obtain the approval of anyone else in deciding whether to increase or decrease a pay roll already amounting to approximately $6,000,000 a year, nearly two-thirds of which is expended for wages fixed by the Public Printer.

With much reluctance the committee proposed that the authority to approve the wages of employees of the Government Printing Office be vested in the Joint Committee on Printing, inasmuch as the members of the House Committee on Printing are also members of the joint committee. Congress has conferred on the joint committee broad powers as to its supervision over the Government Printing Office. Ever since the establishment of the Government Printing Office the Joint Committee on Printing has, by authority of law, fixed upon standards and awarded the contracts for all the paper purchased by the Public Printer. This alone involves an expenditure of approximately $4,000,000 annually. In fact, the Joint Committee on Printing in this and numerous other matters really acts as a board of directors for the Government Printing Office.

It seems fitting and proper, therefore, that the joint committee should also have the same supervision over the expenditures of the Public Printer for wages as it has over the purchases of paper and other materials required in the public printing and binding.

So as not to hamper the Public Printer in emergencies and also not to burden the committee with minor details, the bill provides that the compensation of groups of 10 or fewer employees of the same occupation may be fixed by the Public Printer without the approval of the committee. This is to provide for the employment from time to time of small numbers of mechanics and laborers, such as carpenters, plasterers, bricklayers, pipe fitters, electricians, and so forth. It would not be worth while for the committee to pass upon the wages of such small groups, and these details can as well be left to the judgment of the Public Printer as at present.

Provision is made in the bill that the Public Printer and the Joint Committee on Printing in determining wages may also fix upon the additional compensation to be paid for overtime and night work. The law (sec. 39, act of 1895; 28 Stat. 607) provides that the night rate for employees of the Government Printing Office shall be 20 per cent in addition to the day rate of pay. This may or may not be a fair and reasonable compensation for night work, depending, as it must, upon whatever rate of pay is allowed for day work.

In determining wages the Public Printer ought to have the same opportunity to fix rates for both day, night, and overtime work as has the private employer and other establishments of the Government like the Bureau of Engraving and Printing and the navy yards. Accordingly, the whole subject of day, night, and overtime rates should be considered whenever wage readjustments are to be made.

To insure stability of wages and to provide time for Congress to act, in case it so desires, before any further change could be effected after a wage readjustment has been made as authorized by the bill, the Public Printer and the employees are restricted from proposing a new wage scale oftener than once a year.

Aside from the changes indicated above, the bill is a substantial rewriting of section 49 of the printing act approved January 12, 1895 (28 Stats. 608), which reads as follows:

> The Public Printer may employ, at such rates of wages as he may deem for the interest of the Government and just to the persons employed, such proof readers, laborers, and other hands as may be necessary for the execution of the orders for public printing and binding authorized by law; but he shall not, at any time, employ in the office more hands than the absolute necessities of the public work may require.

By authority of the foregoing law the Public Printer now determines the wages of all mechanics and laborers employed in the Government Printing Office, with the exception of the three principal printing trades whose wages are fixed by the act of August 2, 1919 (41 Stat. 272), as follows:

> That on and after the passage of this act the pay of all printers, printer linotype operators, printer monotype-keyboard operators, makers-up, copy editors, proof readers, bookbinders, bookbinder-machine operators, and pressmen employed in the Government Printing Office shall be at the rate of 75 cents per hour for the time actually employed.

The committee has had under consideration numerous bills proposing large increases in wages for printers, pressmen, and bookbinders employed in the Government Printing Office. A compilation of the wages asked by the printers, pressmen, and bookbinders alone shows that the enactment of their specific wage bills would mean an increase of approximately $980,000 a year for 1,500 out of the 4,100 employees of the Government Printing Office. In addition, the Public Printer would undoubtedly have to readjust the wages of other employees to correspond with whatever increase might be granted by Congress. This would mean a further enlargement of the Government Printing Office pay roll by several hundred thousand dollars a year. It is evident that Congress has not the time or means at its disposal to consider the real merits of any specific or detailed wage bill. Consequently the committee most urgently recommends the consideration of this bill so as to insure all the working forces of the Government Printing Office an opportunity to have their rates of pay properly readjusted.

Objection was raised by the printers that the bill as first reported (H. R. 506) did not provide a minimum wage. In order to meet this objection, and to make several minor amendments, I introduced H. R. 7996, which was reported favorably on March 31. The latter bill (H. R. 7996) is the one now under consideration.

As amended, the bill is substantially the same as H. R. 506, which was reported favorably to the House on December 17, 1923 (H. Rept. No. 1), except that H. R. 7996 authorizes the payment, on passage, of a minimum wage of 90 cents an hour to all journeyman printers, pressmen, and bookbinders employed in the Government Printing Office.

The Printing Committee is of the opinion that the fixing by law of wages for all employees in the Government Printing Office is utterly impracticable and that it would not be just or fair to determine by act of Congress the wages of only certain groups of employees. It does not seem at all feasible for Congress to undertake to establish specific wages for all printers, job compositors, proof readers, linotype operators, monotype-keyboard operators, revisers, imposers, makers-up, copy editors, platen pressmen, cylinder pressmen, web pressmen, press feeders, bookbinders, rulers, bookbinder-machine operators, electrotype finishers, electrotype molders, stereotypers, photo-engravers, machinists, knife grinders, saw filers, castermen, carpenters, cabinetmakers, electricians, plumbers, steam fitters, sheet-metal workers, blacksmiths, painters, engineers, and numerous other trades required in the operation and maintenance of the Government Printing Office. The wages and compensation for these various groups ought to be determined in the same manner as any large industrial concern negotiates with its employees. Therefore, the committee believes that the rates of wages, other than the basic pay provided for in H. R. 7996, should be determined by the officer and committee charged by law with the proper management of the Government Printing Office.

The proposed minimum rate of 90 cents an hour for printers, pressmen, and bookbinders is an increase of 15 cents an hour over their present statutory wage as fixed by the act of August 2, 1919. For several years Government employees have been granted by Congress an annual bonus of $240, which also applies to employees of the Government Printing Office. This bonus has effected a temporary wage increase of approximately 10 cents an hour, so that the rate actually paid printers, pressmen, and bookbinders has been 85 cents an hour, or 5 cents less than the minimum as fixed by the bill. Unless the bonus is again authorized in this session of Congress or other legislation enacted, such as H. R. 7996, the pay of printers, pressmen, and bookbinders in the Government Printing Office will be reduced to the basic rate of 75 cents on hour.

The Printing Committee is of the opinion that the trades affected are entitled to some increase in their basic pay, and for that reason has recommended the minimum rate of 90 cents on hour. With such a basis, the rates of pay for all employees can be properly readjusted as provided for in the bill. The minimum increase of 5 cents an hour over the present statutory wage plus the bonus will add approximately $500,000 a year to the pay rolls of the Government Printing Office. Every increase of 10 cents an hour means approximately $1,000,000 a year additional to the wage cost of the Government Printing Office and must be met by a corresponding advance in the charges for printing.

Other changes in the bill (H. R. 7996) as compared with H. R. 506 are the limiting of the number of apprentices to 200 as provided by existing law and removing the restriction that the wage committee shall consist of employees.

The bill has been amended by striking out section 2, which was intended to prevent employees from using their wages to pay lobbyists for services alleged to have been rendered in connection with the introduction or passage of wage legislation. In taking this action, the committee is not to be understood as approving the employment of professional lobbyists or the solicitation of funds to promote legislation. No services have been rendered by lobbyists, attorneys, or anyone else regarding bills before the committee that would justify employees of the Government Printing Office in pledging large sums of money in payment therefor. The committee disapproves the solicitation and expenditure of any lobby fund in this connection and trusts that such activities will be suppressed by the employees themselves without the necessity of further consideration by Congress.

Very few people realize the enormous increase in the work of the Government Printing Office during and since the World War. The present Congress has had set nearly 40,000 type pages of special hearings covering the score or more of congressional investigations. The cost of printing 1,000 copies of each of these hearings, or 40,000,000 printed pages in all, will amount to approximately $225,000.

At this moment the printing office has 60,000 folios (pages) of copy awaiting the typesetters, as compared with a normal average of 20,000 folios. This being campaign year there will be a great increase in the printing of speeches. The passage of the soldiers' bonus act has made immediately necessary the printing of millions of forms and circulars at a cost of fully $200,000. The increased appropriation for a necessary enlargement of the force of examiners in the Patent Office will likewise result in the printing of a vastly greater number of patent specifications. Already 50 type-setting machines are employed eight hours every day on the patent-specification work exclusively. It will require at least 100 type-setting machines in the near future to keep pace with the rapidly increasing work of the Patent Office.

It must be apparent to the Members of the House that an emergency does exist at the Government Printing Office and that the passage of this bill before Congress adjourns is of vital importance.

The CHAIRMAN. Is any gentleman opposed to the bill?

Mr. STENGLE. I rise in opposition.

The CHAIRMAN. Is the gentleman opposed to the bill?

Mr. STENGLE. I certainly am, or I would not get up.

The CHAIRMAN. The gentleman from New York is recognized for 30 minutes.

MESSAGE FROM THE SENATE

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 5478, an act to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment."

WAGES FOR EMPLOYEES OF THE GOVERNMENT PRINTING OFFICE

The committee resumed its session.

Mr. STENGLE. Mr. Chairman, in view of the very lucid statement that has just been made by the chairman of the committee I shall be able to save very much of my part of the time, because I would have to repeat much that has already been said by the gentleman from Pennsylvania concerning the condition of the work in the Government Printing Office in this city.

It is a fact that in this city in the newspaper and book and job printing offices, the printers are receiving much more money than is provided for in this bill. Their living conditions, their rents, and the cost and upkeep of their homes are identical with those of the men occupying similar positions in private employment in the District, and I had hoped, and I still hope, that the good sense and good will of this House will be willing to grant to those in the Government Printing Office at least equal pay to that received in private employment in the same territory. If anything, the Government ought to be a model employer. If anything, our Government should set an example to those who are running private institutions, to the extent at least of giving to the wage earner that which he earns, thus making his life pleasant and comfortable and worth while. But these conditions under which they are now laboring cause them to suffer a loss as compared with private employment with the result that frequently some of the very best printers we have resign to go into private employment and secure more pay, and the Government receives poorer service in substitution therefor.

At the proper time I shall introduce an amendment that will provide more pay for these printers, and I trust that those of you who believe in equity, who believe in a square deal, who believe in giving the laborer all that he earns, will support the amendment. I now yield the balance of my time to the gentleman from New York [Mr. BOYLAN].

Mr. BOYLAN. Mr. Chairman and gentlemen of the House, I am opposed to this bill because like the preceding speaker I do not believe that the increase granted by this amendment is a sufficient increase. I believe that the Government should be a model employer. I believe that here in the city of Washington we ought to have a model city. Every condition that exists here in the District should be a model in order that those who visit it from different parts of the country may have fixed in their minds a model whereupon, returning to their homes, they will endeavor to bring about similar conditions in their own towns and cities.

These men work faithfully for you and for me and for the Government in the Government Printing Office and are doing a most important service. When you rise here in your seats and ask permission to extend your remarks in the RECORD, and permission is granted you, you thereupon deliver to the official reporters a speech that perhaps would mean your return to this House. How does that affect you when you want the folks back home to know what you are doing here in Washington? The only way you have of communicating with them is through the CONGRESSIONAL RECORD. These men set up these speeches for you. Suppose they were incompetent, suppose they transposed some of the bright scintillations of wisdom or wit that

emanate from you and have them appear as we should call it in printing terms "pied." What would you say then if that mistake affected your standing with your constituents? Therefore you see the importance of having men who are well paid, men who are up with their work, men who have no desire that errors shall creep into their work, and for the good these men do you for your return to this House you ought to be willing to make a fair and reasonable return.

What are the facts? The facts are that since 1919 wages have not been increased. The scale of wages has not been increased although since that time there has been an increase of approximately 80 per cent in the cost of living. I do not need to tell you men that, you know it from your own experience. What are you offering in this bill to help overcome this additional 80 per cent increase in the cost of living? You are offering a mere pittance when you are offering only an increase of 6 per cent despite conditions have made an increase in the cost of living of 80 per cent.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. JOHNSON of Washington. The gentleman understands that the base pay will be 90 cents and the adjustment will be made for each skilled trade above 90 cents.

Mr. BOYLAN. I do not so understand the bill.

Mr. JOHNSON of Washington. They can make it above 90 cents.

Mr. BOYLAN. The main rates should be the basic rates of the same rates of pay in private offices.

Mr. JOHNSON of Washington. If that was so you would have those paid in the Government Printing Office at the same rate besides receiving emoluments in the way of sick leave and vacations which the private office has not got.

Mr. BOYLAN. While the Government employees are allowed 30 days per annum, yet they work 48 hours a week as against 44 hours a week in private offices. That four hours per week eats up the 30 days and equalizes it. Therefore the Government employees have no superior advantage in having the 30 days' leave, because they work 48 hours a week as against 44 hours a week.

Mr. JOHNSON of Washington. The committee took all that into consideration in arriving at the base plan.

Mr. BOYLAN. What is the consideration? The magnificent sum of 6 per cent. That is no consideration. The increased cost of living is 80 per cent, and you are giving these men in compensation for that 80 per cent only 6 per cent increase.

Mr. JOHNSON of Washington. It amounts to half a million dollars.

Mr. BOYLAN. The chairman in discussing the bill said there was an increase of 15 cents. Technically speaking, that is not correct, because the bonus covers 10 cents of that 15 cents.

Mr. JOHNSON of Washington. It is 5 cents above the bonus and, as I say, amounts to half a million dollars.

Mr. BOYLAN. Never mind about the half million dollars; the raise is 5 cents an hour, or 6 per cent, over the present scale. The Government of the United States is so liberal that it is giving a raise of 5 cents an hour. Wonderful!

Mr. JOHNSON of Washington. The gentleman will please complete the sentence by saying that that is the minimum or base, and there will be pay above that.

Mr. BOYLAN. Oh, do not let us have a smoke screen about the minimum or the base. We consider the basic rate to be similar to that paid by private employers. We say that the base should be the same base as is paid by these private concerns. Half a million dollars! What does that mean? That means the splendid sum of 40 cents a day. Just consider how those printers are going to revel in the lap of luxury on 40 cents a day additional. It will not pay their car fare.

Mr. O'CONNELL of New York. It will not in Washington.

Mr. JOHNSON of Washington. Nevertheless, they are standing around every door here, hoping and praying that we will be able to get this bill over for them.

Mr. BOYLAN. They ought not to have to do that. This Government should recognize these men and pay them decently and adequately without having to have them stand around any door of the Hall of this House. We should be an example for the employers of the country. We should give a model employment. We should provide model conditions the influence of which would radiate to all of the employers of the country and set up a standard which would not be only equal but superior to any employment offered in this country.

Mr. WEFALD. Mr. Chairman, will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. WEFALD. The gentleman spoke very entertainingly about how these printers fix up the RECORD. I wonder if they can fix up the record of the New York Democrats so that it would not look so antifarmer as it does. [Laughter.]

Mr. BOYLAN. My dear friend, the record of the New York Democrats speaks for itself. We appreciate and we love the farmers. Without the farmers we could not exist. We welcome the farmers to our great and our hospitable city. There is nothing in our city that we would not open to the farmer. There is nothing that we would not do for them. We try to get for them the highest prices for their wheat and their produce.

Mr. WEFALD. Here is the place to get the high price for the wheat.

Mr. BOYLAN. And for their corn and their produce of every kind. We love the farmers in New York.

Mr. LAGUARDIA. But the farmers do not get what we pay for their produce.

Mr. BOYLAN. We never begrudge anything that we pay the farmer.

Mr. HULL of Iowa. How did the gentleman vote on the McNary-Haugen bill the other day?

Mr. BOYLAN. You see, I am only an amateur here, and I had to go around for counsel and advice, and to some of the greatest minds in this House on both sides of the Chamber, men whom I revere and whose judgment I consider par excellence, told me that it was an impractical bill, and in my personal ignorance, and depending upon their judgment, I voted against the McNary-Haugen bill. [Laughter and applause.]

Mr. O'CONNELL of New York. Did not my colleague get that advice from some very good farmers on the Republican side?

Mr. BOYLAN. Yes; I got it from some of the best farmers in this country.

Mr. WATKINS. It was just a case of the blind leading the blind? [Laughter.]

Mr. BOYLAN. Perhaps the gentleman is correct.

Mr. HASTINGS. Perhaps the gentleman will be good enough to describe some of the beauties of the coming New York convention and the courtesies that will be extended there to the farmers.

Mr. BOYLAN. Oh, New York is always hospitable. We open our arms and welcome to our city men from various parts of the United States, and some of the foremost men of our city have come from other sections of the country. We are willing to take the best blood and talent from any part of the United States, because we are not narrow. Any man who is on the level and who plays the game fairly is welcome to our city.

Mr. BLANTON. To be sure about that, we are going to take our own doorkeeper with us, and Joe Sinnott will look after us, I am sure.

Mr. BOYLAN. I assure the gentleman that he will not need any doorkeeper in New York; and although we are reputed at times to be very desperate of character, yet we are mild and genial and hospitable to our friends. Let me say further on behalf of the good people of the city of New York that we hope to give you a time that will linger fondly in your memories after many years have passed; and perhaps some other entertainment might be furnished.

Mr. STEVENSON. The gentleman says that we want no doorkeeper. Does the gentleman mean by that that it is going to be wide open? [Laughter.]

Mr. BOYLAN. If the gentleman means that in the sense of hospitality, yes. Everything will be wide open.

Mr. HILL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. HILL of Maryland. Is it not true that even the churches of New York have opened their doors to a distinguished Member of the House of Representatives from Georgia within the past few weeks?

Mr. BOYLAN. Indeed they have; and we welcome good men from Maryland and Georgia, or any other part of this great country.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. CRAMTON. Is it true, as the Associated Press reports, that the managers of Gov. Al Smith have hauled down the flag of modification of the Volstead Act and have assured the country that they are not for anything of the kind?

Mr. BLANTON. No; that is not so.

Mr. BOYLAN. I hope the gentleman from Michigan will not leave before I answer the question, as I see him turning toward the door [laughter]; but I say to him that we in New York do not tear down any flags. We never retreat. [Applause.]

If we hoist our banner we may perish in its support, but we never retreat.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. HUDSPETH. Do I understand the gentleman to say that in New York they never re-treat?

Mr. BOYLAN. I said "never retreat."

Mr. LOWREY. Do they re-treat only once?

Mr. BOYLAN. The limit will be boundless.

Mr. LOWREY. Does the gentleman not think it probable that if the gentleman from Maryland [Mr. HILL] would advocate the same high principles and policies that the gentleman from Georgia does, they might allow him to speak in a church in New York?

Mr. BOYLAN. Well, I think that even promulgating the principles in which he now believes I could get him an audience in New York churches. [Laughter and applause.]

Mr. BARKLEY. If the gentleman does not stop yielding, he will tell the truth about New York.

Mr. LOWREY. The gentleman means that even the churches in New York have come down to that?

Mr. BOYLAN. They have not come down to anything. The churches in New York are liberal. We try not to be small or narrow in anything. The very atmosphere of our city breathes that. We are big in everything, and we try not to tie anyone down too closely. We are willing to receive and treat our visitors on a broad and liberal basis.

Mr. LOWREY. Will the gentleman yield a minute longer?

Mr. BOYLAN. Yes, sir.

Mr. LOWREY. Has the gentleman ever seen or heard of a little book that tells something about the true way being a straight and narrow way?

Mr. BOYLAN. I will say to the gentleman that the streets of New York are straight and many are very broad instead of being narrow. [Applause.] Now, gentlemen, there being no further questions, I will kindly ask you to give these printing boys a chance. The first job I ever had in my life I was a printer's devil, and I know the printing game.

Mr. BLANTON. Has the gentleman ever ceased?

Mr. BOYLAN. Well, I do not quite get the point of that.

Mr. O'CONNOR of New York. There is no point to it.

Mr. BOYLAN. This a typographical term. I do not speak in the moral sense, but in the typographical term. Now, you know as well as I do you would not have a chance in the world of coming back here if we did not get our speeches put right in the RECORD. Now, show your gratitude to these men. They ought not to come here on their bended knees and supplicate your help to assist them. You ought to give it to them freely. Be decent, liberal, free, and generous. The Government ought to be big, it ought not to do anything in the way of petty larceny in the treatment of its employees. Be liberal, therefore, and reject this bill and accept an amendment offered by the gentleman from New York [Mr. STENGLE] or an amendment which I will be glad to offer. I yield back the remainder of my time. [Applause.]

Mr. KIESS. I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. STENGLE. Is there any more time remaining for me?

The CHAIRMAN. Six minutes.

Mr. STENGLE. I yield the balance of my time to Judge ALMON, of Muscle Shoals. [Laughter.]

Mr. ALMON. Mr. Speaker, about 900 bills have been introduced in the House at this session providing for the erection of post-office buildings in the various sections of the country. It has been more than 10 years since Congress made provision for the construction of any post-office buildings. This is usually done by means of what is called an omnibus public buildings bill. The last one was passed and approved March 3, 1913. Another such bill should be passed by this Congress.

The President, in his message last December, recommended that Congress make provision for the construction of $50,000,000 worth of buildings in the city of Washington to be used by the various departments of the Government, and called attention to the scarcity of buildings and the high rentals paid by the Government for buildings in the District of Columbia. He also advised against a public buildings bill at this session of Congress.

At the beginning of this session the Committee on Public Buildings and Grounds of the House, of which I have the honor to be a member, discussed this question at length and finally decided by an almost unanimous vote that we would undertake to secure the passage of such a bill, and we would have done so but were informed that if we would let it go over until the December session, that those who controlled the legislation of the House during this session would probably agree to its passage, but would not do so at this session.

I am unalterably opposed to making any further appropriation for Government buildings of any kind in the District of Columbia until we can secure an appropriation to build post-office buildings out over the country where they are so greatly needed. [Applause.]

I believe that every member of our committee holds to the same view. Those who are interested in the construction of Government buildings in Washington had just as well make up their minds that this will not be done until, and unless, provision is made for buildings out over the country. The people in the towns and cities in the different States are just as much entitled to good Government buildings in which to transact the business of the Post Office Department as are the Government officials in Washington.

The Treasury Department should make plans and specifications of different standards and styles of buildings for towns and cities of various sizes which can be constructed for reasonable amounts. There is no reason why they should be so expensive as some that have been built heretofore. The people do not care for a show house for a post-office building. Buildings that are substantial and such as are built by private capital, and sufficient to handle the postal business, will be all that is necessary.

Much complaint has been made against the Treasury Department for the way this business is handled. It is claimed that there is much delay, and besides that the buildings are of such a class that they cost more than is necessary.

The excuse for not passing such a measure at this time is the want of sufficient funds. It seems that there is money for everything else, and large sums have been appropriated by this Congress which were not nearly as necessary as more and better post-office buildings. The Government is spending large sums of money in rentals for post-office buildings in every section of the country, and in many places the Government is unable to secure suitable buildings. In some places the business is so congested the mail is handled on the sidewalk, in garages, and places of that kind. We should feel justly proud of our Post Office Department. It is one of the greatest institutions of the Government. The people are willing to pay reasonable postal rates in order to get good service and they are entitled to it. The postal employees can not handle and deliver mail promptly and in good condition without suitable buildings in which to handle it. I think as a matter of good business we should all get together when Congress meets in December and agree to the passage of a public buildings bill and make provision for buildings in accordance with the demand.

Just as long as we continue to make appropriations for buildings, streets, pavements, playgrounds, parks, and such things in the District of Columbia and not insist upon post-office buildings out over the country, just so long we will be without them.

I took occasion at this time to make these observations with the hope that the Members of the House, all of whom I believe are interested in this question, will cooperate with our committee when Congress reconvenes and help to pass an omnibus public buildings bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. KIESS. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

The CHAIRMAN. The gentleman from Washington is recognized for five minutes.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, I am sure we all appreciate the statements that have been made in behalf of the printers by the two gentlemen from New York, and that if we could, we would gladly provide a base price of $1.10 per hour, or perhaps more. When bills are offered to establish a base price of $1.10, and when one realizes that in that great printing establishment over there there are employees of all sorts of classifications, one can see the difficulty of establishing a uniform base price for trades that reach those who are in all the sidelines of the trade. That is one of the reasons why the printers in the Government Printing Office have not heretofore had their wages increased. Now they are considerably below those of similar establishments around here and in the vicinity.

Five years ago when I was honored with a position on the little Committee on Printing, consisting of three Members, I never dreamed that there would be very much work attached to that committee. Now I realize that it has an enormous amount of work. Adjusting wages is a great problem. While we would all like to start the base pay of printers at $1.10 per hour, we can not do it. We have endeavored, however, to provide a plan here by which the base rate, in lieu of the bonus, which drops out, will be 90 cents an hour, and that

thereafter adjustments will be made. I have no doubt but that hereafter the base pay of expert men will be 90 cents an hour.

In conversation with the gentleman from New York [Mr. BOYLAN] I understand that the printers want this bill, although they would have preferred $1.10. Still they are anxious to take this bill with a 90-cent base. The time is short, and I hope we will not attempt to amend the bill, because there will be difficulty in getting it acted upon over in the Senate in the limited time between now and the adjournment of the session.

Mr. WEFALD. We can not give them all they ask because we must do something also for the farmer.

Mr. JOHNSON of Washington. Yes. If Congress could, acting on the initiative of each man, it would be glad to help everybody.

Mr. BOYLAN. The gentleman now says that the Government pays a less basic rate than private employers?

Mr. JOHNSON of Washington. Yes.

Mr. BOYLAN. Then it is not fair not to bring them up to that same basic rate.

Mr. JOHNSON of Washington. That is what we are trying to do here.

Mr. BOYLAN. But you are not going far enough.

Mr. JOHNSON of Washington. Good printers are willing to work in that establishment at that rate, and they are extremely loyal.

Mr. BOYLAN. Does not the gentleman think that their loyalty ought to be compensated in a proper manner?

Mr. JOHNSON of Washington. Yes; but I am afraid we can not do it.

Mr. WILLIAMS of Michigan. It is the intent and purpose of this bill to bring the scale of the printers in the Government Printing Office up to the scale of printers in private establishments?

Mr. JOHNSON of Washington. Yes. When this pay system gets under way the adjustments will be made hereafter, subject to revision by the Joint Committee on Printing; and, of course, the purpose is to do exactly as is done in the navy yards, and so on, so that expert men in this line will get the same compensation as is obtained elsewhere. [Applause.]

Mr. KIESS. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. STEVENSON].

The CHAIRMAN. The gentleman from South Carolina is recognized for 10 minutes.

Mr. STEVENSON. Mr. Chairman, the employees of the Government Printing Office should have the sincere sympathy of the Members of Congress. They are the only crowd that have not had a raise, except the Members of Congress, all through the period of the war, except that they have had a bonus, but that is about to cease on the 1st of July, and it is necessary to determine their base pay and make an arrangement whereby a graduation can be fixed so that each man will be paid according to the merits of his particular class.

I call attention to the fact that 90 cents an hour is a minimum wage. In other words, all of them are to get 90 cents an hour, and then those grades where the character of the work requires an amount of skill which necessitates a higher wage, they are to get an additional wage, adjusted by a conference between them and the Public Printer. And you will notice that the terms of the bill allow them to select their own committee to represent them in that conference. There was first a proposition that the printers and the bodies of the crafts desiring a raise had to have a committee of their own members, who must be employees of the Public Printer. We struck that out. They can go outside and have a committee of their own, independent of the man who employs them, to deal with that employer and fix the proper wage for the work which they do. If they fail to agree, then the whole matter comes to the Joint Committee on Printing, consisting of three Senators and three Members of the House, and that Joint Committee on Printing determines what finally it shall be; so that gentlemen should not get it in their heads that when we provide that the minimum pay shall be 90 cents an hour, everybody shall get only 90 cents.

I want to call your attention to the number of different types of labor in the Government Printing Office and show the necessity for flexibility in fixing the amount of wages. Let us see how many there are of them: Printers, job compositors, proofreaders, linotype operators, monotype keyboard operators, revisers, imposers, makers-up, copy editors, platen pressmen, cylinder pressmen, web pressmen, press feeders, bookbinders, rulers, bookbinder machine operators, electrotype finishers, electrotype molders, stereotypers, photoengravers, machinists, knife grinders, saw filers, castermen, carpenters, cabinet makers, electricians, plumbers, steamfitters, sheet metal workers, blacksmiths, painters, engineers, and numerous other trades are required.

Mr. STENGLE. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. STENGLE. This bill, as I read it, does not include any of those except three. Journeymen, printers, pressmen, and bookbinders are the only ones mentioned.

Mr. STEVENSON. Those are the ones who are mentioned.

Mr. STENGLE. Under the minimum of 90 cents?

Mr. STEVENSON. Yes.

Mr. STENGLE. What I want to ask the gentleman is this: Do all the rest of these come under the general rate of 90 cents?

Mr. STEVENSON. They do not all come under that head, but they are all fixed now by the Public Printer.

Mr. STENGLE. At 90 cents?

Mr. STEVENSON. I do not know. I can not say they are fixed at 90 cents, but they are fixed by the Public Printer at the present time.

Mr. STENGLE. The reason I asked that question was that a moment ago the gentleman read this list to show how many would benefit by the minimum of 90 cents.

Mr. STEVENSON. Yes.

Mr. STENGLE. And they are not benefited?

Mr. STEVENSON. The gentleman misread my idea.

Mr. STENGLE. I will leave it to the RECORD.

Mr. STEVENSON. The gentleman misread what I intended it for. He may read what I say, but he does not know what I always intend, and my proposition is this: That from this time forth the Public Printer will deal with all these classes, and when there is a disagreement it will come to the Joint Committee on Printing. There will be an adjustment by people who know something about it before it gets to the Joint Committee on Printing, because I admit they do not know anything about it; but they will take the evidence of the experts and fix a reasonable wage.

There are printers, lots of them, and it is impossible to fix them all on the same basis or under the same schedule. You have got to lay down a minimum and then you have got to build upon it.

I will say to my friend from New York that this last proviso does not limit the action of the Joint Committee on Printing and of the Public Printer to those who are provided for the first proviso, but, as I understand it, it applies to all of the laborers down there, a tremendous class of them, and they can have their wages fixed by conference with the Public Printer, and if they do not get justice from him they can appeal to the Joint Committee on Printing.

Mr. SCHAFER. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. SCHAFER. To the gentleman's knowledge, is the present Public Printer a practical printer?

Mr. STEVENSON. I do not know anything about that because I am not one myself; but he was appointed by President Harding, who was a practical printer and who was able to set type himself. If he did not know a practical printer I would not undertake to make a decision in that regard. If you can not rely upon a practical printer who was President of the United States, and who had the greatest interest of the world under him and who was able to go into a printing office in New York and Boston and set a stick of type—if you can not rely upon such a man I would not undertake to decide who is a practical printer and who is not.

Mr. SCHAFER. That did not imply that he understands everything about printing. Let me say, along the line of the gentleman's argument, that Harry Daugherty was a lawyer but that does not mean he was a practical, experienced, expert lawyer.

Mr. STEVENSON. Well, I am inclined to think he is. He seems to have been able to get the highest office in this country that a lawyer can hold, but that is not parallel to this. I am not here determining the question of the eligibility of Mr. Carter to be Public Printer. I am not responsible, and neither is my party responsible, for his being there, and yet I am willing to stand up for him when he does right, and in my judgment he has made a very capable, practical director of the printing establishment and his administration, in so far as I have been able to see, has been a business administration. [Applause.] I believe that when we fix this matter we are fixing it not only for Mr. Carter as long as he is in there—and probably he will not be there very long after the 4th of next March—but we are fixing it for the Public Printer who is in charge and who is selected by the President of the United States. It means for all time and not merely for Mr. Carter.

So I believe this bill is a belated act of justice to these people and that we ought to pass it without any amendment. It provides a means of doing justice to them. If they do not get it from the Public Printer, they can come to the Joint Committee on Printing, where they will get justice; we will have this matter out of here and we will have done justice to a set of craftsmen who have not had justice up to this time. [Applause.]

Mr. KIESS. Mr. Chairman, I yield three minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that I may proceed out of order.

The CHAIRMAN. Is there objection?

Mr. SCHAFER. Reserving the right to objection, Mr. Chairman, on what subject?

Mr. CRAMTON. Along lines suggested by my friend from New York [Mr. BOYLAN] in his recent remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Mr. Chairman, a little time ago the country was startled when the governor of the largest State in the Union declared for, and secured the repeal of, the law for the enforcement of the eighteenth amendment in the State of New York. About that time Gov. Alfred Smith sent to every Member of Congress a memorial asking us to modify the law in accordance with his views for beer and wine.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRAMTON. No; I can not in the time I have.

The Washington Evening Star last evening said:

DRY LAW CHANGES NOT TO BE ASKED BY SMITH BACKERS

(By the Associated Press)

NEW YORK, June 3.—Franklin D. Roosevelt, chairman of the committee seeking the presidential nomination for Governor Smith, announced to-day that the New York State delegation to the national Democratic convention would not ask for a plank in the party platform calling for a modification of the Volstead Act. He said that if individual delegates raised the issue it would receive no encouragement from the delegation as a whole.

So the situation now is, "Al" Smith does not want to stand for beer and wine. His managers will not let him stand for it. There is no candidate in either party that dares to stand for a beer and wine platform. [Applause.] There is no great party that dares to stand for it, and still there are those who claim that the country is not back of the eighteenth amendment.

Mr. BOYLAN. Will the gentleman yield?

Mr. CRAMTON. I am obliged to yield to my friend because he yielded to me.

Mr. BOYLAN. I would like to ask the distinguished gentleman whether he is a confidant of the various candidates for the Presidency and whether he is the arbiter of the platform?

Mr. CRAMTON. I am a reader of the papers, and there is no presidential candidate hiding his light under a bushel, and there is no candidate for the Presidency seeking an unpopular platform, and hence there is no candidate for the Presidency declaring for beer and wine seeking a beer-wine platform. There is only left President Nicholas Murray Butler, with the breeching worrying him, as it always does, while he presses back against progress.

Mr. BOYLAN. Will the gentleman yield further?

Mr. CRAMTON. If I have the time, I will yield.

Mr. BOYLAN. I think it is unfair to a distinguished son of the Empire State like Dr. Nicholas Murray Butler, who has stood for many progressive things, to charge him with being the foe and the enemy of progress.

Mr. CRAMTON. He was an avowed enemy of the Roosevelt program of other days. He has opposed every great step in social progress, as he now is the one remaining homeless wanderer, with no party to give him a welcome at their convention. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Clerk read as follows:

Be it enacted, etc., That the Public Printer may employ, at such rates of wages, including compensation for night and overtime work, as he may deem for the interest of the Government and just to the persons employed, except as otherwise provided herein, such journeymen, apprentices, laborers, and other persons as may be necessary for the work of the Government Printing Office; but he shall not, at any time, employ more persons than the necessities of the public work may require or more than 200 apprentices at any one time: *Provided*, That on and after the passage of this act the minimum pay of all journeymen printers, pressmen, and bookbinders employed in the Government Printing Office shall be at the rate of 90 cents an hour for the time actually employed: *Provided further*, That except as hereinbefore provided, the rates of wages, including compensation for night and overtime work, for more than 10 employees of the same occupation shall be determined by a conference between the Public Printer and a committee selected by the trades affected, and the rates and compensation so agreed upon shall become effective upon approval by the Joint Committee on Printing; if the Public Printer and the committee representing any trade fail to agree as to wages and compensation, either party is hereby granted the right of appeal to the Joint Committee on Printing, and the decision of said committee shall be final; the wages and compensation determined as provided herein shall not be subject to change oftener than once a year thereafter: *Provided further*, That no employee of the Government Printing Office whose wage or compensation is increased as provided for herein shall, on and after said increase becomes effective, receive any additional compensation provided for in the act approved March 4, 1923, known as the $240 bonus act.

Mr. STENGLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STENGLE: Page 2, line 2, after "That," strike out all of lines 2, 3, 4, 5, and 6 down to the colon and insert: "On and after the passage of this act the pay of all printers, printer-linotype operators, printer-monotype-keyboard operators, makers-up, copy editors, proofreaders, bookbinders, bookbinder-machine operators, and the pressmen employed in the Government Printing Office shall be at the rate of $1.10 per hour for the time actually employed."

[Cries of "Vote! Vote!"]

Mr. STENGLE. I have no objection to going to a vote, but I thought I would explain the reason why I have offered the amendment in this particular language.

Having had experience in the printing line as a printer myself, I know that these particular positions enumerated are similar in responsibility and character in the great Government Printing Office.

My good friend, the gentleman from Washington [Mr. JOHNSON] suggests that the reason he does not want it changed is because he wants to hurry up and get the bill over to the Senate. I suggest to him and submit to him that it would be possible to submit a rate of $1.10 across the hall just as quick as a rate of 90 cents.

I am not going to take up your time further. I am ready for a vote.

Mr. KIESS. Mr. Chairman, I rise in opposition to the amendment. I think it is only fair that the House should know what this amendment would mean if it were adopted.

This amendment provides for 20 cents per hour more than is provided in the bill under consideration, and would increase the pay of the employees in the Government Printing Office, if all the employees were given the advantage of a proportionate increase, $2,500,000 annually. The 90 cents which the committee has recommended provides for an increase of $500,000, and for every 10-cent increase per hour the increase is approximately $1,000,000 per year. This increase in salary will be charged against the departments for their printing and against the Members of Congress for the printing of their speeches. That is the only way this can be covered. In other words, the Public Printer, under the law, charges to the departments the cost of the printing, and to the Members of Congress for the printing they get, the cost plus a small percentage. Therefore the increase proposed by the amendment would cost the Government about $2,000,000 per year more than the provision in the bill as recommended by the committee.

Mr. STENGLE. Will the gentleman yield for a question?

Mr. KIESS. Yes.

Mr. STENGLE. How much does your present provision call for in itself at 90 cents?

Mr. KIESS. It will cost $500,000 more.

Mr. STENGLE. And if we raised that 20 cents more it will add $2,000,000?

Mr. KIESS. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. STENGLE) there were 24 ayes and 45 noes.

So the amendment was rejected.

Mr. BOYLAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. BOYLAN: Page 2, line 3, strike out the word "minimum"; and page 2, line 5, after the word "*of*," strike out "90 cents" and insert "$1."

Mr. BOYLAN. Mr. Chairman, this amendment merely fixes the rate of $1 per hour a basic rate. One dollar per hour is exactly the same rate that is being paid in private printing establishments, not only in the city of Washington but throughout the large cities of the country. I might say that in New York City the minimum scale is $50 a week. The actual scale paid is $55 per week. In Philadelphia the rate is $55 per week. In St. Louis the rate paid is above the average rate, or between $50 and $60 a week. In Chicago the rate ranges from $55 to $60 per week. In the city of San Francisco, which shows how progressive and how alert the State of California is, the rate is $54 per week. I am sure it will be little enough for us to do for the printers in the city of Washington equivalent to what they are doing in the large cities of the country.

Mr. KIESS. Mr. Chairman, I make the same objection of course to this increase as I did to the increase to $1.10 per hour. While this amendment only provides for a total increase of $1,500,000 per year it should not be adopted. The House should understand that this bill provides only for a minimum of 90 cents per hour. The maximum is not fixed, and it is possible for the Public Printer when necessary to pay more.

Another fact which we should not lose sight of is that the employees in the Government Printing Office have many advantages over those employed by private concerns. I would like to call attention to the fact that for the last three years the average vacation with pay for employees has been 46½ days. They get 30 days' leave with pay, and also during the summer half holidays in addition to all the legal holidays. It is not fair, therefore, to compare the rate of pay in the Government Printing Office with that of private printing establishments. There is no disposition on the part of the Committee on Printing to not pay the printers what they are fairly entitled to receive, but it is manifestly unfair to make the minimum rate higher than it is in other establishments. It is true that certain classes are receiving more outside, but this amendment provides a raise of the minimum for all the trades and it would be considerably higher for certain trades than they receive outside.

Mr. STENGLE. Mr. Chairman, I am sure the gentleman did not understand the amendment. The amendment is to strike out the minimum altogether and fix not a basic pay but actual pay of $1. It has been said by your colleague [Mr. STEVENSON] that this 90 cents is only basic pay, from which you are going to operate upward, as you can not operate downward, and the amendment of the gentleman from New York [Mr. BOYLAN] fixes the standard rate without any basic pay at all. How can you say that the increase is $1,500,000 when you do not know how much you are going to jump around?

Mr. BOYLAN. Mr. Chairman, I know the gentleman wants to be fair, and I want to clear up one point. He states that the Government employees receive an annual leave of 30 days. That is true. The gentleman knows that the employees of the Printing Office work a week of 48 hours, whereas in private plants they work 44 hours a week.

Mr. BLANTON. Does not the gentleman work 48 hours a week himself? I do.

Mr. BOYLAN. I do not keep any record of the time I work. Between the time for my own work and that I do for my constituents and for the good of the country, I do not know how many hours a week I work. I am sure the gentleman does not intend to be unfair, because the extra four hours in the week will more than eat up the 30 days' annual leave.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. BOYLAN].

The question was taken; and on a division (demanded by Mr. BOYLAN) there were 26 ayes and 50 noes.

So the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 1, line 4, after the word "for," strike out "night and."

Mr. LAGUARDIA. Mr. Chairman, the purpose of this amendment is this: As I understand it, under the present conditions they are paid a different rate for night work, and if we permit the wording of the bill to stand it might be construed to mean that there will be no overtime for night work. If it is the plan of the gentleman to continue the overtime for night work, I think he ought to accept the amendment.

Mr. KIESS. Mr. Chairman, in our negotiations with the printers this question was raised, and in establishing the principle of this bill there is no reason why the question of pay for night work and overtime should not be a matter of negotiation. I think it is in the interest of the printers to have the bill passed in this form. Up to this time the Government Printing Office has not done anything in the way of overtime pay. They do pay 20 per cent for night work, and that has continued for a great many years. I think they ought to be able to negotiate the rate for night work the same as for day work. There is no injustice done to the printers in this bill.

Mr. LAGUARDIA. Will not the bill as it is now formulated be so construed as to prevent overtime for night work?

Mr. KIESS. No. That is a matter of adjustment. I think the amendment should be defeated.

Mr. STEVENSON. If this amendment is adopted, the Public Printer will not have the right to employ anybody except for overtime work, will he?

Mr. LAGUARDIA. Oh, no; that refers to the compensation, I am quite sure.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 2, line 2, after the word "time," strike out the colon, insert a comma, and add the following: "who shall be prorated among the various trades."

Mr. LAGUARDIA. Mr. Chairman, I call the attention of the chairman to this fact. I understand that under the present arrangement the apprentices are prorated among the various trades. My attention has been called to the fact that under this arrangement it would be possible for the printer to put all apprentices in one department and work them in that way, leaving other departments entirely uncovered.

Mr. KIESS. Mr. Chairman, the number of apprentices is limited by law to 200, so that the amendment offered by the gentleman from New York is entirely unnecessary. I do not think it should go into the bill. This particular amendment was considered by our committee, and was thought to be entirely unnecessary.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

SEC. 2. No part of the wages or compensation authorized by this act shall be paid or delivered to or received by, either directly or indirectly, any agent, attorney, or other person on account of services alleged to have been rendered respecting the introduction of any bill increasing the pay of employees of the Government Printing Office or the passage of this act, and any employee of said office violating this provision shall be dismissed immediately from the Government service.

With the following committee amendment:

Page 3, strike out all of section 2.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

With the following committee amendment:

Page 3, line 10, strike out the figure "3" and insert in lieu thereof the figure "2."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. KIESS. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 7996) to regulate and fix rates of wages for employees of the Government Printing Office, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. The previous question is ordered under the rule. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KIESS, a motion to reconsider the vote by which the bill was passed was laid on the table.

VOCATIONAL REHABILITATION OF CERTAIN PERSONS

Mr. DALLINGER. Mr. Speaker, I submit a conference report upon the bill (H. R. 5478), to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise, and their return to civil employment," which I send to the desk and ask that it be considered at this time.

The SPEAKER. The Clerk will report the conference report.

The Clerk read as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5478) to amend sections 1, 3, and 6 of an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise, and their return to civil employment," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, and 5, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted, insert the following: "June 30, 1926, and June 30, 1927"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment, strike out the words "and annually thereafter for a period of three years" and insert in lieu thereof "1926 and 1927"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the word "three"; and the Senate agree to the same.

FREDERICK W. DALLINGER,
DANIEL A. REED,
B. G. LOWREY,
Managers on the part of the House.

THOMAS STERLING,
PORTER H. DALE,
A. A. JONES,
Managers on the part of the Senate.

Mr. GARRETT of Tennessee. Mr. Speaker, do I understand that the gentleman is asking for the present consideration of the conference report?

The SPEAKER. Yes. That is in order during the last six days of the session.

Mr. GARRETT of Tennessee. Certainly. Will the gentleman kindly give us some explanation of the matter?

Mr. DALLINGER. Mr. Speaker this is a bill for the rehabilitation of persons injured in industry. As the bill passed the House it extended the time for four years. The effect of the Senate amendment was to cut the time down to two years. The conferees have compromised on three years. Two years would make a great deal of trouble and hardship because of the biennial sessions of various legislatures. Therefore, the conferees unanimously agreed to make it three years, and the Senate has accepted the conference report.

Mr. GARRETT of Tennessee. And that is all the change that is made?

Mr. DALLINGER. Yes, that is all the amendment does.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

ADDITIONAL COPIES OF REVENUE ACT OF 1924

Mr. KIESS. Mr. Speaker, I move to take from the Speaker's table Senate Concurrent Resolution No. 18.

The SPEAKER. The gentleman from Pennsylvania calls up the Senate concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Senate Concurrent Resolution 18

Resolved by the Senate (the House of Representatives concurring), That there be printed 41,000 additional copies of public laws No. 176, known as the revenue act of 1924, of which 13,000 copies shall be for the use of the Senate document room, 25,000 copies for the use of the House document room, 1,000 copies for the use of the Committee on Finance of the Senate, and 2,000 copies for the use of the Committee on Ways and Means of the House of Representatives.

Mr. GARRETT of Tennessee. This is a Senate resolution which the gentleman calls up?

Mr. KIESS. Yes.

Mr. GARRETT of Tennessee. I do not suppose it would be wise to amend it, but I think this situation should be called to the attention of Members. This provides for distribution through the document room and not through the folding room. As a consequence if Members want to get copies of this they had better be on hand pretty early in the document room in order to get any.

Mr. CHINDBLOM. Will they not be allotted?

Mr. KIESS. No; in sending it to the document room it is expected that certain Members representing populous districts will have a much greater demand for this bill than others, and therefore it is sent to the document room purposely.

Mr. BEGG. Is it impossible to have it specify a given number for each Congressman, so that some fellow can not get in there and get all of them?

Mr. KIESS. I will undertake to see that no particular Member gets away with all the bills and there will be enough to take care of everybody, I am sure.

The question was taken, and the concurrent resolution was agreed to.

PRINTING CODE OF DISTRICT OF COLUMBIA

Mr. KIESS. Mr. Speaker, I call up Senate Concurrent Resolution No. 12.

The SPEAKER. The gentleman calls up the Senate concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Senate Concurrent Resolution 12

Resolved by the Senate (the House of Rrepresentatives concurring), That the laws relating to the District of Columbia and the laws of former municipal governments in said District, as recompiled, indexed, and annotated in codified form up to and including March 4, 1923, under authority of a Senate resolution of January 3, 1924, be printed as a Senate document, and that 500 copies be printed and bound for the use of the Senate and 1,000 copies for the use of the House of Representatives.

Mr. CRAMTON. If the gentleman will yield, I notice from the reading of the resolution—and I have no familiarity except from that reading—it provides for the printing of the document, including the codification, up to a year ago or more. By the time it is printed it will be a year and a half old. Why did not they provide for bringing it up to date? Now, we are under a very important change in the District administration at this time, and I would like to see that lump-sum provision in the document.

Mr. KIESS. I might say to the gentleman from Michigan that the Senate provided for the codification under a resolution adopted on January 3 of this year, and they provided a thousand dollars to pay for same. There was no provision to take care of the House Members, and I felt that the House Members were entitled to some of the documents, and added to it a thousand copies for the use of the House. Otherwise it would have been passed as a Senate resolution and the House would not have been given any.

Mr. CRAMTON. I will not object to it, but think it ought to come down to date.

Mr. SNELL. I am informed they always bring it down to date as far as they can.

Mr. GARRETT of Tennessee. If I may gain the attention of the gentleman, I have an impression this is the situation: Somewhere in the Senate, in some committee room, there were some employees desired, and they were secured and put upon the job of codifying the District Code and they did codify it. It originated in the desire to give somebody a job over there, in my opinion. They did it, however, and the Senate was about to have this work printed for the use of the Senate. The House chairman of the Committee on Printing discovered that situation and has succeeded in bringing about a condition under which there will be a sufficient number of copies printed and sold to cover all the expense of printing, as I understand it, and

it will be sold at such a price as that the Government will be reimbursed for all expense that it is put to in the printing.

Mr. CRAMTON. If the gentleman will yield further, if they will bring it down to date, its salability will be increased.

Mr. CHINDBLOM. Why not change it to June 7? There will be no legislation this year after June 7, and certainly it will increase the value of the publication.

Mr. KIESS. This is a Senate resolution, and they provided for the payment of this, and I am only trying to get copies for ourselves.

Mr. CHINDBLOM. Let me suggest this to the gentleman: Suppose we change the date to June 7, 1924, and send it to the Senate, and if they want us to contribute some of the money they can put on an amendment or a proviso.

Mr. SNELL. I have no doubt they will bring it down to date.

Mr. CHINDBLOM. All right.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. KIESS. Mr. Speaker, I move to take from the Speaker's table Senate Concurrent Resolution No. 18.

The SPEAKER. It is not in.

SUCCESS OF THE REPUBLICAN POLICY OF ECONOMY

Mr. CHRISTOPHERSON. Mr. Speaker, at the general election in 1918, while the World War was still in progress, the electors chose a Republican majority in Congress. This Congress, the Sixty-sixth, met in special session on the 19th day of May, 1919, and I believe it is wholly within the facts to say that no Congress was ever confronted with more difficult and complicated tasks than that Congress. Our Government had run riot in extravagance and waste in public expenditures, and it was evident to all that unless there was a decided change in our governmental affairs, we, as a Nation, were headed toward bankruptcy. It became the duty of the Sixty-sixth, a Republican Congress, to inaugurate the difficult task of retrenchment and readjustment. This task was undertaken with determination.

Realizing that our Government was then laboring under unheard-of expenditures, that many wasteful methods had become a fixed practice, and that strict economy was one of the first steps essential to readjustment, that Congress proceeded to enact a Federal Budget law, only to have same promptly vetoed by President Wilson, who was still in office. Undaunted by this lack of cooperation and adhering to the Republican policy of economy, Congress, in the passage of appropriation bills that had failed of passage in the closing of the Sixty-fifth Congress, made drastic reductions which in the total amounted to nearly a billion dollars.

The executive departments of the Government protested loudly and expressed the sentiment that Congress by its unheard-of reductions in appropriations would cripple the work of the various departments. Notwithstanding these protests and the lack of cooperation from the executive branch of the Government, Congress adhered to its policy, and a splendid showing was made during the life of the Sixty-sixth Congress in bringing our Government back to a nearly normal basis of expenditures. Useless employees by the thousands were separated from the service and sent home. By congressional action surplus war materials going to waste were sold, and the policy of economy was carried out in every branch and activity of the Government in so far as Congress found it possible, lacking the aid and cooperation of the Executive.

In the general election of 1920 a Republican Congress was again returned, the Republican nominee for President elected, and on March 4, 1921, the reins of the Government came wholly into the hands of the Republicans. It was an enormous and extraordinary complex task that confronted President Harding as he assumed the responsibilities of his office.

The depression which must necessarily follow the orgy of waste, extravagance, and inflation of the preceding administration had broken over the Nation. Depression in the agricultural sections of the country was especially acute. Prices of the farmers' commodities had dropped far below the cost of production. Factories in the industrial centers were either idle or running on part time and 5,000,000 men throughout the land were out of employment. The Nation faced industrial and commercial stagnation. Such was the picture when President-elect Harding took the oath of office as Chief Executive.

The Sixty-seventh Congress convened in special session on the 11th day of April, 1921, and that Congress, in cooperation with the Executive, sought means to avert further depression and to reestablish confidence and a resumption of industry.

Recognizing the eminent necessity for further economy and a businesslike policy in the administration of governmental affairs, that Congress promptly reenacted a Budget law, which was at once approved by the President and is now the law of the land. The Budget Board, which came into existence thereby, has been a wonderful factor in its cooperation with the executive and legislative branches of our Government in insuring sane business methods and real economy in our governmental affairs. It has proven more successful than even its most sanguine proponents had hoped for, and as a result of the cooperation between the executive and legislative branches of the Government and the aid of the Budget Board our governmental expenditures have been brought back to practically a normal basis, barring those expenditures inherited from the war which for the time being can not be eliminated, such as the Veterans' Bureau, rehabilitation of the disabled, interest on our war debt, and so forth. But aside from these, our strictly governmental expenditures were close to a pre-war basis by the time the Harding administration had been in office one year, which speaks volumes for the economy practiced by the Republican Party.

As a result of this economy and sane program of the Republican administration, confidence was quickly restored. Business and industry felt a new urge, and instead of 5,000,000 men seeking employment it was not long before there came a call from the industrial centers for more help. The wheels of industry were revolving, trade and commerce were on the increase, imports and exports increased by leaps and bounds, until to-day the products of America, of the farm and factory, find a market in all the marts of the world.

As a war necessity taxes higher than ever dreamed of had been placed on our people, a tax burden so heavy that it was strangling industry and suppressing initiative and enterprise. Coincident with the Republican policy of economy came that of tax reduction. Hence, in 1921, under the Harding administration, a new revenue law was passed, making substantial reduction in the high Federal taxes. Due to increased business and industry and to the economies of the administration, notwithstanding this reduction in the income taxes, a very substantial surplus was created in the Federal Treasury. This enabled the present Congress to make further material reductions in taxes, and so a new revenue measure has been enacted by a Republican Congress and approved by President Coolidge.

This new law relieves those of small incomes of all income taxes. Those with an income of less than $10,000 per year secure more than a 50 per cent reduction, and those up to $22,000 receive practically a 50 per cent reduction. Those whose income exceeds the latter amount will get a reduction less in percentage but nevertheless a substantial reduction.

Practically all the excise taxes have been repealed. The national debt has been reduced in a greater sum under the Republican administration since the close of the war than our debt was reduced for the entire period from the close of the Civil War to the time of our participation in the World War.

The Republican policy of economy inaugurated in the Sixty-sixth Congress has been continued and extended since that time. Under the wise leadership of the late President Harding a sane program was outlined and followed. Death terminated his work, already well begun, but not completed. His successor, our Chief Executive, Calvin Coolidge, admirably fitted and qualified for the task thrust upon him and in complete harmony with his departed chief's program, took up the work. He has carried on, and under his sane and statesmanlike leadership, pronounced policy of economy, the Republican Party that has so well solved the complex problems of the time should and will be continued in power. Our land will continue to "Keep cool with Coolidge," and thereby continue the work so well begun. Economy, keeping expenditures within our revenues; result, a sound Treasury, and with it faith and confidence in our Government. A wise and fearless administrator of whom it has been truly said:

> Here is a man with none of the arts or graces which have been deemed a part of the necessary capital for a political career; a man who, in a vocal age, is only vocal when real occasions make demand for it; a man with neither the dramatic touch which other leaders have possessed, nor the captivating personality or the appealing eloquence which have helped other men to power. He is strong because while his face is lifted to the stars he keeps his feet planted on the ground.

THE NEW REVENUE LAW

Mr. GREEN of Iowa. Mr. Speaker, among the achievements of the Sixty-eighth Congress will be the revenue bill recently passed, which will be known as the revenue act of 1924. The act is not perfect, for no tax law ever was or ever will be, but it is vastly superior to the present law and superior to any other plan that was presented.

A continuous and most extraordinary propaganda in the way of misrepresentation of the bill has been kept up in the press. Only yesterday I saw a cartoon in my home paper representing Congress as refusing to consent to any tax reduction and tying hand and foot the taxpayers of the country to

heavier taxation. Yet the fact is that the bill reduces taxes for the fiscal year ending June 30, 1925, by $361,000,000 and will reduce taxes for the fiscal year ending June 30, 1926, over $400,000,000. According to statements made by the Actuary of the Treasury, it reduces taxes for the fiscal year 1925 $22,000,000 more than the Mellon plan, and for the fiscal year 1926 more than $100,000,000 more than the Mellon plan. It also reduces individual incomes taxes of 1923, payable during this calendar year, $232,000,000 more than the Mellon plan, which made no provision whatever for a reduction in the income taxes payable this calendar year.

The proposition to reduce the taxes payable this year by 25 per cent was, as every Member in Congress knows, originated by myself without any suggestion from anyone. In accordance with my plan it was incorporated in the revenue bill when reported to the House, and although some newspaper correspondents hired to misrepresent the bill have stated to the contrary the fact is that it has been in the bill from start to finish and this particular provision was approved by the House by an overwhelming vote. Those who paid one-fourth of their income taxes on March 15 will only be required to pay 50 per cent of the regular quarterly returns on June 15 and will get 25 per cent off on each of the following payments this year. Those who paid their income taxes in full at the time of the first payment will get a refund of 25 per cent.

Included in the reductions for the fiscal year ending June 30, 1925, is a $136,000,000 reduction in excise taxes, commonly known as nuisance taxes. A few of these reductions went into effect immediately, but the most of them will not go into effect until 30 days after the passage of the bill, but all of them will apply to the last half of this calendar year, which constitutes the first half of the fiscal year of 1925. I have attached to these remarks a table of the reductions in excise taxes, specifying the particulars. For the first half of this calendar year the 25 per cent reduction in the income taxes will take off a little more than half of the $232,000,000 for the full calendar year, or from $116,000,000 to $120,000,000. Adding this to the $361,000,000 for the fiscal year ending June 30, 1925, we find that the total reduction for the 18 months beginning with January 1, 1924, is about $480,000,000, and yet some newspapers are still stating that Congress was unwilling to reduce taxes. In these 18 months the taxes are reduced more than $250,000,000 above what was proposed by the Mellon plan.

It is now admitted that this great reduction will be effected and the Treasury will still carry over a handsome surplus at the end of the fiscal year 1924, and also should have a surplus at the end of the fiscal year of 1925. One annual payment on the bonus has already been appropriated out of the revenues of this fiscal year and a sufficient surplus will be carried over into the next fiscal year to make another annual payment. The next payment will be about $16,000,000 less than the first payment, which included not only the amount required for the sinking fund but the amounts necessary for the cash payments.

I have attached to these remarks a table showing the actual savings to the taxpayers both in amount and percentages. It will be observed that under the new law all taxpayers having incomes of $10,000 or less have their income tax reduced at least 60 per cent under the new law on the taxes payable in 1925, and the percentage of reduction is about one-half more than under the Mellon plan. The difference decreases as the amount of income increases. When incomes of $66,000 are reached the rates under the new law pass the Mellon rates and on incomes of $1,000,000 and upward the reduction under the new law is less than half what it would have been under the Mellon plan.

I have said that the law was not perfect and that no tax law ever was, but the only provision contained in it to which I seriously object is that with reference to the Board of Tax Appeals, which came out of the conference badly mangled. I do not believe that the board will be able to function properly or successfully, but if so, we can amend these provisions at the next session.

The new law has been criticized in several respects, and particularly with reference to the provision for publicity of returns and the estate and gift taxes. It has been said that it provided for the posting of the returns in the various post offices, but this is not correct. It merely provides that the name and address of the taxpayer, together with the statement of amount of tax paid, shall be subject to examination in the collector's office and such other places as the commissioner may direct. This provision may go too far, but such a stalwart Republican as Benjamin Harrison made a strong speech in favor of full publicity of tax returns. I fail to see where this provision will do any harm, and I have no doubt it will result in the Government receiving a greater amount of taxes.

The estate taxes have been somewhat increased in the upper brackets, which are carried to 40 per cent on estates above $10,000,000, the same as in England, except that that rate is applied to smaller estates. The first two brackets are not increased, and in consequence of a provision that whatever taxes the several States assess against inheritances may be deducted from the Federal tax there will be instances where a smaller tax will be paid than under the old law.

The taxes on estates of decedents, considering the very large exemption of $50,000, are the least objectionable of any of the taxes which the Federal Government levies. The leading economists have for a long time recognized that these taxes do not tend in any way to restrict initiative or ambition, and it is certain that they do not affect business. Moreover, they are always collected with absolute fairness between those of the same classes, something that can be said of no other tax.

The persons who would otherwise receive the funds have done nothing to earn them, and in view of these facts such prominent statesmen as Roosevelt and great business men like Carnegie have recommended that our estate taxes be increased. If we paid as much as is paid in England in proportion to the wealth of the country the Government would collect five times as much as it does now. Six years are allowed for the payment of the estate tax in order that it may not be necessary to sacrifice any property.

In the new act we have at last got the estate taxes on a scientific basis. For a long time it has been urged that these taxes interfered with the States getting revenue from the same source, but the new law carries a provision that all State taxes on estates are to be deducted from the amount payable to the Federal Government up to 25 per cent of the amount of the Federal taxes. As a result no matter in what State the citizen may reside his estate will pay the same tax and the States, by levying inheritance taxes, can add to their own revenues without increasing the taxation upon the estates. No State will hereafter be able to offer a premium to those who wish to escape taxation by moving out of a State which imposes an estate tax into one that does not. Considering the provisions of the bill it is a very singular feature of some of the criticisms that have been made that it is asserted that the State taxes of this nature are added to the Federal taxes, when the fact is they are deducted. The real fact is that the new law will aid the States in obtaining revenues from inheritances.

It is estimated that the new estate tax will bring in annually about $10,000,000 above the amount now received under the present law—an insignificant amount compared to the total value of the estates against which they will be levied. Recent statistics show that the number of large estates in this country is increasing and the increase is great where the total amount held by single families is concerned. The value of these estates will continue to increase notwithstanding the provisions of the new law.

The gift tax is a corollary of the estate tax. Much has been said with reference to the loss to the Government in revenue by reason of the existence of tax-exempt securities. A large amount is so lost, but those who have had occasion to study the situation have ascertained that the falling off in the number of large incomes reported is not due near so much to the ownership of tax-exempt securities as it is to the division of great estates, made for the purpose not only of evading the surtaxes but of lessening the amount of tax which would be paid at death. It is a notorious fact that nominal gifts in enormous amounts are made for the purpose of evading taxes. The gift tax will not bring in any large amount directly, but it will result in the Government indirectly collecting more taxes from the other sources.

The gift tax, like the estate tax, has an exemption of $50,000, and after that carries the same rates. All charitable, religious, and educational gifts are also exempted, as well as separate gifts to individuals not exceeding $5,000 in amount. It was not intended and will not affect any estates except those that run up into many millions and which the owner wishes to divide in order to avoid income and inheritance taxes. It is so easy to evade the income and inheritance taxes by nominal gifts, where the real control of the property still remains with the donor, that the gift tax is absolutely necessary to prevent these evasions, and no valid objection can be urged against it.

In redrafting the new law a great improvement was made in the wording of it and many of the loopholes by means of which evasions were practiced have been closed. The exemption for heads of families has been raised so that it is $2,500 in all cases. Earned incomes up to $10,000 get a reduction of 25 per cent from the rates of the bill, and all income below $5,000 is to be treated as earned.

A married man without dependents having an income of $3,000 will pay only $7.50 tax under the new law. The allow-

ance for capital losses is limited to the rate of tax on capital gains. The old law afforded an easy opportunity for evasion by giving full credit for capital losses and taxing capital gains only 12½ per cent. There also has been under the old law much evasion of taxes through reorganization of corporations, the formation of investment corporations whose gains paid only 12½ per cent corporation tax, and by the creation of revocable and other trusts. All of this has been stopped by the new law. There has been much talk to the effect that the surtaxes ought to be reduced to a low figure because the wealthy would not pay the high rates. I think they might well have been reduced to a maximum of 35 per cent, but I do not believe in the doctrine that because the rich have been to a certain extent evading these taxes the rates should be lowered. Such a doctrine is not sound economically and puts a premium on lawbreaking. What we ought to do is to close all the avenues of escape that experience has shown to exist and put the honest man on an equality with the tax dodger.

When the provisions of the law are fully understood by the people I am satisfied that it will not only be acceptable but popular. It will take some time to overcome the effect of the continuous misrepresentation of its provisions, but when the taxpayers come to make their returns and pay their taxes they will then understand its benefits.

How income taxes are reduced by the revenue act of 1924

[What the income-tax payer saves under the new law as compared with the Mellon plan. Compiled from statistics furnished by the Government Actuary, Treasury Department]

Income (married man without dependents) first $5,000 considered as earned income	Total amount saved from act of 1921		Percentage of total saving from act of 1921	
	By the Act of 1924	By the Mellon plan	By the Act of 1924	By the Mellon plan
$3,000	$12.50	$8.75	62.50	43.75
$4,000	37.50	26.25	62.50	43.75
$5,000	62.50	43.75	62.50	43.75
$6,000	102.50	62.50	64.04	39.08
$7,000	162.50	92.50	65.00	37.00
$8,000	212.50	122.50	62.50	36.03
$9,000	262.50	152.50	61.05	35.47
$10,000	312.50	182.50	60.10	35.10
$15,000	802.50	332.50	47.41	31.35
$20,000	702.50	482.50	40.84	28.05
$25,000	952.50	682.50	37.21	26.66
$30,000	1,202.50	892.50	34.16	25.07
$35,000	1,502.50	1,102.50	32.45	23.81
$40,000	1,802.50	1,322.50	30.86	22.65
$45,000	2,152.50	1,612.50	29.98	22.46
$50,000	2,502.50	1,982.50	28.97	22.95
$55,000	2,862.50	2,442.50	27.98	23.88
$60,000	3,262.50	2,982.50	27.32	24.97
$65,000	3,712.50	3,612.50	26.94	26.22
$70,000	4,162.50	4,322.50	26.44	27.46
$75,000	4,642.50	5,112.50	26.04	28.73
$80,000	5,162.50	5,982.50	25.76	29.85
$85,000	5,712.50	6,942.50	25.53	31.02
$90,000	6,302.50	7,982.50	25.37	32.14
$95,000	6,902.50	9,112.50	25.16	33.22
$100,000	7,522.50	10,322.50	24.96	34.25
$200,000	21,022.50	35,822.50	24.26	41.35
$300,000	38,022.50	62,822.80	24.21	43.50
$500,000	61,022.50	116,822.50	23.41	44.82
$1,000,000	121,022.50	251,822.50	21.96	45.73
$2,000,000	241,022.50	521,822.50	21.32	46.15
$3,000,000	361,022.50	791,822.50	21.11	46.29
$4,000,000	481,022.50	1,061,822.50	21.00	46.35
$5,000,000	601,022.50	1,331,822.50	20.94	46.39

Estate tax

[Comparison of the rates under the revenue acts of 1921 and 1924]

Net estate (gross estate less certain deductions and specific exemption of $50,000)		Rates	
Exceeding	Not exceeding	Act of 1924	Act of 1921
		Per cent	*Per cent*
	$50,000	1	1
$50,000	100,000	2	2
100,000	150,000	3	2
150,000	250,000	4	3
250,000	450,000	6	4
450,000	750,000	9	6
750,000	1,000,000	12	8
1,000,000	1,500,000	15	10
1,500,000	2,000,000	18	12
2,000,000	3,000,000	21	14
3,000,000	4,000,000	24	16
4,000,000	5,000,000	27	18
5,000,000	8,000,000	30	20
8,000,000	10,000,000	35	22
10,000,000		40	25

What the revenue act of 1924 does in addition to reducing income taxes

Article: Repeals tax on—	Saved to taxpayer
Telephone and telegraph messages	$34,000,000
Beverages and constituent parts thereof	10,000,000
Admissions of 50 cents and under	33,000,000
Excise taxes:	
Auto trucks and bodies, chassis costing $1,000 and body $200 exempt from 3 per cent tax	5,000,000
Tires, tubes, parts, and accessories, tax reduced from 5 per cent to 2½ per cent	20,000,000
Smokers' articles, 10 per cent tax on humidors and smoking stands repealed	1,000
Candy, 3 per cent tax repealed	13,000,000
Slot device weighing machines, tax reduced from 10 per cent to 5 per cent	
Knives, dirks, daggers, etc., tax is repealed	30,000
Liveries and livery boots, and hats, 10 per cent tax repealed	140,000
Hunting and shooting garments and riding habits, 10 per cent tax repealed	180,000
Yachts and motor boats and pleasure boats and canoes if sold for more than $100, 10 per cent tax repealed	319,000
Carpets and rugs (square yard tax); trunks, sold in excess of $35; valises, traveling bags, suit cases, etc., if sold in excess of $25; purses, pocketbooks, shopping or hand bags, sold in excess of $5; portable lighting fixtures, lamps, and lamp shades, sold in excess of $10; fans sold in excess of $1; 5 per cent tax on all the foregoing repealed	1,800,000
Jewelry: 5 per cent tax does not apply on articles sold for $30 or less; on watches sold for $60 or less; on church goods, musical instruments, and silver-plated flat tableware, irrespective of price. (Eyeglasses and spectacles and surgical instruments are exempt)	11,000,000
Stamp taxes:	
Sales of produce on exchange, cut from 2 cents to 1 cent per $100	4,000,000
Promissory notes, drafts, or checks, payable otherwise than at sight or demand, tax of 2 cents per $100 or fraction thereof, repealed	2,150,000
Occupational taxes:	
Brokers exclusively negotiating sales of produce or merchandise, exempt from $50 tax	$400,000
Theater seat tax, etc., repealed	1,600,000
Total reduction	136,620,000
MISCELLANEOUS	
Item:	Increase.
While the bill reduces the tax on slot-weighing machines from 10 per cent to 5 per cent, it now applies the 5 per cent tax to all classes of coin-operated machines which will increase the revenue from this source about	$150,000
Playing cards: Rate increased from 8 cents to 10 cents per pack	700,000
Mah Jongg, Pung Chow, and similar tile sets taxed at 10 per cent	1,000,000
Total increase	1,850,000
Total taxes eliminated	136,620,000
Total taxes added	1,850,000
Net total reduction	134,770,000

ADDITIONAL EXEMPTIONS

Tax on pool tables and bowling alleys of $10 per table or alley, does not apply if no charge is made for use of same.

Seat tax on automobiles for hire does not apply in respect of automobiles used exclusively for conveying school children to and from school.

BRIDGE ACROSS THE OHIO RIVER, INDIANA AND KENTUCKY

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9345) granting the consent of Congress for the construction of a bridge across the Ohio River between Vanderburgh County, Ind., and Henderson County, Ky.

Mr. BEGG. That is on the Consent Calendar.

The SPEAKER. The Chair thinks there is an emergency in this case. Is there objection?

Mr. CHINDBLOM. It is the same emergency that we had the other day. Let us not object.

Mr. GARRETT of Tennessee. It is not unusual to take up these bridge bills out of order in such cases.

Mr. BARKLEY. I will state to the gentleman that it is so far down the list that I am afraid it will not be reached in time. We want to build this bridge so that you can come down to Kentucky and cross it.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Kentucky and the State of Indiana, by and

through their respective highway commissions or such other agencies as may be selected, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation which may be selected by the respective States as connecting up suitable highways between the said States in the county of Henderson, Ky., and the county of Vanderburg, Ind., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With an amendment, as follows:

Page 1, line 9, after the word "navigation," strike out the words "which may be selected by the respective States as connecting up suitable highways between said States in" and insert in lieu thereof the word "between."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. BARKLEY. Mr. Speaker, I move to reconsider the last vote and to lay that motion on the table.

The SPEAKER. I hope the gentleman will not do that. We will have that done with other bills, all together.

CONSENT CALENDAR

The SPEAKER. The Clerk will call up the bills on the Consent Calendar, beginning where we left off on Monday. The Chair understands that it is the intention of the House to continue the consideration of this Consent Calendar until finished if nobody makes the point of no quorum.

Mr. ALMON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ALMON. There is an important bill on the calendar, providing for national aid to roads for the next two years.

The SPEAKER. That bill will be attended to.

Mr. ALMON. You will get it through by Saturday?

The SPEAKER. It is so expected. There will be no suspensions to-night.

Mr. BLANTON. Mr. Speaker, it was expected that along about 7 o'clock the Speaker would turn us loose.

The SPEAKER. How is that?

Mr. BLANTON. It was understood that there would not be much doing in the Chamber at that time.

Mr. SNELL. There is a good deal of business to get through.

The SPEAKER. The Clerk will report the first bill on the Consent Calendar.

RED PIPESTONE QUARRIES, MINNESOTA

The Clerk read as follows:

A bill (H. R. 8345) conferring jurisdiction on the Court of Claims to determine and report upon the interest, title, ownership, and right of possession of the Yankton Band of Santee Sioux Indians to the Red Pipestone Quarries, Minn.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That jurisdiction be, and it hereby is, conferred upon the Court of Claims to determine and report from the finding of facts reported by said court as authorized by section 22 of the act of April 4, 1910 (38 Stat. L. p. 284), the interest, title, ownership, and right of possession of the Yankton Band of Santee Sioux Indians in and to the land known as the "Red Pipestone Quarries," described in said act of April 4, 1910; and said court shall determine what amount, if any, is legally and equitably due from the United States to the said Yankton Band of Santee Sioux Indians for the said quarries.

SEC. 2. That the court is hereby further authorized to determine what, if any, other band or bands of Sioux Indians have an interest in and to the said Red Pipestone Quarries, and the amount thereof, if any.

Mr. CHRISTOPHERSON. Mr. Speaker, I offer an amendment. On page 2, line 3, after the word "quarries" strike out the period, insert a comma and the words "and enter judgment thereon."

The SPEAKER. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CHRISTOPHERSON: On page 2, line 3, after the word "quarries," strike out the period, insert a comma and the words "and enter judgment thereon."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed, and read a third time, was read the third time, and passed.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the amendment of the House to the amendment of the Senate to the amendment of the House to the Senate amendment 14 to the bill (H. R. 7877) entitled "An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925," and for other purposes, and had receded from its amendment No. 13.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 16

Resolved by the Senate (the House of Representatives concurring), That 5,000 additional copies of the revised annotated Constitution be printed for the use of the Congress, 1,500 copies for the Senate and 3,500 copies for the House of Representatives, and that the Senate Committee on the Judiciary be, and is hereby, authorized to employ a competent person to assist in bringing the same up to date, his compensation to be paid out of the contingent fund of the Senate: *Provided*, That the Public Printer shall print not more than 10,000 additional copies of said revised annotated Constitution and offer the same for sale at the cost of printing and binding, plus 10 per cent, to persons who agree not to resell or distribute the same for profit.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

S. 790. An act for establishment of a Federal Industrial Institution for Women, and for other purposes;

S. 1971. An act to authorize the Commissioners of the District of Columbia to accept certain land in the District of Columbia dedicated by Charles C. Glover for park purposes;

S. 381. An act to amend section 2 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (39 Stat. L. p. 862);

S. 2929. An act granting the consent of Congress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the St. Marys River at or near Wilds Landing, Fla.;

S. 1174. An act authorizing the Secretary of the Interior to investigate and report to Congress the facts in regard to the claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses;

S. 2169. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

H. R. 526. An act authorizing the Secretary of War to enter into an arrangement, on behalf of the United States, with the Alexandria Light & Power Co. whereby civilians may obtain electric current from a Government-owned transmission line extending from Alexandria to Fort Humphreys, Va.;

H. R. 905. An act for the relief of Gerard E. Bess;

H. R. 2607. An act for the relief of Jesse L. Meeks;

H. R. 8961. An act for the relief of Frank Stinchcomb; and

H. R. 4985. An act to repeal the first proviso of section 4 of an act to establish a national park in the Territory of Hawaii, approved August 1, 1916.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 7041. An act to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916;

H. J. Res. 237. Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes;

H. R. 7220. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes;

H. R. 6202. An act to amend sections 11 and 12 of the merchant marine act, 1920;

H. R. 7122. An act for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex.; and

H. R. 3143. An act for the relief of Bernice Hutcheson.

FORT DUCHESNE RESERVATION

The next bill on the Consent Calendar was the bill (S. 667) granting to the State of Utah the Fort Duchesne Reservation for its use as a branch agricultural college.

The Clerk read the title of the bill.

Mr. COLTON. Mr. Speaker, I ask unanimous consent that this bill may be passed and retain its place on the calendar.

The SPEAKER. The gentleman from Utah asks unanimous consent that this bill may be passed and retain its place on the calendar. Is there objection? [After a pause.] The Chair hears none.

UTAH NATIONAL PARK

The next business on the Consent Calendar was the bill (S. 668) to establish the Utah National Park, in the State of Utah.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, I want to ask the gentleman who is interested in this bill why he wants it?

Mr. COLTON. I will say, in reply to the gentleman's question, that this is one of the most beautiful spots in the United States, and everybody is agreed that it ought to have a national-park status. At present it is under the direction of the Forest Service, and it has nothing at all in common with the purposes of the Forest Service.

Mr. BEGG. The gentleman need not go any further, because he has stated enough to enable me to ask the question I wanted to put to him. Suppose this is made a national park for the sole benefit of this city. Then is it the gentleman's intention to ask the Government to maintain this as a national park solely for the benefit of the city, or is it going to be maintained, kept up, and improved by the city?

Mr. COLTON. Well, it has nothing to do with a city, and it is not anywhere near a city.

Mr. CRAMTON. Will the gentleman from Utah yield?

Mr. COLTON. I shall be glad to yield.

Mr. CRAMTON. It has been my good fortune to visit this place during the last year. I think Bryce Canyon is one of the most beautiful regions in the United States. It has no connection with any city. The nearest city, I suppose, is Provo, which is 100 miles or 200 miles away. There is no town of any description at the canyon.

Mr. BEGG. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BEGG. The Secretary of Agriculture questions the advisability of this action. What has the gentleman to say in face of that?

Mr. CRAMTON. Well, I do not want to ascribe any motives, but I do know this: I am very jealous of the national-park system. There are two or three which have been made parks which I wish had not, because I think the standard should be very high. But Bryce Canyon is eminently of the class that deserves that standing, and being of that standard, the National Park Service is the place for it to be administered. We do not want two park services—one in the Agricultural Department and one in the Interior Department. This is to be developed as a park; a hotel is to be erected, tourists will go there, and it should be a part of the national-park chain. It is a very deserving proposition, especially with the amendment which I understand the gentleman from Utah will offer.

Mr. COLTON. I expect to offer an amendment which will provide that all of the land within the exterior boundaries of this tract shall first be acquired by the United States. And I may say this further: While there are cities in Utah closer to this place than Provo, this has nothing at all to do with any city. It is worthy of being a park and belonging to the general system of national parks.

Mr. CRAMTON. How near is Panguitch? I think Panguitch is the nearest town.

Mr. COLTON. It is about 30 miles away.

Mr. CRAMTON. And it is a town of 1,000 people?

Mr. COLTON. Yes; or a little larger.

Mr. BEGG. I will withdraw my reservation, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park for the benefit and enjoyment of the people, under the name of the "Utah National Park," the tract of land in the State of Utah particularly described by and included within metes and bounds, as follows, to wit:

Unsurveyed sections 31 and 32, township 36 south, range 3 west; surveyed section 36, township 36 south, range 4 west; north half, southwest quarter and west half of the southeast quarter of partially surveyed section 5; unsurveyed sections 6 and 7, west half, west half of the northeast quarter, and west half of the southwest quarter of partially surveyed section 8, partially surveyed section 17 and unsurveyed section 18, township 37 south, range 3 west; and unsurveyed sections 1, 12, and 13, township 37 south, range 4, all west of the Salt Lake meridian, in the State of Utah.

SEC. 2. That the administration, protection, and promotion of said Utah National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes."

SEC. 3. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: *Provided*, That the Secretary of the Interior is hereby authorized to exchange, in his discretion, alienated lands in this and Zion National Park for unappropriated and unreserved public lands of equal value and approximately equal area in the State of Utah outside of said parks.

Mr. COLTON. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Utah offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLTON: On page 2, line 6, after the word "Utah" insert: "*Provided*, That all the land within the exterior boundaries of the aforesaid tract shall first become the property of the United States."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

MEDICINE BOW NATIONAL FOREST, WYO.

The next business on the Consent Calendar was the bill (S. 699) authorizing the addition of certain lands to the Medicine Bow National Forest, Wyo., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause]. The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President, upon recommendation of the Secretary of Agriculture and the Secretary of the Interior, is hereby authorized to add to the Medicine Bow National Forest the public lands within townships 14 and 15 north, range 77 west, sixth principal meridian, State of Wyoming, which may be determined to be chiefly valuable for national-forest purposes, and to designate as a game refuge within such national forest the areas which may be determined to be suitable for the protection and propagation of game animals and birds.

SEC. 2. That it shall be unlawful for any person to hunt, pursue, kill, capture, or molest any game animal or any bird within such designated refuge except in accordance with rules and regulations of the Secretary of Agriculture.

SEC. 3. That the provisions of this act shall not affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose, nor the rights of any claimant, locator, or entryman to the full use and enjoyment of such land.

SEC. 4. That any person who violates any provision of this act or of any rule or regulation promulgated hereunder shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 or imprisoned for not more than one year, or both.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

PYRAMID LAKE INDIAN RESERVATION, NEV.

The next business on the Consent Calendar was the bill (S. 1309) for the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

For the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell to settlers or their transferees, under such terms, conditions, and price per acre as the said Secretary may prescribe, any lands in the Pyramid Lake Indian Reservation, in the State of Nevada, that have been settled upon, occupied, and improved by said settlers and their transferees in good faith for a period of 21 years or more immediately preceding the passage of this act: *Provided*, That no more than 640 acres shall be sold to any one person or corporation: *Provided further*, That said sales shall be by private cash entry after it has been shown to the satisfaction of the Secretary of the Interior that the lands applied for have been settled upon, occupied, and improved as required by this act, and in addition to such price per acre as may be fixed by the Secretary of the Interior all entrymen hereunder shall pay the same fees and commissions as provided by law where public lands are disposed of at $1.25 per acre. The proceeds of said sales shall be deposited in the Treasury of the United States and be used by the Secretary of the Interior for the Piute Indians of the said Pyramid Lake Indian Reservation.

SEC. 2. That the Secretary of the Interior is also authorized to have a survey and plat made of the town of Wadsworth, in said Pyramid Lake Indian Reservation, and thereafter sell the unpatented lands embraced in the said town as provided for by section 2384 of the Revised Statutes of the United States, and on compliance with said statute the purchasers of the lots shall acquire title as provided for by the said statute: *Provided*, That any lands within the limits of said town used for Indian school purposes or for other public use for Indians shall be, and the same are hereby, reserved from said town site, and the Secretary of the Interior, upon payment to him of the sum of $100, is hereby authorized to convey by patent to the Board of County Commissioners of Washoe County, Nev., or other proper school officials of the town of Wadsworth, Nev., the lands now known as lots 38 to 47, inclusive, of block 2 in said town of Wadsworth, as surveyed in 1898 by T. K. Stewart: *Provided further*, That if there are any Indians residing in said town and in possession of and claiming any lots therein they shall have the same rights of purchase under the said statute as white citizens. The proceeds of the sale of lands in said town shall also be deposited in the Treasury of the United States and be used by the Secretary of the Interior for the Piute Indians of the Pyramid Lake Indian Reservation, and the proceeds derived from the sale of lands under section 1 of this act are hereby made available for use by the Secretary of the Interior in making such surveys or resurveys within the said town site of Wadsworth as may be necessary to carry out the provisions of this act.

SEC. 3. That titles to lands in said Pyramid Lake Indian Reservation acquired by patents heretofore issued by the United States to any railroad company, individual, or the State of Nevada, or by certification to the State of Nevada are hereby confirmed.

SEC. 4. All sales in accordance with section 1 of this act shall be made through the local land office within 90 days after the price of the land shall have been fixed by the Secretary of the Interior: *Provided*, That where entry is not made within the time specified, the United States shall enter upon the premises and take possession thereof for the use and benefit of the Piute Indians of the Pyramid Lake Indian Reservation.

With the following committee amendment:

Page 2, line 11, strike out the words "used by the Secretary of the Interior" and insert "subject to appropriation by Congress."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

FOREST SERVICE

The next business on the Consent Calendar was the bill (H. R. 5939) to facilitate and simplify the work of the Forest Service, United States Department of Agriculture, and to promote reforestation.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOWARD of Nebraska. Mr. Speaker, I ask unanimous consent to make a personal statement to the House.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to make a personal statement to the House—how long?

Mr. HOWARD of Nebraska. It is about two pages, and I do not read very swiftly.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD of Nebraska. I did not ask for five minutes, Mr. Speaker, but I will take what I can get.

The SPEAKER. The gentleman said two pages, and the Chair thought he could read them in five minutes. The Chair hopes the gentleman will expedite it as much as possible, considering we are all hurried.

Mr. HOWARD of Nebraska. I am trying to expedite things.

Mr. Speaker, there comes a day in the life of every man when he is face to face with a great question which must be solved. Such has been my situation within recent days, and I have endeavored to solve the question in a manner to enable the solution to stand unafraid in the light of truth and honor. No need for another to tell me that in my endeavor to best solve the problem I have not earned the misunderstanding withdrawal from me of several rare and beautiful personal friendships in this House. Great has been this loss. Friendship has always been a wonderful word in my vocabulary. Far away in my boyhood days I was asked to leave a written sentiment with my school class. I then wrote as follows:

When halting at two pathways plain,
Not knowing which is best to take,
Lose sight of self and selfish gain,
And make a choice for friendship's sake.
True friends are God's best gifts to earth;
True friendships are the priceless boon;
O strive to prize them at their worth,
Nor lose them from your life too soon.

[Applause].

That sentiment of my boyhood heart is still the moving sentiment in my life. God has been good to me in sending me to personal touch in this House with many of the charming and noble fellows here. I have been richly blessed by privilege to bask within the sunshine of their friendship. Please may they not send me from them bereft of a rightful and warm place in their affectionate regard. And perhaps none might definitely discard me from a place in the chamber of friendship in his heart if he should permit me to explain my motives in a course unpopular.

Listen!

Bearing the commission of a magnificent people in my own Nebraska land, I came to the Congress with earnest desire to accomplish something in a legislative way in behalf of my people. The closing hour of this session is near. Every manner of legislation looking to the welfare of the people of that agricultural zone, which it is my honor and high privilege here in part to represent, has been ruthlessly crucified by those who have the control of the actions of this House. The leaders of the administration forces in the House have time and again stated that their forces, being in the majority, had good right to dictate and control the doings in this legislative body. I grant their contention, and I have observed the proof of it.

Looking at the situation in the very light which the administration leaders presented it to me, I have in recent days tried to throw upon the shoulders of the administration forces the burden of bearing the weight of their own claim of right to rule and govern here. In this direction I have employed the one and only weapon vouchsafed to me by the Constitution of my country. By the aid of that weapon I have not sought to destroy all pending legislation, as some have asserted, but have only endeavored to require that all legislation enacted here shall be accomplished in manner as directed by the Constitution; namely, in the presence of a quorum of the membership. My strong hope in employing this lone weapon has been that I might by the interposition of my demand for a quorum prevent the enactment of several bad pieces of legislation which I know are pending. How better may I serve my own home people and the whole people of the Republic than by throwing an occasional constitutional chunk in front of the wheels of the administration juggernaut, which is driving roughshod over the legislative highway which leads

to the National Treasury into which the greedy hands of special privilege will, by aid of legislation now pending in this House, be permitted to plunge deeply and draw out hugely?

If the exercise of my constitutional right has harrassed or pained any worthy compeer here, my regret will be great. And yet I can not feel that I have knowingly worked ill to any man. I have simply done the best I knew to serve my people and my country, having the full approval of my own conscience and trusting some day to have and hold again any friendship personal which may have been temporarily withdrawn from me because of lack of understanding of my motives and my methods. [Applause.]

CONSENT CALENDAR—WORLD POULTRY CONGRESS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 189) authorizing the President to extend invitations to foreign governments to participate in a world's poultry congress.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BEGG. I object.

Mr. BLANTON. I object.

Mr. SCHAFER. I object.

MAIL SERVICE IN ALASKA

The next business on the Consent Calendar was the bill (H. R. 6581) authorizing the Postmaster General to provide emergency mail service in Alaska.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

Mr. SUTHERLAND. Will the gentleman withhold his objection a moment?

Mr. BLANTON. I have not objected to any of the gentleman's bills spending $25,000 and $30,000 and $50,000 for schoolhouses in Alaska, but this is a different matter.

Mr. SUTHERLAND. This is simply a departmental bill. It did not originate with me but with the department.

Mr. BLANTON. I know that, but they will go to an expense of several hundred thousand dollars just to convenience a handful of people.

Mr. SUTHERLAND. They do this at the present time, and they want to obviate the necessity of putting it in the appropriation each year. That is the purpose of the bill.

Mr. BLANTON. I object.

CUSTER STATE PARK GAME SANCTUARY

The next business on the Consent Calendar was the bill (H. R. 7494) to amend an act creating the Custer State Park game sanctuary in the State of South Dakota.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That, upon recommendation of the Secretary of Agriculture, the area designated as the Custer State Park game sanctuary, under the provisions of the act of June 5, 1920 (41 Stat. p. 986), may, by proclamation of the President, be enlarged to embrace a total of not to exceed 46,000 acres, and the act of June 5, 1920, shall otherwise apply with equal force to the additional area authorized by this act.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

CHANGE OF NAME OF KEOKUK STREET

The next business on the Consent Calendar was the bill (S. 113) changing the name of Keokuk Street in the county of Washington, D. C., to Military Road.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. DENISON. I see that the gentleman from Texas reported the bill. What do they change the name of this street to?

Mr. BLANTON. To Military Road, at the request of the commissioners and certain parties who reside out there.

Mr. DENISON. What is the idea?

Mr. BLANTON. There are so many bills that come before the District Committee that it is hard to remember them in detail. If I remember correctly this is to make a continuity of the street. In other words, there was a park in between, and one part of the street has one name and the other part another. This makes the whole street one name.

Mr. SNELL. I am familiar with the situation, and the gentleman from Texas is correct.

Mr. BLANTON. One of the gentleman's close personal friends, Mr. Will Kennedy, of the Star, lives in that particular section, and he says that it is very material that this bill should pass.

Mr. DENISON. If that is true, I have no objection.

Mr. SEARS of Florida. Reserving the right to object, will the gentleman from Texas tell us where the county of Washington is?

Mr. BLANTON. There is no county of Washington.

Mr. SEARS of Florida. This says Keokuk Street, in the county of Washington, D. C.

Mr. BLANTON. That is a mistake; but the bill is all right.

Mr. SCHAFER. Reserving the right to object, has the gentleman from Texas carefully investigated the scope of the bill, and is he satisfied that it will not be a burden on the poor taxpayers of the country?

Mr. BLANTON. I have watched that feature; and if there had been any expense attached to it it would not been on the calendar this long.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the name of the street known as Keokuk Street NW., extending from Military Road at Twenty-seventh Street to Wisconsin Avenue, be, and the same shall henceforth be, known as Military Road. And the Commissioners of the District of Columbia are hereby directed to cause the name of Military Road from Military Road at Twenty-seventh Street to Wisconsin Avenue NW. to be placed upon the plats and maps of the District of Columbia.

The bill was ordered to be read the third time, was read the third time, and passed.

ADDITIONAL TERMINAL FACILITIES FOR FREIGHT TRAFFIC

The next business on the Consent Calendar was the bill (H. R. 597) providing additional terminal facilities in square east of 710 and square 712 in the District of Columbia for freight traffic.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. RAKER. Does this propose to take the girls' school down here?

Mr. BLANTON. If the gentleman wants to object to this bill I have no objection. This bill is fathered by the acting chairman of the District Committee [Mr. ZIHLMAN]. I was not favorably impressed, but I let it go by. I do not know anything about it.

Mr. RAKER. There has been a contest for the last 8 or 10 years about taking this home that has been used for children, and I simply want to know if that is this building. What land does it take in? It says squares 710 and 712.

Mr. ZIHLMAN. Those are freight terminals in the northeast.

Mr. RAKER. Does this take in the school building over here for girls?

Mr. ZIHLMAN. Oh, no. These squares are freight squares now.

Mr. WINGO. Reserving the right to object, what are these squares used for now?

Mr. ZIHLMAN. They are used for freight terminals, coal, building materials. Seven hundred and ten is used by the District government for storing water pipes, and so forth.

Mr. WINGO. Mr. Speaker, to save time I ask unanimous consent that this bill go over for the present without prejudice. I want to get some information about it.

The SPEAKER pro tempore (Mr. MAPES). Is there objection to passing this bill without prejudice?

There was no objection.

PAYMENT OF CERTAIN TAXES TO STEVENS AND FERRY COUNTIES, WASH.

The next business on the Consent Calendar was the bill (H. R. 1414) to authorize the payment of certain taxes to Stevens and Ferry Counties, in the State of Washington, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Stevens and Ferry Counties, in the State of Washington, as taxes claimed by said counties under section 2 of the act of July 1, 1892, relating to the payment of local taxes on allotted Colville Indian lands, the following sums, to wit: To

Stevens County, $44,309.67; to Ferry County, $71,458: *Provided*, That there may be deducted from said amounts by the Secretary of the Interior such sum or sums as he may find have been paid to said counties for Indian tuition; also the excess, if any, where the rate based on the value of Indian allotments may be found to be in excess of the rate on taxable land.

SEC. 2. That there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, to be immediately available, $115,767.67, for the payment of said sums to said counties, as provided in the foregoing section.

The following committee amendment was read:

Page 2, line 5, strike out the words "to be immediately available" and the figures "$115,767.67" and insert "or so much thereof as may be necessary."

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

EXTENSION OF WELFARE OF MATERNITY AND INFANCY ACT OF PORTO RICO

The next business on the Consent Calendar was the bill (H. R. 6142) amending an act for the promotion of the welfare of maternity and infancy, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, there is some question among the people of the United States whether or not this is a good bill for the United States. The people of this country are asking for independence and probably will get it next year. We ought to let them attend to their own maternity affairs, and I object.

Mr. BEGG, Mr. TUCKER and Mr. CRAMTON also objected.

CYCLONE AT LAGRANGE AND WEST POINT, GA.

The next business on the Consent Calendar was H. J. Res. 115, approving the action of the Secretary of War in directing the issuance of quartermaster stores for the relief of sufferers from the cyclone at Lagrange and at West Point, Ga., and vicinity, March, 1920.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, I reserve the right to object.

Mr. WRIGHT. Mr. Speaker, the chairman of the Commitee on Military Affairs, the gentleman from California [Mr. KAHN] introduced this bill at the suggestion of the War Department, and I made the report upon the bill.

Mr. CRAMTON. Mr. Speaker, I have noticed this with reference to this bill. It is based upon the theory that there was an emergency which justified this action, without the action of Congress. Congress not being in session; but at the very time of the disaster and at the time of the issuance of these Government supplies the Congress was in session. There was nothing to prevent their coming here and getting authority from Congress for the issuance of these Government supplies.

Mr. WRIGHT. Mr. Speaker, let us suppose that this afternoon a cyclone visits a community and destroys the homes of the people, and that it is followed by a tremendous rain. Are we to wait for a special bill to go through Congress, to pass the House and the Senate, before relief can be granted in such an emergency as that? If so, it would be useless.

Mr. CRAMTON. Measures of that kind, if granted at all by Congress, if the emergency is one that warrants it, are acted upon very promptly and they are given precedence at every stage of the proceedings. I do not think we ought to have Government property given away while Congress is in session without the consent of Congress.

Mr. BEGG. Mr. Speaker, no suffering is involved in this at this time, and, therefore, I object.

GRANTING CERTAIN LANDS TO GOLDEN, COLO.

The next business on the Consent Calendar was the bill (H. R. 7998) granting public lands to the city of Golden, Colo., to secure a supply of water for municipal and domestic purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

Mr. VAILE. Mr. Speaker, will the gentleman withhold his objection?

Mr. BLANTON. Yes.

Mr. VAILE. If the gentleman will permit, nearly all of that land has already been reserved for another municipality for municipal purposes, the city which I have the honor to represent; and we are merely allowing the city of Golden to use the land for water supply.

Mr. BLANTON. Yes; but whenever we do that we take away from the people of the United States the right to use it themselves, if they should want to.

Mr. VAILE. It is used by the people of the United States, namely, the people there.

Mr. BLANTON. Oh, yes; but the Government can sell it. Why do not the people buy it?

Mr. VAILE. They are buying under this bill at the usual Government price.

Mr. BLANTON. How much are they to pay for it?

Mr. VAILE. A dollar and a quarter an acre.

Mr. BLANTON. How much is it worth?

Mr. VAILE. It is not worth anything at all; it is not timbered land, it is rough, rocky land.

Mr. BLANTON. How much is there of it?

Mr. VAILE. Thirteen hundred and twenty acres.

Mr. BLANTON. But, Mr. Speaker, under that ground there could be a few Teapot Domes.

Mr. VAILE. Yes; but let me read to the gentleman one provision of the bill:

Provided, That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the lands, and the right to prospect for, mine, and remove the same.

Mr. BLANTON. Mr. Speaker, of the gentleman from Colorado will promise to stop this propaganda about a certain other bill that he has here, that is going to restrict the population of the country, so they can have people go out there and settle on that land, I shall withdraw my objection.

Mr. VAILE. I do not think there is any danger of that other bill passing at this session of Congress.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of securing an adequate supply of water for domestic and municipal purposes for the use of the city of Golden, Colo., there is hereby granted to the said city the lands described as follows: In Clear Creek County, Colo., township 4 south, range 72 west of the sixth principal meridian; northwest quarter of southeast quarter, south half of southwest quarter, section 8; north half of northwest quarter, southwest quarter of northeast quarter, north half of southeast quarter, south half of south half, section 17; southwest quarter of the northeast quarter, section 20, northwest quarter of southeast quarter; southeast quarter of southeast quarter, section 21; south half of north half, southeast quarter, south half of southwest quarter, section 22; north half of north half, southwest quarter of northeast quarter, southeast quarter of northwest quarter, section 27; east half of northwest quarter, section 28; total 1,320 acres, more or less, on condition that the said city shall make payment for such lands at the rate of $1.25 per acre to the receiver of the United States land office at Denver, Colo., within one year after approval of this act: *Provided*, That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the lands, and the right to prospect for, mine, and remove the same: *Provided further*, That the grant herein made is subject to any valid existing rights or easements on said lands, and that upon failure of the city to make use of the lands herein granted, in accordance with the purpose of this act, all rights hereunder shall cease and such lands revert to the United States.

SEC. 2. That the act of Congress approved August 25, 1914 (38 Stat. p. 706), entitled "An act granting public lands to the city and county of Denver, in the State of Colorado, for public park purposes," is hereby repealed in so far as it authorizes the disposition of any of the lands described in section 1 hereof.

Mr. TIMBERLAKE. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. TIMBERLAKE: Page 2, line 10, after the word "city," insert the words "for one year."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. Without objection, the bill is ordered to be engrossed and read a third time, is read the third time, and passed.

Mr. BLANTON. Mr. Speaker, I make the point of order that that is a new procedure here, and I think it is a bad practice. I know that is followed in the Senate, but while sometimes the Speaker says, "Without objection, the bill is engrossed and read a third time and passed," Members may not hear the Speaker.

The SPEAKER pro tempore. The gentleman has the right to object.

Mr. BLANTON. This is the first time since I have been in this House that that method has been used.

The SPEAKER pro tempore. It is an old practice.

Mr. BLANTON. I object. The House is getting to pass bills pretty fast when they are engrossed and read a third time and passed in one sentence.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

SALARIES OF CERTAIN OFFICIALS IN PORTO RICO

The next business on the Consent Calendar was the bill (S. 2573) to amend and to reenact sections 20, 22, and 50 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the first paragraph of section 20 of the act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, be, and the same is hereby, amended to read as follows:

"SEC. 20. That there shall be appointed by the President an auditor, at an annual salary of not less than $5,000 and not more than $6,000, as shall be fixed by the Legislature of Porto Rico, for a term of four years and until his successor is appointed and qualified, who shall examine, audit, and settle all accounts pertaining to the revenues and receipts from whatever source of the Government of Porto Rico and of the municipal governments of Porto Rico, including public trust funds and funds derived from bond issues; and audit, in accordance with law and administrative regulations, all expenditures of funds or property pertaining to or held in trust by the Government of Porto Rico or the municipalities or dependencies thereof. He shall perform a like duty with respect to all government branches."

SEC. 2. That section 22 of the said act be, and the same is hereby, amended to read as follows:

"SEC. 22. That there shall be appointed by the governor, by and with the advice and consent of the Senate of Porto Rico, an executive secretary at an annual salary of $5,000, who shall record and preserve the minutes and proceedings of the public service commission hereinafter provided for and the laws enacted by the legislature and all acts and proceedings of the governor, and promulgate all proclamations and orders of the governor and all laws enacted by the legislature, and until otherwise provided by the Legislature of Porto Rico perform all the duties of secretary of Porto Rico as now provided by law, except as otherwise specified in this act, and perform such other duties as may be assigned to him by the Governor of Porto Rico. In the event of a vacancy in the office, or the absence, illness, or temporary disqualification of such officer, the governor shall designate some officer or employee of the government to discharge the functions of said office during such vacancy, absence, illness, or temporary disqualification."

SEC. 3. That section 50 of the said act be, and the same is hereby, amended to read as follows:

"SEC. 50. That, except as in this act otherwise provided, the salaries of all the officials of Porto Rico not appointed by the President, including deputies, assistants, and other help, shall be such and be so paid out of the revenues of Porto Rico as shall from time to time be determined by the Legislature of Porto Rico and approved by the governor; and if the legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity of further appropriations therefor. The salaries of all officers and all expenses of the offices of the various officials of Porto Rico appointed as herein provided by the President shall also be paid out of the revenues of Porto Rico on warrant of the auditor, countersigned by the governor. The annual salaries of the following-named officials appointed by the President and so to be paid shall be: The governor, $10,000; in addition thereto he shall be entitled to the occupancy of the buildings heretofore used by the chief executive of Porto Rico, with the furniture and effects therein, free of rental; heads of executive departments, not less than $5,000 and not more than $6,000 as shall be fixed by the Legislature of Porto Rico; chief justice of the supreme court, $7,000; associate justices of the supreme court, $6,000.

"Where any officer whose salary is fixed by this act is required to give a bond, the premium thereof shall be paid from the insular treasury."

With the following committee amendments:

Page 1, lines 8 and 9, strike out the words "not less than $5,000 and not more than."

Lines 9 and 10, strike out the words "as shall be fixed by the Legislature of Porto Rico."

Page 3, line 23, after the word "and," insert the words "also those appointed by the Governor of Porto Rico."

Page 4, line 4, strike out the words "not less than $5,000 and not more than $6,000 as shall be fixed by the Legislature of Porto Rico; chief justice of the supreme court, $7,000; associate justice of the supreme court, $6,000," and insert in lieu thereof "$6,000; chief justice of the supreme court, $7,500; associate justices of the supreme court, $6,500."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be read the third time, was read the third time, and passed.

INSPECTION BATTLE FIELDS OF THE SIEGE OF PETERSBURG, VA.

The next bill on the Consent Calendar was the bill (H. R. 3669) to provide for the inspection of the battle fields of the siege of Petersburg, Va.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

(1) A commissioned officer of the Corps of Engineers, United States Army;

(2) A veteran of the Civil War, who served honorably in the military forces of the United States; and

(3) A veteran of the Civil War, who served honorably in the military forces of the Confederate States of America.

SEC. 2. In appointing the members of the commission created by section 1 of this act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle fields of the siege of Petersburg, Va., and the historical events associated therewith.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secrtary of War, to inspect the battle fields of the siege of Petersburg, Va., in order to ascertain the feasibility of preserving and marking for historical and professional military study such fields. The commission shall submit a report of its findings to the Secretary of War not later than December 1, 1924.

SEC. 4. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 in order to carry out the provisions of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

SPECIAL TAXES ON BUSINESS AND TRADES IN ALASKA

The next business on the Consent Calendar was the bill (H. R. 6584) amending the law providing for special taxes on business and trades in Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That section 2570, Compiled Laws of Alaska, 1913 (30 Stat. L. p 1337, sec. 461), and section 2572, Compiled Laws of Alaska, 1913 (30 Stat. L. p. 1337, sec. 463), amended June 6, 1900 (31 Stat. L. p. 332), and section 2583 Compiled Laws of Alaska, 1913 (30 Stat. L. p. 1340, sec. 474), be, and the same hereby are, amended to read as follows:

"SEC. 2570. That any person, corporation, or company doing or attempting to do business in violation of the provisions of the foregoing section, or without having first paid the license therein required, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding $1,000 or imprisonment for a term of not more than 90 days, or by both such fine and imprisonment, at the discretion of the court: *Provided,* That upon conviction as hereinbefore provided, there shall also be found and declared in the verdict the amount of the license taxes then due and unpaid, whereupon the court or commissioner shall enter judgment in favor of the United States for the amount of license money so found to be due and unpaid, and such judgment shall be in addition to any fines or penalties imposed, and shall be enforced as judgment in a civil action: *Provided further,* That all taxes levied, laid, or provided for in the preceding section, and penalties and interest accrued, shall be deemed due and legally owing to the United States from the time such person, firm, or corporation shall have engaged in such business, and are hereby declared to be a lien upon the real and personal property of the person, firm, or corporation liable therefor, paramount and superior to all mortgages, hypothecations, conveyances, and assignments, and shall

have the same priority as are taxes or debts due the United States under the provisions of the national bankruptcy act."

"SEC. 2572. That the licenses provided for in this act shall be issued by the clerk of the district court or any subdivision thereof in compliance with the order of the court or judge thereof duly made and entered; and the clerk of the court shall keep a full record of all applications for license and all recommendations for and remonstrances against the granting of licenses and of the action of the court thereon: *Provided*, That the clerk of said court and each division thereof shall give bond or bonds in such amounts as the Secretary of the Treasury may require and in such form as the Attorney General may approve, and all moneys received for licenses by him or them under this act shall, except as otherwise provided by law, be covered into the Alaska fund of the Treasury of the United States under such rules and regulations as the Secretary of the Treasury may prescribe: *Provided further*, That if the amount of the tax is not a fixed sum, the applicant shall state in his application for license that he agrees to pay the license tax and will make a true return and will pay to the clerk such tax on or before the 1st day of the next ensuing February; and the judge of the court may, at his discretion, require of such applicant a good and sufficient bond in double the amount of such probable tax to secure the payment thereof, as above provided, for the use of the United States.

"SEC. 2583. That prosecutions for the violation of the provisions of this act shall be on information filed in the district court or any subdivision thereof by the United States attorney or any of his assistants, or before a United States commissioner, by the United States attorney or by any of his assistants, or by the United States marshal or any deputy marshal, or by the clerk of the district court or any deputy clerk, or such prosecution may be by and through indictment by grand jury, and it shall be the duty of either of said officers, upon the presentation to him of sworn information that the law has been violated, to file such information, or to present the facts alleged to constitute a violation of the law to the grand jury: *Provided*, That the special remedies provided by this act shall not be deemed exclusive, and any appropriate remedy, either civil or criminal, or both, may be invoked by the United States in the collection of all license taxes and enforcement of the tax lien."

The committee amendments were read, as follows:

Page 2, line 25, after the word "are," insert the word "accorded," and after the word "taxes" insert the words "or debts."

Page 3, line 25, after the word "Court," strike out "may, at his discretion" and insert in lieu thereof the word "shall."

The question was taken and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

TIME OF HOLDING COURT IN THE STATE OF MISSISSIPPI

The next business on the Consent Calendar was the bill (H. R. 466) to amend section 90 of the Judicial Code of the United States, approved March 3, 1911, so as to change the time of holding certain terms of the district court of Mississippi.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That section 90 of the Judicial Code be, and the same is hereby, amended to read as follows:

"SEC. 90. The State of Mississippi is divided into two judicial districts to be known as the northern and southern districts of Mississippi. The northern district shall include the territory embraced on the 1st day of December, 1923, in the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Pantotoc, Prentiss, Tishomingo, and Winston, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Calhoun, Carroll, De Soto, Grenada, Lafayette, Marshall, Montgomery, Panola, Tate, Tippah, Union, Webster, and Yalabusha, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Bolivar, Coahoma, Leflore, Quitman, Sunflower, Tallahatchie, and Tunica, which shall constitute the Delta division of said district. The terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; and for the western division, at Oxford on the third Monday in April and the first Monday in December; and for the Delta division, at Clarksdale on the fourth Monday in January and the third Monday in October. The southern district shall include the territory embraced on the 1st day of December, 1923, in the counties of Amite, Copiah, Covington, Franklin, Hinds, Holmes, Jefferson Davis, Lawrence, Leake, Lincoln, Madison, Pike, Rankin, Simpson, Smith, Scott, Wilkinson, and Yazoo, which shall constitute the Jackson division; also the territory embraced on the date last mentioned in the counties of Adams, Claiborne, Humphreys, Issaquena, Jefferson, Sharkey, Warren, and Washington, which shall constitute the western division; also the territory embraced on the date last mentioned in the counties of Clarke, Jones, Jasper, Kemper, Lauderdale, Neshoba, Newton, Noxubee, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Marion, Perry, Pearl River, Stone, and Walthall, which shall constitute the southern division of said district. Terms of the district court for the Jackson division shall be held at Jackson on the first Mondays in May and November; for the western division at Vicksburg on the third Mondays in May and November; for the eastern division at Meridian on the third Mondays in March and September; and for the southern division at Biloxi on the third Monday in February and the first Monday in June. The clerk of the court for each district shall maintain an office in charge of himself, or a deputy, at each place in his district at which court is now required to be held, at which he shall not himself reside, which shall be kept open at all times for the transaction of the business of the court. The marshal for each of said districts shall maintain an office in charge of himself or a deputy at each place of holding court in his district."

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

MONUMENT TO SYMBOLIZE THE NATIONAL GAME OF BASEBALL

The next business on the Consent Calendar was (S. J. Res. 7) granting permission for the erection of a monument to symbolize the national game of baseball.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. BLANTON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

PROVIDING ADDITIONAL TERMINAL FACILITIES IN THE DISTRICT OF COLUMBIA

Mr. WINGO. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 597) which was passed over a moment ago.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent to return to the bill indicated. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 597) providing additional terminal facilities in square east of 710 and square 712 in the District of Columbia for freight traffic.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That any railroad company now or hereafter having tracks in the District of Columbia, or operating over the line of any other railroad in the District of Columbia, shall have the right to have freight transported by it delivered upon the tracks of any other railroad in the square east of square 710 and in square 712 in the District of Columbia upon the payment to the railroad whose tracks are used for such purpose of a reasonable switching charge, which shall include the return of the empty car for every car so switched to said tracks; and if the parties be unable to agree upon such charges, then the same shall be prescribed by the Interstate Commerce Commission upon the petition of any party in interest.

Mr. WINGO. Mr. Speaker, I offer an amendment to section 1. On page 1, line 7, strike out the words "in the square east of square 710 and in square 712," so that it will read "delivered upon the tracks of any other railroad in the District of Columbia."

The SPEAKER pro tempore. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WINGO: Page 1, lines 7 and 8, after the word "railroad" in line 7, strike out "in the square east of square 710 and in square 712."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 2. That all railroads described in section 1 of this act be, and they are hereby, required to accept shipments of freight for delivery in and upon said square east of 710 and in and upon square 712.

Mr. WINGO. Mr. Speaker, I offer an amendment to strike out section 2. Mr. Speaker, just a moment. At this point I

will ask in short to insert in the RECORD as a part of my remarks the report of the committee of the House in reference to this bill.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent to extend his remarks as indicated. Is there objection? [After a pause.] The Chair hears none.

The report is as follows:

The Committee on the District of Columbia, to which was referred H. R. 597, reports same back to the House with the recommendation that the bill do pass.

The purpose of this bill is to provide that any railroad company having tracks in the District of Columbia shall have the right to have freight delivered upon square 712 and the square east of square 710 upon the payment of a reasonable switching charge, and if the parties are unable to agree upon such charges, then the same shall be prescribed by the Interstate Commerce Commission.

In 1903 Congress passed an act, Public, No. 122, approved February 28, 1903, providing for the construction of a Union Station and other terminal facilities, and a section of said act permitted the Baltimore & Ohio Railroad Co. to construct and maintain a freight track running south on Florida Avenue within the city of Washington, and authorizing the delivery of freight cars in and upon squares 711, 712, and 713.

The square east of 710 is a small square of land owned by the District of Columbia government and is used as a storage yard for various building and other supplies, large quantities of which have to be hauled at great expense from the southern part of the city because there is only Baltimore & Ohio delivery into this square. Square 712 is owned by a number of different parties, among which is the Baltimore & Ohio Railroad Co., and such freight as is delivered into this square is delivered exclusively by the Baltimore & Ohio Railroad Co.

The freight rates for shipment from one railroad to another within the District of Columbia are almost prohibitive. There is appended hereto and made a part of this report the schedule of freight rates now in force for shipment from the Baltimore & Ohio Railroad to the Pennsylvania Railroad, and vice versa.

The freight rates for switching cars into these squares are as follows:

Freight rates for shipments from one railroad to another within the District of Columbia, effective August 26, 1929

BALTIMORE & OHIO RAILROAD TO PENNSYLVANIA RAILROAD

	Hundredweight
Class No. 1. Boots, clothing, glassware	$0.35
Class No. 2. Butter, chinaware, etc	.30
Class No. 3. Hardware, crockery, etc	.24
Class No. 4. Lumber, brick, iron, etc	.17½
Class No. 5. Flour	.14½
Class No. 6. All full carload lots	.12½
Rule No. 25. Cotton piece goods, etc	.26
Rule No. 26. Canned fruit, sugar, vegetables, etc., 20 per cent below class 3, not below class 4; less carload lots	.19

PENNSYLVANIA RAILROAD TO BALTIMORE & OHIO RAILROAD

	Hundredweight
Class No. 1. Boots, clothing, glassware	$0.35
Class No. 2. Butter, chinaware, etc	.30
Class No. 3. Hardware, crockery, etc	.24
Class No. 4. Lumber, brick, iron, etc	.17½
Class No. 5. Flour	.14½
Class No. 6. All full carload lots	.12½
Rule No. 25. Cotton piece goods, etc	.26
Rule No. 26. Canned fruit, sugar, vegetables, etc., 20 per cent below class 3, not below class 4; less carload lots	.19

From this schedule it will be seen that a car of 50 tons at the lowest rate quoted would be $125 to switch the car from the Pennsylvania tracks to these terminal points.

Your committee made an investigation of switching charges in cities in the vicinity of Washington and is advised that the usual charge for switching cars from one railroad to another within the city limits is reasonable and nominal as compared with the rates in Washington.

Your committee is advised that it is the purpose of the owners of square 712 to erect a public warehouse and trestle-dump terminal facilities on this square and that by this arrangement thousands of dollars in hauling charges could be saved annually to the District government and the general public of the growing northeast and northwest sections of the city would be benefited thereby.

A similar bill was introduced in the last Congress and passed the House and also the Senate with amendments, but was lost in conference.

This matter has been taken up with the Interstate Commerce Commission, and the District Committee was advised that it was a matter upon which the Congress might with entire propriety legislate and that so dealing with the matter would be in harmony with the policy and practice which they understood has been followed in the past of direct action by Congress on matters affecting the District of Columbia.

Mr. WINGO. Mr. Speaker, the way we have amended the bill with the amendment now pending will make this a general bill, so as to allow any railroad company in the District of Columbia to operate a line over any other railroad, and the right to have its freight transported by it delivered upon the tracks of any other railroad company, and if there is any dispute about the charges, then the Interstate Commerce Commission may fix the charge.

The SPEAKER pro tempore. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WINGO: Page 2, lines 4 to 7, strike out section 2.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 3. That all laws and parts of laws that are in conflict with this act are hereby repealed to the extent of such conflict.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. WINGO. Now, Mr. Speaker, I ask that the section be renumbered in conformity with the action of the House; and that the title be amended so as to conform to the text as amended. As it is now, I suggest that the title should read "A bill giving the Interstate Commerce Commission jurisdiction of switching charges in the District of Columbia, and for other purposes."

The SPEAKER pro tempore. Without objection, the sections of the bill will be renumbered as indicated by the gentleman from Arkansas.

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title will be amended to conform to the body of the bill.

There was no objection.

MONUMENT TO SYMBOLIZE THE NATIONAL GAME OF BASEBALL

Mr. LUCE. Mr. Speaker, I ask unanimous consent that Senate joint resolution 7, granting permission for the erection of a monument to symbolize the national game of baseball, retain its place on the Calendar.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent that Senate joint resolution No. 7 retain its place on the Calendar. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

STATUE OF GENERAL SAN MARTIN

The next business on the Consent Calendar was the resolution (S. J. Res. 106) authorizing the erection on public grounds in the city of Washington, D. C., of an equestrian statue of General San Martin, which the people of Argentina have presented to the United States.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this joint resolution?

Mr. DENISON. Reserving the right to object, Mr. Speaker, I would like the gentleman from Massachusetts [Mr. LUCE], or some other Member who has the information, to tell us who the general is, or was, and why there should be a monument to him erected in this country, and the circumstances under which this offer was made. I will be glad if the gentleman from Massachusetts, if he can do so, will give the House some information about General San Martin.

Mr. LUCE. Mr. Speaker, thinking it might be possible that this question would be asked, I read up the history of South America somewhat, and prepared myself for a long address; but inasmuch as its delivery on this occasion would embarrass Members interested in other bills, I will try to condense it within a few words.

Gen. San Martin is the national hero of Argentina. He was a soldier first, last, and all the time. One of the interesting things I found out about him was that in the course of his notable career he made but a single speech. In this he may or may not deserve our emulation.

San Martin was the liberator of Chile, Peru, and indeed half a continent, besides strengthening liberty in his own country. Then he performed what I think to be the most wonderful act of sacrifice of which I have ever read. After he had achieved his great military triumphs, he could have had the highest civic honors; he might have been at the head of any one of the governments he had made possible. But he found that if he were to accept such a dignity, it would endanger the liberties of the people for whom he had fought. So he voluntarily withdrew and went into exile in a foreign land, where he passed the remainder of a long life, much of the time in penury.

This example of sacrifice would of itself be the warrant for honoring his memory, but it is also to be recognized that in military prowess he ranks among the great generals of the world. These are the reasons why his own people look upon him as we look upon Washington.

A few years ago Americans living in Argentina, by their own subscriptions and some from this country, secured a statue of Washington which they presented to Argentina. The people of Argentina in their gratitude for this determined to meet it by a popular subscription, which in return should give to the city of Washington a statue of the same class.

This statue is finished, is crated, is on the wharf waiting to be shipped; and the people of Argentina not being able to understand the delays which frequently occur in the processes of legislation here are beginning to wonder why we take so long a time in accepting their generosity.

So I greatly hope for the sake of international amity and the good will subsisting between the two countries action may be taken now.

Mr. DENISON. I thank the gentleman for the information. Can the gentleman state the spot where this monument will be erected?

Mr. LUCE. No. That is for the Chief of Engineers and the Commission on Fine Arts to determine, subject, of course, to the approval of the Committee on the Library.

The SPEAKER pro tempore. Is there objection?

The Clerk read the resolution as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission for the erection on public grounds of the United States in the city of Washington, D. C., other than those of the Capitol, the Library of Congress, and the White House, or the grounds south of the White House, a copy of the statue of Gen. San Martin, by Dumont: *Provided*, That the site chosen and the design of the pedestal shall be approved by the Joint Committee on the Library and that the United States shall be put to no expense in or by the erection of the said memorial, and the said Chief of Engineers, United States Army, shall supervise the work of erection of the said memorial.

The resolution was ordered read a third time, was read the third time, and passed.

WAR MINERALS RELIEF ACT

The next business on the Consent Calendar was the bill (S. 2797) to authorize the payment of claims under the provisions of the so-called war minerals relief act.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the report of the Secretary of the Interior says that whether any further authorization is necessary will depend upon the decision of the court on certain questions. Now, the act itself provided that in no event should the expenditure exceed a certain amount.

Some of us were opposed to that legislation, but they were able to get it through the House over the opposition because of the representation that it would not exceed, as I recall, $8,500,000. Now they are back for an authorization of several million dollars more, when the Secretary of the Interior says in his report that it is not yet certain whether that money will be necessary. It will be time enough to consider increasing the limitation after we know that definitely. Therefore I am obliged to object.

Mr. RAKER. Will the gentleman withhold his objection for a moment?

Mr. CRAMTON. Yes.

Mr. RAKER. I want to call the gentleman's attention to the fact that the report states that the case is pending in the Court of Appeals of the District of Columbia. The case has been decided, and I have a copy of the decision here, holding that the claims must be paid.

Mr. CRAMTON. The gentleman knows that the Secretary of the Interior says, "If claims or parts of claims heretofore denied by the Secretary of the Interior are not reversed as a result of litigation now pending in the courts, the money still remaining available in the appropriation will be sufficient, or nearly sufficient, to pay the remaining unadjusted claims." The only excuse for this pending bill is the assumption that the courts are going to overrule the present decision of the department, and I do not think Congress has any right to cast that suspicion upon the validity of the decision of the Secretary of the Interior.

Mr. RAKER. Let me call the gentleman's attention to the fact that I have a copy of the decision rendered since that report was made, overriding the Secretary of the Interior.

Mr. CRAMTON. What is the date of the decision?

Mr. RAKER. I have it right here in my hand. It was rendered about two weeks ago. The date is not on it. It is numbered 416 and directly overrules the Secretary of the Interior and directs that these claims be paid.

Mr. CRAMTON. I understand it is likely to come up again and I would like a chance to look into the matter. It may be we are up against it, but I know the assurance was given Congress that $8,500,000 would be enough.

Mr. ROBSION of Kentucky. Will the gentleman yield to me a moment?

Mr. CRAMTON. I do not think we ought to take further time with this bill.

Mr. MACLAFFERTY. Will not the gentleman listen to the chairman of the committee? There are people all over my country suffering on account of this situation.

Mr. BLANTON. Regular order.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. I am obliged to object, Mr. Speaker.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may print in the RECORD this recent decision which is referred to in the report as a case that was then pending. Since the report was made the Court of Appeals of the District of Columbia has overruled the lower court and has overruled the Department of the Interior.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice and retain its place on the calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. WATKINS. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a statement in connection with this bill.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent to extend his remarks in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may print in the RECORD the report of the committee, together with a copy of the decision which I have already referred to, so that the Members will have it before them when this matter comes up for consideration again to-morrow or next day.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

The report and decision are as follows:

[House Report No. 601, Sixty-eighth Congress, first session]

TO AUTHORIZE THE PAYMENT OF CLAIMS UNDER THE PROVISIONS OF THE SO-CALLED WAR MINERALS RELIEF ACT

Mr. ROBSION of Kentucky, from the Committee on Mines and Mining, submitted the following report to accompany S. 2797:

The Committee on Mines and Mining, to whom was referred the bill (S. 2797) to authorize the payment of claims under the provisions of the so-called war minerals relief act, reports the same favorably without amendment.

The bill reads as follows:

"*Be it enacted, etc.*, That to enable the Secretary of the Interior to lawfully pay adjudicated claims arising under the provisions of the so-called war minerals relief act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sum or sums, not exceeding $2,500,000, as may be necessary to satisfy such of said claims as shall be approved and certified for payment by the said Secretary of the Interior, under the provisions of an act entitled 'An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes,' approved March 2, 1919, as amended, and that the limitation in said act, as amended, on the aggregate amount to be disbursed thereunder in the payment of said claims is hereby repealed."

The committee had before it for consideration S. 2797 and H. R. 8709. Hearings were had by the committee. From such hearings and letters from the Secretary of the Interior it appeared therefrom to the committee that such legislation was required as necessary, just, and proper.

The first act, passed March 2, 1919 (40 U. S. Stats. 1272), directed the Secretary of the Interior to adjust and pay the net losses suffered by any person by reason of producing or preparing to produce certain minerals at the request or demand of the Government; these minerals were and are known as war minerals and their production was sought by the Government for war purposes.

In order to secure production of these minerals during the war, the Government promised that it would establish and maintain reasonable prices for the duration of the war and two years thereafter. This promise was fulfilled by the passage of the original war minerals bill approved October 5, 1918, which carried an appropriation of $50,000,000 to enable the Government to administer same.

Because of the sudden termination of the war, this bill was not administered. To have done so would likely have resulted in a loss of the entire appropriation. Inasmuch as it was a war measure it was deemed best to abandon it and make settlement with those the Government had requested to produce.

Accordingly, Congress passed the said act of March 2, 1919, which reserved $8,500,000 out of the $50,000,000 carried in the original war minerals bill with which to pay the net losses suffered by said war minerals producers. This $8,500,000 was only a guess at the actual losses sustained by the war minerals producers, because neither their number nor investments were known when the act of March 2, 1919, was passed.

In the adjudication of claims under the act of March 2, 1919, the Secretary of the Interior refused to validate claims based on published appeals by the Government, and because thereof denied more than 600 of the claims filed.

These claimants appealed to Congress, with the result that the remedatory act of November 23, 1921 (42 U. S. Stats., p. 322), was passed, which enabled the Secretary to pay these claimants. The act of 1921 carried no additional appropriation, and under it approximately $3,500,000 was paid out.

Of the appropriation there remains the sum of $1,738,829.75.

If the decisions of the Supreme Court of the District of Columbia be finally sustained, it will require, according to the Secretary of the Interior, an additional appropriation of $2,500,000 in order to enable the Secretary to adjust and pay the remaining claims.

Approximately two-thirds of the claims have been satisfactorily adjusted and paid. Of the one-third remaining the Secretary has made many adjustments and has certified the amounts that the claimants are entitled to under the acts.

When it became apparent that the fund would likely prove inadequate to pay the remaining claimants in full, the Secretary, on October 10, 1923, quite properly suspended further payments. The suspension of payments has caused a most distressing situation with numerous claimants who have been in desperate financial straits ever since they lost their all in answering their Government's appeal. Resumption of payments will save several claimants from financial ruin.

There are claims pending under the act of 1919 which have not been adjusted and paid.

One of the questions pending in the courts is the item of "interest paid" on moneys borrowed as an item of "net losses suffered." Many of the claimants are still paying interest on "obligations incurred" in order to enable them to comply with the Government's request. If "interest paid" is ultimately determined to be a proper item of loss such claims should be speedily adjusted and paid, as such loss increases each day.

In view of the cases cited by Mr. Justice Siddons in his opinion above set forth, and particularly the case of United States v. State of New York (100 U. S. 598), it would apparently seem that "interest paid" may be ultimately determined to be a part of the net losses to be repaid to claimants in a proper case; therefore the Secretary of the Interior should be provided with ample funds to promptly liquidate these claims in the event such obligations determined are to be a part of the net losses.

Finally, it is not right that two-thirds of the claimants should be paid in full and the remaining one-third only receive 40 cents on the dollar.

The Secretary of the Interior since October 10, 1923, has made no payments out of the appropriation remaining. Many awards have been made. Because of this suspension of payments many claimants are in very great financial distress.

In order to enable the Secretary to promptly and properly adjust and pay all just claims, and that all claimants be treated alike, this bill should have prompt and favorable action by Congress, and your committee therefore recommends that the bill should pass.

These claimants contributed at the request and demand of their Government and in many instances at great sacrifice. It is only fair and just that all of the people should bear their part of this burden rather than that it should be placed upon these few.

The Director of the Budget has investigated the necessity for the appropriation and same has his approval.

The necessity for the proposed legislation, as above stated, is fully set forth in the following letter from the Secretary of the Interior:

DEPARTMENT OF THE INTERIOR,
Washington, February 13, 1924.

Hon. TASKER L. ODDIE,
Chairman Committee on Mines and Mining,
United States Senate, Washington, D. C.

MY DEAR SENATOR ODDIE: In the regular annual war minerals relief report to the Congress on December 5 last attention was called to a situation which seemed to require suspension of payment of ascertained losses. An action to compel the Secretary of the Interior to reimburse losses sustained in the purchase of property had been sustained by the Supreme Court of the District of Columbia in the case of United States ex rel. Rives v. Secretary of the Interior on appeal from the Supreme Court of the District of Columbia; and action to require repayment of interest on borrowed capital was under advisement by the same court in the case of United States ex rel. Chestatee Pyrites & Chemical Co. v. Secretary of the Interior. A vigorous effort was being made to secure from the Attorney General a reversal of the decision which barred the manufacturers of ferromanganese from the benefits of the act, and claims which had been regarded as "dead," because seemingly abandoned, were being revived. Confronted by the express provision of the war minerals relief act to the effect that awards and the cost of administration "shall in no event exceed the sum of $8,500,000" (act of March 2, 1919, 40 Stat. 1272), it was decided, on October 13, 1923, that payments should be withheld pending further developments, and until an investigation could be made to determine the solvency of war minerals relief. The work of determining the net losses suffered, however, was not suspended but has been continued so that with the resumption of payments the settlements of claims will not be delayed.

Since that time there have been important developments. The Court of Appeals of the District of Columbia has sustained the Supreme Court of the District of Columbia in holding that purchase price of property is within the purview of the act in the case of United States ex rel. Rives v. Secretary of the Interior. Notice of appeal to the Supreme Court of the United States has been given by the Government. Further, the Supreme Court of the District of Columbia has held that interest on borrowed capital is reimbursable under the act in the case of United States ex rel. Chestatee Pyrites & Chemical Co. v. Secretary of the Interior, and the case is now before the Court of Appeals of the District of Columbia on appeal. Copies of both these decisions accompany this report.

An examination of all claims discloses that $3,062,867.50 is claimed for purchase of property, $453,608.54 for mineral rights, and $206,320.30 for interest. These figures do not include claims which were denied for lack of stimulation, commercial importance, or for other reasons, because if there were no stimulation or commercial importance the claims for purchase money and interest could not be considered.

The amount for purchase of property, no doubt, will be materially reduced by deductions for salvage, depletion which may have been allowed in awards, receipts from sale of property where property has been sold, and in cases where property was purchased prior to stimulation or was paid for in stocks not at the time worth 100 cents on the dollar. It is impossible to determine in advance with any degree of accuracy the amount of this reduction, but it seems certain that if the Supreme Court of the United States should hold that purchase money and interest are items for payment out of the appropriation of $8,500,000, an additional appropriation would have to be made before all claims could be paid under the decision.

A further development since the date of the annual report is an opinion by the Attorney General of the United States that losses in the manufacture of ferromanganese are not repayable under the act. A copy of that opinion is transmitted herewith. If this opinion be not disturbed by the courts, claims involving more than half a million dollars, which heretofore had to be taken into account when considering the sufficiency of the appropriation to meet awards in full, may be disregarded.

In the 200 remaining unadjusted claims which are before the Secretary—not including 248 claims in which no motion for rehearing under the amended act has yet been filed—the total amount claimed is $2,592,276.36. The unexpended balance of the appropriation at the present time, taking into account claims in which net loss has been ascertained but not paid, is $1,738,829.75. There are 248 claims in which no application for rehearing under the amended act has been filed. It can not be predicted how many of these may be resurrected. Those in which an award was made under the original act and in which purchase price of property and interest were claimed and denied undoubtedly will be pressed if the decisions of the lower courts should be sustained. The total amount claimed in the 248 claims was $2,708,100.54, and the amount awarded under the original act $802,068.97, leaving an amount of $1,906,031.57 involved if application for rehearing were filed in all these now supposedly dead claims.

Based upon the proportion of amounts allowed to amounts claimed in the work to this date, it would appear that the fund is sufficient to meet awards in these remaining 200 pending claims and in any of the 248 no motion claims which may be revived.

Experience has shown that about 30 per cent of the total amount of all the claims filed has been found to be the actual net losses sustained

and payable under the war minerals act, and if this approximate per cent shall obtain in the settlement of the remaining 200 claims, aggregating $2,592,276.36, and if all the 248 claims in which no motion for rehearing has yet been filed, involving $1,906,031.57, should be resurrected (but attention is again called to the fact that $3,062,867.50 claimed for losses on purchase of property, $453,608.54 claimed for net losses for mineral rights purchased, and $206,320.30 claimed for interest paid, making a total of these items of $3,722,796.34, are not included in the aggregate of $4,498,307.93 upon which the calculation $389.337.38 to meet—

(a) $3,062,867.50 claimed for losses on purchase of property.

(b) $206,320.30 for interest price on borrowed capital.

(c) $453,608.54 for purchase of mineral rights.

(d) Costs of administration.

(e) The probability or possibility of other items not allowed in the past being brought into the problems for adjustment, liquidation, and settlement under the act by litigation just as property losses and interest losses have been brought in. For illustration, if the manufacturers of ferromanganese should enter mandamus proceedings, regardless of the opinion of the Attorney General, and the courts should hold that such losses are legitimate items for repayment, then claims involving more than half a million dollars, which in these figures have been disregarded, would have to be included with those entitled to consideration and adjustment.

And if none of the 248 claims in which no motion for rehearing has been made should be revived, there would remain of the appropriation to meet the $3,722,796.34 claimed for purchase of property, mining rights, and interest, $961,146.85, making no allowance for cost of administration.

It is pointed out that, because items for property losses and for interest have never been allowed, no statistics are available on which to predicate a statement as to the per cent likely to prevail in the settlement of this class of claims, but it is believed that the per cent will be much in excess of 30. Should it be found in actual adjustment that the net loss reaches 50 per cent, and the per cent may be higher than this, awards for purchase of property and interest would amount to $1,861,398.17 with not more than $961,146.85, under the most favorable plan of figuring—that is, not considering that any dead claims will be revived or action be brought to admit ferromanganese—with which to pay such awards.

At the present moment a resumption of payment of losses in some form is most desirable if the same can be done under the statute. There is constantly increasing impatience and complaint on the part of those who months ago were found to be entitled to an award but who have received nothing, and the number of such complaining claimants is daily increasing as claims are being investigated and adjusted but not paid. The financial condition of many, it is asserted, is desperate, and a resumption of payments would bring relief to all such and probably would save some from ruin. Also, resumption would permit the labor which is now directed to correspondence respecting deferred payments to be turned to the actual adjustment of claims, from which work it has been diverted. The present situation strongly demands and I earnestly desire that the small minority of claims now remaining unpaid may be accorded the same treatment which the majority has received. But I feel that, in view of the possibility or probability of a deficit, I can not resume payments notwithstanding the urgency and that it is my duty to acquaint the chairmen of the proper committees in the Senate and House with the difficulties of the situation.

Inasmuch as you and the other chairmen to whom this communication goes will have to do with the question in case it reaches Congress, and therefore have a particular interest in it now, I feel that you and they will be willing, upon this solicitation for counsel and advice, and with a statement of the situation thus formally placed before you, to give me the benefit of your judgment as to the proper course to be followed under the statute which reads in part that the Secretary of the Interior "shall in no event exceed the sum of $8,500,000."

The following table shows the present situation at a glance:

Total amount claimed for interest	$206, 320. 30
Total amount claimed for purchase of property	3, 062, 867. 50
Total amount claimed for mining rights	453, 608. 54
Grand total	3, 722, 796. 34

NOTE.—The amount claimed would be subject to deductions for salvage of property, depletion allowances in former awards, etc. No claim for purchase of property, mining rights, or interest has ever been allowed or paid, but the lower courts now hold that such losses come within the act.

Amount claimed in the 200 remaining unadjusted claims which are before the Secretary and in which relief would be given by a resumption of payments, $2,592,276.36.

NOTE.—Judging by the past, the awards in the last above class of claims would be about 30 per cent of the amount claimed.

Unexpended balance of appropriation, after deducting the amounts of award made since suspension of payments, $1,738,829.75.

Amount involved (difference between amount claimed and amount awarded) in the 248 claims in which no application for rehearing under the amended act has yet been filed, $1,906,031.57.

This communication is being sent to the chairmen of the Appropriations Committees of the Senate and House and to the chairmen of the Mines and Mining Committees of both branches of Congress.

Will you not confer and give me a reply at your earliest convenience?

Very truly yours,

HUBERT WORK.

In the Court of Appeals of the District of Columbia. Hubert Work, Secretary of the Interior, appellant, v. United States of America ex rel. Logan Rives. No. 4020.

Before Smythe, chief justice; Robb, associate justice; and Bailey, justice, of the Supreme Court of the District of Columbia.

Smythe, chief justice: The Secretary of the Interior appeals from a judgment of the Supreme Court of the District of Columbia awarding a mandamus against him by which he is directed to take jurisdiction of a claim filed with him by the relator, Logan Rives, under section 5 of the act of Congress approved March 2, 1919 (40 Stat. 1272), as amended by the act of November 23, 1921 (42 Stat. 322).

By section 5, just mentioned, before it was amended, the Secretary was authorized "to adjust, liquidate, and pay such net losses as may have been suffered by any person * * * by reason of producing or preparing to produce * * * manganese * * * in compliance with the request or demand of the Department of the Interior * * * to supply the urgent needs of the Nation in the prosecution of the war;" and to "make such adjustments and payments in each case as he shall determine to be just and equitable." It is further provided that no claim shall be allowed or paid "unless it shall appear to the satisfaction of the * * * Secretary that the expenditures so made or obligations so incurred by the claimant were made in good faith for or upon property which contained * * * manganese * * * in sufficient quantities to be of commercial importance." And his decision is made "conclusive and final" by the act.

The relator stated that during the months of June and July, 1918, in preparing to produce manganese in compliance with the request of the Department of the Interior to supply the urgent needs of the Nation in the prosecution of the war, he agreed to buy two tracts of land situated near Batesville, Ark., containing manganese in sufficient quantities to be of commercial importance and made initial payment on the purchase of $9,600; that upon the signing of the armistice there was due by the petitioner on the purchase price of the land the sum of $11,000, but since there was then no further demand for manganese the land was not worth to exceed $1,000; that to save himself further loss he elected, under his contract to purchase, to lose as liquidated damages the sum which he had paid on the purchase, namely, $9,600, and this sum was a net loss to him. He filed with the Secretary under the act just mentioned a claim embodying several items which aggregate $55,204.15. Among them was the $9,600 item. The Secretary allowed a number of the items but rejected the one for $9,600. In accepting the award and requesting payment thereof the relator stated that he did not waive any right to further award under any additional remedial legislation which might be passed and which might permit further payment. Payment for the allowed item was made to the relator.

After this Congress amended the act by adding thereunto the following:

"That all claimants who, in response to any personal, written, or published request, demand, solicitation, or appeal from any of the Government agencies mentioned in this act, in good faith expended money in producing or preparing to produce any of the ores or minerals named therein and have heretofore mailed or filed their claim or notice in writing thereof within the time and in the manner prescribed by said act, if the proof in support of said claims clearly shows them to be based upon action taken in response to such request, demand, solicitation, or appeal, shall be reimbursed such net losses as they may have incurred and are in justice and equity entitled to from the appropriation in the act. If in claims passed upon under said act awards have been denied or made on rulings contrary to the provisions of this amendment or through miscalculation, the Secretary of the Interior may award proper amounts or additional amounts."

Subsequent to the passage of this amendment relator asked for a rehearing with respect to the $9,600 item and other items. The rehearing was granted and the Secretary went into the whole matter anew. He held against the relator on the ground that the money spent in the purchase of the real estate was not repayable as a loss under the law, either as originally passed or in the amendatory form. With respect to these facts, there is no dispute between the parties.

The statute authorized the Secretary to pay such net losses as were suffered by any person by reason of producing or preparing to produce manganese, etc. In purchasing this land the relator was preparing to produce manganese. This is admitted. The statute further says that no claim should be allowed unless it shall appear that the expenditures made by the claimant "were made in good faith for or

on property which contained * * * manganese," etc. It is said money paid in acquiring property for that purpose was not paid for "for" property within the meaning of the statute. The controversy seemed to turn upon the meaning of the word "for." In his opinion rejecting the claim the Secretary said that to adopt the view "that the word 'for' means 'for the purchase of property' would exclude" other claims that should be allowed. We do not think this would follow, because the word "for" has many significations according to the lexicographer. In one relation it may mean, as the Secretary says, "for the benefit of" or "for the use of" and in another "in consideration of." Webster says that in the most general sense it indicates "that in consideration of which * * * anything is done or takes place." The expenditure of the $9,600 was in consideration of the property—therefore was made "for" it. It is a very common thing to say that so much money was paid for this or for that, meaning thereby that it was the consideration passed for the thing mentioned. We are satisfied that under the statute it was the intention of Congress to allow for losses incurred by reason of money paid for property which contained manganese.

Much significance is given to what took place on the floor of the Senate when the bill was being considered, and it is said that because of this the word "for" must be given the restricted meaning attributed to it by the Secretary. But how are we to know whether the same view was taken by the House of Representatives when the bill was before that body? Anyhow, it is immaterial. While reference may be made to the reports of the committees of either House and even to debates of Congress for the purpose of aiding in the interpretation of an ambiguous measure (U. S. v. St. Paul N. & M. Railway Co., 247 U. S. 310, 318, and Wisconsin R. R. Commission v. Chicago B. & Q. R. R. Co., 257 U. S. 563, 589), there is no authority for qualifying the sources of information where, as here, there is no ambiguity. See authorities just cited. In this case the effect of going to the proceedings of Congress would be to create a doubt where none existed before and this is not allowable. (Wisconsin R. R. Commission v. Chicago B. & Q. R. R. Co., supra, p. 589.)

We are urged to hold that this is an action against the United States, and that since they have not consented to be sued with respect to the matter it can not be maintained. To this view we can not yield. The action relates simply to the question as to whether or not the Secretary has failed to exercise a power vested in him by Congress. It does not seek to direct him to allow or pay a penny. Such an action in no wise affects the United States. The circumstance that our ruling may result in a finding by the Secretary in favor of the relator is of no importance. It would be merely an incidental. With reference to a situation like this the Supreme Court of the United States in awarding a mandamus to compel the Interstate Commerce Commisison to entertain and proceed to adjudicate a cause said:

"The unusual and purely fortuitous circumstance, that the character of this jurisdictional limitation on the power of the commission chances to be such that the giving of a correct construction to it must result in determining the character of the decision which the commission must render when the case is returned to it, can not affect the power of this court or that of the lower courts to define what that jurisdiction is under the act of Congress or the duty of the commission to accept and act upon such definition when announced." (Louisville Cement Co. v. Interstate Commerce Commission, 246 U. S. 638, 644.)

What we have said meets another contention made by the Secretary, viz, that in rendering his decision construing the statute he was exercising his judgment, and that, as there is some basis for that judgment in the statute, the courts have no power to control his action. While this doctrine is sound where the Secretary takes jurisdiction and then exerts his judgment over the matter to which the jurisdiction extends, it does not apply where he refuses to act, on the assumption that he has no power or jurisdiction over the subject matter. In the case of Louisville Cement Co. v. Interstate Commerce Commission, supra, the commission refused to allow a claim because, as stated, it had not been filed in time under the statute. The court held that it had been and granted the writ of mandamus to compel the commission to entertain and proceed to adjudicate the claim. That is what the court below did in this case.

Another decision which bears on the point is that of Work, Secretary of the Interior, v. Mosier (261 U. S. 352). There the question was as to whether or not under a statute bonuses paid for oil lands were distributable as rents or as royalties. The relators alleged that the Secretary had placed a wrong construction upon the statute. The court said that the determination of the question was not "a matter of discretionary construction by the Secretary" but was a matter "determinable in court at the instance of the beneficiaries as of right." So here the question as to whether or not money paid for manganese land comes within the purview of the statute is a matter of statutory construction, not finally intrusted to the discretion of the Secretary, but determinable in court at the instance of the claimant. This case was followed in Work v. United States ex rel. McAlester-Edwards Coal Co. (262 U. S. 200), where the Secretary, construing a statute, denied the right of the coal company to make payment for certain lands and to have a patent issued therefor. The Secretary insisted that since his construction of the statute had some basis therein it was not reviewable by the courts. This court took a different view of the matter (277 Fed. 573), and was sustained by the Supreme Court of the United States. These decisions represent the latest expressions of the Supreme Court of the United States on the subject and are binding upon us.

The acceptance of the amount awarded to the realtor did not bar him from relief with respect to the $9,600 item. The Secretary granted a rehearing after the acceptance, reconsidered his decision touching the matter, and rejected the item anew. He did not think that the realtor was barred from a rehearing by the acceptance, or, if he did, he waived the bar and proceeded as if it had no existence. If the Secretary had taken jurisdiction of the claim and had rejected it in whole or in part on the ground that it did not represent a loss incurred by him on account of money paid for manganese property, there would be force in the contention that having accepted the decision of the Secretary he had no right to reopen the matter. But that is not the situation. The Secretary, as we have said, did not go into the merits of the matter at all, but simply refused to touch it on the ground that he was not authorized to do so.

Apart from that the amendatory act provides in substance that all claimants who in good faith expended money in producing or preparing to produce any of the ores or minerals named should be reimbursed for such net losses as they had incurred, and that if in claims passed under the original act awards have been denied on rulings contrary to the provisions of the amendment the Secretary might award proper amounts or additional amounts. In this case the rulings of the Secretary rejecting realtor's claim were contrary to the provisions of the amendment, which, as we have just seen, provided that persons who in good faith expended money in preparing to produce minerals should be reimbursed for such net losses as they had incurred. In view of these considerations we do not think realtor was barred by the acceptance.

The decision of the trial court in awarding the mandamus is free from error, and it is therefore affirmed with costs.

CONSTANTINE J. SMYTHE,
Chief Justice.

Affirmed January 7, 1924.

In the Supreme Court of the District of Columbia. United States ex rel. Chestatee Pyrites & Chemical Corporation against Hubert Work, Secretary of the Interior. At law, No. 67884.

MEMORANDUM

Hearing on demurrer to respondent's answer to petition for mandamus.

The petition prays:

"That a writ of mandamus may be issued directing respondent, Hubert Work, Secretary of the Interior, to take jurisdiction of the claim of the relator for expenditures made and obligations for interest incurred in good faith, as hereinbefore set forth, and to allow such sum as may be just and equitable, and to adjust and pay relator's net losses, consisting of interest thus arising in preparing to produce said ores at the requests and demand of the Department of the Interior, and to ascertain the amount thereof and to make award therefor."

The answer of the respondent avers that the Secretary of the Interior—

"On September 29, 1922, held that allowance of interest was not warranted under the act, and suggested that if Congress intended to include expenditures for interest on borrowed capital, as suggested by counsel, claimant was not precluded from relief by Congress direct."

The demurrer to this answer raises practically a single question of law, which is stated in point two of the demurrer as follows:

"The rulings of Secretary Fall and the respondent that the items of interest are no part of the amount of the losses which are justly and equitably due from the United States to the relator under the provisions of the acts of Congress of March 2, 1919, and November 23, 1921, are plainly erroneous, and amount to a refusal to take jurisdiction of petitioner's claim for interest or to exercise relative thereto any discretion under the statute, and are a nullification of the plain intention of Congress."

In the court's opinion the question, in principle, has been settled by rulings of the appellate tribunals controlling upon this court and which require that the demurrer be sustained.

(Secretary of the Interior v. U. S. ex. rel. Logan Rives, No. 4020, ——— App. D. C. ———, decided January 7, 1924. Seaboard Air Line Railway Co. et al. v. U. S., No. 407, Oct. Term, 1922, U. S. Supreme Court; decided March 5, 1923. U. S. v. State of N. Y., 160 U. S. 598.)

Demurrer sustained.

F. L. SIDDONS, *Justice.*

JANUARY 9, 1924.

The bill before being considered by the committee and reported was submitted to the Secretary of the Interior for comment and suggestion. His reply is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, March 15, 1924.

Hon. TASKER L. ODDIE,
Chairman Committee on Mines and Mining, United States Senate.

MY DEAR SENATOR ODDIE: I am in receipt of your request for report upon S. 2797, entitled "A bill to authorize the payment of claims under the provisions of the so-called war minerals relief act," which bill proposes to appropriate out of the Treasury such sums, not exceeding $2,500,000, as may be necessary to satisfy such claims as shall be approved and certified for payment by the Secretary of the Interior.

If claims, or parts of claims, heretofore denied by the Secretary of the Interior are not reversed as a result of litigation now pending in the courts, the money still remaining available in the appropriation will be sufficient, or nearly sufficient, to pay the remaining unadjusted claims. If, as a result of pending litigation, items for property losses and for interest, etc., must ultimately be paid, I point out that because these items have never been allowed for payment, no statistics are available on which to predicate a statement as to the per cent of the claims likely to prevail, but it is believed, from as careful an analysis of the claims as can be made, that the additional appropriation proposed of $2,500,000 will be sufficient to take care of all claims. Whether legislation making provision for an increased appropriation largely to take care of claims now in litigation should be enacted at this time is a question which, I think, Congress and not this department should determine.

Sincerely yours, HUBERT WORK.

In view of the foregoing, your committee recommends that the bill do pass.

In the Court of Appeals of the District of Columbia

Hubert Work, Secretary of the Interior, appellant, *v.* The United States of America ex rel. Chestatee Pyrites & Chemical Corporation, appellee. No. 4116

Before Associate Justices Robb and Van Orsdel; Martin, presiding judge, United States Court of Customs Appeals.

This appeal is from a judgment of the Supreme Court of the District of Columbia granting a writ of mandamus directing respondent, the Secretary of the Interior, to take jurisdiction of the claim of relator, appellee company, for interest paid on money borrowed to enable relator company to comply with requests and demands made upon it by the Department of the Interior under the act of Congress of October 5, 1918 (40 Stat. 1009).

It appears that when the United States entered the war relator was the owner of a pyrites mine which it operated on a limited scale. In compliance with the demand upon it by the Government, in the way of enlargement of its plant to meet the war necessities, it was compelled to borrow the sum of $695,000, on which it obligated itself to pay interest at the rate of 6 per cent per annum.

A claim was made by relator under the act of Congress approved March 2, 1919 (40 Stat. 1272), as amended by an act approved November 23, 1921 (42 Stat. 322), for reimbursement for the loss sustained by reason of its compliance with said request or demand. After three separate hearings and adjudications in the Department of the Interior relator was awarded $693,313.79. In making the award the item for interest on the $695,000, borrowed as aforesaid, was disallowed. It is to compel the adjudication and allowance of this claim that the present suit was brought.

At the outset we are confronted by the oft-repeated contention of counsel for respondent that the action of the Secretary of the Interior in adjusting relator's claim for the net loss sustained is final and conclusive and not subject to judicial review. The whole question of jurisdiction to direct by mandamus the adjudication and allowance of claims arising under the present statute was disposed of by this court in the recent case of Work, Secretary of the Interior, *v.* United States ex rel. Rives (App. D. C.; 295 Fed. 225). There, as here, the Secretary refused to consider the claim on its merits on the ground that under the statute it was not allowable. There was, therefore, no determination of fact made. Whatever the provision in the statute "that the decision of said Secretary shall be conclusive and final" may mean, it has no bearing upon this case, since no adjudication upon the merits was made. The claim was disallowed solely upon the ground that there was no statutory authority for the adjudication and allowance of such a claim. We are called upon, therefore, to review merely the interpretation placed upon the statute by the Secretary—not to review adjudication based upon issues of fact.

This narrows the case to the single question of law, whether the item of interest is embraced within the claim for net losses incurred by relator. The statute, among other things, provides:

"That all claimants who, in response to any personal, written, or published request, demand, solicitation, or appeal from any of the Government agencies mentioned in said act, in good faith expended money in producing or preparing to produce any of the ores or minerals named therein and have heretofore mailed or filed their claims or notice in writing thereof within the time and in the manner prescribed by said act, if the proof in support of said claims clearly shows them to be based upon action taken in response to such request, demand, solicitation, or appeal, shall be reimbursed such net losses as they may have incurred and are in justice and equity entitled to from the appropriation in said act."

Closely analogous to the situation here presented is a case arising out of the Civil War, where the Secretary of State, to meet a war emergency, called upon the State of New York to "adopt such measures as may be necessary to fill up your regiments as rapidly as possible. We need the men. * * * The Government will refund the State for the advances of troops as speedily as the Treasurer can obtain funds for that purpose." Subsequently Congress passed an act providing for the reimbursement of any State raising troops to protect the Nation for "the costs, charges, and expenses properly incurred."

To meet the call from the Government, the State of New York appropriated money to arm and equip troops, and issued 7 per cent bonds to raise the money. In adjusting the claim of the State, the department reimbursed it for the amount actually expended, but refused to pay the interest which the State had to pay on its bonds. The facts in that case are the same as in this, excepting that in this case the relator corporation is claiming for interest which it had to pay on its notes. The Supreme Court, in United States *v.* State of New York (160 U. S. 598, 620), holding the Government liable for the interest, said: "It would be a reflection upon the patriotic motives of Congress if we did not place a liberal interpretation upon those acts, and give effect to what, we are not permitted to doubt, was intended by their passage. * * * Liberally interpreted it is clear that the acts * * * created, on the part of the United States, an obligation to indemnify the States for any costs, charges, and expenses properly incurred for the purposes expressed in the act of 1861, the title of which shows that its object was 'to indemnify the States for expenses incurred by them in defense of the United States.'"

This is not a claim for interest upon an amount due the relator from the Government, but for expenses incurred in performing certain duties required of it by the Government. It is not compensation for the use of money due the claimant from the Government, but for money paid by relator in order to secure the means with which to meet the demands made upon it by the Government. As was said in the New York case: "We can not doubt that the interest paid by the State on its bonds, issued to raise money for the purposes expressed by Congress, constituted a part of the costs, charges, and expenses properly incurred by it for those objects. Such interest, when paid, became a principal sum, as between the State and the United States; that is, became a part of the aggregate sum properly paid by the State for the United States. The principal and interest so paid constitute a debt from the United States to the State." Being, therefore, an element of the expenses incurred, we think that in equity and justice the interest paid or obligated to be paid in this case should be allowed. The statute is remedial, and should be construed liberally in order to carry out the purposes of its enactment.

The judgment is affirmed with costs.

JOSIAH A. VAN ORSDEL,
Associate Justice.

PETITIONS FOR NATURALIZATION

The next business on the Consent Calendar was the bill (H. R. 5421) to relieve United States district judges from signing an order admitting, denying, or dismissing each petition for naturalization.

Mr. BOX. Mr. Speaker, I object.

Mr. BLANTON. I object, Mr. Speaker.

Mr. GRAHAM of Pennsylvania. Will the gentleman withhold his objection a moment?

Mr. SEARS of Florida. Regular order!

Mr. BLANTON. It is the easiest matter in the world for these district judges to enter these orders, and why should they not enter them? A naturalization case is an important case, and means the citizenship of a man.

Mr. GRAHAM of Pennsylvania. In the large cities it is getting to be an onerous and burdensome task.

Mr. BLANTON. They are getting so now that they can try a hundred naturalization cases in half an hour.

The SPEAKER pro tempore. Does the gentleman from Texas withdraw his objection?

Mr. BLANTON. Not at all. I object.

Mr. RAKER. Mr. Speaker, there is a bill on the Speaker's table relating to this subject that goes to the Committee on Immigration. Would the gentleman from Pennsylvania object to having the bill transferred to the Committee on Immigration?

The SPEAKER pro tempore. The present occupant of the chair does not feel he should recognize the gentleman for that purpose.

Mr. RAKER. Then I withdraw the request at this time.

REQUIRING CLERKS OF COURT TO KEEP INDICES OF JUDGMENT DEBTORS

The next business on the Consent Calendar was the bill (H. R. 5423) to amend section 2 of the act of August 1, 1888 (25 Stat. L. p. 357).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of August 1, 1888 (25 Stat. L. p. 357), be, and the same hereby is, amended to read as follows:

"The clerks of the several courts of the United States shall prepare and keep in their respective offices complete and convenient indices of all judgment debtors under decrees, judgments, or orders on said courts, and such indices and judgments shall at all times be open to the inspection and examination of the public."

The following committee amendment was read: In line 9, after the word "orders," strike out the words "or" and insert in lieu thereof the word "of."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

CHANGING TIME FOR HOLDING COURT AT KANSAS CITY, KANS.

The next business on the Consent Calendar was the bill (S. 2236) to designate the time and place of holding terms of the United States district court in the first division of the district at Kansas City.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That after the passage of this act the terms of the United States district court for the first division to be held at Kansas City, Kans., shall be held at that city on the first Monday in October and the first Monday in December, instead of the dates fixed in the act approved September 6, 1916.

The bill was ordered to be read a third time, was read the third time, and passed.

FEES TO BE CHARGED BY CLERKS OF THE DISTRICT COURTS OF THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 5420) to provide fees to be charged by clerks of the district courts of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. McKEOWN. Reserving the right to object, I would like some explanation of the bill. What is the purpose of the bill; I am not familiar with it.

Mr. GRAHAM of Pennsylvania. It does not increase the fees; it regulates the time at which they shall be paid in a divided-up sum and will save a lot of bookkeeping. It simplifies the whole thing.

Mr. BLANTON. Reserving the right to object, how much is this going to increase the yearly salary of the clerks?

Mr. GRAHAM of Pennsylvania. Not a cent.

Mr. BLANTON. The gentleman has looked into that closely, has he?

Mr. GRAHAM of Pennsylvania. I have.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read a part of the bill, as follows:

Be it enacted, etc., That the fees hereinafter provided for, and no other, shall be charged and collected by clerks of the district courts of the United States for services performed by them or their assistants: *Provided*, That all laws or parts of laws inconsistent or repugnant to the provisions of this act are hereby repealed; but nothing in this act shall repeal or in any way enlarge or modify the provisions of the act of July 20, 1892 (27 U. S. Stat. L. p. 252), as amended by the act of June 25, 1910 (36 U. S. Stat. L. p. 866), and the act of June 27, 1922 (42 U. S. Stat. L. p. 666): *Provided further*, That the United States shall not be required to pay any sum or fee herein provided for.

SEC. 2. Upon the institution of any suit or proceeding, whether by original process, removal, indictment, information, or otherwise, there shall be paid by the party or parties so instituting such suit or proceeding, as fees of the clerk for all services to be performed by him in such case or proceeding, except as hereinafter provided, the sum of $5.

SEC. 3. Upon the filing of any answer or paper joining issue, or the entering of an order for trial, there shall be charged and collected by the clerk, from the party or parties filing any such answer or paper, for services performed and to be performed by said clerk in said case or proceeding, the further sum of $5: *Provided*, That after one fee, as hereinbefore provided in this section, has been paid by any defendant, cross-petitioner, intervenor, or party, other defendants, cross-petitioners, intervenors, or parties, separately appearing or filing any answer or paper in said suit or proceeding, shall pay a further fee of $2, for each answer or paper so filed: *And provided further*, That in any criminal case, upon the entering of a plea of not guilty by any defendant, there shall be charged and taxed in the costs of said case a fee of $5 for each defendant entering such plea, but the clerk shall not be required to account for any such fee not collected by him.

SEC. 4. Upon the entry of any judgment, decree, or final order of the court in any suit or proceeding there shall be charged and collected by the clerk, from the prevailing party or parties, as an additional fee for services performed and to be performed in said suit or proceeding, the further sum of $5: *Provided, however*, That in any criminal case the clerk shall not be required to account for any such fee not collected by him.

SEC. 5. Upon the filing of any petition for appeal or writ of error to any circuit court of appeals or the Supreme Court of the United States there shall be charged and collected by the clerk from the party or parties prosecuting such appeal or writ of error an additional fee in said suit or proceeding of $5.

ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Speaker, may I interrupt the reading to ask unanimous consent that the House stand in recess from half past 6 until 8 o'clock? I do this at the request of a number of Members and the leader of the minority.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the House stand in recess between 6.30 and 8 o'clock. Is there objection?

Mr. SNYDER. Reserving the right to object, does the gentleman expect to continue until a late hour?

Mr. LONGWORTH. I hope to finish the entire Consent Calendar.

Mr. BLANTON. The gentleman will not keep us later than 11 o'clock?

Mr. LONGWORTH. I think it would be advisable to finish the calendar to-night.

Mr. BLANTON. The gentleman means to go through it once and not go back and take it up again?

Mr. LONGWORTH. Go through it once.

Mr. GARRETT of Tennessee. Mr. Speaker, the request made by the gentleman from Ohio is a very proper request. We have straining days ahead of us. It is quite well that we should have a few moments to get a bite to eat. I do not believe that there will be any point as to a quorum made to-night when we meet again.

Mr. LONGWORTH. I hope not.

Mr. GARRETT of Tennessee. I shall exert any influence that I have to prevent it. Of course, there may be objections made to bills, but I think there will be no point made of no quorum.

Mr. LAGUARDIA. Reserving the right to object, I notice that the floor leader is anxious to clear up the calendar. I hope that no bills of a highly controversial character will take up the time of the House.

Mr. LONGWORTH. I think it is to the interest of the House and the Members of the House that before we adjourn we complete the consideration of this calendar. We must work overtime in order to do it. The days will be taken up in the consideration of conference reports and a number of important bills which will come in under a rule or motion to suspend the rules. If we do not make substantial progress there is danger of failing to dispose of the calendar. It is essential that we should complete it, and I hope that gentlemen will be self-sacrificing enough to run late this evening and not raise any objections which are not conscientiously made.

Mr. GARRETT of Tennessee. Gentlemen ought to realize in the last few days of the session, with all the pressure that is moving, that factitious or captious objections should not be made.

Mr. CRAMTON. On the other hand, if the gentleman will yield when a Member has a well founded and definite, fixed, objection to a bill it is hardly fair to the other Members to ask him to reserve that objection, while useless discussion is indulged in.

Mr. GARRETT of Tennessee. The gentleman is quite right about that.

Mr. CRAMTON. The Member making the objection does not like to seem discourteous, but it ought not to be expected that there will be debate when an objection is going to be made.

Mr. GARRETT of Tennessee. The gentleman is quite right.

Mr. KELLY. Mr. Speaker, if the gentleman from Ohio will yield, I should like to inquire of the gentleman what business will be taken up after 8 o'clock to-night in case we do come back?

Mr. LONGWORTH. Continuation of the Consent Calendar.

Mr. KELLY. Would a conference report be in order?

Mr. LONGWORTH. Of course a conference report would displace anything else.

The SPEAKER. The Chair thinks it might be understood that no business except this calendar would be taken up.

Mr. LONGWORTH. Mr. Speaker, I should be very glad to embody that in my request, and I do so.

The SPEAKER. The Chair will not recognize anybody for anything else.

Mr. LAGUARDIA. Mr. Speaker, will Members have any information as to what bills will be called up under suspension of the rules?

Mr. LONGWORTH. That will be posted on the bulletin board, if it is not already there.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend in the RECORD the remarks I made this afternoon on the Governor of New York.

The SPEAKER. Is there objection?

There was no objection.

RESIGNATION OF A MEMBER

The SPEAKER laid before the House the following communication.

The Clerk read as follows:

WASHINGTON, D. C., *June 5, 1924.*

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I have to-day tendered to the Governor of Illinois my resignation as a Representative in Congress for the fourteenth congressional district of the State of Illinois, to take effect on June 7, 1924, at 7 o'clock p. m.

Yours very respectfully,

WILLIAM J. GRAHAM.

DESIGNATION OF A SPEAKER PRO TEMPORE

The SPEAKER designated the gentleman from Illinois, Mr. CHINDBLOM, to preside at the session this evening.

RECESS

The SPEAKER. Under the order heretofore adopted, the House will stand in recess until 8 o'clock p. m.

Accordingly (at 6 o'clock and 27 minutes p. m.) the House stood in recess.

EVENING SESSION

The recess having expired at 8 o'clock, the House was called to order by the Speaker pro tempore, Mr. CHINDBLOM.

FEES TO BE CHARGED BY CLERKS OF THE DISTRICT COURTS OF THE UNITED STATES

The SPEAKER pro tempore. The Clerk will continue the reading of the bill H. R. 5420.

The Clerk read as follows:

SEC. 6. Upon the filing of any petition or application for a writ of habeas corpus, or appeal from a deportation order of a United States commissioner, there shall be charged and collected by the clerk, from the petitioner or applicant, as full payment for all services performed or to be performed by him in said proceeding, the sum of $5: *Provided*, That if an appeal is prosecuted from the order of the district court in said proceeding, then and in that event the additional sum of $5, as provided in section 4 of this act, shall be charged and collected by the clerk.

SEC. 7. For each additional trial or final hearing, upon a reversal by a circuit court of appeals or the Supreme Court of the United States, or following a disagreement by a jury or the granting of a new trial or rehearing by the court, there shall be charged and collected by the clerk, from the party or parties securing such reversal, new trial, or rehearing, or from the plaintiff or plaintiffs in the event of a disagreement, the further sum of $5: *Provided, however*, That the clerk shall not be required to account for any such fee not collected by him in any criminal case: *Provided further*, That nothing herein contained shall prohibit the court from directing by rule or standing order the collection at the time the services are rendered of the fees herein enumerated, from either party, but all such fees shall be taxed as costs in the respective cases.

SEC. 8. That in addition to the fees for services rendered in cases hereinbefore enumerated the clerk shall charge and collect, for miscellaneous services performed by him and his assistants, except when on behalf of the United States, the following fees:

1. For issuing any writ or a subpœna for a witness, not in a case instituted or pending in the court from which it is issued, and filing and entering the return of the marshal thereon, 50 cents.

2. For filing and indexing any paper, not in a case or proceeding, 25 cents.

3. For administering an oath or affirmation, not in a case or proceeding pending in the court where the oath is administered, 10 cents.

4. For an acknowledgment, certificate, affidavit or countersignature, with seal, 50 cents.

5. For taking and certifying depositions to file, 20 cents for each folio of 100 words and, if taken stenographically, 15 cents per folio additional for the stenographer.

6. For a copy of any record, entry, or other paper, and the comparison thereof, 15 cents for each folio of 100 words.

7. For filing præcipe or requisition and searching the records of the court for judgments, decrees, or other instruments or suits pending, or bankruptcy proceedings, including the certifying of the results of such search, 60 cents for the first name and 25 cents for each additional name embraced in the certificate.

8. For receiving, keeping, and paying out money in pursuance of any statute or order of court, including cash bail or bonds or securities authorized by law to be deposited in lieu of other security, 1 per cent of the amount so received, kept, and paid out or of the face value of such bonds or securities.

9. For keeping a record of surety companies and bonds thereof, 15 cents for each folio of 100 words.

10. For preparation and mailing notices in bankruptcy, 10 cents each for the first 20 notices and 5 cents for each additional notice: *Provided*, That this fee shall cover and include all services and expenses in connection therewith: *And provided further*, That such fee shall not be deemed to be included in any other fee for services in bankruptcy proceedings.

11. For making and comparing a transcript of record on appeal or writ of error when required or requested, 15 cents for each folio of 100 words.

12. For comparing any transcript, copy of record, or other paper not made by the clerk with the original thereof, 5 cents for each folio of 100 words.

13. For making a final record in any case at the request of either party or upon order of court in a particular case, 15 cents for each folio of 100 words: *Provided, however*, That when any such final record is made upon order of court the fees therefor shall be taxed in the costs of the case.

14. For admission of attorneys to practice, $1 each; for certificate of admission to be furnished upon request, $2 additional.

15. For making any record not in a case and not provided for in this act, 15 cents for each folio of 100 words.

SEC. 9. That this act shall become and be in force and effect on and after July 1, 1924.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

CUSTER STATE PARK GAME SANCTUARY

Mr. WILLIAMSON. Mr. Speaker, at the time No. 270 (H. R. 7494) on the Consent Calendar was reached and passed, I overlooked the fact that an identical bill had already been passed by the Senate, and therefore I ask unanimous consent to revert to House bill 7494, to discharge the Committee on the Public Lands from the further consideration of S. 2699, and to consider such Senate bill (S. 2699) in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent to return to the bill H. R. 7494, Calendar No. 270. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the House bill was passed and consider the Senate bill in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent to vacate the proceedings by which the bill H. R. 7494 was passed and consider in lieu thereof the bill S. 2699 of the same purport. Is there objection?

Mr. HILL of Maryland. Mr. Speaker, reserving the right to object, is the Senate bill exactly the same?

Mr. WILLIAMSON. Yes; exactly.

Mr. BLANTON. Why not ask that the same proceedings apply to the Senate bill as to the House bill, and that will settle the whole matter at one time?

Mr. HILL of Maryland. Do I understand it is exactly the same bill?

Mr. WILLIAMSON. Yes; the bills are identical.

The SPEAKER pro tempore. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the same action that was taken on the House bill be applied to the Senate bill.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the same proceedings taken on the bill H. R. 7494 be deemed as having been taken on the bill S. 2699 and the bill passed. Is there objection?

Mr. DENISON. If we do that, we will have to vacate that also, because——

The SPEAKER pro tempore. The Chair will say that will not be altogether the same proceeding.

Mr. BLANTON. All except the engrossment. I withdraw the request if there is any delay.

The SPEAKER pro tempore. Is there objection to the request? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 2699) to amend an act creating the Custer State Park game sanctuary in the State of South Dakota

Be it enacted, etc., That upon recommendation of the Secretary of Agriculture the area designated as the Custer State Park game sanctuary under the provisions of the act of June 5, 1920 (41 Stat. L. p. 986), may by proclamation of the President be enlarged to embrace a total of not to exceed 46,000 acres, and the act of June 5, 1920, shall otherwise apply with equal force to the additional area authorized by this act.

The bill was ordered to be read the third time, was read the third time, and passed.

Mr. WILLIAMSON. Mr. Speaker, I ask that the bill (H. R. 7494) be laid on the table.

The SPEAKER pro tempore. Without objection the House bill will be laid on the table.

There was no objection.

FINES, FEES, FORFEITURES, ETC., RECEIVED BY CLERKS, UNITED STATES COURTS

The next business on the Consent Calendar was the bill (H. R. 5422) to provide for reporting and accounting of fines, fees, forfeitures, and penalties and all other moneys paid to or received by clerks of United States courts.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. DENISON. Mr. Speaker, I object.

SAN CARLOS IRRIGATION PROJECT

The next business on the Consent Calendar was the bill (S. 966) for the continuance of construction work on the San Carlos Federal irrigation project in Arizona, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. GRAHAM of Pennsylvania. What became of Calendar No. 290?

The SPEAKER pro tempore. Calendar No. 290 was objected to by the gentleman from Illinois. Is there objection to the consideration of the bill S. 966? [After a pause.] The Chair hears none. Without objection, the Clerk will read the amendment which is offered in lieu of the entire bill after the enacting clause. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior, through the Indian Service, is hereby authorized to construct a dam across the canyon of the Gila River near San Carlos, Ariz., as a part of the San Carlos irrigation project, as contemplated in the report of the chief engineer of the Indian irrigation service submitted to the Commissioner of Indian Affairs on November 1, 1915, at a limit of cost of $5,500,000, for the purpose, first, of providing water for the irrigation of lands allotted to Pima Indians on the Gila River Reservation, Ariz., now without an adequate supply of water; and, second, for the irrigation of such other lands in private ownership as in the opinion of the said Secretary can be served with water impounded by said dam without diminishing the supply necessary for said Indian lands: *Provided*, That the total cost of the project shall be distributed equally per acre among the lands in Indian ownership and the lands in private ownership that can be served from the waters impounded in said reservoir.

SEC. 2. That the construction charge assessed against the Indian lands shall be reimbursable to the Treasury of the United States on a per acre basis under such rules and regulations as the Secretary of the Interior may prescribe, and there is hereby created a lien against all such lands, which lien shall be recited in any patent issued therefor prior to the reimbursement of the total amount chargeable against such land: *Provided*, That after said project is completed the Secretary of the Interior is hereby authorized, in his discretion, with the approval of the Pima Indians, to sell at public auction, at not less than the appraised value thereof, such surplus lands not now allotted within said Gila River Indian Reservation as he may determine to be irrigable from return and drainage waters, the proceeds of such sales to be deposited in the Treasury to reimburse the United States in part for the construction charge assessed against the Indian lands.

SEC. 3. The construction charge as fixed for the lands in private ownership under the project shall be paid in annual installments of $3 per irrigable acre beginning with the fifth year after the Secretary of the Interior shall, by public notice, declare the project to be completed and continuing until the total construction charge is fully paid: *Provided*, That no part of the sum provided for herein shall be expended for construction on account of any lands in private ownership until an appropriate repayment contract, in form approved by the Secretary of the Interior, shall have been properly executed by a district organized under State law, embracing the lands in private ownership irrigable under the project, and the execution thereof shall have been confirmed by decree of a court of competent jurisdiction, which contract, among other things, shall contain an appraisal approved by the Secretary of the Interior, showing the present actual bona fide value of all such irrigable lands in private ownership fixed without reference to the proposed construction of said San Carlos Dam, and shall provide that until the construction charges against such lands shall have been fully paid, upon any and every sale of the land or any interest therein, 50 per cent of all moneys, credits, and property received therefor above the value thereof as shown by said appraisal, shall belong to the United States to be credited in reduction of the construction charge against the land so sold, and the Secretary of the Interior may convert into money through legal process, if necessary, any such credits or property so belonging to the United States; and all public lands irrigable under the project shall be entered subject to the conditions of this section which shall be applied thereto: *Provided further*, That no part of any sum provided for herein shall be expended for construction on account of any lands in private ownership until all areas of land irrigable under the project and owned by any individual in excess of 160 irrigable acres shall have been conveyed in fee to the United States free of encumbrance to again become a part of the public domain, under a contract between the United States and the individual owner providing that the value as shown by said appraisal of the land so conveyed to the United States shall be credited in reduction of the construction charge thereafter to be assessed against the land retained by such owner; and lands so conveyed to the United States shall be subject to disposition under the homestead law when so ordered by the Secretary of the Interior.

SEC. 4. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect; and the money hereby authorized to be appropriated shall be available for the acquiring of necessary right of way by purchase or judicial proceedings and for other purposes necessary in successfully prosecuting the work to complete the project.

The SPEAKER pro tempore. The question is on the committee amendment.

Mr. HAYDEN. Mr. Speaker, I move to amend the committee amendment, in line 17, page 3, by inserting before the word "private" the words "public or."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Mr. HAYDEN moves to amend, on page 3, line 17, after the word "in," insert "public or," and in line 23 the same.

The question was taken, and the amendment was agreed to.

On page 3, line 24, after the word "impounded," strike out "in said reservoir" and insert in lieu thereof "by said dam."

The question was taken, and the amendment was agreed to.

Mr. HAYDEN. Mr. Speaker, I offer a substitute for section 3.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN as a substitute to the committee amendment for section 3: Page 4, strike out all of section 3 and insert in lieu thereof the following section:

"SEC. 3. The Secretary of the Interior shall by public notice announce the date when water is available for lands in private ownership under the project, and the amount of the construction charge per

irrigable acre against the same, which charge shall be payable in annual installments, the first installment to be 5 per cent of the total charge and be due and payable on the 1st day of December of the third year following the date of said public notice, the remainder of the construction charge, with interest on deferred amounts from date of said public notice at 4 per cent per annum, to be amortized by payment on each December 1 thereafter of 5 per cent of said remainder until the obligation is paid in full: *Provided*, That the operation and maintenance charges on account of land in private ownership or of land in Indian ownership operated under lease shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for lands in private ownership.

"SEC. 4. That no part of the sum provided for herein shall be expended for construction on account of any lands in private ownership until an appropriate repayment contract in accordance with the terms of this act and, in form approved by the Secretary of the Interior, shall have been properly executed by a district organized under State law, embracing the lands in public or private ownership irrigable under the project, and the execution thereof shall have been confirmed by decree of a court of competent jurisdiction, which contract, among other things, shall contain an appraisal approved by the Secretary of the Interior, showing the present actual bona fide value of all such irrigable lands fixed without reference to the proposed construction of said San Carlos Dam, and shall provide that until one-half the construction charges against said lands shall have been fully paid no sale of any such lands shall be valid unless and until the purchase price involved in such sale is approved by the Secretary of the Interior, and shall also provide that upon proof of fraudulent representation as to the true consideration involved in any such sale, the Secretary of the Interior is authorized to cancel the water right attaching to the land involved in such fraudulent sale; and all public lands irrigable under the project shall be entered subject to the conditions of this section which shall be applied thereto: *Provided further*, That no part of any sum provided for herein shall be expended for construction on account of any lands in private ownership until all areas of land irrigable under the project and owned by any individual in excess of 160 irrigable acres shall have been conveyed in fee to the United States free of encumbrance to again become a part of the public domain under a contract between the United States and the individual owner providing that the value as shown by said appraisal of the land so conveyed to the United States shall be credited in reduction of the construction charge thereafter to be assessed against the land retained by such owner; and lands so conveyed to the United States shall be subject to disposition by the Secretary of the Interior in farm units at the appraised price, upon such terms and conditions as he may prescribe."

The SPEAKER pro tempore. Does the gentleman from Arizona desire recognition?

Mr. HAYDEN. I will be glad to answer any questions that anybody wants to ask.

Mr. BEGG. Mr. Speaker, I shall not oppose the amendment offered by the gentleman from Arizona, because I have not had time to go through it and understand exactly what it does. The only comment I want to make is this: This is a new irrigation project, and almost every time we have consideration of the Private Calendar or the Consent Calendar there are from one to a dozen bills called up postponing payments on these projects. I want to ask the gentleman if he anticipates anything like that in the course of about four years, that he will come before Congress and ask for a postponement of the payment?

Mr. HAYDEN. No. This project is located in a portion of the United States where the production exceeds that anywhere else, almost. The average for the last 10 years is over $60 an acre. I have no doubt of the ability of these people to pay out, because of the fact that every month in the year they can produce something.

Mr. BEGG. I am in favor of adopting these irrigation projects where they are profitable, but I think it is about time for the United States to know, before we permit the expenditure of $5,500,000, whether every two years we will be called upon to postpone payment, and finally vacate the requirement for payment.

Mr. MADDEN. They will not get any money on this until they do prove it.

Mr. CRAMTON. Mr. Speaker, this is a matter of such importance that I want to take just one minute on it. What the gentleman from Ohio [Mr. BEGG] said is very true. The time has come when we should refuse to appropriate for reclamation projects except on a strictly business basis. In this case, for the first time since I have been following up reclamation projects, a bill for such a project has been presented to the Congress on a business basis. This bill provides for the payment of interest upon the money expended by the Government in the work of construction. It provides for the payment of operation and maintenance charges in advance, as in the case of private projects. It is located, as the gentleman from Arizona [Mr. HAYDEN] has said, in a region where they make a success of irrigation by reason of climatic and other conditions. Then about half of the land to be irrigated is the property of the Pima Indians, who knew all about irrigation before the white man came. They have been brought into distress by the diversion of the water, so that they do not have enough water to irrigate their lands. These two facts must be considered: First, that the lands of the white men are in a place where irrigation can be carried on with success; and, second, the Indians are agriculturists who successfully practice irrigation. This established a precedent which I hope Congress will follow in the future, and I think the project justifies the expense entailed.

Mr. BEGG. I hope the gentleman will obtain unanimous consent to extend his remarks.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to proceed for two minutes. Is there objection?

Mr. HILL, of Maryland. I shall not object, because the gentleman is an authority on the subject.

Mr. CRAMTON. That is one wet-and-dry proposition that the gentleman and I agree on. [Laughter.]

Mr. SNYDER. If the gentleman will permit, I will only say that this is the first businesslike irrigation project ever brought into the House, and I want to give the gentleman from Michigan the credit for the new feature, which is that of requiring interest to be paid upon the money expended.

Mr. CRAMTON. And the gentleman from New York is entitled to a lot of credit for it, too, as is the gentleman from Arizona. It is understood by the gentleman from Arizona [Mr. HAYDEN], and he is in harmony with that view, that this is not to be a subject of appropriation at this Congress.

Mr. HAYDEN. No.

Mr. McKEOWN. Mr. Speaker, I move to strike out the last word.

Mr. RAKER. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. McKEOWN] is recognized.

Mr. McKEOWN. I want to ask the gentleman from Michigan for some information relative to this matter of reclamation. Oklahoma had a sum of $5,000,000 which belonged to that State from the sale of lands. I have been advised that the $5,000,000 has been appropriated for the benefit of irrigation projects in other States.

Mr. CRAMTON. There was a time when the law required that the money of each State should be spent in that State, and that is when they made their worst mistakes. Now, the only consideration Congress should give to a project is not what State it is in, what politics there are in it, and what is the geography, but whether it is a location where irrigation can be made a success.

Mr. McKEOWN. But they have adopted that policy after they got Oklahoma's $5,000,000.

Mr. CRAMTON. I do not know whether Oklahoma ever had that much money.

Mr. MADDEN. If it had, we gave it to them. We gave it to them when they came into the Union.

Mr. McKEOWN. They took our $5,000,000 and put it out in the Northwest.

Mr. MADDEN. No; they took our $5,000,000 when they came into the Union.

Mr. McKEOWN. No; this was from the sale of school lands.

Mr. MADDEN. I remember it all right.

Mr. RAKER. Mr. Speaker, I just want to say one word. For two weeks and a half the Committee on Irrigation has had under consideration a bill which involves millions of dollars. We tried to get most of these provisions in that bill, but failed. It will be before the House in a few days, and it is a bill wherein the Government stands to lose about $28,000,000. I trust my friend from Michigan [Mr. CRAMTON], the chairman of the Appropriations Committee [Mr. MADDEN], and others will see that that legislation does not pass in its present form.

Mr. CRAMTON. Any legislation which would charge off $28,000,000 is not going to get my vote. [Applause.]

Mr. RAKER. It has been quite rough on me for two weeks before the Committee on Irrigation and Reclamation that at times—from appearances—they felt like putting me out of the committee room. But I stuck to my task. As far as I am concerned, it is not going to be charged off, either. This is a busi-

ness proposition, but there is just one thing to which I do not want to be committed—although the gentleman from Arizona [Mr. HAYDEN] is in favor of it, but there is no way of alleviating it—and that is to transfer the lands to the United States, the Government paying the appraised value, and then have them opened for entry afterwards without the entryman paying the appraised price.

Mr. MADDEN. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. MADDEN. I am very glad to hear the gentleman from California say that he is beginning to see the light.

Mr. RAKER. There is no beginning; "the gentleman" has always seen the light.

Mr. MADDEN. And that he knows a business proposition when he sees it, and that he sees it when we have one before us. [Laughter.]

Mr. RAKER. The misfortune is that the rest have been business propositions; but this is the very first one to be presented where the Government stands to lose to start with from $27,000,000 to $30,000,000, to say nothing of what will be lost in the future. Our people are in favor of paying off their just debts, and we ought not to start in now to charge off legal obligations which are owed to the Government. I am in favor of these reclamation projects and in the principle of irrigation and reclamation, and have held these views long before I ever came to Congress. The settlers and homesteaders on the projects are entitled to fair and just treatment. In turn the Government is entitled to be repaid for its expenditure in the cost of construction of the various Federal irrigation projects. The only thing is to so adjust the entire matter of repayment to the end that farmers on these projects can live and pay out, and at the same time full repayment be made to the Government.

There is no doubt this can be done, to the benefit and relief of all. It should and must be done. Let us get at it and do it right when we come back in December. Get ready for it during the summer and fall, and but little time will be required to accomplish the task in the right way at that time. I want to be of some real assistance in this task, and if we all work to that end the thing is accomplished.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Arizona.

The amendment was agreed to.

Mr. HAYDEN. Mr. Speaker, I move that the section number be corrected.

The SPEAKER pro tempore. Without objection, section 4 will be changed to section 5.

There was no objection.

The SPEAKER pro tempore. The question is now on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

RENDITION OF ACCOUNTS BY UNITED STATES ATTORNEYS, ETC.

The next business on the Consent Calendar was the bill (H. R. 5424) to provide for the rendition of accounts by United States attorneys, United States marshals, clerks of the United States courts, and United States commissioners.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I ask that the bill be reported.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of the act of February 18, 1875 (18 Stat., p. 318); section 1 of the act of February 22, 1875 (18 Stat., p. 333); section 13 of the act of May 28, 1896 (29 Stat., p. 183); and the act of May 27, 1908 (35 Stat., p. 375), as provides, directs, and requires that the accounts of United States attorneys, United States marshals, clerks of the United States courts, and United States commissioners, be certified and approved by said courts or the judges thereof, be and the same are hereby, repealed, and hereafter each of the above-mentioned officials, respectively, shall make oath to his said accounts, and the accounts of United States commissioners shall be certified and approved by the United States attorney for the respective district, and all of said accounts, when made out, verified under oath, and approved and certified as herein directed, shall be transmitted to the Attorney General for examination and transmission to the General Accounting Office.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, there is not a single State now where the trial judges do not have to approve the accounts of the sheriffs and the clerks.

Mr. GRAHAM of Pennsylvania. I beg your pardon.

Mr. BLANTON. Where the clerks are not on a salary basis.

Mr. GRAHAM of Pennsylvania. I know of many places where that is not done.

Mr. BLANTON. Where?

Mr. GRAHAM of Pennsylvania. If the gentleman will pardon me just a moment, the point is this: To-day these accounts are required to have the certificate of the judge upon them who knows nothing about the facts and can not tell anything about them. The new amendment provides that each one of these officers shall swear to the account and the account shall go through in the regular way.

Mr. BLANTON. The gentleman is mistaken about the judges not knowing about what is in these accounts. A conscientious judge will look through these accounts, and they frequently strike out great big items amounting to large sums. I have known of accounts that have been cut nearly half in two by the judges because they look into them and pass upon them.

Mr. GRAHAM of Pennsylvania. I do not want to prolong the discussion and if the gentleman is going to object I can not stop him, but I do think this is a really meritorious bill and ought to be passed. In the large cities I want to tell you that there is not a judge who can tell anything about these accounts.

Mr. BLANTON. Then we ought to let them resign and put somebody else in their places.

Mr. GRAHAM of Pennsylvania. They can not know about them. Why do you ask a supernumerary piece of work to be done when it has no efficacy and can accomplish nothing.

Mr. BLANTON. The judge is not conscientious when he does not do his duty. The law requires him to pass upon these accounts and there are various accounts that are padded.

Mr. GRAHAM of Pennsylvania. We are providing what shall be his duty, and these accounts are all audited and sworn to.

Mr. BLANTON. I know of one officer's account that was cut half in two, and I object, Mr. Speaker.

DISPOSITION OF MONEYS PAID AS BRIBES, ETC.

The next business on the Consent Calendar was the bill (H. R. 5425) to provide for the disposition of moneys paid to or received by any official as a bribe, which may be used as evidence in any case growing out of any such transaction.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, may I ask the chairman of the Judiciary Committee the purpose of this bill. Is this to allow Government agents to act as provocateur in creating crime?

Mr. GRAHAM of Pennsylvania. The purpose of this bill is very simple. This bill is one of a series of bills that received the approval of the Department of Justice, the courts, and of the Clerks' Association of the United States to simplify the method of accounting and turning over and caring for this money. There are certain classes of cases in which bribes are offered to officers. These bribes are retained as evidence. The money must be kept in the hands of the clerks under existing conditions, with no place to deposit it and no disposition to be made of it. This bill simply provides that all such bribe money shall be deposited in the registry of the court. You can readily understand that very often when a man pleads not guilty and fights the case, he is in no position to claim the money, and there is a question as to what shall be done with it. This bill provides it shall be deposited with the registry of the court to abide the decision of the court.

Mr. LAGUARDIA. And it only covers money paid for bribes?

Mr. GRAHAM of Pennsylvania. That is all.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter all moneys received or tendered in evidence in any case, proceeding, or investigation in any United States court, or before any officer thereof, which have been paid to or received by any official as a bribe, shall after the conclusion and final disposition of the particular case, proceeding, or investigation in which it was received as evidence, be deposited in the registry of the court

to be disposed of under and in accordance with the order, judgment, or decree of the said court, to be subject, however, to the provisions of section 996, Revised Statutes, as amended.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill?

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

FEES IN NATURALIZATION PROCEEDINGS

The next business on the Consent Calendar was the bill (H. R. 5428) to provide for accounting by clerks of United States district courts of fees received by them in naturalization proceedings.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I hope the gentleman will not object, and if I can explain the bill to him I think he will not object. Will the gentleman from Texas please give me his attention?

Mr. BLANTON. Mr. Speaker, we have been transacting business under the present law for half a century.

Mr. GRAHAM of Pennsylvania. That is an error.

Mr. BLANTON. And all of a sudden here we are flooded with bills changing the entire procedure.

Mr. GRAHAM of Pennsylvania. Pardon me a moment; I think if the gentleman understands it, he will not object to it.

Mr. BLANTON. There is no chance on earth to understand it.

Mr. GRAHAM of Pennsylvania. Will you allow me to explain it?

Mr. BLANTON. Certainly.

Mr. GRAHAM of Pennsylvania. This is not a law we have been acting under for half a century because the law was changed not so very long ago. Formerly the clerks received fees and those fees were the emoluments that paid them for their services. The fees now are still provided by law to be collected and one half divided this way and another half that way. This is intended to take the portion of those fees that would be held by the clerk and pay them into the Treasury of the United States, where they belong.

Mr. BLANTON. I have no objection.

Mr. RAKER. I object, Mr. Speaker.

Mr. GRAHAM of Pennsylvania. May I ask the gentleman what the difficulty is?

Mr. RAKER. Reserving the right to object, this matter is under consideration by the committee having jurisdiction of it, and in December we expect to report a bill with regard to naturalization and covering what the gentleman refers to as well as this. It does not belong to the Committee on the Judiciary.

Mr. GRAHAM of Pennsylvania. I hope the gentleman from California will hear an explanation. I appreciate the force of the objection he is making that naturalization affairs should be considered by the Naturalization Committee, but I beg leave to say that this has nothing to do with naturalization; it is a question purely of the administrative side of the court and the accounting of the clerks. The clerk has to hold certain money that was formerly applied as fees, and instead of that we provide that those fees shall be paid into the Treasury of the United States. I want to say that this bill has the approval of the court, it has the approval of the American Bar Association, it has the approval of the Department of Justice, and these are all a series of bills devised by the Clerks' Association of the United States District Courts to clear up their accounting system and enable them to discharge their work with greater facility. It does not change the naturalization law a particle, it does not change anything connected with naturalization, and it belongs exclusively to the province of the Committee on the Judiciary to pass on questions of this kind.

Mr. RAKER. I hate to differ with the distinguished gentleman from Pennsylvania, but this is under consideration by the Committee on Immigration and Naturalization. It is a matter they are going to dispose of, and it ought to remain on the statute books until it is disposed of. It is clearly within the jurisdiction of that committee. I dislike to, but under the circumstances I am compelled to object.

PONCA TRIBE OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 4275) authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, which the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska may have against the United States, including among other things claims for moneys due the Ponca Tribe but allowed or paid to some other tribe or tribes of Indians, shall be submitted to the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States for determination; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine any and all such claims and render final judgment thereon.

The Court of Claims shall advance the cause upon its docket for hearing, and shall have authority to determine and adjudge the rights, both legal and equitable, of the said Ponca Tribe in the premises: *Provided*, That the court shall hear and determine any legal or equitable defenses, set-offs, or counterclaims which the United States may offer against the said Ponca Tribe, notwithstanding lapse of time or statutes of limitation. The suit or suits instituted hereunder shall be begun within five years from the passage of this act by the Ponca Tribe of Indians as parties plaintiff against the United States as the party defendant. The petition or petitions may be verified upon information and belief as to the facts therein alleged by the attorney or attorneys employed by the Ponca Tribe under contract approved by the Secretary of the Interior and the Commissioner of Indian Affairs, as provided by existing law; and no other verification shall be necessary: *Provided*, That upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to decree the fees to be paid to the attorney or attorneys not to exceed 10 per cent of the amount of the judgment rendered in favor of said Indians; and the same shall be paid out of any sum or sums found due said tribe.

With the following committee amendments:

Page 2, line 6, after the word "counterclaims," insert the words "including gratuities."

Page 2, line 8, change the period to a comma and insert "and any tribe or band of Indians deemed necessary to a final determination of any suit hereunder shall be joined as the court may order."

Page 2, line 21, after the word "Indians," insert "and in no event to exceed the sum of $25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

TO EQUALIZE PAY OF RETIRED OFFICERS OF THE ARMY, NAVY, MARINE CORPS, COAST GUARD, ETC.

The next business on the Consent Calendar was the bill (H. R. 5097) to equalize the pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I object.

Mr. McSWAIN. Mr. Speaker, in the absence of the gentleman from Iowa [Mr. HULL], the author of the bill, I ask the bill may go over and retain its place on the calendar.

Mr. BLANTON. I have no objection.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. McSWAIN] asks unanimous consent that the bill retain its place on the calendar. Is there objection?

There was no objection.

TERMS OF COURT AT SHELBY, N. C.

The next business on the Consent Calendar was the bill (H. R. 8657) to amend section 98 of the Judicial Code providing for the holding of the United States District Court at Shelby, N. C.

The clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That section 98 of the Judicial Code be, and the same is hereby, amended by adding the following language:

"That a term of the District Court of the United States for the Western District of North Carolina shall be held in each and every year in the town of Shelby, N. C.: *Provided*, That suitable accommodations for holding court at Shelby are furnished free of expense to the United States."

The committee amendment was read as follows:

In line 5, strike out the article "a" and after the word "term" add the letter "s."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

TRANSMISSION THROUGH THE MAILS OF BIBLES FOR THE BLIND

The next business on the Consent Calendar was the bill (H. R. 8586) to provide for the free transmission through the mails of certain publications for the blind.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, if this is applicable to publications on behalf of all of the blind people of the United States, I have no objection to it, but if it is just for the blind of a certain community, then I shall object.

Mr. LAGUARDIA. Mr. Speaker, there are three different editions of the Bible published——

Mr. BLANTON. And this would inure to the benefit of the blind all over the United States?

Mr. LAGUARDIA. Yes; using the three different systems of reading.

Mr. McKEOWN. Mr. Speaker, may I ask the gentleman a question? Does it permit the sending through the mail, free, of publications for which charges are made?

Mr. LAGUARDIA. No.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Chair will state that a Senate joint resolution, No. 115, for the same purpose, is on the Speaker's desk.

Mr. LAGUARDIA. Then, Mr. Speaker, I ask unanimous consent to substitute for this House bill Senate Joint Resolution No. 115 for the same purpose.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to substitute for the House bill Senate Joint Resolution No. 115. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Senate Joint Resolution 115

Resolved, etc., That volumes of the Holy Scriptures, or any part thereof, in raised characters for the use of the blind, whether prepared by hand or printed, which do not contain advertisements, (a) when furnished by an organization, institution, or association not conducted for private profit, to a blind person without charge, shall be transmitted in the United States mails free of postage; (b) when furnished by an organization, institution, or association not conducted for private profit to a blind person at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

The bill H. R. 8586 was ordered to lie on the table.

EXAMINATION OF WITNESSES IN EQUITY SUITS IN UNITED STATES COURTS

The next business on the Consent Calendar was the bill (H. R. 8546) relating to the examination of witnesses in suits of equity in the courts of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McKEOWN. Mr. Speaker, reserving the right to object, is this the bill that provides for permitting the party in interest to be examined in trials in equity cases in the United States courts? As I understand it, the rule now in the trial of equity cases prohibits the party from being called by the opposition and made to testify without making him your own witness. Does this relieve that and let a man call him as you do in civil cases?

Mr. GRAHAM of Pennsylvania. Exactly. I was asked to prepare this bill and present it to Congress for the purpose of assisting in certain prosecutions being conducted at the present time. Under the conformity act, in a proceeding at law we can call the opposite party in suits at law for examination as if under cross-examination, but as equity cases are not under the conformity act, but under the rules of the Supreme Court, that can not be done. This act simply extends the power so that you may call the opposite party as if for cross-examination in equity suits the same as at law.

Mr. McKEOWN. Mr. Speaker, I am very much in favor of that and I think that is a practice that ought to have been granted to the United States courts a long time ago.

Mr. DENISON. Mr. Speaker, in order to save time, I object.

Mr. GRAHAM of Pennsylvania. Does the gentleman from Illinois object?

Mr. DENISON. I reserve the right to object, for a moment. With all due respect to the chairman of the Committee on the Judiciary, I do not think that a bill changing the procedure in the courts, which affects the entire country, ought to be put on the Consent Calendar. I do not think that Congress ought to enact a bill of this importance in this manner.

Mr. GRAHAM of Pennsylvania. Will the gentleman permit me to say why it is on this calendar, and I think he will withdraw his objection? This was asked to be presented for the purpose of enabling the prosecuting counsel who are in charge of Government cases to conduct them with greater facility than they can under the existing rules. It is an emergency matter that ought to be attended to by this House promptly.

Mr. DENISON. I am not in favor of changing the rules in that way.

Mr. GRAHAM of Pennsylvania. Besides that it does not change the practice. It simply provides that in one particular thing in equity you can have the privilege that you have in the conformity act at law, to wit, you may call the adversary party as if for cross-examination. That is something that every reasoning lawyer ought to admit.

Mr. DENISON. I do not know whether I am a reasoning lawyer or not, and the gentleman from Pennsylvania evidently thinks that I am not; but I know something about equity procedure, and I am not willing to change the entire procedure of all of the courts of this country for the future in order to facilitate the trial of certain cases that are now pending.

Mr. GRAHAM of Pennsylvania. May I ask the gentleman's attention to one other thing? The committee has collated and presented here——

Mr. DENISON. Oh, I have read that.

Mr. GRAHAM of Pennsylvania. In over 40 States of the Union laws of this kind have been enacted, and the exception is in the rules of practice in equity in the United States courts. If the gentleman wants to hinder and obstruct the present prosecutions that are being conducted, then he may object to this bill.

Mr. DENISON. Mr. Speaker, the chairman of the Committee on the Judiciary has no right to put me in that position. I do not want to obstruct those cases at all. If the gentleman will make his bill apply to those cases only, I shall not object to it.

The SPEAKER pro tempore. Is there objection?

Mr. DENISON. I object.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I ask unanimous consent that the bill may hold its place on the Calendar and be passed over without prejudice for the present.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that the bill H. R. 8546, may retain its place on the calendar without prejudice. Is there objection?

Mr. DENISON. Mr. Speaker, a parliamentary inquiry. What will be the effect if that is done?

The SPEAKER pro tempore. It will remain on the Consent Calendar.

Mr. DENISON. Does it appear upon the record that objection has once been made to this?

Mr. BLANTON. Yes; and it takes three objections the next time.

The SPEAKER pro tempore. No; the Chair thinks the gentleman is wrong. If this order is entered, the bill is not affected at all in its present status on the calendar, except that it can not be taken up to-night, unless there be further order in the matter.

Mr. DENISON. Then, Mr. Speaker, I object.

Mr. GRAHAM of Pennsylvania. Then I want to say to the gentleman that he has put it out of the power of those officials to take advantage of this situation.

The SPEAKER pro tempore. The gentleman from Illinois objects.

AUTHORIZING EXCHANGE OF LANDS WITH THE STATE OF WASHINGTON

The next business on the Consent Calendar was the bill (H. R. 5318) to authorize an exchange of lands with the State of Washington.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That upon delivery to the Secretary of the Interior by the State of Washington of its properly executed conveyance to the United States of America in fee simple of the following lands in that State: The northwest quarter of the northeast quarter, the northeast quarter of the northwest quarter, the south half of the northwest quarter, the southwest quarter and the northwest quarter of the southeast quarter, all in section 16, township 20 north, range 1 east, Willamette meridian, containing 360 acres, the Secretary of the Interior is authorized to issue in exchange therefor a patent to the State of Washington to the following lands in that State: The north half of the northwest quarter, the east half of the southwest quarter of the northwest quarter, the east half of the nortwest quarter of the southwest quarter, all in section 25, township 22 north, range 10 west, Willamette meridian.

SEC. 2. That the lands first described shall as soon as title thereto is vested in the United States be under the care and control of the Attorney General of the United States, to be administered by him as a part of the Federal penitentiary on McNeil Island.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

INSPECTION OF BATTLE FIELDS, FREDERICKSBURG AND SPOTSYLVANIA COURT HOUSE, VA.

The next business on the Consent Calendar was the bill (H. R. 5567) to provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Court House, Va.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to substitute a similar bill (S. 3263) in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent to consider in lieu of House bill 5567 Senate bill 3263. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

A bill (S. 3263) to provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Court House, Va.

Be it enacted, etc., That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

(1) A commissioned officer of the Corps of Engineers, United States Army;

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America.

SEC. 2. In appointing the members of the commission created by section 1 of this act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle fields in and around Fredericksburg and Spotsylvania Court House, Va., and the historical events associated therewith.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle fields in and around Fredericksburg and Spotsylvania Court House, Va., in order to ascertain the feasibility of preserving and marking for historical and professional military study such fields. The commission shall submit a report of its findings to the Secretary of War not later than December 1, 1924.

SEC. 4. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 in order to carry out the provisions of this act.

The bill was ordered to be read the third time, was read the third time, and passed.

Mr. BLAND. I move that the bill H. R. 5567 lie upon the table.

The motion was agreed to.

UNLAWFUL SEIZURE OF VESSELS IN THE BERING SEA

The next business on the Consent Calendar was the bill (S. 1192), an act to confer jurisdiction on the United States District Court, Northern District of California, to adjudicate the claims of American citizens.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That jurisdiction be, and is hereby, conferred upon the United States District Court, Northern District of California, to hear and determine the claims of American citizens, their heirs and legal representatives, for damages or loss occasioned by or resulting from the seizure, detention, sale, or interference with their voyage by the United States of vessels charged with unlawful sealing in the Bering Sea and water contiguous thereto and outside of the 3-mile limit during the years 1886 to 1896, inclusive, and to enter judgment therefor, the measure of damages to be the same as that demanded and collected by the United States of America from the Government of Russia under that certain protocol entered into between the United States and Russia on the 26th day of August, 1900; for the unlawful seizure of vessels owned by citizens of the United States engaged in sealing in the Bering Sea.

SEC. 2. That all American citizens whose rights were affected by said seizure, detention, sale, or interference specifically referred to in section 1 hereof during the years 1886 to 1896, inclusive, may submit to the United States District Court in and for the Northern District of California their claims thereunder, and the court shall render judgment thereon.

SEC. 3. That claims not presented within two years from the passage of this act shall hereafter be forever debarred.

The committee amendment was read, as follows:

Page 2, line 2, after the word "therefor," strike out the remainder of the section.

Mr. McKEOWN. Mr. Speaker, I move to strike out all after the enacting clause of this bill.

The SPEAKER pro tempore. The gentleman from Oklahoma moves to strike out all after the enacting clause.

Mr. McKEOWN. I move to strike out the enacting clause of this bill.

The SPEAKER pro tempore. Does the gentleman modify his amendment? What is the motion of the gentleman from Oklahoma?

Mr. McKEOWN. To strike out the enacting clause.

The SPEAKER pro tempore. The gentleman asks unanimous consent to modify his amendment, and now moves to strike out the enacting clause to the bill. Is there objection to the modification of the amendment? [After a pause.] The Chair hears none.

Mr. McKEOWN. Mr. Speaker and gentleman, I do not object to the consideration of this bill, because I think the bill is entitled to consideration, and the mere opinion of one Member that a bill ought not to pass ought not to prevent its consideration. Now, I am not willing to pass this bill in its present condition unless I have more information about it. I want to say I do not know why it is necessary to go out here and pick out a court in California to permit a lot of claimants to come in with old claims that occurred years and years ago and not go to the Court of Claims, where we send all the other claims against the United States Government. There is no reason why we should pick out a court in the northern district of California and send everybody else to the Court of Claims. We have a Court of Claims here; let them go there. These are claims arising out of the sealing business, claims by men who poached on the seals up in Bering Sea, and now they come here because the United States Government used a little force in handling them up there, and they want to go to the courts of the northern district of California and settle this matter. I do not know how old these claims are, but they date back to 1894. Why did not they let these claims go to the Court of Claims? Why should it go to the northern district of California? The Court of Claims is for the settlement of all claims, and they ought to go there. That is the court that ought to have jurisdiction of it.

For my part I am not willing to vote for this bill to pick out a district court in some part of the United States when we have a Court of Claims here; and there is no telling how many claimants there are and how big their claims are and what the judgments will be. I can give you a little experience about going to local courts with claims against the United States. Down in the Indian Territory some years ago the Congress authorized the United States courts to determine the right of claimants to tribal rights in that Territory, and judgments were entered so promiscuously that Congress felt outraged and passed another law and created a special court that took all those men off the rolls that had gotten on through the master's reports of the district court in Indian Territory. I am not willing to permit men to go to a special court in the United States without going to the Court of Claims. I am against the precedent of adjudicating claims 50 years old in that way. I do not think that is the proper way to transact this business.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, this bill refers to what is termed pelagic seal fishing. It was assumed that after our country came into possession of Alaska the United States had exclusive control over Bering Sea, and it was because of that assumption that outside of the 3-mile limit vessels were seized. Russia joined in it; Great Britain joined

in it, and the United States joined in it. American vessels were seized as well as the vessels of other nationals. All the other claims have been paid. Suits were had, and Russia was compelled to respond, and Great Britain has been compelled to respond, and the only people who have not had any redress are the American citizens whose vessels were seized.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. GRAHAM of Pennsylvania. Yes, sir.

Mr. BLANTON. Is it not a fact that the United States Government can adjudicate these claims much more easily and much more cheaply in the court of the northern district of California than in the Court of Claims? That is the reason why I let this bill go by.

Mr. GRAHAM of Pennsylvania. That is the very reason, I will say to the gentleman from Texas, that was advanced in the committee, and which influenced the action of the committee. We believed that the court ought to be brought as near to the litigants as possible, and not make it necessary for litigants to come to Washington to present their claims. We want to enable people to present their claims in a jurisdiction near at hand, where the witnesses can be obtained, and where justice can be administered. Gentlemen, have you not confidence in the courts in California?

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. MADDEN. Does the gentleman know how many claims there are, and what they amount to?

Mr. GRAHAM of Pennsylvania. No. The bill is not to adjudicate or pay the claims, but simply to confer jurisdiction on that court to try the cases; nothing more and nothing less. Under those circumstances the jurisdiction ought to be given to that court, so that the litigants can appear there and make their trial.

Mr. McKEOWN. Will the gentleman yield for a question there, about bringing them to the courts?

Mr. GRAHAM of Pennyslvania. Yes.

Mr. McKEOWN. Is it not just as easy for these attorneys for the Government, as they do in other cases pending before the Court of Claims, to go out to the place and take testimony? That is done in other places.

Mr. GRAHAM of Pennsylvania. I yielded to the gentleman for a question not for an address.

Mr. MOORE of Vigrinia. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. HASTINGS. Do you not have the right of appeal from this court the same as from other courts?

Mr. GRAHAM of Pennsylvania. Yes, sir.

Mr. MOORE of Virginia. Are not these damage claims noncognizable by the Court of Claims under the law?

Mr. GRAHAM of Pennsylvania. That is true; and it has been held, as we reported in our report, that the propriety of the proposed legislation has been passed upon by the Attorneys General of several administrations and that the equities involved have been fully determined at Paris, Victoria, and The Hague.

The Congress of the United States has recognized the arbitration agreement, and the case of La Ninfa against the United States has established the law that our citizens have the same right to rely upon the award at Paris as have the citizens of other nations.

Mr. MacLAFFERTY. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. MacLAFFERTY. Mr. Speaker, I want to say that some of the claimants here are in the poorhouses of our country. One of the claimants, an old man, with a just claim against the United States Government for 45 years, is in the poorhouse of Alameda County, in my district. I want you to know that this bill has passed the Senate two or three times, and I am asking you gentlemen to allow this old constituent of mine to at least go into the United States District Court after 40 years and have his case heard. Is there no justice in this country of ours?

Mr. McKEOWN. Will the gentleman yield?

Mr. MacLAFFERTY. I have no time to yield.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma to strike out the enacting clause.

The question was taken, and the motion was rejected.

The SPEAKER pro tempore. The question now recurs on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is now on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

NATIONAL PROHIBITION ACT

The next business on the Consent Calendar was the bill (H. R. 6645) to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HILL of Maryland. Mr. Speaker, this is too important a bill to be considered under unanimous consent, and I object.

DRAINAGE SYSTEM FOR PIUTE INDIAN LANDS IN THE STATE OF NEVADA

The next business on the Consent Calendar was the bill (S. 1203) to amend an act entitled "An act authorizing an appropriation to meet proportionate expenses of providing a drainage system for Piute Indian lands in the State of Nevada within the Newlands reclamation project of the Reclamation Service," approved February 14, 1923.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act authorizing an appropriation to meet proportionate expenses of providing a drainage system for Piute Indian lands in the State of Nevada within the Newlands reclamation project of the Reclamation Service," approved February 14, 1923, be, and the same is hereby, amended to read as follows:

"That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $49,603.05, payable in 20 annual installments of $2,500 each, except the last, which shall be the amount remaining unpaid, for the purpose of meeting the proportionate expense of providing a drainage system for 4,887 acres of Piute Indian lands in the State of Nevada within the Newlands project of the Reclamation Service.

"The money herein authorized to be appropriated shall be reimbursed in accordance with the provisions of law applicable to said Indian lands."

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

TEMOAK BAND OF INDIANS

The next bill on the Consent Calendar was the bill (S. 1308) authorizing an appropriation to enable the Secretary of the Interior to purchase a tract of land, with sufficient water right attached, for the use and occupancy of the Temoak band of homeless Indians, located at Ruby Valley, Nev.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would like to know whether we can be given information as to the character of this land and what the bill means when it says that there is to be a sufficient water right attached. In other words, is this going to buy land which will help these Indians to live? I have been in the State of Nevada, and heaven forbid that you have Indians live in some places in the State without a sufficient water right. Does the bill mean that their lands will be irrigated?

Mr. RICHARDS. Has the gentleman ever been in Ruby Valley?

Mr. CRAMTON. I do not remember Ruby Valley.

Mr. RICHARDS. These lands are privately owned now, and they have a water right attached to them.

Mr. CRAMTON. And they are subject to irrigation?

Mr. RICHARDS. Yes; and these Indians are irrigators.

Mr. CRAMTON. And it is expected that this money will furnish sufficient lands, under water rights, which will be subject to irrigation?

Mr. RICHARDS. Yes.

Mr. BLANTON. May I ask whether the entire Nevada delegation is unanimously in favor of this bill?

Mr. RICHARDS. We have caucused on it and we are in favor of it.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the sum of $25,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the United States Treasury not otherwise appropriated, to enable the Secretary of the Interior to purchase a tract of land, with sufficient water right attached, for the use and occupancy of the Temoak Band of homeless Indians, located at Ruby Valley, Nev.: *Provided*, That the title to said land is to be held in the United States for the benefit of said Indians.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

SEISMOLOGICAL INVESTIGATIONS

The next business on the Consent Calendar was the bill (H. R. 8308) authorizing the Coast and Geodetic Survey to make seismological investigations, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, this year in the appropriation bill there was an item of $10,000 for a subject that seems to me akin to this, volcanology. The Weather Bureau, we were told, had been spending about that much a year in observations in Hawaii, and the Department of Agriculture had arranged with the Department of the Interior to take over that work, hence we gave $10,000 to the Geological Survey to conduct the work in Hawaii. Now, this seems to me more or less of a duplication of this work. It ought to be centered, it seems to me, either in the Coast and Geodetic Survey or in the Geological Survey. I am opposed to duplicating authority.

Mr. LEA of California. The object of this bill is principally to prevent the duplication of this work. Originally the study of earthquakes was carried on by the Weather Bureau. They simply kept records of earth movements as manifested by the instruments maintained at various places for that purpose, but since that time modern science has adopted different methods of studying earthquakes, particularly earth movements.

Mr. CRAMTON. Let me ask the gentleman this question, because it is a matter in which I am not very well versed: Is not the study of volcanology closely akin to seismology and ought not the work to be in one bureau?

Mr. LEA of California. Well, that is probably true.

Mr. CRAMTON. And, if so, do we understand that if this legislation goes through that hereafter we will not be expected to continue the $10,000 appropriation made to the Geological Survey for the study of volcanology?

Mr. LEA of California. I can not inform the gentleman as to that $10,000 appropriation for the study of volcanoes, but the work, as a matter of fact, referred to in this bill is already being done by the Coast and Geodetic Survey so far as comprehensive, constructive work is concerned.

Mr. CRAMTON. I am extremely sorry, but I think for the present I shall have to object to this bill. I will say to the gentleman that in the morning I will take it up with some of the authorities, get the necessary information, and I may later withdraw my objection.

Mr. LEA of California. Of course, the departments have approved this bill. Mr. Speaker, I ask unanimous consent that the bill retain its place on the calendar without prejudice.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that the bill retain its place on the calendar without prejudice. Is there objection? [After a pause.] The Chair hears none.

PUBLIC BUILDINGS AND GROUNDS IN DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 1918) relative to officers in charge of public buildings and grounds in the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I have discussed certain amendments with the gentleman from Indiana [Mr. ELLIOTT], the acting chairman of the Committee on Public Buildings and Grounds, and I understand they are satisfactory to him; and with the understanding they will be adopted, I have no objection to the bill. I think it is a desirable bill.

Mr. ELLIOTT. I have no objection to the proposed amendment.

Mr. BEGG. Reserving the right to object, will the gentleman please give us some information as to what the proposed amendments are?

Mr. CRAMTON. The purpose of the bill is to simplify a confusing situation now existing concerning the commission in charge of the State, War, and Navy Departments Building and other offices. The director of those buildings——

Mr. BEGG. Who is the director?

Mr. CRAMTON. Colonel Sherrill is the man who does all this work. The commission on the State, War, and Navy Departments Building is the Secretary of War, the Secretary of the Navy, and the Secretary of State. That is an old commission that was created to build the State, War, and Navy Departments Building, but now their reason for existence has disappeared.

Mr. BEGG. Will the gentleman yield right there?

Mr. BLANTON. Mr. Speaker, there is too much room for argument on this bill and I object.

Mr. CRAMTON. Will the gentleman withhold his objection? This is a desirable bill.

Mr. BLANTON. But we can pass it in December, when we come back.

Mr. CRAMTON. It is a Senate bill and will simplify the administration of the buildings and parks.

Mr. BLANTON. There are a lot of amendments to be offered, and I object, Mr. Speaker.

TO COMPENSATE CHIPPEWA INDIANS OF MINNESOTA FOR LANDS DISPOSED OF BY FREE HOMESTEAD ACT

The next business on the Consent Calendar was the bill (H. R. 26) to compensate the Chippewa Indians of Minnesota for lands disposed of under the provisions of the free homestead act.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'SULLIVAN. Mr. Speaker, I object.

TO COMPENSATE THE CHIPPEWA INDIANS OF MINNESOTA FOR TIMBER AND INTEREST

The next business on the Consent Calendar was the bill (H. R. 27) to compensate the Chippewa Indians of Minnesota for timber and interest in connection with the settlement for the Minnesota National Forest.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'SULLIVAN. Mr. Speaker, I object.

UNITED STATES BOTANIC GARDEN

The next business on the Consent Calendar was House Joint Resolution 257 providing for the procurement of a design for the use of grounds in the vicinity of the Mall by the United States Botanic Garden.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McKEOWN. Mr. Speaker, reserving the right to object, What is the purpose of this bill, and does it carry any appropriation?

Mr. LUCE. This bill authorizes an appropriation of $5,000, which is put in for the purpose of paying for an expert landscape architect if it should be found desirable to employ him. No other expenditure is contemplated, and that may not be necessary.

Mr. McKEOWN. Is it limited to the use of $5,000 for salary or expenses?

Mr. LUCE. Five thousand is to be authorized in case it should be necessary in drawing plans to get the advice of an expert outside of the Government service.

Mr. BEGG. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. BEGG. Has not the Government in its employ right now with the Fine Arts Commission such an architect?

Mr. LUCE. No; not a landscape architect. There is, I understand, a competent man connected with the office of Colonel Sherrill, and our expectation is that he will do the work, but if it should be found desirable to get a consulting engineer, it might be desirable to pay him some moderate compensation for his advice.

Mr. McKEOWN. I will say to the gentleman that I do not know who has charge of the appropriations covering the matter, but I want to call the attention of the House or whoever has the right to look into it to the necessity for a tourist camp here in Washington in keeping with the National Capital so that

people coming here from all over the Nation may have some place to camp in and about this Capital. We have no such place now.

Mr. AYRES. I beg the gentleman's pardon, if the gentleman will permit, we have such a place provided for down here in the park.

Mr. CRAMTON. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. CRAMTON. While the gentleman from Kansas [Mr. AYRES] is on his feet it should be understood that we have a tourist camp which the Secretary of War has been trying to remove to some undesirable spot.

Mr. AYRES. That is true.

Mr. CRAMTON. And there is an amendment now before the committee of conference, an amendment by the Senate, to remove the designation of the location, and if that should prevail, it is good-by to your tourist camp.

Mr. AYRES. That is not going to prevail; I am on that committee.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. BLANTON. I reserve the right to object, Mr. Speaker——

Mr. McKEOWN. I was reserving the right to object, and I did not know my time had expired. I am not going to object if I can get some assurance that we are going to have a tourist camp around here, but I am going to object in the future to expending a lot of money around here to make things look pretty and then have these men who come here to camp have to sleep out down here in this park.

Mr. AYRES. I want to assure the gentleman that there is going to be a tourist camp here.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Massachusetts if it is contemplated to leave Mr. Hess out of this matter?

Mr. LUCE. Not in the least. Mr. Hess consulted me in the matter and has approved this way of attacking the problem.

Mr. BLANTON. What I am driving at is whether he is to be one of the commissioners.

Mr. LUCE. There are no commissioners.

Mr. BLANTON. I mean, is he to be one of those provided for in the bill to pass on this matter?

Mr. LUCE. The work is left in the hands of the Committee on the Library, where the statute puts the control of the Botanic Garden.

Mr. BLANTON. And is Mr. Hess to be consulted about this matter?

Mr. LUCE. Certainly.

Mr. BLANTON. This will not take away any of his present rights or authority down there?

Mr. LUCE. Not in the least.

Mr. BLANTON. It is not a bill to which he is antagonistic?

Mr. LUCE. Not to my knowledge.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Resolved, etc., That the Joint Committee on the Library is hereby authorized and directed to investigate and report to Congress, with estimate of cost as to a new location for the conservatories of the United States Botanic Garden, south of the Mall in the vicinity of the present location, and also as to a suitable landscape plan in connection therewith: *Provided*, That in the preparation of such a report the committee is hereby authorized to procure advice and assistance from any existing governmental agency, including the services of engineers, surveyors, draftsmen, landscape architects, and other technical personnel in the executive departments and independent establishments of the Government.

SEC. 2. For the purpose of this act the sum of $5,000 is hereby authorized to be appropriated from any available money or money that may become available in the Treasury of the United States.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

AUTHORIZING AN INVESTIGATION OF THE PROPOSED CASPER-ALCOVA IRRIGATION PROJECT

The next business on the Consent Calendar was S. J. Res. 114, authorizing an investigation of the proposed Casper-Alcova irrigation project, Natrona County, Wyo.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to prepare and submit to Congress at the beginning of the next regular session plans and estimates of the character and cost of structures necessary for the construction and completion of the proposed Casper-Alcova irrigation project in Natrona County, Wyo.

The following committee amendment was read:

Page 1, line 8, strike out the period, insert a comma and the following: "the Deschutes project, in the State of Oregon, and the southern Lassen irrigation project, in Lassen County, Calif.: *Provided*, That at least one-half of the cost of all such investigations, plans, and estimates shall be advanced by the State in which the project is located, or by parties interested."

The committee amendment was agreed to.

Mr. WINTER. Mr. Speaker, this joint resolution for the investigation of the Casper-Alcova project is not, strictly speaking, authorizing a new investigation, but rather the continuation and completion of an investigation heretofore begun under a cooperative arrangement between the Reclamation Service and the State of Wyoming. Under that arrangement the project has been examined sufficiently to fix, verify, and agree upon the following facts: That there is available sufficient water in the North Platte River unappropriated to irrigate, and there is available good land irrigable to the amount of 88,000 acres; that the altitude—approximately 5,100 feet—and the length of season is suitable for a variety of crops; that it is contiguous in a half circle to the city of Casper, now holding a population of 35,000 and increasing steadily at the rate of 5,000 per year. Casper is the center of the oil-refining business of Wyoming. The investment in refineries approximates $50,000,000; there are refined daily about 80,000 barrels of crude oil. Casper manufactures and ships out by rail more gasoline than any city in the United States. It is served by two great railroad systems running east and west and one north and south line.

For many years this young marvel city of the West will grow and thrive and create wealth. Fifty per cent of all food products consumed there are shipped in. It is and will be a great and increasing market for the products of the farm.

In the county of Natrona, wherein the city of Casper is situated, and supplying these refineries with crude oil, are a number of oil fields, among them the great Salt Creek field, one of the greatest light oil fields in the world and in the history of oil production. Two sands only of seven possible sands have been penetrated for production. These two sands have been producing more than 10 years, and there have been produced from them 100,000,000 barrels of oil. They are to-day producing at the rate of 100,000 barrels per day.

From this field and other fields in Natrona County, wherein this irrigation project lies, there has been paid into the Government Treasury in royalties under the general leasing act the sum of $21,000,000. Fifty-two and one-half per cent of this vast sum has been paid into the reclamation fund. As a matter of equity and justice the county of Natrona and State of Wyoming is entitled to an early and a complete investigation of this irrigation project to ascertain if it be feasible, and if feasible, to early construction. In determining its feasibility it should be noted that market and railroad facilities will sustain a high cost per acre.

This project should be built for two apparently opposite considerations: The first is the fact of a local market and need for products at the very door, in the very center of the project; the second, to preserve and maintain in after years, when the oil shall have been exhausted, a splendid young American city, now rising, growing, and expanding as one of the most active, capital-attracting, business-building, and wealth-creating centers in the United States. In the early years of this project, the city in furnishing a market for its products will aid the project. In after years the project will maintain the city and be served by it. The combination is logical and reciprocally sustaining.

Here an independent, courageous, aggressive, and patriotic people have builded and are still building a model industrial center. It is a city typical of American enterprise, initiative, and indomitable energy; a city in which its people can take and do take great and justifiable pride and of which every citizen of the United States can be proud. It is building great office buildings, imposing churches, fine hospitals, modern schools. More than 30 miles of paving checkerboard squares of modern, artistic bungalows and beautiful residences.

But this city, this community, this county are giving up of their resources vast amounts of wealth which, once gone, can never be replaced. The Nation is using up the capital wealth of that region, and it will be gone forever and never renewed. We are giving up our life's blood. To avoid in some future day the collapse of this wonderful young city, the loss of the millions of capital invested there whereby the marvelous oil industry was made possible, to prevent the calamity, the tragedy of

the death of an American city, with all that that term implies, that life's blood must be renewed. New resources and possibilities of wealth must be developed.

We have such resources, we have such possibilities, but on so vast a scale that private capital can not undertake to develop them. They reside, like good genii awaiting to be released, in the soil and in the adjacent water which nature has munificently bestowed upon us. Eighty-eight thousand acres of virgin soil, fecund earth, sagebrush ground, rich with its original vigor and fertility, untouched, unwasted, are there. This soil has for its base volcanic ash, which we are told has in it all the chemical elements of grain. It is said that the island of Sicily, made up of this kind of soil, has been producing wheat for a thousand years and that it is producing almost as much per acre to-day as it ever did. Such is the soil.

It is a magnificent thing that with the land we have the waters to apply to this great area of virgin soil. Water! The reviving, refreshing, purifying, restoring, life-giving fluid! It is the blood of the soil. It makes glad the earth. Touching the burning sands, it produces grass and grain and flower and wealth. When I look into a mountain stream I see in its sheen the white of silver, in its glitter the flash of diamonds. In its pools I see the green of meadows and trees and growing fields; in its shaded deeps the dark purple of ripening fruit; in its sunlit underflow the yellow of golden grain. In its tinklings I hear the clink of precious metals, in its gurglings the merry voices of children, in its splashings the laughter of men, in its rushing the singing of women, in its roar the strains of the triumphal march of the mighty West! Water! That greatest, most widespread, most wonderful, most blessed gift to man. Under its vitalizing contact the deserts of the West spring from sterility to fertility, from barrenness to fruitfulness, from desolation to habitation, from death to life. Behold the apotheosis of the West! New havens are opened to the coming millions; a new earth is theirs. A mighty people whose blood is red and whose hearts are strong and true here develop an empire in plenty, peace, and happiness. Water! It is the spirit of the West!

We are to-day, it is true, in a condition of surplus and so-called overproduction, because of lack of market at a living price, of certain grains and food products. This is temporary. In the very nature of things this will pass in time. Permanently this Nation must provide more and more for its own people and the people of the world. There are hungry mouths in every land. In the long run of the future years, the pressure of our increasing population, we must have more land for production. The solution is to command the immense volumes of water which rush down from the mountains of the Continental Divide to inundate the lower countries and destroy life and property every spring, and by great reservoirs store up this flood of wealth and by canals distribute it over the vast areas of land, rich and fertile, but sterile because of lack of moisture. Irrigation farming is and will be the scientific farming. It will raise more and better crops than any land under natural rainfall, which is subject to inundation or drought at any time. The snows every winter are piled up on the divide in inconceivable quantities. Here is the elevated moisture; below is the land; it is simply a proposition to bring the two together.

We must continue to create huge storage reservoirs in different parts of the West which will bring millions of acres under cultivation and provide homes for tens of thousands, aye, hundreds of thousands of our people. There are ranges of territory so vast that no company of individuals can ever hope to be able to place them under irrigation because of the millions of dollars required. But the Government can and does, and it is the most beneficial national policy inaugurated since the original homestead act.

I may be an enthusiast, but it seems to me that the finest, greatest feature of our project is the idea that we are to cause many blades of grass to grow where none grew before. We shall create something; we shall transform, enrich, and beautify this noble area of 88,000 acres of American soil. We do not take them from any man, our profit is no man's loss, but gain; we produce something, we add to the Nation's wealth. It may be sentiment but it certainly is a noble one that must elevate and enlarge us to contemplate the turning of the raging mountain stream, the leading of its tamed waters upon the waiting soil, which centuries upon centuries has been dormant, useless, void, dead.

Eighty-eight thousand acres! Think of it! For the first time the hand of man will touch this virgin soil, as fertile as any on God's earth; we upturn that soil to the sun and the winds, we will sow the seed where seed had never been before, we will turn the life-giving waters on that great area, and from the union of soil and seed and water grain and fruit and flowers will spring to life to drink in the sunlight, the pure air, the sustenance of mother earth, and transform them for the use of man. Where solitude and sterility reigned I see hundreds of happy homes and hear the joyful voices of thousands.

The United States has received up to this day more than $21,000,000 from the county of this project in oil royalties. It has retained 10 per cent of that amount; it has placed in the reclamation fund more than 50 per cent of that amount. The Federal Government is the only power great enough, strong enough, and in position to be just enough, by reason of the benefits it has received, to bring about this union of this land and this water on this project. We ask that out of the reclamation fund to which this community has contributed so much of its irreplaceable wealth, and for many years will continue to contribute in great sums, this investigation be completed, that the feasibility of this project be given every element of consideration, every advantage to make it successful, and that development and construction be undertaken at an early date. Give us back now the opportunity to develop on our soil a new resource which shall be ready to sustain us when the wealth beneath the soil is gone. Perpetuate a city. Build up a State. Sustain a people. Do equity and justice. The Nation will be the gainer.

We are to-day considering a bill readjusting the policy of repayment of moneys expended from the reclamation fund in the building of irrigation projects by the settlers and water users thereon. While we shall keep in mind business principles, let no narrow, close policy govern us with reference to this matter. These builders of civilization out of the wilderness deserve the highest consideration and the most liberal treatment. They do not want any gift, any charity, nothing justly chargeable that they do not eventually pay for. Do not burden the new projects with interest payment even if time be extended to 40 years. It doubles the cost to be eventually paid by the settler and leaves the annual payment practically the same. It burdens the man, the land, and the project. If he returns the principal it is enough, though the term of years be extended even to 30 or 40 years. Let them pay on all projects according to the productive power of each tract or class of land. This is sane, economic, and just. The 35,000 settlers on existing projects, covering nearly 2,000,000 acres, have created since the reclamation policy was begun wealth to the amount of $600,000,000.

They will do even better in the future when this appalling general agricultural depression, to which the Government water users are particularly susceptible because of fixed payments, shall have been lifted. The pressure of increasing population and consumption throughout the world, and especially in the United States, the steadily mounting, consuming power of the people, can eventually be met in only one way. All other remedies are insufficient. This only can be sufficient. The producing power and ability of the land and of the producer must be increased. Production must keep pace with consumption. The law of supply and demand has not been abrogated.

Therefore the people in their wisdom, which ultimately finds the true causes and remedies, will turn to increased production. Mother earth provides the great remedy. It is for our people to apply it. While it is true that land area is limited, while it is true that Eastern and even the Central States are gradually impoverishing their soil, patriotic and intelligent men are improving methods of cultivation, of seeding, of planting, of conserving moisture, of irrigation—in short, scientific farming. Henceforth there will be greater effort to intensify farming, increase the yield per acre, and make the acre produce which has not produced heretofore. While the so-called waste places have been reached in the onward march of the pioneers, there are yet vast tracts unoccupied of as fertile a soil as the sun ever shown upon in our western country, waiting for the spirit of the waters to visit them to spring into life and laugh with harvests. This project is one of them. The return of the full principle justly due upon his contracts is to be required and will not only be asked but paid. But after all that is not the chief consideration running to the Government. The benefit to the Nation is incalculable.

The great thing is the transformation of the wilderness to civilization. It is the occupation and cultivation by the capital and labor of the settler of the unoccupied lands of this country. It is the creation of taxable wealth to help sustain the Government for all future time. It is the establishment of homes as under the homestead law. It is the strength of manhood and womanhood contributing to the safety and defense of the Nation. It is the addition to our population of a splendid, enlightened, industrious citizenship which will enhance and en-

rich the security, the order, the welfare, the glory of our common country.

Reclamation is sound, it is sane, it is wealth creating, it is food producing, it is home and citizen building, it is desirable, it is necessary to the future of our people, it is beautiful. Listen to the Genesis of Reclamation, the story of Desert and Living Waters:

Desert lay dry eyed, fierce, and brooding. The blazing sun smote him with a heat that sank deeper and deeper into his burning body and held him in iron thrall. The hot winds writhed and twisted the dry sands, swept and eddied and piled them in heaps, but to anon scatter and destroy. No living thing sought his company save the deadly, the poisonous, the hideous things filled with heat-engendered venom. The rocks and ridges, cracked and grim, were but the knottings and ridgings of his mighty thews as he strained against his leashings with the pent-up fury of despair.

The sand storms, piercing and pitiless, smiting with their million needles, sweeping like gray pestilences across the voids, were but the aching throes and convulsions of his drought-tortured heart. The thunder of the dry storms were the flashings and shootings of pain along his tensed nerves. The racking dryness of the years had all but sucked the last drop of blood moisture from his heart, and dark despair had graven its terrible hieroglyphics upon his rugged face. Sterile, sullen, sinister, yet magnificent, he lay prostrate, shackled, inert—awful in his fettered dry-docked strength.

High up on the side of a neighboring range a mountain stream—Living Waters, daughter of the snow god—who ruled in white majesty over his dominions, daily journeyed down the great slope, flowing, leaping, laughing, beautiful beyond compare. She sprang along, bubbling with joy, gurgling with gladness, dashing in misty cataracts, spraying falls, and dancing riffles, hued with rainbow prisms, sparkling with crystal diamonds; rested and slept in larkling green and silver deeps and eddies, to again spring forward with renewed ecstacy.

Long had desert silently wooed her with his somber and gloomy gaze, and his great loneliness had touched her heart. And when the fiery ball of day had withdrawn his terrible white light, when the cool shadows of evening relieved desert's aching brow, and the softening lights of the receding day made him glorious in red and purple and bronze, she saw that he was not only strong but beautiful, with the stern beauty of a man; saw his real self, rich with capabilities, full of latent powers, eager to fulfill a great destiny. And she loved him.

She had now and then uncertainly, timorously touched the fringes of his garments in passing and heard the deep murmurings of his heart. And one marvelous day, unable longer to resist his silent pleadings, the tumult in her heart, her longings rising to flood tide, she turned from her wonted course, leaped down a strange ravine, and, throbbing with joy, rushed to meet him in glad surrender.

With passion he saw her coming, opened wide his arms, clasped her to his broad breast, and drank and drank with the thirst of long, awful years of her fresh beauty. She gave herself to him and he to her. She filled his veins, softened his heart, permeated his being, exalted his soul. The day of his redemption was come. His bonds were loosed. He rose in the majesty of his newly freed strength. His powers expanded. And lo! From that union were born vistas of waving grasses, nodding trees, blushing flowers, and golden grain—smiling, peaceful, and glad.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended.

HOUSE JOINT RESOLUTION 282, FOR THE CREATION OF A COMMISSION TO INVESTIGATE CRIME

Mr. THATCHER. Mr. Speaker, I desire to incorporate with these remarks House Joint Resolution 282, which I had the honor to introduce to-day. It provides as follows:

Joint resolution for the creation of a commission to investigate crime

Resolved, etc., That a commission be, and the same is hereby, created consisting of two Senators, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, to be known and styled the "Commission to investigate crime," and hereinafter referred to as the "commission." The members of the commission shall elect one of its members as chairman of the commission; and the commission is hereby authorized to select a secretary; and also such clerks, stenographers, and aids as the work of the commission may require; the total expense of the commission not to exceed, however, the total sum authorized therefor by the provisions of this resolution.

SEC. 2. That the commission be, and the same is hereby, authorized and directed, (a) to make an investigation of the general subject of law violation, and to inquire generally into the character and extent of all classes of crime committed in the United States, and its territories, possessions, and dependencies, both in respect of laws of the United States and those of local character; (b) to secure information and data as regards the methods of criminal procedure, the penalties denounced by law, and the convictions and acquittals in criminal prosecutions in the United States and in its possessions, territories, and dependencies; (c) to secure, for purposes of comparison, like information and data, to the extent practicable, similar to that indicated in clauses (a) and (b) of this section, as regards countries other than the United States; (d) to prepare and compile appropriate tables and data setting forth the results of such investigation and inquiries, and to file the same with the Congress and the President of the United States, together with such report or reports and recommendations as, in the premises, the commission or any of its members may deem it wise or appropriate to make.

SEC. 3. That in addition to the expense authorized by section 1, the commission is hereby authorized also to incur such traveling and other expenses as may appear to it to be reasonable or necessary in the performance of the duties herein imposed; the total of the expenditures under this joint resolution not to exceed, however, the sum of $20,000; and all of the said expenses shall be paid from the contingent funds of the Senate and House of Representatives in equal proportions, upon vouchers authorized by the committee and signed by the chairman thereof.

SEC. 4. That the commission be, and it is hereby, directed to begin promptly its work hereunder, and to continue and complete the same with due diligence.

SEC. 5. That if any vacancy shall occur at any time in the membership of the commission the President of the Senate, in the event any vacancy occurs in the Senate membership of the commission, shall fill such vacancy by another like appointment, and in the event any vacancy occurs in the House membership of the commission the Speaker of the House shall fill such vacancy by another like appointment.

SEC. 6. That the passage of this joint resolution shall not abridge or interfere with the work of any other commission, board, or committee which may be created or authorized by the Congress for the purpose of investigating any particular class or character of law violations; it being the declared purpose and intent of this measure that the investigation and inquiries herein provided for shall relate to and include all classes of crime, and shall constitute a general survey of the whole subject of crime.

Under the rules this joint resolution will lie over until the December session of the present Congress, when it will be considered, as will be, other current measures.

At this time I shall not undertake to discuss the joint resolution in any extended way. I merely wish to bring its purpose and provisions more formally to the attention of the two Houses, and, also, in this incidental way, to the general public notice. For present purposes a few general observations will be sufficient.

The problem of good and evil is, of course, age-old. The subject of "crime" is engaging, more and more, the attention of the thinking people of the world. Crime is an active form of evil, conceived in the human brain, and executed by the physical man. Evil is perverted good—a misapplication or misdirection of some great natural law whose operation is intended to be for the benefit of all animate creatures. It is only when such a law is perverted, or applied in a manner inconsistent with its true purpose, that evil results. The law of gravitation, for instance, has, for its benign and mighty purpose, the stabilization of the universe; yet if a human being should step from a height into space, by the operation of that law, he would be dashed to pieces. The great principle of gravitation can not suspend itself to protect the individual from his ignorance or folly. Fire and water are two great agencies which serve the entire world; yet each, when uncontrolled, may destroy every form of life and property. Similarly, the human desires and passions have been created for wise and beneficient purposes. It is only when they become, by indulgence, masters instead of servants, that they achieve crime, misery, and shame, instead of all the virtuous results which will ever attend their controlled functionings. All of this may be trite, but, by way of preface, it may be well here to restate these self-evident truths.

It is apparent that the very agencies which contribute so much to our comfort, convenience, and happiness, are also contributing, in an appalling way, because of their deranged and perverted uses, to the commission of crime itself. The means whereby association and contact have been so greatly augmented among our human-kind, have, unfortunately, been uti-

lized, in innumerable ways, to aid in the commission of crime; and in other ways, unwittingly, perhaps, to sow the seeds, which all too soon, ripen into criminal action.

Thus, to illustrate, modern science has given us the automobile, an agency which has contributed everything to our comfort and convenience; yet wicked men and women have seized upon it as an all-important aid in the commission of acts of banditry and murder. Too often, also, its perverted use has contributed to moral delinquency. Contact should bring good will, good fellowship, and mutual benefit; but, to the morally unthinking, contact ofttimes brings all that is evil. The steamship and the railway train, the telephone, the telegraph, and the postal system have revolutionized the world of thought and action, and have become the mighty indispensables of our civilization; yet they also break down a thousand barriers which have served to strengthen the moralities. Because of them all frontiers seem to have been abolished. The picture-screen is an agency of the highest educational and moral value, if used aright. If used unwisely or wickedly, it becomes a veritable spirit of evil, sowing, in salacious and perverted portrayals, the seeds, which, falling into the minds of the immature and heedless, shortly ripen into activities of moral turpitude. The same is also true of the printed page. Because of sinister uses of all these great and beneficent agencies, we can not afford to destroy them, for the good too greatly outweighs the evil involved. As to film and print, censorship is not to the liking of a free people, and may ofttimes do more harm than good. What a pity it is that we can not solve our moral problems with the ease with which we are able to solve those of a purely mechanical or engineering character.

What are the influences which lead to the commission of the large number of grave crimes we read of from day to day in the public news? What are the molding agencies that have brought about so much banditry, brigandage, and murder, and every form of crime and moral excess? What were the causes that impelled, recently in Chicago, the wanton murder of a young student at the hands of two precocious youths who seemed to have had every advantage which wealth could command, and who appear to possess everything in the way of intellectual power, but nothing in the way of moral purpose?

The design of this resolution is to cause to be made a careful, judicious study of the whole subject of crime; and to secure a comprehensive report thereon, in line with the provisions of the resolution. No special class of criminal violations is to be sought out; no preconceived or partisan purpose is desired to be served. No good can be accomplished in the proposed inquiry unless the subject is approached and considered in the broadest and most conscientious manner possible. Of course, eminent criminologists and scientists have, for centuries, made extensive studies touching the cause and prevention of crime, and have formulated findings and conclusions thereon; and yet, withal, the field seems to be largely fallow. Aside from the abstract questions involved, we need concrete, practical action for the benefit of ourselves. The prevalence of crime in the United States is appalling. The comparative ease with which criminals escape the toils of the law undoubtedly makes for an increase of crime. We know, to be sure, that the meting out of swift and scrupulous justice to the criminal is a powerful deterrent of crime. Our laws are usually framed with sufficient force, but there is a grave fault in our methods of procedure. The definitions of crime are, perhaps, sufficient, but the terms of procedure are too often prescribed for the benefit of the wrongdoer, and to the great disadvantage of the Commonwealth. But aside from this, there is to be considered the even more important subject of the causes for crime. Men and women drift into the conditions which irresistibly drive them into the commission of every character of crime. What can legislation and executive and judicial action do to arrest these processes?

No graver subject can engross the attention of thoughtful persons than that now presented. Permit me to say that because of several years' experience as a Federal prosecuting attorney, and because, also, of service in executive capacities where I was charged with the law-enforcement duties, I have long been impressed with the importance of the matter under discussion.

Ours is a mighty nation, and we are a mighty people. Inherently we are sound, potentially we are strong; but if we are to retain our strength and greatness, if we are to safeguard and perpetuate our ideals and institutions, we must not only stand for the supremacy of the law, but we must also seek the causes which induce the commission of crime; and with the knowledge which comes of careful study and observation we must, in both State and Nation, by wise legislative, judicial, and executive action, seek to minimize the agencies which produce crime and thwart justice; else the power of these agencies will grow and grow, until they destroy us. Greater respect for law and order is needed. How shall it be brought about? Greater reverence for the higher things is indispensable. Can the State, in any proper way, assist in inculcating reverence? What can the State do, more than it is now doing, to aid church and school in teaching these great fundamentals upon which enduring national life and civilization must depend? On the other hand, what more may church and school do, than they are now doing, to assist the State in the great work of reclamation from crime and disorder?

The problem is, indeed, a grave one. It is not hoped that it will be solved by any commission which may be appointed under this resolution; but it is hoped that such a commission, made up of conscientious, experienced, and capable members, chosen from the House and Senate, may acquire upon the subject a body of most useful data and information, and may be able to submit findings and recommendations which may be of substantial value to our State and National Governments in their work of dealing with crime and criminals.

For these reasons the author of the resolution submits it for the thoughtful consideration of the members of the two Houses.

RED LAKE BAND OF CHIPPEWA INDIANS

The next business on the Consent Calendar was the bill (H. R. 25) authorizing a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HILL of Maryland. Mr. Speaker, reserving the right to object, I would like to ask some questions about this.

Mr. HASTINGS. I do not see the gentleman from Minnesota [Mr. KNUTSON], who has charge of the bill, here.

Mr. HILL of Maryland. Is the Committee on Indian Affairs in favor of this bill?

Mr. HASTINGS. It is. These are moneys to be paid out of the Indian funds to the Indians.

Mr. HILL of Maryland. It has been objected to once.

Mr. NEWTON of Minnesota. The gentleman from Minnesota [Mr. KNUTSON] was compelled to leave here and has gone home.

Mr. HASTINGS. These moneys are the Indians' own money.

Mr. HILL of Maryland. On the statement that this is approved by the Committee on Indian Affairs, I do not object.

Mr. NEWTON of Minnesota. It has the unanimous consent and approval of the Committee on Indian Affairs.

Mr. WEFALD. I object.

Mr. NEWTON of Minnesota. Mr. Speaker, this has been objected to only once before, and one objection now is not sufficient.

The SPEAKER pro tempore. The point of order is sustained. Only one objection is heard. Is there further objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from the fund in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the act of May 18, 1916 (39 Stat. L. p. 137), and to make therefrom a per capita payment or distribution of $50 to each of the living members of the Red Lake Band of Chippewa Indians of the State of Minnesota, under such rules and regulations as the said Secretary may prescribe.

With the following committee amendment:

At the end of the bill add the following: "*Provided*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder, the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this act and accept same."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. WEFALD. Mr. Speaker, I move to strike out the last word. I hope that this bill will not be passed at this time, because it is a question upon which there is considerable controversy among the Chippewa Indians. There are in the State of Minnesota about 12,000 of these Indians, 7,000 of whom reside in my district. If this bill is passed at this time, some time or other it is going to be a matter of serious controversy. I call the attention of the House to the fact that at the beginning of this session we passed a bill granting a $100 payment to each individual Indian member of the Chippewa Tribe, including the Red Lake Band as well, and if at this time we now go ahead and give to the Red Lake Band an additional payment of $50, then you are doing something that will cause bad feeling among all of the Indians. I do not wish to detain the House unduly, but I send to the Clerk's desk certain resolutions to have read in my time, that were passed in the council of the Chippewa Indians.

The SPEAKER pro tempore. Without objection the Clerk will read.

The Clerk read as follows:

Pursuant to notice duly given, the local council of the Chippewa Indians of White Earth Reservation, Minn., met in open council at the village of White Earth, Becker County, Minn., on the 30th day of April, 1924, and among other things adopted the following resolution:

"Whereas there is now pending in Congress H. R. 25, a bill authorizing a per capita payment of $50 to each member of the Red Lake Band of Indians in the State of Minnesota, exclusive of other bands in Minnesota; and

"Whereas such legislation is in contravention to the agreement entered into by the United States with the various bands of Chippewa Indians of Minnesota, dated January 14, 1889, and we believe it to be an unconstitutional piece of legislation that will in the future, if enacted into law, subject the other bands to much loss, and will likewise subject the United States to another claim by the other bands of Minnesota Chippewa Indians; and

"Whereas the Red Lake Band of Chippewa Indians, numbering only about 1,300 people, have all along been greatly favored by the Indian Bureau in the matter of expenditures from Chippewa tribal funds, which has been grossly discriminatory to the other bands of Chippewa Indians, and by and through such discrimination said Red Lake Band possesses a so-called closed reservation with a large agency in their midst and numerous employees, three schools, including two boarding schools, a large warehouse, a separate hospital, a large sawmill and logging industry, and a fishing industry, whereby all and every opportunity is afforded said Red Lake Band to enjoy a comfortable living and profitable existence; and

"Whereas said Red Lake Band of Chippewa Indians, in common with the other Minnesota bands, just lately received a per capita payment to each member thereof of $100; and

"Whereas it has not been the policy of the Government to pay out in per capita shares the funds of the Minnesota Chippewa Indians only in times of dire need and necessity, and if such a policy be now commenced whereby the funds of the tribe are to be segregated to the individuals thereof it should be a fair policy and should be carried out equally to each and every Chippewa Indian in the State of Minnesota who would be entitled to any per capita payment, and not be confined to only one band, whose necessity therefor at this time is not proven and can not be argued conclusively: Therefore be it

"*Resolved*, That we are opposed to the passage of H. R. 25 for the reasons above set forth, and urge Congress not to enact said legislation; be it further

"*Resolved*, That if any per capita payment is made now or in the future to any of the Chippewa Bands that Congress treat all bands fairly in the premises, and that any such per capita payment be made alike and to include all bands and each and every member thereof; be it further

"*Resolved*, That a copy of this resolution be mailed to Hon. KNUD WEFALD, Member of Congress from our district."

I, Charles J. Belcour, hereby certify that I am the secretary of the local council of the White Earth Reservation, Minn.; that I have compared the foregoing resolution with the original on record in the files of said council, and that the same is a true and literal copy thereof.

T. B. BEAULIEU,
President Local Council, White Earth Reservation,
White Earth, Minn.

CHARLES J. BELCOUR,
Secretary Local Council, White Earth Reservation,
White Earth, Minn.

WHITE EARTH INDIAN RESERVATION,
Mahnomen, Minn., May 9, 1924.

The unanimous sentiment of the Chippewa Indians of Mahnomen County, Minn., is against the passage of the bill giving a $50 per capita payment to the Red Lake Indians only.

All of the Chippewa Indians of Minnesota are governed by the same treaties with the Government.

According to the terms of the treaty of 1889, any timber, whether it be on the Red Lake Reservation or the White Earth Reservation or any other reservation in Minnesota, should be cut and sold to the highest bidder for cash, and the proceeds of any sale of such timber turned into the general tribal funds of the Chippewa Indians of Minnesota.

Thus, it would be very unfair to pay the Red Lake Indians $50 per capita and exclude the rest of the Minnesota Chippewas from the payment.

If a $50 per capita payment is to be made, the only fair and just way would be to include all of the Chippewa Indians of Minnesota.

WILLIAM A. BRUNETTE, *President.*
JOSEPH A. MORRISON, *Secretary.*
CHARLES E. LEITH, *Recording Secretary.*

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. WEFALD. I ask unanimous consent to proceed for five minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. WEFALD. Yes.

Mr. CARTER. This bill deals with the Red Lake Band of Indians?

Mr. WEFALD. Yes.

Mr. CARTER. And no other. This resolution is from the White Earth Band?

Mr. WEFALD. The resolutions are from the White Earth Band. That is the largest band among the Chippewas.

Mr. CARTER. I understand, and the White Earth Band of Indians have to be allotted their lands, as I understand it.

Mr. WEFALD. That is correct.

Mr. CARTER. The Red Lake Indians have not been allotted their lands.

Mr. WEFALD. They have not.

Mr. CARTER. The moneys to be paid here, as I understand it from the Secretary's report and from the bill, are to be paid from the proceeds of the timber sold from the Red Lake Reservation, in which the White Earth Band, after being allotted their lands, would probably have no interest whatever.

Mr. WEFALD. The gentleman is familiar with those affairs, and he knows that it is a question of controversy, and that it will have to be finally adjudicated in the courts. I confess that I am appearing here only in the interest of some poor Indians, but the resolutions that I have presented here and which have been read are resolutions adopted in their council, and I believe that they are entitled to have something to say about their own affairs, and that once in a while Congress ought to listen to their pleas.

Mr. BEGG. Mr. Speaker, will the gentleman yield?

Mr. WEFALD. Yes.

Mr. BEGG. If this bill were to be passed and become a law, would it so deplete the funds that in case the courts found that these claimants about whom the gentleman is talking had a case, there would not be enough money left in the funds to see that they had full justice done to them?

Mr. WEFALD. No; I do not think the funds would be depleted.

Mr. BEGG. Then this would not hurt anything, would it?

Mr. WEFALD. They all think it would, and I know that it will cause very bad blood among them up on the Chippewa Reservation.

Mr. Speaker, I realize that I am up against it. I know that with a unanimous committee against me and especially if the gentleman from Oklahoma [Mr. CARTER] takes a hand in this affair that you will pass this bill, in spite of anything that I can say. The whole Chippewa matter is very intricate at the best. My Indians have not been represented in Washington during this session of Congress like the other bands have; I have been told that the Indian Bureau have paid the expenses of other bands of Chippewas. If this is true, I do not know; I do know that the bureau has no love for this White Earth Band. I have also found out that the Indian Bureau has a very winning way of appealing to Indians. Some who have come to me and protested both as to the passage of this bill and other bills have

changed their minds. I have been unable to keep track of how many times some of them have changed their minds.

But, Mr. Speaker, my Indians, the great, big majority of the Chippewas, those that have not been invited to appear before the Committee on Indian Affairs at the invitation of the Indian Bureau—they have not changed their minds; it is for them that I speak. It is true, as they point out in the resolution just read, that the Red Lake Band have been favorites at the hands of the bureau and Congress. The gentlemen will remember that in this session, among other items that the Interior Department bill carried for the exclusive benefit of this band, was one item of $75,000 for a new sawmill, besides many other items.

Gentlemen, I shall be back here in the next session and ask you for another $100 per capita payment for the whole Chippewa Tribe, to tide them over the winter again. Your action in passing this bill here to-night makes this absolutely certain.

When you now give the Red Lakers $50 each—and personally I do not begrudge them it—you at once start an agitation among all of the whole tribe for another payment. Those that only get $100 this year need it just as bad as those who you give $150, and they can not understand why they shall not have the same treatment. So, when I come and ask you for another $100 payment for all of them, please do not get offended.

I wish to take this occasion to thank the distinguished chairman of the Indian Affairs Committee for all favors shown the whole Chippewa Tribe. There is some satisfaction in knowing that the first bill that the Congress passed in this session, and the first bill that President Coolidge put his name to, was the Chippewa per capita payment bill.

A jurisdictional bill has been introduced by the committee, and yesterday I also introduced a like bill. The next session will very likely pass some such bill that will be the means of winding up these people's affairs in a satisfactory manner. Had there been harmony among these Indians so that they could have presented a united front, I am free to say that most of their troubles would have been on a good way to be settled now. I do not believe that in passing this bill you are doing the right thing. No previous Congress has passed such a bill. It has always been a controversial matter. But I understand that the present Commissioner of Indian Affairs has more persuasive power over the Indian Affairs Committee and Congress than had any of his predecessors for many, many years.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has again expired.

Mr. CARTER. Mr. Speaker, I desire to be heard against the pro forma amendment. I was at one time quite familiar with these Chippewa Indian affairs. They are the most complicated of any of the Indian affairs in the United States, except those of the Five Civilized Tribes, and those of the Five Civilized Tribes have come nearer to a solution now than those of the Chippewas. If I believed what is in the mind of the gentleman from Minnesota [Mr. WEFALD] were the true facts, I think I would agree with him, but from the report of the Secretary of the Interior and the reading of the bill itself I can not quite agree with the gentleman's conclusion. Originally these Indians were all one tribe of people, but the different bands have been divided up and have been given different reservations. This bill deals with the Red Lake Band of Chippewas, and the petition read from the desk is from the White Earth Band. The fact is that the White Earth Indians have allotted their reservation—their lands have been allotted to them in severalty—and most of them have had their restrictions removed. The majority of them, I think, are unrestricted Indians now of less than half Indian blood. The Red Lake Band, most of them, as I understand it, are full blood. They have not had their lands allotted.

They have not had them divided up in severalty among them, and they still own everything in a tribal state, in common. These funds that are to be distributed, according to the Secretary's report—and I wish it understood that I am not a member now of the Committee on Indian Affairs, and I speak purely from the record that I have before me—are the proceeds of the sale of timber from the Red Lake Indian Reservation. If that be true, then the White Earth Band and other bands, especially if they have been allotted their reservations, appear to have no interest in this particular fund.

Mr. NEWTON of Minnesota. My understanding is that the Red Lake Band was not there at these council meetings, where these resolutions were adopted.

Mr. CARTER. Oh, no. There is no contention about that. This petition, as I just stated, does not pretend to embrace the wishes of any of the Red Lake Band, but is from a meeting composed entirely of White Earth Chippewas.

Mr. WEFALD. It is not claimed that they were.

Mr. NEWTON of Minnesota. I just wanted to be sure about it.

Mr. CARTER. There might be some complication about dividing the general funds of the Chippewas in which the White Earths are interested, because the Chippewas have a treaty about that general fund providing that that division of funds shall not take place for 50 years after the date of the treaty.

And so if we divide that money up among the Chippewa Indians at the present time the result would be in 8 or 10 years from now when the 50 years expire and the time for division comes under the treaty you would have a lot of people paid money now who would be dead then and have a lot of new additions to the roll that are not living now. But that does not obtain in reference, I take it, to the Red Lake fund, and if it does, at any rate it has been taken care of, I think, by the amendment which the Indian Committee added to the bill as originally introduced, which says:

Provided, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this act and accept same.

So that would obviate any difficulty that might come about under the treaty with the Red Lake Indians themselves.

Mr. WEFALD. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

PRACTICE OF DENTISTRY IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 8524) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that Senate bill (S. 1785) be substituted in lieu of the House bill.

The SPEAKER. The gentleman from Maryland asks unanimous consent that the Senate bill of like tenor may be considered in lieu of the House bill. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, is the Senate bill precisely the same?

Mr. ZIHLMAN. Identical.

The SPEAKER pro tempore. The Chair hears no objection. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 1785) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof

Be it enacted, etc., That unless previously qualified as provided by law it shall be unlawful for any person not licensed as a dentist within the meaning of this act to practice dentistry within the District of Columbia, and it shall likewise be unlawful for any person to follow the occupation of oral hygienist in said District without having first complied with the provisions of this act and having been registered as hereinafter provided.

SEC. 2. That no person shall be eligible for appointment upon the board of dental examiners who has not been for five years next preceding his appointment a resident of and in the active and reputable practice of dentistry in the District of Columbia. Appointments shall be for a term of five years or until their successors are appointed and qualified, and shall be from a list of three to seven eligibles submitted by the dental societies of the District of Columbia; and no officer or member of the faculty of any dental school or college shall be eligible for appointment upon said board.

SEC. 3. The board of dental examiners shall organize by electing from its members a president and a secretary-treasurer, who shall give bond to the United States in the sum of $2,500. The board shall make and adopt such rules and regulations, not inconsistent herewith, as it deems necessary; it shall hold in January and June of each year, in such place as may be designated by said board, examinations to determine the fitness of applicants for licenses as dentists and oral hygien-

ists, respectively, under this act: *Provided*, That the concurrence of a majority of said board shall be necessary to grant or revoke, respectively, either a license as dentist or oral hygienist under this act.

SEC. 4. The board of dental examiners shall have an official seal, and shall keep a record of its proceedings, a complete record of the credentials of each licensee, a register of persons licensed as dentists and oral hygienists, and of licenses by it revoked. A transcript of an entry in such records, certified by the secretary-treasurer under seal of the board, shall be evidence of the facts therein stated.

SEC. 5. The said board shall have power to require the attendance of persons and the production of books and papers and to require such persons to testify in any and all matters within its jurisdiction. The president and secretary-treasurer of the board shall have power to issue subpœnas, and each shall have authority to administer oaths. Upon the failure of any person to attend as a witness, when duly subpœnaed, or to produce documents when duly directed by said board, the board shall have power to refer the said matter to any justice of the Supreme Court of the District of Columbia, who may order the attendance of such witness, or the production of such books and papers, or require the said witness to testify, as the case may be, and upon the failure of the witness to attend, to testify, or to produce such books or papers, as the case may be, such witness may be punished for contempt of court as for failure to obey a subpœna issued or to testify in a case pending before said court.

SEC. 6. It shall be the duty of the secretary-treasurer of the board of dental examiners to enforce the provisions of all laws relating to the practice of dentistry and dental hygiene in the District of Columbia, and all violations of said laws shall be prosecuted in the police court of the District of Columbia by the corporation counsel or one of his assistants.

SEC. 7. The board of dental examiners shall make annual reports to the District Commissioners, containing a statement of moneys received and disbursed, and a summary of its official acts during the preceding year.

SEC. 8. Any person who desires to practice dentistry within the District of Columbia shall file with the secretary-treasurer of the board of dental examiners a written application for a license and furnish satisfactory proof that he is a graduate of a dental college approved by the board. Such application must be upon the form prescribed by the board, verified by oath, and accompanied by the required fee and a recent unmounted autographed photograph of the applicant.

SEC. 9. An applicant for a license to practice dentistry shall appear before the board of dental examiners at its first meeting after the filing of his application and pass a satisfactory examintion, consisting of practical demonstrations and written or oral test, or both, in the following subjects: Anatomy, anesthetics, bacteriology, chemistry, histology, operative dentistry, oral hygiene, oral surgery, orthodontia, pathology, physiology, prosthetic dentistry, materia medica, metallurgy, and therapeutics, and such other subjects as the board may from time to time direct: *Provided*, That the board of dental examiners may waive the theoretical examination in the case of an applicant who furnishes proof satisfactory to said board that he is a graduate from a reputable dental college of a State or Territory of the United States, approved by the board, and holds a license from a similar dental board, with requirements equal to those of the District of Columbia, and who for five consecutive years next prior to filing his application has been in the lawful and reputable practice of dentistry in the State or Territory of the United States from which he applies: *Provided*, That the laws of such State or Territory accord equal rights to a dentist of the District of Columbia holding a license from the board of dental examiners of the District of Columbia who desires to practice his profession in such State or Territory of the United States. An applicant desiring to register in the District of Columbia under this section must furnish the board of dental examiners with a letter from the secretray of the board of dental examiners under seal of the State or Territory of the United States from which he applies, which shall state that he has been in the lawful and reputable practice of dentistry in the State from which he applies for five years next prior to filing his application, and shall also attest to his moral character and professional qualifications.

SEC. 10. If such applicant passes the examination and is of good moral character, he shall receive a license from the board of dental examiners, attested by its seal, signed by the members of the board, and registered with the health officer, which after being registered with the health officer shall be conclusive evidence of his right to practice dentistry in the District of Columbia. If the loss of a license is satisfactorily shown, a duplicate thereof shall be issued by the board upon payment of the required fee.

SEC. 11. Any person of good moral character, being not less than 18 years of age, who desires to register as an oral hygienist in the District of Columbia, and files with the secretary-treasurer of the board of dental examiners a written application for a license, and furnishes satisfactory proof that he is a graduate of a training school for oral hygienists requiring a course of not less than one academic year and approved by the board of dental examiners, may make application to be licensed as an oral hygienist in the District of Columbia upon the form prescribed by the board, verified by oath, and accompanied by the required fee ($10) and a recent unmounted autographed photograph of the applicant.

SEC. 12. An applicant for a license as oral hygienist shall appear before the board of dental examiners at its first examination after the filing of his application and pass a satisfactory examination consisting of practical demonstrations and written or oral tests on such subjects as the board may direct. If such applicant passes the examination and is of good moral character, he shall receive a license from the board of dental examiners, attested by its seal, signed by the members of the board, which after being registered with the health officer shall be conclusive evidence of his right to practice as an oral hygienist in the District of Columbia according to the provisions of this act.

SEC. 13. Any person of good moral character and not less than 18 years of age who within the period of three months immediately following the passage of this act shall register his name with the board of dental examiners, upon showing two years' actual experience under the direction of a licensed dentist and passing such examination as the board may direct, may be licensed as an oral hygienist in the District of Columbia.

SEC. 14. Any licensed dentist, public institution, or school authority may employ such licensed oral hygienist, who may remove calcic deposits, accretions, and stains from the surfaces of the teeth, but shall not perform any other operation on the teeth or tissues of the mouth. A registered oral hygienist may operate only under the general direction or supervision of a licensed dentist, in his office or in any public school or other institution. The board of dental examiners may suspend or revoke, with power to reinstate, the license of any dentist who shall permit any oral hygienist, operating under his supervision, to perform any operation other than that permitted under the provisions of this section, and it also may suspend or revoke, with power of reinstatement, the license of any oral hygienist violating the provisions of this act; the procedure to be followed in the case of such suspension, revocation, or reinstatement shall be the same as that prescribed by law in the case of suspension, revocation, or reinstatement of a licensed dentist.

SEC. 15. Any oral hygienist of good moral character duly licensed to practice as such in any State or Territory of the United States having and maintaining an equal standard of laws regulating the practice of oral hygiene with the laws of the District of Columbia, who has been in the lawful practice of oral hygiene for a period of not less than two years in such State or Territory and who files with the secretary-treasurer of the board of dental examiners of the District of Columbia a certificate from the examining board of the State or Territory in which he is licensed, certifying to his professional qualifications and length of service, may at the discretion of the board be licensed without further examination upon the payment of $10. Any person so applying, who has been licensed in a State not maintaining an equal standard of laws with the District of Columbia, may be licensed upon the payment of the fee above provided for, upon furnishing satisfactory evidence as to licensing, good moral character, and professional qualifications, and passing such further examination as the board of dental examiners shall deem necessary.

SEC. 16. The board of dental examiners may revoke or suspend the license of any dentist or any oral hygienist in the District of Columbia upon proof satisfactory to said board:

1. That said license or registration was procured through fraud or misrepresentation.

2. That the holder thereof has been convicted of an offense involving moral turpitude.

3. That the holder thereof is guilty of chronic or persistent inebriety, or addiction to drugs, or afflicted with a contagious or infectious disease.

4. That the holder thereof, through misleading advertising or otherwise, is guilty of conduct calculated or likely to deceive or defraud the public.

5. That such holder is guilty of conduct which, in the opinion of said board, disqualifies him to practice with safety to the public.

SEC. 17. No action to revoke or suspend a license shall be taken until the accused has been furnished a statement in writing of the charges against him, together with notice of the time and place of hearing thereof. The accused may be present at the hearings in person, by counsel, or both. The statement of charges and notice may be served personally upon such person or mailed to him at his last known address at least 20 days prior to the hearing.

SEC. 18. If upon such hearing the board finds the charges sustained, it may revoke or suspend the license of any such dentist or oral hygienist. Such revocation shall take from the person named in such license all rights and privileges acquired thereby. Any dentist whose license has been suspended or revoked may be reinstated and a new license issued to him when, in the judgment of the board of dental examiners, such action is warranted, provided such reinstated dentist shall pay all the costs of the proceedings resulting in his suspension and reinstatement and in addition thereto a fee of $25.

SEC. 19. That in addition to the fees heretofore fixed herein each applicant for a license as dentist shall deposit with his application a fee of $20; with each application for a duplicate license a fee of $5 shall be paid to said board of dental examiners, and for each certificate issued by said board a fee of $1 shall be paid. That out of the fees paid to said board, as provided by this act, there shall be defrayed all expenses incurred in carrying out the provisions herein contained, including the detection and prosecution of violations of this act, together with a fee of $10 per diem for each member of said board for each day he may be actually engaged upon business pertaining to his official duties as such board member: *Provided*, That such expense shall in no event exceed the total of receipts: *And provided also*, That at the close of each fiscal year any funds unexpended in excess of the sum of $1,000 shall be paid into the Treasury of the United States to the credit of the District of Columbia.

SEC. 20. During the month of December of each year every licensed dentist and oral hygienist shall register with the secretary-treasurer of the board of dental examiners his name and office address and such other information as the board may deem necessary upon blanks obtainable from said secretary-treasurer and thereupon pay a registration fee of $1. On or before the 1st day of November of each year it shall be the duty of the secretary-treasurer of the board of dental examiners to mail to each dentist and oral hygienist licensed in the District of Columbia, at his last known address, blank form for registration. In the event of failure to register on or before the 31st day of December a fine of $5 will be imposed, and should the practitioner fail to register and pay the fine imposed and continues to practice his profession in the District of Columbia he shall at the end of 10 days from said date be considered as practicing illegally and penalized as otherwise provided for in this act. If he suspends his practice, he may be reinstated at any time upon registering and paying the prescribed fee of $5. On or before the 1st day of February, annually, said board shall issue a printed register of the names and addresses so received, a copy of which shall be mailed or otherwise sent to each registrant thereon.

SEC. 21. Any person shall be regarded as practicing dentistry who is a manager, proprietor, operator, or conductor of a place for performing dental operations, or who for a fee, salary, or other reward paid or to be paid either to himself or to another person, performs or advertises to perform dental operations of any kind, diagnoses or treats diseases or lesions of human teeth or jaw mechanically, medicinally, or by the use of radiograms, or attempts to correct malpositions thereof, or who uses the word "dentist," "dental surgeon," the letters "D. D. S.," or other letters or title in connection with his name which in any way represents him as being engaged in the practice of dentistry.

SEC. 22. On and after the passage of this act it shall be unlawful for any person or persons to practice or offer to practice dentistry or dental surgery under any name except his proper name, which shall be the name used in his license granted to him as a dentist, as provided for in this act; and unlawful to use the name of any company, association, corporation, trade name, or business name in connection with the practice of dentistry as defined in this law. Any person convicted of a violation of the provision of this section shall be fined for the first offense not less than $100 nor more than $200, and upon a second or any subsequent conviction thereof, by a fine not to exceed $500, and upon conviction his license may be suspended or revoked by said board.

SEC. 23. Nothing in this act shall apply to a bona fide student of dentistry in the clinic rooms of a reputable dental college, to a legally qualified physician or surgeon unless he practices dentistry as a specialty,; to a dental surgeon of the United States Army, Navy, Public Health Service, or Veterans' Bureau, in the discharge of his official duties, nor to a lawful practitioner of dentistry in another State or Territory making a clinical demonstration before a dental society, convention, association of dentists, or dental college, or performing his duties in connection with a specific case on which he may have been called to the District of Columbia.

SEC. 24. Whoever engages in the practice of dentistry and fails to keep displayed in a conspicuous place in the operating room in which he practices, and in such manner as to be easily seen and read, the license granted him pursuant to the laws of the District of Columbia, shall be fined not less than $10 nor more than $50.

SEC. 25. Whoever sells or offers to sell a diploma conferring a dental degree, or a license granted pursuant to this act, or procures such diploma or license with intent to use the same as evidence of the right to practice dentistry as defined by law, by a person other than the one upon whom such diploma was conferred or to whom such license was granted, or any person who with fraudulent intent alters such diploma or license or uses or attempts to use the same, shall be fined not less than $100 nor more than $200.

SEC. 26. Whoever, being a manager, proprietor, operator, or conductor of a place performing dental operations, employs a person who is not a licensed dentist to perform dental operations as defined by law, or permits such persons to practice dentistry in his office, or whoever practices dentistry under a false name, or assumes a title or appends or prefixes to his name letters which falsely represent him as having a degree from a chartered dental college, or makes use of the words "dental college" or "school" or equivalent words when not lawfully authorized so to do, or impersonates another at an examination held by the board of dental examiners, or knowingly makes a false application or a false representation in connection with such examination, shall be fined not less than $100 nor more than $200.

SEC. 27. Whoever violates any provision of law relating to the practice of dentistry and oral hygiene, or the application for examination and licensing of dentists and oral hygienists, for which no specific penalty has been prescribed shall be fined not less than $50 nor more than $100.

SEC. 28. A second or subsequent conviction under any of the next four preceding sections shall be punished by the maximum penalties prescribed therein or imprisonment in jail or workhouse not less than 10 days nor more than 60 days, or by both such fine and imprisonment.

SEC. 29. All acts or parts thereof heretofore enacted into law and inconsistent herewith are hereby repealed.

The bill was ordered to be read the third time, was read the third time, and passed.

Without objection the House bill was laid on the table.

INVESTIGATION OF INDIAN AFFAIRS IN OKLAHOMA

The next business on the Consent Calendar was the joint resolution (H. J. Res. 258) creating a joint committee of three Members of the Senate and three Members of the House to investigate the administration of Indian affairs in the State of Oklahoma.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection? [After a pause]. The Chair hears none. Without objection the Clerk will read the amendment as submitted in lieu of the entire bill after the enacting clause. [After a pause]. The Chair hears no objection.

The Clerk read as follows:

Resolved, That the Committee on Indian Affairs of the House of Representatives of the Sixty-eighth Congress, or a subcommittee thereof consisting of not less than five members, is hereby empowered and directed to inquire into and investigate the situation with reference to the administration of Indian affairs in Oklahoma among the Five Civilized Tribes, the Osages, the Quapaws, or any other Indians in Oklahoma.

The said committee or the subcommittee is hereby empowered to sit and act at any place; to require the attendance of witnesses and production of papers by subpœna to be signed by the chairman of said committee or subcommittee. The chairman of said committee or any member thereof is hereby empowered to administer oaths. Said committee or subcommittee is empowered to take testimony under oath and in writing; to obtain documents, papers, and other information necessary to the investigation; to employ a stenographer to take and make a record of all evidence received by the committee and to keep a record of these proceedings.

All hearings by said committee shall be open to the public. The committee shall report to this Congress all evidence taken and their findings and conclusions thereon at the earliest possible date, and its report may, in the discretion of the committee, be filed with the Clerk of the House during the recess of Congress.

The expenses of said inquiry, not in excess of $5,000, shall be paid out of the contingent fund of the House upon vouchers approved by the chairman of said committee.

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to conform to the text.

BRIDGE ACROSS THE WHITE RIVER NEAR DE VALLS BLUFF, ARK.

The next business on the Consent Calendar was the bill (S. 3116) to authorize the Choctaw, Oklahoma & Gulf Railway Co. and the Chicago, Rock Island & Pacific Railway Co. to construct a bridge across the White River, near the city of De Valls Bluff, Ark.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Choctaw, Oklahoma & Gulf Railway Co., a corporation created and existing by virtue of the laws of the United States, its successors and assigns and the Chicago, Rock Island & Pacific Railway Co., a consolidated corporation organized under the laws of the States of Illinois and Iowa, its successors and assigns, or either one of said railroad companies, be, and they are hereby, authorized to construct or reconstruct, maintain, and operate a railroad bridge and approaches thereto across the White River at a point suitable to the interests of navigation near De Valls Bluff, Ark., in

accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

ADDING LANDS TO UMATILLA, WALLOWA, AND WHITMAN NATIONAL FORESTS, OREG.

The next business on the Consent Calendar was the bill (H. R. 6651) to add certain lands to the Umatilla, Wallowa, and Whitman National Forests, Oreg.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection.

Mr. BEGG. Mr. Speaker, reserving the right to object, what is the reason it is desired to add these lands, this much territory, to the public lands in the face of the comment frequently made that if those States can have their own lands for taxation they would not need so much public appropriation? Why are they willing to give away 700,000 acres of land?

Mr. SINNOTT. Well, that is an objection that is frequently made on the part of the State, that these lands will be taken off the tax roll, and often it is a good and valid objection, but I know it is useless to ask the Federal Government to reimburse the State for the lands taken off the tax roll.

This is really a conservation measure, which will enable the Forest Service and the national forests to secure forest land, land adapted for forest purposes, and lands upon which we can permit the timber to grow for the future ages.

Mr. BEGG. Mr. Speaker, will the gentleman permit one other question?

Mr. SINNOTT. Yes.

Mr. BEGG. Five hundred thousand acres of this 700,000 acreage is in private ownership. Supposing the private owners refused to make the trade for Government land in some other place. In other words, why would I, if I owned 500,000 acres of valuable timberland, want to trade it to the Government unless I got the best of the trade?

Mr. SINNOTT. If you did not trade, the land would remain in statu quo. Most of the land has been cut-over land, and is carried on the tax roll often at probably $2.50 an acre. Now, the owners of that land may exchange it for timber. A great many of these owners have timber; they are people who have sawmills. They will convey this potential forest land to the Federal Government and will receive in other parts of these forests possibly not land but timber of an equivalent value per acre to the land.

Mr. BEGG. In other words, if I understand the gentleman correctly—and the gentleman has just stated what is brought about by this bill and another one on the calendar—the United States permits private ownership until the private owners can cut out the good timber; then it trades off good timberland for this cut-over land?

Mr. SINNOTT. The Government does not do that to-day, but that is an abuse. That arose from the old timber and stone act, which is no longer in operation as formerly. Under that act anyone could go out and pay $2.50 an acre for the most heavily timbered land in the world. Some of the timbered land on the west coast in Oregon contained from 20,000,000 to 30,000,000 feet of timber to the quarter section, or 160 acres. That land could frequently be purchased at $2.50 an acre. It can no longer be purchased at that price. Under present conditions you no longer buy the land and the timber in our national forests. You merely buy the right to cut certain trees under certain conditions.

Mr. BEGG. I want to ask this question of the gentleman, and I concede that he knows about these things that I do not know of, except as I have read of them in the report, and so forth: If the gentleman owned this land himself, would he make the trade?

Mr. SINNOTT. If I owned the land?

Mr. BEGG. Yes. If the land that the Government now owns was your private property, would you make this trade?

Mr. SINNOTT. If I could get good terms and conditions I would. I got an exchange act passed about eight years ago. There has been no exchange under that act, because the private owners think that the Forest Service is too exacting. The Forest Service will not give enough in exchange for the private land to satisfy the private owner.

Mr. BEGG. Now, supposing that some person says that he does not want to make this exchange. Is the Government going to go into court and have it condemned?

Mr. SINNOTT. No. It will just leave him where he is to-day. It will not condemn at all. The man will be left in statu quo.

Mr. BEGG. What is the purpose? Why should we do this?

Mr. SINNOTT. The purpose on the part of the Government is conservation.

Mr. BEGG. What are you conserving? The timber is cut off.

Mr. SINNOTT. Well, it is potential forest land. The Government will have in its ownership a large area of land which will naturally reforest itself. There is a natural reforestation going on there all the time, and the reforestation will increase under Government supervision and protection, especially from forest fires.

In the course of 50 or 75 years the land taken over to-day will be very valuable forest land.

The SPEAKER pro tempore. The gentleman has occupied five minutes under the reservation.

Mr. BEGG. I will not object, although I am not enthusiastic about this kind of a bill.

Mr. BLANTON. Mr. Speaker, I reserve the right to object. This is really an exchange proposition. This is to allow private owners to exchange their 500,000 acres of land for Government land.

Mr. SINNOTT. Not necessarily Government land. The Government, as a rule——

Mr. BLANTON. Just one minute. I want to use these two minutes myself. Here is a proposition that involves several hundred thousand acres of land to be added to three different national forests. Five hundred thousand acres of this land belongs to private owners. Under this bill they could exchange it for Government land, and my experience in investigating these cases is that the Government always gets the little end of it. Now, there is another bill that is coming from my colleague from California [Mr. RAKER] that is on the same footing exactly; it is to do just exactly what this bill attempts to do, and where is the end of it to be? I am going to object to both of them, both this bill and the bill of the gentleman from California.

Mr. RAKER. If the gentleman will withhold his objection for a moment, and I hope he will not object——

Mr. SINNOTT. If the gentleman from Texas will reserve his objection——

Mr. BLANTON. I am sorry I can not. I object.

The SPEAKER pro tempore. Does the gentleman from Texas insist upon his objection?

Mr. BLANTON. I will have to, because I am going to object to the bill coming from the gentleman from California.

Mr. SINNOTT. His bill is a worthy bill, and so is this one. They are both bills which are advocated by the Forest Service and the Secretary of Agriculture.

Mr. FAIRCHILD. Are not these bills in accordance with the policy of the Forest Service, in aid of the reforestation of lands?

Mr. SINNOTT. Certainly.

Mr. BLANTON. I have already objected, Mr. Speaker.

Mr. RAKER. Will not the gentleman withhold his objection for five minutes so that we may dispose of the two bills at once? [Cries of "Regular order!"]

The SPEAKER pro tempore. The regular order has been demanded. The gentleman from Texas states that he has objected.

STANISLAUS NATIONAL FOREST

The next business on the Consent Calendar was the bill (H. R. 105) for the inclusion of certain lands in the Stanislaus National Forest, Calif., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. I intend to object, but as the gentleman from California [Mr. RAKER] wants to speak I will reserve my objection.

Mr. PERLMAN. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

Mr. RAKER. Mr. Speaker, nobody rose and objected. The gentleman can not remain seated and object.

The SPEAKER pro tempore. The gentleman was not in his seat. The gentleman from New York [Mr. PERLMAN] was on his feet.

Mr. RAKER. Will not Mr. PERLMAN, my dear friend, withhold his objection? [Laughter.] [Cries of "Regular order!"]

The SPEAKER pro tempore. The regular order is demanded. Before we take up the next bill the Chair desires to state that

in the consideration of House Joint Resolution 258, Calendar No. 321, the resolution as adopted and the title as adopted would create a House resolution instead of a House joint resolution. Without objection, therefore, the number of that resolution will be changed from House Joint Resolution 258 to House Resolution 348.

There was no objection.

Mr. RAKER. Mr. Speaker, I desire to propound a unanimous-consent request.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RAKER. I ask unanimous consent that the two bills just passed, 323 on the calendar and 324, may retain their places on the calendar.

Mr. PERLMAN. Mr. Speaker, I object.

Mr. SINNOTT. I object as to my bill.

CARRYING OF MAIL BY AIRPLANES

The next business on the Consent Calendar was the bill (H. R. 6942) establishing transmission and carrying of mail by airplanes and flying machines.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, I reserve the right to object. I have an amendment to that bill.

Mr. BLANTON. Well, I object, Mr. Speaker.

AIR MAIL SERVICE

The next business on the Consent Calendar was the bill (H. R. 7064) to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

CARLISLE BARRACKS RESERVATION

The next business on the Consent Calendar was the bill (H. R. 7731) authorizing the Secretary of War to sell a portion of the Carlisle Barracks Reservation.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McKEOWN. Reserving the right to object, I would like to know something about this bill.

Mr. SITES. Mr. Speaker, I hope the gentleman will not object.

Mr. McKEOWN. I withhold the objection.

Mr. SITES. Mr. Speaker, a similar bill has passed the Senate, and this does not involve the expenditure of any money. It allows the Secretary of War to dispose of a certain piece of ground near Carlisle, Pa.

Mr. BEGG. Will the gentleman yield for a question?

Mr. SITES. Yes.

Mr. BEGG. If the gentleman is permitted to get up his bill, will he accept an amendment, striking out the words "or private" in line 10, page 1? In other words, make them sell it at public sale.

Mr. SITES. I have no objection to that.

Mr. BEGG. If the gentleman has no objection to accepting that amendment, I shall not object.

Mr. McKEOWN. I withdraw any objection I have.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the transfer from the Department of the Interior to the War Department of the control and jurisdiction over the parcels known as farm No. 1, farm No. 2, and the Sanno tract, now constituting a part of the Government reservation at Carlisle Barracks, Pennsylvania, is ratified and confirmed.

SEC. 2. The Secretary of War is authorized to sell at either public or private sale, upon terms and conditions deemed advisable by him, the land lying north of the Carlisle-Harrisburg Highway, being part of the tract of land known as farm No. 2, constituting a part of the Carlisle Barracks Reservation, the land to be sold as a whole or in parcels, as the Secretary of War may determine, and to execute and deliver in the name of the United States and in its behalf any and all deeds or other instruments necessary to effect such sale.

SEC. 3. For the acquisition of the additional land needed at the post of Carlisle Barracks for the use of the medical field service school an appropriation of $10,000 is authorized.

With the following committee amendment:

Strike out all of section 3 and insert in lieu thereof the following:

"SEC. 3. The Secretary of War is authorized to acquire by negotiation or appropriate condemnation proceedings additional land needed at the post of Carlisle Barracks for the use of the Medical Field Service School, to wit: The so-called Alexander tract, being a triangular parcel of ground lying to the southeastward of the original reservation and between said original reservation, the said farm No. 1, and the Cumberland Valley Railway, comprising 19.6 acres, more or less; and the so-called Henderson tract, being an irregular parcel of ground lying northwestward of the original reservation and the said farm No. 1, and southeastward of the Carlisle-Harrisburg Highway, comprising 34 acres, more or less: *Provided*, That the proceeds realized from the sale authorized by section 2 of this act of the part of farm No. 2 therein described may be applied toward the acquisition of the said Alexander and Henderson tracts: *And provided further*, That any residue of the proceeds of the said sale not required to pay for the acquisition of the said tracts under the provisions of this act shall be deposited in the Treasury as miscellaneous receipts."

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. BEGG. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 1, line 10, strike out the word "either" after the word "at," and after the word "public" strike out the words "or private."

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

BICENTENNIAL OF BIRTHDAY OF GEORGE WASHINGTON

The next business on the Consent Calendar was H. J. Res. 199, authorizing an appropriation for the participation of the United States in the preparation and completion of plans for the comprehensive observance of that greatest of all historic events, the bicentennial of the birthday of George Washington.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. BLANTON. I object.

RELIEF OF HOMESTEADERS ON THE FORT ASSINNIBOINE MILITARY RESERVATION IN MONTANA

The next business on the Consent Calendar was H. J. Res. 210, for the relief of delinquent homesteaders on the Fort Assinniboine abandoned military reservation.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the act of January 6, 1921 (41 Stat. p. 1086), providing additional time for the payment of purchase money under homestead entries within the former Fort Assinniboine Military Reservation, in Montana, be, and the same is hereby, amended so as to authorize extensions of time from year to year for the payment of all unpaid principal upon the payment of interest thereon in advance at the rate specified in the said act for not to exceed 10 years from date of entry.

The SPEAKER pro tempore. The Chair is advised that there is a similar Senate bill.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the Senate bill (S. J. Res. 90) be considered in place of the House bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, House Joint Resolution 210 will be laid on the table.

There was no objection.

BRIDGE ACROSS THE PEEDEE RIVER NEAR ALLISONS FERRY, S. C.

The next business on the Consent Calendar was the bill (H. R. 9176), granting the consent of Congress to the counties of Marion and Florence, in the State of South Carolina, to construct a bridge across the Peedee River at or near Allisons Ferry, S. C.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. GASQUE. Mr. Speaker, I ask unanimous consent to consider a similar Senate bill (S. 3355) in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that the Senate bill be considered in lieu of the House bill.

Mr. DENISON. Reserving the right to object, does the Senate bill contain exactly the same provisions as the House bill?

Mr. GASQUE. Since the House bill was introduced the site of the bridge has been changed. The former site was thought to be too expensive to build a bridge and the site has therefore been changed.

Mr. DENISON. Are the two bills substantially the same?

Mr. GASQUE. Yes.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the counties of Marion and Florence, in the State of South Carolina, or their assigns, to construct, maintain, and operate a bridge and approaches thereto across the Peedee River at a point suitable to the interests of navigation, at or near a point known as Savage Landing, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The Chair will state that section 2 is omitted in the House bill. Is there objection to the substitution of the Senate bill for the House bill?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The bill H. R. 9176 was laid on the table.

GRANTING LANDS TO PHOENIX, ARIZ.

The next business on the Consent Calendar was the bill (H. R. 8587) granting certain public lands to the city of Phoenix, Ariz., for municipal, park, and other purposes.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WILLIAMSON. Reserving the right to object, does this bill permit the city of Phoenix——

Mr. HASTINGS. This bill is in the usual form.

Mr. WILLIAMSON. Is this the same bill that the gentleman had up some months ago?

Mr. HAYDEN. No; I have not had this bill up before. It is similar to all the other land grants made to other cities where the land is purchased for $1.25 an acre.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HAYDEN. Mr. Speaker, I ask to substitute a similar Senate bill (S. 3093).

The SPEAKER pro tempore. Is there objection to the substitution of the Senate bill?

There was no objection.

The Senate bill was read, as follows:

Be it enacted, etc., That the south half of the north half and all the south half of section 13, the southwest quarter, the west half of the southeast quarter, the southeast quarter of the southeast quarter, section 14, the southeast quarter, section 21, the east half of the northwest quarter, the southwest quarter of the northwest quarter, the east half of the northeast quarter, the southwest quarter of the northeast quarter, and all of south half, section 22, all of sections 23, 24, 25, 26, and 27, township 1 south, range 2 east, Gila and Salt River meridian, Arizona. The south half, section 1, the south half, section 2, the south half, section 7, the south half, section 8, the south half, section 9, the south half, the northeast quarter, section 10, all of sections 11, 12, northwest quarter section 13, all of sections 14, 15, 16, 17, 18, 19, 20, 21, 22, and 30, township 1 south, range 3 east, Gila and Salt River meridian, Arizona. The west half of the southwest quarter, section 5, the south half and the south half of the northwest quarter, section 6, township 1 south, range 4 east, Gila and Salt River meridian, Arizona, be, and the same are hereby, granted to the city of Phoenix, Ariz., for municipal, park, recreation, playground, or public convenience purposes, upon the condition that the city shall make payment for such land at the rate of $1.25 per acre to the receiver of the United States land office, Phoenix, Ariz., within six months after the approval of this act: *Provided*, That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the land, and the right to prospect for, mine, and remove the same: *Provided further*, That the grant herein is made subject to any valid existing claim or easements, and that the lands hereby granted shall be used by the city of Phoenix, Ariz., only for the purposes herein indicated, and if the said land, or any part thereof, shall be abandoned for such use, said land or such part shall revert to the United States; and the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant and to restore said premises to the public domain, if at any time he shall determine that the city has abandoned the land for the uses herein indicated, and such order of the Secretary shall be final and conclusive, and thereupon and thereby said premises shall be restored to the public domain and freed from the operation of this grant.

Mr. HAYDEN. Mr. Speaker, by agreement with the gentleman from Michigan [Mr. CRAMTON] I offer the following amendment.

The Clerk read as follows:

Page 3, line 4, after the word "has," insert a comma and the words "for more than one year."

The amendment was agreed to.

Mr. HAYDEN. Mr. Speaker, I had intended to offer a further amendment clarifying the reservation for coal, oil, and minerals, but on consultation with able lawyers I am told that that is what it means now—that no person can go on the land without the consent of the United States. If that is the case, it is entirely satisfactory to me.

Mr. RAKER. The gentleman is correct in that. After full investigation we put the reservation as in the Senate bill, and I am satisfied it will accomplish what the gentleman wants.

Mr. HAYDEN. If any trouble should arise hereafter we may correct it by a general law.

Mr. RAKER. The only trouble is if the gentleman offers an amendment putting it in now, it might cast a doubt upon the reservations in other bills that we have passed.

The bill was ordered to be read the third time, was read the third time, and passed.

The House bill (H. R. 8587) was laid on the table.

OLDROYD COLLECTION OF LINCOLN RELICS

The next business on the Consent Calendar was the bill (H. R. 9157) for the purchase of the Oldroyd collection of Lincoln relics.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WILLIAMSON. I object.

Mr. RATHBONE. Mr. Speaker, I ask the gentleman to reserve his objection.

Mr. WILLIAMSON. Mr. Speaker, I intend to insist upon the objection.

Mr. RATHBONE. Then, Mr. Speaker, I ask unanimous consent to proceed for five minutes.

Mr. BEGG. Mr. Speaker, it is nearly 11 o'clock. I do not object to the gentleman making a speech, but we have a lot of bills still on the calendar, and I simply say to the Members who have the other bills that, personally, I do not intend to stay here until 12 o'clock to-night. I do not think we ought to waste time with speeches unnecessarily. If the gentleman is going to object anyway, I think the gentleman from Illinois ought to extend his remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. RATHBONE. Mr. Speaker, I can hardly believe that my colleague who objects is fully posted as to this matter. To my mind, a positive calamity will happen if this objection is insisted upon. This is an emergency matter. There is a man in this city who is 82 years old and who may pass away at any moment. The moment he goes the greatest Lincoln collection of relics in the world will be at the mercy of others, and in all probability will be lost to the Nation's Capital, where it rightfully belongs. It is right now in a place that is sacred soil to every true American heart, the place where Abraham Lincoln died. That building belongs to this Government. The collection does not. Separate this collection from that building and the greatest value of both will be lost and there will be no redress and no way of undoing the wrong that has been suffered. I ask the gentleman, therefore, to reconsider his objection.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. RATHBONE. Yes.

Mr. REED of New York. Is it not a fact that a very wealthy man in this country has endeavored to buy that collection and intends to remove it from the city of Washington?

Mr. RATHBONE. Not only one but many. The amount in this bill is based upon the first offer, and it was only rejected by this man, the owner, Mr. Oldroyd, the curator and custodian of this place, from patriotic motives, because he did not want

it to go out of the city of Washington. Since then he has been offered, I am informed and I believe, $125,000. He is still waiting for Congress to act and to save this collection for this city.

Mr. BARBOUR. Mr. Speaker, will the gentleman yield?

Mr. RATHBONE. Certainly.

Mr. BARBOUR. How much is involved in the purchase of this collection?

Mr. RATHBONE. The bill as introduced calls for the precise offer of $50,000. If there is no objection, I shall ask unanimous consent that the Senate bill be substituted in lieu of the House bill. That bill was introduced by the Senator from Ohio, Mr. WILLIS, and is identical with the House bill that I introduced, but it was amended in the Senate to provide for a commission of three to pass upon the value of the collection.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. RATHBONE. Yes.

Mr. REED of New York. Is it not a fact that Mr. Oldroyd was offered $50,000 by a gentleman for that collection who intended to remove it from the Capital?

Mr. RATHBONE. Absolutely. I do not know why we can not mention the name. Mr. Henry Ford offered $50,000 for it, as I am informed by the owner.

Mr. BARBOUR. Mr. Speaker, will the gentleman yield?

Mr. RATHBONE. Yes.

Mr. BARBOUR. Has not the value of this collection from an historic standpoint been investigated by some commission or by some officers of the Government?

Mr. RATHBONE. I do not know what officers of the Government did so, but I presume millions of people, certainly many hundreds of thousands who have visited the place, know it well. It consists of 3,000 relics of the most valuable nature, and I make it as a positive assertion that it is the most valuable Lincoln collection in the world.

Mr. BARBOUR. It is my recollection that some commission or some departmental officers examined this collection and reported upon its historic value.

Mr. RATHBONE. I am inclined to think that that is correct, but I can not make a positive statement. It has been under agitation for quite a long time past.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. RATHBONE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. RATHBONE. May I ask my colleague who objected to withdraw his objections?

Mr. CRAMTON. Mr. Speaker, there are 60 bills on the calendar. The gentleman from South Dakota says that he is going to object, and I must object to any further extension on this bill.

Mr. RATHBONE. Then I ask unanimous consent that the bill may be permitted to retain its place on the calendar without prejudice.

Mr. BLANTON. The gentleman would injure his right if he does that, because then it would take only one objection to again stop its passage, and if the gentleman leaves it as it is, it will take three objectors.

Mr. RATHBONE. Mr. Speaker, I withdraw that request.

The SPEAKER pro tempore. Objection is heard and the Clerk will report the next bill.

CLAIMS OF STOCKBRIDGE INDIANS

The next business on the Consent Calendar was the bill (H. R. 8493) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Stockbridge Indians may have against the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BROWNE of Wisconsin. Mr. Speaker, I ask unanimous consent to substitute for the House bill Senate bill 3111.

Mr. HASTINGS. I understand the Senate bill is exactly the same as the House bill?

Mr. BROWNE of Wisconsin. Exactly the same.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to substitute for the House bill the bill S. 3111, an identical bill. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of any treaty or agreement between the United States and the Stockbridge Tribe of Indians, or arising under or growing out of any act of Congress in relation to Indian affairs, which said Stockbridge Tribe may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States.

SEC. 2. Any and all claims against the United States within the purview of this act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within five years from the date of approval of this act, and such suit shall make the Stockbridge Tribe party plaintiff and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the Stockbridges approved by the Commissioner of Indian Affairs and the Secretary of the Interior; and said contract shall be executed in their behalf by a committee chosen by them under the direction and approval of the Commissioner of Indian Affairs and the Secretary of the Interior. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Indian nation to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys of said Indian nation.

SEC. 3. In said suit the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against said Indian nation, but any payment including gratuities which may have been made by the United States upon any claim against the United States shall not operate as an estoppel, but may be pleaded as an offset in such suit.

SEC. 4. That from the decision of the Court of Claims in any suit prosecuted under the authority of this act an appeal may be taken by either party as in other cases to the Supreme Court of the United States.

SEC. 5. That upon the final determination of any suit instituted under this act, the Court of Claims shall decree such amount or amounts as it may find reasonable to be paid the attorney or attorneys so employed by said Indian nation for the services and expenses of said attorneys rendered or incurred prior or subsequent to the date of approval of this act: *Provided*, That in no case shall the aggregate amounts decreed by said Court of Claims for fees be in excess of $5,000, or in excess of a sum equal to 10 per cent of the amount of recovery against the United States.

SEC. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit any or all persons deemed by it necessary or proper to the final determination of the matters in controversy.

SEC. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby, directed to appear and defend the interest of the United States in such case.

The bill was ordered to be read a third time, was read the third time, and passed.

The bill H. R. 8493 was ordered to lie on the table.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

Mr. TREADWAY. Mr. Speaker, consideration of the bill conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Stockbridge Indians may have against the United States offers an opportunity to make brief reference to the early history of this tribe. The first white settlers in my home town of Stockbridge, Mass., went there as missionaries to the forefathers of the people in whose behalf this bill is presented. The first missionary was John Sargeant, the second Jonathan Edwards, whose name has been famous for his rigid doctrines. Edwards wrote his great treatise on The Freedom of the Will while ministering to the Stockbridge Indians and the few white people who had joined the colony.

What is now Berkshire County at that time was inhabited by the Indians, the Stockbridge Tribe being the best known owning most of the land, and having the largest population. At first they somewhat resented the intrusion of the white people, but, through the kindly ways of the early settlers, the Indians became friendly. The early records of the Congregational Church of Stockbridge contain names of some of the tribe who were baptized and received into the faith.

One of the picturesque spots in Stockbridge, overlooking broad meadows and the winding Housatonic River, is the ancient burial place of the Stockbridge Indians. A local organization erected upon this site a natural bowlder, taken from the mountain side and drawn by oxen through our village street, as a token of the respect in which the descendants of the early missionaries held the friends of their forefathers.

Under the General Assembly of Massachusetts in 1722 a tract of land was purchased of the Indians, signed by Chief Konkapot and 20 other Indians, deeding two townships where the greater part of Stockbridge now is—

for 450 pounds, three barrels of cider, and 30 quarts of rum, which land was to be used for the first settled minister, the future support of the gospel, and for schools.

John Sargeant spent a portion of his time each year in Stockbridge until 1735, when he was ordained as the settled minister and teacher of the mission.

The main body of the Indians moved from Stockbridge in 1785, although a few remained behind, going to what was then called New Stockbridge, in the vicinity of Oneida, N. Y. In 1818 they again turned westward and were for a time located in Ohio, in 1821 again moving on to Green Bay, Wis.

About 20 years ago one of their descendants visited Stockbridge and was received with marked cordiality by our citizens. In spite of the changed conditions and the various residences these people have had, we of the original town of Stockbridge are proud that they still continue to bear the name of Stockbridge. We are also proud that the Indians bearing that name have shown by their character and citizenship the results of their training by the early missionaries in the hills of western Massachusetts.

Having been myself born in Stockbridge, I naturally have a sentimental interest in the Indian descendants of the Stockbridge Tribe and am glad that this bill has received favorable consideration by this House.

CARRYING PISTOLS, REVOLVERS, AND OTHER FIREARMS IN THE MAIL

The next business on the Consent Calendar was the bill (H. R. 9093) declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I object.

QUARANTINE STATION AT FORT MORGAN, ALA.

The next business on the Consent Calendar was the bill (H. R. 8090) authorizing the Secretary of the Treasury to remove the quarantine station now situated at Fort Morgan, Ala., to Sand Island, near the entrance of the Port of Mobile, Ala., and to construct thereon a new quarantine station.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object——

Mr. MURPHY. Mr. Speaker, reserving the right to object, I would like to ask the gentleman about how much money is it going to take to build this quarantine station?

Mr. McDUFFIE. It will take something in the neighborhood of from four to five hundred thousand dollars.

Mr. MURPHY. Is it needed so badly at this time?

Mr. McDUFFIE. The Secretary of the Treasury, Mr. Mellon says so and the Public Health Service says it is very much needed. This is a matter of genuine emergency because it affects the public health of the entire country, not merely one locality. And now, if the gentleman pleases, this bill will mean economy, a saving to the taxpayers in the end. The national quarantine, as you know, must be carried on all along our coast lines as long as we continue to do business with foreign countries. This is especially true of Mobile, where we are so closely associated with and in proximity to Mexico and the tropical countries. Let me ask my good friend from Ohio to read the report of the Interstate and Foreign Commerce Committee which unanimously favors the bill.

Mr. BLANTON. If the gentleman from Ohio will read the report from Secretary Mellon I do not think he will have any trouble in regard to the bill.

Mr. MURPHY. I have to object——

Mr. McDUFFIE. I hope the gentleman will not object, but reserve the right to object for just a moment. I know the distinguished gentleman would not object to the present consideration of this bill if he were thoroughly familiar with the conditions which make this bill so important and so necessary for the public health of the entire country.

Mr. MURPHY. All right.

Mr. McDUFFIE. Let me say to the gentleman that for several years the public health has urged the removal of this station from its present site to a location near the port of Mobile, a distance of 30 miles, and the Secretary of the Treasury feels that it would be quite expensive to continue the service at Fort Morgan. If the quarantine service is to be continued, and all agree that this activity of the Federal Government must continue, we will have to provide large sums of money to rebuild where the old station is or move and build a station up nearer the port. The business and shipping interests on the east and west coasts, and, indeed, all over the country, suffer from much delay under present conditions, and for this reason shippers throughout the country have asked for this legislation, providing much-needed equipment and facilities for the proper functioning of the quarantine service at the port of Mobile. The present site is much exposed and storms have destroyed thousands and thousands of dollars worth of equipment. It is estimated that the Government will save enough by this move in the course of 20 years to pay the expense of constructing the new station. Let me say further the State is providing a site for the station free of cost to the Government. Because of the situation and dilapidated physical condition of the station, for the upkeep of which little has been expended for the past few years beyond barest needs for making the buildings habitable, it has been deemed inadvisable to make extensive physical improvements there pending ultimate relocation.

All along the station has depended in large measure on accommodations extended by the military authorities at Fort Morgan. The Army maintained until recently regular communication, carrying mail, personnel, and supplies from the city of Mobile to Fort Morgan. With the discontinuance of this service it can hardly be conceived that the station can be operated in its present form. With the abandonment, now almost completed, of Fort Morgan, extension of use of its facilities must necessarily cease. Were arrangements made for the quarantine station to operate the power and pump house at the Fort Morgan Army post to continue water supply, there would not only be required additional fuel and other supplies and additional personnel but also extensive repairs to this water system, which has been severely damaged in freezing weather during the past winter.

It would further be necessary to establish regular communication service with the city of Mobile for mail and supplies and the carrying back and forth of personnel, the duties in connection with quarantine work necessitating inspection and supervision at the docks of Mobile in order to insure compliance with instructions to masters of vessels given at the quarantine station, now 30 miles away. The cost of a suitable tugboat for this service is estimated at from $90,000 to $100,000, and the cost of its operation and maintenance, exclusive of major repairs, would be not less than $10,000 per annum. This boat could not be depended on for boarding duty, and would be in addition to the present needs for floating equipment if the station were retained at Fort Morgan.

The lack of protection against storm and the absence of safe anchorage at Fort Morgan must be considered. A breakwater such as would afford a bare minimum of protection to the quarantine boats in average storms would cost no less than $50,000, and probably more, and its upkeep would involve annual expenditures of considerable magnitude.

The depth of water at the quarantine station at Fort Morgan is by far insufficient to permit vessels to be inspected to approach close to that station. To dredge a channel of ample size leading to the quarantine station there is estimated to cost far more than all dredging contemplated in connection with the proposed relocation as contemplated in the bill. Furthermore, it would be necessary to construct a dock at the Fort Morgan quarantine station, which also would cost at least as much as the docking facilities contemplated at the proposed new location. In view of the facts set forth, installation of additional improvements to make the present station at Fort Morgan independent of the Army post and to effect repairs of the inadequate and greatly deteriorated existing facilities can hardly be deemed more economic than the construction of a new station at a site far more suited for the purpose. In this connection it must be considered that the upkeep of the quarantine station at Fort Morgan would doubtless be greater because of its great exposure to the elements than that of the proposed station on Sand Island. To this greater cost of physical upkeep must be added the cost of operation of the station, which, by necessity, would be greater at Fort Morgan than at the proposed new location.

Mobile is one of the major ports of the United States and the only port of importance in Alabama. The State is highly interested in developing the port facilities there, and has authorized expenditure of $5,000,000 for this work. The location

of the quarantine station on Sand Island, as contemplated by this bill, fits well into the plan of port development.

Let me quote the Secretary of the Treasury in the last two paragraphs of his letter to the chairman of the committee. I quote the Secretary of the Treasury as follows:

Because of the fact that Mobile is in constant communication with ports in Mexico, Central and South America, where yellow fever and plague are endemic, and since the climatic conditions at Mobile are favorable for the propagation of the particular type of mosquitoes and the rodents which carry these diseases, it is extremely important that adequate quarantine facilities be provided at this port.

During the fiscal year July 1, 1921, to June 30, 1922, 473 vessels carrying 11,759 passengers and crews, were inspected at the Mobile quarantine station; 126 of these vessels were fumigated for the destruction of rodents and mosquitoes. During the fiscal year July 1, 1922, to June 30, 1923, 388 vessels, carrying 10,107 passengers and crews, were inspected; 124 of these vessels were fumigated for the destruction of rodents and mosquitoes. During this fiscal year two vessels arrived with suspected cases of yellow fever on board.

May I also give you the suggestions of Gen. William L. Sibert, who is known throughout the country as a great engineer, who had charge of construction of the Panama Canal, and who understands conditions thoroughly at the port of Mobile?

MOBILE, ALA., *May 14, 1924.*

Congressman JOHN MCDUFFIE,
Washington, D. C.:

State will erect new port facilities 3 miles above mouth of river and 34 miles from Fort Morgan. No ship channel or ship docks at Fort Morgan, and satisfactory quarantine service from that place now impossible. Impracticable in heavy weather to board ships from Fort Morgan, which forces ships to anchor in channel or go to sea until weather conditions improve. Fumigating ships at Fort Morgan causes them to anchor in narrow channel, thus obstructing navigation and losing time. No land connection between Fort Morgan and Mobile, causing high maintenance costs. New quarantine station north end of Sand Island will provide landing place for ships and make it practicable for quarantine officers to board ships at all times, and thus render quick and satisfactory service to shipping.

WILLIAM L. SIBERT,
Chairman Docks Commission.

Mr. ACKERMAN. Do you expect to use the money this year?

Mr. McDUFFIE. No, sir.

Mr. ACKERMAN. It is just an authorization?

Mr. McDUFFIE. That is it exactly.

Mr. MURPHY. I withdraw the objection.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. MURPHY] withdraws the reservation. Does the gentleman from Ohio [Mr. BEGG] insist upon the reservation?

Mr. BEGG. No; I think the gentleman has made a good case and he deserves it. It is only a matter of a half million dollars.

The SPEAKER pro tempore. The Chair hears no objection, and the Clerk will report the bill.

The bill was reported, the committee amendments were agreed to, and the bill was passed.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to cause to be constructed on a site now owned by the United States Government on Sand Island, near the entrance of the port of Mobile, Ala., or on such site on this island as may hereafter be ceded to the United States by the State of Alabama, a quarantine station at cost not exceeding $500,000, which amount is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated; and the Secretary of the Treasury is hereby further authorized to accept title for and on behalf of the United States to such additional lands on Sand Island as may be ceded by the State of Alabama to the United States for use as a national quarantine station as aforesaid.

SEC. 2. That the said quarantine station shall include, according to the estimates submitted by the Public Health Service to the Secretary of the Treasury, such wharves, bulkheads, buildings and equipment, water supply, electric-lighting system, telephone cable, heating and sewage systems, and the dredging of a channel leading to the proposed wharves, and such other facilities as may be deemed necessary by the Secretary of the Treasury for the proper operation of a quarantine station: *Provided,* That $40,000 of the amount herewith appropriated shall be used for miscellaneous furnishing and equipment.

SEC. 3. That the Secretary of the Treasury be, and is hereby, authorized to transfer and remove such furniture, equipment, articles, and materials as may be useful in the construction and equipment of the new quarantine station at Sand Island, Ala., from the quarantine station now maintained at Fort Morgan, Ala., and make such disposition of the buildings, site, and equipment at Fort Morgan, Ala., at such time and on such terms as he may deem to be to the best interests of the Government.

SEC. 4. That in carrying the foregoing authorization into effect the Secretary of the Treasury is hereby authorized to enter into contracts with the lowest responsible bidder or bidders within the respective limits hereinbefore fixed, or purchase material and employ labor for the construction of the said quarantine station.

The committee amendments were read, as follows:

Page 1, line 9, after the word "cost," insert "for station, dredging, and all other improvements and appurtenances provided for by this act."

Page 2, lines 10 and 11, strike out "according to the estimates submitted by the Public Health Service to the Secretary of the Treasury."

Page 2, line 18, after the word "amount," strike out the word "herewith" and insert "herein authorized to be."

Page 2, line 18, after the word "appropriated," strike out the word "shall" and insert the word "may."

Page 3, strike out all of lines 4 to 9, inclusive.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

BRIDGE ACROSS THE COLUMBIA RIVER AT VANTAGE FERRY, WASH.

The next business on the Consent Calendar was the bill (H. R. 9177) granting the consent of Congress to the counties of Kittitas and Grant, in the State of Washington, to construct a bridge across the Columbia River at or near Vantage Ferry, Wash.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the counties of Kittitas and Grant, in the State of Washington, or their assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near Vantage Ferry, Wash., and along the route of and continuous with the North Central Highway as officially designated by the State highway commissioner of the State of Washington, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The State of Washington, or any political subdivision thereof, may at any time acquire all right, title, and interest in said bridge and the approaches thereto constructed under the authority of this act, for the purpose of maintaining and operating such bridge as a free bridge, by the payment to the owners of the reasonable value thereof, not to exceed in any event the original construction cost thereof: *Provided,* That the said State or political subdivision may operate such bridge as a toll bridge not to exceed five years from date and acquisition thereof, for the purpose of retiring any bonds that may be issued for the purchase of said bridge.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendments were read, as follows:

On page 2, line 6, after the word "division," insert the words "or subdivisions." After the word "thereof" insert the words "within or adjoining which said bridge is located."

Page 2, line 12, after the word "the," strike out the word "original."

Page 2, line 15, after the word "date," strike out the word "and" and insert the word "of."

And after the word "thereof" strike out the balance of the paragraph.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next one.

AMENDMENT OF PARAGRAPH (3), SECTION 16, OF THE INTERSTATE COMMERCE ACT

The next business on the Consent Calendar was the bill (S. 2704) to amend paragraph (3), section 16, of the interstate commerce act.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. I want to ask the gentleman from Minnesota [Mr. NEWTON] what is the necessity of passing this bill now?

Mr. NEWTON of Minnesota. Simply this: The statute of limitations running against the shippers for claims for overcharges is two years. It has always been figured that that statute ran in accordance with the statute of limitations in the States. It is to make it just the same as runs against the railroad and against the shipper. It was caused by the Supreme Court decision in the Wolf case, handed down just before we adjourned a year ago.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That paragraph (3) of section 16 of the interstate commerce act be, and the same is hereby, amended to read as follows:

"(3) (a) All actions at law by carriers subject to this act for recovery of their charges, or any part thereof, shall be begun within three years from the time the cause of action accrues and not after.

"(b) All complaints against carriers subject to this act for the recovery of damages not based on overcharges shall be filed with the commission within two years from the time the cause of action accrues and not after, subject to subdivision (d).

"(c) For recovery of overcharges action at law shall be begun or complaint filed with the commission against carriers subject to this act within three years from the time the cause of action accrues and not after, subject to subdivision (d), except that if claim for the overcharge has been presented in writing to the carrier within the three-year period of limitation said period shall be extended to include six months from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice.

"(d) If on or before expiration of the two-year period of limitation in subdivision (b) or of the three-year period of limitation in subdivision (c) a carrier subject to this act begins action under subdivision (a) for recovery of charges in respect of the same transportation service, or, without beginning action, collects charges in respect of that service, said period of limitation shall be extended to include 90 days from the time such action is begun or such charges are collected by the carrier.

"(e) The cause of action in respect of a shipment of property shall, for the purposes of this section, be deemed to accrue upon delivery or tender of delivery thereof by the carrier and not after.

"(f) A petition for the enforcement of an order of the commission for the payment of money shall be filed in the district court or the State court within one year from the date of the order and not after.

"(g) The term 'overcharges' as used in this section shall be deemed to mean charges for transportation services in excess of those applicable thereto under the tariffs lawfully on file with the commission.

"(h) The provisions of this paragraph (3) shall extend to and embrace cases in which the cause of action has heretofore accrued, as well as cases in which the cause of action may hereafter accrue, except that actions at law begun or complaints filed with the commission against carriers subject to this act for the recovery of overcharges where the cause of action accrued on or after March 1, 1920, shall not be deemed to be barred under subdivision (c) if such actions shall have been begun or complaints filed prior to enactment of this paragraph or within six months thereafter."

Mr. NEWTON of Minnesota. Mr. Speaker, the chairman of the Interstate Commerce Commission called my attention, after the bill had been reported out, to several typographical errors, where certain commas which were in the existing law had been omitted in the bill which came from the Senate. In order to correct that, I move the following amendments:

Page 1, line 9, after the word "accrues," insert a comma.
Page 2, line 2, after the word "accrues," insert a comma.
Page 2, line 7, after the word "accrues," insert a comma.
Page 3, line 2, after the word "carrier," insert a comma.
Page 3, line 6, after the word "order," insert a comma.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. AYRES. That will necessarily take it back to the Senate, will it not?

Mr. NEWTON of Minnesota. That will take it back to the Senate; but these different phrases having been construed by the court, there is fear on the part of the commission that if any one of these commas should be left out it could be given an interpretation that was not intended and which is not warranted.

Mr. AYRES. It might cause a delay.

Mr. NEWTON of Minnesota. I will personally look after it to-morrow, to see that it is sent over and taken up by the committee.

The SPEAKER pro tempore. Without objection, the corrections indicated will be made.

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

EXPENDITURE FROM THE FUND OF THE FORT PECK INDIANS

The next business on the Consent Calendar was the resolution (S. J. Res. 103) authorizing expenditure of the Fort Peck 4 per cent fund now standing to the credit of the Fort Peck Indians of Montana in the Treasury of the United States.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this resolution?

Mr. WILLIAMSON. Reserving the right to object, I would like to ask for what purpose this money will be expended?

Mr. LEAVITT. For the purpose of discussing Indian tribal matters. The total amount that can be expended for that purpose is $3,000.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Whereas a delegation of Indians of the Fort Peck Indian Reservation, Mont., was duly authorized and elected to visit the city of Washington, D. C.; and

Whereas there is no authority of law to use tribal funds to defray the expenses of said delegation: Therefore be it

Resolved, etc., That the sum of $3,000 is hereby authorized to be appropriated out of the Fort Peck 4 per cent fund, created under the act of May 30, 1908 (35 Stat. L. p. 558), and held in trust by the United States, to enable the Secretary of the Interior to pay the necessary expenses incurred in connection with the visit to Washington, D. C., and return, by a delegation of representatives of the Fort Peck Indians for the purpose of conferring with the Sioux tribal attorneys, presenting claims, and other tribal matters of said Indians.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

Mr. CRAMTON. Mr. Speaker, what is the proper time for the preamble to be stricken out? I move that the preamble be stricken out.

The SPEAKER pro tempore. That may require sending the resolution back to the Senate. Does the gentleman from Michigan make any motion or request?

Mr. CRAMTON. No. It might cause delay.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. BLANTON. Mr. Speaker, may I ask the gentleman from Ohio [Mr. BEGG] how much longer we will run?

Mr. BEGG. Two or three more bills. Then we will quit.

Mr. BLANTON. Can we not have an understanding as to time? Some of us have been busy to-day for about 16 hours.

Mr. BEGG. We will finish the page.

Mr. BLANTON. Can we not agree to adjourn at 15 minutes after 11 o'clock?

Mr. BEGG. I will agree to quit at 10 minutes after 11.

Mr. O'SULLIVAN. Mr. Speaker, I make the point of no quorum.

Mr. LUCE. Will not the gentleman withhold his point of order for a moment?

Mr. O'SULLIVAN. I withdraw the point of order, Mr. Speaker.

Mr. LUCE rose.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. LUCE. To prefer a unanimous-consent request.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LUCE. Earlier in the evening I asked that No. 283, Joint Resolution No. 7, retain its place on the calendar, expecting that a colleague having great interest in the matter would be here later in the evening. He has not presented himself, and therefore I ask permission to withdraw the request.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to withdraw his request that Senate Joint Resolution 7, Calendar No. 283, retain its place on the calendar without prejudice. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BEGG. On what subject?

Mr. McKEOWN. I will state to the gentleman that it is on political subjects.

Mr. BEGG. I want to call the gentleman's attention to the fact that it was understood that no business other than these bills would be transacted to-night. If the gentleman will prefer his request to-morrow, he can get that consent.

Mr. McKEOWN. That is all right. It is along political lines.

Mr. BEGG. That is violating the unanimous-consent order under which we are operating.

The SPEAKER pro tempore. Does the gentleman withdraw his request?

Mr. McKEOWN. I withdraw it under those circumstances.

ISLANDS IN THE KALAMAZOO RIVER

The next business on the Consent Calendar was the bill (H. R. 7144) to relinquish to the city of Battle Creek, Mich., all right, title, and interest of the United States in two unsurveyed islands in the Kalamazoo River within the corporate limits of said city.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Reserving the right to object, and I do not think I shall, what is the value of the property to which the Government is going to give up title?

Mr. WILLIAMS of Michigan. It will be very small indeed.

Mr. BLANTON. Very small might mean $1,000 or $1,000,000 to some people.

Mr. WILLIAMS of Michigan. I do not think these islands could be sold for $50.

Mr. BLANTON. I have no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That whatever right, title, or interest the United States may have in or to the two unsurveyed islands shown upon the official plat of the survey of township 2 south, range 8 west, Michigan, approved July 14, 1826, as being in the Kalamazoo River, in section 2 of said township, be, and the same is hereby, relinquished unto the city of Battle Creek, in the said State of Michigan, for public purposes.

With the following committee amendment:

Page 2, line 1, after the word "purposes," insert the words "and the Secretary of the Interior is hereby authorized and directed by appropriate conveyance to carry out the purposes of this act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to relinquish to the city of Battle Creek, Mich., all right, title, and interest of the United States in two unsurveyed islands in the Kalamazoo River."

NATIONAL MILITARY PARK

The next business on the Consent Calendar was the bill (H. R. 5417) authorizing and directing the Secretary of War to investigate the feasibility and to ascertain and report the cost of establishing a national military park in and about Kansas Cly, Mo., commemorative of the Battle of Westport, October 23, 1864.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. I object.

PROCEDURE IN FEDERAL COURTS

The next business on the Consent Calendar was the bill (S. 624) to amend the practice and procedure in Federal courts, and for other purposes.

The Clerk read the title of the bill.

Mr. BEGG. Mr. Speaker, is that Calendar No. 343 or No. 341?

Mr. BLANTON. No. 340 was the one objected to.

The SPEAKER pro tempore. Objection was made to Calendar No. 340. Calendar No. 341, H. R. 9245, has been laid on the table. Is there objection to the present consideration of Senate bill 624?

Mr. MOORES of Indiana. I object.

Mr. KURTZ. I object.

Mr. BRUMM. I object.

RETIREMENT OF EMPLOYEES IN THE CLASSIFIED CIVIL SERVICE

The next business on the Consent Calendar was the bill (H. R. 8906) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. I object.

Mr. MACGREGOR. Will not the gentleman withhold that objection?

Mr. HICKEY. I trust the gentleman from Ohio will not object, because this is simply to take care of certain employees who occupied positions as custodians of buildings. The total amount is something like $1,000. The bill has been approved by the Secretary of the Treasury, and was introduced at the request of the Treasury Department.

Mr. MACGREGOR. And these employees were appointed by authority of the Treasury Department.

Mr. HICKEY. It is simply to pay some wages to a number of employees.

Mr. CRAMTON. Regular order, Mr. Speaker.

Mr. BEGG. I withdraw my objection.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Reserving the right to object, what is the urgency for passing this bill here by unanimous consent without any consideration at all?

Mr. HICKEY. If the gentleman from Texas will examine the report he will find that these men were employed by the Government as laborers and firemen in Government buildings over the country.

Mr. BLANTON. How many are involved?

Mr. HICKEY. There are 42 involved, and the total amount due them is about $1,000.

Mr. BLANTON. Is that the aggregate amount or is it $1,000 each?

Mr. HICKEY. That is the aggregate amount.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the agreed compensation in each case to all persons temporarily employed by the Department of the Treasury prior to the enactment of this act who had, before such employment, reached the age for retirement, or who had been retired, from the Government service under the provisions of the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920.

SEC. 2. The Comptroller General is authorized and directed, notwithstanding the provisions of such act of May 22, 1920, to credit the accounts of all disbursing officers or agents of the Department of the Treasury with the amounts heretofore paid in good faith for temporary services to such persons who had reached the age for retirement or who had been retired.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

ELDORADO NATIONAL FOREST, CALIF.

The next business on the Consent Calendar was the bill (H. R. 104) for the inclusion of certain lands in the Eldorado National Forest, Calif., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. BRUMM. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, will the gentleman withhold his objection?

Mr. BRUMM. Mr. Speaker, this is exactly like the other bills that have been objected to, and I object to this one.

Mr. RAKER. Mr. Speaker, it is so late at night——

Mr. CRAMTON. Regular order, Mr. Speaker.

Mr. RAKER. I hope the gentleman will not operate on us so severely and give us at least a chance.

Mr. BRUMM. I have no objection to the gentleman making any statement he wants to make.

Mr. BEGG. Mr. Chairman, if the gentleman is going to object, I think we ought to have the objection and go on.

Mr. RAKER. You said you were going to adjourn at 10 minutes after 11.

Mr. BEGG. We are; and we have two minutes left.

Mr. RAKER. The two bills are of the same character.

Mr. VAILE. Mr. Speaker, I have a matter here which is urgent——

Mr. BLANTON. Regular order, Mr. Speaker.

The SPEAKER pro tempore. Objection is made, and the Clerk will report the next bill.

SHASTA NATIONAL FOREST, CALIF.

The next business on the Consent Calendar was the bill (H. R. 106) for the inclusion of certain lands in the Shasta National Forest, Calif., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BRUMM. I object.

Mr. RAKER. I ask that I may have an opportunity to present——

Mr. CRAMTON. Mr. Speaker, it is 10 minutes after 11.

Mr. RAKER. Now, gentlemen are getting impatient——

Mr. CRAMTON. I am not objecting to the bill, but I am objecting to speeches being made after objection is made.

Mr. RAKER. Members are getting impatient and are saying that they have some matters on the calendar and want to get to them. I hope gentlemen will not object to my matters because they want to get to theirs. Nobody has done that to-night.

Mr. CRAMTON. The only thing I had has gone long ago, and I object to any more speeches.

The SPEAKER pro tempore. The gentleman from Pennsylvania objects.

TAHOE NATIONAL FOREST, CALIF.

The next business on the Consent Calendar was the bill (H. R. 107) for the inclusion of certain lands in the Tahoe National Forest, in the States of California and Nevada, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BRUMM. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, I want to call the attention of the House to the fact that we are about ready to adjourn. The gentleman said we were going to adjourn at 2.30.

Mr. CRAMTON. I do not want to stay here until 2.30.

The SPEAKER pro tempore. This proceeding is all by unanimous consent.

Mr. RAKER. I know the Members will give me an opportunity to at least call your attention to this fact——

Mr. BEGG. Mr. Speaker, the gentleman can not speak without unanimous consent.

Mr. RAKER. I realize that, and I ask unanimous consent that the bills H. R. 104 (No. 345 on the calendar), H. R. 106 (No. 346 on the calendar), and H. R. 107 (No. 347 on the calendar), because of the lateness of the hour and the conditions, and so forth, may be passed over without prejudice and retain their place on the calendar.

Mr. CRAMTON. I second that motion.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that H. R. 104, H. R. 106, and H. R. 107 may be passed over without prejudice and retain their places on the calendar. Is there objection? [After a pause.] The Chair hears none.

Mr. BEGG. Mr. Speaker, I move that the House do now adjourn.

Mr. VAILE. Will the gentleman withhold that a moment and let me prefer a unanimous-consent request?

Mr. BEGG. Yes; I will withhold it for the gentleman to prefer a unanimous-consent request.

Mr. VAILE. Mr. Speaker, I ask unanimous consent to consider calendar No. 350 on this calendar.

Mr. BLANTON. Not to consider any of them.

Mr. VAILE. I ask unanimous consent for its consideration.

Mr. BLANTON. There are a lot of other bills.

Mr. VAILE. There are; but those other bills can wait and this one can not.

Mr. BLANTON. Is this a bridge bill?

Mr. VAILE. No; it is a bill to enable a city to complete its filtration plant.

Mr. BLANTON. Mr. Speaker, there was an arrangement made by the gentleman from Ohio to adjourn. There are probably 50 bills in this same situation, and we are going to have another session for this calendar.

Mr. VAILE. I wish I could have assurance of that.

Mr. BLANTON. I understand we are to have another session to-morrow or the next day.

Mr. GARRETT of Tennessee. The Unanimous Consent Calendar will be in order every day this week.

Mr. BEGG. I simply withheld my motion to adjourn for the gentleman to make a unanimous-consent request.

Mr. BLANTON. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The regular order is for the Clerk to report the next bill.

Mr. BEGG. Mr. Speaker, I move that the House do now adjourn .

The SPEAKER pro tempore. Will the gentleman withhold that for a moment?

Mr. BEGG. I will.

LEAVE OF ABSENCE

Mr. CELLER, by unanimous consent, was given leave of absence for two days, on account of sickness.

ADJOURNMENT

Mr. BEGG. Mr. Speaker, I renew my motion.

The motion was agreed to; and accordingly (at 11 o'clock and 13 minutes p. m.) the House adjourned until to-morrow, Thursday, June 5, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

549. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the District of Columbia for the fiscal year ending June 30, 1925, amounting to $1,151,970, for public schools (H. Doc. No. 351); to the Committee on Appropriations and ordered to be printed.

550. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department, pertaining to the Internal Revenue Service, for the fiscal year 1924, amounting to $16,140,000 (H. Doc. No. 352); to the Committee on Appropriations and ordered to be printed.

551. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the Treasury Department, pertaining to the Secret Service, for the fiscal year 1923, amounting to $756.62 (H. Doc. No. 353); to the Committee on Appropriations and ordered to be printed.

552. A letter from the Chief Scout Executive, transmitting Fourteenth Annual Report of the Boy Scouts of America for the year 1923 (H. Doc. No. 354); to the Committee on Education and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. CORNING: Committee on Interstate and Foreign Commerce. S. J. Res. 102. A joint resolution authorizing the Secretary of War to modify certain contracts entered into for the sale of boats, barges, tugs, and other transportation facilities intended for operation upon the New York State Barge Canal; with an amendment (Rept. No. 949). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAMMER: Committee on the District of Columbia. S. 1782. An act to provide for the widening of Nichols Avenue between Good Hope Road and S Street SE.; with amendments (Rept. No. 951). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 9361. A bill granting the consent of Congress to the construction of a bridge across the Rio Grande; with an amendment (Rept. No. 953). Referred to the House Calendar.

Mr. BARKLEY: Committee on Interstate and Foreign Commerce. H. R. 9402. A bill authorizing the construction of a bridge across the Ohio River to connect the city of Portsmouth, Ohio, and the village of Fullerton, Ky.; with amendments (Rept. No. 954). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 9434. A bill granting the consent of Con-

gress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the St. Marys River; without amendment (Rept. No. 955). Referred to the House Calendar.

Mr. BARKLEY: Committee on Interstate and Foreign Commerce. H. R. 9456. A bill to grant the consent of Congress to the Cincinnati, New Orleans & Texas Pacific Railway Co. to construct, maintain, and operate a new bridge across the Cumberland River, in the county of Pulaski, State of Kentucky, near the town of Burnside; with amendments (Rept. No. 956). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 9457. A bill to authorize the States of Alabama and Georgia, through their respective highway departments, to construct and maintain a bridge across the Chattahoochee River at or near Alaga, Ala., connecting Houston County, Ala., and Early County, Ga.; with amendments (Rept. No. 957). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 9515. A bill granting the consent of Congress to the Delaware State Highway Department to construct a bridge across the canal near Rehoboth, Del.; with an amendment (Rept. No. 958). Referred to the House Calendar.

Mr. SHALLENBERGER: Committee on Interstate and Foreign Commerce. H. R. 9516. A bill to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa; with amendments (Rept. No. 959). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 9517. A bill granting the consent of Congress to the Texas & Oklahoma Red River Bridge Co. (Inc.), of St. Jo, Tex., a corporation organized under the laws of the State of Texas, to construct a toll bridge across the Red River in the vicinity of Illinois Bend, Tex.; with amendments (Rept. No. 960). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 9518. A bill to authorize the State of Alabama, through its highway department, to construct and maintain a bridge across the Coosa River, at or near Leesburg, Ala., connecting Leesburg, Ala., and Center, Ala., on the primary road system of the State; with amendments (Rept. No. 961). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. S. 3355. An act granting the consent of Congress to the counties of Marion and Florence, in the State of South Carolina, to construct a bridge across the Peedee River at or near Savage Landing, S. C.; with amendment (Rept. No. 962). Referred to the House Calendar.

Mr. DEMPSEY: Committee on Rivers and Harbors. H. R. 9672. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; without amendment (Rept. No. 952). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRITTEN: Committee on Naval Affairs. H. R. 9634. A bill to provide for the creation, organization, administration, and maintenance of a naval reserve and a Marine Corps reserve; without amendment (Rept. No. 964). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. STEPHENS: Committee on Naval Affairs. H. R. 5143. A bill for the relief of John I. Conroy; without amendment (Rept. No. 965). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5858) granting a pension to Dicie D. Fowler; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9464) granting a pension to Hannah Spring; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 9669) to provide for the equalization of promotion of officers of the Staff Corps of the Navy with officers of the line; to the Committee on Naval Affairs.

By Mr. FAIRFIELD: A bill (H. R. 9670) granting a national charter to organize and maintain subordinate chapters of the Sigma Mu Sigma fraternities; to the Committee on the Judiciary.

By Mr. WEFALD: A bill (H. R. 9671) authorizing the Chippewa Indians of Minnesota to submit their claims against the United States to the Court of Claims; to the Committee on Indian Affairs.

By Mr. DEMPSEY: A bill (H. R. 9672) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 9673) to amend section 558 of the Code of Law for the District of Columbia; to the Committee on the Judiciary.

By Mr. RICHARDS: A bill (H. R. 9674) to establish the Colorado River commission, provide for the control, conservation, and utilization of the waters of the Colorado River, and for the generation and distribution of power, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. THATCHER: Joint resolution (H. J. Res. 282) for the creation of a commission to investigate crime; to the Committee on the Judiciary.

By Mr. SABATH: Joint resolution (H. J. Res. 283) to permit to remain within the United States certain aliens in excess of quotas fixed under authority of the immigration act of May 19, 1921, as amended and extended; to the Committee on Immigration and Naturalization.

By Mr. RANKIN: Joint resolution (H. J. Res. 284) exempting from tariff duty all articles imported from foreign countries which are exchanged for American farm products; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota: Resolution (H. Res. 347) empowering the Committee on World War Veterans' Legislation or any subcommittee thereof to make a comprehensive survey of hospitals and hospital facilities for ex-service men of any war in which the United States was engaged; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 9675) granting a pension to Maude E. Riggs; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 9676) granting a pension to Elizabeth Shaver; to the Committee on Invalid Pensions.

By Mr. FREDERICKS: A bill (H. R. 9677) granting a pension to Marion Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9678) granting an increase of pension to George E. West; to the Committee on Pensions.

By Mr. FREE: A bill (H. R. 9679) granting an increase of pension to Anna F. Quinn; to the Committee on Invalid Pensions.

By Mr. GLATFELTER: A bill (H. R. 9680) granting an incease of pension to Justina Swartz; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 9681) granting an increase of pension to James A. J. Yokum; to the Committee on Pensions.

By Mr. LEE of Georgia: A bill (H. R. 9682) granting an increase of pension to Ernest J. Logan; to the Committee on Pensions.

By Mr. LITTLE: A bill (H. R. 9683) granting a pension to Isabelle A. Hulit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9684) granting an increase of pension to John Shannon; to the Committee on Pensions.

By Mr. MANLOVE: A bill (H. R. 9685) granting an increase of pension to William H. Surridge; to the Committee on Pensions.

By Mr. MERRITT: A bill (H. R. 9686) granting a pension to Jennie Meyer; to the Committee on Invalid Pensions.

By Mr. RAGON: A bill (H. R. 9687) permitting the sale of NE. ¼ sec. 5, T. 6 N., R. 15 W., 160 acres, Conway County, Ark., to A. R. Bowdre; to the Committee on the Public Lands.

By Mr. RAKER: A bill (H. R. 9688) granting public lands to the city of Red Bluff, Calif., for a public park; to the Committee on the Public Lands.

By Mr. SEARS of Nebraska: A bill (H. R. 9689) granting a pension to Emily C. Minturn; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 9690) granting an increase of pension to Minerva R. Connelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9691) granting an increase of pension to Loda Shuler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9692) granting an increase of pension to Martha E. Whiting; to the Committee on Invalid Pensions.

By Mr. THATCHER: A bill (H. R. 9693) for the relief of Eugene Floyd Smith; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 9694) granting an increase of pension to Ellen M. Brown; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 9695) granting an increase of pension to Elizabeth Russell; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 9696) granting a pension to Nancy A. Anthony; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3000. By the SPEAKER (by request): Petition of mayor of Spring Valley, Ill., protesting against any legislation that will permit the continued use of the Illinois River by the city of Chicago for sewage disposal; to the Committee on Rivers and Harbors.

3001. By Mr. BARBOUR: Petition of First Methodist Episcopal Church, of Bakersfield, Calif., indorsing House joint Resolution 159, which provides for a constitutional amendment to prohibit sectarian appropriations; to the Committee on the Judiciary.

3002. Also, petition of C. C. Thomas Navy Post, No. 244, of the American Legion, urging the establishment of a main operating base for the Navy on San Francisco Bay; to the Committee on Naval Affairs.

3003. Also, petition of C. C. Thomas Navy Post, No. 244, of the American Legion, urging the appropriation of necessary funds for maintaining an active personnel of the Navy in conformity with the 5-5-3 ratio; to the Committee on Naval Affairs.

3004. Also, petition of C. C. Thomas Navy Post, No. 244, of the American Legion, urging the allocation of the cruiser U. S. S. *Albany* to the Naval Reserve Force of the twelfth naval district, and the appropriation of $100,000 for placing said cruiser in active commission; to the Committee on Naval Affairs.

3005. By Mr. CARTER: Petition of Antlers (Okla.) Chapter of the Izaak Walton League of America, favoring the upper Mississippi River wild life and fish refuge act; to the Committee on Agriculture.

3006. By Mr. DICKINSON of Missouri: Petition of members of the Baptist Church of Rich Hill, Mo., in support of the constitutional amendment to prohibit sectarian appropriations, House Joint Resolution 159; to the Committee on the Judiciary.

3007. By Mr. FAUST: Petition of Copeland Baptist Church of St. Joseph, Mo., in support of the constitutional amendment to prohibit sectarian appropriations, House Joint Resolution 159; to the Committee on the Judiciary.

3008. By Mr. HICKEY: Petition of Methodist Episcopal Church of North Judson, Ind., indorsing the proposed constitutional amendment to prohibit sectarian appropriations (H. J. Res. 159) and urging its immediate passage, signed by Rev. G. A. Trodie, pastor, and S. B. Wakeman, secretary; to the Committee on the Judiciary.

3009. By Mr. MEAD: Petition of City Council of Buffalo, N. Y., urging the passage of House bill 6533; to the Committee on the Judiciary.

3010. By Mr. REED of Arkansas (by request): Petition of Second Baptist Church of Hot Springs, Ark., in support of the constitutional amendment to prohibit sectarian appropriations, House Joint Resolution 159; to the Committee on the Judiciary.

3011. By Mr. ROACH: Petition of the Pilot Grove, Mo., Baptist Church in support of the constitutional amendment to prohibit sectarian appropriations, House Joint Resolution 159; to the Committee on the Judiciary.

3012. By Mr. WATSON: Petition of the Lower Providence Baptist Church, Eagleville, Pa., indorsing the proposed constitutional amendment to prohibit sectarian appropriations, House Joint Resolution 159; to the Committee on the Judiciary.

3013. By Mr. WELSH: Petition of citizens of Chester, Pa., in favor of equal rights amendment, House Joint Resolution 75 and Senate Joint Resolution 21; to the Committee on the Judiciary.